MINUTES
of the
FIRST MEETING
of the
SCIENCE, TECHNOLOGY AND TELECOMMUNICATIONS COMMITTEE

August 17-18, 2020
Video Conference Meeting

The first meeting of the Science, Technology and Telecommunications Committee was called to order by Senator Michael Padilla, chair, on August 17, 2020 at 9:05 a.m. by video and audio conference via an online platform.

Present

Sen. Michael Padilla, Chair
Rep. Debra M. Sariñana, Vice Chair
Sen. William F. Burt
Rep. Christine Chandler
Rep. Kelly K. Fajardo
Rep. Tara L. Lujan
Sen. Mark Moores
Sen. William P. Soules
Rep. Melanie A. Stansbury

Absent

Rep. Jason C. Harper
Sen. Bill B. O'Neill

Advisory Members

Rep. Abbas Akhil
Rep. Daymon Ely (8/18)
Sen. Roberto "Bobby" J. Gonzales
Sen. Mary Kay Papen (8/18)
Sen. Nancy Rodriguez
Sen. Bill Tallman

Sen. Craig W. Brandt
Sen. Jacob R. Candelaria
Sen. Ron Griggs
Sen. Richard C. Martinez
Sen. William H. Payne
Rep. Joseph L. Sanchez
Sen. Peter Wirth

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Mark Edwards, Bill Drafter, Legislative Council Service (LCS)
Ralph Vincent, Systems Consultant, LCS
Joanne Vandestreek, Senior Legislative Librarian, LCS

Guest Legislator

Rep. Antonio Maestas

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

Monday, August 17

Welcome and Introductions (9:05 a.m.)
      Senator Padilla welcomed the committee. Members of the committee and staff introduced themselves.

Program Evaluation: Funding, Oversight and Coordination of Broadband Programs (9:11 a.m.)
      Brian Hoffmeister, program evaluator, Legislative Finance Committee (LFC), and Jacob Rowberry, program evaluator, LFC, discussed the LFC's program evaluation of funding, oversight and coordination of broadband programs. The presentation can be found here:

https://www.nmlegis.gov/handouts/STTC%20081720%20Item%201%20LFC%20Evaluation%20Funding%20Oversight%20and%20Coordination%20of%20State%20Broadband%20Programs.pdf.

      Comments from committee members included the following:

- this committee has a high level of interest in broadband deployment;
- there are questions about which agencies should be involved, what resources are needed and what statute changes are necessary in broadband expansion;
- the Department of Information Technology's (DoIT's) State Office of Broadband has been active for 10 years;
- LFC staff are neutral on recommendations for an agency to oversee the broadband program; other states have such agencies in their information technology or economic development departments;
- resources required for a new broadband office should include an annual budget of around $500,000 and several employees;
- permitting and rights of way are areas where the state could assist;
- given that there is a shortage of qualified technical personnel, particularly in rural school districts, there is the question of whether some support work should be accomplished remotely;
- the electric cooperatives should have a "seat at the table" as "players" in the telecommunications market when planning for future capacity and expansion;
- legislation will be proposed in the 2021 session to create the Office of Telecommunications;
- there is a need to evaluate the feasibility of bringing broadband to very small rural areas;
- there are different rights-of-way permitting guidelines across Department of Transportation (DOT) engineering districts, and a single uniform process for permitting is needed;
- the state should explore public-private partnerships to move broadband proliferation forward more rapidly; and
- the wide broadband service provided by Xcel Energy should be the model for rural service in the state.

DoIT Broadband Update (10:12 a.m.)

      John Salazar, secretary, DoIT; Kendra Karp, director, State Office of Broadband, DoIT; and Gar Clarke, state geospatial information officer, DoIT, described their efforts in broadband mapping and assessment projects. The presentation can be found here:

https://www.nmlegis.gov/handouts/STTC%20081720%20Item%202%20DoIT%20Broadband%20Update.pdf.

      Comments from committee members included the following:

- members were impressed with the amount of data involved in the DoIT's interactive map; and
- DoIT staff time should be used to pursue federal funding options and the federal E-Rate Program for schools.

Using the Federal E-Rate Program as a Foundation to Expand Broadband Service (11:21 a.m.)

