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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/22/2009

SPONSOR Begaye LAST UPDATED \_\_\_\_\_ HB 53

SHORT TITLE Tribe and Pueblo Emergency Management Services SB \_\_\_\_\_

ANALYST Burns

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$5,000.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Indian Affairs Department and Homeland Security and Emergency Management Department.

### SUMMARY

#### Synopsis of Bill

House Bill 53 appropriates \$5 million from the general fund to the Indian affairs department for the purpose of providing funding for emergency management services on the Indian nations, tribes and pueblos and two Indian school properties that are located in whole or part within New Mexico.

### FISCAL IMPLICATIONS

The appropriation of \$5 million contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2010 shall revert to the general fund.

### SIGNIFICANT ISSUES

HB 53 received endorsement from the Interim Indian Affairs Committee on December 17, 2008.

New Mexico's 22 Indian nations, tribes, and pueblos are adjacent in placement to sensitive and populated areas, as well as their sheer size, makes their lands susceptible to both man-made and natural disasters. An analysis provided by Kenneth Pin, tribal planner, Pueblo of Santo Domingo, reveals that only 6 out of 22 tribes have full-time emergency management coordinators. This reduces a tribal community's ability to respond effectively to emergency situations and limits their ability to work with other tribal, local, county and state emergency management agencies to

address regional emergency management issues.

The 2003 Homeland Security (HLM) Hazard Assessment identified several significant hazards which could threaten local and regional tribal communities; these hazards include

- Natural hazards like wildfires, drought, floods and flash floods, and severe winter storms;
- Technological or human-caused hazards like material accidents, power failures, transport incidents by air or rail; and
- National security hazards like civil disorder, international and domestic terrorism, and chemical/biological hazards.

## **TECHNICAL ISSUES**

As written, HB 53 would provide funding to all “Indian nations, tribes and pueblos” as well as two Indian school properties in New Mexico. It should be noted, however, the Navajo Nation already receives funding for emergency management services through a recurring special project appropriation administered by IAD. Any funding distributed to the Navajo Nation from the proposed appropriation in HB 53 would be in addition to their existing allocation.

## **OTHER SUBSTANTIVE ISSUES**

The State of New Mexico has provided funding for emergency management services to the Navajo Nation Department of Emergency Management (“Department”) since 1996. The Department uses this, along with contributions from the Navajo Nation, to fund two regional offices in Crownpoint and Shiprock which serve fifty Navajo chapters located in New Mexico.

Additionally, HB 53 would provide funding for emergency management services to two Indian school properties in New Mexico such as the Santa Fe Indian School, Dine College, the Institute of American Indian Arts, or the Southwest Indian Polytechnic Institute.

## **ALTERNATIVES**

The DHSEM provides technical assistance to the 22 tribes in all phases of emergency management (preparedness, prevention, mitigation, response and recovery).

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

With federal funds for emergency management and homeland security continually decreasing New Mexico would be less capable of improving statewide capability to prevent, respond, and recover from natural disasters or terrorist incidents.

Unforeseen emergency circumstance may adversely affect tribal members, governments, and natural resources in the State of New Mexico. If SB 15 is not enacted, tribal emergency services may not be financially equipped to handle severe emergency situations.

## **POSSIBLE QUESTIONS**

1. Would the appropriation be better placed at the Homeland Security and Emergency Management Department?