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FISCAL IMPACT REPORT

ORIGINAL DATE 3/16/09

SPONSOR Jeff LAST UPDATED _____ HM 108

SHORT TITLE Indian Country Fire Protection Needs SB _____

ANALYST Burns

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	None		

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 609 Tribal Fire Protection Fund Eligibility Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Indian Affairs Department (IAD)

Energy Minerals and Natural Resources Department (EMNRD)

Public Regulation Commission (PRC)

Homeland Security and Emergency Management Department (HSEMD)

SUMMARY

Synopsis of Bill

House Memorial 108 requests the state fire marshal to establish a task force to collaborate with the Indian nations, tribes and pueblos of New Mexico to address the need for fire protection in Indian country.

FISCAL IMPLICATIONS

There would be an unknown cost to the State Fire Marshal Division of the PRC to establish a Task Force and attendance of an unknown number of meetings at various locations.

SIGNIFICANT ISSUES

According to the State Fire Marshal, Native American entities currently have access to the State Fire Protection Fund by participating in County fire suppression systems. This memorial would require the Fire Marshal to re-evaluate the current distribution guidelines of the Fire Fund to

possibly include an additional funding mechanism independent of distribution to municipal and county governments and to seek additional funding sources for Native American entities.

PERFORMANCE IMPLICATIONS

If the task force's work lead to increased firefighting capacity and capability in Indian Country, the result would have positive performance implications for the Forestry Division of EMNRD.

ADMINISTRATIVE IMPLICATIONS

Additional work tasks will be placed on the Fire Service Support Bureau of the Fire Marshal Division without additional funding to support the efforts.

RELATIONSHIP

HM 108 relates to HB 609 which would make tribes, Indian nations and pueblos eligible for funding under the state Fire Protection Fund.

TECHNICAL ISSUES

HSEMD suggests that although this memorial mentions the importance of emergency management, the Task Force does not include any emergency management personnel. The field of emergency management includes coordinated and comprehensive fire mitigation, preparedness, response and recovery from disasters. Therefore, the Task Force should include emergency management officials from the local and the state level, which are familiar with these issues and existing funding.

OTHER SUBSTANTIVE ISSUES

An assessment of the emergency management services currently provided on tribal land revealed that only 6 of 22 tribes have full-time emergency management coordinators.¹ Of the 22 tribes in New Mexico only 9 have fire department resources.² This reduces a tribal community's ability to respond effectively to emergency situations as well as limits their ability to work with other tribal, local, county and state fire departments and districts to address regional fire safety and emergency management issues.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The State Fire Marshal would not be requested to collaborate with the Tribes in New Mexico to improve fire protection resources and response on tribal land.

¹ Analysis provided by Kenneth Pin, Tribal Planner, Pueblo of Santo Domingo, 2008.

² Report provided by Kenneth Pin, Emergency Management Coordinator, Pueblo of Santo Domingo.

POSSIBLE QUESTIONS

The state fire marshal asks, “Does the Fire Marshal Division of the PRC have the legal authority to seek additional funding for Native American entities outside of the State Fire Protection Fund?”

KJB/mc