

LEGISLATIVE SUMMARY SHEET

Tracking No. 0032-19

DATE: February 7, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING NEW MEXICO HOUSE BILL 278 TITLED "AN ACT RELATING TO MISSING PERSONS; CREATING THE MISSING AND MURDERED INDIGENOUS WOMEN TASK FORCE; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY"

PURPOSE: The purpose of this resolution is support New Mexico House Bill 278 titled "AN ACT RELATING TO MISSING PERSONS; CREATING THE MISSING AND MURDERED INDIGENOUS WOMEN TASK FORCE; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY"

.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 220038
Website Posting Time/Date: _____
Posting End Date: 02/16/19
Eligible for Action: 02/17/19

Law and Order Committee
Thence
Naabik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL—FIRST YEAR, 2019

INTRODUCED BY


Primary Sponsor

TRACKING NO. 0032-19

AN ACTION

RELATING TO LAW AND ORDER COMMITTEE, NAABIK'ÍYÁTI'
COMMITTEE; SUPPORTING NEW MEXICO HOUSE BILL 278 TITLED "AN
ACT RELATING TO MISSING PERSONS; CREATING THE MISSING AND
MURDERED INDIGENOUS WOMEN TASK FORCE; MAKING AN
APPROPRIATION; DECLARING AN EMERGENCY"

WHEREAS:

- A. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered the Naabik'íyáti' Committee to coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. *See* 2 N.N.C. §§ 700 (A), 701 (A)(6). *See also* CO-45-12.
- B. The Navajo Nation established the Law and Order Committee ("LOC") as a Navajo Nation Council standing committee and as such empowered LOC to review and recommend resolutions relating to public safety within the Navajo Nation. 2 N.N.C. §§ 164 (A)(9), 600 *et seq.* *See also* CO-45-12.
- C. The Navajo Nation has a government-to-government relationship with the State of New Mexico.

- 1 D. During the First Regular Session of 2019, New Mexico House Bill 278 was
2 introduced to the 54th Legislature by Representatives Andrea Romero, Derrick Lente
3 and Melanie Stansbury. *See* New Mexico HB 2570 attached hereto as **Exhibit A**.
- 4 E. House Bill 278 seeks to establish a task force to address missing and murdered
5 Indigenous women comprised of the Secretary of Indian Affairs, Secretary of Public
6 Safety, the United States Bureau of Indian Affairs, and appointed persons
7 representing the Jicarilla Apache Nation, Mescalero Apache Tribe, the Navajo Nation
8 and a member of a Pueblo. *Id.*
- 9 F. The task force is established to conduct a study to determine how the State of New
10 Mexico can increase state resources for reporting and identifying missing and
11 murdered Indigenous women, and other enumerated purposes. *Id.*
- 12 G. The Act also provides an appropriation of \$100,000 for the creation and maintenance
13 of the task force. *Id.*
- 14

15 **THEREFORE, BE IT RESOLVED:**

- 16 A. The Navajo Nation hereby supports New Mexico House Bill 278 titled “AN ACT
17 RELATING TO MISSING PERSONS; CREATING THE MISSING AND
18 MURDERED INDIGENOUS WOMEN TASK FORCE; MAKING AN
19 APPROPRIATION; DECLARING AN EMERGENCY” attached hereto as **Exhibit**
20 **A**.
- 21 B. The Navajo Nation hereby authorizes the Speaker of the Navajo Nation Council,
22 President of the Navajo Nation, and their designees, to advocate the Navajo Nation’s
23 support of New Mexico House Bill 278.
- 24
25
26
27
28
29
30



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 278

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Andrea Romero and Derrick J. Lente and Melanie A. Stansbury

AN ACT

RELATING TO MISSING PERSONS; CREATING THE MISSING AND MURDERED
INDIGENOUS WOMEN TASK FORCE; MAKING AN APPROPRIATION; DECLARING
AN EMERGENCY.

