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FISCAL IMPACT REPORT

ORIGINAL DATE 1/24/09
LAST UPDATED 2/20/09 **HB** _____

SPONSOR Martinez, R

SHORT TITLE Info Technology and Telecomm Committee **SB** 65

ANALYST Archuleta

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Information Technology (DoIT)

Department of Health (DOH)

Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 65 officially creates the Information Technology and Telecommunications Oversight Committee (ITTOC). Similar to this committee, the Information Technology Oversight Committee (ITOC) was created under the Information Technology Management Act (ITMA) Laws 1999 and has functioned as an ad hoc interim committee since the passage of the Department of Information Technology (DoIT) Act in 2007. This bill will formally define membership, staff, duties and powers.

FISCAL IMPLICATIONS

According to DoIT the fiscal impact would be minimal. The additional reporting requirements regarding review of DoIT “programs and systems specific to public safety, interoperability, risk management, disaster recovery, business continuity, inventory management and other issues related to the security and integrity of the department’s information technology systems” may require temporary reassignment of staff duties to compile information for the ITTOC review. DoIT anticipates a cooperative environment wherein such issues can be worked out prior to ITTOC meetings.

SIGNIFICANT ISSUES

According to DoIT, Senate Bill 65 formalizes duties of the ITTOC to include the review of Information Technology initiatives in all Legislative, Judicial, Executive, Federal, Tribal Governments and Political Subdivisions in New Mexico. Furthermore, the ITTOC Act directs the committee “to ensure the development of expectations and guidelines to further interoperability communication, as well as to ensure the adoption of standard or industry-accepted communication protocols.” However, it is not clear how the committee will do this.

PERFORMANCE IMPLICATIONS

Senate Bill 65 requires that the ITTOC review DoIT rules prior to DoIT promulgation. The current process for promulgating rules is approximately 30-60 days inclusive of public notice and announcement periods. ITTOC reviews may become problematic if rule promulgation occurs outside of the interim committee’s schedule.

COMPANIONSHIP

House Bill 729

TECHNICAL ISSUES

According to DoIT, in order to address the concern regarding the phrase “to ensure” in Sec. 2 (B)(4) and replace with the phrase “to foster and encourage”. Also, DoIT suggests to strike the phrase “before promulgation” in Sec. 2 (B)(1) if rule promulgation occurs outside of the interim committee schedule.

According to DoIT, Section 2(B)(8) requires the ITTOC to “report is findings and recommendations for the consideration of each session of the legislature...” For clarity, it may be beneficial to specify what findings or recommendations the committee shall make. It may also be beneficial to clarify to whom and when the recommendations are made.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The current Information Technology Oversight Committee may continue to operate as an ad hoc interim committee.

DA/mt