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SENATE BILL 213

**50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

INTRODUCED BY

Tim Eichenberg

AN ACT

RELATING TO EXECUTIVE ORGANIZATION; ELIMINATING THE DEPARTMENT OF INFORMATION TECHNOLOGY; CREATING THE INFORMATION TECHNOLOGY DIVISION WITHIN THE GENERAL SERVICES DEPARTMENT; ENACTING THE INFORMATION TECHNOLOGY ACT; PROVIDING FOR TRANSFERS OF FUNCTIONS, PERSONNEL, PROPERTY, OBLIGATIONS AND REFERENCES; AMENDING, REPEALING, ENACTING AND RECOMPILING SECTIONS OF THE NMSA 1978; RECONCILING CONFLICTING AMENDMENTS TO THE SAME SECTIONS OF LAW BY REPEALING LAWS 2007, CHAPTER 288, SECTIONS 2 AND 3.

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

**SECTION 1.** Section 9-17-3 NMSA 1978 (being Laws 1983, Chapter 301, Section 3, as amended) is amended to read:

"9-17-3. GENERAL SERVICES DEPARTMENT--CREATION--TRANSFER AND MERGER OF DIVISION FUNCTIONS--MERGER AND CREATION OF

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DIVISIONS.--

A. The "general services department" is created.  
The department shall consist of those divisions created by law  
or executive order, as modified by executive order pursuant to  
Subsection C of this section, including:

- (1) the administrative services division;
- (2) the building services division;
- (3) the property control division;
- (4) the purchasing division;
- (5) the risk management division; ~~and~~
- (6) the transportation services division;
- (7) the information technology division; and
- (8) the state printing and graphics division.

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

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

SECTION 2. A new section of Chapter 15 NMSA 1978 is  
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--Sections 2 through 5 of this  
act and the sixteen sections that are recompiled into Chapter

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1 15 NMSA 1978 in this 2012 act may be cited as the "Information  
2 Technology Act"."

3 SECTION 3. A new section of Chapter 15 NMSA 1978 is  
4 enacted to read:

5 "[NEW MATERIAL] DEFINITIONS.--As used in the Information  
6 Technology Act:

7 A. "department" means the general services  
8 department;

9 B. "division" means the information technology  
10 division of the department;

11 C. "information technology" means computer hardware  
12 and software and ancillary products and services, including:

13 (1) systems design and analysis;

14 (2) acquisition, storage and conversion of  
15 data;

16 (3) computer programming;

17 (4) information storage and retrieval;

18 (5) voice, radio, video and data

19 communications;

20 (6) requisite systems;

21 (7) simulation and testing; and

22 (8) related interactions between users and  
23 information systems;

24 D. "information technology project" means the  
25 purchase, replacement, development or modification of a

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1 hardware or software system;

2 E. "secretary" means the secretary of general  
3 services;

4 F. "state chief information officer" means the  
5 director of the division;

6 G. "state information architecture" means a  
7 logically consistent set of principles, policies and standards  
8 that guides the engineering of state government's information  
9 technology systems and infrastructure in a way that ensures  
10 alignment with state government's business needs; and

11 H. "state information technology strategic plan"  
12 means the information technology planning document for the  
13 state that spans a three-year period."

14 SECTION 4. A new section of Chapter 15 NMSA 1978 is  
15 enacted to read:

16 "[NEW MATERIAL] INFORMATION TECHNOLOGY DIVISION--DUTIES  
17 AND GENERAL POWERS.--

18 A. The division shall:

19 (1) after approval of the secretary,  
20 promulgate rules:

21 (a) for oversight of information  
22 technology procurement by executive agencies;

23 (b) to establish criteria that  
24 information technology projects shall satisfy and to provide  
25 that projects are to be phased in with funding released in

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1 phases contingent on successful completion of the prior phase;  
2 and

3 (c) to develop requirements and  
4 standards for the executive branch's information technology  
5 needs, functions, systems and resources, including: 1)  
6 information technology security; 2) approval for information  
7 technology procurement that exceeds the amount set by rule; 3)  
8 detail and format for the agency information technology plan;  
9 4) acquisition licensing and sale of information technology;  
10 and 5) requirements for agency information technology projects  
11 and related plans, analysis, oversight, assessment and  
12 specifications;

