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SENATE BILL 773

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

TIMOTHY Z. JENNINGS

AN ACT

RELATING TO TOURISM; ABOLISHING THE TOURISM DEPARTMENT;
TRANSFERRING DUTIES OF THE TOURISM DEPARTMENT TO THE ECONOMIC
DEVELOPMENT DEPARTMENT; AMENDING, REPEALING AND ENACTING
SECTIONS OF THE NMSA 1978.

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

Section 1. A new section of the Economic Development
Department Act is enacted to read:

"~~[NEW MATERIAL]~~ ADDITIONAL DUTIES OF SECRETARY--PROMOTION
OF TOURISM --In addition to the secretary's responsibility for
the overall supervision of the department, the secretary shall
provide a coordinated statewide perspective with regard to
tourism activities; serve as a comprehensive source of
information and assistance to tourism-related businesses wishing
to do business in New Mexico; and monitor the progress of state-

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1 supported tourism activities and prepare annual reports of the
2 activities, their status and their impact."

3 Section 2. Section 9-15-4 NMSA 1978 (being Laws 1983,
4 Chapter 297, Section 4, as amended) is amended to read:

5 "9-15-4. DEPARTMENT ESTABLISHED. -- There is created in the
6 executive branch the "economic development department". The
7 department shall be a cabinet department and shall consist of,
8 but not be limited to, [~~seven~~] eight divisions as follows:

9 A. the administrative services division;

10 B. the economic development division;

11 C. the New Mexico film division;

12 D. the technology enterprise division;

13 E. the trade division;

14 F. the tourism division;

15 [~~F.~~] G. the state housing authority; and

16 [~~G.~~] H. the office for space commercialization."

17 Section 3. Section 9-15-35 NMSA 1978 (being Laws 1991,
18 Chapter 27, Section 1) is amended to read:

19 "9-15-35. PROGRAM CREATED--PURPOSES. --

20 A. The "New Mexico artisans business development
21 program" is created within the economic development [~~and~~
22 ~~tourism~~] department to promote, in conjunction with the arts
23 division of the office of cultural affairs, the New Mexico
24 artisans industry by establishing a greater demand for New
25 Mexico artisans' wares and by providing technical and marketing

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1 assistance to New Mexico artisans.

2 B. The purposes of the program shall include but not
3 be limited to the following:

4 (1) establishment of a not-for-profit
5 organization to carry out the objectives of the New Mexico
6 artisans business development program;

7 (2) educational workshops and seminars in
8 cooperation with the small business development centers for
9 artisans to assist the centers in the development of their
10 businesses and marketing of their wares;

11 (3) an assessment of a full range of marketing
12 strategies for artisan wares and relating those wares to target
13 markets;

14 (4) production of a promotional brochure of New
15 Mexico artisans and their products;

16 (5) development and publishing of a marketing
17 catalog of New Mexico artisans;

18 (6) establishment of a network of state and
19 national distribution points and gift and trade shows for the
20 promotion and export of New Mexico artisans' wares;

21 (7) development of a state and national
22 marketing and exhibitions calendar;

23 (8) participation in state and national
24 promotional shows by New Mexico artisans; and

25 (9) development of a marketing network with

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1 private-sector distributors, catalog producers and retailers. "

2 Section 4. Section 9-15-36 NMSA 1978 (being Laws 1991,
3 Chapter 27, Section 2) is amended to read:

4 "9-15-36. FUND CREATED. --There is created in the state
5 treasury the "New Mexico artisans business development fund".
6 The fund shall consist of money appropriated to the fund by the
7 legislature and any other revenues directed to the fund, such as
8 gifts, donations and grants. The fund shall be administered by
9 the economic development [~~and tourism~~] department and
10 expenditures may be made from the fund upon vouchers signed by
11 the secretary of economic development [~~and tourism~~] and warrants
12 issued by the secretary of finance and administration for the
13 purposes of the New Mexico artisans business development
14 program. Interest earned on balances in the fund shall be
15 credited to the fund. "

16 Section 5. Section 16-6-5 NMSA 1978 (being Laws 1977,
17 Chapter 245, Section 18, as amended) is amended to read:

18 "16-6-5. STATE FAIR COMMISSION ADMINISTRATIVELY ATTACHED
19 TO [~~TOURISM~~] ECONOMIC DEVELOPMENT DEPARTMENT. --The state fair
20 commission is administratively attached, as defined in the
21 Executive Reorganization Act, to the [~~tourism~~] economic
22 development department. "

23 Section 6. Section 21-2-6 NMSA 1978 (being Laws 1978,
24 Chapter 54, Section 1, as amended) is amended to read:

25 "21-2-6. STATEWIDE PLANNING--PARTICIPATING AGENCIES AND

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1 PERSONS. --

2 A. The state commission in carrying out its planning
3 activities for post-secondary education shall consult with and
4 invite the active participation of:

5 (1) representatives of post-secondary
6 educational institutions of the several types enumerated in
7 Paragraph (2) of Subsection A of Section 21-2-2 NMSA 1978;

8 (2) the state board of education;

9 (3) the state department of public education;

10 (4) representatives of public and private
11 elementary and secondary schools;

12 (5) the secretary of labor;

13 [~~(6)~~] ~~the tourism department;~~

14 [~~(7)~~] (6) the apprenticeship council;

15 [~~(8)~~] (7) the economic development department;

16 [~~(9)~~] (8) the state advisory council on
17 vocational education;

18 [~~(10)~~] (9) the secretary of finance and
19 administration or his designee;

20 [~~(11)~~] (10) persons familiar with the education
21 needs of the disadvantaged, of the handicapped and of minority
22 groups;

23 [~~(12)~~] (11) representatives of business,
24 industry, organized labor and agriculture;

25 [~~(13)~~] (12) the general public; and

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1 [~~(14)~~] (13) private in-state post-secondary
2 institutions.

