

HOUSE BILL 543

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

G. Andrés Romero and Derrick J. Lente and Alonzo Baldonado and
Angelica Rubio and Joseph L. Sanchez

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO TOURISM; MAKING FINDINGS; ESTABLISHING THE EL
CAMINO REAL DE TIERRA ADENTRO NATIONAL HISTORIC TRAIL
DEVELOPMENT COMMISSION; CREATING THE EL CAMINO REAL DE TIERRA
ADENTRO DEVELOPMENT FUND; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] FINDINGS--DEFINITIONS--
COMMISSION CREATED--AUTHORITIES AND DUTIES--FUND CREATED--
USE.--

A. The legislature finds that:

(1) the history of human settlement and

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development of cultures in the American southwest does not receive the attention that it deserves as part of the national American heritage;

(2) the history of El Camino Real de Tierra Adentro formed the foundation of the multicultural mix of present-day New Mexico and much of the American southwest; and

(3) the federal creation of El Camino Real de Tierra Adentro as a national historic trail in 2000 should be leveraged to bring the history of American Indian and Hispanic cultures more broadly into the national dialogue on American history and culture.

B. As used in this section:

(1) "commission" means the El Camino Real de Tierra Adentro national historic trail development commission;

(2) "Camino Real" means the El Camino Real de Tierra Adentro national historic trail;

(3) "fund" means the El Camino Real de Tierra Adentro development fund;

(4) "local public agency" means a state agency or instrumentality; an Indian nation, tribe or pueblo; a subdivision of an Indian nation, tribe or pueblo that has authority pursuant to the law of that Indian nation, tribe or pueblo to enter into joint powers agreements directly with the state; a county, municipality, public corporation or public district of this state; or an entity that is created pursuant

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to the Joint Powers Agreements Act;

(5) "non-state money" means money that does not derive from revenue acquired from taxes, fees, fines established pursuant to a state statute or from interest accruing to a fund established pursuant to a state statute; and

(6) "secretary" means the secretary of HENRC→tourism cultural affairs←HENRC.

C. The "El Camino Real de Tierra Adentro national historic trail development commission" is created and administratively attached to the HENRC→tourism cultural affairs←HENRC department. The HENRC→tourism cultural affairs←HENRC department shall staff the commission. The purposes of the commission are to:

(1) facilitate public and private participation in the creation of a strategic plan for the preservation, interpretation, physical development and public awareness of the Camino Real; and

(2) promote the development of the Camino Real in New Mexico as a national and international destination trail connecting history and cultures within New Mexico, Texas and Mexico.

D. The commission consists of:

(1) the secretary or the secretary's designee;
(2) the secretary of transportation or the secretary's designee;

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(3) the secretary of economic development or the secretary's designee;

(4) the secretary of HENRC→~~cultural affairs~~
~~tourism~~←HENRC or the secretary's designee;

(5) the state historian at the state records center and archives;

(6) a member of an Indian nation, tribe or pueblo appointed by the secretary of Indian affairs;

(7) three public members appointed by the secretary;

(8) a Camino Real administrator from the national park service as an ex-officio member; and

(9) a Camino Real administrator from the bureau of land management of the United States department of the interior as an ex-officio member.

E. The commission shall:

(1) develop a strategic plan for development of the Camino Real that includes:

(a) active involvement of diverse communities in the creation of interpretive media to tell the history of the Camino Real from the viewpoints of the various cultures along its route;

(b) collaboration with the bureau of land management and the national park service in planning for physical development, interpretation and advertisement of the

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Camino Real; and

(c) a general public communication plan to attract visitors from around the world;

(2) develop a website HENRC→and other digital instruments←HENRC to be maintained by the HENRC→tourism cultural affairs←HENRC department based on the result of the efforts undertaken pursuant to Subparagraph (a) of Paragraph (1) of this subsection;

(3) develop guidelines for the submission and evaluation of applications for funding from the fund;

(4) evaluate funding applications and make recommendations to the secretary for funding from the fund; and

(5) by November 1, 2019 and November 1 each year thereafter, provide a report to the appropriate legislative interim committee on the strategic plan for the Camino Real, the status of efforts to implement the plan and the status of the fund.

F. The "El Camino Real de Tierra Adentro development fund" is created in the state treasury for the purposes of this section. The fund consists of appropriations, donations, interest from investment of the fund and other money distributed to the fund. The HENRC→tourism cultural affairs←HENRC department shall administer the fund and may establish subaccounts for the fund as it deems necessary.

Money in the fund is appropriated to the HENRC→tourism cultural

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affairs←HENRC department for expenditure as provided in this section. Disbursement from the fund shall be by warrant of the secretary of finance and administration on vouchers signed by the secretary of HENRC→~~tourism~~ **cultural affairs**←HENRC or the secretary's designee. Money in the fund shall not revert at the end of a fiscal year.

HENRC→~~G. Money in the fund may be used to make a grant of up to twenty thousand dollars (\$20,000) to a local public agency for the purposes of studying the need for and the costs and benefits of developing physical improvements and facilities in an area to enhance the visitor experience and increase tourism; provided that the grant applicant shall provide matching funding in non-state money equal to at least fifty percent of the total cost of a study.~~

~~H. Money in the fund may be used to provide a loan to a local public agency for the design, construction and installation of physical improvements and facilities.~~←HENRC

HENRC→**G. Money in the fund may be used for the following purposes:**

(1) the expenses of the commission up to five hundred thousand dollars (\$500,000) for carrying out its duties, including the costs of field hearings, hiring technical experts and other expenses as necessary;

(2) planning grants to local public agencies

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of up to one hundred thousand dollars (\$100,000) per agency for the purposes of studying the need for and the costs and benefits of developing physical improvements, facilities, marketing and interpretive services in an area to enhance the visitor experience and increase tourism; provided that at least fifty percent of the total cost of a study is provided in non-state money; and

(3) loans to local public agencies for the design, construction and installation of physical improvements and facilities. ←HENRC

SECTION 2. APPROPRIATION.--Five million dollars (\$5,000,000) is appropriated from the general fund to the El Camino Real de Tierra Adentro development fund for expenditure in fiscal year 2020 and subsequent fiscal years for the purposes of the fund. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.