13 (2) review executive agency plans regarding  
14 prudent allocation of information technology resources;  
15 reduction of duplicate or redundant data, hardware and  
16 software; and improvement of system interoperability and data  
17 accessibility among agencies;

18 (3) approve executive agency information  
19 technology requests for proposals and other executive agency  
20 requests that are subject to the Procurement Code, prior to  
21 final approval;

22 (4) approve executive agency information  
23 technology contracts and amendments to those contracts,  
24 including emergency procurements, sole source contracts and  
25 price agreements, prior to approval by the department of

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1 finance and administration;

2 (5) develop and implement procedures to  
3 standardize data elements, determine data ownership and ensure  
4 data sharing among executive agencies;

5 (6) verify compliance with state information  
6 architecture and the state information technology strategic  
7 plan before approving documents referred to in Paragraphs (3)  
8 and (4) of this subsection;

9 (7) monitor executive agency compliance with  
10 its agency plan, the state information technology strategic  
11 plan and state information architecture and report to the  
12 secretary, the governor, executive agency management and the  
13 legislative finance committee on noncompliance;

14 (8) develop information technology cost  
15 recovery mechanisms and information systems rate and fee  
16 structures of state agencies and other public or private sector  
17 providers and make recommendations to the information  
18 technology rate committee;

19 (9) provide technical support to executive  
20 agencies in the development of their agency plans;

21 (10) ensure the use of existing public or  
22 private information technology or telecommunications resources  
23 when the use is practical, efficient, effective and financially  
24 prudent and is in compliance with the Procurement Code;

25 (11) review appropriation requests related to

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1 executive agency information technology requests to ensure  
2 compliance with agency plans and the state information  
3 technology strategic plan and make written recommendations by  
4 November 14 of each year to the department of finance and  
5 administration and by November 21 of each year to the  
6 legislative finance committee and the appropriate interim  
7 legislative committee; provided, however, that the  
8 recommendations to the legislative committees have been agreed  
9 to by the division and the department of finance and  
10 administration;

11 (12) provide oversight of information  
12 technology projects, including ensuring adequate risk  
13 management, disaster recovery and business continuity practices  
14 and monitoring compliance for information technology projects  
15 that affect multiple agencies;

16 (13) conduct reviews of information technology  
17 projects and provide written reports to the appropriate  
18 legislative oversight bodies;

19 (14) conduct background checks on division  
20 employees and prospective division employees that have or will  
21 have administrative access or authority to sensitive,  
22 confidential or private information or the ability to alter  
23 systems, networks or other information technology hardware or  
24 software; and

25 (15) perform any other information technology

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1 function assigned by the governor or the secretary.

2 B. The division shall prepare a state information  
3 technology strategic plan for the executive branch and update  
4 it at least once every three years, which plan shall be  
5 available to agencies by July 31 of each year. The plan shall  
6 provide for the:

7 (1) interchange of information related to  
8 information technology among executive agencies;

9 (2) coordination among executive agencies in  
10 the development and maintenance of information technology  
11 systems; and

12 (3) protection of the privacy and security of  
13 individual information as well as of persons using the state's  
14 information technology systems.

15 C. The division, in conjunction with the secretary,  
16 may apply for and receive, with the governor's approval, in the  
17 name of the department, any public or private funds, including  
18 United States government funds, available to the division or  
19 the department to carry out the division's programs, duties or  
20 services.

21 D. Where information technology functions of  
22 executive agencies overlap or a function assigned to one agency  
23 could be better performed by another agency, the division may  
24 recommend appropriate legislation to the next session of the  
25 legislature for its approval."

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1           SECTION 5. A new section of Chapter 15 NMSA 1978 is  
2 enacted to read:

3           "[NEW MATERIAL] STATE AGENCIES--DUTIES--DISPUTE.--

4           A. Each executive agency shall submit an agency  
5 information technology plan to the division in the form and  
6 detail required by the division. Each executive agency shall  
7 conduct background checks on agency or prospective agency  
8 employees that have or will have administrative access or  
9 authority to alter systems, networks or other information  
10 technology hardware or software.

