



NEW MEXICO LEGISLATURE

# INDIAN AFFAIRS COMMITTEE

2022 INTERIM FINAL REPORT

LEGISLATIVE COUNCIL SERVICE  
411 STATE CAPITOL  
SANTA FE, NEW MEXICO 87501  
(505) 986-4600  
[WWW.NMLEGIS.GOV](http://WWW.NMLEGIS.GOV)

# TABLE OF CONTENTS

INTERIM SUMMARY

WORK PLAN AND MEETING SCHEDULE

AGENDAS AND MINUTES

ENDORSED LEGISLATION



## INTERIM SUMMARY



## **Indian Affairs Committee 2022 Interim Summary**

Since its inception in 1989, the Indian Affairs Committee (IAC) has addressed issues that affect Native Americans residing in New Mexico. In fulfillment of its mission, the IAC held six meetings during the 2022 interim. In addition to the first and last meetings that were held at the State Capitol in Santa Fe, meetings were held at the Breadsprings Chapter House; the Thoreau Senior Citizen Center; the Santa Fe Indian School; the Pueblos of Pojoaque and Sandia; and Navajo Technical University, and the IAC had a joint meeting with the Legislative Education Study Committee at the Central Consolidated School District's Bond Wilson Technical Center in Kirtland.

Members of the IAC heard presentations from state, federal and tribal entities to learn of their efforts on behalf of New Mexico's Indian nations, tribes and pueblos. The Indian Affairs Department provided a summary of the annual State-Tribal Leaders Summit; a report on tribal infrastructure projects; an update on the work and legislative recommendations of the Missing and Murdered Indigenous Women and Relatives Task Force; and an update from the Indigenous Youth Council. Representatives from the Office of Natural Resources Trustee and the Office of the Attorney General provided updates on the Gold King Mine spill settlement and other state settlements. Additionally, the Office of the Attorney General updated the committee on the work of the Missing Indigenous Persons Specialist. The committee heard a presentation on the proposed Navajo Code Talkers Museum and its purpose to preserve the history of the Navajo code talkers. The committee heard presentations on the importance of preserving Native American culture and language, and student filmmakers presented films they made about their communities and culture. The committee heard presentations on expanding access to substance abuse services, veterans' services and broadband services on tribal lands and received an overview of infrastructure needs, including tribal road maintenance, in rural and tribal areas.

The committee, at their joint meeting with the Legislative Education Study Committee, heard perspectives on tribal education from local school district superintendents, teachers and students. The committee learned about work-based learning and student internships and heard an update from the Public School Facilities Authority regarding its award cycle and funding programs. Representatives from the Public Education Department and the New Mexico Center on Law and Poverty provided updates on the *Yazzie/Martinez v. State of New Mexico* lawsuit and the department's comprehensive education plan to address *Yazzie/Martinez*. The committee heard from the State Investment Council and the Taxation and Revenue Department about potential funding amounts for public education for the current fiscal year and future fiscal years. The committee received an overview of tribally authorized charter schools and the Anti-Donation Clause of the Constitution of New Mexico. The committee had the opportunity to tour Kirtland schools and the Bond Wilson Technical Center in Kirtland.

The committee endorsed a letter requesting capital outlay funding for the Santa Fe Indian School, and the committee endorsed a bill regarding moving the Intertribal Ceremonial Office from the Tourism Department to the Local Government Division of the Department of Finance and Administration to have McKinley County become the fiscal agent for the Gallup Intertribal Ceremonial.



## WORK PLAN AND MEETING SCHEDULE



**2022 PROPOSED  
WORK PLAN AND MEETING SCHEDULE  
for the  
INDIAN AFFAIRS COMMITTEE**

**Members**

Rep. D. Wonda Johnson, Co-Chair  
Sen. Shannon D. Pinto, Co-Chair  
Rep. Eliseo Lee Alcon  
Rep. Anthony Allison  
Rep. Zachary J. Cook  
Rep. Kelly K. Fajardo  
Sen. Leo Jaramillo  
Rep. Derrick J. Lente  
Rep. Georgene Louis

Sen. Brenda G. McKenna  
Sen. Cliff R. Pirtle  
Sen. Nancy Rodriguez  
Rep. Patricia Roybal Caballero  
Sen. Joshua A. Sanchez  
Sen. William E. Sharer  
Sen. Benny Shendo, Jr.  
Rep. Martin R. Zamora

**Advisory Members**

Rep. Gail Chasey  
Rep. Doreen Y. Gallegos  
Rep. Harry Garcia  
Sen. Stuart Ingle  
Sen. Linda M. Lopez

Rep. Patricia A. Lundstrom  
Sen. Bill B. O'Neill  
Sen. Michael Padilla  
Sen. William P. Soules  
Rep. Elizabeth "Liz" Thomson

**Approved Work Plan**

The New Mexico Legislative Council created the Indian Affairs Committee (IAC) on April 26, 2022. The IAC addresses issues and policies that affect Native Americans in New Mexico. IAC meetings are essential to the work of the legislature in addressing the issues affecting this segment of its constituency.

The IAC will address the following topics affecting Native Americans during the 2022 interim, including updates that include or address:

**A. State-Tribal Relations:**

1. presentations from Native American liaisons or similarly tasked individuals from state executive agencies regarding outreach efforts, challenges and successes;
2. economic opportunities and challenges of uranium mine cleanup;
3. funding for tribal capital projects;
4. an update from the Missing and Murdered Indigenous Women and Relatives Task Force;
5. impacts of the COVID-19 pandemic and tribal gaming;

6. an update on veterans' affairs in tribal communities;
7. presentations from the Indian Affairs Department, the Department of Environment and the New Mexico Finance Authority on water infrastructure needs on tribal land;
8. a presentation on impacts of fires and fire prevention and mitigation efforts on tribal lands;
9. a report from the New Mexico Film Office on the Senator John Pinto Memorial Fund;
10. a presentation on film education, culture and Native American language preservation through film;
11. reports from the Department of Transportation, New Mexico Counties, the Navajo Nation Department of Transportation and the Bureau of Indian Affairs on tribal roads and construction; jurisdictional issues; and joint powers agreements;
12. an update from the secretary of state on tribal election issues and precinct changes post-redistricting;
13. a presentation from the State Land Office on easements;
14. a presentation from the Council of State Governments Justice Center on the States Supporting Familiar Faces program;
15. an update on the federal Indian Boarding School Initiative;
16. an update on Chaco Canyon buffer zones;
17. a presentation on access to basic services on tribal lands;
18. a presentation on access to senior citizen services;
19. an update on the Navajo Code Talkers Museum;
20. an update on dust areas along United States Highway 491;
21. an update on the Tohatchi Safety Complex;
22. a presentation on the water shortage impacting Gallup;

23. a presentation on tribal gross receipts tax legislation; and
24. proposed legislation regarding Native American affairs;

B. Economic Development:

1. broadband access on tribal lands:
  - a. satellite broadband access;
  - b. broadband installation issues;
  - c. an update from the Office of Broadband Access and Expansion;
  - d. utility easements on tribal lands; and
  - e. increasing access to internet services, hardware and software for students and families in rural tribal lands;
2. reports from the Department of Finance and Administration and the Indian Affairs Department regarding legislation passed during the 2022 legislative session dealing with Native American issues and the state budget;
3. effects of legalization of recreational cannabis on tribal communities;
4. updates from the Economic Development Department, the Indian Affairs Department and the Workforce Solutions Department on the Energy Transition Act; and
5. an update from the Public Regulation Commission and the Public Service Company of New Mexico on the San Juan Generating Station closure;

C. Education:

1. the *Zuni v. State of New Mexico* lawsuit and the state equalization guarantee distribution, impact aid and funding formula;
2. an update on *Yazzie/Martinez v. State of New Mexico* and the state's action plan;
3. preservation of Native American languages and a report on House Bill 22 (2022);

4. Native American teacher retention and increasing access to Native American teachers;
5. culturally relevant early learning programs;
6. school safety issues on tribal lands; and
7. a discussion on school bus safety and school bus distance and time;

D. Health:

1. updates from the Department of Health and the Navajo Nation on continued COVID-19 responses and efforts on tribal lands;
2. an update on drug treatment court in Gallup;
3. an update from Strong Families New Mexico; and
4. a presentation on the "grow your own" behavioral health practitioner initiative;

E. Annual Reports from Executive Agencies:

1. reports from the Office of the State Engineer and the Interstate Stream Commission regarding:
  - a. *Aamodt* settlement obligations and effects on federal funding;
  - b. the status of proposed Indian water rights settlements requiring state financing;
  - c. the distribution of funds from the Indian Water Rights Settlement Fund to implement approved settlements and the proposed timing of the distributions;
  - d. recommendations on the level of funding for the Indian Water Rights Settlement Fund necessary to timely implement Indian water rights; and
  - e. the Gold King Mine spill settlement;
2. a report from the Indian Affairs Department regarding:

- a. the compiled reports from all state agencies on activities pursuant to the State-Tribal Collaboration Act, including information on policies, plans, contact individuals, training, programs and services from each agency; and
  - b. the department's priorities and initiatives, as well as updates on current issues that tribal communities are facing; and
3. a report from the Tribal Infrastructure Board regarding the total expenditures from the Tribal Infrastructure Project Fund for the previous fiscal year, the purposes for which expenditures were made, an analysis of the progress of the projects funded and proposals for legislative action in the subsequent legislative session.

**Indian Affairs Committee  
2022 Proposed Meeting Schedule**

<u>Date</u>	<u>Location</u>
May 25	Santa Fe
July 11-13	Breadsprings Chapter of the Navajo Nation/Crownpoint/Thoreau
August 16-17	Jicarilla Apache Nation
September 7-9	Shiprock (Joint meeting with the Legislative Education Study Committee)
October 3-5	Pueblo of Sandia/Pueblo of San Felipe/Kewa Pueblo
November 17-18	Pueblo of Cochiti/Santa Fe

# AGENDAS AND MINUTES



**TENTATIVE AGENDA  
for the  
FIRST MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**May 25, 2022  
State Capitol, Room 322  
Santa Fe**

**Wednesday, May 25**

- 10:00 a.m.           **Call to Order and Introductions**  
—Representative D. Wonda Johnson, Co-Chair, Indian Affairs Committee  
—Senator Shannon D. Pinto, Co-Chair, Indian Affairs Committee
- 10:15 a.m.       (1)   **[Discussion of Focus Areas, Work Plan and Meeting Schedule](#)**  
—Lenaya Montoya, Staff Attorney, Legislative Council Service
- 11:30 a.m.           **Adjourn**



**MINUTES  
of the  
FIRST MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**May 25, 2022  
State Capitol, Room 322  
Santa Fe**

The first meeting of the Indian Affairs Committee was called to order by Representative D. Wonda Johnson, co-chair, on May 25, 2022 at 10:16 a.m. in Room 322 of the State Capitol in Santa Fe.

