

AN ACT

RELATING TO ORGANIZATION OF THE EXECUTIVE BRANCH; CREATING
INFORMATION TECHNOLOGY DIVISIONS IN CERTAIN DEPARTMENTS.

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

Section 1. Section 9-2A-4 NMSA 1978 (being Laws 1992,
Chapter 57, Section 4, as amended) is amended to read:

"9-2A-4. DEPARTMENT CREATED--DIVISIONS.--

A. The "children, youth and families department"
is created. The department is a cabinet department and
consists of, but is not limited to, six divisions as follows:

- (1) the protective services division;
- (2) the juvenile justice division;
- (3) the prevention and intervention
division;
- (4) the financial services division;
- (5) the employee support division; and
- (6) the information technology division.

B. The secretary 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
and to abolish or create divisions of the department by
executive order in the interest of efficiency and economy."

Section 2. Section 9-3-3 NMSA 1978 (being Laws 1977, Chapter 257, Section 3, as amended) is amended to read:

"9-3-3. DEPARTMENT ESTABLISHED.--There is created in the executive branch the "corrections department". The department shall be a cabinet department and consist of, but not be limited to, six divisions as follows:

- A. the adult institutions division;
- B. the adult probation and parole division;
- C. the training academy division;
- D. the corrections industries division, which shall have administrative supervision of the management of prison industries in every correctional facility under the jurisdiction of the department. Notwithstanding the provisions of Paragraph (10) of Subsection B of Section 9-3-5 NMSA 1978, the director of the corrections industries division shall be appointed by and serve at the pleasure of the secretary of corrections;
- E. the administrative services division, which shall be supportive of and responsive to the divisions and shall provide administrative and personnel services to them; and
- F. the information technology division."

Section 3. Section 9-7-4 NMSA 1978 (being Laws 1991, Chapter 25, Section 16) is amended to read:

"9-7-4. DEPARTMENT ESTABLISHED.--

A. There is created in the executive branch the "department of health". The department shall be a cabinet department and shall include, but not be limited to, the programs and functions of the public health division, the behavioral health services division and the scientific laboratory.

B. All references in the law to the public health division of the health and environment department, the behavioral health services division of the health and environment department, the state department of public health, the public health department, the health services division or the state board of health shall be construed as referring to the department.

C. The administrative services division of the department shall provide clerical, recordkeeping and administrative support to the department, including, but not limited to, the areas of personnel, budget, procurement and contracting.

D. The information technology division shall have all those powers and duties conferred upon it by the secretary with the consent of the governor."

Section 4. Section 9-7A-4 NMSA 1978 (being Laws 1991, Chapter 25, Section 4) is amended to read:

"9-7A-4. DEPARTMENT ESTABLISHED.--There is created in the executive branch the "department of environment". The

department shall be a cabinet department and shall include, but not be limited to, an information technology division and the programs and functions of the environmental improvement division. All references in the law to the environmental improvement agency or the environmental improvement division of the health and environment department shall be construed to mean the department. All references to the director of the environmental improvement division shall be construed to mean the secretary. The department shall consist of the staff of the environmental improvement division and such other powers, duties and personnel of the former health and environment department as may be assigned by the governor pursuant to executive order."

Section 5. Section 9-8-4 NMSA 1978 (being Laws 1977, Chapter 252, Section 4, as amended) is amended to read:

"9-8-4. DEPARTMENT ESTABLISHED.--There is created in the executive branch the "human services department". The department shall be a cabinet department and shall consist of, but not be limited to, three divisions as follows:

- A. the income support division;
- B. the social services division; and
- C. the information technology division."

Section 6. Section 9-11-4 NMSA 1978 (being Laws 1977, Chapter 249, Section 4, as amended) is amended to read:

"9-11-4. DEPARTMENT ESTABLISHED.--There is created in

the executive branch the "taxation and revenue department".
The department shall be a cabinet department and shall consist of, but not be limited to, six divisions as follows:

- A. the audit and compliance division;
- B. the property tax division;
- C. the revenue processing division;
- D. the motor vehicle division;
- E. the administrative services division; and
- F. the information technology division."

Section 7. Section 9-18-4 NMSA 1978 (being Laws 1987, Chapter 342, Section 4) is amended to read:

"9-18-4. LABOR DEPARTMENT ESTABLISHED.--There is created in the executive branch the "labor department". The department shall be a cabinet department and shall consist of, but not be limited to, five program divisions, an administrative division and an information technology division as follows:

- A. employment security division;
- B. workers' compensation division;
- C. labor and industrial division;
- D. human rights division;
- E. job training division;
- F. administrative services division; and
- G. information technology division."

Section 8. Section 9-18-14 NMSA 1978 (being Laws 1987,

Chapter 342, Section 14) is amended to read:

"9-18-14. ORGANIZATIONAL UNITS OF THE DEPARTMENT--
POWERS AND DUTIES SPECIFIED BY LAW--ACCESS TO INFORMATION.--

A. Those organizational units of the department and the officers of those units specified by law shall have all the powers and duties enumerated in the specific laws assigned to their organizational units for administration. However, the carrying out of those powers and duties shall be subject to the direction and supervision of the secretary and the secretary shall retain the final decision-making authority and responsibility in accordance with the provisions of Subsection B of Section 9-18-7 NMSA 1978. The department shall have access to all records, data and information of other departments, agencies and institutions, including its own organizational units not specifically held confidential by law.

B. Subject to the provisions of Subsection B of Section 9-18-7 NMSA 1978:

(1) the employment security division shall have all those powers and duties conferred by law upon the former employment security department and such other laws, programs and functions assigned to the division by the secretary with the consent of the governor;

(2) the labor and industrial division shall have all those powers and duties conferred by law upon the

former labor commissioner and such other laws, programs and functions assigned to the division by the secretary with the consent of the governor;

(3) the human rights division shall have all those powers and duties conferred by law upon the former executive director of the human rights commission and staff and such other laws, programs and functions assigned to the division by the secretary with the consent of the governor;

(4) the job training division shall have all those powers and duties conferred upon it by the governor pursuant to the Job Training Partnership Act and such other laws, programs and functions assigned to the division by the secretary with the consent of the governor;

(5) the administrative services division shall have all those powers and duties conferred upon it by the secretary. The secretary shall have the power, pursuant to Subsection B of Section 9-18-7 NMSA 1978, to transfer administrative functions and duties formerly conferred upon the chief administrative officer of any agency or department merged into the labor department by the Labor Department Act; and

(6) the information technology division shall have all those powers and duties conferred upon it by the secretary with the consent of the governor."

Section 9. Section 9-19-4 NMSA 1978 (being Laws 1987,

HB 747
Page 7

Chapter 254, Section 4, as amended) is amended to read:

"9-19-4. DEPARTMENT ESTABLISHED.--There is created in the executive branch the "department of public safety". The department shall be a cabinet department and shall consist of, but not be limited to, five program divisions, an administrative division and an information technology division as follows:

- A. the New Mexico state police division;
- B. the special investigations division;
- C. the training and recruiting division;
- D. the technical and emergency support division;
- E. the administrative services division;
- F. the motor transportation division; and
- G. the information technology division."