

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

**November 17, 2022
State Capitol, Room 309
Santa Fe**

**November 18, 2022
State Capitol, Room 307
Santa Fe**

The sixth meeting of the Indian Affairs Committee was called to order by Representative D. Wonda Johnson, co-chair, on Thursday, November 17, 2022, at 10:17 a.m. in Room 309 of the State Capitol in Santa Fe.

Present

Rep. D. Wonda Johnson, Co-Chair
Sen. Shannon D. Pinto, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Anthony Allison
Rep. Kelly K. Fajardo (11/17)
Sen. Leo Jaramillo
Sen. Brenda G. McKenna (11/18)
Sen. Nancy Rodriguez (11/18)
Rep. Patricia Roybal Caballero
Sen. Benny Shendo, Jr. (11/17)
Rep. Martin R. Zamora

Advisory Members

Rep. Gail Chasey (11/18)
Sen. Linda M. Lopez
Sen. Bill B. O'Neill

Absent

Rep. Zachary J. Cook
Rep. Derrick J. Lente
Rep. Georgene Louis
Sen. Cliff R. Pirtle
Sen. Joshua A. Sanchez
Sen. William E. Sharer

Rep. Doreen Y. Gallegos
Rep. Harry Garcia
Sen. Stuart Ingle
Rep. Patricia A. Lundstrom
Sen. Michael Padilla
Sen. William P. Soules
Rep. Elizabeth "Liz" Thomson

Guest Legislator

Sen. Elizabeth "Liz" Stefanics (11/17)

(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
Sheila Keleher, Research Assistant, LCS

Minutes Approval

Because the committee will not meet again this year, the minutes for this meeting have not been officially approved by the committee.

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.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Thursday, November 17 — Room 309, State Capitol, Santa Fe

Welcome and Introductions (10:17 a.m.)

Representative Johnson welcomed everyone and invited members of the committee, staff and audience to introduce themselves.

States Supporting Familiar Faces Project Update (10:27 a.m.)

Hallie Fader-Towe, deputy division director, Behavioral Health, The Council of State Governments (CSG) Justice Center; Rosemary White Shield, Ph.D., C.T.T.S., C.C.W., project manager, Special Projects, CSG Justice Center; Amy Button, project manager, Behavioral Health, CSG Justice Center; and Ryan Carlino, senior policy analyst, Behavioral Health, CSG Justice Center, presented an overview of the CSG Justice Center and the center's goals to develop strategies to break the cycle of incarceration, advance behavioral health care treatment and increase culturally responsive community-based services. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%2011722%20Item%201%20States%20Supporting%20Familiar%20Faces%20presentation.pdf>.

Culturally Appropriate Social Services Task Force Update (11:35 a.m.)

Kim Zamarin, M.P.H., program director, Pacific Institute for Research and Evaluation (PIRE); Emily A. Haozous, Ph.D., R.N., F.A.A.N., research scientist, PIRE; Rachel A.

Sebastian, M.A., associate research scientist, PIRE; Daniel Shattuck, Ph.D., associate research scientist, PIRE; and Adrian LeCornu, policy analyst, Public Education Department, explained how this project originated out of House Bill 287 (2021) and the *Yazzie/Martinez* lawsuit. The panel reviewed its research on identifying and analyzing the gaps in culturally appropriate social services in New Mexico public schools and charter schools. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%2011722%20Item%202%20Culturally%20Appropriate%20Social%20Services%20Report.pdf>.

Indigenous Youth Council Update (1:44 p.m.)

Lynn Trujillo, secretary, Indian Affairs Department (IAD); Kaylee Salazar, administrative operations manager, IAD; Kaiya Brown, member, Indigenous Youth Council (IYC); Mathis Quintana, member, IYC; and Alysia Coriz, member, IYC, presented an update on activities supporting cultural revitalization and preservation. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%2011722%20Item%203%20Indigenous%20Youth%20Council%20Presentation.pdf>.

Update from the Missing and Murdered Indigenous Women and Relatives Specialist (3:00 p.m.)

