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SENATE BILL 176

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Bernadette M. Sanchez

ENDORSED BY THE LAND GRANT COMMITTEE

AN ACT

RELATING TO LAND GRANTS; ALLOWING THE LAND GRANT COUNCIL TO USE PRIVATE AND FEDERAL FUNDS TO ASSIST COMMUNITY LAND GRANTS THAT ARE NOT POLITICAL SUBDIVISIONS OF THE STATE; CLARIFYING COUNCIL AUTHORITY TO DETERMINE THE STATUS OF A COMMUNITY LAND GRANT.

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

SECTION 1. Section 49-11-1 NMSA 1978 (being Laws 2009, Chapter 94, Section 1) is amended to read:

"49-11-1. SHORT TITLE.--~~[This act]~~ Chapter 49, Article 11 NMSA 1978 may be cited as the "Land Grant Support Act"."

SECTION 2. Section 49-11-2 NMSA 1978 (being Laws 2009, Chapter 94, Section 2) is amended to read:

"49-11-2. DEFINITIONS.--As used in the Land Grant Support Act:

A. "council" means the land grant council; and

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1 B. "land grant" means a patented community land
2 grant-merced [~~organized and operating as a political~~
3 ~~subdivision of the state~~]."

4 **SECTION 3.** Section 49-11-4 NMSA 1978 (being Laws 2009,
5 Chapter 94, Section 4) is amended to read:

6 "49-11-4. LAND GRANT SUPPORT PROGRAM--COUNCIL DIRECTOR
7 POWERS AND DUTIES.--

8 A. The council, through its staff or contract
9 agents, may apply for and accept any public or private grants,
10 gifts or donations for the benefit of the land grant support
11 program, the council or land grants in general or particular.

12 B. The council, through its staff or contract
13 agents, may:

14 (1) assist land grants in all areas of land
15 grant fiscal and programmatic management, including planning,
16 economic development and infrastructure development;

17 (2) establish cooperative purchasing
18 capabilities for land grants;

19 (3) perform special studies and undertake
20 surveys of interest to land grants and report the findings;

21 (4) serve as fiscal agent and administrator
22 for federal and state grants-in-aid and other funding for a
23 land grant when necessary;

24 (5) facilitate or enter into agreements with
25 state and federal agencies on behalf of land grants;

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1 (6) enter into contracts to carry out the
2 purposes of the Land Grant Support Act; and

3 (7) provide other assistance to land grants.

4 C. The council, through its staff or contract
5 agents, shall:

6 (1) facilitate the exchange of experience and
7 advice among land grants;

8 (2) serve as a liaison between land grants and
9 federal, state and local agencies;

10 (3) promote cooperation between land grants
11 and, by consultation and advice, assist in the coordination of
12 land grant programs;

13 (4) provide board development opportunities
14 and technical assistance to the governing boards of land
15 grants;

16 (5) provide short- and long-range planning
17 assistance to land grants;

18 (6) conduct training sessions for land grants
19 on topics of interest, such as:

20 (a) local, state and national zoning
21 trends and concerns and other land-use issues;

22 (b) state requirements for political
23 subdivisions on such topics as open meetings, public records,
24 procurement, risk management, tort claims and financial
25 accountability;

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1 (c) techniques of historical research;
2 (d) grant writing;
3 (e) economic development strategies; and
4 (f) rangeland management and water
5 conservation;

6 (7) disseminate information to relevant
7 federal, state and local agencies on land grant issues and
8 activities and, when requested, on the status of individual
9 land grants;

10 (8) determine whether a land grant is a
11 political subdivision of the state, based on proof that the
12 land grant is in compliance with requisite statutes and rules;

13 [~~8~~] (9) develop and promote federal
14 legislation for an appropriate congressional response to
15 longstanding community land grant claims in New Mexico; and

16 [~~9~~] (10) review state and federal policies,
17 plans and legislation affecting land grants in New Mexico.

18 D. The council may expend state funds for the
19 general benefit of all land grants or to provide assistance to
20 grants that are governed as political subdivisions of the
21 state. Federally and privately derived funds may be expended
22 for the general benefit of all land grants or the benefit of
23 specific land grants, which may or may not be political
24 subdivisions of the state."

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