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AN ACT

RELATING TO MUSEUMS; ENACTING THE VETERANS MUSEUM ACT;
CREATING THE VETERANS MUSEUM DIVISION WITHIN THE CULTURAL
AFFAIRS DEPARTMENT; PROVIDING POWERS AND DUTIES.

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

Section 1. SHORT TITLE.--This act may be cited as the
"Veterans Museum Act".

Section 2. DEFINITIONS.--As used in the Veterans Museum
Act:

- A. "board" means the board of directors of the
museum;
- B. "director" means the director of the division;
- C. "division" means the veterans museum division
of the cultural affairs department;
- D. "museum" means the New Mexico veterans museum;
and
- E. "secretary" means the secretary of cultural
affairs.

Section 3. VETERANS MUSEUM DIVISION CREATED--LOCATION--
PROPERTY.--

A. The "veterans museum division" is created
within the cultural affairs department. The principal
facility of this division is the "New Mexico veterans museum"
located in Dona Ana county. The site shall be held in the

1 name of the state.

2 B. All property, real or personal, now held or
3 subsequently acquired for the operation of the museum shall
4 be under the control and authority of the board.

5 C. Funds or other property received by gift,
6 endowment or legacy shall remain under the control of the
7 board and shall, upon acceptance, be employed for the purpose
8 specified.

9 Section 4. BOARD OF DIRECTORS CREATED--APPOINTMENTS--
10 TERMS--OFFICERS.--

11 A. The "board of directors of the New Mexico
12 veterans museum" is created. The board shall consist of the
13 following thirteen voting members:

14 (1) the adjutant general or the adjutant
15 general's designee;

16 (2) the secretary of cultural affairs or the
17 secretary's designee;

18 (3) the secretary of veterans' services or
19 the secretary's designee; and

20 (4) ten members who are residents of New
21 Mexico appointed by the governor with the advice and consent
22 of the senate. In making the appointments, the governor
23 shall appoint three members from each congressional district
24 and give due consideration to the ethnic and geographic
25 diversity of the state. No more than five of the ten

1 appointed members shall be from the same political party. At
2 least five of the members shall be veterans appointed to
3 represent each of the following entities of the armed forces:

4 (a) the New Mexico national guard;

5 (b) the United States army;

6 (c) the United States navy;

7 (d) the United States air force; and

8 (e) the United States marine corps.

9 B. Of the initial appointees, four members shall
10 be appointed for four-year terms, three members shall be
11 appointed for three-year terms and three members shall be
12 appointed for two-year terms. All subsequent members shall
13 be appointed for four-year terms.

14 C. A majority of the board members currently
15 serving shall constitute a quorum at any meeting or hearing.

16 D. Any appointed member failing to attend three
17 consecutive meetings after receiving proper notice shall be
18 recommended for removal by the governor. The governor may
19 also remove any member of the board for neglect of any duty
20 required by law, for incompetency, for unprofessional conduct
21 or for violating any provisions of the Veterans Museum Act.
22 If a vacancy occurs on the board, the governor shall appoint
23 another member to complete the unexpired term.

24 E. The director shall be an ex-officio nonvoting
25 member of the board.

1 F. The governor shall designate the president of
2 the board, who shall serve in that capacity at the pleasure
3 of the governor.

4 Section 5. BOARD--POWERS--DUTIES.--The board shall:

5 A. exercise trusteeship over the collections of
6 the museum;

7 B. accept and hold title to all property for the
8 museum's use;

9 C. review annually the performance of the director
10 and report its findings to the secretary;

11 D. enter into agreements or contracts with private
12 or public organizations, agencies or individuals for the
13 purpose of obtaining real or personal property for the
14 museum's use;

15 E. authorize the director to solicit and receive
16 funds or property of any nature for the development of the
17 museum, its collections and its programs;

18 F. adopt such rules as may be necessary to carry
19 out the provisions of the Veterans Museum Act; and

20 G. establish policy, determine the mission and
21 direct the development of the museum.

22 Section 6. DIRECTOR--APPOINTMENT--QUALIFICATIONS.--

23 A. Subject to the authority of the secretary, the
24 administrative and executive officer of the division and the
25 museum is the "director" of the division.

1 B. The secretary shall appoint the director with
2 the approval of the governor from a list of qualified
3 finalists provided by the board of directors.

4 C. The position of director shall require previous
5 experience in an administrative capacity in a museum of
6 related character.

7 Section 7. DIRECTOR--POWERS--DUTIES.--Subject to the
8 policies agreed to by the board, the director:

9 A. shall be responsible for the operation of the
10 museum in accordance with all appropriate statutes and rules;

11 B. shall develop exhibits and programs displaying
12 New Mexico veterans history for the benefit of the public and
13 with particular concern for the interests of the schools of
14 the state;

15 C. shall acquire by donation or other means of
16 acquisition any collections and related materials appropriate
17 to a veterans museum and shall direct research as is
18 appropriate to render the collections of benefit to the
19 public;

20 D. shall employ such professional staff and other
21 employees as are necessary to the operation of the museum in
22 accordance with the provisions of the Personnel Act;

23 E. may solicit and receive funds or property of
24 any nature for the development of the museum;

25 F. may enter into contracts with public or private

1 organizations, individuals or agencies for the performance of
2 services related to the location, preservation, development,
3 study or salvage of historical New Mexico veterans materials;

4 G. shall cooperate with institutions of higher
5 education and other agencies and political subdivisions of
6 municipal, state and federal governments to establish,
7 maintain and extend the programs of the museum;

8 H. may, as authorized by the board, lend
9 collection materials to qualified institutions and agencies
10 for purposes of exhibition and study and borrow collection
11 materials from other institutions and agencies for the same
12 purpose;

13 I. shall impose and collect admission fees and
14 conduct retail sales as are normal for the operation of the
15 museum;

16 J. may publish journals, books, reports and other
17 materials as are appropriate to the operation of the museum;
18 and

19 K. shall perform other appropriate duties as may
20 be delegated by the governor, the secretary or the board or
21 as may be provided by law.

22 Section 8. EFFECTIVE DATE.--The effective date of the
23 provisions of this act is July 1, 2008. _____