



NEW MEXICO LEGISLATURE

LAND GRANT COMMITTEE

2024 INTERIM FINAL REPORT

LEGISLATIVE COUNCIL SERVICE
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INTERIM SUMMARY

Land Grant Committee 2024 Interim Summary

The Land Grant Committee held five meetings during the 2024 interim. The committee met twice at the State Capitol in Santa Fe and held meetings in Espanola, Las Vegas and Placitas.

During the 2024 interim, the committee heard from representatives of three historic land grants that are not currently governed as political subdivisions, or "land grants-mercedes", under Chapter 49, Article 1 NMSA 1978. The committee also addressed topics related to land grant-merced finances, infrastructure and service programs, as well as state assistance and services for acequias. Additionally, the committee received updates from the Guadalupe Hidalgo Treaty Division of the state Department of Justice, the Land Grant Council, the University of New Mexico regarding the Community Governance Attorney Program, the Acequia Commission, the New Mexico Acequia Association, the Office of Superintendent of Insurance, the Mercedes Unidas Center and various land grants-mercedes.

The committee toured the historic Santa Cruz de la Canada Land Grant, The Las Vegas Land Grant and the San Antonio de las Huertas Land Grant-Merced.

At the final meeting of the interim, the committee endorsed the following five pieces of legislation:

.228821.1 – amending Section 49-1-2 NMSA 1978 to add the Santa Cruz de la Canada Land Grant to the list of land grants-mercedes;

.228884.1 – enacting the Land Grant-Merced Infrastructure Act and creating a Land Grant-Merced Infrastructure Trust Fund and a Land Grant-Merced Infrastructure Project Fund;

.228935.2 – amending the Community Governance Attorney Act;

.229126.1SA – changing some threshold requirements for distributions from the Land Grant-Merced Assistance Fund; and

.228936.1 – excluding land grant-merced lands from the New Mexico Subdivision Act.

WORK PLAN AND MEETING SCHEDULE

**2024 APPROVED
WORK PLAN AND MEETING SCHEDULE
for the
LAND GRANT COMMITTEE**

Members

Sen. Leo Jaramillo, Chair
Rep. Kristina Ortez, Vice Chair
Sen. Crystal Brantley
Rep. Miguel P. García
Rep. Susan K. Herrera
Rep. Stefani Lord
Sen. Antonio Maestas

Rep. Matthew McQueen
Rep. Tanya Mirabal Moya
Sen. Gerald Ortiz y Pino
Rep. Cristina Parajón
Sen. Shannon D. Pinto
Sen. Joshua A. Sanchez

Advisory Members

Rep. Eliseo Lee Alcon
Sen. David M. Gallegos
Rep. Harry Garcia
Rep. D. Wonda Johnson
Sen. Linda M. López

Rep. Rod Montoya
Sen. Bill B. O'Neill
Sen. Elizabeth "Liz" Stefanics
Rep. Luis M. Terrazas

Work Plan

The Land Grant Committee was created by the New Mexico Legislative Council on March 25, 2024. The committee will focus on the following topics as time permits:

A. Water, land, fire prevention and post-fire recovery issues, including:

1. issues concerning governance of land grant-merced common waters and the implications of the attorney general opinion regarding due process for water transfers and the impacts of ground and surface water transfers on small agricultural communities;
2. a status update from the administratively created Acequia Bureau within the Interstate Stream Commission;
3. the status of post-fire recovery efforts at land grants and acequias; and
4. the potential to build land grant-merced input into federal and state land management agency fire prevention planning;

B. Land acquisition and management issues, including:

1. financing options for the acquisition of historical lands at land grants;
2. the parameters and ramifications of the Bernalillo County property tax case regarding land grants-mercedes;

3. issues concerning land transfers from, and management agreements with, state agencies;
4. state and federal land stewardship and firewood leñero programs offered by state and federal land management agencies that are open to land grant and acequia communities;
5. a reexamination of House Bill 188 (2023) and the potential New Mexico Finance Authority revolving loan fund for land acquisitions;
6. a status report on the transfer of the Laguna del Campo fish pond to the Land Grant-Merced de los Pueblos de Tierra Amarilla;
7. a report from the Office of Superintendent of Insurance regarding a new rural insurance program; and
8. a status report regarding the Mercedes Unidas Center (formerly known as the Piedra Lumbre Visitors Center);

C. Governance capacity at land grants-mercedes and acequias, including:

1. a status update from the Higher Education Department and the University of New Mexico (UNM) School of Law regarding the Community Governance Attorney Program and continuing legal education and other programs being developed regarding land grant-merced and acequia law;
2. administration and adequacy of the Land Grant-Merced Assistance Fund and the challenges that various land grants-mercedes have encountered to remain in compliance;
3. status reports from the Acequia Commission and the New Mexico Acequia Association;
4. a status report from the Guadalupe Hidalgo Treaty Division of the Office of the Attorney General;
5. an examination of various land grants that are seeking to move into the requirements and authorities of Chapter 49, Article 1 NMSA 1978;
6. a status update on capital outlay and a report on the capital outlay process;
7. an examination of potential updates to Chapter 49, Articles 1 and 4 NMSA 1978; and
8. a report on pending federal land grant legislation; and

D. Reports from individual land grants-mercedes and other related entities, including:

1. reports from various land grants-mercedes; and
2. reports from the Land Grant Council and updates from the New Mexico Land Grant Consejo and the UNM Land Grant Studies Program, including:
 - a. a status update on the Land Grant Council's efforts on land grant-merced property surveys; and
 - b. the development of land grant youth programs.

**Land Grant Committee
2024 Approved Meeting Schedule**

<u>Date</u>	<u>Location</u>
May 10	Santa Fe
July 25-26	Espanola
August 19-20	Las Vegas
October 3-4	Placitas
November 18	Santa Fe

AGENDAS AND MINUTES

Revised: May 9, 2024

**TENTATIVE AGENDA
for the
FIRST MEETING
of the
LAND GRANT COMMITTEE**

**May 10, 2024
State Capitol, Room 307
Santa Fe**

Friday, May 10

- 9:30 a.m. **Call to Order and Introductions**
 —Senator Leo Jaramillo, Chair
 —Representative Kristina Ortiz, Vice Chair
- 9:50 a.m. (1) **2024 Proposed Work Plan and Meeting Schedule Discussion**
 —TBD
- 10:50 a.m. **Public Comment***
- 11:15 a.m. **Adjourn**

*Members of the public may make virtual public comments during the public comment period of the meeting by following the instructions under the "Virtual Public Comment" section of the Land Grant Committee [web page](#).

**MINUTES
of the
FIRST MEETING
of the
LAND GRANT COMMITTEE**

**May 10, 2024
State Capitol, Room 307
Santa Fe**

The first meeting of the Land Grant Committee for the 2024 interim was called to order by Senator Leo Jaramillo, chair, on May 10, 2024 at 9:30 a.m. in Room 307 of the State Capitol in Santa Fe.

Present

Sen. Leo Jaramillo, Chair
Rep. Kristina Ortez, Vice Chair
Rep. Miguel P. García
Sen. Shannon D. Pinto

Absent

Sen. Crystal Brantley
Rep. Susan K. Herrera
Rep. Stefani Lord
Sen. Antonio Maestas
Rep. Matthew McQueen
Rep. Tanya Mirabal Moya
Sen. Gerald Ortiz y Pino
Rep. Cristina Parajón
Sen. Joshua A. Sanchez

Advisory Members

Rep. Eliseo Lee Alcon
Sen. David M. Gallegos
Sen. Linda M. López
Sen. Elizabeth "Liz" Stefanics

Rep. Harry Garcia
Rep. D. Wonda Johnson
Rep. Rod Montoya
Sen. Bill B. O'Neill
Rep. Luis M. Terrazas

Guest Legislator

Rep. Reena Szczepanski

Staff

Mark Edwards, Bill Drafter, Legislative Council Service (LCS)
Nancy Martinez, Bill Drafter, LCS
Nicole Waguespack, Researcher, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Friday, May 10**Welcome and Introductions (9:39 a.m.)**

Senator Jaramillo welcomed everyone and asked committee members, staff and attendees to introduce themselves.

2024 Proposed Work Plan and Meeting Schedule Discussion (9:46 a.m.)

Mr. Edwards presented a proposed work plan and meeting schedule for the 2024 interim. On a motion duly made and seconded, the committee adopted the work plan without any objections. The approved work plan and meeting schedule can be found here:

https://www.nmlegis.gov/Publications/Work_Plans/LGCworkplan24.pdf.

Adjournment

There being no further business before the committee, the meeting adjourned at 10:12 a.m.

Revised: July 22, 2024

**TENTATIVE AGENDA
for the
SECOND MEETING
of the
LAND GRANT COMMITTEE**

**July 25-26, 2024
Northern New Mexico College
921 North Paseo de Oñate
Española**

Thursday, July 25

- 10:00 a.m. **Call to Order and Introductions**
 —Senator Leo Jaramillo, Chair
- 10:15 a.m. (1) [Welcome and Status Report](#)
 —Hector Balderas, President, Northern New Mexico College
- 11:00 a.m. (2) [Santa Cruz de la Canada Land Grant](#)
 —Don Bustos, Interim President, Board of Directors, Santa Cruz de la
 Canada Land Grant
 —TBD
- 12:00 noon **Lunch**
- 1:00 p.m. (3) [Status Update — Mercedes Unidas Center \(formerly the Piedra
Lumbre Visitors Center\)](#)
 —Leonard Martinez, President, San Joaquin del Rio de Chama Land Grant-
 Merced
 —Steve Polaco, President, Land Grant-Merced de los Pueblos de Tierra
 Amarilla
- 2:00 p.m. (4) [Update on Laguna del Campo Transfer and Other Issues Facing the
Land Grant-Merced de los Pueblos de Tierra Amarilla](#)
 —Steve Polaco, President, Land Grant-Merced de los Pueblos de Tierra
 Amarilla
- 3:00 p.m. **Public Comment***
- 3:15 p.m. **Recess — Tour of Espanola by the Espanola Lowrider Association****

Friday, July 26

- 9:00 a.m. **Tour of the Historic Santa Cruz de la Canada Land Grant****

*Members of the public may make virtual public comments during the public comment period of the meeting by following the instructions under the "Virtual Public Comment" section of the Land Grant Committee [web page](#).