**Present**

Rep. D. Wonda Johnson, Co-Chair  
Sen. Shannon D. Pinto, Co-Chair  
Rep. Eliseo Lee Alcon  
Rep. Anthony Allison  
Rep. Zachary J. Cook  
Rep. Kelly K. Fajardo  
Sen. Brenda G. McKenna  
Sen. Nancy Rodriguez  
Rep. Patricia Roybal Caballero  
Rep. Martin R. Zamora

**Absent**

Sen. Leo Jaramillo  
Rep. Derrick J. Lente  
Rep. Georgene Louis  
Sen. Cliff R. Pirtle  
Sen. Joshua A. Sanchez  
Sen. William E. Sharer  
Sen. Benny Shendo, Jr.

**Advisory Members**

Rep. Harry Garcia  
Sen. Bill B. O'Neill  
Sen. Michael Padilla  
Sen. William P. Soules

Rep. Gail Chasey  
Rep. Doreen Y. Gallegos  
Sen. Stuart Ingle  
Sen. Linda M. Lopez  
Rep. Patricia A. Lundstrom  
Rep. Elizabeth "Liz" Thomson

**Staff**

Lenaya Montoya, Staff Attorney, Legislative Council Service (LCS)  
Sara Wiedmaier, Research Assistant, LCS  
Sheila Keleher, Research Assistant, LCS

**Guests**

The guest list is in the meeting file.

**Handouts**

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

## **References to Webcast**

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at [www.nmlegis.gov](http://www.nmlegis.gov), under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

## **Wednesday, May 25**

### **Welcome and Introductions (10:16 a.m.)**

Representative Johnson welcomed everyone and invited Representative Allison to lead the committee in an opening prayer. Members of the committee, staff and audience introduced themselves.

### **Discussion of Focus Areas, Work Plan and Meeting Schedule (10:26 a.m.)**

Ms. Montoya discussed the 2022 proposed work plan and meeting schedule and asked members for their input and suggestions. The 2022 proposed work plan and meeting schedule can be found here:

<https://www.nmlegis.gov/handouts/IAC%20052522%20Item%201%20Proposed%20Work%20Plan%202022.pdf>.

Upon a motion made by Representative Roybal Caballero and seconded by Senator Rodriguez, the committee voted to approve the 2022 proposed work plan and meeting schedule.

### **Adjournment**

There being no further business before the committee, the meeting adjourned at 11:38 a.m.

Revised: July 7, 2022

**TENTATIVE AGENDA  
for the  
SECOND MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**July 11, 2022  
Breadsprings Chapter House  
190 Rodeo Rd A  
Vanderwagen**

**July 12, 2022  
Hospitality Center  
Navajo Technical University  
Lowerpoint Rd, State Hwy 371  
Crownpoint**

**July 13, 2022  
Thoreau Senior Citizen Center  
1 2nd Ave  
Thoreau**

**Monday, July 11 — Breadsprings**

- 10:00 a.m.           **Call to Order and Introduction**  
—Representative D. Wonda Johnson, Co-Chair, Indian Affairs Committee  
—Senator Shannon D. Pinto, Co-Chair, Indian Affairs Committee
- 10:15 a.m.       (1)   **[Welcome and Status Update from the Breadsprings Chapter](#)**  
—Lee C. Jim, President, Breadsprings Chapter
- 11:00 a.m.       (2)   **[Presentation on Uranium Mine Cleanup Efforts](#)**  
—Susan Gordon, Multicultural Alliance for a Safe Environment
- 11:45 a.m.       (3)   **[Update on the Navajo Code Talkers Museum](#)**  
—Jonathan Nez, President, Navajo Nation (invited)  
—Regan Hawthorne, Secretary-Treasurer, Navajo Code Talkers Museum Corporation  
—Seth Damon, Speaker, 24th Navajo Nation Council (invited)  
—Derek Meier, Senior Project Manager, Wilson & Company, Inc.  
—Lance Begaye, Wilson & Company, Inc.  
—Beverly Charley, Liaison, Veterans' Services Department
- 12:45 p.m.           **Lunch**

- 1:45 p.m.           **Public Comment**
- 2:00 p.m.       (4)    [Update on the Tohatchi Safety Complex](#)  
—Representatives from the Tohatchi Chapter (invited)
- 2:45 p.m.       (5)    [Presentation on Drug Treatment Court in Gallup](#)  
—Honorable Virginia Yazzie, Judge, Gallup Magistrate Court  
—Shanell Franklin, DWI Drug Court Coordinator, Gallup Magistrate Court  
—Maura Schanefelt, Operations Manager, Four Corner's Detox Recovery Center
- 3:30 p.m.       (6)    [Presentation on Water Issues Impacting the Gallup Community](#)  
—Bart Deming, P.E., Construction Engineer, Four Corners Construction Office, United States Bureau of Reclamation  
—Jason John, Director, Navajo Nation Department of Water Resources (invited)  
—Representatives from the Tohatchi Chapter (invited)  
—Representatives from the City of Gallup (invited)
- 4:30 p.m.           **Recess**

**Tuesday, July 12 — Navajo Technical University**

- 10:00 a.m.           **Reconvene**
- 10:05 a.m.       (7)    [Welcome and Invocation](#)  
—Rita Capitan, President, Crownpoint Chapter
- 10:15 a.m.       (8)    [Update from Navajo Technical University](#)  
—Dr. Elmer Guy, President, Navajo Technical University (invited)
- 11:15 a.m.       (9)    [Update from Sacred Wind Communications](#)  
—John Badal, Co-Founder and Chief Executive Officer, Sacred Wind Communications
- 11:45 a.m.       (10) [Report on Tribal Roads, Construction, Jurisdiction Issues and Joint Powers Agreements](#)  
—Paul Brasher, P.E., District 5 Engineer, Department of Transportation  
—Navajo Nation Division of Transportation (invited)
- 12:30 p.m.       (11) [Update on Dust Areas Along United States Highway 491](#)  
—Paul Brasher, P.E., District 5 Engineer, Department of Transportation  
—Navajo Nation Division of Transportation (invited)
- 1:15 p.m.           **Lunch**

- 2:15 p.m.           **Public Comment**
- 2:30 p.m.       (12) [Update on Chaco Canyon Buffer Zones](#)  
—Daniel Tso, Council Delegate, 24th Navajo Nation Council
- 3:15 p.m.       (13) [Update on Old Church Rock Mine Bridge Renovation](#)  
—Rodney Skersick, Road Superintendent, McKinley County Road  
Department (invited)
- 4:00 p.m.           **Recess**

**Wednesday, July 13 — Thoreau**

- 10:00 a.m.           **Reconvene**
- 10:15 a.m.       (14) [Welcome and Status Update from the Thoreau Chapter](#)  
—Valerie Arviso, President, Thoreau Chapter (invited)
- 11:15 a.m.       (15) [Veterans' Affairs in Tribal Communities](#)  
—Larry J. Campos, Congressional Liaison, New Mexico Veterans' Affairs  
Health Care System
- 12:15 p.m.       (16) [Access to Health Services on Tribal Lands](#)  
—Sharon Finarelli, Executive Director, New Mexico Alliance of Health  
Councils  
—Gerilyn Antonio, Tribal Liaison, New Mexico Alliance of Health  
Councils
- 1:15 p.m.           **Public Comment**
- 1:30 p.m.           **Adjourn**



**MINUTES  
of the  
SECOND MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**July 11, 2022  
Breadsprings Chapter House  
190 Rodeo Road A  
Vanderwagen**

**July 12, 2022  
Hospitality Center  
Navajo Technical University  
Lowerpoint Road, State Highway 371  
Crownpoint**

**July 13, 2022  
Thoreau Senior Citizen Center  
1 2nd Avenue  
Thoreau**

The second meeting of the Indian Affairs Committee was called to order by Representative D. Wonda Johnson, co-chair, on June 11, 2022 at 10:02 a.m. at the Breadsprings Chapter House in Vanderwagen.

**Present**

Rep. D. Wonda Johnson, Co-Chair  
Sen. Shannon D. Pinto, Co-Chair  
Rep. Eliseo Lee Alcon  
Rep. Anthony Allison  
Sen. Brenda G. McKenna  
Sen. Cliff R. Pirtle (7/11, 7/12)  
Sen. Nancy Rodriguez (7/11)  
Rep. Patricia Roybal Caballero  
Sen. Joshua A. Sanchez (7/11, 7/12)  
Sen. Benny Shendo, Jr.  
Rep. Martin R. Zamora

**Advisory Members**

Sen. Linda M. Lopez (7/12)  
Rep. Patricia A. Lundstrom (7/11)  
Sen. Michael Padilla (7/11)

**Absent**

Rep. Zachary J. Cook  
Rep. Kelly K. Fajardo  
Sen. Leo Jaramillo  
Rep. Derrick J. Lente  
Rep. Georgene Louis  
Sen. William E. Sharer

Rep. Gail Chasey  
Rep. Doreen Y. Gallegos  
Rep. Harry Garcia  
Sen. Stuart Ingle  
Sen. Bill B. O'Neill  
Sen. William P. Soules  
Rep. Elizabeth "Liz" Thomson

## **Guest Legislators**

Sen. George K. Munoz (7/11)

Rep. Debra M. Sariñana (7/11)

(Attendance dates are noted for members not present for the entire meeting.)

## **Staff**

Lenaya Montoya, Staff Attorney, Legislative Council Service (LCS)

Sara Wiedmaier, Research Assistant, LCS

Sheila Keleher, Research Assistant, LCS

Hunter Thomas, Intern, LCS

## **Guests**

The guest list is in the meeting file.

## **Handouts**

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

## **References to Webcast**

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at [www.nmlegis.gov](http://www.nmlegis.gov), under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

## **Monday, July 11 — Breadsprings**

### **Welcome and Introductions (10:02 a.m.)**

Representative Johnson welcomed everyone to the meeting and asked committee members, guest legislators and members of the public to introduce themselves. Gloria Skeet, chapter manager, Baahaali Chapter, Navajo Nation, opened with a prayer and welcomed everyone to Breadsprings.

### **Baahaali Chapter Update (10:29 a.m.)**

David Emerson, secretary-treasurer, Baahaali Chapter, Navajo Nation, and Ms. Skeet outlined some of the chapter's immediate challenges, including food shortages among seniors, housing issues and road repairs. They reported that obtaining rights of way from the Navajo Nation is a lengthy process, often taking years, thereby causing extensive delays in capital projects. Ms. Skeet reported on the shortage of recycling centers in the area and the high number of illegal dumping sites in Navajo District 6. A committee member stated that a fund should be set up at the end of the interim to address these illegal dumping sites.

