State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2020-023

AUTHORIZING FURTHER ADDITIONAL EMERGENCY FUNDS FOR PERSONAL PROTECTIVE EQUIPMENT, TESTING SUPPLIES, AND OTHER NECESSARY MATERIALS TO ADDRESS THE COVID-19 EPIDEMIC

On March 11, 2020, Executive Order 2020-004 declared a statewide public health emergency pursuant to the Public Health Emergency Response Act and invoked gubernatorial powers under the All Hazards Emergency Management Act.

On March 27, 2020, Executive Order 2020-014 provided twenty million dollars ($20,000,000) in additional emergency funds to the New Mexico Department of Health to purchase personal protective equipment ("PPE"), testing supplies, and other related materials to assist in the State's response to the COVID-19 pandemic. Much of this funding has now been used to purchase hundreds of thousands of pieces of PPE to be distributed for COVID-19 relief efforts.

The COVID-19 pandemic continues to adversely impact the public health and welfare of New Mexicans. The number of COVID-19 cases is increasing at an accelerated rate nationwide and in our State. New Mexico's current inventory of PPE, testing supplies, and other related materials will be insufficient if this trend continues for an extended period of time. Accordingly, it is necessary for the State to set aside additional funds to make further bulk purchases of PPE, testing supplies, and other related materials so that the State has an inventory of supplies that is sufficient to address any potential spike in cases.

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Executive Order 2020-004 has already declared a public health emergency and Executive Order 2020-022 renewed that emergency through April 30, 2020. As described in those Orders, the COVID-19 pandemic constitutes a disaster that is of such magnitude as to be beyond local control and requiring the resources of the State. That continuing public health emergency necessitates the provision of additional emergency funding to the Department of Health so that it can continue to purchase of supplies PPE, testing supplies, and other related materials so that the State can adequately respond to the COVID-19 pandemic.

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 a 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 virtue of the authority vested in me by the Constitution and laws of the State of New Mexico, hereby direct the Department of Finance and Administration to make available emergency and disaster relief funds in an amount not to exceed ten million dollars ($10,000,000) to the Department of Health in accordance with NMSA 1978, Sections 12-11-23 through 12-11-25. Funds shall be expended for the purposes of avoiding or minimizing economic and physical harm; protecting the public health, safety, welfare; and providing emergency and disaster relief, including but not limited to the payment of any expenses incident to the purchase of PPE, testing supplies, and other related materials. 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.

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This Order supersedes any previous orders, proclamations, or directives in conflict. This Executive Order shall take effect immediately and shall remain in effect until the Governor rescinds it.

ATTEST:

Maggie Toulouse Oliver

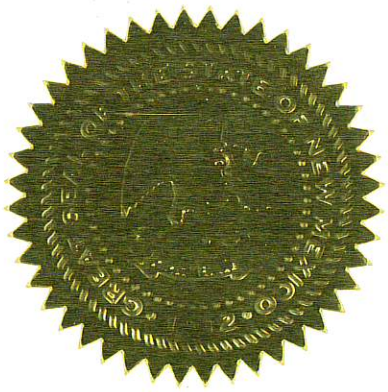
MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 8TH DAY OF APRIL 2020

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

Michelle Lujan Grisham

MICHELLE LUJAN GRISHAM
GOVERNOR



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