

HOUSE BILL 304

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Angelica Rubio

This document incorporates amendments that have been adopted during the current legislative session. The document is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO OUTDOOR RECREATION; TRANSFERRING ADMINISTRATION OF THE OUTDOOR EQUITY GRANT PROGRAM AND FUND FROM THE NEW MEXICO YOUTH CONSERVATION CORPS COMMISSION TO THE NEW MEXICO OUTDOOR RECREATION DIVISION OF THE ECONOMIC DEVELOPMENT DEPARTMENT; AMENDING AND RECOMPILING SECTIONS OF THE NMSA 1978 HENRC ~~;~~ ~~MAKING AN APPROPRIATION~~ HENRC.

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

SECTION 1. Section 9-5B-6 NMSA 1978 (being Laws 1992, Chapter 91, Section 6, as amended) is amended to read:

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"9-5B-6. COMMISSION--POWERS AND DUTIES.--

A. The commission may:

- (1) accept gifts, devises, grants and donations from others to carry out the provisions of the New Mexico Youth Conservation Corps Act;
- (2) request assistance and staff support from the department;
- (3) employ such personnel as necessary to carry out the provisions of the New Mexico Youth Conservation Corps Act;
- (4) delegate responsibility for the administration and implementation of conservation projects, corps members' employment and supervision, project coordination and other program matters;
- (5) establish work camps and long-term residential facilities to house corps members and their supervisors; and
- (6) contact potential sponsors and funding sources for support.

B. The commission shall:

- (1) adopt rules that are necessary for the proper administration of the New Mexico Youth Conservation Corps Act [~~including the outdoor equity grant program~~];
- (2) administer and enforce the provisions of the New Mexico Youth Conservation Corps Act and rules adopted

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pursuant to Paragraph (1) of this subsection;

(3) develop and approve corps work projects, activities and contracts with project sponsors;

~~[(4) administer the outdoor equity grant program;~~

~~(5)]~~ (4) establish standards, procedures and policies for selecting, hiring, providing compensation for and other personnel matters involving corps members and other personnel;

~~[(6)]~~ (5) foster partnerships and cooperation between the corps and New Mexico's secondary and post-secondary schools to assist corps members in obtaining education and job training; and

~~[(7)]~~ (6) hire a program manager, who shall be the administrative officer of the corps."

SECTION 2. Section 9-15-1 NMSA 1978 (being Laws 1983, Chapter 297, Section 1, as amended) is amended to read:

"9-15-1. SHORT TITLE.--Sections 9-15-1 through ~~[9-15-15]~~ 9-15-36 NMSA 1978 may be cited as the "Economic Development Department Act"."

SECTION 3. Section 9-15-14.1 NMSA 1978 (being Laws 2019, Chapter 117, Section 2) is amended to read:

"9-15-14.1. NEW MEXICO OUTDOOR RECREATION DIVISION-- DUTIES--~~[DIRECTOR]~~ DEFINITIONS.--

A. The New Mexico outdoor recreation division of

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the department shall:

(1) increase outdoor recreation-based economic development, tourism and ecotourism in the state;

(2) recruit out-of-state-based outdoor recreation businesses to locate in New Mexico;

(3) promote stewardship and preservation of New Mexico's unique environment and cultural assets; ~~and~~

(4) promote education about and use of outdoor recreation assets to enhance public health; and

(5) administer the outdoor equity grant program.

B. The department, the tourism department, the state land office, the Rio Grande trail commission, the state parks division of the energy, minerals and natural resources department, the department of game and fish, the cultural affairs department, the Indian affairs department, the department of health and the department of transportation shall work in conjunction with the New Mexico outdoor recreation division to support the division's duties as they relate to the purposes of the respective departments and agencies.

C. For the purposes of ~~[this section]~~ administering functions of the New Mexico outdoor recreation division:

(1) "ecotourism" means a form of tourism that involves visiting areas of ecological interest and is intended as a low-impact and often small-scale alternative to standard

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commercial tourism; and

(2) "outdoor recreation" means a recreational activity that occurs outdoors in a natural environment, including the use of trails, the natural landscape, water or snow resources or other natural resources in the activity."

