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SENATE BILL 5

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Carlos R. Cisneros and Miguel P. Garcia

FOR THE LAND GRANT COMMITTEE

AN ACT

RELATING TO LAND GRANTS; GRANTING POLITICAL SUBDIVISION STATUS
TO THE SAN ANTONIO DEL RIO COLORADO LAND GRANT-MERCED.

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

SECTION 1. Section 49-1-2 NMSA 1978 (being Laws 1907,
Chapter 42, Section 2, as amended) is amended to read:

"49-1-2. APPLICATION.--

A. Sections 49-1-1 through 49-1-18 NMSA 1978 shall
apply to all land grants-mercedes confirmed by the congress of
the United States or by the court of private land claims or
designated as land grants-mercedes in any report or list of
land grants prepared by the surveyor general and confirmed by
congress, but shall not apply to any land grant that is now
managed or controlled in any manner, other than as provided in
Sections 49-1-1 through 49-1-18 NMSA 1978, by virtue of any

.190613.1

underscored material = new
[bracketed material] = delete

1 general or special act.

2 B. If a majority of the members of the board of
3 trustees of a land grant-merced covered by specific legislation
4 determines that the specific legislation is no longer
5 beneficial to the land grant-merced, the board has the
6 authority to petition the legislature to repeal the legislation
7 and to be governed by its bylaws and as provided in Sections
8 49-1-1 through 49-1-18 NMSA 1978.

9 C. The town of Tome land grant-merced, situated in
10 Valencia county, confirmed by congress in 1858 and patented by
11 the United States to the town of Tome, shall be governed by the
12 provisions of Sections 49-1-1 through 49-1-18 NMSA 1978.

13 D. The town of Atrisco land grant-merced, situated
14 in Bernalillo county, confirmed by the court of private land
15 claims in 1894 and patented by the United States to the town of
16 Atrisco in 1905, shall be governed by the provisions of
17 Sections 49-1-1 through 49-1-18 NMSA 1978; provided that the
18 board of trustees shall not have regulatory jurisdiction over,
19 and the provisions of Chapter 49, Article 1 NMSA 1978 shall not
20 apply to or govern, any lands or interests in real property the
21 title to which is held by any other person, including a public
22 or private corporation, partnership or limited liability
23 company.

24 E. Notwithstanding the provisions of Subsection A
25 to the contrary, the San Antonio del Rio Colorado land

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underscoring material = new
~~[bracketed material] = delete~~

1 grant-merced, situated in Taos county, which claim was
2 recommended for confirmation by surveyor general James K.
3 Proudfit in 1874 and again in 1886 by surveyor general George
4 W. Julian, but not confirmed by congress, shall be governed by
5 the provisions of Sections 49-1-1 through 49-1-18 NMSA 1978."