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HOUSE BILL 208

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Rick Miera

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PROCUREMENT; ALLOWING CERTAIN MULTI-TERM EDUCATION-RELATED TESTING SERVICES CONTRACTS TO EXTEND BEYOND FOUR YEARS; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2001.

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

Section 1. Section 13-1-150 NMSA 1978 (being Laws 1984, Chapter 65, Section 123, as amended by Laws 2001, Chapter 247, Section 11 and by Laws 2001, Chapter 270, Section 1) is amended to read:

"13-1-150. MULTI-TERM CONTRACTS--SPECIFIED PERIOD.--

A. A multi-term contract for items of tangible personal property, construction or services, except for professional services, in an amount under twenty-five thousand dollars (\$25,000), may be entered into for any period of time

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underscoring material = new
[bracketed material] = delete

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1 deemed to be in the best interests of the state agency or a
2 local public body not to exceed four years; provided that the
3 term of the contract and conditions of renewal or extension, if
4 any, are included in the specifications and funds are available
5 for the first fiscal period at the time of contracting. If the
6 amount of the contract is twenty-five thousand dollars
7 (\$25,000) or more, the term shall not exceed eight years,
8 including all extensions and renewals, except that for any such
9 contract entered into pursuant to the Public Facility Energy
10 Efficiency and Water Conservation Act, the term shall not
11 exceed ten years, including all extensions and renewals.
12 Payment and performance obligations for succeeding fiscal
13 periods shall be subject to the availability and appropriation
14 of funds therefor.

15 B. A contract for professional services may not
16 exceed four years, including all extensions and renewals,
17 except for the following:

18 (1) services required to support or operate
19 federally certified medicaid, financial assistance and child
20 support enforcement management information or payment systems;

21 (2) services to design, develop or implement
22 the taxation and revenue information management systems project
23 authorized by Laws 1997, Chapter 125;

24 (3) a multi-term contract for the services of
25 trustees, escrow agents, registrars, paying agents, letter of

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[bracketed material] = delete

1 credit issuers and other forms of credit enhancement and other
2 similar services, excluding bond attorneys, underwriters and
3 financial advisors with regard to the issuance, sale and
4 delivery of public securities, may be for the life of the
5 securities or as long as the securities remain outstanding;

6 [~~and~~]

7 (4) services relating to the implementation,
8 operation and administration of the Education Trust Act; and

9 (5) services relating to the development and
10 implementation of standardized tests for students in
11 kindergarten through twelfth grade and services relating to the
12 development and implementation of teacher tests required to
13 obtain professional licensure, which contracts may be for
14 periods up to twelve years."

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