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SENATE BILL 642

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO MUNICIPALITIES; REQUIRING REPRESENTATIVE
MANAGEMENT AND OPERATION OF MUNICIPAL UTILITIES; AMENDING THE
NMSA 1978.

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

Section 1. Section 3-23-10 NMSA 1978 (being Laws 1965,
Chapter 300, Section 14-22-10, as amended) is amended to read:

"3-23-10. MUNICIPAL UTILITY-- [~~AUTHORITY TO ESTABLISH~~]
BOARD OF UTILITY COMMISSIONERS. --

A. A municipality may establish a municipal board
of utility commissioners to manage and operate a municipal
utility. The board of utility commissioners is responsible
[~~to the governing body~~] for the administration of the affairs
of the utility. Members of the board of utility commissioners
shall be appointed by the mayor with the consent of the

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1 governing body, and ~~[shall be residents of]~~ each shall
2 represent a commissioner district within the area served by
3 the utility.

4 B. The ordinance establishing the board of utility
5 commissioners:

6 (1) shall fix the number of commissioners;

7 (2) shall establish commissioner districts
8 within the municipal utility's service area, with each
9 district representing approximately the same number of
10 consumers of the municipal utility;

11 ~~[(2)]~~ (3) shall set the term of office ~~[of~~
12 ~~each commissioner]~~ for commissioners, which shall not exceed
13 six years;

14 ~~[(3)]~~ (4) may provide for staggered terms of
15 office;

16 ~~[(4)]~~ (5) shall establish the duties and
17 jurisdiction of the board with respect to the management and
18 administration of the affairs of the utility; and

19 ~~[(5)]~~ (6) may contain such terms and
20 provisions, consistent with law, ~~[which]~~ that are reasonably
21 necessary or desirable to accomplish the purposes assigned to
22 the board.

23 C. Any municipality establishing a board of
24 utility commissioners shall retain and possess all powers with
25 respect to the utility for which ~~[such]~~ the board is

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1 established as are consistent with the laws and constitution
2 of New Mexico. "

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1 FORTY- FOURTH LEGISLATURE

2 FIRST SESSI ON, 1999

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5 March 2, 1999

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7 Mr. Presi dent:

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9 Your RULES COMMITTEE, to whom has been referred

10
11 SENATE BILL 642

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13 has had it under consideration and reports same with
14 recommendation that it DO PASS, and thence referred to the
15 CONSERVATION COMMITTEE.
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18 Respectfully submit ted,

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Glori a Howes, Co- Chair

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1 Adopted _____ Not

2 Adopted _____

3 (Chief Clerk)

(Chief Clerk)

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6 Date _____

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9 The roll call vote was 6 For 0 Against

10 Yes: 6

11 No: 0

12 Excused: Gorham, Kysar

13 Absent: None

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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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5
6 March 11, 1999

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8 Mr. President:

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10 Your CONSERVATION COMMITTEE, to whom has been referred

11
12 SENATE BILL 642

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14 has had it under consideration and reports same with
15 recommendation that it DO PASS.

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18 Respectfully submitted,

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23 _____
24 Fernando R. Macias, Chairman

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Adopted _____ Not

1 Adopted _____

2 (Chief Clerk)

(Chief Clerk)

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6 Date _____

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9 The roll call vote was 8 For 0 Against

10 Yes: 8

11 No: None

12 Excused: Eisenstadt, Sanchez

13 Absent: None

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1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 16, 1999
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8 Mr. Speaker:
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10 Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to
11 whom has been referred
12

13 SENATE BILL 642
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15 has had it under consideration and reports same with
16 recommendation that it DO PASS, amended as follows:

17 1. On page 2, line 1, after the bracketed material, insert
18 “, except in the case of a class H county,”.

19
20 2. On page 2, line 7, after “(2)”, insert “except in the
21 case of a class H county,”.
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1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999

3 **HGUAC/SB 642**

Page 11

4 **Respectfully submitted,**

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9 James G. Taylor, Chairman

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12 Adopted _____ Not Adopted _____
13 (Chief Clerk) (Chief Clerk)

14 Date _____

15
16 The roll call vote was 5 For 0 Against

17 Yes: 5

18 Excused: Abeyta, Hobbs

19 Absent: None

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25 . 127174.1

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