**This is an invitation-only tour for committee members and staff.

**MINUTES
of the
SECOND MEETING
of the
LAND GRANT COMMITTEE**

**July 25-26, 2024
Northern New Mexico College
921 North Paseo de Onate
Espanola**

The second meeting of the Land Grant Committee for the 2024 interim was called to order by Representative Kristina Ortiz, vice chair, on July 25, 2024 at 10:18 a.m. at Northern New Mexico College (NNMC) in Espanola.

Present

Sen. Leo Jaramillo, Chair
Rep. Kristina Ortiz, Vice Chair
Rep. Miguel P. García (7/25)
Rep. Stefani Lord (7/25)
Sen. Shannon D. Pinto

Absent

Sen. Crystal Brantley
Rep. Susan K. Herrera
Sen. Antonio Maestas
Rep. Matthew McQueen
Rep. Tanya Mirabal Moya
Sen. Gerald Ortiz y Pino
Rep. Cristina Parajón
Sen. Joshua A. Sanchez

Advisory Members

Rep. Eliseo Lee Alcon
Rep. Harry Garcia
Sen. Elizabeth "Liz" Stefanics (7/25)

Sen. David M. Gallegos
Rep. D. Wonda Johnson
Sen. Linda M. López
Rep. Rod Montoya
Sen. Bill B. O'Neill
Rep. Luis M. Terrazas

Guest Legislator

Rep. Joseph Sanchez (7/25)

Staff

Mark Edwards, Bill Drafter, Legislative Council Service (LCS)
Nancy Martinez, Bill Drafter, LCS
Nicole Waguespack, Researcher, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

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Thursday, July 25

Welcome and Introductions (10:18 a.m.)

Representative Orteiz welcomed everyone and asked committee members, staff and attendees to introduce themselves.

Welcome and Status Report: NNMC (10:34 a.m.)

Hector Balderas, president, NNMC, introduced Larry Guerrero, associate vice president for student success, NNMC; Sandra Rodriguez, chair, Teacher Education, Department of Education, NNMC; Lori Baca, chair, Department of Business Administration, NNMC; Frank Loera, D.B.A., director, Career Technical Education, Department of Technical Trades, NNMC; and Joseph Padilla, chair, Department of Technical Trades, NNMC. Mr. Balderas welcomed committee members and guests and provided an update on the student success, nursing and trades programs at NNMC. He also discussed some of the challenges he has faced since becoming president of the college.

Mr. Guerrero said that NNMC offers associate's and bachelor's degrees, but most importantly, the college offers an opportunity for students to obtain trades certifications. Mr. Guerrero also said that the college now has a food and clothing pantry for students. Ms. Rodriguez discussed the recent increase in enrollment and noted that the offering of online classes is a major contributor to the increase. Ms. Baca said that the NNMC's Department of Business Administration offers three bachelor's degrees and many certificate programs. In addition, the college's Department of Business Administration partners with the Workforce Solutions Department and Los Alamos National Laboratory for student employment opportunities. Mr. Loera spoke about the NNMC's Department of Technical Trades and said that in the trades program's first year, 130 students were enrolled, and now, two years later, 590 students are enrolled. In addition, Mr. Loera said that the program makes presentations to students in high schools in the region about the trades program. Mr. Padilla spoke about the Multi-Craft Core Curriculum program, which is a pre-apprenticeship direct-entry certificate. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=7/25/2024&ItemNumber=1>.

Santa Cruz de la Canada Land Grant (11:32 a.m.)

Don Bustos, interim president, Board of Directors, Santa Cruz de la Canada Land Grant, introduced Christine Bustos, vice president, Board of Directors, Santa Cruz de la Canada Land Grant; Brian Martinez, secretary, Board of Directors, Santa Cruz de la Canada Land Grant; Joseluis Ortiz y Muniz, corresponding secretary, Board of Directors, Santa Cruz de la Canada Land Grant; and Miguel A. Tórrez, chair, Heirship Committee, Santa Cruz de la Canada Land Grant. Mr. Bustos said that the mission of the of the land grant is to provide living heirs, families and neighbors with an organized mechanism for exercising their communal, economic and traditional sovereignty. In addition, Mr. Bustos and board members spoke about the history, people and original boundaries of the Santa Cruz de la Canada Land Grant. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=7/25/2024&ItemNumber=2>.

Status Update — Mercedes Unidas Center (formerly the Piedra Lumbre Visitors Center) (1:23 p.m.)

Steve Polanco, president, Land Grant-Merced de los Pueblos de Tierra Amarilla, introduced Leonard Martinez, San Joaquin del Rio de Chama Land Grant-Merced, and said that the mission of the Mercedes Unidas Center is to promote economic development, educate the community and visitors to the community and regain historic lands. In addition, Mr. Martinez provided committee members with a strategic planning workshop draft. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=7/25/2024&ItemNumber=3>.

Update on Laguna del Campo Transfer and Other Issues Facing the Land Grant-Merced de los Pueblos de Tierra Amarilla (2:04 p.m.)

Mr. Polanco introduced Melvin Apodaca, vice president, Land Grant-Merced de los Pueblos de Tierra Amarilla; Jose Belarmino Archuleta, sergeant-at-arms, Land Grant-Merced de los Pueblos de Tierra Amarilla; and Alberto Martinez, project manager, Land Grant-Merced de los Pueblos de Tierra Amarilla. Mr. Polanco spoke about the water delivery infrastructure from the Laguna del Campo to La Puente Ditch and emphasized the critical issues with the Department of Game and Fish in clarifying the maintenance responsibilities included in the quitclaim deed. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=7/25/2024&ItemNumber=4>.

Public Comment (4:54 p.m.)

A list of individuals making public comment is available in the meeting file.

Recess — Tour of Espanola by the Espanola Lowrider Association (2:55 p.m.)

Members of the committee and staff received a tour of Espanola by the Espanola Lowrider Association.

Friday, July 26

Tour of the Historic Santa Cruz de la Canada Land Grant (9:15 a.m.)

Members of the committee and staff toured the historic Santa Cruz de la Canada Land Grant.

Adjournment

There being no further business before the committee, the meeting adjourned at 12:00 noon.

Revised: August 16, 2024

**TENTATIVE AGENDA
for the
THIRD MEETING
of the
LAND GRANT COMMITTEE**

**August 19-20, 2024
New Mexico Highlands University
Student Union Ballroom
800 National Avenue
Las Vegas**

Monday, August 19

- 10:00 a.m. **Call to Order and Introductions**
 —Senator Leo Jaramillo, Chair
- 10:15 a.m. (1) [Welcome and Status Report](#)
 —Neil Woolf, Ed.D., President, New Mexico Highlands University
- 11:15 a.m. (2) [Guadalupe Hidalgo Treaty Division](#)
 —Enrique Romero, Director, Guadalupe Hidalgo Treaty Division, State
 Department of Justice
- 12:15 p.m. **Lunch**
- 1:15 p.m. (3) [The Las Vegas Land Grant Status Update](#)
 —Edward Sena, Board Member, The Las Vegas Land Grant
- 2:15 p.m. (4) [San Miguel del Bado Land Grant-Merced Status Update](#)
 —Louis Gallegos, Secretary, San Miguel del Bado Land Grant-Merced
- 3:15 p.m. (5) [Los Vigiles Land Grant-Merced Status Update](#)
 —Eddie Quintana, President, Los Vigiles Land Grant-Merced
- 3:45 p.m. (6) [Lower Gallinas Land Grant-Merced Status Update](#)
 —Antonio "Tony" Benavidez, President, Lower Gallinas Land
 Grant-Merced
 —Margaret Lucero, Treasurer, Lower Gallinas Land Grant-Merced
- 4:30 p.m. **Public Comment***
- 4:45 p.m. **Recess**

Tuesday, August 20

9:00 a.m. **Tour of King Stadium (The Las Vegas Land Grant) and Lower Gallinas Land Grant-Merced****

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**This is an invitation-only tour for committee members and staff.

**MINUTES
of the
THIRD MEETING
of the
LAND GRANT COMMITTEE**

**August 19-20, 2024
New Mexico Highlands University
Student Union Ballroom
800 National Avenue
Las Vegas**

The third meeting of the Land Grant Committee was called to order by Senator Leo Jaramillo, chair, on August 19, 2024 at 10:14 a.m. at New Mexico Highlands University (NMHU) in Las Vegas.

Present

Sen. Leo Jaramillo, Chair
Rep. Eliseo Lee Alcon*
Rep. Miguel P. García
Sen. Linda M. López (8/19)*
Rep. Stefani Lord (8/19)
Sen. Antonio Maestas (8/19)
Sen. Elizabeth "Liz" Stefanics (8/19)*

Absent

Rep. Kristina Ortiz, Vice Chair
Sen. Crystal Brantley
Rep. Susan K. Herrera
Rep. Matthew McQueen
Rep. Tanya Mirabal Moya
Sen. Gerald Ortiz y Pino
Rep. Cristina Parajón
Sen. Shannon D. Pinto
Sen. Joshua A. Sanchez

Advisory Members

Sen. David M. Gallegos

Rep. Harry Garcia
Rep. D. Wonda Johnson
Rep. Rod Montoya
Sen. Bill B. O'Neill
Rep. Luis M. Terrazas

(Attendance dates are noted for members not present for the entire meeting.)

*Appointed by the speaker of the house of representatives or the president pro tempore of the senate as a voting member for this meeting only.

