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HOUSE BILL 103

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

INTRODUCED BY

G. Andrés Romero

AN ACT

RELATING TO CULTURAL AFFAIRS; MAKING FINDINGS; ESTABLISHING THE
EL CAMINO REAL DE TIERRA ADENTRO NATIONAL HISTORIC TRAIL
DEVELOPMENT COMMISSION; CREATING THE EL CAMINO REAL DE TIERRA
ADENTRO DEVELOPMENT FUND; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] FINDINGS--DEFINITIONS--
COMMISSION CREATED--AUTHORITIES AND DUTIES--FUND CREATED--
USE.--

A. The legislature finds that:

(1) the history of human settlement and
development of cultures in the American southwest does not
receive the attention that it deserves as part of the national
American heritage;

(2) the history of El Camino Real de Tierra

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1 Adentro formed the foundation of the multicultural mix of
2 present-day New Mexico and much of the American southwest; and

3 (3) the federal creation of El Camino Real de
4 Tierra Adentro as a national historic trail in 2000 should be
5 leveraged to bring the history of American Indian and Hispanic
6 cultures more broadly into the national dialogue on American
7 history and culture.

8 B. As used in this section:

9 (1) "Camino Real" means the El Camino Real de
10 Tierra Adentro national historic trail;

11 (2) "commission" means the El Camino Real de
12 Tierra Adentro national historic trail development commission;

13 (3) "fund" means the El Camino Real de Tierra
14 Adentro development fund;

15 (4) "local public agency" means a state agency
16 or instrumentality; an Indian nation, tribe or pueblo; a
17 subdivision of an Indian nation, tribe or pueblo that has
18 authority pursuant to the law of that Indian nation, tribe or
19 pueblo to enter into joint powers agreements directly with the
20 state; a county, municipality, public corporation or public
21 district of this state; or an entity that is created pursuant
22 to the Joint Powers Agreements Act;

23 (5) "non-state money" means money that does
24 not derive from revenue acquired from taxes, fees, fines
25 established pursuant to a state statute or from interest

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1 accruing to a fund established pursuant to a state statute; and

2 (6) "secretary" means the secretary of
3 cultural affairs.

4 C. The "El Camino Real de Tierra Adentro national
5 historic trail development commission" is created and
6 administratively attached to the cultural affairs department.
7 The cultural affairs department shall staff the commission.
8 The purposes of the commission are to:

9 (1) facilitate public and private
10 participation in the creation of a strategic plan for the
11 preservation, interpretation, physical development and public
12 awareness of the Camino Real; and

13 (2) promote the development of the Camino Real
14 in New Mexico as a national and international destination trail
15 connecting history and cultures within New Mexico, Texas and
16 Mexico.

17 D. The commission consists of:

18 (1) the secretary or the secretary's designee;

19 (2) the secretary of transportation or the
20 secretary's designee;

21 (3) the secretary of economic development or
22 the secretary's designee;

23 (4) the secretary of tourism or the
24 secretary's designee;

25 (5) the state historian at the state records

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1 center and archives;

2 (6) a member of an Indian nation, tribe or
3 pueblo appointed by the secretary of Indian affairs;

4 (7) three public members appointed by the
5 secretary;

6 (8) a Camino Real administrator from the
7 national park service as an ex-officio member; and

8 (9) a Camino Real administrator from the
9 bureau of land management of the United States department of
10 the interior as an ex-officio member.

11 E. The commission shall:

12 (1) develop a strategic plan for development
13 of the Camino Real that includes:

14 (a) active involvement of diverse
15 communities in the creation of interpretive media to tell the
16 history of the Camino Real from the viewpoints of the various
17 cultures along its route;

18 (b) collaboration with the bureau of
19 land management and the national park service in planning for
20 physical development, interpretation and advertisement of the
21 Camino Real; and

22 (c) a general public communication plan
23 to attract visitors from around the world;

24 (2) develop a website and other digital
25 instruments to be maintained by the cultural affairs department

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1 based on the results of the efforts undertaken pursuant to
2 Subparagraph (a) of Paragraph (1) of this subsection;

3 (3) develop guidelines for the submission and
4 evaluation of applications for funding from the fund;

5 (4) evaluate funding applications and make
6 recommendations to the secretary for funding from the fund; and

7 (5) by November 1, 2020 and November 1 of each
8 year thereafter, provide a report to the appropriate
9 legislative interim committee on the strategic plan for the
10 Camino Real, the status of efforts to implement the plan and
11 the status of the fund.

12 F. The "El Camino Real de Tierra Adentro
13 development fund" is created in the state treasury for the
14 purposes of this section. The fund consists of appropriations,
15 donations, interest from investment of the fund and other money
16 distributed to the fund. The cultural affairs department shall
17 administer the fund and may establish subaccounts for the fund
18 as it deems necessary. Money in the fund is appropriated to
19 the cultural affairs department for expenditure as provided in
20 this section. Disbursement from the fund shall be by warrant
21 of the secretary of finance and administration on vouchers
22 signed by the secretary of cultural affairs or the secretary's
23 designee. Money in the fund shall not revert at the end of a
24 fiscal year.

25 G. Money in the fund may be used for the following

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1 purposes:

2 (1) the expenses of the commission up to five
3 hundred thousand dollars (\$500,000) for carrying out its
4 duties, including the costs of field hearings and hiring
5 technical experts and other expenses as necessary;

6 (2) planning grants to local public agencies
7 of up to one hundred thousand dollars (\$100,000) per agency for
8 the purposes of studying the need for and the costs and
9 benefits of developing physical improvements, facilities,
10 marketing and interpretive services in an area to enhance the
11 visitor experience and increase tourism; provided that at least
12 fifty percent of the total cost of a study is provided in non-
13 state money; and

14 (3) loans to local public agencies for the
15 design, construction and installation of physical improvements
16 and facilities.

17 **SECTION 2. APPROPRIATION.--**Five million dollars
18 (\$5,000,000) is appropriated from the general fund to the El
19 Camino Real de Tierra Adentro development fund for expenditure
20 in fiscal year 2021 and subsequent fiscal years for the
21 purposes of the fund. Any unexpended or unencumbered balance
22 remaining at the end of a fiscal year shall not revert to the
23 general fund.

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