

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 2 STATE TRUST LANDS
PART 18 RELATING TO STATE LAND TRUSTS ADVISORY BOARD

19.2.18.1 ISSUING AGENCY: Commissioner of Public Lands, New Mexico State Land Office, 310 Old Santa Fe Trail, P. O. Box 1148, Santa Fe, New Mexico 87501, Phone: (505) 827-5713
[19.2.18.1 NMAC - Rp, 19.2.18.1 NMAC, 06/30/16]

19.2.18.2 SCOPE: This rule pertains to the working relationship between the commissioner of public lands and the state land trusts advisory board.
[19.2.18.2 NMAC - Rp, 19.2.18.2 NMAC, 06/30/16]

19.2.18.3 STATUTORY AUTHORITY: The commissioner's authority to manage the state trust lands is found in Article 13, Section 2 of the constitution of New Mexico, and in 19-1-1 NMSA 1978. The authority to promulgate this rule is found in 19-1-2 NMSA 1978. Provisions authorizing the state land trust advisory board are found in 19-1-1.1 through 19-1-1.4 NMSA 1978.
[19.2.18.3 NMAC - Rp, 19.2.18.3 NMAC, 06/30/16]

19.2.18.4 DURATION: Permanent.
[19.2.18.4 NMAC - Rp, 19.2.18.4 NMAC, 06/30/16]

19.2.18.5 EFFECTIVE DATE: June 30, 2016, unless a later date is cited at the end of a section.
[19.2.18.5 NMAC - Rp, 19.2.18.5 NMAC, 06/30/16]

19.2.18.6 OBJECTIVE: The objective of 19.2.18 NMAC is to provide for the orderly and productive working relationship between the commissioner of public lands and the state land trusts advisory board.
[19.2.18.6 NMAC - Rp, 19.2.18.6 NMAC, 06/30/16]

19.2.18.7 DEFINITIONS: [RESERVED]
[19.2.18.7 NMAC - Rp, 19.2.18.7 NMAC, 06/30/16]

19.2.18.8 POLICY AND MEETINGS: It is the policy of the commissioner of public lands to provide the state land trusts advisory board with all information requested by the board regarding the policies and procedures, rules, and financial information of the New Mexico state land office. The commissioner shall cooperate with the board, which shall provide advice and assistance to the commissioner in protecting and maintaining the assets and resources of the state trust lands, and in maximizing the income from trust assets, as mandated by the constitution of New Mexico, the Enabling Act, and by state statute.

A. The commissioner and staff shall hold at least one meeting per year jointly with the state land trusts advisory board and the administrative head or designee of the beneficiary institutions. At this annual meeting, the commissioner shall inform and discuss the plans, goals, objectives, budget, revenue projections, asset management issues, and all other pertinent information regarding the state land trusts.

B. At least two times per year (in addition to the annual joint meeting with the state land trusts advisory board and beneficiaries), the commissioner shall meet with the board. The non-beneficiary board meetings shall be held when called by the chairman of the board, a majority of board members, or at the request of the commissioner. Board members may choose to participate in properly noticed meetings by telephone or other similar communications equipment, but only when attendance in person is difficult or impossible. Each board member participating by telephone or other similar equipment must be identified when speaking, all board members must be able to hear each other at the same time and hear any speaker, and members of the public attending the meeting must be able to hear any board member.

C. No action of the board is binding on the commissioner, who alone has the constitutional and fiduciary responsibility as trustee for the trusts.
[19.2.18.8 NMAC - Rp, 19.2.18.8 NMAC, 06/30/16]

19.2.18.9 REPORTS: Upon the call of a meeting with the board, the commissioner shall appear before the board to review and report on the policies and practices of the commissioner, which may include proposed land

exchanges, fee setting matters, proposed land sales, litigation, rules, or other matters, at the commissioner's discretion.

[19.2.18.9 NMAC - Rp, 19.2.18.9 NMAC, 06/30/16]

19.2.18.10 ADMINISTRATIVE SUPPORT:

A. The commissioner shall assist the board with a secretary. The secretary shall keep minutes of all board meetings, retain custody of board records, and carry out such further duties customary of the office of secretary.

B. The commissioner shall provide written notice of regular meetings to board members at least three weeks prior to the meeting. A final written agenda prepared by the commissioner shall be available on the commissioner's webpage and posted in the commissioner's office at least 72 hours prior to the meeting.

[19.2.18.10 NMAC - Rp, 19.2.18.10 NMAC, 06/30/16]

HISTORY OF 19.2.18 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

SLO Rule 18, Relating to the State Land Trusts Advisory Board, filed 12/29/89.

19 NMAC 2. SLO 18 reformatted 12/31/99

19.2.18 NMAC, re-numbered 09/30/02

History of Repealed Material:

19.2.18 NMAC, Relating to State Land Trusts Advisory Board, re-numbered 09/30/02, repealed 06/30/16