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

SECTION 1. TEMPORARY PROVISION--MISSING AND MURDERED
INDIGENOUS WOMEN TASK FORCE--CREATED--FINDINGS--REPORT.--

A. The "missing and murdered indigenous women task
force" is created.

B. The task force consists of:

(1) the secretary of Indian affairs or the
secretary's designee from the Indian affairs department, who
shall be chair of the board;

(2) the secretary of public safety or the
secretary's designee from the department of public safety;

.211870.1

underscored material = new
[bracketed material] = delete

1 (3) a representative of the United States
2 bureau of Indian affairs office of justice services designated
3 by the southwest region's deputy regional director for Indian
4 services of the bureau of Indian affairs;

5 (4) one person who is a member of a pueblo,
6 appointed by the governor;

7 (5) one person who is a member of the
8 Jicarilla Apache Nation, appointed by the governor;

9 (6) one person who is a member of the
10 Mescalero Apache Tribe, appointed by the governor; and

11 (7) one person who is a member of the Navajo
12 Nation, appointed by the governor.

13 C. Vacancies by members of the task force appointed
14 by the governor shall be filled by appointment by the governor.

15 D. Task force members appointed by the governor may
16 receive per diem and mileage as provided for non-salaried
17 public officers in the Per Diem and Mileage Act and shall
18 receive no other compensation, perquisite or allowance.

19 E. The task force shall conduct a study to
20 determine how to increase state resources for reporting and
21 identifying missing and murdered indigenous women in the state.
22 The task force shall collaborate with tribal law enforcement
23 agencies to determine the scope of the problem, identify
24 barriers to address the problem and create partnerships to
25 improve the reporting of and the investigation of missing and

.211870.1

1 murdered indigenous women.

2 F. The task force shall working with tribal
3 governments and shall respect tribal sovereignty. The task
4 force shall collaborate with the United States department of
5 justice to improve its processes for information sharing and
6 coordination of resources in regard to reporting and
7 investigating cases of missing and murdered indigenous women in
8 the state.

9 G. The task force shall report its findings and
10 recommendations to the governor, the legislative council
11 service library and the appropriate interim legislative
12 committee and present those findings to the appropriate interim
13 legislative interim committee prior to November 1, 2020.

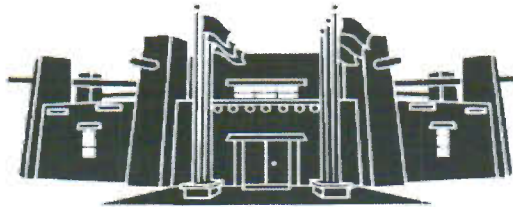
14 SECTION 2. APPROPRIATION.--One hundred thousand dollars
15 (\$100,000) is appropriated from the general fund to the Indian
16 affairs department for expenditure in fiscal years 2019 and
17 2020 to create and maintain the missing and murdered indigenous
18 women task force. Any unexpended or unencumbered balance
19 remaining at the end of fiscal year 2020 shall revert to the
20 general fund.

21 SECTION 3. EMERGENCY.--It is necessary for the public
22 peace, health and safety that this act take effect immediately.

23 - 3 -
24
25

.211870.1

underscored material = new
[bracketed material] = delete



MEMORANDUM

TO: Honorable Amber K. Crotty
24th Navajo Nation Council Delegate

FROM:


Candace French, Attorney
Office of Legislative Counsel

DATE: February 7, 2019

RE: AN ACTION RELATING TO LAW AND ORDER COMMITTEE,
NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING NEW MEXICO HOUSE
BILL 278 TITLED "AN ACT RELATING TO MISSING PERSONS;
CREATING THE MISSING AND MURDERED INDIGENOUS WOMEN
TASK FORCE; MAKING AN APPROPRIATION; DECLARING AN
EMERGENCY"

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law, the resolution drafted is legally sufficient. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel recommends the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 301, 401, 501, 601, and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration. 2 N.N.C. § 164(A)(5).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.