

AN ACT

RELATING TO THE ENVIRONMENT; PROVIDING FOR A MUNICIPAL  
GOVERNMENT MEMBER ON THE WATER QUALITY CONTROL COMMISSION.

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

Section 1. Section 74-6-3 NMSA 1978 (being Laws 1967,  
Chapter 190, Section 3, as amended) is amended to read:

"74-6-3. WATER QUALITY CONTROL COMMISSION CREATED. --

A. There is created the "water quality control  
commission" consisting of:

(1) the secretary of environment or a member  
of his staff designated by him;

(2) the director of the department of game  
and fish or a member of his staff designated by him;

(3) the state engineer or a member of his  
staff designated by him;

(4) the chairman of the oil conservation  
commission or a member of his staff designated by him;

(5) the director of the state parks division  
of the energy, minerals and natural resources department or a  
member of his staff designated by him;

(6) the director of the New Mexico  
department of agriculture or a member of his staff designated  
by him;

(7) the chairman of the soil and water

conservation commission or a soil and water conservation district supervisor designated by him;

(8) the director of the bureau of mines and mineral resources at the New Mexico institute of mining and technology or a member of his staff designated by him;

(9) a municipal or county government representative; and

(10) three representatives of the public to be appointed by the governor for terms of four years and who shall be compensated from the budgeted funds of the department of environment in accordance with the provisions of the Per Diem and Mileage Act.

B. No member of the commission shall receive, or shall have received during the previous two years, a significant portion of his income directly or indirectly from permit holders or applicants for a permit. A member of the commission shall, upon the acceptance of his appointment and prior to the performance of any of his duties, file a statement of disclosure with the secretary of state disclosing any amount of money or other valuable consideration, and its source, the value of which is in excess of ten percent of his gross personal income in each of the preceding two years, that he received directly or indirectly from permit holders or applicants for permits required under the Water Quality Act. No member of the

Commission shall participate in the consideration of an appeal if the subject of the appeal is an application filed or a permit held by an entity that either employs the Commission member or from which the Commission member received more than ten (10) percent of his gross personal income in either of the proceeding two years.

C. The commission shall elect a chairman and other necessary officers and shall keep a record of its proceedings.

D. A majority of the commission constitutes a quorum for the transaction of business, but no action of the commission is valid unless concurred in by six or more members present at a meeting.

E. The commission is the state water pollution control agency for this state for all purposes of the federal act and the wellhead protection and sole source aquifer programs of the federal Safe Drinking Water Act and may take all action necessary and appropriate to secure to this state, its political subdivisions or interstate agencies the benefits of that act and those programs.

F. The commission is administratively attached, as defined in the Executive Reorganization Act, to the department of environment. " \_\_\_\_\_

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