### **Uranium Mine Cleanup Efforts (11:41 a.m.)**

Susan Gordon, coordinator, Multicultural Alliance for a Safe Environment, and Teracita Keyanna, Red Water Pond Road Community Association, presented an overview of the

legislative process culminating in the passage of House Bill 164 (2022), which establishes the Uranium Mining Reclamation Revolving Fund and directs the Department of Environment to coordinate the state's efforts to clean up and reclaim former uranium mine and mill sites. Ms. Keyanna and Ms. Gordon reported that the federal Environmental Protection Agency's current plan to move several tons of contaminated soil to a new location just one-half mile from the Red Water Pond Road Community poses significant health risks and contamination dangers to nearby populations. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20071122%20Item%202%20MASE%20presentation.pdf>.

#### **Navajo Code Talkers Museum (12:51 p.m.)**

Derek Meier, senior project manager, and Lance Begaye, architect intern, Wilson & Company, Inc., presented an update on the planning status of the future museum and current funding estimates. Regan Hawthorne, chief executive officer, Navajo Code Talkers Museum, and Paulson Chaco, chief of staff, Office of the President and Vice President, Navajo Nation, discussed the new status of the organization and current funding issues. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=7/11/2022&ItemNumber=3>.

#### **Public Comment**

There was no public comment.

#### **Tohatchi Safety Complex (1:58 p.m.)**

Elvis Bitsilly, legislative district assistant for council delegate Pernell Halona, 24th Navajo Nation Council, updated the committee on the Tohatchi safety complex.

#### **McKinley County Drug Treatment Court (2:17 p.m.)**

Virginia Yazzie, judge, McKinley County Magistrate Court, and Shanell Franklin, coordinator, DWI Drug Court, McKinley County Magistrate Court, presented an update on the DWI Treatment Court program and its collaborative intervention services. Maura Schanefelt, operations manager, Four Corners Detox Recovery Center, provided a description of the recovery center and its support programs. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20071122%20Item%205%20%20FCDRC%20presentation.pdf>.

#### **Motion**

Upon a motion made by Senator Pinto, seconded by Representative Alcon and without objection, the committee moved to send a letter to the funding entities in support of the McKinley County Drug Treatment Program initiative for more resources to help individuals overcome addictions and to create better lives for the community by reducing recidivism and criminal activity.

## **Public Comment**

There was no public comment.

## **Water Issues Impacting the Gallup Community (3:46 p.m.)**

Crystal Tulley-Cordova, principal hydrologist, Water Management Branch, Department of Water Resources, Navajo Nation; Marc DePauli, owner, DePauli Engineering & Surveying, LLC; Bart Deming, P.E., construction engineer, Four Corners Construction Office, United States Bureau of Reclamation; and Harry "Sonny" Moore, Jr., president, Tohatchi Chapter, Navajo Nation, presented an overview and status update on the Navajo-Gallup Water Supply Project. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20071122%20Item%206%20NGWSP%20Update.pdf>.

## **Recess**

The meeting recessed at 4:56 p.m.

## **Tuesday, July 12 — Crownpoint**

### **Reconvene**

Representative Johnson reconvened the meeting at 10:20 a.m.

### **Welcome and Invocation (10:36 a.m.)**

Rita Capitan, president, Crownpoint Chapter, Navajo Nation, opened the meeting with a prayer and welcomed the committee to Crownpoint. Ms. Capitan and Leonard Perry, vice president, Crownpoint Chapter, Navajo Nation, expressed their concerns about the funding delays that the chapter is experiencing from the Navajo Nation. Ms. Capitan reported the dire need for a building complex for the Eastern Navajo Agency of the Navajo Nation, given that many of the buildings currently being used are contaminated with asbestos and mold.

### **Update from Navajo Technical University (NTU) (11:08 a.m.)**

Dr. Elmer Guy, president, NTU, and Jason Arviso, vice president of operations, NTU, welcomed everyone to NTU and gave an overview of the capital outlay projects and various outreach programs available for recruiting students. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20071122%20Item%208%20NTU%20presentation.pdf>.

### **Update from Sacred Wind Communications (11:51 a.m.)**

John Badal, co-founder and chief executive officer, Sacred Wind Communications, and co-founder, New Mexico Broadband Initiative Consortium, outlined the collaborative and innovative principles guiding the consortium's broadband connectivity projects. Teresa Hopkins, director, Government and Tribal Affairs, Sacred Wind Communications, presented a history and overview of the organization and its broadband projects. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20071122%20Item%209%20%20SWC%20and%20Consortium%20presentation.pdf>.

**Report on Tribal Roads, Construction, Jurisdiction Issues and Joint Powers Agreements (12:44 p.m.)**

Edwin Begay, senior planner, Department of Planning, Navajo Division of Transportation, Navajo Nation, presented an overview of the Navajo Division of Transportation services and jurisdictional issues. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20071122%20Item%2010%20NN%20DOT%20presentation.pdf>.

**Update on the Transportation Project Fund (TPF) and Dust Areas Along New Mexico State Highway 371 and United States Highway 491 (12:55 p.m.)**

Rick Padilla, executive director of highway operations, Department of Transportation (DOT); John Romero, division director of highway operations, DOT; Lisa Vega, P.E., District 6 engineer, DOT; and Javier Martinez, P.E., assistant District 5 engineer, DOT, reviewed the TPF for tribal governments to apply for state-funded grants. Right-of-way issues and sand removal along New Mexico State Highway 371 and United States Highway 491 following sandstorms were also discussed. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20071122%20Item%2010%20Transportation%20Project%20Fund.pdf>.

**Public Comment (2:18 p.m.)**

A list of individuals making public comment is available in the meeting file.

**Update on Chaco Canyon Buffer Zones (2:35 p.m.)**

Daniel Tso, council delegate, 24th Navajo Nation Council; Mario Atencio, vice president, Torreon/Starlake Chapter, Navajo Nation; and Samuel Sage, service coordinator, Counselor Chapter, Navajo Nation, provided background information on the Chaco Canyon buffer zones. The panel reported that oil and gas development has had a detrimental effect on their communities, causing significant health issues due to the poor air quality from methane emissions and from dust generated by the heavy truck traffic traveling back and forth to the wells.

Mr. Tso noted that the chapters have not been consulted regarding road development, approval of pipelines or positioning of compressors. The panel reported that the Oil Conservation Division of the Energy, Minerals and Natural Resources Department has granted a state waiver to bypass federal regulations regarding the proximity of wells to residential housing while also allowing an oil company to pull large quantities of water from a Counselor Chapter well, despite the serious drought and the fact that many residents are without running water. Mr. Tso also noted that the Navajo Nation does not receive royalties from the oil and gas companies.

**Legislative Request**

After several legislators expressed concerns about the environmental injustices occurring, Representative Johnson announced that the committee will make requests to the Office of the State Engineer, the Oil Conservation Division of the Energy, Minerals and Natural

Resources Department and the Environmental Improvement Board to appear before the committee and provide transparency, justification and accountability for crucial decisions that were made without consultation with tribal communities.

**Update on Old Church Rock Mine Bridge Renovation (3:44 p.m.)**

Rodney Skersick, road superintendent, McKinley County Road Department, presented the committee with an update on the replacement of the Old Church Rock Mine bridge. Mr. Skersick reported that the majority of McKinley County bridges were built over 50 years ago, and these bridges were only intended to be temporary structures.

**Approval of Minutes (3:53 p.m.)**

Upon a motion made by Representative Alcon, seconded by Representative Roybal Caballero and without objection, the committee moved to approve the minutes of the May 25, 2022 meeting.

**Recess**

The committee recessed at 3:53 p.m.

**Wednesday, July 13 — Thoreau**

**Reconvene**

Representative Johnson reconvened the meeting at 10:09 a.m.

**Welcome and Status Update from the Thoreau Chapter (10:25 a.m.)**

Edmund Yazzie, council delegate, 24th Navajo Nation Council, opened with a prayer and welcomed the committee to Thoreau. Mr. Yazzie and Valerie Arviso, president, Thoreau Chapter, Navajo Nation, provided the committee with an update on infrastructure needs, including a new chapter house, school buildings and road repairs. Mr. Yazzie also reported a dire need for a state enforcement agent for underage alcohol sales.

**Veterans' Affairs in Tribal Communities (11:16 a.m.)**

Terry Obago, program manager, Native American Veterans Program, New Mexico Veterans Affairs Health Care System, United States Department of Veterans Affairs, presented an overview of the services available to Native American veterans.

**Access to Health Services on Tribal Lands (11:44 a.m.)**

Gerilyn Antonio, tribal liaison, New Mexico Alliance of Health Councils (NMAHC), and Sharon Finarelli, executive director, NMAHC, presented an overview of the collaborative efforts among tribal communities and the priorities of the NMAHC. Teresa Meehan, executive director, Health and Human Services, Pueblo of Acoma, and Christopher Hudson, program coordinator, McKinley Community Health Alliance, presented a review of and update on their local health councils and the many challenges in trying to establish health equity. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20071122%20Item%2016%20NMAHC%20presentation.pptx.pdf>

**Public Comment (12:44 p.m.)**

A list of individuals making public comment is available in the meeting file.

**Adjournment**

There being no further business before the committee, the meeting adjourned at 12:57 p.m.



