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AN ACT

RELATING TO EXECUTIVE REORGANIZATION; CREATING THE
INFRASTRUCTURE PLANNING AND DEVELOPMENT DIVISION OF THE
DEPARTMENT OF FINANCE AND ADMINISTRATION; TRANSFERRING
FUNCTIONS, PERSONNEL, APPROPRIATIONS, MONEY, PROPERTY AND
CONTRACTUAL OBLIGATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 6-15-2 NMSA 1978 (being Laws 1925,
Chapter 131, Section 2, as amended) is amended to read:

"6-15-2. BOND ISSUES--LOCAL GOVERNMENT DIVISION OF THE
DEPARTMENT OF FINANCE AND ADMINISTRATION OR PUBLIC EDUCATION
DEPARTMENT TO FURNISH INFORMATION--TRANSCRIPTS OF
PROCEEDINGS--DISPOSITION.--It is the duty of the local
government division of the department of finance and
administration or the public education department, upon the
receipt of the notice mentioned in Section 6-15-1 NMSA 1978,
to furnish the governing authorities with all necessary
information with reference to the valuation, present
outstanding bonded indebtedness, limitations as to tax rates
and debt contracting power and other information as may be
useful to the governing authorities and to the voters of the
county, municipality or school district in the consideration
of any proposal to issue bonds. Upon the adoption of a bond
issue as provided by law by a county, municipality or school

1 district, the governing authorities shall prepare a true and
2 complete transcript of proceedings and three exact copies of
3 the transcript of the proceedings had in connection with the
4 bond issue. One copy of the transcript of the proceedings
5 shall be immediately filed with the local government division
6 or the department, one kept by the governing authorities and
7 one copy to be furnished to the officer approving the bond
8 issue as to its legality as provided by law."

9 SECTION 2. Section 9-6-1 NMSA 1978 (being Laws 1977,
10 Chapter 247, Section 1, as amended) is amended to read:

11 "9-6-1. SHORT TITLE.--Sections 9-6-1 through 9-6-5.2,
12 9-6-15, 9-6-16 and 9-6-20 NMSA 1978 may be cited as the
13 "Department of Finance and Administration Act"."

14 SECTION 3. Section 9-6-3 NMSA 1978 (being Laws 1977,
15 Chapter 247, Section 3, as amended) is amended to read:

16 "9-6-3. DEPARTMENT OF FINANCE AND ADMINISTRATION--
17 CREATION--TRANSFER AND MERGER OF DIVISION FUNCTIONS--MERGER
18 AND CREATION OF DIVISIONS.--

19 A. The "department of finance and administration"
20 is created. The department shall consist of those divisions
21 created by law or executive order, including but not limited
22 to:

- 23 (1) the board of finance division;
- 24 (2) the financial control division;
- 25 (3) the infrastructure planning and

1 development division;

2 (4) the local government division;

3 (5) the management and contracts review
4 division; and

5 (6) the state budget division.

6 B. The secretary is empowered to organize the
7 department and the divisions of the department specified in
8 Subsection A of this section and may transfer or merge
9 functions between divisions in the interest of efficiency and
10 economy.

11 C. The governor is empowered to merge divisions of
12 the department or to create additional divisions by executive
13 order in the interest of efficiency and economy."

14 SECTION 4. Section 9-6-16 NMSA 1978 (being Laws 2021,
15 Chapter 62, Section 1) is amended to read:

16 "9-6-16. RURAL EQUITY OMBUD--INFRASTRUCTURE PLANNING
17 AND DEVELOPMENT DIVISION OF THE DEPARTMENT OF FINANCE AND
18 ADMINISTRATION--DUTIES.--

19 A. The infrastructure planning and development
20 division of the department of finance and administration
21 shall employ at least one "rural equity ombud", whose job it
22 is to work on issues of concern to rural and frontier
23 communities with:

24 (1) the governor's office, the legislature
25 and all state agencies;

1 (2) counties and municipalities in the
2 state;

3 (3) federal agencies, including the rural
4 utilities service and the rural development agency of the
5 United States department of agriculture, the United States
6 department of the interior, the United States department of
7 housing and urban development and other appropriate federal
8 agencies; and

9 (4) nonprofit organizations that address
10 issues faced by rural and frontier communities or provide
11 services to residents of those communities.

