



New Mexico
**Department of Finance
and Administration**



STATE TRIBAL COLLABORATION ACT REPORT

FY 2023 ANNUAL REPORT

NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION

<https://www.nmdfa.state.nm.us/>

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New Mexico
**Department of Finance
and Administration**

Michelle Lujan Grisham
Governor

Wayne Propst
Cabinet Secretary

AGENCY OVERVIEW

Executive Summary

The New Mexico Department of Finance and Administration (DFA) provides planning, fiscal services, and the necessary oversight for state and local entities to ensure compliance with all applicable statutes as well as transparency and accountability in the management of public funds.

Our aim is to continually strengthen New Mexico's financial management and oversight practices through sound analysis, effective communication, appropriate monitoring, and excellent customer service.

We are committed to achieving Governor Michelle Lujan Grisham's performance and accountability goals and look forward to working and collaborating with all state agencies, local entities, and Tribal governments to continue providing efficient services for all New Mexicans.

Mission

Guide, serve, and support public entities to ensure fiscal accountability and effective government that is responsive to all New Mexicans.

Values

Accountability, Collaboration, Communication, Efficiency, Effectiveness, Fiscal Responsibility, Service, and Quality.

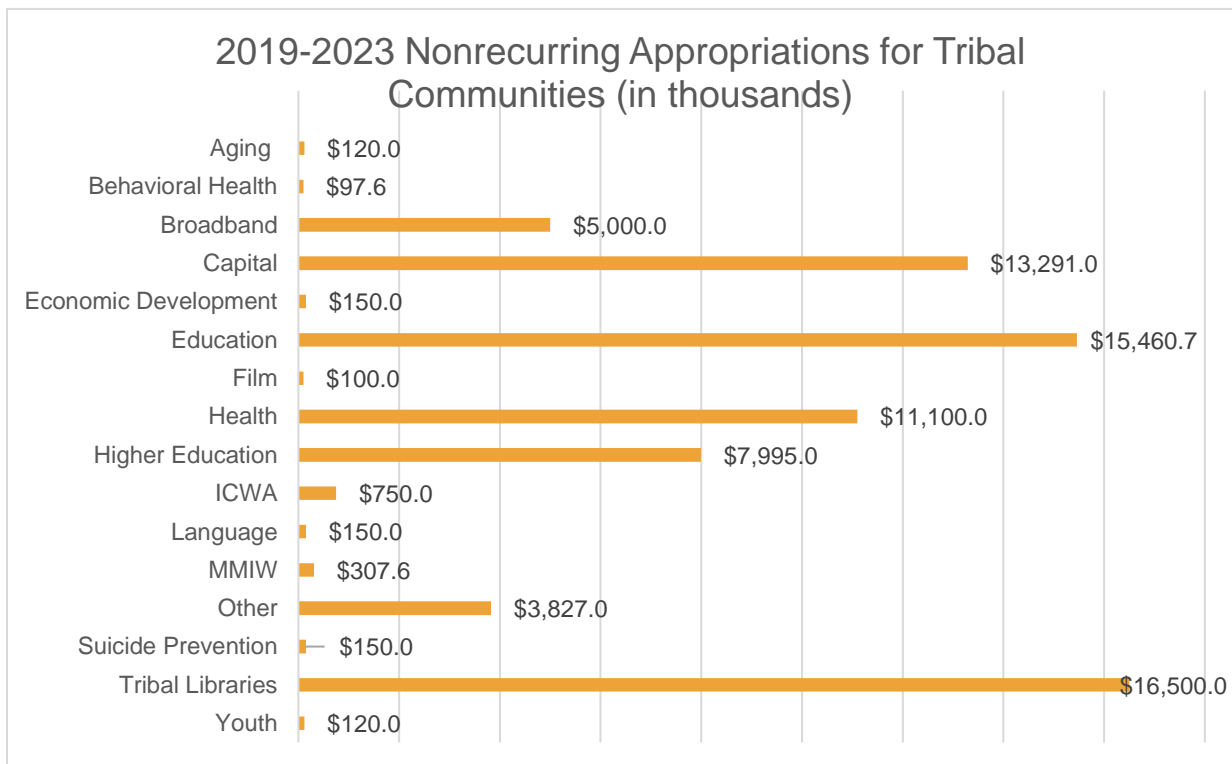
AGENCY PROGRAMS SERVING NATIVE AMERICAN COMMUNITIES

State Budget Division

The State Budget Division (SBD) oversees and administers the budget for the State of New Mexico. SBD provides high quality, timely and easy to understand analysis and recommendations for agency budgets, legislation, and performance issues. In addition, the Division prepares and presents the Governor’s annual budget recommendation to the New Mexico Legislature. The Division also monitors and oversees expenditures by state agencies during the fiscal year, which runs from July 1 to June 30. SBD is charged with the implementation of the Accountability in Government Act (AGA), Sections 6-3A-1 through 6-3A-9 NMSA 1978, that provide state government with the framework for more cost-effective and responsive government services.