11           B. A state agency that receives an invoice from the  
12 division for services rendered to the state agency has thirty  
13 days from receipt of the invoice to pay the division or to  
14 notify the division that the amount of the invoice is in  
15 dispute. The state agency has fifteen days from its  
16 notification of dispute to the division to present in writing  
17 its reasons for dispute and to request an adjustment. The  
18 division has fifteen days from its receipt of the reasons for  
19 dispute to notify the state agency of its decision regarding  
20 the dispute. If the division and the state agency do not agree  
21 on a resolution, the secretary of finance and administration  
22 shall make a determination on the amount owed by the state  
23 agency to the division. If the state agency has not paid the  
24 division or notified the division of a dispute within thirty  
25 days of receipt of the invoice, the division shall notify the

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1 department of finance and administration and request that the  
2 department of finance and administration transfer funds from  
3 the state agency to the division to satisfy the state agency's  
4 obligation."

5 SECTION 6. Section 9-27-7 NMSA 1978 (being Laws 2007,  
6 Chapter 290, Section 7, as amended) is recompiled in the  
7 Information Technology Act and is amended to read:

8 "INFORMATION TECHNOLOGY RATE COMMITTEE--MEMBERSHIP--  
9 DUTIES.--

10 A. The "information technology rate committee" is  
11 created. The committee consists of seven members as follows:

12 (1) five members appointed by the governor  
13 from executive agencies that use information technology  
14 services and pay rates to an internal service fund;

15 (2) the secretary of finance and  
16 administration, who shall serve as chair of the committee; and

17 (3) the secretary of [~~information technology~~]  
18 general services.

19 B. The information technology rate committee shall:

20 (1) review the rate and fee schedule proposed  
21 by the [~~secretary~~] state chief information officer;

22 (2) ensure that the rate and fee schedule  
23 complies with the federal office of management and budget  
24 circular A-87 or its successor directive;

25 (3) consider for approval an equitable rate

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1 and fee schedule based on cost recovery for state agencies that  
2 use information technology services and pay rates to an  
3 internal service fund, with priority service to public safety  
4 agencies;

5 (4) present the committee's proposed rate and  
6 fee schedule by June 1 of each year to the office of the  
7 governor, the department of finance and administration and the  
8 legislative finance committee; and

9 (5) by July 15 of each year, implement a rate  
10 and fee schedule based on the [~~committee's~~] state chief  
11 information officer's recommendations; provided, however, that  
12 a reduction in rates or fees by the [~~department~~] division shall  
13 not require the committee's approval if the reduction is based  
14 on cost recovery and if the committee is notified timely."

15 SECTION 7. Section 9-27-11 NMSA 1978 (being Laws 2008,  
16 Chapter 84, Section 2, as amended) is recompiled in the  
17 Information Technology Act and is amended to read:

18 "EQUIPMENT REPLACEMENT PLANS--EQUIPMENT REPLACEMENT  
19 REVOLVING FUNDS.--

20 A. In order to plan for the expenditure of capital  
21 investments necessary to provide goods and services to the  
22 state and its agencies and to local public bodies and other  
23 enterprise customers, the [~~department~~] division shall establish  
24 and maintain an equipment replacement plan for each of the  
25 [~~department's~~] division's enterprise functions. No later than

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1 September 1 of each year, the plans shall be submitted to the  
2 department of finance and administration [~~the information~~  
3 ~~technology commission~~] and the legislature, accompanied by a  
4 reconciliation report of the preceding fiscal year reflecting  
5 financial activity in each of the equipment replacement  
6 revolving funds established pursuant to this section.

7 B. Upon the request of the [~~secretary~~] state chief  
8 information officer, the state treasurer shall establish in the  
9 state treasury such "equipment replacement revolving funds" as  
10 are necessary to administer each of the [~~department's~~]  
11 division's enterprise functions. The revolving funds [~~shall~~]  
12 consist of legislative appropriations to the funds and  
13 transfers made to the funds pursuant to [~~Subsections~~]  
14 Subsection C [~~and D~~] of this section. Income from investment  
15 of the revolving funds shall be credited [~~back~~] to the funds,  
16 and money in the funds shall not revert at the end of a fiscal  
17 year. Expenditures from the funds shall only be made pursuant  
18 to an appropriation from the legislature and only for the  
19 purpose of acquiring and replacing capital equipment and  
20 associated software used to provide enterprise services  
21 pursuant to the [~~department's~~] division's equipment replacement  
22 plans.

