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AN ACT

RELATING TO LAND GRANTS-MERCEDES; ALLOWING LAND GRANT-MERCED
BOARDS OF TRUSTEES TO APPROVE COMPREHENSIVE PLANS.

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

SECTION 1. Section 49-1-3 NMSA 1978 (being Laws 1907,
Chapter 42, Section 3, as amended) is amended to read:

"49-1-3. BOARD OF TRUSTEES--MANAGEMENT OF GRANT--
POWERS.--The management and control of all land
grants-mercedes and tracts of land to which Sections 49-1-1
through 49-1-18 NMSA 1978 are applicable is vested in a board
of trustees, to be known as the "board of trustees of the
land grant-merced del pueblo de ____" (designating the name
of the town, colony, pueblo or community), and the board
shall have the power to:

A. control, care for and manage the land
grant-merced and real estate, prescribe the terms and
conditions under which the common lands may be used and
enjoyed and make all necessary and proper bylaws, rules and
regulations that shall be in substantial compliance with
applicable statutes for the government thereof;

B. sue and be sued under the title as set forth in
this section;

C. convey, lease or mortgage the common lands of
the land grant-merced in accordance with the land

1 grant-merced bylaws;

2 D. determine the number of animals that may be
3 permitted to graze upon the common lands and determine other
4 uses of the common lands that may be authorized;

5 E. prescribe the price to be paid for the use of
6 the common lands and resources of the land grant-merced and
7 prohibit a person failing or refusing to pay that amount from
8 using a portion of the common lands while the person
9 continues in default in those payments; provided that the
10 amount fixed shall be in proportion to the number and kinds
11 of livestock pasturing upon the common lands or to other
12 authorized use of the common lands;

13 F. adopt and use an official seal;

14 G. appoint judges and clerks of election at all
15 elections provided for in Sections 49-1-1 through 49-1-18
16 NMSA 1978, subsequent to the first, and canvass the votes
17 cast in those elections;

18 H. make bylaws, rules and regulations, not in
19 conflict with the constitution and laws of the United States
20 or the state of New Mexico, as may be necessary for the
21 protection, improvement and management of the common lands
22 and real estate and for the use and enjoyment of the common
23 lands and of the common waters of the land grant-merced;

24 I. determine land use, local infrastructure and
25 economic development of the common lands of the land

1 grant-merced;

2 J. determine zoning of the common lands of the
3 land grant-merced pursuant to a comprehensive plan approved
4 by the board of trustees that considers the health, safety
5 and general welfare of the residents and heirs of the land
6 grant-merced; and

7 K. enter into memoranda of understanding,
8 contracts and other agreements with a local, state or federal
9 government or a government of a federally recognized Indian
10 nation, tribe or pueblo, including but not limited to
11 agreements concerning the protection and maintenance of
12 cultural resources."

13 SECTION 2. EFFECTIVE DATE.--The effective date of the
14 provisions of this act is July 1, 2019. _____

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