

## 2010 State-Tribal Leaders Summit

### **Tribal Issues and Requested Actions Regarding Tribal Economic Development**

*The following issues and proposed actions have been developed by the 2010 State-Tribal Leaders Summit Planning Committee based on input from the majority of the 22 tribes, nations and pueblos. The Committee is comprised of the tribal leaders of eight of the tribes, nations and pueblos or their designated representatives. The following will be the core issues and actions presented to and discussed with Governor Richardson at the upcoming 2010 State-Tribal Leaders Summit on April 15, 2010.*

**Problem Statement:** Tribal economic development goes to the heart of tribal sovereignty and self-determination, and tribes, pueblos and nations in New Mexico want to continue strengthening their cooperative relationship with the State of New Mexico to promote and expand economic development opportunities for our shared interests. At the May 2009 State-Tribal Leaders Summit, Governor Richardson and Tribal leadership agreed to create the Tribal Economic Development Taskforce that would be charged with investigating and proposing recommendations to enhance tribal economic development opportunities in New Mexico. Much action remains to be taken on these important recommendations, including amending the Enterprise Zone Act to increase incentives for businesses to locate and create joint ventures on tribal land. In addition, the brief three month lifespan of the Task Force did not provide enough time to fully investigate the complex issues affecting tribal economic development and to provide thorough recommendations. In addition, the tribes, nations and pueblos also continue to encounter barriers with utilizing existing tax and economic development incentives; these barriers include the lack of awareness, access and sometimes capacity to implement the incentives without technical assistance. Finally, the tribes, nations and pueblos continue to struggle to find viable sources of financing for economic development and small business ventures on tribal land, limiting tribes' capacity to plan and implement economic development initiatives that could bring job opportunities to all citizens in New Mexico.

### **Actions Requested of Governor Richardson for the 2010 State-Tribal Leaders Summit:**

- 1) Issue a new Executive Order establishing an ongoing Tribal Economic Development Advisory Committee to the Secretary of the Economic Development Department, with the charge to investigate and provide recommendations regarding tribal economic development, including the following:
  - a. Assess the impact of dual taxation on proposed economic development projects and business located on tribal Land.
  - b. Examine how current state laws that exempt federal, county, and municipal government land from certain taxes may be applied to tribally-purchased land.
  - c. Analyze and recommend best practice models for increasing the return of Gross Receipts Taxes back to tribes to be used for economic development.
  - d. Investigate opportunities for tribal investment through state investment institutions (e.g. the State Investment Council and the State Treasurer's Office).
  - e. Issue a status report by October 1, 2010 on the implementation and actions taken by executive agencies on the Tribal Economic Development Task Force Report recommendations and present this report to Governor Richardson, the appropriate legislative interim committee and tribal leaders.

- 2) Direct the Tax and Revenue Department (TRD) to include in their Annual Report pursuant to the State-Tribal Collaboration Act a summary of the implementation and financial outcomes of state-tribal tax-sharing cooperative agreements and direct TRD to analyze existing statutory language and issue a report on options to make existing tax incentives for economic development applicable to tribes.
- 3) Craft and seek legislation amending the New Mexico Enterprise Zone Act to provide incentives for businesses to locate on tribal land or enter into joint ventures with tribes, and to establish a reporting process regarding the effective implementation of these amendments.
- 4) Craft and seek legislation creating a tribal economic development revolving fund funded by various sources.