SECTION 4. Section 9-5B-10.1 NMSA 1978 (being Laws 2019, Chapter 117, Section 7) is recompiled as part of the Economic Development Department Act and is amended to read:

"OUTDOOR EQUITY GRANT PROGRAM--CREATED--ADMINISTRATION--GRANT CRITERIA.--

A. The "outdoor equity grant program" is created in the department to be administered by the ~~[commission]~~ New Mexico outdoor recreation division of the department.

B. Each fiscal year, competitive grants shall be awarded to applicants for the sole purpose of funding outdoor recreation programs, in whole or in part, for youth up to the age of eighteen.

C. Political subdivisions of the state, Indian nations, tribes and pueblos and nonprofit organizations may apply for outdoor equity grants.

~~[G.]~~ D. Annually, the ~~[commission]~~ New Mexico outdoor recreation division shall establish a minimum and maximum number of grants available based on the funding appropriated to the outdoor equity grant program fund for that fiscal year.

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[D.] E. The [commission] New Mexico outdoor recreation division shall award grants to applicants through a competitive process and based upon the following minimum criteria:

(1) at least forty percent of the population served by the applicant are low-income youth up to the age of eighteen;

(2) the applicant has a well-developed, written plan to engage low-income youth in outdoor recreation activities; and

(3) the applicant has an educational plan to educate youth about climate and the environment as part of its outdoor recreation program.

[E.] F. The [commission] New Mexico outdoor recreation division shall establish grant reporting requirements that meet the general purpose of this section.

~~[F. For the purposes of this section:~~

~~(1) "applicant" means a county, municipality or other political subdivision of the state, a nonprofit organization or an Indian nation, tribe or pueblo that applies for an outdoor equity grant; and~~

~~(2) "outdoor recreation" means a recreational activity that occurs outdoors in a natural environment, including the use of trails, the natural landscape, water or snow resources or other natural resources in the activity.]"~~

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SECTION 5. Section 9-5B-10.2 NMSA 1978 (being Laws 2019, Chapter 117, Section 8) is recompiled as part of the Economic Development Department Act and is amended to read:

"OUTDOOR EQUITY GRANT PROGRAM FUND--CREATED.--

A. The "outdoor equity grant program fund" is created in the state treasury. All appropriations, gifts, devises, grants and donations received shall be deposited in the fund. Money in the fund is Hf1→[appropriated]←Hf1 Hf1→appropriated←Hf1 Hf1→~~subject to appropriation by the legislature~~←Hf1 to the [~~commission for the purpose of carrying out the~~] department for the New Mexico outdoor recreation division to carry out the outdoor equity grant program [pursuant to the provisions of the New Mexico Youth Conservation Corps Act]. Any money appropriated to the fund or accruing to it through gifts, grants, bequests or interest shall remain in the fund. Money in the fund shall not revert at the end of a fiscal year.

B. The fund shall be administered by the department. Disbursements from the fund shall be made only upon warrant drawn by the secretary of finance and administration pursuant to vouchers signed by the [~~chair of the commission~~] secretary of economic development or the [~~chair's~~] secretary's designee for the purpose of carrying out the outdoor equity grant program [~~pursuant to the provisions of the New Mexico Youth Conservation Corps Act~~]."

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SECTION 6. TEMPORARY PROVISION--TRANSFER OF

APPROPRIATIONS, RECORDS AND CONTRACTS TO THE NEW MEXICO OUTDOOR RECREATION DIVISION OF THE ECONOMIC DEVELOPMENT DEPARTMENT.--On the effective date of this act:

A. all functions, appropriations, money, records and files of the New Mexico youth conservation corps commission relating to the outdoor equity grant program shall be transferred to the New Mexico outdoor recreation division of the economic development department;

B. all contractual obligations of the New Mexico youth conservation corps commission relating to the outdoor equity grant program shall be binding on the New Mexico outdoor recreation division; and

C. the rules, orders and decisions of the New Mexico youth conservation corps commission relating to the outdoor equity grant program shall remain in effect until repealed or amended.

HENRC→~~SECTION 7. APPROPRIATION.--Fifty thousand dollars (\$50,000) is appropriated from the general fund to the economic development department for expenditure in fiscal year 2021 to hire an outdoor equity grant program manager. Any unexpended or unencumbered balance remaining at the end of fiscal year 2021 shall revert to the general fund.~~←HENRC

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