Revised: August 15, 2022

**TENTATIVE AGENDA  
for the  
THIRD MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**August 16-17, 2022  
Pueblo of Pojoaque  
Hilton Santa Fe Buffalo Thunder, Vista Room  
20 Buffalo Thunder Trail  
Santa Fe**

**Tuesday, August 16**

- 10:00 a.m.           **Call to Order and Introduction**  
—Representative D. Wonda Johnson, Co-Chair, Indian Affairs Committee  
—Senator Shannon D. Pinto, Co-Chair, Indian Affairs Committee
- 10:15 a.m.       (1)   **Welcome and Status Update**  
—Jenelle Roybal, Governor, Pueblo of Pojoaque
- 11:15 a.m.       (2)   **Update on Voting Precincts Post-Redistricting**  
—TBD, Office of the Secretary of State (invited)
- 12:15 p.m.           **Public Comment**
- 12:30 p.m.           **Lunch**
- 1:30 p.m.       (3)   **Update on the Gold King Mine Spill Settlement**  
—Maggie Hart Stebbins, Natural Resources Trustee, Office of Natural  
Resources Trustee  
—Rebecca Roose, Deputy Secretary of Administration, Department of  
Environment
- 3:00 p.m.       (4)   **Native American Culture and Language Preservation**  
—James Rivera, Government and Public Affairs, Knifewing Productions,  
Native Stars Studios, Language and Cultural Preservation Project
- 3:45 p.m.           **Recess**

**Wednesday, August 17**

- 10:00 a.m.           **Reconvene**

- 10:15 a.m. (5) [Fire Prevention and Mitigation Efforts on Tribal Lands](#)  
—TBD, Mescalero Apache Tribe
- 11:15 a.m. (6) [Preservation of Native American Culture and Language Through Youth Film](#)  
—Rosey Hayett, Director, Film Prize Junior New Mexico  
—DezBaa', Santa Fe-based actor, filmmaker, AMC television Dark Winds staff writer, Judge at 2022 Film Prize Junior New Mexico festival  
—Isaac Casados, Nambé-based filmmaker, Chair of the Native American Democratic Caucus of New Mexico  
—Jordan Fragua, Language Teacher, Picuris Pueblo Tiwa Language Program  
—Megan James, Student filmmaker of The Sound of Drums, Hiroshi Miyamura High School  
—Jessica Mermejo, Student filmmaker of Pinwel Tah, Picuris Pueblo Tiwa Language Program  
—Dylan Fragua, Student filmmaker of Pinwel Tah, Picuris Pueblo Tiwa Language Program
- 12:45 p.m. **Public Comment**
- 1:00 p.m. **Adjourn**

**MINUTES  
of the  
THIRD MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**August 16-17, 2022  
Pueblo of Pojoaque  
Hilton Santa Fe Buffalo Thunder, Vista Room  
20 Buffalo Thunder Trail  
Santa Fe**

The third meeting of the Indian Affairs Committee was called to order by Senator Shannon D. Pinto, co-chair, on August 16, 2022 at 10:11 a.m. in the Vista Room at the Hilton Santa Fe Buffalo Thunder in Santa Fe.

**Present**

Rep. D. Wonda Johnson, Co-Chair  
Sen. Shannon D. Pinto, Co-Chair  
Rep. Eliseo Lee Alcon  
Rep. Anthony Allison  
Rep. Kelly K. Fajardo (8/16)  
Sen. Cliff R. Pirtle  
Rep. Patricia Roybal Caballero  
Sen. Benny Shendo, Jr.  
Rep. Martin R. Zamora

**Advisory Members**

Rep. Gail Chasey (8/17)  
Sen. Linda M. Lopez (8/17)  
Sen. Bill B. O'Neill  
Sen. William P. Soules

**Guest Legislator**

Rep. Rachel A. Black (8/16)

**Staff**

Lenaya Montoya, Staff Attorney, Legislative Council Service (LCS)  
Sara Wiedmaier, Research Assistant, LCS  
Sheila Keleher, Research Assistant, LCS

**Guests**

The guest list is in the meeting file.

**Absent**

Rep. Zachary J. Cook  
Sen. Leo Jaramillo  
Rep. Derrick J. Lente  
Rep. Georgene Louis  
Sen. Brenda G. McKenna  
Sen. Nancy Rodriguez  
Sen. Joshua A. Sanchez  
Sen. William E. Sharer

Rep. Doreen Y. Gallegos  
Rep. Harry Garcia  
Sen. Stuart Ingle  
Rep. Patricia A. Lundstrom  
Sen. Michael Padilla  
Rep. Elizabeth "Liz" Thomson

## **Handouts**

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

## **References to Webcast**

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at [www.nmlegis.gov](http://www.nmlegis.gov), under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

## **Tuesday, August 16**

### **Welcome and Introductions (10:11 a.m.)**

Senator Pinto welcomed everyone and invited members of the committee, staff and the audience to introduce themselves.

### **Welcome and Status Update (10:20 a.m.)**

Jenelle Roybal, governor, Pueblo of Pojoaque; Douglas Brenner, chief grant writer; Pueblo of Pojoaque; and Idak Fierro, chief operations officer, Pueblo of Pojoaque, welcomed the committee and provided a brief history of the pueblo and an update on its COVID-19 response measures, as well as current and future development projects for the pueblo.

### **Update on Voting Precincts Post-Redistricting (11:44 a.m.)**

Charlotte Chinana, deputy director, Bureau of Elections, Office of the Secretary of State, highlighted changes to voting precincts in Native American communities that occurred as a result of recent redistricting. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20081622%20Item%20%20Voting%20Precincts%20Post-Redistricting.pdf>.

### **Public Comment**

There was no public comment.

### **Update on the Gold King Mine Spill Settlement (1:38 p.m.)**

Maggie Hart Stebbins, natural resources trustee, Office of Natural Resources Trustee, and Rebecca Roose, deputy secretary of administration, Department of Environment, provided an update on the progress of cleanup, restoration and compensation and discussed projects that may be eligible for funding provided by the Gold King Mine spill settlement. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=8/16/2022&ItemNumber=3>.

### **Native American Culture and Language Preservation (2:58 p.m.)**

James Rivera, Government and Public Affairs, Knifewing Productions, Native Stars Studios, Language and Cultural Preservation Project, and Mike Meyer, director, Native Stars Studios, showed an example of a film clip that was dubbed over in the Navajo language and discussed the development goals and vision of Native Stars Studios in helping to preserve Native American culture and language. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20081622%20Item%204%20Native%20American%20Culture%20&%20Language%20Preservation.pdf>.

### **Recess**

The committee recessed at 3:41 p.m.

### **Wednesday, August 17**

### **Reconvene**

Senator Pinto reconvened the meeting at 10:11 a.m. and invited committee members to introduce themselves.

### **Fire Prevention and Mitigation Efforts on Tribal Lands (10:13 a.m.)**

Thora Padilla, director, Division of Resource Management and Protection, Mescalero Apache Tribe, discussed strategies for past fires, current efforts and future mitigation plans. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20081622%20Item%205%20Mescalero%20presentation.pdf>.

### **Preservation of Native American Culture and Language Through Youth Film (11:21 a.m.)**

Rosey Hayett, director, Film Prize Junior New Mexico; DezBaa', Santa Fe-based actor, filmmaker, AMC's *Dark Winds* staff writer, and judge at the 2022 Film Prize Junior New Mexico festival; Isaac Casados, Nambé-based filmmaker and chair of the Native American Democratic Caucus of New Mexico; and Jordan Fragua, language teacher, Picuris Pueblo Tiwa Language Program, discussed the work being done to preserve Native American culture and language through a statewide youth film educational program and competition.

Megan James, student filmmaker of *The Sound of Drums*, Hiroshi Miyamura High School; Jessica Mermejo, student filmmaker of *Pinwel Tah*, Picuris Pueblo Tiwa Language Program; and Dylan Fragua, student filmmaker of *Pinwel Tah*, Picuris Pueblo Tiwa Language Program, shared their films with the committee and discussed their experiences as student filmmakers and the impact of the Film Prize Junior New Mexico on their work. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20081622%20Item%206%20%20Film%20Prize%20Jr%20NM%20presentation.pdf>.

**Approval of Minutes (12:58 p.m.)**

On a motion made by Representative Roybal Caballero, seconded by Representative Allison, and without objection, the minutes of the July 11-13, 2022 meeting were approved.

**Adjournment**

There being no further business before the committee, the meeting adjourned at 12:59 p.m.

**TENTATIVE AGENDA  
for the  
FOURTH MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**September 7-9, 2022  
Central Consolidated School District  
Bond Wilson Technical Center  
40 Road 6580  
Kirtland**

**JOINT MEETING WITH THE LEGISLATIVE EDUCATION STUDY COMMITTEE**

The joint meeting will begin at 9:00 a.m. on Wednesday, September 7, and adjourn at 12:00 noon on Friday, September 9.

Please visit <https://www.nmlegis.gov/agendas/ALESCageSept07.22.pdf> to view the agenda.



**MINUTES  
of the  
FOURTH MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**September 7-9, 2022  
Central Consolidated School District  
Bond Wilson Technical Center  
40 Road 6580  
Kirtland**

The joint meeting of the Indian Affairs Committee (IAC) and the Legislative Education Study Committee (LESC) was called to order by Senator Shannon D. Pinto, co-chair, IAC, on September 7, 2022 at 9:14 a.m. at the Bond Wilson Technical Center in Kirtland.

**Present**

Rep. D. Wonda Johnson, Co-Chair  
Sen. Shannon D. Pinto, Co-Chair  
Rep. Eliseo Lee Alcon  
Rep. Anthony Allison  
Rep. Derrick J. Lente (9/7, 9/8)  
Sen. Nancy Rodriguez (9/8, 9/9)  
Sen. William E. Sharer  
Sen. Benny Shendo, Jr.  
Rep. Martin R. Zamora

**Absent**

Rep. Zachary J. Cook  
Rep. Kelly K. Fajardo  
Sen. Leo Jaramillo  
Rep. Georgene Louis  
Sen. Brenda G. McKenna  
Sen. Cliff R. Pirtle  
Rep. Patricia Roybal Caballero  
Sen. Joshua A. Sanchez

**Advisory Members**

Sen. William P. Soules  
Rep. Elizabeth "Liz" Thomson

Rep. Gail Chasey  
Rep. Doreen Y. Gallegos  
Rep. Harry Garcia  
Sen. Stuart Ingle  
Sen. Linda M. Lopez  
Rep. Patricia A. Lundstrom  
Sen. Bill B. O'Neill  
Sen. Michael Padilla

(Attendance dates are noted for members not present for the entire meeting.)

**Staff**

Lenaya Montoya, Staff Attorney, Legislative Council Service (LCS)  
Sara Wiedmaier, Research Assistant, LCS  
Sheila Keleher, Research Assistant, LCS

**Guests**

The guest list is in the meeting file.

## **Handouts**

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

## **References to Webcast**

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at [www.nmlegis.gov](http://www.nmlegis.gov), under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

## **Wednesday, September 7**

### **Welcome and Introductions (9:14 a.m.)**

Senator Pinto welcomed everyone and invited committee members, staff and the audience to introduce themselves.

### **Community Welcome (9:25 a.m.)**

Lisa Marie Byrd, vice president, Upper Fruitland Chapter, Navajo Nation, and Dora Smith, secretary/treasurer, Upper Fruitland Chapter, Navajo Nation, welcomed everyone to Kirtland.

### **Local Perspectives — Superintendents (9:30 a.m.)**

Steve Carlson, superintendent, Central Consolidated School District; Kim Mizell, Ph.D., superintendent, Bloomfield School District; Kevin Summers, superintendent, Aztec Municipal School District; and Cody Diehl, superintendent, Farmington Municipal School District, presented an overview of their districts and current challenges. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=ALESC&Date=9/7/2022&ItemNumber=3>.

