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HOUSE BILL 291

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Yvette Herrell and Mary Kay Papen

AN ACT

RELATING TO PUBLIC LANDS; CREATING THE NEW MEXICO FEDERAL LAND
MANAGEMENT STUDY COMMISSION; MAKING AN APPROPRIATION.

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

**SECTION 1. TEMPORARY PROVISION--NEW MEXICO FEDERAL LAND
MANAGEMENT STUDY COMMISSION.--**

A. The "New Mexico federal land management study
commission" is created. The commission shall function from the
date of its appointment until December 31, 2016. The
commission shall be composed of the following members:

(1) four members of the legislature, two from
the house of representatives, appointed by the speaker of the
house of representatives, and two from the senate, appointed by
the committees' committee, or if the appointments are made in
the interim, by the president pro tempore of the senate after

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1 consultation with and agreement of a majority of the members of
2 the committees' committee;

3 (2) the commissioner of public lands or the
4 commissioner's designee;

5 (3) the secretary of energy, minerals and
6 natural resources or the secretary's designee;

7 (4) the state forester or the state forester's
8 designee;

9 (5) the director of the state parks division
10 of the energy, minerals and natural resources department or the
11 director's designee;

12 (6) the secretary of tourism or the
13 secretary's designee;

14 (7) the secretary of cultural affairs or the
15 secretary's designee;

16 (8) the secretary of finance and
17 administration or the secretary's designee;

18 (9) the secretary of Indian affairs or the
19 secretary's designee;

20 (10) the president of the land grant council
21 or the president's designee;

22 (11) the executive director of the New Mexico
23 association of counties or the executive director's designee;

24 and

25 (12) three members of the public, to be

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1 appointed by the governor; provided that of those three
2 members, not more than two shall be from the same political
3 party.

4 B. The commission shall select a chair and vice
5 chair from among its members at the first meeting.

6 C. The public members of the commission shall be
7 reimbursed pursuant to the Per Diem and Mileage Act.

8 D. The legislative council service and the state
9 land office shall provide staff for the commission.

10 E. After July 1, 2015, the commission shall meet
11 regularly and shall study:

12 (1) options for the transfer of federal lands
13 to the state;

14 (2) options for the transfer of state and
15 federal lands to the Indian nations, tribes and pueblos of the
16 state;

17 (3) options for the transfer of state and
18 federal lands to the state's land grants; and

19 (4) possible land exchanges between the state
20 and the federal government.

21 F. When undertaking its study pursuant to
22 Subsection E of this section, the commission shall consider:

23 (1) opportunities for improved wildlife
24 management;

25 (2) opportunities for transferring title of

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1 culturally or spiritually significant lands to the Indian
2 nations, tribes and pueblos of the state;

3 (3) opportunities for transferring title of
4 culturally or spiritually significant lands to the state's land
5 grants;

6 (4) opportunities to address problems
7 concerning land access; and

8 (5) opportunities for cost savings to the
9 state or to the federal government.

10 G. The secretary of Indian affairs shall consult
11 with representatives of the Indian nations, tribes and pueblos
12 to determine which, if any, state and federal lands should be
13 included in the commission's discussions.

14 H. The commission shall take testimony from
15 representatives of a wide spectrum of groups, including
16 environmental organizations, farmers, hunting and fishing
17 organizations, ranchers and outdoor sporting organizations.

18 I. The commission may study any other issue related
19 to public lands as determined by the commission.

20 J. In 2015, the commission shall report to the
21 legislative finance committee and the appropriate legislative
22 interim committees with an update on the progress that the
23 commission has made with respect to its study. Each report
24 shall additionally address issues pertaining to Native American
25 affairs, land grants, water and natural resources and economic

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1 and rural development. The commission shall promptly agree to
2 any request for a report to any legislative interim committee
3 that desires an update on its study. The commission shall
4 complete its study and report its final findings and
5 recommendations to the legislative finance committee and the
6 appropriate legislative interim committees by December 31,
7 2016.

8 K. Nothing in this section shall be construed as to
9 prejudice or adversely affect any rights, claims or privileges
10 of New Mexico's historic land grants.

11 SECTION 2. APPROPRIATION.--One hundred thousand dollars
12 (\$100,000) is appropriated from the general fund to the
13 legislative council service for expenditure in fiscal years
14 2016 and 2017 to pay the costs associated with the study and
15 reports required to be made by the New Mexico federal land
16 management study commission and for reimbursing per diem and
17 mileage expenses of the public and legislative members of the
18 commission. Any unexpended or unencumbered balance remaining
19 at the end of fiscal year 2017 shall revert to the general
20 fund.