



STATE TRIBAL COLLABORATION ACT REPORT

FY 2022 ANNUAL REPORT

NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION

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TABLE OF CONTENTS

AGENCY OVERVIEW	3
Executive Summary	3
Mission	3
Values	3
AGENCY PROGRAMS SERVING NATIVE AMERICAN COMMUNITIES.....	4
State Budget Division	4
Capital Outlay Bureau	4
Tribal Infrastructure Fund	4
Local Driving While Intoxicated (LDWI) Program	6
NM911 Program (E-911 & NG911)	7
State-Tribal Leaders Summit.....	7
Infrastructure Capital Improvement Plan (ICIP)	7
Infrastructure Finance Conference	7
TRAINING AND EMPLOYEE NOTIFICATION	8
KEY NAMES AND CONTACT INFORMATION	8



Michelle Lujan Grisham
Governor

Deborah K. Romero
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 New Mexico state budget. 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 also charged with the implementation of the Accountability in Government Act (AGA), Sections 6-3A-1 through 6-3A-9 NMSA 1978, to provide state government with the framework to allow for more cost-effective and responsive government services.

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

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 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 effectively train IAD staff and staff from the Tribes, Nations, and Pueblos on the capital outlay budget and processes. During fiscal year 2022, COB also provided virtual CPMS training to IAD and Tribal entities. Virtual training was held in conjunction with the Local Government Division (LGD) and to individual Tribal governments.



Excluding the Tribal Infrastructure Fund (TIF), for FY2022, there are 693 open capital projects for tribal entities throughout all state agencies totaling about \$251.3 million. As of July 2022, the unspent balance is \$204.2 million with \$44.6 million encumbered. Included in the open capital projects is \$58.9 million appropriated during the 2021 legislative session specifically for tribal entities.

Tribal Infrastructure Fund

The Tribal Infrastructure Act provides Tribal communities with financial assistance to address basic infrastructure needs. The Tribal Infrastructure Act creates 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 FY2021 as of June 30, 2021, 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	\$ 4,741,114.92	\$ 11,267,993.47	\$		-
FY2020 ³	\$ 19,896,635	\$ 9,947,315.33	\$ 8,767,748.91	\$		-
FY2021 ⁴	\$ 26,630,794	\$ 26,421,007.56	\$ 1,598,619.29	\$		-

¹ Updated balances as of June 30, 2022, per IAD's pending AP TIF pay requests

² Current active projects

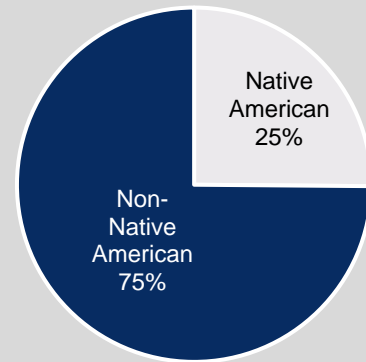
³ Current active projects

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 FY2022, 24 LDWI programs in New Mexico provided screening and tracking services for Native American DWI offenders. The following table below 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, law enforcement and/or treatment services and/or activities by working collaboratively with Native American communities.

FY2022 Demograph of DWI Offenders Statewide



FY2022 DWI Offenders by County

Counties	Total Number of DWI Offenders	Number of Native American DWI Offenders	% Native American DWI Offenders	% Difference between FY21 and FY22
Bernalillo County	1,126	222	19.7%	↑ 2.0%
Cibola County	144	101	70%	↑ 0.1%
McKinley County	167	143	85.6%	↓ 3.6%
San Juan County	677	462	68.2%	↓ 4.5%
Sandoval County	347	92	26.5%	↑ 3.5%
<i>Other Counties</i>	1,869	68	3.6%	↑ 0.1%
Statewide Total	4,330	1,088	25.1%	↑ 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 FY2022 operating and capital funding supporting the four Tribal PSAPs totaled \$1,427,723



The work with Mission Critical Partners is complete and we are finalizing the Request for Proposal (RFP) for a NG911 system which will be issued in FY23. We are in conversation with 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 Earth Data Analysis Center (EDAC) at the University of New Mexico is still under contract to collect GIS data from all providers and build our NM911 GIS Database. In FY22, the department funded a special GIS project for the Pueblo of Zuni. The department also hired a NM911 GIS Coordinator in FY22 to provide technical assistance to all counties, municipalities, and Tribal governments to ensure 911 GIS data standards are being met. Technical support was provided to the Jicarilla Apache Nation and the Pueblo of Laguna in FY22.

Staff from the NM911 program attended the Tribal 988 and American Indian Suicide Prevention workgroup to discuss the role of 911 and PSAPs in the 988 system. The 988 system will transform the nature of the PSAPs role in mental health response.



State-Tribal Leaders Summit

Cabinet Secretary Debbie Romero, Deputy Cabinet Secretary Cinthia Martinez, and Nicole Macias attended the in-person 2022 State Tribal Leaders Summit at the Sandia Resort and Casino. 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 2024-2028 ICIP Guidelines, as well as one-on-one technical assistance to ensure submitted ICIP's are complete.

In FY2022, LGD provided 16 virtual ICIP trainings and had over 1,232 participants. For the FY2023-2027 ICIP submissions, 77 Tribal governments across the state submitted a total of 792 projects. In addition, 48 Tribal Senior Centers participated in the ICIP submission with a total of 157 projects. Through continued collaboration with IAD, LGD hosted an ICIP training in FY2022 specifically for Tribal governments titled, "The Importance of ICIP for Tribal Governments."



ICIP Submission Deadline
for Tribal Governments is
August 19, 2022

Infrastructure Finance Conference

The 2022 the 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. Due to the COVID-19 pandemic, the 2021 NMIFC was postponed. The 2022 NMIFC will be held on October 26-28, 2022 at the Embassy Suites in Albuquerque. 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 shall 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 Alaska Natives.

In FY22, the department tribal liaison participated in the Building Cultural Equity with Native Nations training and other important trainings offered by the Indian Affairs Department.

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.

Debbie Romero, Cabinet Secretary
Email: Debbie.Romero@state.nm.us

Donnie Quintana, Director, Local Government Division (505) 827-8053
Email: Donnie.Quintana@state.nm.us

Jeannette Gallegos, Bureau Chief, Special Services Bureau (505) 827-4787
Email: Jeannette.Gallegos@state.nm.us

Wesley Billingsley, Bureau Chief, Capital Outlay Bureau (505) 827-3884
Email: Wesley.Billingsley@state.nm.us

Carmen Morin, Bureau Chief, Community Development Bureau (505) 470-8979
Email: CarmenB.Morin@state.nm.us

Julie Krupcale, Bureau Chief, LDWI Bureau (505) 827-4951
Email: Julie.Krupcale@state.nm.us

Stephen Weinkauff, Bureau Chief, E-911 Bureau (505) 827-8060
Email: Stephen.Weinkauff@state.nm.us

Nicole Macias, DFA Tribal Liaison, State Budget Division (505) 827-3654
Email: Nicole.Macias@state.nm.us