

1 SENATE BILL 338

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO INFORMATION TECHNOLOGY; PROVIDING FOR THE CHIEF
12 INFORMATION OFFICER TO COORDINATE THE DEVELOPMENT OF A
13 STATEWIDE BROADBAND NETWORK.

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

16 SECTION 1. [NEW MATERIAL] CHIEF INFORMATION OFFICER--
17 STATEWIDE BROADBAND NETWORK.--

18 A. The chief information officer shall coordinate
19 the development of and maintain a statewide broadband network
20 and apply for reimbursements from the federal universal service
21 fund pursuant to Section 254 of the federal Telecommunications
22 Act of 1996, 47 U.S.C. 254, as such section existed on January
23 1, 2006, on behalf of state agencies, political subdivisions
24 and educational institutions that request to be included in the
25 network.

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1 B. No later than June 30, 2019, the chief
2 information officer shall provide for the development of a
3 statewide, multipurpose, high-capacity, scalable
4 telecommunications and broadband network. The development of
5 the network shall be done in partnership with the public
6 education department, the higher education department, state
7 universities, other educational institutions and the public
8 school facilities authority. Funding shall be allocated to
9 network partnership participants who contribute to planning,
10 design and implementation of the statewide education network on
11 a fee-for-service basis using the participants' established
12 rate structure pursuant to the public school capital outlay
13 fund provided for in Section 22-24-4 NMSA 1978. The network
14 shall consist of contractual arrangements with providers to
15 meet the demand of state agencies, political subdivisions and
16 educational institutions. The network shall provide access to
17 a reliable and affordable infrastructure capable of carrying a
18 spectrum of services and applications, including distance
19 education, across the state. The chief information officer
20 shall provide access on a voluntary basis to each school
21 district, each community college, each state college and each
22 four-year state university at the earliest feasible date.
23 Access may be provided through educational service units or
24 other aggregation points. The chief information officer shall
25 aggregate demand for those state agencies and educational

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1 institutions choosing to participate and shall reduce costs for
2 participants whenever feasible. The chief information officer
3 shall establish a cost structure based on actual costs,
4 including necessary administrative expenses, but not including
5 administrative travel or conference expenses, and shall charge
6 participants according to such cost structure.

7 C. The chief information officer shall adopt
8 technical standards for connection to the statewide broadband
9 network.

10 D. Indian nations, tribes and pueblos may connect
11 to the statewide broadband network in exchange for a right-of-
12 way agreement with the chief information officer. The chief
13 information officer shall apply for reimbursements as provided
14 in Subsection A of this section on behalf of Indian nations,
15 tribes and pueblos that execute a right-of-way agreement.