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HOUSE BILL 33

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Luciano "Lucky" Varela

AN ACT

RELATING TO THE ONGARD SYSTEM; CREATING THE ONGARD SERVICE CENTER; PROVIDING FOR OPERATION OF THE SYSTEM; TRANSFERRING FUNCTIONS, PERSONNEL, APPROPRIATIONS, PROPERTY, CONTRACTS AND STATUTORY REFERENCES.

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

Section 1. A new section of the ONGARD System Development Act is enacted to read:

"[NEW MATERIAL] ONGARD SERVICE CENTER--CREATED--DUTIES. --

A. The "ONGARD service center" is created as an adjunct agency of the executive branch.

B. The ONGARD service center shall:

(1) manage the daily operations of the ONGARD system; and

(2) be responsible for the operation,

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 maintenance and enhancement of the ONGARD system pursuant to a
2 joint powers agreement between the commissioner of public
3 lands, the taxation and revenue department, the energy,
4 minerals and natural resources department and the ONGARD
5 service center. "

6 Section 2. Section 19-10B-7 NMSA 1978 (being Laws 1990,
7 Chapter 127, Section 7) is repealed and a new Section 19-10B-7
8 NMSA 1978 is enacted to read:

9 "19-10B-7. [NEW MATERIAL] JOINT POWERS AGREEMENT. --The
10 commissioner of public lands, the taxation and revenue
11 department, the energy, minerals and natural resources
12 department and the ONGARD service center shall enter into a
13 joint powers agreement to cooperate in the retirement of the
14 ONGARD system development bonds and the operation of the ONGARD
15 system. The agreement shall provide that:

16 A. all parties to the agreement shall each be
17 responsible for supporting the necessary appropriations to
18 retire the ONGARD system development bonds; and

19 B. the ONGARD service center shall be responsible
20 for directing the operation, maintenance and enhancement of the
21 ONGARD system. "

22 Section 3. TEMPORARY PROVISION--TRANSFER OF FUNCTIONS,
23 PERSONNEL, APPROPRIATIONS, PROPERTY, CONTRACTS AND STATUTORY
24 REFERENCES. --On the effective date of this act:

25 A. all functions, personnel, appropriations, money,

1 records, equipment, furniture, supplies and other property of
2 the ONGARD service center of the taxation and revenue
3 department are transferred to the ONGARD service center;

4 B. all contracts and other agreements of the ONGARD
5 service center of the taxation and revenue department shall be
6 binding on the ONGARD service center; and

7 C. all references in statute to the ONGARD service
8 center of the taxation and revenue department shall be deemed
9 to be references to the ONGARD service center.

10 Section 4. EFFECTIVE DATE. --The effective date of the
11 provisions of this act is July 1, 2003.

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