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HOUSE BILL 117

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Deborah A. Armstrong

AN ACT

RELATING TO CULTURAL AFFAIRS; PROVIDING AUTHORITY TO THE STATE LIBRARIAN AND TO THE STATE HISTORIC PRESERVATION OFFICER TO SOLICIT AND RECEIVE FUNDS OR PROPERTY TO SUPPORT THEIR PROGRAMS AND ACTIVITIES.

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

SECTION 1. Section 18-2-4 NMSA 1978 (being Laws 1961, Chapter 126, Section 4, as amended) is amended to read:

"18-2-4. DUTIES OF THE STATE LIBRARIAN.--

A. The state librarian shall:

~~[A.]~~ (1) administer the state library;

~~[B.]~~ (2) administer grants-in-aid and encourage local library service and generally promote an effective statewide library system;

~~[C.]~~ (3) make studies and surveys of public

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1 library needs;

2 [D-] (4) supply advice and information to
3 existing libraries and aid in the establishment of new
4 libraries;

5 [E-] (5) obtain each year, from all libraries
6 in the state, reports showing the conditions, growth and
7 development together with such other facts and statistics
8 regarding them as [~~is~~] are of public interest;

9 [F-] (6) cooperate with other educational
10 services and governmental agencies of the state and with
11 library agencies of other states and with national library
12 agencies;

13 [G-] (7) cooperate with the administrative
14 services division of the cultural affairs department in
15 preparing the budget for the state library;

16 [H-] (8) administer the library extension
17 service;

18 [I-] (9) make rules and regulations necessary
19 to administer the library division [~~and~~] as provided by law and
20 to perform other duties as provided by law; and

21 [J-] (10) establish and administer a library
22 depository and distribution system for state documents and
23 publications.

24 B. The state librarian may solicit and receive
25 funds or property, including federal funds and public and

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1 private grants, for programs and activities administered by the
2 state librarian."

3 SECTION 2. Section 18-6-8 NMSA 1978 (being Laws 1977,
4 Chapter 246, Section 38, as amended) is amended to read:

5 "18-6-8. STATE HISTORIC PRESERVATION OFFICER--
6 APPOINTMENT--QUALIFICATIONS--DUTIES.--

7 A. The "historic preservation division" is created
8 within the cultural affairs department.

9 B. The state historic preservation officer shall be
10 the director of the division and shall be hired by the
11 secretary of cultural affairs with the consent of the governor.
12 The position's qualifications shall be consistent with but not
13 limited to the following:

14 (1) a graduate degree in American history,
15 anthropology, architecture or historic preservation;

16 (2) at least five years of professional
17 experience in American history, anthropology, architecture or
18 historic preservation or any combination of these; or

19 (3) a substantial contribution through
20 research and publication to the body of scholarly knowledge in
21 the field of American history, anthropology, architecture or
22 historic preservation or any combination of these.

23 C. The state historic preservation officer shall
24 administer the Cultural Properties Act, including [~~but not~~
25 ~~limited to~~] being administrative head of all Cultural

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1 Properties Act functions assigned to the historic preservation
2 division by law or executive order. In addition, the state
3 historic preservation officer shall coordinate all duties
4 performed by, and cooperate with, the committee, the secretary
5 of cultural affairs and any other entities, public or private,
6 involved with cultural properties.

7 D. The state historic preservation officer, in
8 conjunction with the secretary of cultural affairs:

9 (1) shall provide staff to the committee;

10 (2) shall maintain the state register of
11 cultural properties;

12 (3) may fund historic site surveys and may
13 fund restorations;

14 (4) shall administer historic preservation tax
15 benefit programs;

16 (5) shall review state undertakings to
17 determine their effect upon significant historic properties;

18 [~~and~~]

19 (6) shall adopt and promulgate rules
20 regulating the use of the division's statewide historic and
21 prehistoric site databases and archives, including a fee
22 schedule to cover the reasonable cost of using the databases
23 and archives; and

24 (7) may solicit and receive funds or property,
25 including federal funds and public and private grants, for

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1 programs and activities administered by the state historic
2 preservation officer.

3 E. Fees collected pursuant to Paragraph (6) of
4 Subsection D of this section shall be used to maintain and
5 administer the division's statewide historic and prehistoric
6 site databases and archives."

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