SBD works collaboratively with state agencies to highlight and advocate for Governor priorities during the legislative session. SBD staff participates in various meetings related to water, natural resources, tourism, health, education (early childhood education, K-12, higher education), and economic development.

The total nonrecurring appropriation for tribal communities is \$75.1 million from 2019-2023. This includes \$16.5 million for tribal libraries, \$15.5 million for education, \$13.3 million for capital outlay, \$11.1 million for health specific items, \$8 million for higher education, \$5 million for broadband, and \$5.8 million for other initiatives.



Capital Outlay Bureau

The Capital Outlay Bureau (COB) is responsible for coordinating the funding and administration of capital projects under the statutory authority of SBD within DFA. COB works closely with executive agencies and the Governor to prepare the Executive Capital Budget. The Capital Outlay Bureau duties include processing of the Capital Appropriation Bill and ensuring appropriations are budgeted and available for departments to administer. COB also maintains the State Capital Project Monitoring System (CPMS) which tracks all capital appropriations and updates fiscal information bi-weekly. COB monitors the expiration dates of all capital appropriations and ensures timely reversions of expired appropriation balances. COB also provides training, assistance, and oversight to agencies on planning, project management and administration of capital project appropriations.

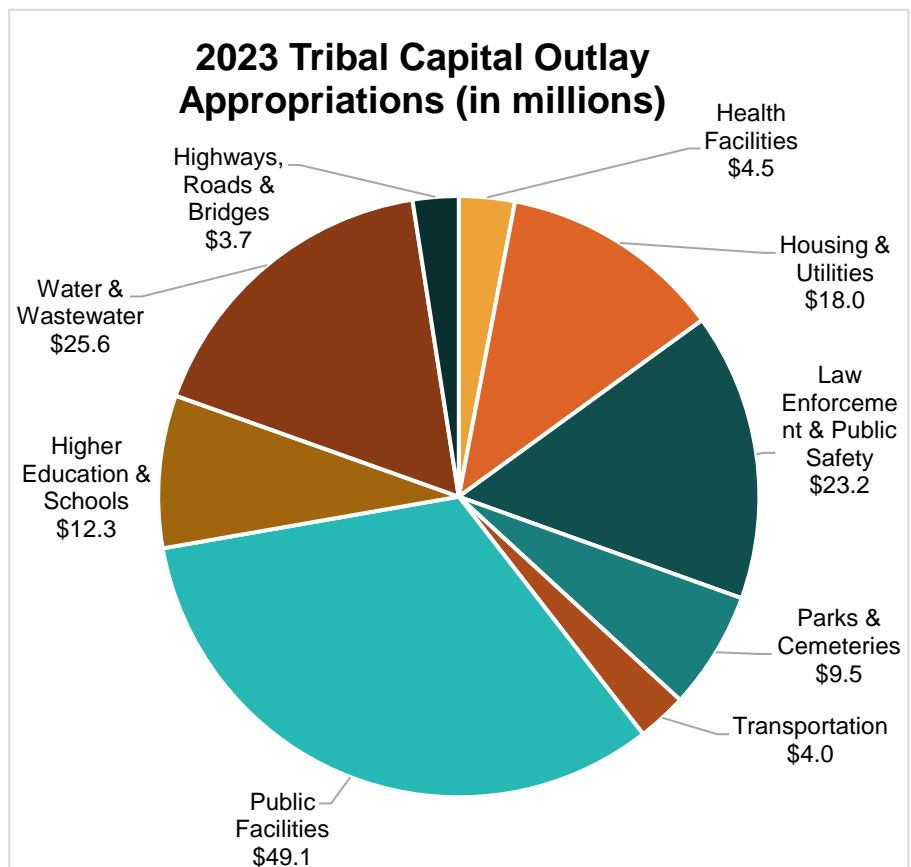


COB works in collaboration with the Indian Affairs Department (IAD) to train IAD staff and staff from the Tribes, Nations, and Pueblos on the capital outlay budget and processes. During Fiscal Year 2023, COB also provided virtual CPMS training to IAD and Tribal entities. Virtual training was held in conjunction with the Local Government Division (LGD) and individual Tribal governments.



Excluding the Tribal Infrastructure Fund (TIF), for FY2023, there are 34 open capital projects for Tribal entities throughout all state agencies totaling about \$81.1 million. As of July 2023, the unspent balance is \$64 million, with \$19.9 million encumbered.

