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BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

DISCUSSION DRAFT

FOR THE LAND GRANT COMMITTEE

AN ACT

RELATING TO LAND GRANTS; ALLOWING THE LAND GRANT COUNCIL TO USE PRIVATE AND FEDERAL FUNDS TO ASSIST COMMUNITY LAND GRANTS THAT ARE NOT POLITICAL SUBDIVISIONS OF THE STATE; CLARIFYING COUNCIL AUTHORITY TO DETERMINE THE STATUS OF A COMMUNITY LAND GRANT.

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

SECTION 1. Section 49-11-1 NMSA 1978 (being Laws 2009, Chapter 94, Section 1) is amended to read:

"49-11-1. SHORT TITLE.--[~~This act~~] Chapter 49, Article 11 NMSA 1978 may be cited as the "Land Grant Support Act"."

SECTION 2. Section 49-11-2 NMSA 1978 (being Laws 2009, Chapter 94, Section 2) is amended to read:

"49-11-2. DEFINITIONS.--As used in the Land Grant Support Act:

A. "council" means the land grant council; and

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B. "land grant" means a patented community land grant-merced [~~organized and operating as a political subdivision of the state~~]."

SECTION 3. Section 49-11-4 NMSA 1978 (being Laws 2009, Chapter 94, Section 4) is amended to read:

"49-11-4. LAND GRANT SUPPORT PROGRAM--COUNCIL DIRECTOR POWERS AND DUTIES.--

A. The council, through its staff or contract agents, may apply for and accept any public or private grants, gifts or donations for the benefit of the land grant support program, the council or land grants in general or particular.

B. The council, through its staff or contract agents, may:

(1) assist land grants in all areas of land grant fiscal and programmatic management, including planning, economic development and infrastructure development;

(2) establish cooperative purchasing capabilities for land grants;

(3) perform special studies and undertake surveys of interest to land grants and report the findings;

(4) serve as fiscal agent and administrator for federal and state grants-in-aid and other funding for a land grant when necessary;

(5) facilitate or enter into agreements with state and federal agencies on behalf of land grants;

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(6) enter into contracts to carry out the purposes of the Land Grant Support Act; and

(7) provide other assistance to land grants.

C. The council, through its staff or contract agents, shall:

(1) facilitate the exchange of experience and advice among land grants;

(2) serve as a liaison between land grants and federal, state and local agencies;

(3) promote cooperation between land grants and, by consultation and advice, assist in the coordination of land grant programs;

(4) provide board development opportunities and technical assistance to the governing boards of land grants;

(5) provide short- and long-range planning assistance to land grants;

(6) conduct training sessions for land grants on topics of interest, such as:

(a) local, state and national zoning trends and concerns and other land-use issues;

(b) state requirements for political subdivisions on such topics as open meetings, public records, procurement, risk management, tort claims and financial accountability;

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(c) techniques of historical research;

(d) grant writing;

(e) economic development strategies; and

(f) rangeland management and water conservation;

(7) disseminate information to relevant federal, state and local agencies on land grant issues and activities and, when requested, on the status of individual land grants;

(8) determine whether a land grant is eligible to be a political subdivision of the state, based on proof that the land grant is in compliance with requisite statutes and rules;

[~~(8)~~] (9) develop and promote federal legislation for an appropriate congressional response to longstanding community land grant claims in New Mexico; and

[~~(9)~~] (10) review state and federal policies, plans and legislation affecting land grants in New Mexico.

D. Federally and privately derived funds may be expended for the general benefit of all land grants or the benefit of specific land grants, which may or may not be political subdivisions of the state."

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