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SENATE BILL 221

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Stuart Ingle

AN ACT

RELATING TO THE ENVIRONMENT; PROVIDING LIMITATIONS ON THE
ADMINISTRATIVE IMPOSITION OF CERTAIN CIVIL PENALTIES.

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

Section 1. A new section of the Environmental Improvement
Act is enacted to read:

"~~[NEW MATERIAL]~~ CIVIL PENALTIES--LIMITATIONS ON THE
ADMINISTRATIVE IMPOSITION.--Except as otherwise provided, no
order issued by the secretary under the Environmental
Improvement Act, Air Quality Control Act, Hazardous Waste Act,
Radiation Protection Act and Solid Waste Act may assess a total
civil penalty in excess of two hundred fifty thousand dollars
(\$250,000) or assess a penalty for violations that occurred
more than twenty-four months prior to the initiation of the
administrative action."

1 Section 2. A new section of the Water Quality Act is
2 enacted to read:

3 "[NEW MATERIAL] CIVIL PENALTIES--LIMITATIONS ON THE
4 ADMINISTRATIVE IMPOSITION.--No compliance order issued by a
5 constituent agency under the Water Quality Act may assess a
6 total civil penalty in excess of two hundred fifty thousand
7 dollars (\$250,000) or assess a penalty for violations that
8 occurred more than twenty-four months prior to the initiation
9 of the administrative action."

underscored material = new
[bracketed material] = delete