During the 2023 legislative session, there were approximately 202 Tribal capital outlay appropriations which totaled \$149.9 million in House Bill 505. Of the 202 appropriations, Governor Michelle Lujan Grisham recommended funding for 110 appropriations totaling \$133.9 million. This included \$49.1 million for public facilities, \$25.6 million for water and wastewater, \$12.3 million for schools/higher education projects, \$18 million for housing (including restrooms and utilities), \$23.2 million for highways, roads, and bridges, \$23.2 million for law enforcement and public safety, \$4.5 million for health and wellness facilities, and \$9.5 million for parks and cemeteries (including veterans' centers). These appropriations included projects that were part of a \$100 million Tribal package as well as Tribal projects funded through the statewide Capital Outlay Bill (HB 505).



Tribal Infrastructure Fund

The Tribal Infrastructure Act provides Tribal communities with financial assistance to address basic infrastructure needs. The Tribal Infrastructure Act created a 13-person Tribal Infrastructure Board (TIF Board), consisting of nine voting members and four non-voting members, including the Secretary of DFA as a voting member. DFA administers the Tribal Infrastructure Fund (TIF) and IAD manages the grants awarded by the TIF Board.

A portion of the senior Severance Tax Bond (STB) capacity is earmarked for Tribal infrastructure projects awarded by the TIF Board. From FY2012 through FY2015, nearly 5% of senior STB capacity was earmarked for Tribal Infrastructure projects. Legislation enacted in the 2015 regular legislative session reduced the overall senior STB capacity but increased the Tribal earmark to 6.5% in FY2016 and 5.5% in FY2017 and beyond. Additional legislation enacted during the 2016 special legislative session reduced the Tribal earmark for FY2017 and beyond to 4.5%. The TIF Board evaluates project proposals and awards grants and loans funded with STB proceeds to qualified projects from monies available in the Project Fund. The New Mexico interim Legislative Indian Affairs Committee provides oversight of the TIF Board. The LGD processes fiscal documents related to the Tribal Infrastructure Project Fund. Awards and unspent balances in the fund for FY2023 as of June 30, 2023, are as follows:

Tribal Infrastructure Fund Awards and Unspent Balances

Fiscal Year of Award	Amount of STB Award	Current Unspent Balance ¹	Encumbrances	Amount Reverted
FY2012	\$ 13,207,965	\$ 183,401.50	\$ -	\$ 183,401.50
FY2013	\$ 16,640,011	\$ 224,193.00	\$ -	\$ 224,193.00
FY2014	\$ 14,235,640	\$ 1,451,043.34	\$ -	\$ 1,451,043.34
FY2015	\$ 14,000,875	\$ 1,122,726.05	\$ -	\$ 1,122,726.05
FY2016	\$ 11,958,068	\$ 694,007.54	\$ -	\$ 694,007.54
FY2017	\$ 5,222,483	\$ 41,897.20	\$ -	\$ 41,897.20
FY2018	\$ 8,831,925	\$ 62,166.77	\$ -	\$ 62,166.77
FY2019 ²	\$ 14,050,394	\$ 1,950,030.82	\$ 819,660.55	\$ -
FY2020 ³	\$ 19,896,635	\$ 8,948,460.15	\$ 4,251,542.34	\$ -
FY2021 ⁴	\$ 26,630,794	\$ 11,199,288.66	\$ 14,888,532.67	\$ -
FY2022	\$ 38,140,000	\$ 38,140,000.00	\$ -	\$ -

¹ Updated balances as of June 30, 2023, per IAD SHARE balances

² Current active projects

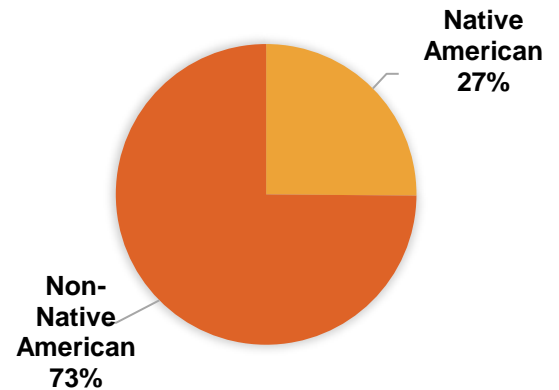
³ Current active projects

⁴ Current active projects

Local Driving While Intoxicated (LDWI) Program

The Local Government Division, (LGD), through its Local Driving While Intoxicated (LDWI) Grant Program, supports county initiatives to prevent or reduce the incidence of DWI, alcoholism, and alcohol abuse. In FY2023, 27 LDWI programs in New Mexico provided screening and tracking services for Native American DWI offenders. The table is a statewide summary by county of total DWI offenders segmented by Native American DWI offenders along with percentages. In addition, 12 county programs provide prevention and/or treatment services and/or law enforcement activities by working collaboratively with Native American communities.

