

HOUSE BUSINESS AND INDUSTRY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 403

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

AN ACT

RELATING TO PUBLIC FINANCE; REQUIRING THAT CHAPTERS OF THE
NAVAJO NATION BE CERTIFIED TO APPLY FOR AND IMPLEMENT CAPITAL
IMPROVEMENT PROJECTS.

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

SECTION 1. Section 6-28-2 NMSA 1978 (being Laws 2006,
Chapter 105, Section 2) is amended to read:

"6-28-2. FISCAL AGENTS FOR NAVAJO NATION CHAPTER
PROJECTS.--The state recognizes [the] chapters of the Navajo
Nation that have been certified pursuant to the Navajo Nation
Local Governance Act codified under Title 26 of the Navajo
Nation Code as local tribal entities having the capability and
capacity to apply for and implement capital improvement
projects. [~~The state also recognizes as local tribal entities~~
~~those nonprofit entities organized under the supervision of~~

.185318.1

underscored material = new
[bracketed material] = delete

1 ~~tribal governments whose mission or objective is to provide~~
2 ~~education and other basic services and who may apply for and~~
3 ~~implement capital improvement projects. Therefore, the state~~
4 ~~may contract through a fiscal agent other than the Navajo~~
5 ~~Nation for the expenditure of state funds on behalf of local~~
6 ~~tribal entities of the Navajo Nation. Unless otherwise~~
7 ~~negotiated, an administrative fee of no more than five percent~~
8 ~~of a project's cost may be charged by the entity that serves as~~
9 ~~fiscal agent.]"~~

10 SECTION 2. EFFECTIVE DATE.--The effective date of the
11 provisions of this act is July 1, 2011.