Staff

Mark Edwards, Bill Drafter, Legislative Council Service (LCS)
Nancy Martinez, Bill Drafter, LCS
Nicole Waguespack, Researcher, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

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Monday, August 19

Welcome and Introductions (10:14 a.m.)

Senator Jaramillo welcomed everyone to the meeting, and members of the committee introduced themselves.

Welcome and Status Report (10:22 a.m.)

Neil Woolf, Ed.D., president, NMHU, provided an overview of future plans for the university. Focused on being responsive to community needs, academics and community engagement, President Woolf highlighted the value of regional and state partnerships to develop the New Mexico workforce. With the establishment of new academic degree programs, including master of science in nursing-family nurse practitioner, doctor of education and doctor of social work; a zero-net carbon initiative by 2050; and partnerships with local county and city officials to develop more housing for NMHU students and faculty, NMHU plans to create a "culture of opportunity" for New Mexico students.

Guadalupe Hidalgo Treaty Division (11:05 a.m.)

Enrique Romero, director, Guadalupe Hidalgo Treaty Division, State Department of Justice (NMDOJ), and Billy Jimenez, deputy attorney general, NMDOJ, discussed the current status and tasks performed by the Guadalupe Hidalgo Treaty Division. Recognizing the need to build capacity, the division reported two recent hires, and the panelists discussed the division's efforts to develop training programs to provide assistance to the Acequia Commission and Land Grant Council to monitor old litigation and disputes and to maintain the division's efforts addressing public concerns. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=8/19/2024&ItemNumber=2>.

San Miguel del Bado Land Grant-Merced Status Update (1:17 p.m.)

Claresse Romero, president, San Miguel del Bado Land Grant-Merced, and Louis Gallegos, secretary, San Miguel del Bado Land Grant-Merced, provided a brief historic overview of the land grant-merced, noting the significance of the Comanche and Kiowa presence and the importance of the Santa Fe Trail. Future plans for the land grant-merced include historic preservation of a building that was part of the original settlement to serve as a history museum

suitable for hosting lectures and artists, efforts to hire an official genealogist, the erection of more signs and trail markers within the land grant-merced and the completion of a land survey for boundary disputes. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=8/19/2024&ItemNumber=4>.

Approval of Minutes (2:18 p.m.)

Upon a motion duly made and seconded, and without objection, the committee approved the minutes of the May 10, 2024 and July 25-26, 2024 meetings.

The Las Vegas Land Grant Status Update (2:19 p.m.)

Edward Sena, board member, The Las Vegas Land Grant, provided an update on the current initiatives of the land grant. Mr. Sena discussed King Stadium, the reestablishment of a 501(c)(3) foundation, Article 49 NMSA 1978 designation, mitigation of an old refuse site and invasive tree removal. The Norman L. King Memorial Stadium was established in 1935-36 and is a restoration project the land grant wants to pursue, as the stadium is currently overgrown and experiencing water damage. In addition, the land grant seeks to replace and renovate an old Disabled American Veterans building and its parking lot, ideally to be used as a crisis center for veterans and a location for land grant material storage and community meetings. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=8/19/2024&ItemNumber=3>.

Los Vigiles Land Grant-Merced Status Update (3:05 p.m.)

Eddie Quintana, president, Los Vigiles Land Grant-Merced, and Joseph Padilla, secretary, Los Vigiles Land Grant-Merced, thanked the committee for previous legislative assistance. Mr. Quintana and Mr. Padilla discussed the land grant-merced's current efforts to thin forested lands, especially around access roads, and presented an outline of their 10-year plan for the land grant-merced. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=8/19/2024&ItemNumber=5>.

Lower Gallinas Land Grant-Merced Status Update (3:36 p.m.)

Antonio "Tony" Benavidez, president, Lower Gallinas Land Grant-Merced; Margaret Lucero, treasurer, Lower Gallinas Land Grant-Merced; and Bobby Padilla, collector, Lower Gallinas Land Grant-Merced, provided a brief historical overview of the land grant-merced. Looking to the future, the panelists emphasized ongoing efforts to reenergize the land grant-merced board and inspire youth within the community to become familiar with the history and future of the land grant-merced. The presentation also addressed the need for continuing road construction and maintenance, tree clearing and the need for a professional land survey to be completed on one section of the land grant-merced.

Public Comment (4:09 p.m.)

A list of individuals making public comment is available in the meeting file.

Recess

The meeting recessed at 4:35 p.m.

Tuesday, August 20**Tour of King Stadium (The Las Vegas Land Grant) and Lower Gallinas Land Grant-Merced (9:22 a.m.)**

Members of the committee and staff toured King Stadium located in The Las Vegas Land Grant and the Lower Gallinas Land Grant-Merced.

Adjournment

There being no further business before the committee, the meeting adjourned at 1:50 p.m.

Revised: October 2, 2024

**TENTATIVE AGENDA
for the
FOURTH MEETING
of the
LAND GRANT COMMITTEE**

**October 3-4, 2024
Placitas Community Library
453 New Mexico Highway 165
Placitas**

Thursday, October 3

- 10:00 a.m. **Call to Order and Introductions**
 —Senator Leo Jaramillo, Chair
- 10:15 a.m. (1) [Welcome to the San Antonio de las Huertas Land Grant-Merced](#)
 —Kendra Lucero-Matteucci, President, Board of Trustees, San Antonio de
 las Huertas Land Grant-Merced
- 11:15 a.m. (2) [Community Governance Attorney Program](#)
 —Adrian Oglesby, Director, Upton Transboundary Resources Center,
 University of New Mexico
- 12:15 p.m. **Lunch**
- 1:15 p.m. (3) [Acequia Program Status Update](#)
 —Jonathan Martinez, Chief, Acequia Program, Interstate Stream
 Commission, Office of the State Engineer
- 2:15 p.m. (4) [Dona Ana Bend Colony Grant — History and Aspirations](#)
 —Israel Chavez, President, Dona Ana Village Association
- 3:15 p.m. (5) [General Update on Community Land Grants](#)
 —Arturo Archuleta, Program Manager, Land Grant Council/Land Grant
 Studies Program, University of New Mexico
- 4:15 p.m. **Public Comment***
- 4:30 p.m. **Recess**

Friday, October 4

9:00 a.m. **Tour of San Antonio de las Huertas Land Grant-Merced****

*Members of the public may make virtual public comments during the public comment period of the meeting by following the instructions under the "Virtual Public Comment" section of the Land Grant Committee [web page](#).

**This is an invitation-only tour for committee members and staff.

**MINUTES
of the
FOURTH MEETING
of the
LAND GRANT COMMITTEE**

**October 3-4, 2024
Placitas Community Library
452 New Mexico Highway 165
Placitas**

The fourth meeting of the Land Grant Committee was called to order by Senator Leo Jaramillo, chair, on October 3, 2024 at 10:12 a.m. at the Placitas Community Library in Placitas.

Present

Sen. Leo Jaramillo, Chair
Rep. Miguel P. García
Rep. Susan K. Herrera (10/3)
Rep. Stefani Lord (10/3)
Rep. Matthew McQueen
Sen. Gerald Ortiz y Pino (10/3)
Rep. Cristina Parajón

Absent

Rep. Kristina Ortiz, Vice Chair
Sen. Crystal Brantley
Sen. Antonio Maestas
Rep. Tanya Mirabal Moya
Sen. Shannon D. Pinto
Sen. Joshua A. Sanchez

Advisory Members

Sen. David M. Gallegos (10/3)
Sen. Linda M. López (10/3)
Sen. Elizabeth "Liz" Stefanics (10/3)

Rep. Eliseo Lee Alcon
Rep. Harry Garcia
Rep. D. Wonda Johnson
Rep. Rod Montoya
Sen. Bill B. O'Neill
Rep. Luis M. Terrazas

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Mark Edwards, Bill Drafter, Legislative Council Service (LCS)
Nancy Martinez, Bill Drafter, LCS
Andrea Martinez, Intern, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Thursday, October 3

Welcome and Introductions (10:12 a.m.)

Senator Jaramillo welcomed everyone to the meeting, and members of the committee introduced themselves.

Welcome to the San Antonio de las Huertas Land Grant-Merced (10:22 a.m.)

Kendra Lucero-Matteucci, president, Board of Trustees, San Antonio de las Huertas Land Grant-Merced, introduced Augustine Lucero, treasurer, Board of Trustees, San Antonio de las Huertas Land Grant-Merced, and Roxi Montoya, secretary, Board of Trustees, San Antonio de las Huertas Land Grant-Merced. Mr. Lucero described the establishment of San Antonio de las Huertas Land Grant-Merced and what the land grant-merced looks like today. Ms. Lucero-Matteucci said that there are new challenges within the San Antonio de las Huertas Land Grant-Merced, such as understanding policy and opportunities for the land grant-merced and the preservation of the land grant-merced. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=10/3/2024&ItemNumber=1>.

Community Governance Attorney Program (11:34 a.m.)

Adrian Oglesby, director, Utton Transboundary Resources Center, University of New Mexico (UNM), introduced Peter Kovnat, general counsel, Higher Education Department, and they stated that the New Mexico legislature created a program to help increase the number of participating attorneys in New Mexico who would help with legal guidance regarding acequias, land grant-mercedes and colonias. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=10/3/2024&ItemNumber=2>.

Approval of Minutes (1:19 p.m.)

Upon a motion duly made and seconded, and without objection, the committee approved the minutes of the August 19-20, 2024 meeting.

Letter Approval (1:20 p.m.)

Upon a motion duly made and seconded, and without objection, the committee approved that a letter be drafted and sent to the Higher Education Department requesting that the department include in its budget for Fiscal Year 2026 \$224,000 to fully fund the Community

Governance Attorney Program at its authorized level of two law students and four program attorneys per year.

Acequia Program Status Update (1:20 p.m.)

