

<b>LFC Requester:</b>	<b>Emily Hilla</b>
-----------------------	--------------------

**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:**

**AgencyAnalysis.nmlegis.gov**

*{Analysis must be uploaded as a PDF}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Original**        **Amendment**      
**Correction**        **Substitute**   

**Date** 2.2.24

**Bill No:** SB 213

**Sponsor:** Crystal R. Diamond  
**Short Title:** Black Fire Recovery Reporting

**Agency Name and Code**    DHSEM-795  
**Number:** \_\_\_\_\_  
**Person Writing**    Matthew Stackpole  
**Phone:** 505-699-5807    **Email** Matthew.stackpole@dhsem.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
\$0	\$1,000	Nonrecurring	Department of Finance and Administration

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
\$0	\$0	\$0	NA	NA

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	\$0	\$50	--	\$50	Nonrecurring	Department of Finance and Administration

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: SB 213 Appropriates \$1,000,000.00 from the General Fund to the Department of Finance and Administration for expenditure in fiscal years 2025 through 2027, “for Black fire recovery efforts...” SB 213 provides that up to \$50,000 of the appropriated funds may be used for staff and related administration costs for administering the funds.

**FISCAL IMPLICATIONS**

SB 213 has a general appropriation of \$1,000,000.00 from the General Fund to the Department of Finance and Administration (DFA) for expenditure in fiscal years 2025 through 2027, “for Black fire recovery efforts.” There is a reversion clause for any balance remaining at the end of fiscal year 2027.

**SIGNIFICANT ISSUES**

The Department of Homeland Security and Emergency Management (DHSEM) expresses significant reservations about this projected deployment of funds for the Black Fire recovery initiatives. First, such efforts are constrained to infrastructural damages on state and local territories. The Department lacks jurisdiction and capability to offer reimbursement or resources for restorative actions on federally owned lands. Therefore, DHSEM is apprehensive that any financial allocations from the Department of Finance and Administration (DFA) targeted towards Black Fire recovery will likely be replicating existing operations. This redundancy could, in the best-case scenario, be simply rendered impermissible, or, in worse cases, impede the progression of current reimbursement processes already underway through the State Disaster Assistance Program.

**PERFORMANCE IMPLICATIONS**

DHSEM has serious concerns regarding the implementation of SB 213. DHSEM is actively engaged in a compensation initiative through our State Disaster Assistance Program, which is dedicated to the provision of funds for the repair of infrastructure on state and local levels. Given this current and active reimbursement effort, DHSEM foresees potential complications with the Department of Finance and Administration's (DFA) intended application of resources to the same recovery efforts. As similarly stated above, this duplication in services might not only be

redundant but could also potentially hinder the efficient administration and disbursement of funds by the ongoing State Disaster Assistance Program, leading to unnecessary delays in recovery operations already set in motion.

#### **ADMINISTRATIVE IMPLICATIONS**

Please see above.

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

NA

#### **TECHNICAL ISSUES**

Please see above listed concerns.

#### **OTHER SUBSTANTIVE ISSUES**

#### **ALTERNATIVES**

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

The New Mexico Department of Homeland Security and Emergency Management remains steadfast in its commitment to serve, work with, and provide reimbursement funds to state and local entities impacted by the Black Fire. Through the State Disaster Assistance Program, NMDHSEM will continue its support for the essential reconstruction of state and local infrastructures. Our dedication to supporting New Mexico's communities in their time of need is unwavering, and we will ensure that the path to recovery is managed with efficiency and care.

#### **AMENDMENTS**