



# State of New Mexico

Michelle Lujan Grisham  
*Governor*

## EXECUTIVE ORDER 2021-038

### DECLARING EMERGENCY AND AUTHORIZING EMERGENCY FUNDS FOR FORESTRY DIVISION OF THE ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

**WHEREAS**, wildland fires are occurring statewide and conditions for wildland fires are dangerous and expected to increase;

**WHEREAS**, these wildland fires are of such magnitude as to be beyond local control and require state resources, including Incident Commanders, firefighters, dispatchers, engines, and hand crews, as well as emergency action to protect the peace, health, and, safety and to preserve the lives and property of the people of the State of New Mexico;

**WHEREAS**, the Forestry Division of the Energy, Minerals and Natural Resources Department (the "Forestry Division") is responsible for prevention and suppression of wildland fires on all non-federal and non-municipal lands in the state, as authorized under the Forest Conservation Act, NMSA 1978, Sections 68-2-1 to -25;

**WHEREAS**, the Forestry Division has incurred expenditures for personnel, firefighters, supplies, and contract services for aircraft and equipment, and the majority of these expenditures are with state vendors, local government, and federal agencies;

**WHEREAS**, the Forestry Division is designated as the agent of the State and authorized to enter into contracts and agreements with the Secretary of Agriculture of the United States and other state, federal, and private agencies or organizations to prevent and suppress wildfires pursuant to NMSA 1978, Section 68-2-6; and

**WHEREAS**, pursuant to NMSA 1978, Section 12-11-25, emergency funds may be expended by the Governor or any agent or agency designated by her either as a State project or for securing matching funds when the disaster is beyond local control and requires State resources to avoid or minimize economic or physical harm and to take action necessary to protect the public health, safety, and welfare.

**NOW, THEREFORE, I**, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico do hereby **DECLARE** an emergency situation exists and **ORDER** and **DIRECT** as follows:

1. The Department of Finance and Administration, pursuant to NMSA 1978, Sections 12-11-23 to -25, shall provide emergency financial resources in the amount of seven hundred fifty thousand dollars (\$750,000) to the Energy, Minerals and Natural Resources Department.

2. Such funds shall be expended for the purpose of wildland fire disaster relief, post-fire rehabilitation, adequate preparation including pre-positioning to deal with such disasters as a project, public service announcements regarding fire danger conditions, or for securing matching funds for emergencies. Such funds shall be expended to avoid and minimize economic or physical harm and to protect the public health, safety, and welfare.

3. Such funds shall be paid out upon warrants drawn by the Secretary of Finance and Administration upon vouchers approved by myself or an agent or agency designated by myself for that purpose.

**I FURTHER ORDER** and **DIRECT** as follows:

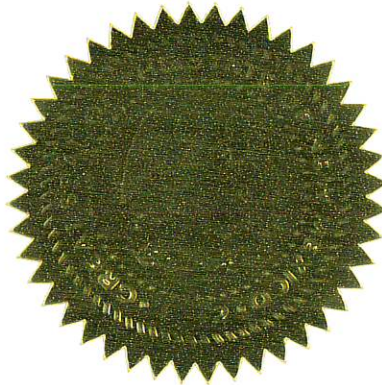
1. This Order supersedes any previous orders, proclamations, or directives to the extent they are in conflict.

2. This Order shall take effect immediately and shall remain in effect until renewed, modified, or rescinded.

ATTEST:

*Maggie Toulouse Oliver*

MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE



DONE AT THE EXECUTIVE OFFICE  
THIS 25TH DAY OF JUNE 2021

WITNESS MY HAND AND THE GREAT  
SEAL OF THE STATE OF NEW MEXICO

*Michelle Lujan Grisham*

MICHELLE LUJAN GRISHAM  
GOVERNOR