Jonathan Martinez, chief, Acequia Program, Interstate Stream Commission, Office of the State Engineer, said that during the 2019 legislative session, Senate Bill 438 was passed and signed into law, creating the Acequia and Community Ditch Infrastructure Fund. During the 2023 legislative session, Senate Bill 176 was amended and passed to allow for funding for disaster response recovery and hazardous mitigation, removal of the requirement for any local cost share for the acequia and community ditches and the use of the funds to match the cost-share requirements of state and federal funding programs for acequias and community ditches. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=10/3/2024&ItemNumber=3>.

Dona Ana Bend Colony Grant — History and Aspirations (2:34 p.m.)

Israel Chavez, president, Dona Ana Village Association, said that the Dona Ana Bend Colony Grant was established by the Mexican Government in 1839. He underscored the importance of allocating funds for research aimed at reinstating the Dona Ana Bend Colony Grant. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=10/3/2024&ItemNumber=4>.

General Update on Community Land Grants (3:09 p.m.)

Arturo Archuleta, program manager, Land Grant Council/Land Grant Studies Program, UNM, said that the Land Grant-Merced Institute is a recognized category III research center. The institute currently houses the Land Grant Council and the Land Grant Studies Program. Mr. Archuleta outlined the work of the council and the Land Grant Studies Program and made policy recommendations. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=10/3/2024&ItemNumber=5>.

Public Comment (4:27 p.m.)

A list of individuals making public comment is available in the meeting file.

Recess

The meeting recessed at 4:30 p.m.

Friday, October 4

Tour of San Antonio de las Huertas Land Grant-Merced (9:15 a.m.)

Members of the committee and staff toured the San Antonio de las Huertas Land Grant-Merced.

Adjournment

There being no further business before the committee, the meeting adjourned at 1:20 p.m.

**TENTATIVE AGENDA
for the
FIFTH MEETING
of the
LAND GRANT COMMITTEE**

**November 18, 2024
State Capitol, Room 307
Santa Fe**

Monday, November 18

- 10:00 a.m. **Call to Order and Introductions**
 —Senator Leo Jaramillo, Chair
- 10:15 a.m. (1) **The Tribal Infrastructure Fund: A Potential Model for a Land Grant Infrastructure Fund**
 —Mark Thompson, Pueblo Representative, Tribal Infrastructure Fund Board; Vice President, Property Management and Development, Indian Pueblo Cultural Center; Pueblo of Acoma
 —Representative Miguel P. García
- 11:15 a.m. (2) **Land Grant Council: Expansion of Land Grant Services**
 —Arturo Archuleta, Program Manager, Land Grant Council/Land Grant Studies Program, University of New Mexico
- 12:15 p.m. **Lunch**
- 1:15 p.m. (3) **Acequia Commission and New Mexico Acequia Association (NMAA): 2025 Legislative Priorities**
 —Mary Mascarenas, Chair, Acequia Commission
 —Paula Garcia, Executive Director, NMAA
- 2:15 p.m. (4) **Office of Superintendent of Insurance (OSI): Rural Fire Initiative**
 —Melissa Robertson, Chief, Property and Casualty Bureau, OSI
- 3:15 p.m. (5) **Proposed Legislation**
 —Mark Edwards, Bill Drafter, Legislative Council Service
- 4:15 p.m. **Public Comment***
- 4:30 p.m. **Adjourn**

*Members of the public may make virtual public comments during the public comment period of the meeting by following the instructions under the "Virtual Public Comment" section of the Land Grant Committee [web page](#).

**MINUTES
of the
FIFTH MEETING
of the
LAND GRANT COMMITTEE**

**November 18, 2024
State Capitol, Room 307
Santa Fe**

The fifth meeting of the Land Grant Committee was called to order by Senator Leo Jaramillo, chair, on November 18, 2024 at 10:12 a.m. in Room 307 of the State Capitol in Santa Fe.

Present

Sen. Leo Jaramillo, Chair
Rep. Kristina Ortez, Vice Chair
Rep. Eliseo Lee Alcon*
Rep. Miguel P. García
Rep. Susan K. Herrera
Sen. Antonio Maestas
Sen. Gerald Ortiz y Pino
Sen. Shannon D. Pinto

Absent

Sen. Crystal Brantley
Rep. Stefani Lord
Rep. Matthew McQueen
Rep. Tanya Mirabal Moya
Rep. Cristina Parajón
Sen. Joshua A. Sanchez

Advisory Members

Sen. Linda M. López
Rep. Rod Montoya
Sen. Elizabeth "Liz" Stefanics

Sen. David M. Gallegos
Rep. Harry Garcia
Rep. D. Wonda Johnson
Sen. Bill B. O'Neill
Rep. Luis M. Terrazas

*Appointed by the speaker of the house of representatives or the president pro tempore of the senate as a voting member for this meeting only.

Staff

Mark Edwards, Bill Drafter, Legislative Council Service (LCS)
Nancy Martinez, Bill Drafter, LCS
Nicole Waguespack, Researcher, LCS

Minutes Approval

Because the committee will not meet again this year, the minutes for this meeting have not been officially approved by the committee.

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Monday, November 18

Welcome and Introductions (10:12 a.m.)

Senator Jaramillo welcomed everyone to the meeting, and members of the committee introduced themselves.

The Tribal Infrastructure Fund (TIF): A Potential Model for a Land Grant Infrastructure Fund (10:20 a.m.)

Mark Thompson, pueblo representative, TIF Board, and vice president, Property Management and Development, Indian Pueblo Cultural Center, provided an overview of the TIF. He discussed the application process to receive funds and the structure of the TIF Board and Review Committee and highlighted the guidelines and sample application materials available on the Indian Affairs Department website. Representative Miguel P. García discussed how the TIF structure could provide a model for establishing a land grant infrastructure fund. Noting that currently available funding structures are not well suited for land grant infrastructure projects and that most land grants have no established revenue streams, Representative Miguel P. García advocated for the development of a land grant infrastructure fund. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=11/18/2024&ItemNumber=1>.

Land Grant Council (LGC): Expansion of Land Grant Services (11:11 a.m.)

Arturo Archuleta, program manager, LGC/Land Grant Studies Program, University of New Mexico, presented a comprehensive overview of what the LGC currently does and the LGC's plans to expand services in the future. Mr. Archuleta reviewed the LGC's role in providing legal assistance, land survey services and research. The LGC would like to expand community and economic development support, develop youth programming focused on building knowledge and future leaders and expand research and land survey services. Mr. Archuleta conveyed a request for additional funding in 2025 to provide for two additional full-time employees. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=11/18/2024&ItemNumber=2>.

Approval of Minutes (12:04 p.m.)

Upon a motion duly made and seconded, and without objection, the committee approved the minutes of the October 3-4, 2024 meeting.

Acequia Commission and New Mexico Acequia Association (NMAA): 2025 Legislative Priorities (1:14 p.m.)

Mary Mascarenas, chair, Acequia Commission; Paula Garcia, executive director, NMAA; Robert Apodaca, technical consultant, Acequia Commission; and Judy Torres, vice chair, Acequia Commission, discussed the structure and duties of the NMAA and the Acequia Commission. Reviewing NMAA advocacy efforts, programs and services, the panelists discussed the collaboration between the Acequia Commission and the NMAA and emphasized the need for additional funds for the Acequia and Community Ditch Fund and the Acequia and Community Ditch Infrastructure Fund. Legislative priorities were presented, including a revision of the Community Governance Attorney Act and disaster recovery concerns. The panelists emphasized the need for expanded interagency collaboration in disaster recovery efforts for acequias. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=11/18/2024&ItemNumber=3>.

Office of Superintendent of Insurance (OSI): Rural Fire Initiative (2:32 p.m.)

Melissa Robertson, chief, Property and Casualty Bureau, OSI, reviewed current drivers of home insurance cost increases and basic home preparedness and protection from wildfire. Ms. Robertson presented a summary of the New Mexico Property Insurance Program, highlighting its current limitations as a "last resort" insurance option. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=11/18/2024&ItemNumber=4>.

Proposed Legislation (3:02 p.m.)

Mr. Edwards presented five bills for possible committee endorsement: a bill to amend Section 49-1-2 NMSA 1978 to include the Santa Cruz de la Canada Land Grant; a bill relating to the Community Governance Attorney Act; a bill to amend the New Mexico Subdivision Act to exclude division of designated land grants-mercedes; a bill to amend the Land Grant-Merced Assistance Fund; and a bill to create a land grant infrastructure trust fund. All five pieces of proposed legislation received a motion to support, and with no opposition, all five bills were endorsed by the committee. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LGC&Date=11/18/2024&ItemNumber=5>.

Public Comment (3:24 p.m.)

A list of individuals making public comment is available in the meeting file.

Adjournment

There being no further business before the committee, the meeting adjourned at 3:30 p.m.

ENDORSED LEGISLATION

underscored material = new
[bracketed material] = delete

SENATE BILL

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

FOR THE LAND GRANT COMMITTEE

AN ACT

RELATING TO LAND GRANTS; AMENDING A SECTION OF CHAPTER 49,
ARTICLE 1 NMSA 1978 TO INCLUDE THE SANTA CRUZ DE LA CANADA LAND
GRANT-MERCED AS A LAND GRANT GOVERNED PURSUANT TO CHAPTER 49,
ARTICLE 1 NMSA 1978.

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

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

"49-1-2. APPLICATION.--

A. Chapter 49, Article 1 NMSA 1978 shall apply to
all land grants-mercedes within the geographic boundaries of
lands confirmed by the congress of the United States or by the
court of private land claims or designated in any report or
list of land grants prepared by the surveyor general in
furtherance of meeting the obligations of the Treaty of

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1 Guadalupe Hidalgo and designated in this section but shall not
2 apply to any land grant that is now managed or controlled
3 pursuant to another section of Chapter 49 NMSA 1978.

4 B. If a majority of the members of the board of
5 trustees of a land grant-merced covered by specific legislation
6 determines that the specific legislation is no longer
7 beneficial to the land grant-merced, the board has the
8 authority to petition the legislature to repeal the legislation
9 and to be governed by its bylaws and as provided in Chapter 49,
10 Article 1 NMSA 1978.

