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SENATE BILL 1170

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Lynda M. Lovejoy

AN ACT

RELATING TO THE ENVIRONMENT; ADDING THE SECRETARY OF HEALTH AS  
A MEMBER OF 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~~] the secretary's staff designated by [~~him~~] the  
secretary;

(2) the secretary of health or a member of the  
secretary's staff designated by the secretary;

[~~(2)~~] (3) the director of the department of

underscored material = new  
[bracketed material] = delete

1 game and fish or a member of [~~his~~] the director's staff  
2 designated by [~~him~~] the director;

3 [~~(3)~~] (4) the state engineer or a member of  
4 [~~his~~] the state engineer's staff designated by [~~him~~] the state  
5 engineer;

6 [~~(4)~~] (5) the [~~chairman~~] chair of the oil  
7 conservation commission or a member of [~~his~~] the chair's staff  
8 designated by [~~him~~] the chair;

9 [~~(5)~~] (6) the director of the state parks  
10 division of the energy, minerals and natural resources  
11 department or a member of [~~his~~] the director's staff designated  
12 by [~~him~~] the director;

13 [~~(6)~~] (7) the director of the New Mexico  
14 department of agriculture or a member of [~~his~~] the director's  
15 staff designated by [~~him~~] the director;

16 [~~(7)~~] (8) the [~~chairman~~] chair of the soil and  
17 water conservation commission or a soil and water conservation  
18 district supervisor designated by [~~him~~] the chair;

19 [~~(8)~~] (9) the director of the bureau of  
20 geology and mineral resources at the New Mexico institute of  
21 mining and technology or a member of [~~his~~] the director's staff  
22 designated by [~~him~~] the director;

23 [~~(9)~~] (10) a municipal or county government  
24 representative; and

25 [~~(10)~~] (11) three representatives of the

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underscoring material = new  
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1 public to be appointed by the governor for terms of four years  
2 and who shall be compensated from the budgeted funds of the  
3 department of environment in accordance with the provisions of  
4 the Per Diem and Mileage Act. At least one member appointed by  
5 the governor shall be a member of a New Mexico Indian tribe or  
6 pueblo.

7 B. A member of the commission shall not receive, or  
8 shall not have received during the previous two years, a  
9 significant portion of [~~his~~] the member's income directly or  
10 indirectly from permit holders or applicants for a permit. A  
11 member of the commission shall, upon the acceptance of [~~his~~]  
12 the member's appointment and prior to the performance of any of  
13 [~~his~~] the member's duties, file a statement of disclosure with  
14 the secretary of state disclosing any amount of money or other  
15 valuable consideration, and its source, the value of which is  
16 in excess of ten percent of [~~his~~] the member's gross personal  
17 income in each of the preceding two years, that [~~he~~] the member  
18 received directly or indirectly from permit holders or  
19 applicants for permits required under the Water Quality Act. A  
20 member of the commission shall not participate in the  
21 consideration of an appeal if the subject of the appeal is an  
22 application filed or a permit held by an entity that either  
23 employs the commission member or from which the commission  
24 member received more than ten percent of [~~his~~] the member's  
25 gross personal income in either of the preceding two years.

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