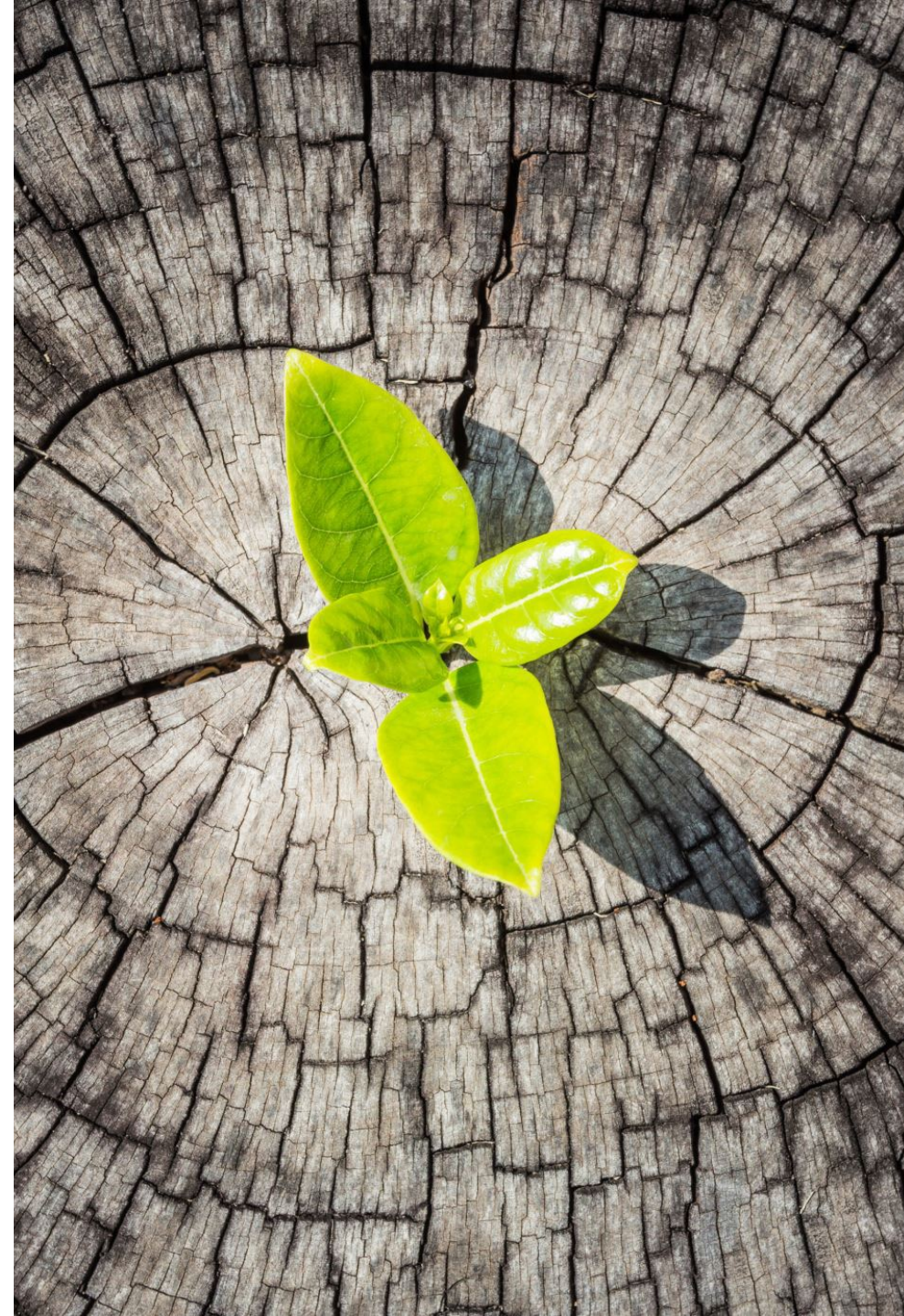


Land Grant- Merced Status Update

ARTURO ARCHULETA, DIRECTOR

NEW MEXICO LAND GRANT COUNCIL/

UNM LAND GRANT-MERCED INSTITUTE



Land Grant-Merced Institute

Established at UNM

- **Fully Recognized as a Category III Research Center/Institute**
- **This designation allows for cross campus collaboration with other departments and units.**
- **Currently have working relationships with the School of Law and School of Architecture and Planning.**
- **Institute currently houses the New Mexico Land Grant Council and Land Grant Studies Program.**
- **Plans to strengthen affiliations with the School of Law and Clinical Law Program to create a third program that provides direct legal assistance to Land Grant-Mercedes.**
- **Want formalize a direct relationship with the Community Governance Attorney Program**

Work of the Council

Continue to provide direct support to Land Grant-Mercedes with:

- **General Governance – bylaw updates, elections, general advice**
- **Financial Reporting – Budgets & Audit Reporting**
- **ICIP development & updates**
- **Capital outlay request and expenditure**
- **Legal Services**
- **Surveying Services**
- **Natural Resources Management**
- **Youth Development**

Work of the Council

- **Policy review, analysis and development.**
 - **Federal Traditional Use Legislation**
 - **Cemetery returns under Small Tracks Act**
 - **Expanding fuelwood access from National Forests, Public Lands and State Trust Lands**
 - **FEMA relief**
 - **Property Tax Exemptions for common lands**
 - **NMFA funding for land acquisitions**
 - **Risk Management Coverage**
 - **Natural Resource Protection and trainings with NM Department of Justice**
 - **Legal Services discussions with NM DOJ, NM Acequia Commission, NM Acequia Association, Consejo de Las Mercedes, UNM School of Law, UNM Clinical Law Programs**

Work of the Land Grant Studies Program

- **Curriculum development with NM Highlands Acequia and Land Grant Education Project**
- **Oral history interviews**
- **Research to support to land grant-mercedes**
- **Acquisition of land grant related resources**
- **Digitization of microfilm records**

Land Grant-Merced Initiatives

- **Land acquisitions**
- **Reporting compliance and management capacity building**
- **Protection of common lands**
- **Natural resource management**
- **Affordable housing projects**
- **Community and economic development projects**
- **Historic preservation**
- **Zoning code development**

Policy Recommendations

Land Grant-Merced Assistance Fund:

- Raising the cap on Land Grant-Merced Assistance Fund
Distribution Levels
- Removing reversion clause from Assistance Fund
- Future needs - Providing additional funding stream to ensure adequate distribution levels

Draft Language

NMSA 1978, § 49-11-6(D)(1):

An assistance-qualified land grant-merced with an annual revenue, calculated on a cash basis of accounting, exclusive of capital outlay funds or federal or private grants disbursed directly by an administrating agency or previous year distributions from the land grant-merced assistance fund, shall receive an annual distribution amount starting in fiscal year 2024 and continuing in each subsequent fiscal year in accordance with the following:

- (1) ~~less than fifty~~ one hundred thousand dollars (~~\$5100,000~~) or less, the assistance-qualified land grant-merced shall receive a full distribution;
- (2) at least ~~fifty~~ one hundred thousand one dollars (~~\$50,000-100,001~~) but not more than two hundred fifty thousand dollars (\$250,000), the assistance-qualified land grant-merced shall receive seventy-five percent of a full distribution;
- (3) at least two hundred fifty thousand dollars (\$250,000) but not more than five hundred thousand dollars (\$500,000), the assistance-qualified land grant-merced shall receive fifty percent of a full distribution; and
- (4) five hundred thousand dollars (\$500,000) or more, the assistance-qualified land grant-merced shall receive twenty-five percent of a full distribution.

Draft Language

NMSA 1978, § 49-11-6(E):

E. Within thirty days of receiving the list of assistance-qualified land grants-mercedes pursuant to Subsection C of this section, the state treasurer shall distribute to each assistance-qualified land grant-merced the amount determined pursuant to Subsections C and D of this section. ~~If the balance in the fund as of the preceding June 30 exceeds the sum of certified amounts distributed, the difference shall revert to the general fund.~~ Any balance remaining in the fund as of June 30 of a distribution year shall remain in the fund for distribution in the subsequent fiscal year.

Policy Recommendations

Community Governance Attorney Program

- Expand eligible employers to include: the Department of Justice; Land Grant-Merced Institute/Land Grant Council; Acequia Commission; Acequia Association; Non-profit organizations serving Colonias communities.
- Remove 50% non-state match requirements for employers

Draft Language

NMSA 1978, § 21-21Q-4(C)(4)

(4) enter into contracts for expenditure of the fund for the purpose of providing community governance attorney services for acequias, land grants-mercedes and low-income residents of colonias on issues regarding the governance of colonias. The contracts shall be entered into with the university, the New Mexico Department of Justice, or with nonprofit organizations and government entities whose missions include ~~is to provide~~ing a range of free legal services to low-income New Mexicans, acequias, land grant-mercedes or colonias. No contract shall provide funding in excess of one-half of a full-time community governance attorney position, ~~and each contract shall be executed only with service providers that have secured sufficient matching nonstate funding to provide a full-time position~~; and

Policy Recommendations

Exclude Land Grants from New Mexico Subdivision Act

- Land grants engaged in affordable housing efforts for their communities are hitting roadblocks with county subdivision ordinances.
- Their zoning authority provides them the ability to zone their common lands for affordable housing initiatives but may not specifically exempt them from the New Mexico Subdivision Act, §47-6-1, NMSA 1978.

Draft Language

NMSA 1978, § 47-6-2(M)

Add new section as follows:

(14) The division of land by a land grant-merced governed as a political sub-division of the State pursuant to §§ 49-1 or 49-4, NMSA 1978.