11 C. The town of Tome land grant-merced, situated in
12 Valencia county, confirmed by congress in 1858 and patented by
13 the United States to the town of Tome, shall be governed by the
14 provisions of Chapter 49, Article 1 NMSA 1978.

15 D. The town of Atrisco land grant-merced, situated
16 in Bernalillo county, confirmed by the court of private land
17 claims in 1894 and patented by the United States to the town of
18 Atrisco in 1905, shall be governed by the provisions of Chapter
19 49, Article 1 NMSA 1978; provided that the board of trustees
20 shall not have regulatory jurisdiction over, and the provisions
21 of Chapter 49, Article 1 NMSA 1978 shall not apply to or
22 govern, any lands or interests in real property the title to
23 which is held by any other person, including a public or
24 private corporation, partnership or limited liability company.

25 E. The Tecolote land grant-merced, also known as

1 the town of Tecolote, situated in San Miguel county, confirmed
2 by congress in 1858 and patented by the United States to the
3 town of Tecolote in 1902, shall be governed by the provisions
4 of Chapter 49, Article 1 NMSA 1978.

5 F. The San Antonio del Rio Colorado land grant-
6 merced, situated in Taos county, which claim was recommended
7 for confirmation by surveyor general James K. Proudfit in 1874
8 and again in 1886 by surveyor general George W. Julian, but not
9 confirmed by congress, shall be governed by the provisions of
10 Chapter 49, Article 1 NMSA 1978.

11 G. The Manzano land grant-merced, also known as la
12 merced del Manzano land grant-merced, situated in Torrance
13 county, confirmed by congress in 1860 and patented by the
14 United States to the town of Manzano in 1907, shall be governed
15 by the provisions of Chapter 49, Article 1 NMSA 1978.

16 H. The Arroyo Hondo Arriba community land grant-
17 merced, also known as the community of San Antonio and as the
18 community of Valdez, situated in Taos county, which was
19 established in 1823 and whose heirs were recognized as the fee
20 simple owners of the grant's common lands by the eighth
21 judicial district court of New Mexico in 1914, shall be
22 governed by the provisions of Chapter 49, Article 1 NMSA 1978.

23 I. The Anton Chico land grant-merced, also known as
24 the town of Anton Chico land grant, situated in Guadalupe and
25 San Miguel counties, confirmed by congress in 1860 and patented

1 by the United States to the town of Anton Chico in 1883, shall
2 be governed by the provisions of Chapter 49, Article 1 NMSA
3 1978.

4 J. The Abiquiu land grant-merced, also known as the
5 merced del Pueblo Abiquiu and town of Abiquiu land grant,
6 situated in Rio Arriba county, confirmed by the court of
7 private land claims in 1894 and patented by the United States
8 to the board of grant commissioners of the Abiquiu grant in
9 1909, shall be governed by the provisions of Chapter 49,
10 Article 1 NMSA 1978.

11 K. The Canon de Carnue land grant-merced, situated
12 in Bernalillo county, confirmed by the court of private land
13 claims in 1894 and patented by the United States to the
14 confirmees of the Canon de Carnue grant in 1903, shall be
15 governed by the provisions of Chapter 49, Article 1 NMSA 1978.

16 L. The Cebolleta land grant-merced, also known as
17 the town of Cebolleta land grant, situated in Cibola county,
18 confirmed by congress in 1869 and patented by the United States
19 to the town of Cebolleta land grant in 1882, shall be governed
20 by the provisions of Chapter 49, Article 1 NMSA 1978.

21 M. The Cristobal de la Serna land grant-merced,
22 situated in Taos county, confirmed by the court of private land
23 claims in 1892 and patented by the United States to the
24 Cristobal de la Serna grant in 1903, shall be governed by the
25 provisions of Chapter 49, Article 1 NMSA 1978.

1 N. The Cubero land grant-merced, also known as the
2 town of Cubero land grant, situated in Cibola county, confirmed
3 by the court of private land claims in 1892 and patented by the
4 United States to the confirmees of the town of Cubero grant in
5 1900, shall be governed by the provisions of Chapter 49,
6 Article 1 NMSA 1978.

7 O. The Don Fernando de Taos land grant-merced,
8 situated in Taos county, confirmed by the court of private land
9 claims in 1897 and patented by the United States to the
10 confirmees of the Don Fernando de Taos grant in 1907, shall be
11 governed by the provisions of Chapter 49, Article 1 NMSA 1978.

12 P. The Santo Tomas Apostol del Rio de Las Trampas
13 land grant-merced, situated in Taos county, also known as the
14 town of Las Trampas land grant, confirmed by congress in 1860
15 and patented by the United States to the town of Las Trampas
16 grant in 1903, shall be governed by the provisions of Chapter
17 49, Article 1 NMSA 1978.

18 Q. The Santa Barbara land grant-merced, also known
19 as la merced de Santa Barbara, situated in Taos county,
20 confirmed by the court of private land claims in 1894 and
21 patented by the United States to the heirs of the Santa Barbara
22 grant in 1905, shall be governed by the provisions of Chapter
23 49, Article 1 NMSA 1978.

24 R. The Juan Bautista Baldes land grant-merced, also
25 known as the merced comunitara de Juan Bautista Baldes,

1 situated in Rio Arriba county, confirmed by the court of
2 private land claims in 1898 and patented by the United States
3 to the heirs of Juan Bautista Baldes in 1913, shall be governed
4 by the provisions of Chapter 49, Article 1 NMSA 1978.

5 S. The San Joaquin del Rio de Chama land grant-
6 merced, also known as the merced de San Joaquin del Rio de
7 Chama and the Canon de Chama land grant-merced, situated in Rio
8 Arriba and Sandoval counties, confirmed by the court of private
9 land claims in 1894 and patented by the United States to the
10 heirs of the Canon de Chama grant in 1905, shall be governed by
11 the provisions of Chapter 49, Article 1 NMSA 1978.

12 T. The San Miguel del Bado land grant-merced, also
13 known as the merced de San Miguel del Bado, situated in San
14 Miguel county, confirmed by the court of private land claims in
15 1894 and patented by the United States to the board of the San
16 Miguel del Bado grant in 1910, shall be governed by the
17 provisions of Chapter 49, Article 1 NMSA 1978.

18 U. The Santo Domingo de Cundiyo land grant-merced,
19 situated in Santa Fe county, confirmed by the court of private
20 land claims in 1900 and patented by the United States to the
21 confirmees of the Santo Domingo de Cundiyo grant in 1903, shall
22 be governed by the provisions of Chapter 49, Article 1 NMSA
23 1978.

24 V. The Tierra Amarilla land grant-merced, also
25 known as the merced de los Pueblos de Tierra Amarilla, situated

1 in Rio Arriba county, confirmed by congress in 1860 and
2 patented by the United States to Francisco Martinez in 1881,
3 shall be governed by the provisions of Chapter 49, Article 1
4 NMSA 1978.

5 W. The San Antonio de las Huertas land grant-
6 merced, also known as the merced de San Antonio de las Huertas,
7 situated in Sandoval county, confirmed by the court of private
8 land claims in 1897 and patented by the United States to the
9 San Antonio de las Huertas grant claimants in 1907, shall be
10 governed by the provisions of Chapter 49, Article 1 NMSA 1978.

11 X. The Tajique land grant-merced, also known as the
12 town of Tajique land grant, situated in Torrance county,
13 confirmed by congress in 1860 and patented by the United States
14 to the confirmees of the town of Tajique land grant in 1912,
15 shall be governed by the provisions of Chapter 49, Article 1
16 NMSA 1978.

17 Y. The Torreon land grant-merced, also known as the
18 town of Torreon, situated in Torrance county, confirmed by
19 congress in 1860 and patented by the United States to the
20 confirmees of the town of Torreon grant in 1909, shall be
21 governed by the provisions of Chapter 49, Article 1 NMSA 1978.

22 Z. The Los Vigiles land grant-merced, situated in
23 San Miguel county, which was partitioned from the town of Las
24 Vegas grant through a deed of indenture issued by the board of
25 trustees for the Las Vegas grant and approved by the fourth

1 judicial district of New Mexico in 1951, shall be governed by
2 the provisions of Chapter 49, Article 1 NMSA 1978.

3 AA. The Lower Gallinas land grant-merced, situated
4 in San Miguel county, which was partitioned from the town of
5 Las Vegas grant through a deed of indenture issued by the board
6 of trustees for the Las Vegas grant in 1951 and approved by the
7 fourth judicial district of New Mexico, the approval of which
8 was reaffirmed by the court in 1997, shall be governed by the
9 provisions of Chapter 49, Article 1 NMSA 1978.

10 BB. The San Augustin land grant-merced, situated in
11 San Miguel county, which was partitioned from the town of Las
12 Vegas grant through a deed of indenture issued by the board of
13 trustees for the Las Vegas grant and approved by the fourth
14 judicial district of New Mexico in 1929, shall be governed by
15 the provisions of Chapter 49, Article 1 NMSA 1978.

16 CC. The merced del Pueblo de Santa Cruz de la
17 Canada, also known as Santa Cruz de la Canada land grant-
18 merced, situated in Rio Arriba county and Santa Fe county,
19 which was confirmed by the court of private land claims in 1900
20 and patented by the United States to the heirs of the land
21 grant-merced in 1910, shall be governed by the provisions of
22 Chapter 49, Article 1 NMSA 1978."

