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## FISCAL IMPACT REPORT

SPONSOR Martinez ORIGINAL DATE 2-15-07  
LAST UPDATED 2-28-07 HB \_\_\_\_\_

SHORT TITLE Info Technology Commission Members SB 541/aSPAC/aSJC

ANALYST Aubel

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY07	FY08	FY09	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		Insignificant			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Conflicts with to SB959 (HB 959 duplicate)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Office of the Chief information Officer (OCIO)  
New Mexico Municipal league (NMML)  
Department of Finance and Administration (DFA)  
Public Education Department (PED)

#### No Response

New Mexico Association of Counties (NMAC)

### SUMMARY

#### Synopsis of SJC Amendment

The Senate Judiciary Committee Amendment strikes the Senate Public Affairs Committee in its entirety. It then re-adds the two local telecommunications service providers as governor appointees, but does not qualify the representation by number of access lines. This brings the number on the Information Technology Committee to 17. The other significant amendment restructures the bill's original addition of two members representing local government by making them governor appointees, one from a list of three names provided by the New Mexico Association of Counties and one from a list of three names provided by the New Mexico Municipal League.

#### Synopsis of SPAC Amendment

The Senate Public Affairs Committee Amendment adds two new members representing the local

telecommunications service providers to the Information Technology Committee. Both are governor appointees. One will represent carriers with more than 50 thousand access lines in the state and one will represent carriers with less than 50 thousand access lines in the state.

### Synopsis of Original Bill

Senate Bill 541 amends the Information Technology Management Act by increasing the number of voting members on the Information Technology Commission (ITC) from 13 to 15. Two members shall represent local government, one appointed by the Association of Counties and one appointed by the New Mexico Municipal League. SB 541 also revises the two members representing public education.

### **FISCAL IMPLICATIONS**

Members of the commission not supported by public money may receive per diem and mileage reimbursement, which would be insignificant.

### **SIGNIFICANT ISSUES**

#### Background

The Information Technology Commission (ITC) is administratively attached to the OCIO and has oversight authority over executive branch state agencies in matters relating to information technology (IT). Currently, the commission consists of 13 voting members, five advisory members, and two adjunct members. The State Chief Information Officer sits on the ITC as an advisory non-voting member, as do two representatives from the legislative branch and two representatives from the judicial branch.

The primary tasks of the ITC is to adopt and promulgate rules specifying the state information architecture; update the state strategic information technology plan; and review, approve or disapprove large project plans, including the IT Consolidation Plan..

#### Adding Members

DFA points out that HB 541 will provide an avenue for local governments to participate in future IT projects and initiatives and notes that the NMAC has included the addition of members to ITC as one of its legislative priorities for the 2007 Legislative Session.

#### Public Education Representation

SB 541 modifies appointment of education representatives as follows:

- 1.) one appointed by the Higher Education secretary versus the Commission on Higher Education, and
- 2.) one appointed by the Public Education secretary versus the President of the State Board of Education.

PED notes that education representatives to the ITC cannot be replaced since the Commission on Higher Education and the State Board of Education no longer exist.

**PERFORMANCE IMPLICATIONS**

DFA suggests that adding two new members to the ITC that are appointed by the NMAOC and the NMML will provide the commission valuable insight into local governmental issues and concerns as they pertain to IT projects and initiatives.

**ADMINISTRATIVE IMPLICATIONS**

Both the NMAC and the NMML would be required to appoint appropriate representatives for the ITC. The Secretary of Higher Education and the Secretary of Public Education would also need to designate representatives, as required.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB 541 conflicts with SB 979 (and the HB 959 duplicate), which add the NMML and NMAC as adjunct, or nonvoting, members.

**TECHNICAL ISSUES**

The effective date is June 17, 2007.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

ITC may not contain the membership necessary to address local needs and resources as well as their relationship to IT projects. Education representatives may not be replaced since the current statute refers to appointing organizations that do not currently exist.

**POSSIBLE QUESTIONS**

How will the new “local entity” voting privilege impact state IT initiatives and projects?

MA/mt