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SENATE BILL 740

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Gerald P. Ortiz y Pino

AN ACT

RELATING TO PUBLIC PROPERTY; AUTHORIZING BOARDS OF COUNTY  
COMMISSIONERS TO LEASE PROPERTY IN CERTAIN CIRCUMSTANCES.

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

Section 1. NEW MATERIAL LEGISLATIVE FINDINGS-- COMMUNITY  
VALUE.--The legislature finds that without the daily  
contributions and efforts of the thousands of worthwhile  
nonprofit organizations dedicated to serving sick and indigent  
persons in communities throughout New Mexico, the state would  
be inundated with constant requests for health, human and  
social services that it does not have revenue or resources to  
provide. The legislature finds that it is in the best  
interests of that population, as well as for all residents and  
taxpayers, that consideration be extended as real value  
recognition of the indispensable part these services contribute

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1 to the fabric of life in New Mexico.

2 Section 2. Section 4-38-13.1 NMSA 1978 (being Laws 1984,  
3 Chapter 43, Section 1) is amended to read:

4 "4-38-13.1. COUNTY EQUIPMENT AND PROPERTY--PERMITTED  
5 USES.--

6 A. Notwithstanding any other provision of law, the  
7 board of county commissioners of any county except a class A  
8 county may contract for the use of county equipment or property  
9 for the benefit of community ditch associations, mutual  
10 domestic water associations or other public entities providing  
11 services to significant groups of county residents, which  
12 services could legally be provided by a governmental entity.  
13 In granting this permission, the board shall specifically  
14 describe the equipment or property to be used and the entity on  
15 whose behalf it will be used.

16 B. A board of county commissioners may contract for  
17 the use of county buildings for the benefit of nonprofit  
18 organizations demonstrating a consistent history of service to  
19 sick and indigent persons in the county, which service could  
20 legally be expected to be provided by a governmental entity, at  
21 rates these organizations can be reasonably expected to pay  
22 while maintaining their full service commitment to their  
23 respective constituencies. Such contracts must set forth the  
24 respective value of services being provided to county residents  
25 and the relative value of the use of property provided by the

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county. "