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HOUSE JOINT MEMORIAL 10

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

INTRODUCED BY
JAMES ROGER MADALENA

FOR THE HEALTH CARE TASK FORCE

A JOINT MEMORIAL

REQUESTING THAT THE LEGISLATIVE AND EXECUTIVE BRANCHES OF THE
STATE OF NEW MEXICO RECOGNIZE INDIAN TRIBES, PUEBLOS AND NATIONS
AS EQUIVALENT TO STATES TO OBTAIN DIRECT PASS-THROUGH OF FEDERAL
BLOCK GRANT FUNDING FOR THE MEDICAID PROGRAM

WHEREAS, the federal government is expected to make major
structural changes to the medicaid program; and

WHEREAS, the federal government may give block grants to
states in a specified amount to design their own approaches to
the medicaid program; and

WHEREAS, historically federal block grants have been given
directly to state executive agencies with jurisdiction for
administration of the grants; and

WHEREAS, the federal government has a unique legal
relationship with American Indian tribal governments as set

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forth in the constitution of the United States, treaties,
statutes and court decisions; and

WHEREAS, as federal and New Mexico state executive agencies
and the New Mexico state legislature undertake activities that
may affect American Indian tribal rights or resources, these
activities should be implemented in a knowledgeable and
sensitive manner respectful of tribal sovereignty; and

WHEREAS, federal block grant initiatives have generally
focused on states receiving and controlling funds and services,
neglecting to consider the role of tribal governments in
providing services to tribal members and others who benefit from
the programs; and

WHEREAS, if the federal block grant initiatives do not
address the unique tribal-federal relationship, they may
significantly alter the expressed federal policy of respecting
the government-to-government relationship with Indian tribes,
pueblos and nations and therefore undermine long-standing,
treaty-based, federal policy; and

WHEREAS, if the federal government offers the federal block
grant for the medicaid program only to the state, then the
Indian tribes, pueblos and nations may not be considered as a
priority within the state; thus they might receive less funds
and be unable to meet the needs of tribal citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
STATE OF NEW MEXICO that if Indian tribes, pueblos and nations

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in New Mexico so request they should be treated as the equivalent of states to obtain federal block grant funding so they may maintain sovereignty and define eligibility criteria or requirements for the medicaid program; and

BE IT FURTHER RESOLVED that the New Mexico state legislature support a direct pass-through of federal block grant funding to Indian tribes, pueblos and nations if that is what they request; and

BE IT FURTHER RESOLVED that any federal block grant initiatives from the federal government to New Mexico regarding the medicaid program consider the role of tribal governments in providing services to tribal members and address the unique tribal-federal relationship expressed in federal trust responsibilities, sovereignty and the government-to-government relationships between Indian tribes, pueblos and nations and the federal government; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico congressional delegation; to the governor for distribution to the appropriate state agencies and institutions; to each of the Indian tribes, pueblos and nations in New Mexico; and to the legislative council service for distribution to the appropriate interim committees.

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State of New Mexico House of Representatives

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

January 25, 1996

Mr. Speaker:

Your RULES AND ORDER OF BUSINESS COMMITTEE, to whom has been referred

HOUSE JOINT MEMORIAL 10

has had it under consideration and finds same to be GERMANE in accordance with constitutional provisions.

Respectfully submitted,

Barbara A. Perea Casey,

Chairperson

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

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Date _____

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4 The roll call vote was 9 For 1 Against

5 Yes: 9

6 No: Nicely

7 Excused: Luna, Pederson, Rodella, R. G. Sanchez, J. G. Taylor

8 Absent: None

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State of New Mexico House of Representatives

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

February 6, 1996

Mr. Speaker:

Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to
whom has been referred

HOUSE JOINT MEMORIAL 10

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,

Lynda M. Lovejoy, Chairwoman

**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

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Adopted _____ Not Adopted _____

(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 1 Against

Yes: 6

No: Macko

Excused: Gentry, Perls, Roberts, Sanchez, R. R.

Absent: None

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State of New Mexico House of Representatives

**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

February 8, 1996

Mr. Speaker:

**Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred**

HOUSE JOINT MEMORIAL 10

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

Respectfully submitted,

Max Coll, Chairman

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

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Adopted _____ Not Adopted _____

(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 11 For 0 Against

Yes: 11

Excused: Abeyta, Buffett, Gentry, Picraux, Taylor, Varela,

Watchman

Absent: none

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

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February 13, 1996

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10 Mr. President:

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Your INDIAN & CULTURAL AFFAIRS COMMITTEE, to whom
has been referred

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HOUSE JOINT MEMORIAL 10

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

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Respectfully submitted,

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John Pinto, Chairman

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FORTY- SECOND LEGISLATURE
SECOND SESSION, 1996

1 HJM10

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3 Adopted _____ Not Adopted _____
4 (Chief Clerk) (Chief Clerk)

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6 Date _____

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9 The roll call vote was 4 For 1 Against

10 Yes: 4

11 No: Pinto

12 Excused: Ingle, McKibben, Paster

13 Absent: None

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

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