23 SECTION 2. EFFECTIVE DATE.--The effective date of the
24 provisions of this act is July 1, 2025.

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HOUSE BILL

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

FOR THE LAND GRANT COMMITTEE

AN ACT

RELATING TO LAND GRANTS-MERCEDES; ENACTING THE LAND GRANT-MERCEDES INFRASTRUCTURE ACT; CREATING A TRUST FUND; MAKING APPROPRIATIONS.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--Sections 1 through 6 of this act may be cited as the "Land Grant-Merced Infrastructure Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Land Grant-Merced Infrastructure Act:

A. "council" means the land grant council;

B. "department" means the department of finance and administration;

C. "infrastructure assistance" means providing grants on terms and conditions approved by the council;

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1 D. "land grant-merced" means a land grant that is
2 designated as a political subdivision pursuant to Section
3 49-1-2 NMSA 1978;

4 E. "project fund" means the land grant-merced
5 infrastructure project fund;

6 F. "qualified project" means a land grant-merced
7 infrastructure project selected by the council for
8 infrastructure assistance pursuant to the Land Grant-Merced
9 Infrastructure Act; and

10 G. "trust fund" means the land grant-merced
11 infrastructure trust fund.

12 SECTION 3. [NEW MATERIAL] COUNCIL--POWERS--DUTIES.--The
13 council shall:

14 A. in consultation with the department, adopt rules
15 governing terms, conditions and priorities for providing
16 infrastructure assistance to land grants-mercedes, including
17 developing application and evaluation procedures and forms and
18 qualifications for applicants and for projects;

19 B. provide infrastructure assistance to land
20 grants-mercedes for qualified projects on terms and conditions
21 established by the council; and

22 C. authorize funding for qualified projects,
23 including:

24 (1) planning, designing, constructing,
25 improving, expanding or equipping water and wastewater

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1 facilities, major water systems, electrical power lines,
2 communications infrastructure, roads, health infrastructure,
3 emergency response facilities and infrastructure needed to
4 encourage economic development;

5 (2) developing engineering feasibility reports
6 for infrastructure projects;

7 (3) providing special engineering services;

8 (4) completing environmental assessments or
9 archaeological clearances and other surveys for infrastructure
10 projects;

11 (5) acquiring land, easements or rights of
12 way; and

13 (6) purchasing durable equipment.

14 SECTION 4. [NEW MATERIAL] LAND GRANT-MERCED
15 INFRASTRUCTURE TRUST FUND--CREATED--INVESTMENT--DISTRIBUTION.--

16 A. The "land grant-merced infrastructure trust
17 fund" is created as a nonreverting fund in the state treasury.
18 The trust fund consists of money that is appropriated, donated
19 or otherwise accrues to the trust fund. Money in the trust
20 fund shall be invested by the state investment officer in the
21 manner that land grant permanent funds are invested pursuant to
22 Chapter 6, Article 8 NMSA 1978. Income from investment of the
23 trust fund shall be credited to the trust fund. Money in the
24 trust fund shall not be expended for any purpose, but an annual
25 distribution from the trust fund shall be made to the project

1 fund pursuant to this section.

2 B. On July 1 of each year in which adequate money
3 is available in the trust fund, an annual distribution shall be
4 made from the trust fund to the project fund in the amount of
5 eighteen million dollars (\$18,000,000) until the distribution
6 is less than an amount equal to four and seven-tenths percent
7 of the average of the year-end market values of the trust fund
8 for the immediately preceding five calendar years. Thereafter,
9 the amount of the annual distribution shall be four and seven-
10 tenths percent of the average of the year-end market values of
11 the trust fund for the immediately preceding five calendar
12 years.

13 SECTION 5. [NEW MATERIAL] LAND GRANT-MERCED
14 INFRASTRUCTURE PROJECT FUND--CREATED--PURPOSE--
15 APPROPRIATIONS.--

16 A. The "land grant-merced infrastructure project
17 fund" is created in the state treasury, and:

18 (1) the department, in consultation with the
19 council, shall administer the project fund;

20 (2) the project fund consists of:

21 (a) distributions made to the project
22 fund from the trust fund;

23 (b) other money appropriated by the
24 legislature or distributed or otherwise allocated to the
25 project fund for the purpose of supporting qualified projects;

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1 and

2 (c) income from investment of the money
3 in the project fund that shall be credited to the project fund;

4 (3) balances in the project fund at the end of
5 a fiscal year shall not revert to the trust fund or to the
6 general fund; and

7 (4) the project fund may consist of
8 subaccounts as determined to be necessary by the department.

9 B. The council may establish procedures and adopt
10 rules as required to administer the project fund and to
11 originate grants for qualified projects approved by the
12 council.

13 C. Beginning in fiscal year 2026 and in subsequent
14 fiscal years, the lesser of one percent of the project fund or
15 fifty thousand dollars (\$50,000) is appropriated from the
16 project fund to the council for expenditure in the fiscal year
17 in which it is appropriated to administer the project fund and
18 applications to the fund. Any unexpended or unencumbered
19 balance remaining at the end of any fiscal year shall revert to
20 the project fund.

21 D. The balance in the project fund not otherwise
22 appropriated in this section is appropriated to the council for
23 expenditure in fiscal year 2026 and in subsequent fiscal years
24 to provide grants for qualified projects. Any unexpended or
25 unencumbered balance remaining at the end of a fiscal year

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1 shall revert to the project fund.

2 E. Disbursements from the project fund shall be
3 made by warrant of the secretary of finance and administration
4 or the secretary's designee pursuant to vouchers signed by the
5 chair of the council or the chair's designee.

6 SECTION 6. [NEW MATERIAL] LEGISLATIVE OVERSIGHT--RULE
7 REVIEW--REPORT.--

8 A. Rules proposed by the council in consultation
9 with the department pursuant to the Land Grant-Merced
10 Infrastructure Act shall be reviewed by the appropriate
11 legislative interim committee working on land grant-merced
12 issues prior to approval.

13 B. The appropriate legislative committee working on
14 land grant-merced issues shall be briefed by the council on
15 grant proposals submitted to the council and shall review,
16 monitor and provide assistance and advice concerning grants
17 proposed by the council.

18 C. The council shall report to the appropriate
19 legislative interim committee working on land grant-merced
20 issues no later than October 1 of each year regarding the total
21 expenditures from the project fund for the previous fiscal
22 year, the purposes for which expenditures were made, an
23 analysis of the progress of the projects funded and proposals
24 for legislative action in the subsequent legislative session.

25 SECTION 7. Section 7-27-10.1 NMSA 1978 (being Laws 2003,
.228884.1

Chapter 134, Section 1, as amended) is amended to read:

"7-27-10.1. TRANSFER TO SEVERANCE TAX PERMANENT FUND
BEFORE DETERMINING BONDING CAPACITY--AUTHORIZATION FOR
SEVERANCE TAX BONDS--PRIORITY FOR WATER, [~~PROJECTS AND~~] TRIBAL
INFRASTRUCTURE AND LAND GRANT-MERCED INFRASTRUCTURE PROJECTS.--

A. On December 31 of each year from 2019 through
2028, the division shall transfer twenty-three million six
hundred ninety thousand dollars (\$23,690,000) from the
severance tax bonding fund to the severance tax permanent fund,
unless the state board of finance determines that a lesser
transfer amount is necessary pursuant to Section 7-27-8 NMSA
1978 to avoid a potential shortfall in debt service
obligations.

B. By January 15 of each year, the division shall
estimate the amount of bonding capacity available for severance
tax bonds to be authorized by the legislature based on the
lesser of the following estimates:

(1) an estimate that provides for equal annual
issuances over the expected term of bonds with terms greater
than one year anticipated to be issued by the state board of
finance in the fiscal year in compliance with the requirements
of Section 7-27-14 NMSA 1978; and

(2) an estimate that provides that issuances
for each year of that term shall be projected to result in
stable levels of state tax supported debt relative to the

.228884.1

1 median state debt ratios published by the national municipal
2 bond rating agencies.

3 C. The division shall allocate nine percent of the
4 estimated bonding capacity each year for water projects, and
5 the legislature authorizes the state board of finance to issue
6 severance tax bonds in the annually allocated amount for use by
7 the water trust board to fund water projects statewide. The
8 water trust board shall certify to the state board of finance
9 the need for issuance of bonds for water projects. The state
10 board of finance may issue and sell the bonds in the same
11 manner as other severance tax bonds in an amount not to exceed
12 the authorized amount provided for in this subsection. If
13 necessary, the state board of finance shall take the
14 appropriate steps to comply with the federal Internal Revenue
15 Code of 1986, as amended. Proceeds from the sale of the bonds
16 are appropriated to the water project fund in the New Mexico
17 finance authority for the purposes certified by the water trust
18 board to the state board of finance.

19 D. The division shall allocate four and one-half
20 percent of the estimated bonding capacity for tribal
21 infrastructure projects.

22 E. The division shall allocate one and one-tenth
23 percent of the estimated bonding capacity for land grant-merced
24 infrastructure projects.

25 [~~E.~~] F. The legislature authorizes the state board

1 of finance to issue severance tax bonds in the amount provided
2 for in this section for use by the tribal infrastructure board
3 to fund tribal infrastructure projects. The tribal
4 infrastructure board shall certify to the state board of
5 finance the need for issuance of bonds for tribal
6 infrastructure projects. The state board of finance may issue
7 and sell the bonds in the same manner as other severance tax
8 bonds in an amount not to exceed the authorized amount provided
9 for in this section. If necessary, the state board of finance
10 shall take the appropriate steps to comply with the ~~[federal]~~
11 Internal Revenue Code ~~[of 1986, as amended]~~. Proceeds from the
12 sale of the bonds are appropriated to the tribal infrastructure
13 project fund for the purposes certified by the tribal
14 infrastructure board to the state board of finance.

15 G. The legislature authorizes the state board of
16 finance to issue severance tax bonds in the amount provided for
17 in this section for use by the land grant council to fund land
18 grant-merced infrastructure projects. The land grant council
19 shall certify to the state board of finance the need for
20 issuance of bonds for land grant-merced infrastructure
21 projects. The state board of finance may issue and sell the
22 bonds in the same manner as other severance tax bonds in an
23 amount not to exceed the authorized amount provided for in this
24 section. If necessary, the state board of finance shall take
25 the appropriate steps to comply with the Internal Revenue Code.

1 Proceeds from the sale of the bonds are appropriated to the
2 land grant-merced infrastructure project fund for the purposes
3 certified by the land grant council to the state board of
4 finance.

