

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 85

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO LAND GRANTS; ENACTING THE LAND GRANT SUPPORT ACT;
ESTABLISHING A LAND GRANT COUNCIL; PROVIDING FOR POWERS AND
DUTIES; CHANGING THE USE OF A PRIOR APPROPRIATION.

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

Section 1. SHORT TITLE.--This act may be cited as the
"Land Grant Support Act".

Section 2. DEFINITIONS.--As used in the Land Grant
Support Act:

- A. "council" means the land grant council; and
- B. "land grant" means a patented community land
grant-merced organized and operating as a political subdivision
of the state.

Section 3. LAND GRANT COUNCIL--PURPOSE.--

- A. The "land grant council" is created and is

1 administratively attached to the department of finance and
2 administration. The general purposes of the council are to
3 establish a land grant support program to provide advice and
4 assistance to land grants and to serve as a liaison between
5 land grants and the federal, state and local governments.

6 B. The council shall consist of five members
7 appointed by the governor from the boards of directors of land
8 grants for staggered terms of four years, with two members of
9 the initial council selected by lot to serve an initial term of
10 two years.

11 C. The council may hire staff and contract for
12 services to carry out the purposes of the Land Grant Support
13 Act.

14 D. The council shall appoint a chairperson and may
15 appoint such other officers as it deems necessary.

16 E. The council shall meet at least quarterly.
17 Meetings of the council shall be called by the chairperson of
18 the council or at the request of at least three members of the
19 council.

20 F. Members of the council are entitled to receive
21 per diem and mileage in accordance with the provisions of the
22 Per Diem and Mileage Act.

23 Section 4. LAND GRANT SUPPORT PROGRAM--COUNCIL DIRECTOR
24 POWERS AND DUTIES.--

25 A. The council, through its staff or contract

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1 agents, may apply for and accept any public or private grants,
2 gifts or donations for the benefit of the land grant support
3 program, the council or land grants in general or particular.

4 B. The council, through its staff or contract
5 agents, may:

6 (1) assist land grants in all areas of land
7 grant fiscal and programmatic management, including planning,
8 economic development and infrastructure development;

9 (2) establish cooperative purchasing
10 capabilities for land grants;

11 (3) perform special studies and undertake
12 surveys of interest to land grants and report the findings;

13 (4) serve as fiscal agent and administrator
14 for federal and state grants-in-aid and other funding for a
15 land grant when necessary;

16 (5) facilitate or enter into agreements with
17 state and federal agencies on behalf of land grants;

18 (6) enter into contracts to carry out the
19 purposes of the Land Grant Support Act; and

20 (7) provide other assistance to land grants.

21 C. The council, through its staff or contract
22 agents, shall:

23 (1) facilitate the exchange of experience and
24 advice among land grants;

25 (2) serve as a liaison between land grants and

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1 federal, state and local agencies;

2 (3) promote cooperation between land grants
3 and, by consultation and advice, assist in the coordination of
4 land grant programs;

5 (4) provide board development opportunities
6 and technical assistance to the governing boards of land
7 grants;

8 (5) provide short- and long-range planning
9 assistance to land grants;

10 (6) conduct training sessions for land grants
11 on topics of interest, such as:

12 (a) local, state and national zoning
13 trends and concerns and other land-use issues;

14 (b) state requirements for political
15 subdivisions on such topics as open meetings, public records,
16 procurement, risk management, tort claims and financial
17 accountability;

18 (c) techniques of historical research;

19 (d) grant writing;

20 (e) economic development strategies; and

21 (f) rangeland management and water
22 conservation;

23 (7) disseminate information to relevant
24 federal, state and local agencies on land grant issues and
25 activities and, when requested, on the status of individual

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1 land grants;

2 (8) develop and promote federal legislation
 3 for an appropriate congressional response to longstanding
 4 community land grant claims in New Mexico; and

5 (9) review state and federal policies, plans
 6 and legislation affecting land grants in New Mexico.

7 Section 5. REPORT TO GOVERNOR AND LEGISLATURE.--The
 8 council shall report to the governor and the legislature by
 9 December 1 of each year on the state of land grants in New
 10 Mexico and the activities of the council for that year.

11 Section 6. CHANGE OF USE OF PRIOR APPROPRIATION.--The
 12 unexpended balance of the general fund appropriation to the
 13 department of finance and administration in Subsection 8 of
 14 Section 50 of Chapter 92 of Laws 2008 for land grant facilities
 15 and infrastructure projects related to water, wastewater,
 16 communications and roads statewide shall not be expended for
 17 the original purpose but is appropriated to the following
 18 agencies in the following amounts for expenditure in fiscal
 19 years 2009 through 2011 for the following purposes:

20 A. to the department of finance and administration,
 21 fifty thousand dollars (\$50,000) to provide technical
 22 assistance to land grants; and

23 B. to the land grant council, one hundred fifty
 24 thousand dollars (\$150,000) to carry out the duties imposed by
 25 and the purposes of the Land Grant Support Act.

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