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HOUSE BILL 361

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Sharon Clahchischilliage

AN ACT

RELATING TO STATE-TRIBAL COLLABORATION; AMENDING THE STATE-TRIBAL COLLABORATION ACT TO INVOLVE LEGISLATORS.

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

SECTION 1. Section 11-18-3 NMSA 1978 (being Laws 2009, Chapter 15, Section 3) is amended to read:

"11-18-3. COLLABORATION WITH INDIAN NATIONS, TRIBES OR PUEBLOS AND WITH LEGISLATORS.--

A. By December 31, 2009, every state agency shall develop and implement a policy that:

(1) promotes effective communication and collaboration between the state agency and Indian nations, tribes or pueblos;

(2) promotes positive government-to-government relations between the state and Indian nations, tribes or

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1 pueblos;

2 (3) promotes cultural competency in providing  
3 effective services to American Indians or Alaska Natives; and

4 (4) establishes a method for notifying  
5 employees of the state agency of the provisions of the  
6 State-Tribal Collaboration Act and the policy that the state  
7 agency adopts pursuant to this section.

8 B. In the process of developing the policy set  
9 forth in Subsection A of this section, state agencies shall  
10 consult with representatives designated by the Indian nations,  
11 tribes or pueblos and with legislators.

12 C. A state agency shall make a reasonable effort to  
13 collaborate with Indian nations, tribes or pueblos and with  
14 legislators in the development and implementation of policies,  
15 agreements and programs of the state agency that directly  
16 affect American Indians or Alaska Natives.

17 D. The Indian affairs department shall maintain for  
18 public reference an updated list of the names and contact  
19 information for the chief executives of the Indian nations,  
20 tribes or pueblos and for the state agency tribal liaisons.

21 E. Every state agency shall designate a tribal  
22 liaison, who reports directly to the office of the head of the  
23 state agency, to:

24 (1) assist the head of the state agency with  
25 developing and ensuring the implementation of the policy as set

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1       forth in Subsection A of this section;

2                       (2)   serve as a contact person who shall  
3 maintain ongoing communication between the state agency and  
4 affected Indian nations, tribes or pueblos; and

5                       (3)   ensure that training is provided to the  
6 staff of the state agency as set forth in Subsection B of  
7 Section [~~4 of the State Tribal Collaboration Act~~] 11-18-4 NMSA  
8 1978. Nothing in this subsection shall preclude tribal  
9 liaisons from providing or facilitating additional training."

10           SECTION 2. Section 11-18-4 NMSA 1978 (being Laws 2009,  
11 Chapter 15, Section 4) is amended to read:

12                       "11-18-4. ANNUAL SUMMIT--TRAINING OF STATE EMPLOYEES--  
13 ANNUAL REPORTS.--

14                       A. At least once a year, during the third quarter  
15 of the state's fiscal year, the governor shall meet with the  
16 leaders of Indian nations, tribes and pueblos and with  
17 legislators in a state-tribal summit to address issues of  
18 mutual concern.

19                       B. All state agency managers and employees who have  
20 ongoing communication with Indian nations, tribes or pueblos  
21 shall complete a training provided by the state personnel  
22 office with assistance from the Indian affairs department,  
23 which training supports:

24                       (1) the promotion of effective communication  
25 and collaboration between state agencies and Indian nations,

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1 tribes or pueblos;

2 (2) the development of positive state-tribal  
3 government-to-government relations; and

4 (3) cultural competency in providing effective  
5 services to American Indians or Alaska Natives.

6 C. No later than July 31 of every year, a state  
7 agency shall submit a report to the Indian affairs department  
8 on the activities of the state agency pursuant to the  
9 State-Tribal Collaboration Act, and the Indian affairs  
10 department shall compile all such reports for submittal to the  
11 governor and to the legislature. The report shall include:

12 (1) the policy the state agency adopted  
13 pursuant to the State-Tribal Collaboration Act;

14 (2) the names of and contact information for  
15 the individuals in the state agency who are responsible for  
16 developing and implementing programs of the state agency that  
17 directly affect American Indians or Alaska Natives;

18 (3) the current and planned efforts of the  
19 state agency to implement the policy set forth in Subsection A  
20 of Section [~~3 of the State-Tribal Collaboration Act~~] 11-18-3  
21 NMSA 1978;

22 (4) a certification by the state personnel  
23 office of the number of managers and employees of each state  
24 agency who have completed the training required by Subsection B  
25 of this section;

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1 (5) a description of current and planned  
2 programs and services provided to or directly affecting  
3 American Indians or Alaska Natives and the amount of funding  
4 for each program; and

5 (6) the method the state agency established  
6 for notifying employees of the state agency of the provisions  
7 of the State-Tribal Collaboration Act."

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