

**MINUTES
of the
SECOND MEETING
of the
INDIAN AFFAIRS COMMITTEE**

**July 6, 2021
Diné College
Senator John Pinto Library
Highway 64 West and N570
Shiprock**

**July 7, 2021
Navajo Preparatory School
1220 W. Apache Street
Farmington**

**July 8, 2021
San Juan College
4601 College Boulevard
Farmington**

The second meeting of the Indian Affairs Committee was called to order by Senator Shannon D. Pinto, co-chair, on July 6, 2021 at 11:22 a.m. in the Senator John Pinto Library at Diné College in Shiprock.

Present

Rep. Georgene Louis, Co-Chair (7/6)
Sen. Shannon D. Pinto, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Anthony Allison
Rep. Brittney Barreras (7/6, 7/7)
Rep. Kelly K. Fajardo (7/6, 7/7)
Sen. Brenda G. McKenna
Sen. Nancy Rodriguez (7/8)
Sen. William E. Sharer
Sen. Benny Shendo, Jr. (7/6, 7/7)

Advisory Members

Sen. Michael Padilla
Sen. William P. Soules

Absent

Rep. Zachary J. Cook
Sen. Leo Jaramillo
Rep. D. Wonda Johnson
Rep. Derrick J. Lente
Sen. Cliff R. Pirtle
Sen. Joshua A. Sanchez
Rep. Martin R. Zamora

Rep. Gail Chasey
Rep. Doreen Y. Gallegos
Rep. Harry Garcia
Sen. Stuart Ingle
Sen. Linda M. Lopez
Rep. Patricia A. Lundstrom
Rep. Patricia Roybal Caballero
Rep. Elizabeth "Liz" Thomson

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Lenaya Montoya, Staff Attorney, Legislative Council Service (LCS)

Sara Wiedmaier, Research Assistant, LCS

Anthony Montoya, Staff Attorney, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

Tuesday, July 6 — Diné College

Welcome and Introductions

Senator Pinto invited members of the committee and the audience to introduce themselves. Phillipa Rosman, branch librarian, Senator John Pinto Library, and Annie M. Lewis, library manager, Senator John Pinto Library, led the committee in a welcoming prayer.

Update from Diné College

Charles M. Roessel, president, Diné College, provided the committee with an update on the college and discussed some of the challenges facing the campus and the Navajo Nation throughout the COVID-19 pandemic. He noted rural connectivity issues; the "COVID slide" that further hurt Native American student performance; and funding for student support in the form of scholarships, laptops, internet hotspots, accelerated tutoring and distanced working spaces.

Dr. Roessel discussed plans to close the north campus and expand the Shiprock campus. He mentioned that major goals of Diné College are to ensure that students complete their programs and to encourage more students to stay and work in the community after graduating.

Responses to questions and comments from committee members included the following:

- enrollment has increased at Diné College;
- a partnership with San Juan College has allowed Diné College to become a full degree college rather than the community college that it was previously; and
- the most popular degree programs include psychology, public health and business administration.

Approval of Minutes and Work Plan

Representative Alcon moved to approve the minutes of the May 24, 2021 meeting. Representative Allison seconded the motion, and the minutes were approved unanimously. Senator Sharer moved to approve the work plan and meeting schedule for the 2021 interim.

Senator Shendo seconded the motion, and the work plan and meeting schedule were approved unanimously.

Teacher Housing on Tribal Lands

Alyce Ramos, research analyst, Public School Facilities Authority; Daniel P. Benavidez, superintendent, Central Consolidated School District; Mike Hyatt, superintendent, Gallup-McKinley County School District; and Jvanna Hanks, assistant superintendent of business services, Gallup-McKinley County School District, discussed the need for new and updated teacher housing on tribal lands. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20070621%20Item%202%20CCSD%20Teacher%20Housing%20Presentation.pdf>.

Mr. Benavidez talked about the importance of impact aid going directly to the school districts as a result of recent legislation. He noted the need for infrastructure improvements, housing closer to schools and more community conveniences, such as coffee shops, gyms and Wi-Fi, both to retain teachers and to attract teachers from out of state.

Ms. Ramos highlighted an impact aid housing development that is being built near the elementary school in Shiprock and noted health, safety and energy-efficiency improvements.

Mr. Hyatt discussed rural areas that are landlocked in large, low-population districts and rural funding cuts. Ms. Hanks said that impact aid changes will allow further expansion of rural development and programs. She mentioned a program to attract new teachers that offers free housing and the district's goal to increase teacherages. She emphasized the housing shortage in Gallup and the need for a long-term infrastructure overhaul.

