

HB 149 // Public Ed Dept. Native American Funding Tribal Remedy Framework bill sponsored by Rep. Derrick Lente

Education in New Mexico is paid for with income derived from ancestral tribal lands. However, Tribes do not receive any of this money. HB 149 will make regular funding available for a Tribal Education Trust Fund in an amount proportional to the additional distribution from the land grant permanent fund approved by voters last year.

State lands are ancestral tribal lands:

Securing a dedicated revenue source for a Tribal Education Trust Fund

New Mexico's Native Nations, Tribes, and Pueblos struggle to build the education systems, programs, and services necessary to support Native students. **State lands generate a billion dollars each year for education in New Mexico, yet none go to Tribes.**

"It is the role of the land office to pay for education."
"The Yazzie/Martinez lawsuit wouldn't have been necessary had we had dedicated funds for Native education."

Stephanie Garcia Richard
New Mexico State Land Commissioner
(October 2022 APCG Candidates' Forum)

HB 149 asks state legislators to recognize that state lands are ancestral tribal lands. Native students must be able to benefit fully from funding derived from lands that once belonged to their communities.

Respecting constitutional constraints, HB 149 identifies a regular revenue source for tribal education, equivalent to but not derived from the land grant permanent fund. This could become a dedicated revenue stream for a future Tribal Education Trust Fund to ensure its long-term sustainability.

HB 149 proposes to:

- Establish a regular funding stream for tribal education, which could flow into a future Tribal Education Trust Fund (HB 140, also introduced by Rep. Lente).
- Require PED to calculate an amount each year that is equivalent to the voter-approved additional land grant fund distribution for K-12 education, proportionate to the share of Native students.
- Require PED to include this amount in their annual budget for legislative appropriation.
- Require this appropriation to be distributed to the Tribal Education Trust Fund or directly to Tribes.

Estimated funding amount: upwards of \$12m annually starting in FY 25.

From 2024 onwards, this funding could replace the PED budget item for tribal community-based learning (\$13.310 million in 2022, same proposed for 2023).