

<b>LFC Requester:</b>	<b>Scott Sanchez</b>
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**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

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

**Analysis.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: Date Jan 25, 2024  
**Original**     **Amendment**        **Bill No:** SJM 2  
**Correction**     **Substitute**   

**Sponsor:** Sen. S Pinto/L Lopez/B    **Agency Name**  
McKenna/R Gonzales/A Sedillo    **and Code**  
Lopez    **Number:** Indian Affairs Dept - 609  
**Short**    AG Missing & Murdered    **Person Writing** Ray Tafoya  
**Title:** Indigenous Task Force    **Phone:** \_\_\_\_\_ **Email** \_\_\_\_\_

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
	\$0		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

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

(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>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB 278, EO 2021-13, SB 12  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: Requesting the Attorney General to convene a Missing, and Murdered Indigenous Women and Relatives Task Force

**FISCAL IMPLICATIONS**

None for IAD

**SIGNIFICANT ISSUES**

First, the question of what the “task” of the new task force actually is remains outstanding. Governor Lujan Grisham’s Executive Order EO 2021-13 established a Murdered or Missing Indigenous Women and Relatives Task for Force, including specific tasks of: [1] Recommend legislation “to improve the State’s efforts surrounding prevention and response to MMIWR incidents” and [2] to “develop a MMIWR State Response Plan that will advise the *Executive Branch* on initiatives, programs, and policy changes that will support implementation of the Task Force report recommendations.” [Emphasis added] EO 2021-013, Order and Direct, ¶¶ 9-10. The Task Force, through the Indian Affairs Department (IAD), issued the State Response Plan in May 2022.

As a result of the recommendations from the Task Force, the State, with leadership and the newly announced [Advisory Committee](#) (of which the Attorney General is a member), will help support the Executive Branch in carrying out its responsibility to implement the State Response Plan. Additionally, it will allow for community response through community members, Missing or Murdered Indigenous Persons (MMIP) families, Tribal Leaders, Law enforcement and other state agencies.

It is also worth noting that the Attorney General’s (AG) office has limited jurisdiction in the work that it can do related to MMIP matters. The AG’s office does not have jurisdiction on Tribal Lands and does not appear to have the connections with MMIP who may occur on Tribal Lands. Cross jurisdictional agency (State/Tribal/Federal) collaboration has been facilitated by IAD through previous efforts. Of course, IAD stands ready to assist in any way.

IAD has worked on MMIP matters in New Mexico since 2019. IAD is the appropriate agency to continue MMIP work. IAD works with all the Nations, Pueblos, and Tribes in New Mexico along with dozens of community partners and tribal serving entities. IAD has the expertise, experience, and relationships to effectively address MMIP matters in New Mexico. Upon

information and belief, the Attorney General's Office has minimal staff dedicated to MMIP matters. Indeed, most of the \$1,000,000 appropriated to the Attorney General's Office in 2022 appears to have gone unused.

#### **PERFORMANCE IMPLICATIONS**

Creation and recruitment of Task Force would fall to AG's office. Meeting facilitation and logistics would also be under AG's office.

#### **ADMINISTRATIVE IMPLICATIONS**

All Administrative duties would be under AG's office.

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

Conflicts/Duplicates with HB 278, EO 2021-13, SB 12

#### **TECHNICAL ISSUES**

None indicated.

#### **OTHER SUBSTANTIVE ISSUES**

Under the 15<sup>th</sup> Whereas clause, page 3, it states that Source New Mexico first reported the MMIWR Task Force, pursuant to Executive Order 2021-013, had ended. This report was inaccurate. In fact, Executive Order 2021-013 expired on June 30, 2022, as noted on under Further Order and Direct clause, page 7 of the Executive Order. As SJM 2 correctly notes, Executive Order 2021-013 created the MMIWR Task Force to draft State Response Plan, which the Task Force completed in May 2022. Creating another Task Force with the same or similar volunteers and same or similar tasks appears duplicative and it is unclear what new matters such Task Force would bring forth. Rather, efforts are better spent implementing the State Response Plan. We welcome the Attorney General's assistance in this regard. IAD has and continues to address matters under the State Response Plan and is the repository of MMIP information for the State of New Mexico and will work with its sister agencies within the Executive Branch to address matters in the State Response Plan regarding matters unrelated to IAD's areas of expertise.

IAD does acknowledge that MMIP issues have been swept into darkness for too long. Any and all efforts to bring attention to this national crisis are worthwhile and IAD pledges its full support.

#### **ALTERNATIVES**

4 FTE Request for IAD

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

#### **AMENDMENTS**