



# State of New Mexico

Michelle Lujan Grisham  
*Governor*

## EXECUTIVE ORDER 2022-040

### EMERGENCY FUNDS FOR FORESTRY DIVISION OF THE ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT (EMNRD Forestry Division 15<sup>th</sup> Request for FY 2022)

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

**WHEREAS**, the Forestry Division of the Energy, Minerals and Natural Resources Department 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**, emergency funds shall be expended by the Forestry Division of the Energy, Minerals and Natural Resources Department for the purposes of pre-positioning resources, continuing the Governor's Public Service Announcement to publicize fire danger conditions and responding to wildland fires and in order to ensure that preparation will be adequate to deal with such disasters;

**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 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 of the Energy, Minerals and Natural Resources Department 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 shall 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 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 therefore, authorize the Department of Finance and Administration, pursuant to NMSA 1978 Sections 12-11-23 to -25, to provide emergency financial resources in the amount of seven hundred fifty thousand dollars (\$750,000) to the Energy, Minerals and Natural Resources Department. 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, or for securing matching funds for emergencies, and specifically shall be expended to avoid and minimize economic or physical harm and to protect the public health, safety and welfare. Funds shall be paid out upon warrants drawn by the Secretary

of Finance and Administration upon vouchers approved by the Governor or an agent or agency designated by her 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  
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE  
THIS 5TH DAY OF MAY 2022

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

  
MICHELLE LUJAN GRISHAM  
GOVERNOR