12 B. The rural equity ombud shall be employed solely
13 on the basis of education and experience.

14 C. The rural equity ombud shall:

15 (1) provide technical assistance to federal,
16 state and local governments on issues of concern for rural
17 and frontier communities;

18 (2) provide planning assistance to the state
19 and counties to ensure that concerns of residents of rural
20 and frontier communities are being addressed as part of the
21 state's or a county's planning processes in:

22 (a) health;

23 (b) human services;

24 (c) educational services;

25 (d) economic development;

1 (e) infrastructure planning, funding
2 and improvements, including water and wastewater, utilities,
3 roads and highways, broadband and other infrastructure;

4 (f) public safety;

5 (g) transportation;

6 (h) land use and land development;

7 (i) tourism;

8 (j) energy;

9 (k) natural resource management,
10 including game and fish resources;

11 (l) community development block grant
12 projects;

13 (m) state or local planning in
14 conjunction with federal agencies and funding; and

15 (n) any other planning processes that
16 affect rural and frontier communities;

17 (3) serve as an advocate for rural and
18 frontier communities and work to ensure that those
19 communities' needs are met and that residents of rural and
20 frontier communities have a voice in state and local
21 government;

22 (4) take and resolve complaints from rural
23 and frontier communities;

24 (5) provide bill analyses and provide
25 testimony to the legislature on legislation that positively

1 or negatively affects rural and frontier communities;

2 (6) make annual reports to the governor and
3 the legislature on:

4 (a) activities of the ombud, including
5 interactions with governmental agencies and the outcome of
6 those interactions;

7 (b) complaints received and resolved;

8 (c) structural barriers to providing
9 needed services to rural and frontier communities and
10 recommendations for eliminating or ameliorating those
11 barriers; and

12 (d) other information that may inform
13 executive and legislative decisions affecting rural and
14 frontier communities; and

15 (7) perform other duties as assigned by the
16 director of the infrastructure planning and development
17 division, the secretary of finance and administration, the
18 governor or the legislature."

19 **SECTION 5.** A new section of the Department of Finance
20 and Administration Act, Section 9-6-20 NMSA 1978, is enacted
21 to read:

22 "9-6-20. INFRASTRUCTURE PLANNING AND DEVELOPMENT
23 DIVISION--DUTIES.--

24 A. The infrastructure planning and development
25 division of the department of finance and administration

1 consists of the following programs or bureaus that had
2 previously been assigned to another division of the
3 department:

4 (1) local government infrastructure capital
5 improvements planning of the local government division;

6 (2) the rural equity ombud program of the
7 local government division; and

8 (3) other short- or long-term programs and
9 funds of other divisions of the department that the secretary
10 of finance and administration assigns to the infrastructure
11 planning and development division.

12 B. In addition to other duties that may be
13 assigned to the infrastructure planning and development
14 division by the secretary of finance and administration or by
15 law, the division shall:

16 (1) provide assistance to local governments,
17 councils of governments and tribal governments in identifying
18 and accessing funding for infrastructure development from
19 public and private sources and in administering funding to
20 complete capital projects;

21 (2) receive, review and evaluate capital
22 project plans proposed by local governments, councils of
23 government and tribal governments and provide advice on the
24 plans; and

25 (3) coordinate with the federal grants

1 bureau to leverage state dollars for federal infrastructure
2 grants and to identify federal funding opportunities for
3 state and local projects and track the pursuit and receipt of
4 those federal grants."

5 **SECTION 6. TEMPORARY PROVISION--TRANSFER.--**

6 A. The rural equity ombud program of the local
7 government division of the department of finance and
8 administration, including its functions, personnel,
9 appropriations, money, records and other property, shall be
10 transferred to the infrastructure planning and development
11 division of the department of finance and administration.

12 B. The secretary of finance and administration
13 shall assign other programs and funds management to the
14 appropriate division.

15 C. Contractual obligations of any of the
16 transferred units of the department of finance and
17 administration shall continue to be obligations of the
18 department.

19 **SECTION 7. EFFECTIVE DATE.--**The effective date of the
20 provisions of this act is July 1, 2024. _____