

HOUSE BILL 473

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

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AN ACT

RELATING TO WATER; AMENDING THE ELIGIBILITY REQUIREMENTS FOR
THE POSITION OF STATE ENGINEER TO INCLUDE GEOHYDROLOGISTS,
HYDROLOGISTS, GEOLOGISTS AND ATTORNEYS.

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

Section 1. Section 72-2-1 NMSA 1978 (being Laws 1907,
Chapter 49, Section 4, as amended) is amended to read:

"72-2-1. APPOINTMENT--REMOVAL--QUALIFICATIONS--DUTIES--
OFFICE--PRIVATE PRACTICE PROHIBITED.--There shall be a "state
engineer" who shall be a technically qualified and registered
professional engineer under the Engineering and ~~Land~~
Surveying Practice Act or a qualified appropriately
credentialed professional geohydrologist, hydrologist,
geologist or attorney and shall be appointed by the governor
and confirmed by the senate. ~~He~~ The state engineer shall

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underscored material = new
~~[bracketed material]~~ = delete

1 hold office for the term of two years or until [~~his~~] a
2 successor has been appointed and has qualified. [~~He~~] The state
3 engineer is subject to removal only for cause. [~~He~~] The state
4 engineer has general supervision of waters of the state and of
5 the measurement, appropriation, distribution thereof and such
6 other duties as required. The salary of the state engineer
7 shall be set by the governor, and [~~he~~] the state engineer shall
8 receive necessary traveling expenses while away from [~~his~~] the
9 office of the state engineer in the discharge of official
10 duties pursuant to the provisions of the Per Diem and Mileage
11 Act. The "office of the state engineer" shall be located at
12 the seat of government. [~~He~~] The state engineer shall not
13 engage in any private practice."