

MILITARY AND VETERANS  
INTERIM COMMITTEE  
OCTOBER 27, 2011

**Presentation on  
Ft. Bayard National Cemetery Funding  
HJM 10**

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- ▣ HJM 10 requests the Department of Veterans' Services to study extending eligibility to the Ft. Bayard National Cemetery to receive funding from the Veterans' National Cemetery Fund.

# History of Ft. Bayard

- ▣ Ft. Bayard was established as a United States Army installation in 1866 to protect miners and other settlers in the area along the Apache Trail.
- ▣ This first interment was made in 1866.
- ▣ Established as the Ft. Bayard Cemetery in 1930.
- ▣ Became part of the National Cemetery System in 1973.
- ▣ Currently is under the direction of the Ft. Bliss National Cemetery
- ▣ In the 1990's, the State of New Mexico donated 3.95 acres to the cemetery.
- ▣ Placed on the National Register of Historic Places on July 7, 2002.
- ▣ 4000 graves

# History of the National Cemetery Fund

- ▣ The National Cemetery Fund was established in 1987 as a state income tax check-off to fund the expansion of the Santa Fe National Cemetery.
- ▣ "The legislature finds that it is in the public interest to provide additional funds to increase the size of the Santa Fe national cemetery to provide a lasting tribute to all veterans of New Mexico. This act provides a means by which additional funds may be provided from a voluntary check-off designation of tax refunds due the taxpayer on the state income tax form. It is the intent of the legislature that this program of income tax refund check-off is supplemental to any other funding and is in no way intended to take the place of the funding that would otherwise be appropriated for this purpose. It is further the intent of the legislature that all contributions obtained under this act will automatically be transferred into the veterans' national cemetery fund in the event the city of Santa Fe grants and conveys the additional acreage for the Santa Fe national cemetery. " 7-2-27 NMSA 1978

# Amended in 2011

- The Department of Veterans' Services became a cabinet level agency in 2004.
- Language regarding the distribution of the National Cemetery Fund was not included in the Veteran Services Act.
- Veteran Services Act was amended in 2001
- 2011
- Upon a certification by the State Board of Administration, the State Board of Administration may, and conveys fiduciary control over the Santa Fe National Cemetery Fund, established pursuant to Section 10-1-102, 1973, shall be the cemetery fund of the State Board of Administration as contributions to that fund, received or to be received on or after January 1, 2001, in the amount of (\$1,070,000); any contributions received on or after January 1, 2001, shall be distributed to the substance abuse program.

# Balance of the Fund

- ▣ As of December 31, 2010
- ▣ \$125,798
- ▣ Balance in full is being transferred to the City of Santa Fe.

# Issues

- ❑ Bill was originally created to offset costs incurred by City of Santa Fe for the expansion of the National Cemetery.
- ❑ Amending current statute would impact the payments due to the City of Santa Fe.
- ❑ Negotiations would need to be entered to with the City of Santa Fe.
- ❑ Would the monies collected be split between the two.