### **LESC Director's Report (12:31 p.m.)**

Dr. Gwen Perea Warniment, director, LESC, updated the committees on LESC policies and procedures, as well as the fiscal year (FY) 2024 budget.

### **Work-Based Learning and Student Internships (12:50 p.m.)**

Jessica Hathaway, senior policy analyst, LESC; Tony Monfiletto, executive director, Future Focused Education; Mike May, director for workforce learning, Future Focused Education; Hilario "Larry" Chavez, superintendent, Santa Fe Public School District; Lutz Arnhold, managing director, Rosewood Inn of the Anasazi; Alvin Warren, vice president of career pathways and advocacy, Los Alamos National Laboratory Foundation; and Jose Villarreal, work-based learning coordinator, Santa Fe Public School District, summarized the economic importance of work-based learning and the overall value of student internships. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=ALESC&Date=9/7/2022&ItemNumber=4>.

**Public School Facilities Authority (PSFA) Issues (2:55 p.m.)**

Martica Casias, executive director, PSFA, and Alyce Ramos, programs manager, PSFA, presented an overview of the PSFA and the Public School Capital Outlay Council, as well as the funding programs and the award cycle. Tim Bedeaux, senior policy analyst, LESC, outlined the public school capital outlay and infrastructure priorities for FY 2023. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=ALESC&Date=9/7/2022&ItemNumber=5>.

**Tour of Kirtland Schools (4:00 p.m.)**

**Recess**

The committee recessed at 4:30 p.m.

**Thursday, September 8**

**Reconvene**

Senator Pinto reconvened the meeting at 9:04 a.m. Senator Soules, chair, LESC, welcomed the committee members and audience.

**Approval of Minutes (9:05 a.m.)**

On a motion made by Senator Sharer, seconded by Representative Allison, and without objection, the minutes of the August 16-17, 2022 IAC meeting were approved.

***Martinez and Yazzie Lawsuit Update (9:06 a.m.)***

John Sena, deputy director, LESC; Vickie Bannerman, Ed.D., deputy secretary of identity, equity and transformation, Public Education Department (PED); and Kurt Steinhaus, Ed.D., secretary, PED, summarized the initiatives that the state has taken to address the 2018 ruling in the *Martinez* and *Yazzie* lawsuit. Melissa Candelaria, education director, New Mexico Center on Law and Poverty (NMCLP); and Alisa Diehl, senior education attorney, NMCLP, presented an overview of the time line and rulings of the *Martinez* and *Yazzie* lawsuit, while addressing the shortcomings of the PED's initiatives to develop a collaborative, comprehensive and transformative plan to satisfy the court's ruling. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=ALESC&Date=9/7/2022&ItemNumber=7>.

### **Indian Education Update (11:24 a.m.)**

Mr. Sena and Daniel Estupiñan, senior policy analyst, LESC, presented an update on Indian education. Charles Wollmann, director, Communications, Legislative and Client Relations, State Investment Council (via Zoom), addressed the financial infrastructure of endowments and permanent funds. Rebecca Reyes, interim assistant secretary, Indian Education, PED, reviewed the Indian Education Act and its funding goals. Mark Mitchell, chair, All Pueblo Council of Governors and former governor, Pueblo of Tesuque; Representative Lente; and Regis Pecos, Santa Fe Indian School Leadership Institute, co-chair, Tribal Education Alliance and former governor, Pueblo of Cochiti, addressed the historic inequities of Native American students and the need to fully implement the Indian Education Act through the adoption of the Tribal Remedy Framework and the creation of a tribal education trust fund. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=ALESC&Date=9/7/2022&ItemNumber=8>.

### **FY 2023 and FY 2024 General Fund Revenue Estimates (2:07 p.m.)**

Stephanie Schardin Clarke, secretary, Taxation and Revenue Department (via Zoom); Leo Delgado, chief economist, Department of Finance and Administration (via Zoom); Ismael Torres, chief economist, Legislative Finance Committee; and Mr. Estupiñan, presented an overview of United States and New Mexico economic indicators and forecasts. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=ALESC&Date=9/7/2022&ItemNumber=9>.

### **Public Comment (3:34 p.m.)**

A list of individuals making public comment is available in the meeting file.

### **Tribally Authorized Charter Schools (3:50 p.m.)**

Ms. Montoya addressed tribal sovereignty and the Anti-Donation Clause of the Constitution of New Mexico. Kevin Shendo, director, Tribal Education, Pueblo of Jemez, presented a history of tribally authorized charter schools in New Mexico and the Pueblo of Jemez and outlined the importance of language and culture-based education in Native communities. The presentation can be found here:

<https://www.nmlegis.gov/handouts/ALESC%20090722%20Item%2010%20Tribally%20Authorized%20Charter%20Schools%20Brief%20Final.pdf>.

### **Friday, September 9**

#### **Reconvene**

Representative Johnson reconvened the meeting at 9:14 a.m.

**Student and Teacher Panel (9:14 a.m.)**

Holly Duffy, senior policy analyst, LESC, moderated the student and teacher panel. Guila Curley, coordinator, College and Career Readiness, Newcomb High School; Amanda Akers, teacher, Blanco Elementary School; Jarrell Botello, teacher, C.V. Koogler Middle School; and Yazzmine Lee, student, Farmington High School, presented an overview of their work and experiences in schools while emphasizing the value of preserving language and culture in education.

**Dream Diné and Navajo Preparatory School (Navajo Prep) Presentations (10:51 a.m.)**

Emily Hoxie, senior policy analyst, LESC, moderated the panel of educators and students. Andrea Thomas, reading interventionist, Dream Diné Charter School, and Stephanie Manning, vice president, Hummingbird Parent Advisory Committee, detailed the philosophy behind their community-based, experiential school. Shawna Becenti, head of school, Navajo Prep; Devin Lansing, also known as Mr. Atsa Hastin, cultural ambassador, Navajo Prep; Yitnabzah Wauneka-Yellowhorse, also known as Ms. Hozho Naasha, cultural ambassador, Navajo Prep; and Watson Whitford, student senate president, Navajo Prep, explained the importance of funding priorities, Indian self-determination and cultural advocacy at Navajo Prep.

**Adjournment**

There being no further business before the committee, the meeting adjourned at 12:15 p.m.



Revised: October 3, 2022

**TENTATIVE AGENDA  
for the  
FIFTH MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**October 3, 2022  
Sandia Resort and Casino  
Ballroom A  
30 Rainbow Road  
Pueblo of Sandia**

**October 4, 2022  
State Capitol, Room 326  
Santa Fe**

**October 5, 2022  
Santa Fe Indian School  
1501 Cerrillos Road  
Santa Fe**

**Monday, October 3 — Pueblo of Sandia**

- 10:00 a.m.           **Call to Order and Introduction**  
—Representative D. Wonda Johnson, Co-Chair, Indian Affairs Committee  
—Senator Shannon D. Pinto, Co-Chair, Indian Affairs Committee
- 10:15 a.m.       (1)   **[Welcome and Status Update](#)**  
—Stuart Paisano, Governor, Pueblo of Sandia
- 11:15 a.m.       (2)   **[Update on Tribal Gaming](#)**  
—Tunte Vigil, State Gaming Representative, Gaming Control Board
- 12:15 p.m.           **Public Comment**
- 12:30 p.m.           **Lunch**
- 1:30 p.m.       (3)   **[Wild Horse Management Legislation](#)**  
—Senator Pat Woods  
—Jessica Johnson, Chief Government Affairs Officer, Animal Protection  
Voters

- 2:30 p.m. (4) [Update on the Gold King Mine Settlement](#)  
—Cholla Khoury, Chief Deputy Attorney General, Civil Affairs, Office of the Attorney General  
—William Grantham, Assistant Attorney General, Consumer and Environmental Protection Division, Office of the Attorney General

3:30 p.m. **Recess**

**Tuesday, October 4 — Santa Fe — State Capitol**

10:00 a.m. **Reconvene**

- 10:15 a.m. (5) [Update from the Indian Affairs Department on the State-Tribal Collaboration Act, the Missing and Murdered Indigenous Women and Relatives Task Force and the Tribal Infrastructure Project Fund](#)  
—Lynn Trujillo, Secretary, Indian Affairs Department (invited)

12:15 p.m. **Lunch**

1:15 p.m. **Public Comment**

- 1:30 p.m. (6) [Building Regenerative Communities](#)  
—Percy Anderson, Secretary/Treasurer, Manuelito Chapter, Navajo Nation  
—Stephen Silversmith, Iyanbito Chapter, Navajo Nation

- 2:30 p.m. (7) [Presentation on Human Trafficking in New Mexico](#)  
—Frank Zubia, Director, Crime Victims Reparation Commission  
—Maureen Lomahaptewa, Victim Advocate, The Life Link  
—Michael DeBernardi, Psy.D., M.S., Chief Executive Officer and Clinical Psychologist, The Life Link

3:30 p.m. **Recess**

**Wednesday, October 5 — Santa Fe — Santa Fe Indian School**

10:00 a.m. **Reconvene**

- 10:15 a.m. (8) [Welcome and Status Update](#)  
—Gary Lujan, Director, Trust Land Management, Santa Fe Indian School

- 11:15 a.m. (9) [Update on Broadband Issues in New Mexico](#)  
—Kelly Schlegel, Director, Office of Broadband Access and Expansion, Department of Information Technology  
—Teresa Hopkins, Director, Government Affairs and Public Policy, Sacred Wind Communications  
—TBD, Smith Bagley, Inc.

—TBD, Mescalero Apache Tribe  
—Matejka Santillanes, New Mexico Exchange Carrier Group  
—Jay Santillanes, New Mexico Exchange Carrier Group

12:45 p.m.

**Public Comment**

1:00 p.m.

**Tour of the Santa Fe Indian School**

1:30 p.m.

**Adjourn**



**MINUTES  
of the  
FIFTH MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**October 3, 2022  
Sandia Resort and Casino  
Ballroom A  
30 Rainbow Road  
Pueblo of Sandia**

**October 4, 2022  
State Capitol, Room 307  
Santa Fe**

**October 5, 2022  
Santa Fe Indian School  
1501 Cerrillos Road  
Santa Fe**

The fifth meeting of the Indian Affairs Committee was called to order by Representative D. Wonda Johnson, co-chair, on October 3, 2022 at 10:33 a.m. in Ballroom A of Sandia Resort and Casino at the Pueblo of Sandia.