      A. E-Rate Library Program

      Eli Guinnee, state librarian, Cultural Affairs Department; Joy Poole, deputy state librarian, Cultural Affairs Department; and Richard Govea, manager, Broadband Opportunities Program, New Mexico State Library, described the E-Rate library program and discussed the progress made since the Library Broadband Infrastructure Fund was created by the legislature in 2018. The presentation can be found here:

https://www.nmlegis.gov/handouts/STTC%20081720%20Item%203%20Cultural%20Affairs%20-%20Broadband%20for%20Libraries%20Update%20August%2017%202020.pdf.

      B. E-Rate School Program

      John Chadwick, educational technology coordinator and E-Rate coordinator, Public Education Department, discussed activities the department has been involved in regarding the E-Rate Program for schools. The presentation can be found here:

https://www.nmlegis.gov/handouts/STTC%20081720%20Item%203%20PED%20-%20E-rate%20School%20Program.pdf.

      Comments from committee members included the following:

- E-Rate programs can only be used for schools and libraries, but once the fiber-optic service is installed at a school, service may be extended to homes in the area;
- a library could serve as a wireless hotspot for an area, but that is not within the E-Rate funding rules; however, a service provider that received funding could offer additional service in the area based on the extra capacity brought in by the E-Rate Program; and

- the overall idea has been to create a hub-and-spoke model from state higher education institutions and libraries.

Recess

The meeting recessed at 12:18 p.m.

Tuesday, August 18

Reconvene

Senator Padilla reconvened the meeting at 9:05 a.m.

Broadband Connectivity at Schools in New Mexico and Prospects for Distance Learning for the 2020-2021 School Year (9:06 a.m.)

Jonathan Chamblin, executive director, Public School Facilities Authority (PSFA); Ovidiu Viorica, broadband and technology program manager, PSFA; and Kimball Sekaquaptewa, chief technology director, Santa Fe Indian School, discussed the prospects for distance learning for New Mexico schools for the 2020-2021 academic year. The presentation materials can be found here:

https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=STTC&Date=8/17/2020&ItemNumber=4.

Comments from committee members included the following:

- the Federal Communications Commission's (FCC's) E-Rate Program provides funding for 85% to 95% of the cost per project for infrastructure build-out; school districts typically use an E-Rate consultant to help obtain funding;
- the E-Rate Program makes telecommunications and information services more affordable for schools and libraries; with funding from the FCC's Universal Service Fund, the E-Rate Program provides discounts to eligible schools and libraries for telecommunications, internet access and internal connections; and
- the PSFA could assist with the purchase of network equipment to provide Wi-Fi service that is broadcast across a school district; students would have the ability to access the school's network from home with the proper equipment.

Development and Deployment of New Technologies: Prospects for Lower-Cost Broadband Infrastructure for New Mexico Communities (10:23 a.m.)

John Badal, chief executive officer, Sacred Wind Communications; John Joseph, founder, inventor and president, OptiPulse, Inc.; Mathis Shinnick, chief executive officer, OptiPulse, Inc.; Mikkel Vestergaard Frandsen, chief executive officer, Sceye Inc.; and Daniel Doulton, chief platform officer, Sceye Inc., discussed new technologies that are being directed toward rural communities. The presentation materials can be found here:

https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=STTC&Date=8/17/2020&ItemNumber=5.

A committee member asked whether the state should use state and federal funds to establish foundational broadband infrastructure and whether the service provider should pick up the middle-mile costs.

Tentative Committee Work Plan and Schedule for the 2020 Interim (11:45 a.m.)
Mr. Edwards presented the proposed committee work plan, noting that the committee has three remaining meetings: September 2, September 28 and October 26. The proposed work plan and meeting schedule can be found here:

https://www.nmlegis.gov/handouts/STTC%20081720%20Item%206%20STTCProposed%20Work%20Plan.20.pdf.

In the ensuing discussion, a concern was raised that the committee's available meeting time would not be sufficient to cover all of the proposed subjects. In response, the chair directed staff to consolidate presentations where possible. Mr. Edwards also noted that when developing committee agendas and finding presenters, it is better that the committee have a surplus of interests than not enough. The motion to approve the work plan was adopted without objection.

Public Comment
There was no public comment.

Adjournment
There being no further business before the committee, the meeting adjourned at 12:02 p.m.