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HOUSE BILL 715

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

INTRODUCED BY

R. DAVID PEDERSON

AN ACT

RELATING TO JUVENILE SERVICES; AUTHORIZING DETENTION OF A  
JUVENILE IN A MULTIPURPOSE REGIONAL FACILITY PURSUANT TO A COURT  
ORDER ISSUED BY AN INDIAN TRIBE OR PUEBLO; ENACTING A NEW  
SECTION OF THE REGIONAL JUVENILE SERVICES ACT.

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

Section 1. A new section of the Regional Juvenile Services  
Act is enacted to read:

"[NEW MATERIAL] DETENTION OF A JUVENILE IN A MULTIPURPOSE  
REGIONAL FACILITY PURSUANT TO A COURT ORDER ISSUED BY AN INDIAN  
TRIBE OR PUEBLO. --

A. The administrator of a multipurpose regional  
facility may receive a juvenile placed in detention in the  
facility pursuant to a court order issued by an Indian tribe or  
pueblo, in accordance with a joint powers agreement entered into

1 by the administrator of the multipurpose regional facility and  
2 the Indian tribe or pueblo. The administrator shall keep the  
3 juvenile detained in the multipurpose regional facility until  
4 the juvenile is released pursuant to a court order issued by the  
5 Indian tribal court or the pueblo court.

6 B. If a lawsuit is filed challenging the detention  
7 of a juvenile in a multipurpose regional facility pursuant to a  
8 court order issued by an Indian tribal court or a pueblo court,  
9 the administrator of the facility, the state of New Mexico and  
10 any municipality or county using the facility shall not be made  
11 a party to the lawsuit. The Indian tribe or pueblo that placed  
12 the juvenile in detention shall defend the lawsuit, and  
13 adjudication of the lawsuit shall take place in the Indian  
14 tribal court or the pueblo court.

15 C. The provisions of this section shall not be  
16 interpreted as:

17 (1) a waiver of sovereign immunity by any  
18 governmental entity;

19 (2) consent by an Indian tribe or pueblo to the  
20 jurisdiction of a state court; or

21 (3) consent by the state of New Mexico or any  
22 political subdivision thereof to the jurisdiction of an Indian  
23 tribal court or a pueblo court. "

24 Section 2. EFFECTIVE DATE. -- The effective date of the  
25 provisions of this act is July 1, 1996.

# **State of New Mexico House of Representatives**

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

February 9, 1996

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 715

has had it under consideration and reports same with  
recommendation that it DO PASS, and thence referred to the  
APPROPRIATIONS AND FINANCE COMMITTEE.

Respectfully submitted,

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Cisco McSorley, Chairman

FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Gubbels, King, Luna, Sanchez, R. G.

Absent: None

H0715JC1

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# State of New Mexico House of Representatives

FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996

February 10, 1996

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
whom has been referred

HOUSE BILL 715

has had it under consideration and reports same with  
recommendation that it DO PASS.

Respectfully submitted,

---

Max Coll, Chairman

FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996

HB 715

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 13 For 1 Against

Yes: 13

No: 1

Excused: Bird, Casey, Picraux, Wallace

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FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996

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SECOND SESSION, 1996

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February 14, 1996

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10 Mr. President:

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Your JUDICIARY COMMITTEE, to whom has been referred

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HOUSE BILL 715

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has had it under consideration and reports same with

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recommendation that it DO PASS, and thence referred to the

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FINANCE COMMITTEE.

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Respectfully submitted,

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Janice D. Paster, Chairman

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996

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(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For    Against

Yes: 5

No: 0

Excused: None

Absent: Carraro, Stefani cs, Tsosi e, Vernon

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SECOND SESSION, 1996

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FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996

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February 14, 1996

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10 Mr. President:

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Your FINANCE COMMITTEE, to whom has been referred

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HOUSE BILL 715

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has had it under consideration and reports same with

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recommendation that it DO PASS.

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Respectfully submitted,

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Ben D. Altamirano, Chairman

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Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

FORTY- SECOND LEGISLATURE  
SECOND SESSION, 1996

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Date \_\_\_\_\_

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The roll call vote was 8 For 0 Against

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Yes: 8

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No: 0

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Excused: Donisthorpe, Duran, Ingle, Kidd, Kysar

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Absent: None

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**H0715FC1**

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