**Present**

Rep. D. Wonda Johnson, Co-Chair  
Sen. Shannon D. Pinto, Co-Chair  
Rep. Eliseo Lee Alcon  
Rep. Anthony Allison  
Rep. Kelly K. Fajardo (10/4)  
Sen. Nancy Rodriguez  
Rep. Patricia Roybal Caballero  
Sen. Joshua A. Sanchez  
Sen. William E. Sharer  
Sen. Benny Shendo, Jr.  
Rep. Martin R. Zamora

**Advisory Members**

Rep. Gail Chasey (10/4)  
Sen. Linda M. Lopez (10/3)  
Sen. Bill B. O'Neill (10/4, 10/5)  
Sen. Michael Padilla (10/3, 10/5)

**Absent**

Rep. Zachary J. Cook  
Sen. Leo Jaramillo  
Rep. Derrick J. Lente  
Rep. Georgene Louis  
Sen. Brenda G. McKenna  
Sen. Cliff R. Pirtle

Rep. Doreen Y. Gallegos  
Rep. Harry Garcia  
Sen. Stuart Ingle  
Rep. Patricia A. Lundstrom  
Sen. William P. Soules  
Rep. Elizabeth "Liz" Thomson

## **Guest Legislator**

Rep. Linda Garcia Benavides (10/3)

(Attendance dates are noted for members not present for the entire meeting.)

## **Staff**

Lenaya Montoya, Staff Attorney, Legislative Council Service (LCS)

Sara Wiedmaier, Research Assistant, LCS

Sheila Keleher, Research Assistant, LCS

## **Guests**

The guest list is in the meeting file.

## **Handouts**

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

## **References to Webcast**

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at [www.nmlegis.gov](http://www.nmlegis.gov), under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

## **Monday, October 3 — Pueblo of Sandia**

### **Welcome and Introductions (10:33 a.m.)**

Representative Johnson welcomed everyone and invited members of the committee and staff to introduce themselves.

### **Welcome and Status Update (10:38 a.m.)**

Stuart Paisano, governor, Pueblo of Sandia, welcomed the committee to the Pueblo of Sandia and Sandia Resort and Casino. Governor Paisano discussed infrastructure development and funding; state-tribal relations; emergency services and health measures; education initiatives; and water rights for the Pueblo of Sandia. He highlighted jurisdictional issues regarding law enforcement and potential legislative solutions.

### **Update on Tribal Gaming (11:36 a.m.)**

Tunté Vigil, state gaming representative, Gaming Control Board, provided an update on tribal gaming revenue, health measures and future goals. She discussed the role of the Gaming Control Board; staffing issues; and revenue sharing between the tribes and the state. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20100322%20Item%202%20Tribal%20Gaming%20Presentation.pdf>.

**Public Comment (12:24 p.m.)**

A list of individuals making public comment is available in the meeting file.

**Wild Horse Management Legislation (1:41 p.m.)**

Senator Pat Woods and Jessica Johnson, chief government affairs officer, Animal Protection Voters, discussed proposed legislation that would address wild horse management and safety concerns on state lands as well as jurisdictional issues on state and federal lands, potential strategies and best practices.

**Update on the Gold King Mine Settlement (2:52 p.m.)**

Cholla Khoury, chief deputy attorney general, Civil Affairs, Office of the Attorney General, and William Grantham, assistant attorney general, Consumer and Environmental Protection Division, Office of the Attorney General, updated the committee on settlements, legal and cleanup costs, community compensation and ongoing litigation regarding the Gold King Mine spill.

**Recess**

The committee recessed at 3:17 p.m.

**Tuesday, October 4 — State Capitol, Santa Fe****Reconvene**

Senator Pinto reconvened the meeting at 10:34 a.m. and invited members of the committee, staff and audience to introduce themselves.

**Update from the Indian Affairs Department (IAD) on the State-Tribal Collaboration Act, the Missing and Murdered Indigenous Women and Relatives Task Force and the Tribal Infrastructure Project Fund (10:44 a.m.)**

Lynn Trujillo, secretary, IAD; Melody Delmar, special projects coordinator, IAD/ Missing and Murdered Indigenous Women and Relatives Task Force; and Lawrence John, tribal infrastructure fund/capital outlay administrator, IAD, provided a comprehensive overview of the department and highlighted various Tribal Infrastructure Fund projects; hiring and training initiatives; funding sources; and state-tribal collaboration. They also discussed the work being done by the Missing and Murdered Indigenous Women and Relatives Task Force and the "Missing in New Mexico" event. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20100322%20Item%205%20IAD%20presentation.pdf>.

**Motion to Send a Letter in Support of Hiring Additional Full-Time Employees for the IAD (12:35 p.m.)**

On a motion made by Representative Johnson and seconded by Representative Roybal Caballero, the committee voted to send a letter to the Legislative Finance Committee in support of the IAD hiring additional full-time employees to focus on education and outreach to tribes regarding the Tribal Infrastructure Fund application process and coordination of the Tribal Infrastructure Fund and capital outlay projects and funding.

### **Approval of Minutes (12:36 p.m.)**

On a motion made by Senator Rodriguez, seconded by Senator Sharer, and without objection, the minutes of the September 7-9, 2022 joint meeting with the Legislative Education Study Committee were approved.

### **Public Comment**

There was no public comment.

### **Building Regenerative Communities (1:51 p.m.)**

Percy Anderson, secretary/treasurer, Manuelito Chapter, Navajo Nation, and Stephen Silversmith, secretary/treasurer, Iyanbito Chapter, Navajo Nation, discussed priorities and challenges for Navajo chapter projects and emphasized the importance of chapter certification for local input, planning and community development. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=10/3/2022&ItemNumber=6>.

### **Presentation on Human Trafficking in New Mexico (2:51 p.m.)**

Michael DeBernardi, Psy.D., M.S., chief executive officer and clinical psychologist, The Life Link; Maureen Lomahaptewa, victim advocate, The Life Link; and Frank Zubia, director, Crime Victims Reparation Commission, discussed funding, partnerships and initiatives to assist victims of human trafficking. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20100322%20Item%207%20TLL%20&%20CVRC%20presentation.pdf>.

### **Recess**

The meeting recessed at 3:52 p.m.

### **Wednesday, October 5 — Santa Fe Indian School, Santa Fe**

#### **Reconvene**

Representative Johnson reconvened the meeting at 10:15 a.m.

#### **Welcome and Status Update (10:15 a.m.)**

Gary Lujan, director, Trust Land Management, Santa Fe Indian School, welcomed the committee and opened with a prayer. Mr. Lujan provided a brief overview of student statistics and housing on campus; COVID-19 protocols; school programs; broadband initiatives; and future goals for the Santa Fe Indian School. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20100322%20Item%208%20SFIS%20-%20Promotional%20Brochure.pdf>.

### **Update on Broadband Issues in New Mexico (11:13 a.m.)**

Kelly Schlegel, director, Office of Broadband Access and Expansion, Department of Information Technology, discussed state goals; department staffing; current initiatives; grant opportunities and awards; middle and last mile strategies; and the importance of digital equity. She provided a time line for future broadband and equity access deployment.

Teresa Hopkins, director, Government Affairs and Public Policy, Sacred Wind Communications; Guy Turley, vice president, Smith Bagley, Inc.; Godfrey Enjady, general manager and founder, Mescalero Apache Telecom, Inc., Mescalero Apache Tribe; Matejka Santillanes, New Mexico Exchange Carrier Group; and Jay Santillanes, New Mexico Exchange Carrier Group, provided a brief history of their companies and highlighted current projects, funding sources and the need to educate consumers on cybersecurity and digital literacy. They discussed the work being done in coordination with the state to expand broadband access and provide affordable service to rural New Mexico and native communities. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=10/3/2022&ItemNumber=9>.

### **Public Comment**

There was no public comment.

### **Tour of the Santa Fe Indian School (1:43 p.m.)**

### **Adjournment**

There being no further business before the committee, the meeting adjourned at 3:30 p.m.



Revised: November 16, 2022

**TENTATIVE AGENDA  
for the  
SIXTH MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**November 17, 2022  
State Capitol, Room 309  
Santa Fe**

**November 18, 2022  
State Capitol, Room 307  
Santa Fe**

**Thursday, November 17**

- 10:00 a.m.        **Call to Order and Introductions**  
—Representative D. Wonda Johnson, Co-Chair, Indian Affairs Committee  
—Senator Shannon D. Pinto, Co-Chair, Indian Affairs Committee
- 10:15 a.m.        (1)    **States Supporting Familiar Faces Project Update**  
—Hallie Fader-Towe, Deputy Division Director, Behavioral Health, The  
      Council of State Governments Justice Center  
—Rosemary White Shield, Ph.D., C.T.T.S., C.C.W., Project Manager-  
      Special Projects, The Council of State Governments Justice Center  
—Amy Button, Project Manager, Behavioral Health, States Supporting  
      Familiar Faces Project, The Council of State Governments Justice  
      Center  
—Ryan Carlino, Senior Policy Analyst, Behavioral Health Division, The  
      Council of State Governments Justice Center
- 11:15 a.m.        (2)    **Culturally Appropriate Social Services Task Force Update**  
—Rachel A. Sebastian, M.A., Associate Research Scientist, Pacific Institute  
      for Research and Evaluation (PIRE)  
—Emily A. Haozous, Ph.D., R.N., F.A.A.N., Research Scientist, PIRE  
—Daniel Shattuck, Ph.D., Associate Research Scientist, PIRE  
—Kim Zamarin, M.P.H., Program Director, PIRE  
—Adrian LeCornu, Policy Analyst, Public Education Department
- 12:15 p.m.        **Public Comment\***
- 12:30 p.m.        **Lunch**

- 1:30 p.m. (3) **Indigenous Youth Council Update**  
—Kaylee Salazar, Administrative Operations Manager, Indian Affairs Department  
—Kaiya Brown, Member, Indigenous Youth Council  
—Mathis Quintana, Member, Indigenous Youth Council  
—Alysia Coriz, Member, Indigenous Youth Council
- 2:30 p.m. (4) **Update from the Missing and Murdered Indigenous Women and Relatives Specialist**  
—Mark Probasco, Deputy Director, Special Prosecutions, Office of the Attorney General
- 3:30 p.m. **Recess**

**Friday, November 18**

- 9:00 a.m. **Reconvene**
- 9:15 a.m. (5) **Indian Water Rights Settlement Fund Report**  
—Mike A. Hamman, State Engineer, Office of the State Engineer  
—Nat Chakeres, General Counsel, Office of the State Engineer  
—Kelly Smith, Deputy General Counsel, Office of the State Engineer
- 10:15 a.m. (6) **Presentation on Solar Power and Tribal Sovereignty**  
—Matt Renner, Vice President, Business Development, Seneca Solar  
—Erin Dayl, New Mexico Outreach Coordinator, Seneca Solar
- 11:15 a.m. **Consideration of Legislation for Endorsement**
- (7) **Bill: Moving the Gallup Intertribal Ceremonial from the Tourism Department to the Department of Finance and Administration's Local Government Division**
- (8) **Letter: Capital Outlay Venue for the Santa Fe Indian School**
- (9) **Bill: Tribal Gross Receipts Tax**
- (10) **Bill: County Redistricting Task Force**
- 12:15 p.m. **Adjourn**

\*This meeting will be webcast and can be viewed by clicking the video icon beneath the meeting agenda on the Indian Affairs Committee [web page](#). Members of the public may make comments during the public comment portion of the meeting by following instructions under the "Extra Information" portion of the [web page](#).

