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SENATE BILL 124

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,  
2000**

INTRODUCED BY

Pauline B. Eisenstadt

AN ACT

RELATING TO TELECOMMUNICATIONS; CREATING THE NEW MEXICO  
TELECOMMUNICATIONS COUNCIL; MAKING AN APPROPRIATION.

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

Section 1. FINDINGS AND PURPOSE.--

A. The legislature finds that:

(1) telecommunications infrastructure is a critical enabling technology for the economic, social and cultural benefits of the rapidly increasing global exchange of information;

(2) telecommunications is primarily a market-driven infrastructure based upon private sector investment and deployment of a wide array of technologies by a wide range of providers; and

(3) New Mexico needs to establish an on-going statewide planning process to take advantage of the

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1 existing telecommunications infrastructure and to stimulate  
2 demand to encourage and enable long-term innovation and  
3 improvement.

4 B. The purpose of the New Mexico  
5 telecommunications council is to ensure that affordable  
6 access to the information necessary for New Mexico's economic  
7 benefit and quality of life is available to all New Mexicans,  
8 regardless of income or location.

9 Section 2. NEW MEXICO TELECOMMUNICATIONS COUNCIL--  
10 CREATED--MEMBERS' APPOINTMENT--QUALIFICATIONS.--

11 A. The "New Mexico telecommunications council" is  
12 created, administratively attached to the economic  
13 development department.

14 B. The New Mexico telecommunications council shall  
15 consist of nine members, appointed with the advice and  
16 consent of the senate; three shall be appointed by the  
17 governor, three shall be appointed by the speaker of the  
18 house of representatives and three shall be appointed by the  
19 president pro tempore of the senate. The initial membership  
20 shall consist of one member appointed by each of the  
21 appointing authorities for a term of two years, one member  
22 appointed by each of the appointing authorities for a term of  
23 three years and one member appointed by each of the  
24 appointing authorities for a term of four years; thereafter,  
25 members shall be appointed for terms of four years. The  
membership of the council shall:

- (1) reflect the ethnic, economic, geographic

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1 and professional diversity of the state; and

2 (2) include individuals that:

3 (a) have a demonstrated interest and  
4 involvement with telecommunications issues through  
5 participation in business, technology applications, public  
6 and post-secondary education, health care, libraries or other  
7 entities involved in the dissemination or receipt of  
8 information; and

9 (b) have an understanding and  
10 appreciation of the diverse needs of telecommunications users  
11 and economic development throughout New Mexico.

12 C. The New Mexico telecommunications council shall  
13 meet at the call of the chairman and shall meet not less than  
14 quarterly. The chairman shall be elected from among the  
15 members of the council. Members of the council shall not be  
16 paid but shall receive per diem and mileage as provided in  
17 the Per Diem and Mileage Act.

18 D. The economic development department shall  
19 provide such administrative assistance, meeting space and  
20 other necessary facilities and support services as the  
21 council may request.

22 Section 3. NEW MEXICO TELECOMMUNICATIONS COUNCIL--  
23 DUTIES.--The New Mexico telecommunications council shall:

24 A. develop goals and plans, both long-range and  
25 short-range, to meet the economic and developmental  
telecommunications needs of New Mexico and its citizens, in  
consultation with:

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- 1 (1) the affected public;
- 2 (2) appropriate state agencies and local
- 3 subdivisions;
- 4 (3) educational entities;
- 5 (4) private industry; and
- 6 (5) other entities that the council deems
- 7 appropriate;

8 B. study the status of basic and advanced  
9 telecommunications services;

10 C. identify any incentives needed to encourage  
11 investment in telecommunications infrastructure in urban and  
12 rural areas;

13 D. develop a state plan to maximize federal grants  
14 and funding for telecommunications infrastructure available  
15 to citizens, industry, schools, health care and libraries;

16 E. cooperate with and assist the chief information  
17 officer and information technology commission in any  
18 telecommunications infrastructure assessment;

19 F. determine how best to minimize state and local  
20 government expenditures by fostering and encouraging private  
21 ownership of infrastructure;

22 G. analyze how state-owned telecommunications  
23 facilities can be used more efficiently to support the  
24 provision of advanced telecommunications service by private  
25 industry;

H. analyze the feasibility and efficacy of any  
national or state projects that have been successful in

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1 increasing the availability of telecommunications and  
2 information services in rural areas; and

3 I. by December 1 of each year, report its findings  
4 and recommendations to the governor and legislature.

5 Section 4. APPROPRIATION.--Ten thousand dollars  
6 (\$10,000) is appropriated from the general fund to the New  
7 Mexico telecommunications council for expenditure in fiscal  
8 year 2001 for the purpose of carrying out the provisions of  
9 this act. Any unexpended or unencumbered balance remaining  
10 at the end of fiscal year 2001 shall revert to the general  
11 fund.