

1 HOUSE BILL 592

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Matthew McQueen and Elizabeth "Liz" Stefanics

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10 AN ACT

11 RELATING TO LAND GRANTS; AMENDING CHAPTER 49, ARTICLE 1 NMSA  
12 1978 TO INCLUDE THE LA MERCED DEL MANZANO LAND GRANT-MERCED;  
13 AMENDING AND REPEALING SECTIONS OF THE NMSA 1978.

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

16 SECTION 1. Section 49-1-2 NMSA 1978 (being Laws 1907,  
17 Chapter 42, Section 2, as amended by Laws 2013, Chapter 8,  
18 Section 1 and by Laws 2013, Chapter 83, Section 1) is amended  
19 to read:

20 "49-1-2. APPLICATION.--

21 A. Sections 49-1-1 through 49-1-18 NMSA 1978 shall  
22 apply to all land grants-mercedes confirmed by the congress of  
23 the United States or by the court of private land claims or  
24 designated as land grants-mercedes in any report or list of  
25 land grants prepared by the surveyor general and confirmed by

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1 congress, but shall not apply to any land grant that is now  
2 managed or controlled in any manner, other than as provided in  
3 Sections 49-1-1 through 49-1-18 NMSA 1978, by virtue of any  
4 general or special act.

5 B. If a majority of the members of the board of  
6 trustees of a land grant-merced covered by specific legislation  
7 determines that the specific legislation is no longer  
8 beneficial to the land grant-merced, the board has the  
9 authority to petition the legislature to repeal the legislation  
10 and to be governed by its bylaws and as provided in Sections  
11 49-1-1 through 49-1-18 NMSA 1978.

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

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

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1 company.

2 E. The Tecolote land grant-merced, also known as  
3 the town of Tecolote, situated in San Miguel county, confirmed  
4 by congress in 1858 and patented by the United States to the  
5 town of Tecolote in 1902, shall be governed by the provisions  
6 of Sections 49-1-1 through 49-1-18 NMSA 1978.

7 F. Notwithstanding the provisions of Subsection A  
8 to the contrary, the San Antonio del Rio Colorado land  
9 grant-merced, situated in Taos county, which claim was  
10 recommended for confirmation by surveyor general James K.  
11 Proudfit in 1874 and again in 1886 by surveyor general George  
12 W. Julian, but not confirmed by congress, shall be governed by  
13 the provisions of Sections 49-1-1 through 49-1-18 NMSA 1978.

14 G. The Manzano land grant-merced, also known as la  
15 merced del Manzano land grant-merced, situated in Torrance  
16 county, confirmed by congress in 1860 and patented by the  
17 United States to the town of Manzano in 1907, shall be governed  
18 by the provisions of Chapter 49, Article 1 NMSA 1978."

19 SECTION 2. REPEAL.--Sections 49-7-1 through 49-7-6 NMSA  
20 1978 (being Laws 1907, Chapter 39, Sections 1, 2, 4 and 5, Laws  
21 1987, Chapter 163, Sections 1 and 2, Laws 1993, Chapter 290,  
22 Section 1 and Laws 1907, Chapter 39, Section 7) are repealed.