**MINUTES  
of the  
SIXTH MEETING  
of the  
INDIAN AFFAIRS COMMITTEE**

**November 17, 2022  
State Capitol, Room 309  
Santa Fe**

**November 18, 2022  
State Capitol, Room 307  
Santa Fe**

The sixth meeting of the Indian Affairs Committee was called to order by Representative D. Wonda Johnson, co-chair, on Thursday, November 17, 2022, at 10:17 a.m. in Room 309 of the State Capitol in Santa Fe.

**Present**

Rep. D. Wonda Johnson, Co-Chair  
Sen. Shannon D. Pinto, Co-Chair  
Rep. Eliseo Lee Alcon  
Rep. Anthony Allison  
Rep. Kelly K. Fajardo (11/17)  
Sen. Leo Jaramillo  
Sen. Brenda G. McKenna (11/18)  
Sen. Nancy Rodriguez (11/18)  
Rep. Patricia Roybal Caballero  
Sen. Benny Shendo, Jr. (11/17)  
Rep. Martin R. Zamora

**Advisory Members**

Rep. Gail Chasey (11/18)  
Sen. Linda M. Lopez  
Sen. Bill B. O'Neill

**Absent**

Rep. Zachary J. Cook  
Rep. Derrick J. Lente  
Rep. Georgene Louis  
Sen. Cliff R. Pirtle  
Sen. Joshua A. Sanchez  
Sen. William E. Sharer

Rep. Doreen Y. Gallegos  
Rep. Harry Garcia  
Sen. Stuart Ingle  
Rep. Patricia A. Lundstrom  
Sen. Michael Padilla  
Sen. William P. Soules  
Rep. Elizabeth "Liz" Thomson

**Guest Legislator**

Sen. Elizabeth "Liz" Stefanics (11/17)

(Attendance dates are noted for members not present for the entire meeting.)

## **Staff**

Lenaya Montoya, Staff Attorney, Legislative Council Service (LCS)  
Sara Wiedmaier, Research Assistant, LCS  
Sheila Keleher, Research Assistant, LCS

## **Minutes Approval**

Because the committee will not meet again this year, the minutes for this meeting have not been officially approved by the committee.

## **Guests**

The guest list is in the meeting file.

## **Handouts**

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

## **References to Webcast**

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at [www.nmlegis.gov](http://www.nmlegis.gov), under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

## **Thursday, November 17 — Room 309, State Capitol, Santa Fe**

### **Welcome and Introductions (10:17 a.m.)**

Representative Johnson welcomed everyone and invited members of the committee, staff and audience to introduce themselves.

### **States Supporting Familiar Faces Project Update (10:27 a.m.)**

Hallie Fader-Towe, deputy division director, Behavioral Health, The Council of State Governments (CSG) Justice Center; Rosemary White Shield, Ph.D., C.T.T.S., C.C.W., project manager, Special Projects, CSG Justice Center; Amy Button, project manager, Behavioral Health, CSG Justice Center; and Ryan Carlino, senior policy analyst, Behavioral Health, CSG Justice Center, presented an overview of the CSG Justice Center and the center's goals to develop strategies to break the cycle of incarceration, advance behavioral health care treatment and increase culturally responsive community-based services. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%2011722%20Item%201%20States%20Supporting%20Familiar%20Faces%20presentation.pdf>.

### **Culturally Appropriate Social Services Task Force Update (11:35 a.m.)**

Kim Zamarin, M.P.H., program director, Pacific Institute for Research and Evaluation (PIRE); Emily A. Haozous, Ph.D., R.N., F.A.A.N., research scientist, PIRE; Rachel A.

Sebastian, M.A., associate research scientist, PIRE; Daniel Shattuck, Ph.D., associate research scientist, PIRE; and Adrian LeCornu, policy analyst, Public Education Department, explained how this project originated out of House Bill 287 (2021) and the *Yazzie/Martinez* lawsuit. The panel reviewed its research on identifying and analyzing the gaps in culturally appropriate social services in New Mexico public schools and charter schools. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%2011722%20Item%202%20Culturally%20Appropriate%20Social%20Services%20Report.pdf>.

#### **Indigenous Youth Council Update (1:44 p.m.)**

Lynn Trujillo, secretary, Indian Affairs Department (IAD); Kaylee Salazar, administrative operations manager, IAD; Kaiya Brown, member, Indigenous Youth Council (IYC); Mathis Quintana, member, IYC; and Alysia Coriz, member, IYC, presented an update on activities supporting cultural revitalization and preservation. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%2011722%20Item%203%20Indigenous%20Youth%20Council%20Presentation.pdf>.

#### **Update from the Missing and Murdered Indigenous Women and Relatives Specialist (3:00 p.m.)**

Mark Probasco, deputy director, Special Prosecutions, Office of the Attorney General (OAG), and Jerri Mares, director, Communication and Legislative Affairs, OAG, presented an update on the significance of Senate Bill 12 (2022) in finding justice for New Mexico families of missing and murdered indigenous women and relatives. Mr. Probasco outlined some of the complexities involved, including obstacles from law enforcement, jurisdictional issues and legal shortcomings. He emphasized the importance of adequate funding so that the priorities of Senate Bill 12 can be realized.

#### **Recess**

The meeting recessed at 3:47 p.m.

#### **Friday, November 18 — Room 307, State Capitol, Santa Fe**

#### **Reconvene**

Representative Johnson reconvened the meeting at 9:18 a.m.

#### **Indian Water Rights Settlement Fund Report (9:18 a.m.)**

Mike A. Hamman, state engineer, Office of the State Engineer (OSE); Nat Chakeres, general counsel, OSE; Kelly Smith, deputy general counsel, OSE; and Dominique Work, general counsel, OSE, presented an update on the status of Indian water rights settlements and the distribution of funds to implement the approved settlements. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20111722%20Item%205%20INDIAN%20WATER%20ORIGHTS%20SETTLEMENT%20FUND%20REPORT.pdf>.

**Presentation on Solar Power and Tribal Sovereignty (10:18 a.m.)**

Hanna Sheridan, business operations manager, Seneca Solar; Matt Renner, vice president, Seneca Solar; and Erin Dayl, New Mexico outreach coordinator, Seneca Solar, presented an overview of the Native American-owned company and its innovative renewable energy solutions for other Native American nations, corporations and underserved communities across the country. The panel emphasized potential opportunities designed to empower Native American communities under the Community Solar Act. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20111722%20Item%206%20Seneca%20Solar%20presentation.pdf>.

**Approval of Minutes (11:10 a.m.)**

Upon a motion duly made and seconded, and without any objections, the committee approved the minutes of the October 3-5, 2022 meeting.

**Consideration of Legislation for Endorsement (11:10 a.m.)**

**Bill: Moving the Gallup Intertribal Ceremonial from the Tourism Department to the Department of Finance and Administration's Local Government Division (11:10 a.m.)**

Dudley Byerley, ceremonial coordinator, Gallup Intertribal Indian Ceremonial Association, addressed the committee with a request for a change in legislation. Upon a motion made by Representative Alcon, seconded by Representative Allison and without objection, the committee moved to endorse a bill that would move the Gallup Intertribal Ceremonial Office from the Tourism Department to the Local Government Division of the Department of Finance and Administration and rename the Intertribal Ceremonial Office as the Intertribal Indian Ceremonial Association. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=11/17/2022&ItemNumber=7>.

**Letter: Capital Outlay Venue for the Santa Fe Indian School (11:27 a.m.)**

Christie Abeyta, superintendent, Santa Fe Indian School (SFIS), and Gary J. Lujan, director, Trust Land Management and Security, SFIS, presented a proposed letter to the Legislative Finance Committee (LFC) requesting capital outlay appropriations for the renovation of the Paolo Soleri Amphitheater and construction of a performing arts center. Upon a motion made by Representative Roybal Caballero, seconded by Senator Rodriguez and without objection, the committee moved to endorse the letter, with amended language, to the LFC in support of the SFIS's capital outlay requests. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=11/17/2022&ItemNumber=8>.

**Bill: Tribal Gross Receipts Tax (11:48 a.m.)**

Conroy Chino, lobbyist, Pueblo of Acoma and Pueblo of Taos, addressed the gross receipts tax requirement for tribes and requested that the committee consider endorsing legislation that would remove the requirement and allow tribes to set their own gross receipts tax, which would be substantially similar to the gross receipts tax imposed by the Gross Receipts and Compensating Tax Act. The committee agreed to pursue future discussion on this issue, but declined to take a motion to endorse legislation. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%2011722%20Item%209%20Tribal%20GRT%20bill-23441.1.pdf>.

**Bill: County Redistricting Task Force (12:19 p.m.)**

Senator McKenna presented an overview of the redistricting legislation that she proposes to introduce in the upcoming legislative session. This legislation will focus on convening a county and municipality task force to recommend redistricting policies and procedures for New Mexico. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%2011722%20Item%2010%20Redistricting%20Task%20Force%20Bill-223448.3.pdf>.

**Adjournment**

There being no further business before the committee, the meeting adjourned at 12:38 p.m.



## ENDORSED LEGISLATION





# New Mexico State Legislature

ᠨᠡᠮᠢᠴᠢᠰᠢ  
Santa Fe

November 28, 2022

The Honorable Patricia A. Lundstrom  
New Mexico State Representative  
Chair, Legislative Finance Committee  
325 Don Gaspar Avenue, Suite 101  
Santa Fe, NM 87501

Dear Representative Lundstrom:

This letter is to inform you that the Indian Affairs Committee has heard testimony from the Santa Fe Indian School related to the school's academic performance and capital outlay priorities for the upcoming 2023 legislative session. The Santa Fe Indian School is requesting \$1.25 million in severance tax or general obligation bond funding for the Santa Fe Indian School to renovate and improve the Paolo Soleri Amphitheater to include a performing arts center. In the 2022 legislative session, \$3 million in funding was appropriated to the Santa Fe Indian School, and those funds are in the process of being spent on the assessment, planning and design of the project. The school is complying with the Legislative Finance Committee's direction to emphasize extensive programming, with subject completion slated in 2023. The current request of \$1.25 million for the 2023 legislative session will be added to a Santa Fe Indian School contribution of \$5 million to begin phase I construction of the project. This first phase will include major demolition and site access preparation and, in addition to the construction of the main portion of the amphitheater, will include replacement of water, wastewater and electrical infrastructure. Through phased construction, the Santa Fe Indian School will renovate the Paolo Soleri Amphitheater into a student-based performing arts center on the Santa Fe Indian School campus.