23 C. The [~~department~~] division shall record amounts  
24 due to the equipment replacement revolving funds each fiscal  
25 year, based on the calculation of amortization and depreciation

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1 applicable to each enterprise service as reflected in the  
2 [~~department's~~] division's published cost structures for  
3 calculation of rates for services. Transfers to the funds  
4 shall be made from the operating funds of each enterprise in  
5 amounts that reconcile with the recorded amounts due. The  
6 recording of amounts due to the equipment replacement revolving  
7 funds and the transfer of the funds shall be consistent with  
8 generally accepted accounting principles.

9 ~~[D. The department may make initial transfers from~~  
10 ~~its operating funds to establish the beginning fund balances as~~  
11 ~~of July 1, 2008.]"~~

12 SECTION 8. Section 9-27-13 NMSA 1978 (being Laws 1977,  
13 Chapter 247, Section 23, as amended) is recompiled in the  
14 Information Technology Act and is amended to read:

15 "TELECOMMUNICATIONS SERVICES.--

16 A. The [~~secretary of information technology~~] state  
17 chief information officer may hire a communications engineer to  
18 oversee the engineering responsibilities of the [~~department of~~  
19 ~~information technology~~] division. The communications engineer  
20 shall have a degree in [~~either electrical engineering with an~~  
21 ~~electrical communications specialty or in electronics~~  
22 ~~engineering~~] an appropriate technical field.

23 B. In providing telecommunications services  
24 pursuant to Chapter 15 NMSA 1978, the [~~department of~~  
25 ~~information technology~~] division shall not provide

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1 telecommunications services, including telephone, data and  
2 broadband services, to an entity other than those authorized  
3 pursuant to Section [~~15-5-1 NMSA 1978~~] 15 of this 2012 act,  
4 except as is necessary to facilitate a state-mandated program,  
5 including distance education, telehealth or school-based health  
6 center programs. Before expansion or upgrade of a state-owned  
7 or state-funded telecommunications network, whether voice, data  
8 or video transmission, the [~~department~~] division shall prepare  
9 a plan consistent with state law and applicable rules that  
10 includes an assessment of how the project would potentially  
11 affect local telecommunications service providers and  
12 telecommunications service ratepayers."

13 SECTION 9. Section 9-27-14 NMSA 1978 (being Laws 1977,  
14 Chapter 247, Section 24, as amended) is recompiled in the  
15 Information Technology Act and is amended to read:

16 "RADIO COMMUNICATIONS.--The [~~department of information~~  
17 ~~technology~~] division shall have supervisory control over all  
18 mobile or fixed radio equipment now owned or subsequently  
19 acquired by the executive branch or any state officer,  
20 department, other agency, board, commission, division or bureau  
21 of any executive state department or agency. This supervisory  
22 control shall include but not be limited to the determination  
23 of the need for, purchase, repair, maintenance, combination or  
24 disposition of radio equipment."

25 SECTION 10. Section 9-27-15 NMSA 1978 (being Laws 1997,

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1 Chapter 263, Section 1, as amended by Laws 2007, Chapter 288,  
2 Section 2 and by Laws 2007, Chapter 290, Section 15) is  
3 recompiled in the Information Technology Act and is amended to  
4 read:

5 "LEASE OF RADIO COMMUNICATIONS NETWORK--CONDITIONS AND  
6 REQUIREMENTS.--In exercising supervisory control pursuant to  
7 Section [~~15-2-2 NMSA 1978, the department of information~~  
8 ~~technology~~] 9 of this 2012 act, the division may lease to a  
9 private entity excess capacity relating to the provision of  
10 two-way radio services on its radio communications property,  
11 including buildings, towers or antennas, provided that:

12 A. the lease conforms with competitive procurement  
13 requirements of the Procurement Code;

14 B. the lease is for an equal value exchange of  
15 money or property;

16 C. the [~~secretary of information technology~~] state  
17 chief information officer certifies that the excess capacity  
18 will be available for at least the duration of the lease;

19 D. if the lease exceeds ten years, the lease is  
20 first approved by the state board of finance;

21 E. the [~~department of information technology~~]  
22 division has submitted to the legislative finance committee a  
23 detailed plan for the use of excess capacity being leased and  
24 an assessment of how the lease will affect public sector uses  
25 and local telecommunication service providers; and

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1 F. income from the leases shall be deposited to the  
2 credit of the [~~department of information technology~~] division  
3 and used to carry out the duties of the [~~department~~] division."