3 B. Whenever the planning activities carried out
4 under the provisions of Section 21-2-5 NMSA 1978 are concerned
5 with the types of post-secondary education enumerated in
6 Subparagraphs (a) through (e) of Paragraph (1) of Subsection A
7 of Section 21-2-2 NMSA 1978, the state commission shall directly
8 involve the state board of education and the state department of
9 public education in all planning activities. "

10 Section 7. Section 21-19-10 NMSA 1978 (being Laws 1983,
11 Chapter 299, Section 4, as amended) is amended to read:

12 "21-19-10. COMMUNITY DEVELOPMENT ASSISTANCE. --The economic
13 development department shall provide assistance to political
14 subdivisions of the state so that they can construct or
15 implement projects necessary to provide services that will
16 encourage the location of industry in the political
17 subdivisions. The department shall, for this purpose, make low-
18 interest loans to political subdivisions of the state [~~with the~~
19 ~~approval of the economic development and tourism commission and]~~
20 after coordination with the local government division of the
21 department of finance and administration pursuant to the New
22 Mexico Community Assistance Act. "

23 Section 8. Section 60-1-2 NMSA 1978 (being Laws 1977,
24 Chapter 245, Section 123, as amended) is amended to read:

25 "60-1-2. STATE RACING COMMISSION ADMINISTRATIVELY ATTACHED

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1 TO [~~TOURISM~~] ECONOMIC DEVELOPMENT DEPARTMENT. -- The state racing
2 commission is administratively attached, as defined in the
3 Executive Reorganization Act, to the [~~tourism~~] economic
4 development department. "

5 Section 9. Section 73-23-3 NMSA 1978 (being Laws 1985 (1st
6 S.S.), Chapter 14, Section 3, as amended) is amended to read:

7 "73-23-3. CREATION OF STATE TRANSPORTATION AUTHORITY--
8 MEMBERS-- COMPENSATION-- ORGANIZATION. --

9 A. There is created the "state transportation
10 authority", a body politic and corporate, subject to the
11 oversight of the legislature, consisting of the following
12 members:

13 (1) the secretary of highway and transportation
14 or his designee;

15 (2) the secretary of economic development or
16 his designee;

17 (3) the commissioner of public lands or his
18 designee;

19 (4) [~~the secretary of tourism or his designee;~~

20 ~~(5)] the secretary of energy, minerals and
21 natural resources or his designee;~~

22 [~~(6)] (5) the secretary of environment or his
23 designee;~~

24 [~~(7)] (6) one Native American representative
25 appointed by the governor with the advice and consent of the~~

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1 senate;

2 [~~(8)~~] (7) two representatives of the
3 transportation and mining industries appointed by the governor
4 with the advice and consent of the senate; and

5 [~~(9)~~] (8) three representatives of the public
6 at large, at least one of whom shall represent a recognized
7 environmental group, appointed by the governor with the advice
8 and consent of the senate.

9 B. The members of the state transportation authority
10 appointed by the governor shall serve for five-year terms. Any
11 vacancy occurring in the governor's appointed membership of the
12 authority shall be filled by appointment by the governor for the
13 unexpired term of the member. Members serving by virtue of
14 their offices shall serve terms coextensive with their terms in
15 that office, and their successors in office shall automatically
16 succeed them.

17 C. The members of the state transportation authority
18 shall elect a chairman and a secretary.

19 D. Actions of the state transportation authority
20 shall be taken only by a majority of the entire membership.

21 E. The state highway and transportation department,
22 the economic development department, the state land office, the
23 department of environment, [~~the tourism department~~] the energy,
24 minerals and natural resources department and other executive
25 departments of the state shall provide adequate staff for the

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1 state transportation authority to carry out its duties.

2 F. The state transportation authority shall meet
3 quarterly and at such other times as the chairman may designate.

4 G. The attorney general's office shall provide legal
5 advice to the state transportation authority when requested.

6 H. The appointed members of the state transportation
7 authority shall receive compensation for their services as
8 provided in the Per Diem and Mileage Act. "

9 Section 10. TEMPORARY PROVISION. -- On July 1, 1996:

10 A. all personnel, money, appropriations, records,
11 property, equipment and supplies of the tourism department shall
12 be transferred to the economic development department; and

13 B. all contracts and agreements of the tourism
14 department shall be binding and effective on the economic
15 development department.

16 Section 11. REPEAL. -- Sections 9-15A-1 through 9-15A-9 NMSA
17 1978 (being Laws 1991, Chapter 21, Sections 1 through 7 and Laws
18 1993, Chapter 101, Sections 10 and 11, as amended) are repealed.

19 Section 12. EFFECTIVE DATE. -- The effective date of the
20 provisions of this act is July 1, 1996.

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1 FORTY- SECOND LEGI SLATURE
2 SECOND SESSI ON, 1996

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5 FEBRUARY 8, 1996

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7 Mr. Presi dent:

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9 Your COMMI TTEES' COMMI TTEE, to whom has been referred

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11 SENATE BILL 773

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13 has had it under consideration and finds same to be GERMANE, PURSUANT
14 TO CONSTITUTIONAL PROVISIONS, and thence referred to the PUBLIC
15 AFFAI RS COMMI TTEE.

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17 Respectfully submi tted,

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23 SENATOR MANNY M. ARAGON, Chai rman
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