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SENATE BILL 1012

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

LEONARD LEE RAWSON

AN ACT

RELATING TO ELECTRONIC INFORMATION; ENACTING THE ELECTRONIC
ACCESS ACT.

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

Section 1. SHORT TITLE. --This act may be cited as the
"Electronic Access Act".

Section 2. FINDINGS AND PURPOSE. --The legislature finds
that it is now feasible in this electronic age to distribute
public information, including proposed and enacted state laws,
regulations, rulings and reported judicial decisions, by way of
electronic medium, including the internet and its branches, in
order to better inform the public of state laws and judicial
decisions and to provide easy and free access to those
documents. The legislature declares that the purpose of the
Electronic Access Act is to make that information available to

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1 the public in a timely manner and at the least possible cost.

2 Section 3. DEFINITION. --As used in the Electronic Access
3 Act, "electronic form" includes publication on the worldwide web
4 and other branches of the internet and includes providing
5 members of the public, upon request, the information described
6 in Section 4 of that act in electronic formats, including
7 computer disks.

8 Section 4. INFORMATION PROVIDED. --The legislative council
9 service and the New Mexico compilation commission shall, on or
10 before July 1, 1997, make all of the following information and
11 documents available to the public in electronic form:

12 A. the legislative calendar, the schedule of
13 legislative committee hearings, a list of matters pending on the
14 floors of both houses of the legislature and a list of the
15 committees of the legislature and their members;

16 B. the full text of each bill introduced in each
17 current legislative session, including all amendments and
18 substitutions;

19 C. the history of each bill introduced and amended
20 in each current legislative session;

21 D. a means by which the public may easily search the
22 data base of all bills introduced in each legislative session by
23 subject, title or sponsor;

24 E. the status of each bill introduced and amended in
25 each current legislative session;

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1 F. all vote information concerning a bill introduced
2 in each current legislative session;

3 G. the current NMSA 1978;

4 H. the constitution of New Mexico;

5 I. all reported judicial decisions issued by New
6 Mexico courts;

7 J. the full text of the New Mexico register;

8 K. the full text of the New Mexico Administrative
9 Code;

10 L. the full text of any rule filed by any state
11 agency with the records center; and

12 M any other information or documents copyrighted by
13 the state relating to the information described in this section.

14 Section 5. PUBLIC ACCESS.--

15 A. The information and documents described in
16 Section 4 of the Electronic Access Act shall be made available
17 to the public by means of access by way of the public computer
18 network commonly referred to as the internet. The information
19 shall also be made available in one or more formats, including
20 computer disks and bulletin boards, and by one or more means in
21 order to provide the greatest feasible access by the public to
22 the information described in Section 4 of that act. Any person
23 who accesses that information may access all or any part of the
24 information. All information and documents described shall be
25 kept current and updated in the shortest feasible time after the

1 information is obtained by either the legislative council
2 service or the New Mexico compilation commission.

3 B. Personal information concerning a person who
4 accesses the information may be maintained only for the purpose
5 of providing service to that person and shall not be sold,
6 disclosed or otherwise disseminated.

7 C. No fee or other charge may be imposed upon any
8 member of the public for accessing or receiving the information
9 or documents in the forms described in Section 4 of the
10 Electronic Access Act. However, the legislative council service
11 or the New Mexico compilation commission may charge a reasonable
12 fee for providing the information described on computer disk,
13 not to exceed one dollar (\$1.00) per disk. The legislative
14 council service or the New Mexico compilation commission may
15 also allow members of the public to provide their own computer
16 disks for the purpose of receiving the information described,
17 subject to those safeguards as the agencies deem necessary to
18 protect the integrity of the system or data.

19 D. The electronic access provided through the
20 internet shall be in addition to other electronic distribution
21 of the information described.

22 E. No action taken pursuant to the Electronic Access
23 Act shall alter or relinquish any copyright or other proprietary
24 interest or entitlement of the state relating to any of the
25 information made available pursuant to that act.

1 FORTY-THIRD LEGISLATURE

2 FIRST SESSION, 1997

SB 1012/a

3
4
5 February 26, 1997

6
7 Mr. President:

8
9 Your CORPORATIONS & TRANSPORTATION COMMITTEE, to
10 whom has been referred

11
12 SENATE BILL 1012

13
14 has had it under consideration and reports same with
15 recommendation that it DO PASS, amended as follows:

16
17 1. On page 2, line 9, strike "shall" and insert "may",

18
19 and thence referred to the JUDICIARY COMMITTEE.

20
21 Respectfully submitted,

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25 _____
Roman M. Maes, III, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Fidel, McKibben, Robinson, Maes

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

SB 1012/a

March 10, 1997

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Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

SENATE BILL 1012, as amended

has had it under consideration and reports same with
recommendation that it DO PASS, amended as follows:

1. On page 3, line 9, after the semicolon insert "and".
2. On page 3, strike lines 10 and 11.
3. Reletter the succeeding subsection accordingly.
4. On page 4, line 5, after "and" insert "documenting any financial transactions by that person with the state or a state contractor. Such personal information".
5. On page 4, line 6, before the period insert ", except for the purposes of securing the payment of financial obligations or reporting a crime or ethical violation to the appropriate state official or agency".

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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SJC/SB 1012

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Respectfully submitted,

Fernando R. Macias, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For Against

Yes: 6

No: 0

Excused: Sanchez, Tsosie

Absent: None

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