

SENATE INDIAN AND CULTURAL AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 524

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
ADDING A REPRESENTATIVE OF THE FORT SILL APACHE TRIBE TO THE
NATIVE AMERICAN SUICIDE PREVENTION ADVISORY COUNCIL; ADDING A
REPRESENTATIVE OF THE FORT SILL APACHE TRIBE TO THE INDIAN
EDUCATION ADVISORY COUNCIL.

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

SECTION 1. Section 9-7-11.5 NMSA 1978 (being Laws 2013,
Chapter 7, Section 1) is amended to read:

"9-7-11.5. NATIVE AMERICAN SUICIDE PREVENTION ADVISORY
COUNCIL--CREATED--TERMS--QUORUM--MEETINGS.--

A. There is created a "Native American suicide
prevention advisory council". The council shall consist of
[~~eleven~~] twelve voting members and shall assist in developing
policies, rules and priorities for the New Mexico clearinghouse

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1 for Native American suicide prevention.

2 B. The members of the Native American suicide
3 prevention advisory council shall be appointed as follows:

4 (1) one member representing the eight northern
5 Indian pueblos appointed by the chair of the eight northern
6 Indian pueblos council, incorporated;

7 (2) one member representing both the Pueblo of
8 Laguna and the Pueblo of Zuni appointed by the chair of the all
9 Indian pueblo council;

10 (3) one member representing the all Indian
11 pueblo council appointed by the chair of the all Indian pueblo
12 council;

13 (4) one member representing the southern
14 pueblos appointed by the chair of the ten southern Indian
15 pueblos council;

16 (5) one member representing the eastern Navajo
17 Nation appointed by the president of the Navajo Nation;

18 (6) one member representing the western Navajo
19 Nation appointed by the president of the Navajo Nation;

20 (7) one member representing the Mescalero
21 Apache Tribe appointed by the president of the Mescalero Apache
22 Tribe;

23 (8) one member representing the Jicarilla
24 Apache Nation appointed by the president of the Jicarilla
25 Apache Nation;

1 (9) one member representing the Fort Sill
2 Apache Tribe appointed by the chair of the Fort Sill Apache
3 Tribe;

4 [~~(9)~~] (10) one member representing the urban
5 Native American population appointed by the president of the
6 national Indian youth council, incorporated; and

7 [~~(10)~~] (11) two members appointed by the
8 chancellor for health sciences of the university of New Mexico,
9 one member being a member of a federally recognized Indian
10 nation, tribe or pueblo.

11 C. The council shall elect from among its members a
12 chair, vice chair, secretary and treasurer.

13 D. The members of the Native American suicide
14 prevention advisory council shall be appointed for overlapping
15 terms of six years each. No more than [~~six~~] seven of the
16 members shall belong to the same political party. The members
17 first appointed to the council shall determine by lot from
18 among their group four members to serve two-year terms, four
19 members to serve four-year terms and three members to serve
20 six-year terms. If a position on the council becomes vacant
21 for any reason, the successor shall be selected by the original
22 appointing authority in the same manner as the original
23 appointment was made and shall serve for the remainder of the
24 term vacated.

25 E. A majority of council members shall constitute a

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1 quorum to take action as the council. No act of the council is
2 valid unless concurred to by a majority of its members present
3 at a meeting at which a quorum exists.

4 F. The Native American suicide prevention advisory
5 council shall meet at the call of the chair or at a time
6 requested in a written request to the chair by four members,
7 but not less than twice each calendar year."

8 SECTION 2. Section 22-23A-6 NMSA 1978 (being Laws 2003,
9 Chapter 151, Section 6, as amended by Laws 2007, Chapter 295,
10 Section 5 and by Laws 2007, Chapter 296, Section 5) is amended
11 to read:

12 "22-23A-6. ADVISORY COUNCIL.--

13 A. The "Indian education advisory council" is
14 created and shall advise the secretary and assistant secretary
15 on implementation of the provisions of the Indian Education
16 Act. The council consists of [~~sixteen~~] seventeen members as
17 follows:

18 (1) four representatives from the Navajo
19 Nation;

20 (2) [~~two~~] three representatives, one from the
21 Fort Sill Apache Tribe, one from the Mescalero Apache Tribe and
22 one from the Jicarilla Apache Nation;

23 (3) four representatives, two from the
24 southern pueblos and two from the northern pueblos;

25 (4) three urban Indians representing urban

1 areas, including Albuquerque, Gallup and Farmington; and

2 (5) three at-large representatives, one from
3 the federal bureau of Indian affairs, one from a head start
4 organization and one from the general public, at least one of
5 whom shall be nontribal, but all of whom shall have knowledge
6 of and involvement in the education of tribal students.

7 B. Members shall be appointed by the secretary with
8 input from New Mexico tribes and organizations involved in the
9 education of tribal students for staggered terms. [~~so that the~~
10 ~~terms of the at-large members and of one-half of each of the~~
11 ~~tribal representatives end on December 31, 2009 and the terms~~
12 ~~of the remaining members end on December 31, 2011. Thereafter]~~
13 Appointments shall be for terms of four years. [~~The terms of~~
14 ~~existing members shall expire on the effective date of this~~
15 ~~2007 act.~~]

16 C. A majority of the members of the Indian
17 education advisory council constitutes a quorum. The advisory
18 council shall elect a chair from its membership.

19 D. On a semiannual basis, representatives from all
20 New Mexico tribes, members of the commission, the office of the
21 governor, the Indian affairs department, the legislature, the
22 secretary, the assistant secretary and the Indian education
23 advisory council shall meet to assist in evaluating,
24 consolidating and coordinating all activities relating to the
25 education of tribal students.

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1 E. Members of the Indian education advisory council
2 may receive per diem and mileage as provided for nonsalaried
3 public officers in the Per Diem and Mileage Act."

4 **SECTION 3. TEMPORARY PROVISION.**--The members first
5 appointed to the Native American suicide prevention advisory
6 council and to the Indian education advisory council to
7 represent the Fort Sill Apache Tribe shall be appointed no
8 later than January 1, 2018 and shall serve a four-year term.

9 **SECTION 4. EFFECTIVE DATE.**--The effective date of the
10 provisions of this act is July 1, 2017.

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