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## FISCAL IMPACT REPORT

<b>SPONSOR</b> <u>Pinto/Lopez/McKenna/Gonzales/Sedillo Lopez</u>	<b>LAST UPDATED</b> <u>2/7/24</u> <b>ORIGINAL DATE</b> <u>2/1/2024</u>
<b>SHORT TITLE</b> <u>Missing and Murdered Indigenous Task Force</u>	<b>BILL NUMBER</b> <u>Senate Joint Memorial 2/aSIRC</u>
<b>ANALYST</b> <u>Torres, J.</u>	

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

Agency/Program	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
NMAG	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but minimal		Recurring	Other state funds

Parentheses ( ) indicate expenditure decreases.  
 \*Amounts reflect most recent analysis of this legislation.

### Sources of Information

LFC Files

Original Agency Analysis Received From  
 Indian Affairs Department (IAD)  
 New Mexico Attorney General (NMAG)

## SUMMARY

### Synopsis of SIRC Amendment to Senate Joint Memorial 2

The Senate Indian, Rural and Cultural Affairs Committee amendment to Senate Joint Memorial 2 replaces the previously named article on page four, line seven, with “October 19, 2023, *New Mexico In Depth*”. On page six, line 19, the second reference to “and” is stricken. On page six, between lines 23 and 24, subsection “K” is added to include “one representative from the Fort Sill Apache Tribe; and”.

### Synopsis of Senate Joint Memorial 2

Senate Joint Memorial 2 (SJM2) codifies and updates the Missing and Murdered Indigenous Women and Relatives (MMIWR) task force that was created by Executive Order 2021-013. That Executive Order expired on June 30, 2022 and has not been extended. SJM2 seeks to continue the work begun by the MMIWR task force work through this enabling legislation.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, or May 15, 2024, if enacted.

## FISCAL IMPLICATIONS

New Mexico Attorney General (NMAG) notes the joint memorial—like all memorials—does not provide an appropriation. NMAG explains, task force members are not compensated for their service, other than receiving per diem compensation for meetings located at least 100 miles from the starting point, or for NMAG authorized contractual services.

The Indian Affairs Department (IAD) indicates that there are no fiscal implications to that agency.

## SIGNIFICANT ISSUES

The task force created by SJM2 will be chaired by the attorney general, or designee, and will consist of 40 people appointed by NMAG. The specified categories include:

- Up to 10 public safety representatives,
- Two legislators,
- Up to three pueblo representatives,
- Up to two Jicarilla Apache representatives,
- Up to two Mescalero Apache representatives,
- Up to three Navajo nation representatives,
- Up to five urban Indian center and other specified representatives,
- Up to four nonprofit representatives,
- Up to five indigenous survivors of violence representatives, and
- Up to four domestic violence professionals.

NMAG states:

The creation of the task force under SJM2 may have overlapping duties with the recent establishment of the Missing and Murdered Indigenous Persons (“MMIP”) Advisory Council. The MMIP Advisory Council was created to carry on the work of the previous MMIWR task force and implement the existing state response plan. The work of the task force established under SJM2 is similar to the work that the MMIP Advisory Council will also undertake.

IAD states:

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 Force, including specific tasks: [1] recommend legislation ‘to improve the State’s efforts surrounding prevention and response to MMIWR incidents’ and [2] to ‘develop an 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 NMAG has limited jurisdiction in the work that it can do related to MMIP matters. NMAG does not have jurisdiction on Tribal Lands and does not appear to have the connections with MMIP which 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.

JT/al/ne