SENATE BILL 265

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Joseph Cervantes

AN ACT

RELATING TO THE STATE ENGINEER; REQUIRING THE STATE ENGINEER TO BE A LICENSED NEW MEXICO ATTORNEY WITH WATER LAW EXPERIENCE.

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 and a licensed New Mexico attorney with water law experience and shall be appointed by the governor and confirmed by the senate. [He] The state engineer shall hold office for the term of two years or until [his] a successor has been appointed and has qualified. [He] The state engineer is

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1   subject to removal only for cause. [He] The state engineer has

2   general supervision of waters of the state and of the

3   measurement, appropriation, distribution thereof and such other

4   duties as required. The salary of the state engineer shall be

5   set by the governor, and [he] the state engineer shall receive

6   necessary traveling expenses while away from [his] the office

7   of the state engineer in the discharge of official duties

8   pursuant to the provisions of the Per Diem and Mileage Act.

9   The "office of the state engineer" shall be located at the seat

10   of government. [He] The state engineer shall not engage in any

11   private practice."

12   SECTION 2. APPLICABILITY.--The provisions of this act

13   apply to a state engineer appointed on or after January 1,

14   2019.

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