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SENATE BILL 299

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Benny Shendo, Jr.

FOR THE INDIAN AFFAIRS COMMITTEE

AN ACT

RELATING TO HEALTH; PROVIDING FOR INTERGOVERNMENTAL AGREEMENTS
BETWEEN THE DEPARTMENT OF HEALTH AND NEW MEXICO INDIAN NATIONS,
TRIBES AND PUEBLOS THAT PARTICIPATE IN THE STATE'S MEDICAL
CANNABIS PROGRAM; DECLARING AN EMERGENCY.

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

SECTION 1. Section 26-2B-1 NMSA 1978 (being Laws 2007,
Chapter 210, Section 1) is amended to read:

"26-2B-1. SHORT TITLE.--~~[Sections 1 through 7 of this
act]~~ Chapter 26, Article 2B NMSA 1978 may be cited as the "Lynn
and Erin Compassionate Use Act" in honor of Lynn Pierson and
Erin Armstrong."

SECTION 2. A new section of the Lynn and Erin
Compassionate Use Act is enacted to read:

"[NEW MATERIAL] INDIAN NATIONS, TRIBES AND PUEBLOS--

.211798.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 INTERGOVERNMENTAL AGREEMENTS.--The department may enter into an
2 intergovernmental agreement with any sovereign Indian nation,
3 tribe or pueblo located in New Mexico that elects to implement
4 the provisions of the medical cannabis program established
5 pursuant to the Lynn and Erin Compassionate Use Act. The
6 intergovernmental agreement shall provide for:

7 A. any assistance from the department that an
8 Indian nation, tribe or pueblo may request in implementing its
9 own medical cannabis program within the boundaries of that
10 Indian nation, tribe or pueblo and that the department agrees
11 to provide; and

12 B. guidelines for compliance with department rules
13 or compliance with separate express provisions of the
14 intergovernmental agreement to govern the rights and the
15 responsibilities of the department and an Indian nation, tribe
16 or pueblo when that Indian nation, tribe or pueblo transports
17 or sells medical cannabis outside of the boundaries of that
18 Indian nation, tribe or pueblo."

19 **SECTION 3. EMERGENCY.**--It is necessary for the public
20 peace, health and safety that this act take effect immediately.