4 SECTION 11. Section 9-27-16 NMSA 1978 (being Laws 1970,  
5 Chapter 71, Section 1, as amended) is recompiled in the  
6 Information Technology Act and is amended to read:

7 "SERVICE CHARGE.--

8 A. The [~~department of information technology~~]  
9 division shall charge a fee to the state or any officer,  
10 agency, department, division, board or commission of the state  
11 for any services rendered in the exercise of its supervisory  
12 control.

13 B. Fees shall be fixed by the [~~secretary of~~  
14 ~~information technology~~] state chief information officer.

15 C. Income from fees collected shall be deposited to  
16 the credit of the [~~department of information technology~~]  
17 division and used to carry out the duties of the [~~department~~]  
18 division.

19 D. The [~~department of information technology~~]  
20 division may provide two-way radio services to counties and  
21 municipalities at the same rates charged state agencies."

22 SECTION 12. Section 9-27-17 NMSA 1978 (being Laws 1966,  
23 Chapter 32, Section 3, as amended) is recompiled in the  
24 Information Technology Act and is amended to read:

25 "EXCLUSION FROM JURISDICTION.--The [~~department of~~

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1 ~~information technology~~] division shall not have supervisory  
2 control over:

3 A. the use of radio equipment, except as to the  
4 technical requirements of the equipment or unless the equipment  
5 is used by one or more agencies and the ~~[department of~~  
6 ~~information technology must determine]~~ division determines  
7 priority of use;

8 B. the radio equipment of the department of  
9 military affairs, except the ~~[department of information~~  
10 ~~technology]~~ division may maintain all radio equipment owned by  
11 the department of military affairs that interfaces with state-  
12 owned radio equipment; or

13 C. unless otherwise directed by the ~~[secretary of~~  
14 ~~information technology]~~ state chief information officer, radio  
15 equipment that is incidental to a system that is primarily a  
16 telephone system."

17 SECTION 13. Section 9-27-18 NMSA 1978 (being Laws 1971,  
18 Chapter 115, Section 2, as amended) is recompiled in the  
19 Information Technology Act and is amended to read:

20 "PROPERTY TRANSFER.--Ownership of all radio communication  
21 property at mountaintop or remote sites, including buildings,  
22 towers, antennas, emergency power plants and radio equipment  
23 owned by the New Mexico state police, department of  
24 transportation, department of game and fish and forestry  
25 division of the energy, minerals and natural resources

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1 department, is transferred to the [~~department of information~~  
2 ~~technology~~] division."

3 SECTION 14. Section 9-27-19 NMSA 1978 (being Laws 1975,  
4 Chapter 214, Section 4, as amended) is recompiled in the  
5 Information Technology Act and is amended to read:

6 "TRANSFER OF PROPERTY--CUSTODY AND CONTROL.--The radio  
7 equipment purchased in accordance with Laws 1972, Chapter 74 by  
8 the property control division of the general services  
9 department [~~is~~] and then transferred to the department of  
10 information technology is transferred to the information  
11 technology division of the general services department. The  
12 [~~department~~] information technology division of the general  
13 services department has the custody and control of the  
14 transferred radio equipment."

15 SECTION 15. Section 9-27-20 NMSA 1978 (being Laws 1963,  
16 Chapter 181, Section 1, as amended by Laws 2007, Chapter 288,  
17 Section 3 and by Laws 2007, Chapter 290, Section 20) is  
18 recompiled in the Information Technology Act and is amended to  
19 read:

20 "TELECOMMUNICATIONS--DUTIES.--The [~~department of~~  
21 ~~information technology~~] division shall enter into necessary  
22 agreements to provide, where feasible, a central telephone  
23 system, including wide-area telephone service, and related  
24 facilities to all executive, legislative and judicial branches.  
25 Nothing in this section shall be construed to apply to the

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1 provision of a central telephone system and related facilities  
2 to political subdivisions of the state."

