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HOUSE BILL 956

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Danice Picraux

AN ACT

**RELATING TO HISTORIC LANDSCAPES; ENACTING THE HISTORIC
LANDSCAPE ACT TO ESTABLISH AND PRESERVE LANDSCAPES OF HISTORIC
AND CULTURAL SIGNIFICANCE; CREATING AN HISTORIC LANDSCAPE
TRUST; PROVIDING FOR A FUTURE STATE SYSTEM OF HISTORIC
LANDSCAPES; AUTHORIZING SOLICITATION OF GIFTS AND GRANTS TO
FUND THE FIRST TWO YEARS OF THE TRUST; MAKING AN APPROPRIATION
OF THOSE FUNDS TO THE TRUST.**

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

**Section 1. SHORT TITLE.--This act may be cited as the
"Historic Landscape Act".**

**Section 2. DEFINITIONS.--As used in the Historic
Landscape Act:**

**A. "board" means the board of trustees of the
historic landscape trust; and**

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1 B. "trust" means the historic landscape trust
2 created by the Historic Landscape Act.

3 Section 3. HISTORIC LANDSCAPE TRUST CREATED. -- The
4 "historic landscape trust" is created. It is a public
5 nonprofit corporation and shall be organized pursuant to the
6 Nonprofit Corporation Act.

7 Section 4. BOARD OF TRUSTEES. --

8 A. The trust shall be governed by the board. The
9 members of the initial board shall be:

10 (1) two individuals who are New Mexico
11 licensed landscape architects;

12 (2) an attorney licensed to practice law in
13 the state;

14 (3) a New Mexico certified public accountant;

15 (4) five New Mexico residents who have
16 demonstrated their interest in and knowledge about historic
17 landscapes;

18 (5) the state cultural affairs officer or his
19 designee; and

20 (6) the director of tourism or his designee.

21 B. The terms of the initial board members are for
22 two years. Thereafter, the board shall be selected in
23 accordance with the articles of incorporation and bylaws of the
24 trust.

25 C. Vacancies on the initial board shall be filled

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1 by appointment of the governor. Thereafter, vacancies shall be
2 filled in accordance with the articles of incorporation and
3 bylaws of the trust.

4 Section 5. ARTICLES OF INCORPORATION AND BYLAWS. --The
5 initial board shall prepare and file articles of incorporation
6 and bylaws. The articles shall state as the purposes of the
7 trust:

8 A. the preservation of significant historic
9 landscapes in the state;

10 B. the identification of sites in the state
11 deserving of inclusion in the historic landscape system; and

12 C. the development of an historic landscape system
13 that provides opportunities for persons to appreciate and
14 better understand the history and development of the state.

15 Section 6. EXECUTIVE DIRECTOR. --The bylaws of the trust
16 shall provide for the employment of an executive director and
17 shall specify his duties.

18 Section 7. FUNDING. --The initial board shall seek private
19 and public funding for the trust and is authorized to accept
20 gifts and grants of both private and public funds. The
21 "historic landscape trust fund" is created in the state
22 treasury. All funds accepted by the initial board shall be
23 deposited in the fund. The fund is appropriated to the initial
24 board and may be expended as authorized by vouchers drawn by
25 the chair of the initial board on warrants drawn by the

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1 department of finance and administration. Expenditures are
2 authorized in fiscal years 2004 and 2005 only for organization
3 expenses of the trust and per diem and mileage pursuant to the
4 Per Diem and Mileage Act for the appointed members of the
5 initial board.

6 Section 8. TEMPORARY PROVISION. --The initial board of
7 trustees of the historic landscape trust shall report to the
8 first session of the forty-seventh legislature on the date it
9 convenes. The report shall include:

10 A. copies of the articles of incorporation and
11 bylaws of the trust;

12 B. a ten-year plan for implementing an historic
13 landscape system in the state; and

14 C. strategies and recommendations for funding the
15 trust in fiscal year 2006 and subsequent fiscal years.

16 Section 9. EFFECTIVE DATE. --The effective date of the
17 provisions of this act is July 1, 2003.

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