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HOUSE BILL 473

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY

Nick L. Salazar

AN ACT

RELATING TO EDUCATION; CREATING THE NATIVE AMERICAN EDUCATION
FUND; AUTHORIZING TRANSFERS FROM THE GENERAL FUND TO THE
NATIVE AMERICAN EDUCATION FUND; MAKING AN APPROPRIATION.

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

Section 1. NATIVE AMERICAN EDUCATION FUND--SET ASIDE
REQUIRED--PURPOSES.--

A. The "Native American education fund" is created
in the state treasury.

B. An amount of money equal to fifty percent of
the total amount submitted to the state in the four quarters
preceding September 30 by Indian nations, tribes or pueblos,
pursuant to gaming revenue-sharing agreements or revenue
sharing from Indian gaming compacts, shall be transferred on
January 1 of each year from the general fund to the Native
American education fund.

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C. Money in the Native American education fund shall be expended for the purposes of:

(1) developing necessary infrastructure and facilities for schools, including post-secondary educational institutions, that:

(a) have been established in the state by the federal government or an Indian nation, tribe or pueblo to provide education to tribal members; or

(b) are public schools in which the total Native American student membership is ten percent or greater;

(2) providing scholarships to students attending post-secondary educational institutions in New Mexico that were established by the federal government or an Indian nation, tribe or pueblo located in whole or in part in the state;

(3) augmenting the state funding of schools to provide programs that improve the educational success or further the cultural competency of Native American students;

(4) improving school bus routes on tribal lands within the school district; or

(5) providing management and technical training for tribal enterprise employee development.

D. As used in this section:

(1) "cultural competency" means knowledge and understanding of one's own culture, including language, tradition and history proficiency; and

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1 (2) "membership" means the total enrollment
2 of qualified students on the current roll of a class or
3 school as determined pursuant to the Public School Finance
4 Act.

5 E. Annually, during each legislative session, the
6 legislature shall specify projects to be funded from the
7 money in the Native American education fund and appropriate
8 the money to fund those projects.

9 F. Any unexpended or unencumbered balance
10 remaining at the end of any fiscal year in the Native
11 American education fund shall not revert to the general fund.
12 All interest or other earnings made from investing the money
13 in the Native American education fund shall accrue to the
14 fund and be available for appropriation by the legislature
15 for the purposes identified in this section.