

**FIFTY-SECOND LEGISLATURE
FIRST SESSION, 2015**

SB 450/a

February 27, 2015

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE BILL 450

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 12, after the first semicolon, insert "AUTHORIZING THE HISTORIC PRESERVATION DIVISION TO CHARGE FEES FOR CERTAIN SERVICES;".

2. On page 4, line 15, strike the comma, insert in lieu thereof a semicolon and strike line 16.

3. On page 12, between lines 19 and 20, insert the following new section:

"SECTION 7. Section 18-6-8 NMSA 1978 (being Laws 1977, Chapter 246, Section 38, as amended) is amended to read:

"18-6-8. STATE HISTORIC PRESERVATION OFFICER--APPOINTMENT--QUALIFICATIONS--DUTIES.--

A. The "historic preservation division" is created within the cultural affairs department.

B. The state historic preservation officer shall be the director of the division and shall be hired by the secretary of cultural affairs with the consent of the governor. The position's qualifications shall be consistent with but not limited to the following:

(1) a graduate degree in American history, anthropology, architecture or historic preservation;

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(2) at least five years of professional experience in American history, anthropology, architecture or historic preservation or any combination of these; or

(3) a substantial contribution through research and publication to the body of scholarly knowledge in the field of American history, anthropology, architecture or historic preservation or any combination of these.

C. The state historic preservation officer shall administer the Cultural Properties Act, including but not limited to being administrative head of all Cultural Properties Act functions assigned to the historic preservation division by law or executive order. In addition, the state historic preservation officer shall coordinate all duties performed by, and cooperate with, the committee, the secretary of cultural affairs and any other entities, public or private, involved with cultural properties.

D. The state historic preservation officer, in conjunction with the secretary of cultural affairs:

(1) shall provide staff to the committee;

(2) shall maintain the state register of cultural properties;

(3) may fund historic site surveys and may fund restorations;

(4) shall administer historic preservation tax benefit programs; ~~and~~

(5) shall review state undertakings to determine their effect upon significant historic properties; and

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(6) shall adopt and promulgate rules regulating the use of the division's statewide historic and prehistoric site databases and archives, including a fee schedule to cover the reasonable cost of using the databases and archives.

E. Fees collected pursuant to Paragraph (6) of Subsection D of this section shall be used to maintain and administer the division's statewide historic and prehistoric site databases and archives."

4. Renumber the succeeding sections accordingly.

Respectfully submitted,

Richard C. Martinez, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 8 For 1 Against

Yes: 8

No: Sanchez, M.

Excused: Cervantes

Absent: None