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SENATE BILL 227

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Linda M. Lopez

AN ACT

RELATING TO WATER; REPEALING AND ENACTING SECTIONS OF CHAPTER 73, ARTICLE 14 NMSA 1978 TO PROVIDE FOR TEMPORARY CONSERVANCY COURT CONTROL; PROVIDING FOR APPOINTMENT OF A RECEIVER; PROVIDING FOR REPLACEMENT OF THE CURRENT BOARD OF DIRECTORS OF THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT; PROVIDING FOR ELECTION OF DIRECTORS BY DISTRICTS; DECLARING AN EMERGENCY.

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

Section 1. A new section of Chapter 73, Article 14 NMSA 1978 is enacted to read:

"[NEW MATERIAL] ELECTION OF CONSERVANCY DISTRICT BOARD-- DISTRICTS--CONSERVANCY COURT--RECEIVER.--

A. The conservancy court for the middle Rio Grande conservancy district shall assume control of the conservancy district not later than ten calendar days after the effective

1 date of this section.

2 B. The board of directors in office on the effective
3 date of this 2010 act is dissolved. The conservancy court
4 shall appoint a receiver to manage operations of the middle Rio
5 Grande conservancy district until a new board of directors is
6 elected at the 2010 general election.

7 C. The conservancy court shall order the receiver to
8 craft district boundaries from which the seven directors of the
9 middle Rio Grande conservancy district board of directors shall
10 be elected. Districts shall be compact, contiguous and as
11 nearly equal in population as practicable.

12 D. Middle Rio Grande conservancy district elections
13 shall be held with the general election, and board of directors
14 candidates' names shall appear on the general election ballot.

15 E. Members of the board of directors shall be
16 elected for staggered four-year terms; provided that the seven
17 directors elected at the 2010 general election shall classify
18 themselves by lot so that three directors shall initially serve
19 terms of two years and four directors shall serve terms of four
20 years. Thereafter, all directors shall serve four-year terms.
21 After serving two terms, a director shall be ineligible to hold
22 office as a director until one full term has intervened."

23 Section 2. APPROPRIATION.--Ten thousand dollars (\$10,000)
24 is appropriated from the general fund to the administrative
25 office of the courts in fiscal years 2010 and 2011 for

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1 conservancy district court expenditures related to drawing
2 election district boundaries. Any unexpended or unencumbered
3 balance remaining at the end of fiscal year 2011 shall revert
4 to the general fund.

5 Section 3. REPEAL.--Sections 73-14-19, 73-14-22 and
6 73-14-24 NMSA 1978 (being Laws 1975, Chapter 262, Sections 2, 5
7 and 7, as amended) are repealed.

8 Section 4. EMERGENCY.--It is necessary for the public
9 peace, health and safety that this act take effect immediately.

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