

1 AN ACT
2 RELATING TO CONSERVATION; AMENDING THE WATERSHED DISTRICT
3 ACT; PROVIDING FOR APPOINTMENT OF WATERSHED BOARDS OF
4 DIRECTORS INSTEAD OF ELECTION OF THE BOARDS.
5

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 SECTION 1. Section 73-20-2 NMSA 1978 (being Laws 1957,
8 Chapter 210, Section 2, as amended) is amended to read:

9 "73-20-2. DEFINITIONS.--As used in the Watershed
10 District Act:

11 A. "directors" means directors of the watershed
12 districts;

13 B. "minority jurisdiction district" means a soil
14 and water conservation district that has within its
15 jurisdiction a minority of the land in a watershed district;
16 and

17 C. "supervisors" means supervisors of soil and
18 water conservation districts in which the watershed district
19 is located."

20 SECTION 2. Section 73-20-12 NMSA 1978 (being Laws 1957,
21 Chapter 210, Section 12, as amended) is amended to read:

22 "73-20-12. DIRECTORS--APPOINTMENT.--

23 A. A watershed district shall be governed by a
24 board of directors appointed by the board of supervisors for
25 the soil and water conservation district in which the

1 watershed district is located. Except as provided in
2 Subsection C of this section, a board of directors shall
3 consist of five directors; provided that, when available, one
4 director shall be a current or former elected director of the
5 watershed district.

6 B. When appointing the initial directors for a
7 watershed district, a board of supervisors shall appoint two
8 members to serve terms of two years and three members to
9 serve terms of four years. Thereafter, new appointments to
10 the watershed district board shall be for terms of four
11 years. Vacancies occurring before the expiration of a term
12 shall be filled by appointment for the unexpired remainder of
13 a term.

14 C. If the territory embraced within a watershed
15 district lies within more than one soil and water
16 conservation district, each minority jurisdiction district
17 shall be entitled to appoint three additional directors.
18 When appointing the additional directors, a board of
19 supervisors shall appoint one director to serve a term of two
20 years and two directors to serve terms of four years.
21 Thereafter, new directors shall be appointed for terms of
22 four years. All vacancies shall be filled by appointment by
23 the minority jurisdiction districts for the remainder of an
24 unexpired term.

25 D. The board of directors shall annually elect

1 from its membership a chair, secretary and treasurer. The
2 treasurer shall execute an official bond for the faithful
3 performance of the duties of office to be approved by the
4 board of directors. The bond shall be executed with at least
5 three solvent personal sureties whose solvency shall exceed
6 the amount of the bond, or by a surety company authorized to
7 do business in this state, and shall be in an amount
8 determined by the board of directors. If the treasurer is
9 required to execute a surety company bond, the premium of the
10 bond shall be paid by the board of directors.

11 E. The board of directors shall prepare and submit
12 to the department of finance and administration such reports
13 as it may require from among those required to be submitted
14 by other political subdivisions."

15 SECTION 3. EFFECTIVE DATE.--The effective date of the
16 provisions of this act is July 1, 2025. _____

HB 431
Page 3