

FIFTY-SIXTH LEGISLATURE  
SECOND SESSION

February 8, 2024

HOUSE FLOOR AMENDMENT number   1   to HOUSE BILL 134, as amended

Amendment sponsored by Representative Derrick J. Lente

1. Strike House Education Committee Amendments 2 through 12.
2. Strike House Appropriations and Finance Committee Amendments 1 and 3.
3. On page 1, lines 12 and 13, strike "CREATING THE TRIBAL EDUCATION TRUST FUND DISBURSEMENT FORMULA TASK FORCE" and insert in lieu thereof "PROVIDING DUTIES FOR THE PUBLIC EDUCATION DEPARTMENT".

4. On page 2, line 19, after "fund", insert:

"as follows:

(1) for fiscal years 2026 through 2030, in an amount equal to five percent of the year-end market value of the fund for the immediately preceding calendar year; and

(2) for fiscal year 2031 and each subsequent fiscal year,".

5. On page 2, line 23, strike "; provided that", strike lines 24 and 25 and on page 3, strike line 1 and insert in lieu thereof a period and:

"E. The public education department shall distribute the annual funding from the tribal education trust fund distributions as provided in Subsection D of this section to New Mexico tribes according to an equitable formula that considers Native American student populations and tribal education capacity needs and is developed in a unanimous consensus process of consultation, collaboration and communication with New Mexico tribes by June 1,

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2025, with the option of appointing peacemakers in the event of a dispute regarding the formula.".

6. Reletter the succeeding subsections accordingly.

7. On page 3, line 19, before "The", insert:

"The beneficiaries of the tribal education trust fund shall be the New Mexico tribes and their respective students in New Mexico educational institutions.".

8. On page 3, line 21, strike "G" and insert in lieu thereof "H".

9. On page 3, line 24, before "money", insert "to New Mexico tribes".

10. On page 3, line 25, strike "Subsection D" and insert in lieu thereof "Subsections D and E", strike "to each New" and on page 4, strike line 1 and strike line 2 up to the period.

11. On page 4, line 5, strike "pursuant to this subsection" and strike the second occurrence of "disbursed".

12. On page 4, strike lines 9 through 15.

13. On page 4, line 16, strike "Prior to April 15 of each year, each" and insert in lieu thereof "Each".

14. On page 4, line 17, strike "submit" and insert in lieu thereof "report", strike "a summary", strike lines 18 through 20 and strike line 21 through "meeting" and insert in lieu thereof "the tribe's annual plan for using the funds in accordance with".

15. On page 4, line 22, after "Act", insert "and shall include with that plan the tribe's annual spending report and the tribe's assessment of impact and outcomes using tribally determined

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criteria".

16. On page 4, strike lines 23 through 25 and on page 5, strike lines 1 and 2.

17. On page 5, line 7, strike "G" and insert in lieu thereof "H".

18. On page 5, line 9, strike "G" and insert in lieu thereof "H".

19. On page 5, line 14, after "money", insert "from the tribal education trust fund".

20. On page 5, line 15, strike "G" and insert in lieu thereof "H".

21. On page 5, strike lines 20 through 25 and on page 6, strike lines 1 through 5.

22. On page 6, line 7, strike "an" and insert in lieu thereof "a federally recognized".

23. On page 6, line 8, strike "in which" and insert in lieu thereof "and on whose lands in New Mexico", and on line 9, strike "in New Mexico".

24. Reletter subsections to correspond to these amendments.

25. On pages 6 through 8, strike Section 2.

26. Renumber the succeeding section accordingly.

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\_\_\_\_\_  
Derrick J. Lente

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_