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HOUSE BILL 88

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Derrick J. Lente

AN ACT

MAKING APPROPRIATIONS FOR INDIAN NATIONS, TRIBES AND PUEBLOS TO
RESPOND TO THE CONSOLIDATED *YAZZIE/MARTINEZ V. STATE OF NEW*
MEXICO LAWSUIT.

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

SECTION 1. APPROPRIATIONS.--

A. The following amounts are appropriated from the
general fund to the Indian education fund for expenditure in
fiscal year 2023 and subsequent fiscal years for the following
purposes:

- (1) five million seven hundred fifty thousand
dollars (\$5,750,000) for tribal education departments to build
capacity to fully develop and implement education blueprints
and governance structures to serve New Mexico's Native American
students, to engage in collaborations with schools and school

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1 districts and to plan community-based education programs and
2 social support services for Native American students, expended
3 as follows:

4 (a) two hundred fifty thousand dollars
5 (\$250,000) for each pueblo and the Jicarilla Apache Nation and
6 the Mescalero Apache Tribe; and

7 (b) five hundred thousand dollars
8 (\$500,000) for the Navajo Nation in New Mexico;

9 (2) five million seven hundred fifty thousand
10 dollars (\$5,750,000) for tribal libraries' educational
11 operations, expended as follows:

12 (a) two hundred fifty thousand dollars
13 (\$250,000) for each pueblo and the Jicarilla Apache Nation and
14 the Mescalero Apache Tribe; and

15 (b) five hundred thousand dollars
16 (\$500,000) for the Navajo Nation in New Mexico; and

17 (3) ten million dollars (\$10,000,000) for
18 tribal education departments for extended learning and native
19 language programs, expended as follows:

20 (a) ninety percent of the total amount
21 of distributions made pursuant to this paragraph shall be
22 provided in equal amounts to each Indian nation, tribe and
23 pueblo; and

24 (b) ten percent of the total amount of
25 distributions made pursuant to this paragraph shall be provided

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1 to each Indian nation, tribe and pueblo in an amount
2 proportional to the total number of students served by the
3 tribal education department within that Indian nation, tribe or
4 pueblo.

5 B. The public education department shall enter into
6 a joint powers agreement in accordance with Section 11-1-3 NMSA
7 1978 with an Indian nation, tribe or pueblo to disburse funding
8 pursuant to Subsection A of this section.

9 C. Any unexpended or unencumbered balance remaining
10 at the end of a fiscal year shall not revert to the general
11 fund.