5 [F.] H. Money from the severance tax bonds provided
6 for in this section shall not be used to pay indirect project
7 costs. Any unexpended balance from proceeds of severance tax
8 bonds issued for a water, [~~project or a~~] tribal infrastructure
9 or land grant-merced infrastructure project shall revert to the
10 severance tax bonding fund within six months of completion of
11 the project. The New Mexico finance authority shall monitor
12 and ensure proper reversions of the bond proceeds appropriated
13 for water projects, and the department of finance and
14 administration shall monitor and ensure proper reversions of
15 the bond proceeds appropriated for tribal and land grant-merced
16 infrastructure projects.

17 [G.] I. As used in this section:

18 (1) "division" means the board of finance
19 division of the department of finance and administration;

20 (2) "land grant-merced infrastructure project"
21 means a qualified project pursuant to the Land Grant-Merced
22 Infrastructure Act;

23 [~~2~~] (3) "tribal infrastructure project"
24 means a qualified project under the Tribal Infrastructure Act;
25 and

1 ~~[(3)]~~ (4) "water project" means a capital
2 outlay project for:
3 (a) the storage, conveyance or delivery
4 of water to end users;
5 (b) the implementation of federal
6 Endangered Species Act of 1973 collaborative programs;
7 (c) the restoration and management of
8 watersheds;
9 (d) flood prevention; or
10 (e) conservation, recycling, treatment
11 or reuse of water."

12 **SECTION 8. APPROPRIATION.**--Twenty million dollars
13 (\$20,000,000) is appropriated from the general fund to the land
14 grant-merced infrastructure trust fund for expenditure in
15 fiscal year 2026 and subsequent fiscal years pursuant to the
16 Land Grant-Merced Infrastructure Act to implement the
17 provisions of that act. Any unexpended or unencumbered balance
18 remaining at the end of a fiscal year shall not revert to the
19 general fund.

underscored material = new
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HOUSE BILL

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

FOR THE LAND GRANT COMMITTEE

AN ACT

RELATING TO LEGAL SERVICES; AMENDING SECTIONS OF THE COMMUNITY GOVERNANCE ATTORNEY ACT; TRANSFERRING THE DUTIES TO PUBLICIZE AND ADMINISTER CONTRACTS FOR THE COMMUNITY GOVERNANCE ATTORNEY AND CONDITIONAL TUITION WAIVER PROGRAM FROM THE HIGHER EDUCATION DEPARTMENT TO THE UNIVERSITY OF NEW MEXICO SCHOOL OF LAW; ALLOWING STATE AGENCIES TO HIRE COMMUNITY GOVERNANCE ATTORNEYS; ELIMINATING THE REQUIREMENT FOR EMPLOYING AGENCIES TO PROVIDE FIFTY PERCENT OF ATTORNEY SALARIES IN NONSTATE FUNDS.

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

SECTION 1. Section 21-21Q-3 NMSA 1978 (being Laws 2019, Chapter 43, Section 3, as amended) is amended to read:

"21-21Q-3. COMMUNITY GOVERNANCE ATTORNEY AND CONDITIONAL TUITION WAIVER PROGRAM CREATED--ADMINISTRATION--RULEMAKING

.228935.2

1 SELECTION PROCESS--REPAYMENT.--

2 A. The "community governance attorney and
3 conditional tuition waiver program" is created and shall be
4 administered by the department. The department shall:

5 (1) promulgate rules ~~[for implementing]~~ to
6 implement and administer the program and for a reasonable
7 living stipend in consultation with the university; provided
8 that the maximum living stipend shall be based upon the
9 availability of funds and information provided by the
10 university regarding the current cost of attendance at the
11 university;

12 ~~[(2) publicize the program to law students and~~
13 ~~to prospective law students;~~

14 ~~(3)]~~ (2) collect and manage repayment from
15 students who do not meet their obligations under the program;
16 and

17 ~~[(4) solicit and]~~ (3) accept funds for the
18 program, including grants and donations.

19 B. The university shall publicize the program to
20 law students and prospective law students.

21 ~~[B.]~~ C. Participants shall enter the program in
22 their final year of law school. The ~~[department]~~ commission
23 shall select participants according to ~~[rules it promulgates~~
24 ~~and, in consultation with the commission]~~ program rules and
25 shall create a standard process for law students to apply to

1 participate in the program.

2 ~~[G-]~~ D. The department shall award no more than two
3 new waivers a year, in addition to renewing existing waivers
4 for eligible participants, subject to the availability of
5 funding.

6 ~~[D-]~~ E. Participation in the program shall be
7 evidenced by a contract between the participant and the
8 department. The contract shall provide for the payment of a
9 participant's waiver and shall be conditioned upon the
10 participant fulfilling the program obligations and meeting the
11 university's standards for satisfactory academic progress. An
12 applicant to the program shall sign the contract prior to being
13 accepted into the program.

14 ~~[E-]~~ F. The contract shall include the following
15 terms for repayment of the waiver:

16 (1) interest shall accrue upon termination of
17 the participant's course of study at the following interest
18 rates:

19 (a) eighteen percent per year if the
20 participant completes a course of study and no portion of the
21 principal and interest is forgiven pursuant to Subsection ~~[F]~~ G
22 of this section; and

23 (b) seven percent per year in all other
24 cases; and

25 (2) the maximum period for repayment shall be
 .228935.2

1 ten years, commencing six months from the date the participant
2 completes or discontinues the course of study.

3 ~~[F-]~~ G. The contract shall provide that the
4 department forgive fifty percent of a waiver for each year that
5 a participant is employed full time as a community governance
6 attorney with a maximum salary of not more than fifty thousand
7 dollars (\$50,000) per year, subject to adjustment by the
8 commission pursuant to Subsection ~~[G]~~ H of this section.

9 ~~[G-]~~ H. The commission may approve subsequent
10 increases in the maximum salary established pursuant to
11 Subsection ~~[F]~~ G of this section; provided that the maximum
12 salary shall not exceed the salary rate for entry-level
13 attorneys paid by legal service assistance entities in New
14 Mexico that receive funding from the federally established
15 legal services corporation."

16 **SECTION 2.** Section 21-21Q-4 NMSA 1978 (being Laws 2019,
17 Chapter 43, Section 4) is amended to read:

18 "21-21Q-4. COMMISSION--DUTIES.--

19 A. The "community governance attorney commission"
20 is created. The commission shall be composed of five members
21 as follows:

- 22 (1) the secretary or the secretary's designee;
23 (2) the dean of the university or the dean's
24 designee; and
25 (3) three members appointed by the governor;

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1 provided that one member shall be a member of an acequia, one
2 member shall be a current or past member of the land grant
3 council and one member shall be a current or past member of the
4 colonias infrastructure board and a resident of a colonia.

5 B. Staff and meeting space for the commission shall
6 be provided by the university. The commission shall elect a
7 chair and such other officers as it deems appropriate and shall
8 meet at the call of the chair. Members of the commission shall
9 receive per diem and mileage pursuant to the Per Diem and
10 Mileage Act and shall receive no other compensation.

11 C. The commission shall:

12 (1) make recommendations to the department on
13 applicants for the program;

14 (2) advise the department on the adoption of
15 rules to implement the provisions of the Community Governance
16 Attorney Act; and

17 (3) pursuant to the Procurement Code, solicit
18 proposals for disbursement from the fund for legal services.

19 [~~4~~] D. The university shall, with the approval of
20 the commission, enter into contracts for expenditure of the
21 fund for the purpose of providing community governance attorney
22 services for acequias, land grants-mercedes and low-income
23 residents of colonias on issues regarding the governance of
24 colonias. The contracts shall be entered into with the
25 university, state agencies or [~~with~~] nonprofit organizations

1 whose mission [~~is to provide~~] includes providing a range of
2 free legal services to acequias, land grants or low-income New
3 Mexicans. No contract shall provide funding in excess of one-
4 half of a full-time community governance attorney position [~~and~~
5 ~~each contract shall be executed only with service providers~~
6 ~~that have secured sufficient matching nonstate funding to~~
7 ~~provide a full-time position; and~~

8 ~~(5) adopt such rules as are necessary to carry~~
9 ~~out the provisions of this section.~~

10 ~~D. The department, pursuant to rules of the~~
11 ~~commission, shall administer the contracts and programs~~
12 ~~provided for in this section]."~~

13 SECTION 3. EFFECTIVE DATE.--The effective date of the
14 provisions of this act is July 1, 2025.

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HOUSE BILL

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

DISCUSSION DRAFT

FOR THE LAND GRANT COMMITTEE

AN ACT

RELATING TO REAL PROPERTY; AMENDING THE NEW MEXICO SUBDIVISION
ACT TO EXCLUDE DIVISIONS OF LAND BY DESIGNATED LAND GRANTS-
MERCEDES FROM THE DEFINITION OF "SUBDIVISION".

