

AN ACT

RELATING TO THE ONGARD SYSTEM; CREATING THE ONGARD SERVICE CENTER; PROVIDING FOR OPERATION OF THE SYSTEM; TRANSFERRING PERSONNEL, APPROPRIATIONS, PROPERTY, CONTRACTS AND STATUTORY REFERENCES; AMENDING, REPEALING AND ENACTING SECTIONS OF THE NMSA 1978.

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

Section 1. A new section of the Taxation and Revenue Department Act is enacted to read:

"ADMINISTRATIVELY ATTACHED AGENCY. --The ONGARD service center is administratively attached to the taxation and revenue department."

Section 2. A new section of the ONGARD System Development Act is enacted to read:

"ONGARD SERVICE CENTER--CREATED--DUTIES.--

A. The "ONGARD service center" is created. The center is administratively attached to the taxation and revenue department.

B. The ONGARD service center shall:

- (1) manage the daily operations of the ONGARD system; and
- (2) be responsible for the operation, maintenance and enhancement of the ONGARD system pursuant to a joint powers agreement between the commissioner of public

lands, the taxation and revenue department, the energy, minerals and natural resources department, the ONGARD service center and the general services department. "

Section 3. Section 19-10B-7 NMSA 1978 (being Laws 1990, Chapter 127, Section 7) is repealed and a new Section 19-10B-7 is enacted to read:

"19-10B-7. JOINT POWERS AGREEMENT. --The commissioner of public lands, the taxation and revenue department, the energy, minerals and natural resources department, the ONGARD service center and the general services department shall enter into a joint powers agreement to cooperate in the retirement of the ONGARD system development bonds and the operation of the ONGARD system. The agreement shall provide that:

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

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

Section 4. TEMPORARY PROVISION--TRANSFER OF PERSONNEL, APPROPRIATIONS, PROPERTY, CONTRACTS AND STATUTORY REFERENCES. --On the effective date of this act:

A. all personnel, appropriations, money, records, equipment, furniture, supplies and other property of the

ONGARD service center of the taxation and revenue department are transferred to the ONGARD service center;

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

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

Section 5. EFFECTIVE DATE. --The effective date of the provisions of this act is July 1, 2001. _____