Responses to questions and comments from committee members included the following:

- after funds are received, projects are often delayed by the approval process and construction costs;
- it can be difficult to find construction companies willing to contract in rural areas;
- the majority of homes in the area were built in the 1950s;
- the Public School Capital Outlay Oversight Task Force and the Public School Facilities Authority set adequacy standards for projects, but teacherages do not have adequacy standards;
- teachers often feel a lack of trust in the schools in which they teach because of limited accessibility to their classrooms and to school facilities and amenities;
- capital outlay funding could be more equitable across the state;
- very few chapter houses have pre-K through twelfth grade access within their communities;
- there are 42 chapter houses in the Central Consolidated School District, and site visits are being conducted to assess the state of teacherages; and
- the application process for revenue bonds should be simplified, and reimbursements can take up to 9,240 days, so projects carry large loans to maintain cash flow.

Public Comment

Comments from members of the public included the following topics:

- issues with communication for teachers and students this past year;
- the importance of retaining current teachers over recruiting new teachers;
- issues with dormitories and administration; and
- the progress of equity council meetings dealing with the *Yazzie/Martinez v. State of New Mexico* ruling.

Recess

The committee recessed at 2:42 p.m

Wednesday, July 7 — Navajo Preparatory School (NPS)

Reconvene

Senator Pinto reconvened the meeting at 10:16 a.m.

Update from NPS

Shawna Becenti, head of school, NPS; Matthew Tso, vice president, board of trustees, NPS; and Sherrick Roanhorse, president, board of trustees, NPS, provided the committee with an update on NPS and discussed the school's 2020-2021 annual report. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20070621%20Item%203%20Navajo%20Prep%20Presentation.pdf>.

Native American Teacher Retention and Professional Development

LaShawna Tso, assistant secretary of Indian education, Public Education Department; Dr. Gwen Perea Warniment, deputy secretary for teaching, learning and assessment, Public Education Department; Mr. Benavidez; Ms. Hanks; and Alexis Esslinger, director, Early Childhood Education and Teacher Education, San Juan College, discussed retention strategies and professional development initiatives for Native American teachers. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=7/6/2021&ItemNumber=4>.

Update on the Energy Transition Act

Nadine Padilla, deputy secretary, Indian Affairs Department; Ricky Serna, acting secretary, Workforce Solutions Department; and Jason Sandel, executive vice president, Aztec Well Family of Companies, updated the committee on the progress of the Energy Transition Act and the virtual community meetings. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20070621%20Item%205%20ETA%20Presentation.pdf>.

Public Comment

Comments from members of the public included the following:

- a request to the Public Education Department that education fellows be applied to all districts;
- the housing shortage in Farmington;
- there is inequity in lottery tuition scholarships due to students not receiving funds until the second semester, making housing costs difficult;
- many areas are still waiting for fiber-optic connections to homes for broadband;
- the Higher Education Department funding to Diné College and Navajo Technical University mainly went to teacher retention and development;
- the Energy Transition Act is forcing people to leave the area;
- the state should look at carbon capture technology;
- to live off the land in a sustainable way, clean renewable energy that benefits the Navajo people is needed;
- the San Juan Generating Station has 22 surrounding chapter houses that want to ensure that projects within their communities are considered;
- Navajo Technical University has a renewable energy program and is making its own solar panels;
- the Energy Transition Act has community involvement; and
- coal is becoming cleaner with new technology and will never go away.

Recess

The committee recessed at 4:22 p.m.

Thursday, July 8 — San Juan College

Reconvene

Senator Pinto reconvened the meeting at 9:31 a.m.

Update from San Juan College

Edward DesPlas, executive vice president, San Juan College; Carrie Tsosie-Jim, senior research and equity analyst, Office of Institutional Research, San Juan College; and Byron Tsabetsaye, director, Native American Center, San Juan College, provided an update on programs and initiatives at San Juan College.

Agriculture on Tribal Lands

Jeff Witte, director/secretary, New Mexico Department of Agriculture; Dave Zeller, chief executive officer, Navajo Agricultural Products Industry; and Arvin Trujillo, chief executive officer, Four Corners Economic Development, discussed the benefits of expanding the agricultural industry on tribal lands. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=7/6/2021&ItemNumber=7>.

Public Comment

Comments from members of the public included the following:

- the State Small Business Credit Initiative currently has \$500 million on the table for tribes that can be used to finance programs with no match requirement and very flexible equity funds, but the deadline for the letter of intent is July 30, 2021; and
- the State Small Business Credit Initiative is specific to financial programs, loans or equity funds.

Adjournment

There being no further business before the committee, the meeting adjourned at 12:14 p.m.