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

SECTION 1. Section 47-6-2 NMSA 1978 (being Laws 1973,
Chapter 348, Section 2, as amended) is amended to read:

"47-6-2. DEFINITIONS.--As used in the New Mexico
Subdivision Act:

A. "board of county commissioners" means the
governing board of a county;

B. "common promotional plan" means a plan or scheme
of operation, undertaken by a single subdivider or a group of
subdividers acting in concert, to offer for sale or lease
parcels of land where the land is either contiguous or part of

.228936.1

1 the same area of land or is known, designated or advertised as
2 a common unit or by a common name;

3 C. "final plat" means a map, chart, survey, plan or
4 replat certified by a licensed, registered land surveyor
5 containing a description of the subdivided land with ties to
6 permanent monuments prepared in a form suitable for filing of
7 record;

8 D. "immediate family member" means a husband, wife,
9 father, stepfather, mother, stepmother, brother, stepbrother,
10 sister, stepsister, son, stepson, daughter, stepdaughter,
11 grandson, stepgrandson, granddaughter, stepgranddaughter,
12 nephew and niece, whether related by natural birth or adoption;

13 E. "Indian nation, tribe or pueblo" means any
14 federally recognized Indian nation, tribe or pueblo located
15 wholly or partially in New Mexico;

16 F. "lease" means to lease or offer to lease land;

17 G. "parcel" means land capable of being described
18 by location and boundaries and not dedicated for public or
19 common use;

20 H. "person" means any individual, estate, trust,
21 receiver, cooperative association, club, corporation, company,
22 firm, partnership, joint venture, syndicate or other entity;

23 I. "preliminary plat" means a map of a proposed
24 subdivision showing the character and proposed layout of the
25 subdivision and the existing conditions in and around it, and

1 need not be based upon an accurate and detailed survey of the
2 land;

3 J. "sell" means to sell or offer to sell land;

4 K. "subdivide" means to divide a surface area of
5 land into a subdivision;

6 L. "subdivider" means any person who creates or who
7 has created a subdivision individually or as part of a common
8 promotional plan or any person engaged in the sale, lease or
9 other conveyance of subdivided land; however, "subdivider" does
10 not include any duly licensed real estate broker or salesperson
11 acting on another's account;

12 M. "subdivision" means the division of a surface
13 area of land, including land within a previously approved
14 subdivision, into two or more parcels for the purpose of sale,
15 lease or other conveyance or for building development, whether
16 immediate or future; but "subdivision" does not include:

17 (1) the sale, lease or other conveyance of any
18 parcel that is thirty-five acres or larger in size within any
19 twelve-month period; provided that the land has been used
20 primarily and continuously for agricultural purposes, in
21 accordance with Section 7-36-20 NMSA 1978, for the preceding
22 three years;

23 (2) the sale or lease of apartments, offices,
24 stores or similar space within a building;

25 (3) the division of land within the boundaries

1 of a municipality;

2 (4) the division of land in which only gas,
3 oil, mineral or water rights are severed from the surface
4 ownership of the land;

5 (5) the division of land created by court
6 order where the order creates no more than one parcel per
7 party;

8 (6) the division of land for grazing or
9 farming activities; provided the land continues to be used for
10 grazing or farming activities;

11 (7) the division of land resulting only in the
12 alteration of parcel boundaries where parcels are altered for
13 the purpose of increasing or reducing the size of contiguous
14 parcels and where the number of parcels is not increased;

15 (8) the division of land to create burial
16 plots in a cemetery;

17 (9) the division of land to create a parcel
18 that is sold or donated as a gift to an immediate family
19 member; however, this exception shall be limited to allow the
20 seller or donor to sell or give no more than one parcel per
21 tract of land per immediate family member;

22 (10) the division of land created to provide
23 security for mortgages, liens or deeds of trust; provided that
24 the division of land is not the result of a seller-financed
25 transaction;

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1 (11) the sale, lease or other conveyance of
2 land that creates no parcel smaller than one hundred forty
3 acres;

4 (12) the division of land to create a parcel
5 that is donated to any trust or nonprofit corporation granted
6 an exemption from federal income tax, as described in Section
7 501(c)(3) of the United States Internal Revenue Code of 1986,
8 as amended; school, college or other institution with a defined
9 curriculum and a student body and faculty that conducts classes
10 on a regular basis; or church or group organized for the
11 purpose of divine worship, religious teaching or other
12 specifically religious activity; ~~[or]~~

13 (13) the division of a tract of land into two
14 parcels that conform with applicable zoning ordinances;
15 provided that a second or subsequent division of either of the
16 two parcels within five years of the date of the division of
17 the original tract of land shall be subject to the provisions
18 of the New Mexico Subdivision Act; provided further that a
19 survey, and a deed if a parcel is subsequently conveyed, shall
20 be filed with the county clerk indicating that the parcel shall
21 be subject to the provisions of the New Mexico Subdivision Act
22 if the parcel is further divided within five years of the date
23 of the division of the original tract of land; or

24 (14) the division of land by a land grant-
25 merced designated as a political subdivision of the state

1 pursuant to Chapter 49, Article 1 or Article 4 NMSA 1978;

2 N. "terrain management" means the control of
3 floods, drainage and erosion and measures required for adapting
4 proposed development to existing soil characteristics and
5 topography;

6 O. "time of purchase, lease or other conveyance"
7 means the time of signing any document obligating the person
8 signing the document to purchase, lease or otherwise acquire a
9 legal interest in land;

10 P. "type-one subdivision" means any subdivision
11 containing five hundred or more parcels, any one of which is
12 less than ten acres in size;

13 Q. "type-two subdivision" means any subdivision
14 containing not fewer than twenty-five but not more than four
15 hundred ninety-nine parcels, any one of which is less than ten
16 acres in size;

17 R. "type-three subdivision" means any subdivision
18 containing not more than twenty-four parcels, any one of which
19 is less than ten acres in size;

20 S. "type-four subdivision" means any subdivision
21 containing twenty-five or more parcels, each of which is ten
22 acres or more in size; and

23 T. "type-five subdivision" means any subdivision
24 containing not more than twenty-four parcels, each of which is
25 ten acres or more in size."

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underscoring material = new
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1 SECTION 2. EFFECTIVE DATE.--The effective date of the
2 provisions of this act is July 1, 2025.

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underscored material = new
[bracketed material] = delete

HOUSE BILL

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

ENDORSED BY THE LAND GRANT COMMITTEE

AN ACT

RELATING TO LAND GRANTS; AMENDING THE LAND GRANT-MERCED
ASSISTANCE FUND TO CHANGE THE REQUIREMENT THRESHOLDS FOR FULL
AND SEVENTY-FIVE PERCENT DISTRIBUTIONS FROM THE FUND; MAKING
THE LAND GRANT-MERCED ASSISTANCE FUND NONREVERTING; MAKING
TECHNICAL CHANGES.

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

SECTION 1. Section 49-11-6 NMSA 1978 (being Laws 2022,
Chapter 32, Section 2) is amended to read:

"49-11-6. LAND GRANT-MERCED ASSISTANCE FUND CREATED--
DISTRIBUTION.--

A. The "land grant-merced assistance fund" is
created in the state treasury and shall be administered by the
department of finance and administration. The fund consists of
gifts, grants, donations, appropriations to the fund and

.229126.1SA

1 distributions to the fund made pursuant to the Tax
2 Administration Act.

3 B. On or before September 1, 2023 and on or before
4 September 1 of each subsequent year, the state auditor shall
5 provide a list to the land grant council of the land grants-
6 mercedes that are in compliance with the Audit Act and the
7 category of compliance required for each land grant-merced
8 pursuant to Subsection B of Section 12-6-3 NMSA 1978.

9 C. Within thirty days of the receipt of the list of
10 Audit-Act-compliant land grants-mercedes and their Audit Act
11 compliance levels provided by the state auditor pursuant to
12 Subsection B of this section, the land grant council shall
13 determine the land grants-mercedes on the list that are
14 assistance-qualified pursuant to Paragraph (1) of Subsection F
15 of this section and their distribution categories pursuant to
16 Subsection D of this section and provide a list of those
17 determinations to the department of finance and administration
18 and the state treasurer.

19 D. An assistance-qualified land grant-merced with
20 an annual revenue, calculated on a cash basis of accounting,
21 exclusive of capital outlay funds or federal or private grants
22 disbursed directly by an administering agency or previous year
23 distributions from the land grant-merced assistance fund, shall
24 receive an annual distribution amount [~~starting in fiscal year~~
25 ~~2024 and continuing in each subsequent fiscal year~~] in

.229126.1SA

1 accordance with the following:

2 (1) less than [~~fifty thousand dollars~~
3 ~~(\$50,000)~~] one hundred thousand dollars (\$100,000), the
4 assistance-qualified land grant-merced shall receive a full
5 distribution;

6 (2) at least [~~fifty thousand dollars~~
7 ~~(\$50,000)~~] one hundred thousand dollars (\$100,000) but [~~not~~
8 ~~more~~] less than two hundred fifty thousand dollars (\$250,000),
9 the assistance-qualified land grant-merced shall receive
10 seventy-five percent of a full distribution;

11 (3) at least two hundred fifty thousand
12 dollars (\$250,000) but [~~not more~~] less than five hundred
13 thousand dollars (\$500,000), the assistance-qualified land
14 grant-merced shall receive fifty percent of a full
15 distribution; and

16 (4) five hundred thousand dollars (\$500,000)
17 or more, the assistance-qualified land grant-merced shall
18 receive twenty-five percent of a full distribution.

19 E. Within thirty days of receiving the list of
20 assistance-qualified land grants-mercedes pursuant to
21 Subsection C of this section, the state treasurer shall
22 distribute to each assistance-qualified land grant-merced the
23 amount determined pursuant to Subsections C and D of this
24 section. [~~If the balance in the fund as of the preceding June~~
25 ~~30 exceeds the sum of certified amounts distributed, the~~

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1 ~~difference shall revert to the general fund]~~ Any balance
2 remaining in the fund at the end of a fiscal year shall not
3 revert and shall remain in the fund for distribution in the
4 subsequent fiscal year.

5 F. As used in this section:

6 (1) "assistance-qualified land grant-merced"
7 means a land grant-merced that has supplied an account of its
8 previous fiscal year revenue calculated in the same manner used
9 for an annual calculation pursuant to Subsection D of this
10 section to the land grant council, is in compliance with
11 Chapter 49, Article 1 or 4 NMSA 1978, including having an
12 elected board of trustees, and is in compliance with the Audit
13 Act; and

14 (2) "full distribution" means an amount equal
15 to the annual amount of money in the land grant-merced
16 assistance fund at the start of a fiscal year divided by the
17 total number of assistance-qualified land grants-mercedes as
18 determined by the land grant council pursuant to Subsection C
19 of this section for that fiscal year."

20 SECTION 2. EFFECTIVE DATE.--The effective date of the
21 provisions of this act is July 1, 2025.