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HOUSE BILL 451

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Thomas C. Taylor

AN ACT

RELATING TO PUBLIC PROPERTY; AUTHORIZING THE PROPERTY CONTROL DIVISION OF THE GENERAL SERVICES DEPARTMENT TO ASSIST STATE AGENCIES OTHERWISE EXEMPT FROM THE DIVISION'S CONTROL.

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

Section 1. Section 15-3-2 NMSA 1978 (being Laws 1978, Chapter 166, Section 14, as amended) is amended to read:

"15-3-2. DIRECTOR OF DIVISION--DUTIES--FEDERAL FUNDS. --

A. The director of the property control division of the general services department shall:

- (1) have control over all state buildings and lands except those under the control and management of the state highway and transportation department; the state fair commission; state institutions of higher learning; the New Mexico school for the deaf; the New Mexico school for the

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1 visually handicapped; the supreme court; the commissioner of
2 public lands; the state armory board, in accordance with
3 Section [~~20-7-2~~] 20-8-3 NMSA 1978; the building in which the
4 legislature is housed, the adjacent utilities plant and the
5 surrounding grounds; the museum of New Mexico; and the state
6 library building and adjacent grounds. The director shall
7 assign the use or occupancy of state buildings and lands under
8 his control to the state agency or political subdivision which
9 may make the best and highest beneficial use of the property;

10 (2) regulate the use or occupancy of
11 buildings and real property under his control and make
12 reasonable requirements for the continuation of that use or
13 occupancy;

14 (3) have custody of all maps, deeds, plats,
15 plans, specifications, contracts, books and other papers
16 connected with state buildings over which he exercises
17 control;

18 (4) secure copies of all documents of title
19 to all real property under his control held in the name of the
20 state or for the use of the state, and index [~~such~~] those
21 documents so that the status of real property held by the
22 state under his control can be readily ascertained;

23 (5) control the lease or rental of space in
24 private buildings by state executive agencies other than the
25 state land office;

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1 (6) preserve, repair, clean, heat and light
2 the buildings and improvements under his control which are
3 located within the exterior boundaries of the city of Santa
4 Fe, either with his own staff or by contract with private
5 firms;

6 (7) care for and beautify the grounds and
7 premises under his control which are located within the
8 exterior boundaries of the city of Santa Fe, either with his
9 own staff or by contract with private firms;

10 (8) make rules and regulations for the
11 conduct of all persons in and about such buildings and grounds
12 necessary and proper for the safety, care and preservation of
13 the buildings and grounds and for the safety and convenience
14 of the persons while they are in and about the buildings and
15 grounds;

16 (9) have the power to sell state buildings
17 and real property under his control in accordance with
18 Sections 13-6-2 and 13-6-3 NMSA 1978. Any such sale shall be
19 by quitclaim deed;

20 (10) have the power to purchase title
21 insurance or a title opinion in conjunction with the sale of
22 state buildings or land; and

23 (11) have the power to enter into contracts
24 for the improvement, alteration and reconstruction of the
25 state buildings under his control, including the executive

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1 mansion, and for the design and construction of additional
2 buildings, to the extent funds are available.

3 B. The provisions of this section shall be subject
4 to federal law or regulation if the buildings or property were
5 purchased with federal funds.

6 C. When the parties determine that it is in the
7 best interest of the state, the director of the property
8 control division and the governing body of state property,
9 otherwise exempted pursuant to Subsection A of this section,
10 may enter into an agreement pursuant to the Joint Powers
11 Agreements Act for the director to exercise such control and
12 jurisdiction over the state property as is specified in the
13 agreement. "

14 Section 2. EFFECTIVE DATE. --The effective date of the
15 provisions of this act is July 1, 1999.