FY23 DEMOGRAPHICS OF DWI OFFENDERS STATEWIDE



FY2023 DWI Offenders Screened by County

Counties	Total Number of DWI Offenders	Number of Native American DWI Offenders	% Native American DWI Offenders	% Difference between FY22 and FY23
Bernalillo County	1,226	272	22.2%	↑ 2.5%
Cibola County	119	79	66.4%	↓ 3.6%
McKinley County	142	131	92.3%	↑ 6.7%
San Juan County	754	560	74.3%	↑ 6.1%
Sandoval County	361	129	35.7%	↑ 9.2%
<i>Other Counties</i>	2,134	109	5.1%	↑ 1.5%
Statewide Total	4,736	1,280	27%	↑ 2.0%

NM911 Program (E-911 & NG911)

LGD administers the Enhanced 911 (E-911) Program, which provides fiscal and technical support for Public Safety Answering Points (PSAPs) operated by municipal and county governments. All New Mexico Pueblos and Tribes receive E-911 service through the state's 45 PSAPs. The E-911 Fund reimburses local governmental grantees for capital expenditures and operational costs associated with calls received by PSAPs. Combined FY2023 operating and capital funding supporting the four Tribal PSAPs totaled \$1,829,406.



Procurement for the Next Generation 911 (NG911) system was completed in FY23. DFA is in continued conversations with the Navajo Nation, the Pueblo of Laguna, and the Pueblo of Zia regarding their status as secondary PSAPs and working to determine whether they meet the minimum requirements to be a primary PSAP and connect to the NG911 system. The Pueblo of Laguna will receive capital funding in FY2024 for call handling equipment and is progressing toward being a secondary PSAP.

The NM911 GIS Coordinator provided GIS, addressing, and 911-related technical support to Jicarilla Apache Nation, Laguna Pueblo, Acoma Pueblo, Jemez Pueblo, Mescalero Apache Tribe, Navajo Nation, Isleta Pueblo, Zuni Pueblo, and Pojoaque Pueblo in FY22 and FY23. NM911 also assisted Zuni Pueblo and Jicarilla Apache Nation with improving 911 call routing policies to ensure they receive wireless 911 calls from mobile devices.



Staff from the NM911 program presented at the 2023 National Tribal GIS Conference hosted by National Tribal Geographic Information Support Center (NTGISC).

State-Tribal Leaders Summit

Cabinet Secretary Wayne Propst, Deputy Director Jeannette Gallegos, Bureau Chief Carmen Morin and Tribal Liaison Nicole Macias attended the in-person 2023 State Tribal Leaders Summit at the Inn of the Mountain Gods Resort in Mescalero, NM. Secretary Propst was also a part of the Infrastructure Panel to discuss



Executive Order 2013-006 and the importance of the ICIP plans. DFA presence and engagement ensures that relevant questions pertaining to Tribal governments are addressed.

Infrastructure Capital Improvement Plan (ICIP)

LGD provides technical assistance for all Tribal entities on the Infrastructure Capital Improvement Plan (ICIP). Technical assistance includes access to the ICIP online database, the ICIP Data Entry Instruction Manual, the FY 2025-2029 ICIP Guidelines, as well as one-on-one technical assistance to ensure submitted ICIP's are complete.

In FY2023, LGD provided 15 virtual ICIP trainings and had over 1,200 participants. For the FY2024-2028 ICIP submissions, 77 Tribal governments across the state submitted a total of 1,166 projects. This is an increase of 374 projects when compared to FY2022. In addition, 42 Tribal Senior Centers participated in the ICIP submission with a total of 169 projects. Through continued collaboration with IAD, LGD and Capital Outlay Bureau the team participated in 4 trainings in Farmington, Gallup, Santa Clara Pueblo and Santa Ana Pueblo and presented on the ICIP and Capital Outlay process.



ICIP Submission Deadline
for Tribal Governments is
August 18, 2023

Infrastructure Finance Conference

The 2023 the New Mexico Infrastructure Finance Conference (NMIFC) Committee includes IAD as an official member which works to ensure full representation throughout the sessions, especially in sessions that highlight planning, budgeting, and administration of Tribal capital outlay projects. The 2023 NMIFC will be held on October 18 & 19 2023 at the Las Cruces Convention Center in Las Cruces, NM. This will be an in-person conference.

TRAINING AND EMPLOYEE NOTIFICATION

Pursuant to the State-Tribal Collaboration Act, all state agency managers and employees who have ongoing communication with Indian nations, Tribes or Pueblos must complete a training provided by the State Personnel Office with assistance from the IAD. This training supports the promotion of effective communication and collaboration between state agencies and Indian Nations, Tribes, or Pueblos; the development of positive State-Tribal government-to-government relations; and cultural competency in providing effective services to American Indians or Alaskan Natives.

KEY NAMES AND CONTACT INFORMATION

Below you will find contact information of a few individuals from our department. When addressing correspondence, please copy the department's Tribal liaison.

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