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SENATE BILL 646

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Manny M Aragon

AN ACT

RELATING TO STATE AGENCIES; ADMINISTRATIVELY ATTACHING THE NEW MEXICO YOUTH CONSERVATION CORPS COMMISSION TO THE STATE LAND OFFICE; CHANGING THE MEMBERSHIP OF THE COMMISSION.

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

Section 1. Section 9-5B-1 NMSA 1978 (being Laws 1992, Chapter 91, Section 1) is amended to read:

"9-5B-1. SHORT TITLE. -- [~~This act~~] Chapter 9, Article 5B NMSA 1978 may be cited as the "New Mexico Youth Conservation Corps Act". "

Section 2. Section 9-5B-3 NMSA 1978 (being Laws 1992, Chapter 91, Section 3) is amended to read:

"9-5B-3. DEFINITIONS. -- As used in the New Mexico Youth Conservation Corps Act:

A. "commission" means the New Mexico youth

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1 conservation corps commission;

2 B. "corps" means the New Mexico youth conservation
3 corps;

4 C. "corps member" means a person enrolled in the
5 corps;

6 ~~[D. "department" means the energy, minerals and
7 natural resources department;~~

8 E] D. "nonprofit organization" means any
9 organization that has been granted an exemption from federal
10 income tax by the United States commissioner of internal
11 revenue as an organization described in Section 501(c) of the
12 United States Internal Revenue Code of 1986, as amended or
13 renumbered;

14 E. "office" means the state land office;

15 F. "project" means an activity that can be
16 completed in six months or less, results in a specific
17 identifiable service or product that otherwise would not be
18 accomplished with existing funds and does not duplicate the
19 routine services or functions of the sponsor;

20 G. "resident" means an individual who has resided
21 in New Mexico for at least six months before applying for
22 employment with the corps; and

23 H. "sponsor" means any local unit of government,
24 state agency, federal agency, nonprofit organization or
25 federally recognized Native American tribe. "

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1 Section 3. Section 9-5B-5 NMSA 1978 (being Laws 1992,
2 Chapter 91, Section 5) is amended to read:

3 "9-5B-5. COMMISSION CREATED-- MEMBERSHIP-- APPOINTMENTS--
4 TERMS-- VACANCIES-- COMPENSATION. --

5 A. There is created a nine-member "New Mexico
6 youth conservation corps commission", which is
7 administratively attached to the [~~department~~] office. The
8 commission consists of the following members:

9 (1) the superintendent of public instruction
10 or his designee;

11 (2) the commissioner of public lands or his
12 designee;

13 [~~(3) the secretary of energy, minerals and
14 natural resources or his designee~~]

15 (3) the director of the state parks division
16 or his designee;

17 (4) the secretary of [~~the youth authority~~]
18 children, youth and families or his designee; and

19 (5) five members of the general public
20 appointed by the governor to reflect the geographic diversity
21 of the state, one of whom is knowledgeable in the current
22 policies of the United States forest service and one of whom
23 is Native American.

24 B. One [~~of the members~~] public member of the
25 commission shall be appointed by the governor for a one-year

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1 term, two public members shall be appointed for two-year terms
2 and two public members shall be appointed for three-year terms
3 [~~and~~]. All subsequent appointments of public members shall be
4 made for three-year terms.

5 C. The public members shall serve at the pleasure
6 of the governor. Vacancies on the commission caused by the
7 loss of a public member shall be filled by appointment by the
8 governor for the unexpired term within sixty days of the
9 vacancy. Public commission members shall serve until their
10 successors have been appointed.

11 D. A majority of the members of the commission
12 constitutes a quorum for transaction of business. The
13 commission shall elect a chairman from its membership.

14 E. Members of the commission shall be compensated
15 as provided in the Per Diem and Mileage Act and shall receive
16 no other compensation, perquisite or allowance. "

17 Section 4. Section 9-5B-6 NMSA 1978 (being Laws 1992,
18 Chapter 91, Section 6) is amended to read:

19 "9-5B-6. COMMISSION-- POWERS AND DUTIES. --

- 20 A. The commission may:
- 21 (1) accept gifts, devises, grants and
 - 22 donations from others to carry out the provisions of the New
 - 23 Mexico Youth Conservation Corps Act;
 - 24 (2) request assistance and staff support from
 - 25 the [~~department~~] office;

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1 (3) employ such personnel as necessary to
2 carry out the provisions of the New Mexico Youth Conservation
3 Corps Act;

4 (4) delegate responsibility for the
5 administration and implementation of conservation projects,
6 corps members' employment and supervision, project
7 coordination and other program matters;

8 (5) establish work camps and long-term
9 residential facilities to house corps members and their
10 supervisors; and

11 (6) contact potential sponsors and funding
12 sources for support.

13 B. The commission shall:

14 (1) adopt rules [~~and regulations~~] that are
15 necessary for the proper administration of the New Mexico
16 Youth Conservation Corps Act;

17 (2) administer and enforce the provisions of
18 the New Mexico Youth Conservation Corps Act and rules [~~and~~
19 ~~regulations~~] adopted pursuant to Paragraph (1) of this
20 subsection;

21 (3) develop and approve corps work projects,
22 activities and contracts with project sponsors;

23 (4) establish standards, procedures and
24 policies for selecting, hiring, providing compensation for and
25 other personnel matters involving corps members and other

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1 personnel;

2 (5) foster partnerships and cooperation
3 between the corps and New Mexico's secondary and post-
4 secondary schools to assist corps members in obtaining
5 education and job training; and

6 (6) hire a program manager, who shall be the
7 administrative officer of the corps. "

8 Section 5. Section 9-5B-10 NMSA 1978 (being Laws 1992,
9 Chapter 91, Section 10) is amended to read:

10 "9-5B-10. FUND CREATED--DISPOSITION.--

11 A. The "New Mexico youth conservation corps fund"
12 is created in the state treasury. All appropriations, gifts,
13 devises, grants and donations received shall be deposited in
14 the fund. Money in the fund is appropriated to the commission
15 for the purpose of carrying out the provisions of the New
16 Mexico Youth Conservation Corps Act. Any interest accruing to
17 the fund shall remain in the fund. Money in the fund shall
18 not revert at the end of a fiscal year.

19 B. The fund shall be administered by the
20 [~~department~~] office. Disbursements from the fund shall be
21 made only upon warrant drawn by the secretary of finance and
22 administration pursuant to vouchers signed by the chairman of
23 the commission or his designee for the purpose of carrying out
24 the provisions of the New Mexico Youth Conservation Corps
25 Act. "

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Section 6. TEMPORARY PROVISION--TRANSFER OF PROPERTY AND
CONTRACTS.--On July 1, 1999, all money, appropriations,
records, equipment, furnishings and other property held by the
energy, minerals and natural resources department for the
benefit of the New Mexico youth conservation corps or the New
Mexico youth conservation corps commission shall be
transferred to the state land office. All existing contracts
and other obligations that the energy, minerals and natural
resources department entered into for the New Mexico youth
conservation corps or the New Mexico youth conservation corps
commission shall be binding on the state land office.

Section 7. EFFECTIVE DATE.--The effective date of the
provisions of the provisions of this act is July 1, 1999.