Santa Fe Indian School representatives clarified for the Indian Affairs Committee that the school is recognized as a statewide educational institution and that students who attend the school come from nearly a dozen counties across the state and represent the 19 Indian pueblos, the Navajo Nation, the Jicarilla Apache Nation and the Mescalero Apache Tribe. The committee has also come to understand that, unlike other entities such as higher education institutions,

The Honorable Patricia A. Lundstrom  
November 28, 2022  
Page 2

public schools and other statewide public facilities, the Santa Fe Indian School does not have any other avenue for presenting capital outlay requests at a formal capital outlay public hearing. Hence, the school is presenting its capital outlay priority to the Indian Affairs Committee.

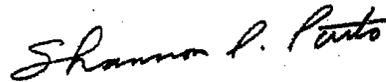
The Indian Affairs Committee was particularly impressed with the academic performance of Santa Fe Indian School students and the school's overall graduation rates. The school is educating a segment of New Mexico's student population that would otherwise be required to attend public schools, where additional operating dollars would need to be allocated by the state to support those students.

The Indian Affairs Committee respectfully requests that the Legislative Finance Committee consider the Santa Fe Indian School's severance tax or general obligation bond funding capital outlay request for recommendation to the legislature and to the governor for funding as a statewide project.

Sincerely,



D. WONDA JOHNSON  
State Representative, District 5  
Co-Chair, Indian Affairs Committee



SHANNON D. PINTO  
State Senator, District 3  
Co-Chair, Indian Affairs Committee

DWJ/SDP:sv

cc: Governor Michelle Lujan Grisham  
David Abbey, Director, Legislative Finance Committee  
Senator George K. Munoz, Vice Chair, Legislative Finance Committee

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL

**56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO INDIAN AFFAIRS; MOVING THE INTERTRIBAL CEREMONIAL OFFICE TO THE LOCAL GOVERNMENT DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; RENAMING THE INTERTRIBAL CEREMONIAL OFFICE AS THE INTERTRIBAL INDIAN CEREMONIAL ASSOCIATION; AMENDING AND RECOMPILING SECTIONS OF THE NMSA 1978; MAKING AN APPROPRIATION.

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

SECTION 1. Section 9-15C-1 NMSA 1978 (being Laws 2005, Chapter 219, Section 1, as amended) is recompiled as Section 12-16-1 NMSA 1978 and is amended to read:

"12-16-1. SHORT TITLE.--~~[Chapter 9, Article 15C]~~ Chapter 12, Article 16 NMSA 1978 may be cited as the "Intertribal Ceremonial Act"."

SECTION 2. Section 9-15C-2 NMSA 1978 (being Laws 2005,

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 Chapter 219, Section 2, as amended) is recompiled as Section  
2 12-16-2 NMSA 1978 and is amended to read:

3 "12-16-2. DEFINITIONS.--As used in the Intertribal  
4 Ceremonial Act:

5 ~~[A. "department" means the tourism department;]~~

6 A. "association" means the intertribal Indian  
7 ceremonial association;

8 B. "county" means the governing body of McKinley  
9 county;

10 ~~[B.]~~ C. "director" means the director of the  
11 [intertribal ceremonial office] association; and

12 ~~[G.]~~ D. "fund" means the intertribal ceremonial  
13 fund

14 ~~[D. "office" means the intertribal ceremonial~~  
15 ~~office; and~~

16 ~~E. "secretary" means the secretary of tourism]."~~

17 SECTION 3. Section 9-15C-3 NMSA 1978 (being Laws 2005,  
18 Chapter 219, Section 3, as amended) is recompiled as Section  
19 12-16-3 NMSA 1978 and is amended to read:

20 "12-16-3. INTERTRIBAL INDIAN CEREMONIAL [~~OFFICE~~]  
21 ASSOCIATION CREATED--POWERS AND DUTIES--INTERTRIBAL CEREMONIAL  
22 BOARD CREATED.--

23 A. The "intertribal Indian ceremonial [~~office~~]  
24 association" is created. The [~~office~~] association is  
25 administratively attached to the [~~department~~] local government

.223050.2

underscored material = new  
[bracketed material] = delete

1 division of the department of finance and administration.

2 B. The ~~[governor]~~ county shall appoint a director,  
3 who shall serve at the pleasure of the ~~[governor]~~ county. The  
4 director shall hire and terminate other necessary employees,  
5 who shall be subject to the provisions of the Personnel Act.

6 C. The director shall:

7 (1) work with ~~[the department]~~ private, local,  
8 state and federal entities to establish steady funding for the  
9 intertribal ceremonial;

10 (2) supervise the activities of the ~~[office]~~  
11 association;

12 (3) work with the ~~[department]~~ county to  
13 promote the intertribal ceremonial; and

14 (4) prepare an annual budget and an annual  
15 report on the activities of the ~~[office]~~ association.

16 D. The ~~[office]~~ association shall:

17 (1) administer an annual intertribal  
18 ceremonial;

19 (2) cooperate with and assist public and  
20 private entities that seek to promote recognition of ceremonies  
21 significant to Indian nations, tribes and pueblos;

22 (3) function as the coordinating ~~[office]~~  
23 association for all services and activities pertaining to the  
24 intertribal ceremonial;

25 (4) adopt rules in accordance with the State

underscored material = new  
[bracketed material] = delete

1 Rules Act to carry out the duties of the [~~office~~] association;

2 (5) accept gifts, grants, donations, bequests  
3 and devises from any source to be used to carry out its duties;

4 (6) enter into contracts; and

5 (7) charge admission, parking and concessions  
6 fees, give prizes and premiums, create sponsorships and other  
7 forms of advertising, arrange entertainments and do all things  
8 the [~~office~~] association may consider proper for the conduct of  
9 the intertribal ceremonial and not otherwise prohibited by law.

10 E. The "intertribal ceremonial board" is created.  
11 The board shall consist of [~~eight~~] nine members, including the  
12 director, who shall serve ex officio, [~~the secretary or the~~  
13 ~~secretary's designated representative and six~~] and eight  
14 members, appointed by the [~~governor~~] county, who shall serve  
15 terms of five years each [~~provided that the governor's first~~  
16 ~~appointments shall be made of two board members for one-year~~  
17 ~~terms, two for two-year terms, one for a three-year term and~~  
18 ~~one for a four-year term~~]. All intertribal ceremonial board  
19 members shall be bona fide residents of the [~~state~~] county or  
20 surrounding counties, and at least a majority of the members  
21 shall be Native American. A board member shall not be removed  
22 during the term of office except for cause, following notice  
23 and an opportunity for a hearing."

24 SECTION 4. Section 9-15C-4 NMSA 1978 (being Laws 2005,  
25 Chapter 219, Section 4, as amended) is recompiled as Section  
.223050.2

underscored material = new  
[bracketed material] = delete

1 12-16-4 NMSA 1978 and is amended to read:

2 "12-16-4. INTERTRIBAL CEREMONIAL FUND CREATED--  
3 ADMINISTRATION.--The "intertribal ceremonial fund" is created  
4 in the state treasury. Money appropriated to the fund or  
5 accruing to it through sales, gifts, grants, fees, penalties,  
6 bequests or any other source shall be delivered to the state  
7 treasurer and deposited in the fund. Money in the fund is  
8 appropriated to the [~~office~~] local government division of the  
9 department of finance and administration for the purpose of  
10 carrying out the intertribal ceremonial. Money in the fund at  
11 the end of any fiscal year shall not revert. Interest and  
12 earnings from the fund shall be credited to the fund.  
13 Disbursements from the fund shall be made on warrant drawn by  
14 the secretary of finance and administration pursuant to  
15 vouchers signed by the director or the director's authorized  
16 representative."

17 **SECTION 5. TEMPORARY PROVISION--INTERTRIBAL CEREMONIAL**  
18 **BOARD MEMBERSHIP--CURRENT BOARD MEMBERS--APPOINTMENTS.--**Current  
19 intertribal ceremonial board members appointed by the governor  
20 shall serve out the remainder of their terms. Once a board  
21 member's term has ended, the governing body of McKinley county  
22 shall have the opportunity to appoint another board member to  
23 the intertribal ceremonial board.

24 **SECTION 6. TEMPORARY PROVISION--TRANSFER OF FUNCTIONS,**  
25 **PERSONNEL, MONEY, APPROPRIATIONS, PROPERTY, CONTRACTUAL**

.223050.2

underscored material = new  
~~[bracketed material] = delete~~

1 OBLIGATIONS AND STATUTORY REFERENCES.--

2 A. On the effective date of this act, all  
3 functions, personnel, money, appropriations, records,  
4 furniture, equipment, supplies and other property of the  
5 intertribal ceremonial office of the tourism department are  
6 transferred to the local government division of the department  
7 of finance and administration.

8 B. On the effective date of this act, all  
9 contractual obligations of the intertribal ceremonial office of  
10 the tourism department are binding on local government division  
11 of the department of finance and administration.

12 C. On the effective date of this act, all  
13 references in law to the intertribal ceremonial office of the  
14 tourism department shall be deemed to be references to the  
15 intertribal Indian ceremonial association of the local  
16 government division of the department of finance and  
17 administration.

18 SECTION 7. TEMPORARY PROVISION--RECOMPILATION  
19 INSTRUCTIONS.--Section 9-15C-5 NMSA 1978 (being Laws 2005,  
20 Chapter 219, Section 5) is recompiled as Section 12-16-5 NMSA  
21 1978.

22 SECTION 8. APPROPRIATION.--Three hundred thousand dollars  
23 (\$300,000) is appropriated from the general fund to the local  
24 government division of the department of finance and  
25 administration for expenditure in fiscal year 2024 to employ a  
.223050.2

underscored material = new  
~~[bracketed material] = delete~~

1 full-time director to manage and oversee the intertribal Indian  
2 ceremonial association and for operational expenses of the  
3 association. Any unexpended or unencumbered balance remaining  
4 at the end of fiscal year 2024 shall revert to the general  
5 fund.

6 SECTION 9. EFFECTIVE DATE.--The effective date of the  
7 provisions of this act is July 1, 2023.

8 - 7 -

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25







LEGISLATIVE COUNCIL SERVICE  
SANTA FE, NEW MEXICO