3 SECTION 16. Section 9-27-21 NMSA 1978 (being Laws 1963,  
4 Chapter 181, Section 2, as amended) is recompiled in the  
5 Information Technology Act and is amended to read:

6 "CENTRAL TELEPHONE SERVICES--STAFF--BUDGET.--The  
7 [~~telecommunications bureau of the enterprise services~~] division  
8 [~~of the department~~] shall provide the staff and material  
9 necessary to properly and adequately operate the central  
10 telephone system. The budget for the central telephone system  
11 shall be approved as part of the total operating budget of the  
12 department."

13 SECTION 17. Section 9-27-22 NMSA 1978 (being Laws 1963,  
14 Chapter 181, Section 3, as amended) is recompiled in the  
15 Information Technology Act and is amended to read:

16 "CHARGES FOR CENTRAL TELEPHONE SERVICES.--Departments,  
17 institutions and agencies participating in the central  
18 telephone system shall be charged a pro rata and equitable  
19 share of the total monthly costs of the service. This  
20 determination is to be made by the [~~department of information~~  
21 ~~technology~~] division. Toll calls not covered by the wide-area  
22 telephone service and supplemental equipment shall be  
23 segregated and paid for by the agencies, institutions and  
24 departments that are making the calls or using the supplemental  
25 equipment."

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1           SECTION 18. Section 9-27-23 NMSA 1978 (being Laws 1963,  
2 Chapter 181, Section 4, as amended) is recompiled in the  
3 Information Technology Act and is amended to read:

4           "DEPOSIT OF MONEY.--The [~~department of information~~  
5 ~~technology~~] division shall order the deposit or transfer  
6 monthly to a fund known as the "central telephone services  
7 fund" the amount of money owed by each department, institution  
8 and agency [~~utilizing~~] using the central telephone system.  
9 State institutions and agencies shall adopt such accounting  
10 procedures as are prescribed by the department of finance and  
11 administration for the handling of payments with reference to  
12 the central telephone system."

13           SECTION 19. Section 9-27-24 NMSA 1978 (being Laws 1963,  
14 Chapter 181, Section 5, as amended) is recompiled in the  
15 Information Technology Act and is amended to read:

16           "INCOME--APPROPRIATION.--All income to the central  
17 telephone services fund is appropriated to carry out the  
18 purposes of Sections [~~15-5-1 through 15-5-6 NMSA 1978~~] 15  
19 through 18 of this 2012 act and Section 9-27-25 NMSA 1978 or  
20 their successor recompiled sections. Payments from the central  
21 telephone services fund shall be made on vouchers signed by the  
22 secretary of general services or the secretary's designee."

23           SECTION 20. TEMPORARY PROVISION--TRANSFER OF FUNCTIONS,  
24 APPROPRIATIONS, PERSONNEL AND PROPERTY--CONTRACTUAL  
25 OBLIGATIONS--REFERENCES IN LAW.--

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1           A. All functions, personnel, appropriations, money,  
2 records, furniture, equipment and other property of the  
3 department of information technology are transferred to the  
4 information technology division of the general services  
5 department.

6           B. Contractual obligations of the department of  
7 information technology are binding on the information  
8 technology division of the general services department.

9           C. All references in law to the department of  
10 information technology shall be deemed to be references to the  
11 information technology division of the general services  
12 department.

13           D. All references in law to the secretary of  
14 information technology or to the chief information officer  
15 shall be deemed to be references to the state chief information  
16 officer of the information technology division of the general  
17 services department.

18           **SECTION 21. TEMPORARY PROVISION--RECOMPILATION.--**Sections  
19 9-27-12 and 9-27-25 NMSA 1978 (being Laws 2009, Chapter 146,  
20 Section 6 and Laws 1963, Chapter 181, Section 6, as amended)  
21 are recompiled in the Information Technology Act.

22           **SECTION 22. REPEAL.--**

23           A. Laws 2007, Chapter 288, Sections 2 and 3 are  
24 repealed.

25           B. Sections 9-27-1 through 9-27-6 and 9-27-8

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1 through 9-27-10 NMSA 1978 (being Laws 2007, Chapter 290,  
2 Sections 1 through 6, 8, 9 and 26, as amended) are repealed.

3 SECTION 23. EFFECTIVE DATE.--The effective date of the  
4 provisions of this act is July 1, 2012.

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