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SENATE MEMORIAL 11

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Phil A. Griego

A MEMORIAL

**REQUESTING THE MUSEUM OF NEW MEXICO AND ITS BOARD OF REGENTS TO
CONSIDER ADDITIONAL ORGANIZATIONS WHEN ENTERING INTO LICENSE
AGREEMENTS IN THE FUTURE.**

**WHEREAS, the purpose of the Cultural Properties Act is "to
provide for the preservation, protection and enhancement of
structures, sites and objects of historical significance within
the state", Section 18-6-2 NMSA 1978; and**

**WHEREAS, state law designates the museum of New Mexico as
the repository for "all properties, real or personal, now held
for museum purposes and all properties, real or personal, which
may be acquired for museum purposes at any time in the future"
and places those properties "under the control of the museum
division of the office of cultural affairs", Section 18-3-1**

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1 NMSA 1978; and

2 WHEREAS, the board of regents of the museum of New Mexico
3 is designated by law as the trustee of the collections of the
4 museum, Section 18-3-3 NMSA 1978; and

5 WHEREAS, within the collections of the museum are a
6 substantial number of excellent examples of Spanish colonial
7 furniture; and

8 WHEREAS, the design and construction of Spanish colonial
9 furniture date from the time of Onate's arrival in 1598 and
10 continue to this day because the original designs, the process
11 of construction and the finishing techniques have customarily
12 been passed from one generation to the next; today, many New
13 Mexico families depend on the making and selling of their
14 furniture and other crafts for financial survival; and

15 WHEREAS, the museum of New Mexico and its board of regents
16 have entered into a licensing agreement with the museum of New
17 Mexico foundation, incorporated, a private nonprofit
18 organization, and that foundation has in turn sub-licensed
19 reproduction of museum pieces to a commercial manufacturer of
20 furniture located outside of the state, thereby creating and
21 promoting substantial competition with New Mexico traditional
22 furniture makers; and

23 WHEREAS, the circumstances described raise questions about
24 whether the museum and its board of regents are acting fairly
25 in fulfilling their respective statutory duties and trusteeship

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1 of the museum's collection;

2 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
3 OF NEW MEXICO that the museum of New Mexico and its board of
4 regents consider additional organizations when entering into
5 license agreements in the future; and

6 BE IT FURTHER RESOLVED that a copy of this memorial be
7 transmitted to the governor.

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