



# State of New Mexico

Michelle Lujan Grisham  
*Governor*

## **EXECUTIVE ORDER 2023-081**

### **DECLARING AN EMERGENCY IN LUNA COUNTY DUE TO FLOODING AND AUTHORIZING EMERGENCY FUNDS FOR THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT**

**WHEREAS**, Luna County was impacted by severe flooding that began on August 22, 2022, and extended through October 16, 2022, as a result of substantial and enduring rainfall;

**WHEREAS**, the flooding in Luna County caused extensive damage to multiple areas throughout county, including state and county roads, cattleguards, culverts, public drainage systems, riverbanks, diversion, dams, and other water mitigation structures;

**WHEREAS**, this flooding prompted Luna County to declare a local state of emergency on October 24, 2022;

**WHEREAS**, the local state of emergency issued by Luna County noted that all available local resources are insufficient to alleviate the emergency, make repairs, and protect the public safety;

**WHEREAS**, the local state of emergency issued by Luna County requested immediate financial aid and material assistance from the State of New Mexico;

**WHEREAS**, the Department of Homeland Security and Emergency Management has now confirmed that this flooding event caused sufficient damages to warrant support from the State, and that it remains necessary to authorize the release of emergency funds to protect public peace, health, and safety.

**NOW, THEREFORE, I**, Howie Morales, Lieutenant Governor of the State of New Mexico and acting Governor pursuant to Article V, Section 7 of the New Mexico Constitution, by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico do hereby **DECLARE** a state of emergency to exist in Luna County due to severe flooding that began on August 22, 2022, and extended through October 16, 2022, and **ORDER** and **DIRECT** as follows:

1. The Department of Finance and Administration shall make available emergency financial resources in an amount not to exceed seven hundred and fifty thousand dollars (\$750,000.00) to the Department of Homeland Security and Emergency Management in accordance with NMSA 1978, Sections 12-11-23 to -25, and NMSA 1978, Sections 12-10-14 to -15. The funds shall be expended for the resources and services necessary to avoid or minimize economic or physical harm until the situation becomes stabilized; on a temporary, emergency basis for lodging, sheltering, health care, food, any transportation or shipping necessary to protect lives or public property; or for any other action necessary to protect the public health, safety, welfare, and property. The funds shall be expended in accordance with the policy and procedures of the Department of Homeland Security and Emergency Management, as approved by the Governor or the Governor's Authorized Representative.

2. The Department of Homeland Security and Emergency Management shall coordinate all requests for assistance and responses to such requests under the authority of and as determined by the Governor and her Authorized Representative. In addition to such other eligibility criteria as may be established by the Governor and her Authorized Representative, applicants requesting financial assistance from the State for necessary action taken in response to the emergency shall be required to demonstrate that the cost of the necessary action exceeds their

available resources, as determined based upon criteria developed in conjunction with the State agencies (if any) with financial and budgetary oversight responsibilities for the applicant.


3. The Adjutant General shall order into service any elements of the New Mexico National Guard as are or may be needed to provide military support to civil authorities as needed for this emergency. This action is pursuant to and in accordance with NMSA 1978, Sections 20-1-1 to -8, NMSA 1978, Sections 20-2-1 to -8, and NMSA 1978, Sections 20-4-1 to -14. Such emergency assistance shall be provided during the period of need at the discretion of the Governor's Authorized Representative.

4. All Cabinet Departments and agencies under gubernatorial control shall provide any assistance that may be required by the Department of Homeland Security and Emergency Management or by the State Emergency Operations Center under the authority of the Governor's Authorized Representative.

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

1. This Order shall take effect immediately and shall remain in effect until all funds authorized pursuant to this Order are expended or no longer necessary to provide emergency assistance.

ATTEST:

  
MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE



DONE AT THE EXECUTIVE OFFICE  
THIS 14TH DAY OF JUNE 2023

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



HOWIE MORALES  
LIEUTENANT GOVERNOR