1	SENATE BILL 369
2	54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019
3	INTRODUCED BY
4	Joseph Cervantes
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10	AN ACT
11	RELATING TO PUBLIC FINANCE; CHANGING THE APPOINTING AUTHORITY
12	OF CERTAIN MEMBERS OF THE WATER TRUST BOARD; CHANGING
13	MEMBERSHIP OF THE WATER TRUST BOARD.
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15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
16	SECTION 1. Section 72-4A-4 NMSA 1978 (being Laws 2001,
17	Chapter 164, Section 4, as amended) is amended to read:
18	"72-4A-4. WATER TRUST BOARD CREATED
19	A. The "water trust board" is created. The board
20	is composed of the following [sixteen] <u>fifteen</u> members:
21	(1) the state engineer or the state engineer's
22	designee;
23	(2) the secretary of finance and
24	administration or the secretary's designee;
25	[(3) the executive director of the New Mexico
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1 finance authority or the executive director's designee; 2 (4) (3) the secretary of environment or the 3 secretary's designee; [(5)] (4) the secretary of energy, minerals 4 and natural resources or the secretary's designee; 5 [(6) the director of the department of game 6 7 and fish or the director's designee; (7)] (5) the director of the New Mexico 8 9 department of agriculture or the director's designee; [(8)] (6) the executive director of the New 10 Mexico municipal league or the executive director's designee; 11 12 [(9)] (7) the executive director of [the] New Mexico [association of] counties or the executive director's 13 14 designee; [(10) five] (8) six public members appointed 15 by the [governor and confirmed by the senate] New Mexico 16 legislative council and who represent: 17 (a) the environmental community; 18 19 (b) an irrigation or conservancy 20 district [that uses surface water]; (c) [an irrigation or conservancy 21 district that uses ground water] the agricultural community; 22 acequia water users; [and] (d) 23 soil and water conservation (e) 24 districts; and 25 .211770.1 - 2 -

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1	(f) water associations organized under
2	the Sanitary Projects Act, Laws 1947, Chapter 206, Laws 1949,
3	Chapter 79 or Laws 1951, Chapter 52;
4	[(11)] <u>(9)</u> one public member appointed by the
5	Indian affairs commission; and
6	[(12)] <u>(10) one representative of the Navajo</u>
7	Nation who lives in New Mexico appointed by the president of
8	the Navajo Nation [or the president's designee].
9	B. The chair of the board shall be elected by a
10	quorum of the board members. The board shall meet at the call
11	of the chair or whenever three members submit a request in
12	writing to the chair, but not less often than once each
13	calendar year. A majority of members constitutes a quorum for
14	the transaction of business. The affirmative vote of at least
15	a majority of a quorum present shall be necessary for an action
16	to be taken by the board.
17	C. Each public member of the board appointed by the
18	[governor] <u>New Mexico legislative council</u> shall be appointed to
19	a four-year term; [To provide for staggered terms two of the
20	initially governor-appointed public members shall be appointed
21	for terms of two years and three members for terms of four
22	years. Thereafter, all governor-appointed members shall be
23	appointed for four-year terms] provided that terms are
24	staggered such that only three terms shall end every two years.
25	Vacancies shall be filled by appointment by the [governor] <u>New</u>
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1 Mexico legislative council for the remainder of the unexpired 2 term.

Public members of the board shall be reimbursed D. 3 for attending meetings of the board as provided for nonsalaried public officers in the Per Diem and Mileage Act and shall receive no other compensation, perquisite or allowance.

Ε. Public members of the board are appointed public officials of the state while carrying out their duties and 8 9 activities under the Water Project Finance Act.

F. A public member of the water trust board serving 10 on July 1, 2019 shall serve the remainder of the term for which 11 12 the member was appointed. If a vacancy occurs in a governorappointed public member's position after July 1, 2019, the New 13 Mexico legislative council shall appoint a qualified person to 14 serve in that position for the remainder of the member's term." 15

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