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FISCAL IMPACT REPORT

 NSOR: Hobbs DATE TYPED: 01/22/02 HB 91

SHORT TITLE: Information Technology Management Act SB _____

ANALYST: Carrillo

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
		See Narrative			

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files
 Commission of Public Records
 Office of the State Engineer
 Information Technology Management Office
 Health Policy Commission
 Department of Labor

SUMMARY

Synopsis of Bill

House Bill 91, Information Technology Management Act, proposes to add a provision for state e-government policy and procedure development and to extend the sunset provisions from July 1, 2006 to July 1, 2009. HB 91 contains an emergency clause.

Significant Issues

HB 91 proposes to extend the sunset provision of the Information Technology Management Act from July 1, 2006, to July 1, 2009. According to Section 12-9-19 NMSA 1978 of the Sunset Act, prior to the termination or continuance of the agency, "...the Legislative Finance Committee shall hold a public hearing to receive testimony from the public and the head of the regulatory agency involved and make a recommendation to the next session of the legislature. In such hearing, the agency shall have the burden of demonstrating a public need for its continued existence and the extent to which an amendment of the agency's basic stature may increase the efficiency of the administration or operation of the agency."

The LFC has not held public hearings on the Information Technology Management Office or the

Information Technology Commission. The LFC will schedule a public hearing for the 2005 interim period.

FISCAL IMPLICATIONS

This bill would extend operations for an additional three years. The current operating costs are \$727.0 (100 percent general support).

ADMINISTRATIVE IMPLICATIONS

None identified.

TECHNICAL ISSUES

The Commission of Public Records staff provided the following comments regarding the provisions “to develop policies and procedures”:

Because any policies or procedures developed will impact state agencies and non government users, they will meet the legal definition of a rule. To avoid confusion, the language should be changed to something like promulgate (or adopt) rules for e-government.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

According to Department of Labor staff, the mandate to use the Internet and the state portal will result in standardization of service delivery, efficiency and ease of access for citizens.

The Office of the State Engineer notes the state needs effective, coordinated strategic planning at the state level. Without it, there will be uncoordinated activities and redundant effort applied in developing standards, policies and procedures .

AMENDMENTS

The Department of Labor staff suggests, amending the bill to include implementation policies and procedures for all branches of government.

WJC/njw:ar