

## **EXECUTIVE ORDER NO. 2005-004**

### **STATEWIDE ADOPTION OF PILOT TRIBAL CONSULTATION PLANS**

**WHEREAS**, the State of New Mexico is committed to the principles set forth in the Statement of Policy and Process that was entered into with the nineteen Pueblos, Navajo Nation, and Mescalero Apache Tribe in 2003; and

**WHEREAS**, it is vital to the well-being and prosperity of the State of New Mexico that the State maintain and continue to foster long-lasting and committed relationships with the Tribes and Pueblos in New Mexico; and

**WHEREAS**, there are numerous unexplored opportunities and possibilities for the State and Tribes and Pueblos to pursue mutual programs and policies in a partnership fashion for the betterment of communities and citizens in New Mexico; and

**NOW THEREFORE**, I, Bill Richardson, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the Laws of New Mexico, do hereby direct the following executive agencies to adopt a pilot tribal consultation plan no later than July 1, 2005, to address a specific and single area of the agency's operations that involve interaction with tribal governments, communities, and/or tribal members within New Mexico:

- 1) Children, Youth & Families Department;
- 2) Department of Public Education;
- 3) Department of Health;
- 4) Department of Labor;
- 5) Department of Tourism;
- 6) Economic Development Department;
- 7) Energy, Minerals and Natural Resources Department;
- 8) Human Services Department;
- 9) Department of Agriculture;
- 10) Environment Department;
- 11) Department of Transportation;
- 12) Department of Cultural Affairs;
- 13) Office of Homeland Security;
- 14) Office of State Engineer/Interstate Stream Commission;
- 15) Aging and Long-term Care Department;
- 16) Taxation and Revenue Department; and
- 17) Department of Veterans' Services.

**I FURTHER DIRECT** that the pilot tribal consultation plan be prepared in accordance with the following terms and conditions:

- 1) The Department of Indian Affairs shall serve as an adviser to the above-listed agencies and shall provide assistance and advice in the development and/or implementation of the plans;
- 2) The above-listed agencies shall communicate, confer, and consult with the affected tribal communities, governments, and/or individuals in the preparation of the proposed plan;
- 3) The plan shall focus on only one program, project, or topic area within the agency's jurisdiction and shall serve as a pilot plan that can be amended, expanded, narrowed, or withdrawn depending on the success of its application; and
- 4) The plan may take various forms, including but not limited to a policy statement, a memorandum of agreement, a guidance document, the establishment of a task force or other institutional forum, or by the adoption of a protocol.

If an above-listed agency believes it already has an effective tribal consultation plan in place, the Cabinet Secretary shall immediately inform the Governor's Office to determine whether the existing plan suffices to meet the requirements of this Order.

**I FURTHER DIRECT** that any state agency or office that is not listed above is encouraged to prepare a pilot tribal consultation plan consistent with this Order.

**I FURTHER DIRECT** that the pilot tribal consultation plans shall be provided to me no later than July 1, 2005, and that such plans shall be implemented immediately thereafter unless otherwise directed.

**I FURTHER DIRECT** that the above-listed agencies provide the Office of the Governor with a status report on the progress of such plans no later than October 1, 2005.

**THIS ORDER** supersedes any other previous orders, proclamations, or directives in conflict. This Executive Order shall take effect immediately and shall remain in effect until such time as it is rescinded by the Governor.

ATTEST:

DONE AT THE EXECUTIVE OFFICE  
THIS 1st DAY OF FEBRUARY, 2005

REBECCA VIGIL-GIRON  
SECRETARY OF STATE

WITNESS MY HAND AND THE GREAT  
SEAL OF THE STATE OF NEW MEXICO

BILL RICHARDSON  
GOVERNOR