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HOUSE BILL 83

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Christine Trujillo

FOR THE LAND GRANT COMMITTEE

AN ACT

RELATING TO LAND GRANTS; ALLOWING LAND GRANT-MERCED FUNDS TO BE DEPOSITED IN A CREDIT UNION; ALLOWING EXPENDITURE OF FUNDS BY THE BOARD OF TRUSTEES OF A LAND GRANT-MERCED UPON APPROVAL OF A MAJORITY OF THE BOARD AND SUPPORTED BY AN INVOICE OR RECEIPT.

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

SECTION 1. Section 49-1-8 NMSA 1978 (being Laws 1907, Chapter 42, Section 8, as amended) is amended to read:

"49-1-8. ORGANIZATION OF BOARD--BONDS--VACANCIES.--

A. All members of the newly elected board of trustees shall meet no later than seven days after the votes are canvassed and organize themselves by the election of a president, secretary and treasurer. The treasurer shall perform such duties as may be required by the board and shall furnish to the board a good and sufficient surety bond in a sum

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underscoring material = new
~~[bracketed material] = delete~~

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[bracketed material] = delete

1 as set forth in this section, to be conditioned as are the
2 bonds of other public officials handling public money. It is
3 the duty of the treasurer to deposit all the money coming [~~into~~
4 ~~his hands as~~] to the treasurer in a bank or credit union
5 organized and doing business in New Mexico.

6 B. In the event of the death or resignation of the
7 treasurer, the board shall fill the vacancy by appointing one
8 of the members of the board as treasurer, who shall, before
9 entering into the performance of [~~his~~] duties as treasurer,
10 execute and furnish to the board a good and sufficient surety
11 bond, similar to the bond entered into by [~~his~~] the predecessor
12 treasurer.

13 C. The amount of the bond required of the treasurer
14 and [~~his~~] the treasurer's successor shall at all times be for a
15 sum of at least double the amount received by and deposited in
16 the bank or credit union by the treasurer.

17 D. In the event that the board of trustees
18 delegates any other of its members to collect money due the
19 land grant-merced, that person shall be bonded in the same
20 manner as is provided in this section for the bonding of the
21 treasurer.

22 E. Those authorized to collect money shall give
23 receipts for the money collected, which receipts shall be in
24 the form prescribed by the board of trustees in the bylaws as
25 an official receipt."

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1 SECTION 2. Section 49-1-14 NMSA 1978 (being Laws 1907,
2 Chapter 42, Section 14, as amended) is amended to read:

3 "49-1-14. SALARIES OF TRUSTEES--RECORDS--EXPENDITURES.--

4 A. The board of trustees may fix in the land
5 grant-merced bylaws and pay to its members a salary not to
6 exceed two hundred dollars (\$200) to any member in one month.
7 The salary as fixed shall be in full as compensation for the
8 duties performed by the board or the individual members
9 within the exterior boundaries of the land grant-merced and
10 for attendance at regularly scheduled meetings. The
11 secretary of the board may be allowed a salary not to exceed
12 two hundred twenty-five dollars (\$225) in one month.

13 B. Board members may be authorized per diem and
14 mileage pursuant to the Per Diem and Mileage Act.

15 C. The board of trustees and the treasurer shall
16 keep permanent and legible records capable of audit, and no
17 money or funds shall be paid by the board of trustees or by
18 any person authorized to expend money [~~except by written~~
19 ~~check drawn upon vouchers~~] unless the expenditure is approved
20 by a majority of the board of trustees and is in the form of
21 a written check or in such a form that the date, amount and
22 payee of the transaction are automatically recorded; and the
23 payment is supported by an invoice or receipt."

24 SECTION 3. Section 49-4-9 NMSA 1978 (being Laws 2007,
25 Chapter 145, Section 8) is amended to read:

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1 "49-4-9. ORGANIZATION OF BOARD--BONDS--VACANCIES.--

2 A. All members of the newly elected board of
3 trustees shall meet no later than seven days after the votes
4 are canvassed and organize themselves by the election of a
5 president, secretary and treasurer. The treasurer shall
6 perform such duties as may be required by the board and shall
7 furnish to the board a good and sufficient surety bond in a
8 sum as set forth in this section, to be conditioned as are
9 the bonds of other public officials handling public money.
10 It is the duty of the treasurer to deposit all the money of
11 the land grant-merced in a bank or credit union organized and
12 doing business in New Mexico.

13 B. In the event of the death or resignation of
14 the treasurer, the board shall fill the vacancy by appointing
15 one of the members of the board as treasurer, who shall,
16 before entering into the performance of the duties as
17 treasurer, execute and furnish to the board a good and
18 sufficient surety bond, similar to the bond entered into by
19 the predecessor.

20 C. The amount of the bond required of the
21 treasurer and the treasurer's successor shall at all times be
22 for a sum of at least double the amount received by and
23 deposited in the bank or credit union by the treasurer.

24 D. In the event the board of trustees delegates
25 any other of its members to collect money due the land grant-

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1 merced, that person shall be bonded in the same manner as is
2 provided in this section for the bonding of the treasurer.

3 E. Those authorized to collect money shall give
4 receipts for the money collected, which receipts shall be in
5 the form prescribed by the board of trustees in the bylaws as
6 an official receipt."

7 SECTION 4. Section 49-4-15 NMSA 1978 (being Laws 2007,
8 Chapter 145, Section 14) is amended to read:

9 "49-4-15. SALARIES OF TRUSTEES--RECORDS--
10 EXPENDITURES.--

11 A. The board of trustees may fix in the land
12 grant-merced bylaws and pay to its members a salary not to
13 exceed two hundred dollars (\$200) to any member in one month.
14 The salary as fixed shall be in full as compensation for the
15 duties performed by the board of trustees or the individual
16 members within the exterior boundaries of the land grant-
17 merced and for attendance at regularly scheduled meetings.
18 The secretary of the board of trustees may be allowed a
19 salary not to exceed two hundred twenty-five dollars (\$225)
20 in one month.

21 B. Board of trustees members may be authorized
22 per diem and mileage pursuant to the Per Diem and Mileage
23 Act.

24 C. The board of trustees and the treasurer shall
25 keep permanent and legible records capable of audit, and no

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1 money or funds shall be paid by the board of trustees or by
2 any person authorized to expend money [~~except by written~~
3 ~~check drawn upon vouchers~~] unless the expenditure is approved
4 by a majority of the board of trustees and is in the form of
5 a written check or in such a form that the date, amount and
6 payee of the transaction are automatically recorded; and the
7 payment is supported by an invoice or receipt."

8 SECTION 5. EFFECTIVE DATE.--The effective date of the
9 provisions of this act is July 1, 2015.