Mark Probasco, deputy director, Special Prosecutions, Office of the Attorney General (OAG), and Jerri Mares, director, Communication and Legislative Affairs, OAG, presented an update on the significance of Senate Bill 12 (2022) in finding justice for New Mexico families of missing and murdered indigenous women and relatives. Mr. Probasco outlined some of the complexities involved, including obstacles from law enforcement, jurisdictional issues and legal shortcomings. He emphasized the importance of adequate funding so that the priorities of Senate Bill 12 can be realized.

Recess

The meeting recessed at 3:47 p.m.

Friday, November 18 — Room 307, State Capitol, Santa Fe

Reconvene

Representative Johnson reconvened the meeting at 9:18 a.m.

Indian Water Rights Settlement Fund Report (9:18 a.m.)

Mike A. Hamman, state engineer, Office of the State Engineer (OSE); Nat Chakeres, general counsel, OSE; Kelly Smith, deputy general counsel, OSE; and Dominique Work, general counsel, OSE, presented an update on the status of Indian water rights settlements and the distribution of funds to implement the approved settlements. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20111722%20Item%205%20INDIAN%20WATER%20ORIGHTS%20SETTLEMENT%20FUND%20REPORT.pdf>.

Presentation on Solar Power and Tribal Sovereignty (10:18 a.m.)

Hanna Sheridan, business operations manager, Seneca Solar; Matt Renner, vice president, Seneca Solar; and Erin Dayl, New Mexico outreach coordinator, Seneca Solar, presented an overview of the Native American-owned company and its innovative renewable energy solutions for other Native American nations, corporations and underserved communities across the country. The panel emphasized potential opportunities designed to empower Native American communities under the Community Solar Act. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20111722%20Item%206%20Seneca%20Solar%20presentation.pdf>.

Approval of Minutes (11:10 a.m.)

Upon a motion duly made and seconded, and without any objections, the committee approved the minutes of the October 3-5, 2022 meeting.

Consideration of Legislation for Endorsement (11:10 a.m.)

Bill: Moving the Gallup Intertribal Ceremonial from the Tourism Department to the Department of Finance and Administration's Local Government Division (11:10 a.m.)

Dudley Byerley, ceremonial coordinator, Gallup Intertribal Indian Ceremonial Association, addressed the committee with a request for a change in legislation. Upon a motion made by Representative Alcon, seconded by Representative Allison and without objection, the committee moved to endorse a bill that would move the Gallup Intertribal Ceremonial Office from the Tourism Department to the Local Government Division of the Department of Finance and Administration and rename the Intertribal Ceremonial Office as the Intertribal Indian Ceremonial Association. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=11/17/2022&ItemNumber=7>.

Letter: Capital Outlay Venue for the Santa Fe Indian School (11:27 a.m.)

Christie Abeyta, superintendent, Santa Fe Indian School (SFIS), and Gary J. Lujan, director, Trust Land Management and Security, SFIS, presented a proposed letter to the Legislative Finance Committee (LFC) requesting capital outlay appropriations for the renovation of the Paolo Soleri Amphitheater and construction of a performing arts center. Upon a motion made by Representative Roybal Caballero, seconded by Senator Rodriguez and without objection, the committee moved to endorse the letter, with amended language, to the LFC in support of the SFIS's capital outlay requests. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=11/17/2022&ItemNumber=8>.

Bill: Tribal Gross Receipts Tax (11:48 a.m.)

Conroy Chino, lobbyist, Pueblo of Acoma and Pueblo of Taos, addressed the gross receipts tax requirement for tribes and requested that the committee consider endorsing legislation that would remove the requirement and allow tribes to set their own gross receipts tax, which would be substantially similar to the gross receipts tax imposed by the Gross Receipts and Compensating Tax Act. The committee agreed to pursue future discussion on this issue, but declined to take a motion to endorse legislation. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%2011722%20Item%209%20Tribal%20GRT%20bill-23441.1.pdf>.

Bill: County Redistricting Task Force (12:19 p.m.)

Senator McKenna presented an overview of the redistricting legislation that she proposes to introduce in the upcoming legislative session. This legislation will focus on convening a county and municipality task force to recommend redistricting policies and procedures for New Mexico. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%2011722%20Item%2010%20Redistricting%20Task%20Force%20Bill-223448.3.pdf>.

Adjournment

There being no further business before the committee, the meeting adjourned at 12:38 p.m.