

## CHAPTER 285

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**GOVERNMENT - STATE**

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**HOUSE BILL 93-1035**

BY REPRESENTATIVES Coffman, Prinster, Eisenach, Hagedorn, Kerns, and May;  
also SENATOR Schaffer.

**AN ACT****CONCERNING THE STATE TELECOMMUNICATIONS NETWORK.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 24-30-1801, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

**24-30-1801. Legislative declaration.** (1) The general assembly hereby finds and declares that there is a lack of coordination among the various state agencies regarding the utilization of telecommunications facilities and services. The general assembly further finds that better coordination of such facilities and services, particularly among the governing boards of the institutions of higher education, the department of higher education, the department of education, and the school districts across the state, would result in improved education programs and a more cost-effective telecommunications system. The use of telecommunications services and facilities to expand educational opportunity, however, does not mean that the role of the teacher in the classroom should be diminished.

(2) THE GENERAL ASSEMBLY HEREBY FINDS THAT THE DEVELOPMENT AND USE OF A STATEWIDE TELECOMMUNICATIONS NETWORK WILL ACCELERATE ECONOMIC DEVELOPMENT WITHIN THE STATE. THE GENERAL ASSEMBLY FURTHER FINDS THAT COOPERATION AND PARTICIPATION BY MEDICAL AND HEALTH FACILITIES, PUBLIC AND PRIVATE ECONOMIC DEVELOPMENT ORGANIZATIONS, THE JUDICIAL SYSTEM, AND LOCAL GOVERNMENTS IN DEVELOPING A STATEWIDE TELECOMMUNICATIONS NETWORK WILL FACILITATE EXPANSION OF SUCH NETWORK TO ITS FULL POTENTIAL AND ENCOURAGE ECONOMIC GROWTH AND DEVELOPMENT WITHIN COLORADO.

**SECTION 2.** 24-30-1802 (3) (a), Colorado Revised Statutes, 1988 Repl. Vol.,

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

as amended, is amended to read:

**24-30-1802. Advisory commission on telecommunications.** (3) (a) This section is repealed, effective July 1, ~~1994~~ 1995.

**SECTION 3.** Part 18 of article 30 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

**24-30-1801.5. Definitions.** AS USED IN THIS PART 18, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "INFORMATION INFRASTRUCTURE" MEANS ALL SERVICES OFFERED TO THE PUBLIC, EITHER FREE OR AT A SET PRICE, WHICH EMPLOY THE STATEWIDE TELECOMMUNICATIONS INFRASTRUCTURE TO PROVIDE, FOR THE BENEFIT OF THE PUBLIC OR PRIVATE SECTOR, TEXT, VIDEO, IMAGE, SOUND, OR DATA.

(2) "STATEWIDE TELECOMMUNICATIONS INFRASTRUCTURE" AND "TELECOMMUNICATIONS INFRASTRUCTURE" MEAN REGULATED TELECOMMUNICATIONS SERVICES, EMERGING COMPETITIVE TELECOMMUNICATIONS SERVICES, AND SERVICES, PRODUCTS, AND PROVIDERS WHICH ARE EXEMPT FROM REGULATION, AS PROVIDED IN ARTICLE 15 OF TITLE 40, C.R.S., AND TELECOMMUNICATIONS FACILITIES AND CAPABILITIES OWNED OR OPERATED BY THE STATE.

**24-30-1805. Demonstration project.** NO LATER THAN DECEMBER 31, 1994, THE TELECOMMUNICATIONS ADVISORY COMMISSION MAY COORDINATE A PROJECT WHICH SHALL DEMONSTRATE THE CAPABILITIES OF THE STATEWIDE TELECOMMUNICATIONS NETWORK. SUCH PROJECT SHALL INVOLVE, BUT SHALL NOT BE LIMITED TO, INSTITUTIONS OF HIGHER EDUCATION, ELEMENTARY AND SECONDARY SCHOOLS FROM ANY COLORADO SCHOOL DISTRICT, THE JUDICIAL SYSTEM, AND STATE AGENCIES WHICH CHOOSE TO PARTICIPATE IN SUCH PROJECT. SUCH PROJECT SHALL BE FUNDED BY MONEYS CONTRIBUTED BY PARTICIPATING INSTITUTIONS OF HIGHER EDUCATION, SCHOOL DISTRICTS, AND STATE AGENCIES OR BY PRIVATE INDIVIDUALS OR CORPORATIONS. MONEYS CONTRIBUTED BY A STATE AGENCY OR A COLORADO INSTITUTION OF HIGHER EDUCATION SHALL BE ABSORBED WITHIN THE CURRENT FISCAL YEAR APPROPRIATION OF THE STATE AGENCY OR INSTITUTION OF HIGHER EDUCATION.

**24-30-1806. Policy recommendations.** THE ADVISORY COMMISSION APPOINTED PURSUANT TO SECTION 24-30-1802 SHALL IDENTIFY ISSUES AND RECOMMEND POLICY OPTIONS FOR THE GENERAL ASSEMBLY CONCERNING COLORADO'S TELECOMMUNICATIONS INFRASTRUCTURE AND INFORMATION INFRASTRUCTURE AND PERIODICALLY PUBLISH A REPORT OF ITS FINDINGS. SUCH REPORT SHALL INCLUDE RECOMMENDATIONS BY THE COMMISSION FOR ACCELERATING THE USE OF EXISTING TELECOMMUNICATIONS INFRASTRUCTURE FOR DISTANCE LEARNING ACTIVITIES AND RECOMMENDATIONS FOR USE BETWEEN CORRECTIONAL INSTITUTIONS AND DISTRICT COURTS AND STATE MENTAL HEALTH INSTITUTIONS AND THE DISTRICT COURT SYSTEM. IN DEVELOPING POLICY OPTIONS, THE COMMISSION SHALL SOLICIT COMMENT FROM THE PUBLIC AND PRIVATE SECTORS, INCLUDING, BUT NOT LIMITED TO, PROVIDERS AND USERS OF TELECOMMUNICATIONS AND INFORMATION TECHNOLOGY AND THE PUBLIC UTILITIES COMMISSION. THE COMMISSION SHALL PUBLISH ITS FIRST INFRASTRUCTURE

REPORT NO LATER THAN DECEMBER 31, 1994.

**SECTION 4.** 2-3-1203 (3) (g) (XVIII), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is repealed as follows:

**2-3-1203. Sunset review of advisory committees.** (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(g) July 1, 1994:

(XVIII) ~~The telecommunications advisory commission appointed pursuant to section 24-30-1802, C.R.S.;~~

**SECTION 5.** 2-3-1203 (3) (h), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**2-3-1203. Sunset review of advisory committees.** (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(h) July 1, 1995:

(VIII) ~~THE TELECOMMUNICATIONS ADVISORY COMMISSION APPOINTED PURSUANT TO SECTION 24-30-1802, C.R.S.~~

**SECTION 6. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 7. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 6, 1993