



**NEW MEXICO
BUSINESS COALITION**

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RE: Support HB 40 Termination of States of Emergency

Mr./Madame Chair and Committee Members:

The New Mexico Business Coalition (NMBC) represents hundreds of businesses and thousands of New Mexicans. Our focus is to make New Mexico a better place to live and work, where we have an abundance of good-paying jobs to provide for our families.

NMBC strongly supports HB 40 Termination of States of Emergency because it will provide much needed balance of powers between the executive and legislative branches. When the original legislation was created providing powers to the governor for emergencies such as this, it was following the 9-11 attacks. While that legislation was well-intentioned, it evident that there are critical deficiencies that must be corrected to allow for legislative oversight on extended use of executive emergency authority.

HB 40 specifies a governor's emergency declaration will expire after 90 days unless the governor calls the Legislature into special session prior to that deadline. The bill permits the Legislature to restrict, suspend, or terminate a declaration of emergency during the special session, but if it does not do so, the governor may extend the declaration for up to 60 days after the adjournment of the special session. Subsequent extensions of up to 60 days each require the governor to call the Legislature into special session, continuing until the declaration of emergency is terminated by the governor or the Legislature or on expiration of the extension if the governor does not call the Legislature back into special session to renew it. The resolution provides that the governor may only declare one state of emergency for an event; declaring another state of emergency for the same event requires prior consent of the Legislature for the declaration to be effective. The resolution states that it does not modify the Legislature's power to address a "disaster emergency" provided by Article 4, Section 2 of the New Mexico Constitution (caused by an enemy attack of "such magnitude that a state of martial law is declared" and the U.S. president and governor declare an emergency).

On behalf of hard-working New Mexicans and businesses, and for the reasons stated, NMBC supports HB 40 Termination of States of Emergency, and urges you to say 'YES' to its passage. This is exactly what we need in New Mexico right now.

Thank you for your consideration of my comments,

A handwritten signature in blue ink that reads "Carla J. Sonntag".

Carla J. Sonntag
CEO