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FISCAL IMPACT REPORT

SPONSOR: Wallace DATE TYPED: 02/27/01 HB HJM 51
 SHORT TITLE: Study Intergovernmental Emergency Response SB _____
 ANALYST: Burch

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
		**	**		

(Parenthesis () Indicate Expenditure Decreases)

** Please see Fiscal Implications Sections of this Report

SOURCES OF INFORMATION

LFC files
 Energy, Minerals and Natural Resources Department
 Department of Public Safety

SUMMARY

Synopsis of Bill

House Joint Memorial 51 requests that an appropriate interim committee be assigned to take testimony from agencies of the federal, state, tribal and local governments regarding the way to improve access to resources, coordination between governmental and other emergency management and disaster relief agencies and clarification of the lines of authority.

The memorial further asks the interim committee to review current law and identify amendments that would facilitate cooperation among all responders to an emergency situation.

Significant Issues

The joint memorial recognizes that: (1) the Cerro grande fire had a great impact on various federal, state, local and tribal governments; (2) the response to and recovery from the fire identified weakness and areas that need clarification in the authority among the various governments; (3) in large scale emergency situations require that government resources be mobilized and used efficiently to effectively preserve life and property; and (4) statutory authority to locate, acquire, transport and use all resources needed at times of emergency or disaster must be modified to streamline the mobilization process.

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The Department of Public Safety believes New Mexico's emergency management laws need to be changed/amended. They report that current laws are outdated and do not address the current threats/risks that we face today.

FISCAL IMPLICATIONS

The bill does not contain an appropriation to fund the expenses of the interim committee. If the interim committee is to be a legislative interim committee, then presumably, the costs of the committee would be paid from the legislative interim expenses appropriation contained in Subsection B of Section 3 of House Bill 1 (Feed Bill) already approved by the governor.

PERFORMANCE IMPLICATIONS

The Office of Emergency Management (OEM) of the Department of Public Safety uses 12 emergency management functions which are further broken down into over 100 elements to measure the state emergency response, recovery, mitigation and preparation capabilities. The results of this committee's study could help improve the efforts of OEM to improve emergency management capabilities throughout the state..

ADMINISTRATIVE IMPLICATIONS

If the sponsor intends that the interim committee be a legislative interim committee, then the Legislative Council Service would provide the necessary staff to support the work of the committee. The affected agencies report their involvement would not require significant resources. No additional FTE would be needed.

TECHNICAL ISSUES

The joint memorial does not specify who will designate the appropriate interim committee and if its is to be a legislative interim committee. Perhaps (1) "legislative" be inserted on page 2, line 19 after the word "appropriate" and (2) "by the Legislative Council" be inserted on page 2, line 20 after the word "assigned". Also, a provision requiring the interim committee to make a report on findings and recommendations to the Legislature in 2002 may be desirable.

OTHER SUBSTANTIVE ISSUES

The Energy, Minerals and Nature Resources Department reports that:

"Wildfire incident management teams routinely hold post-incident critiques to determine steps to improve performance on future incidents. The length and scope of the Cerro Grande Incident exceeded normal critique opportunities for a number of responding entities. By holding interim committee hearings important input may be available for entities that did not attend previous critiques.

The Cerro Grande Fire represented the first test for a number of the emergency response systems. This test revealed certain limitations of systems and authorities. For example, at the time of the fire, only four entities had signed the Joint Powers Agreement with Forestry titled the Resource Mobilization Plan. This is an important emergency response concept for wildland fire type disasters. It assures the respondents are authorized to be dispatched, allowed to stay for extended periods, sets

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standards for incident command and performance. Since the Cerro Grande Fire more than twelve entities have joined.

The legislature needs to be aware of issues with limitations on availability of resources, legal authority and opportunities for improved emergency responses.

The Department of Public Safety reports that:

“State Laws relating to lines of authority during an emergency and disaster have not been updated in several years.

Los Alamos may not be a good example to use for such a study because of the close relationship between the National Laboratory and the Local Government. Established procedures were over looked during the initial phases of the fire emergency.

The State currently has a relatively new (1999) Emergency Operations Plan that outlines State response procedures to major disasters.

The federal government through FEMA has excellent procedures in responding to disaster when requested by the Governor.

Local governments have the initial responsibility to protect their citizens and property within their jurisdiction. The majority of counties and major municipalities in the state have emergency operations plans.”

DKB/jsp