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SENATE BILL 608

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

George K. Munoz

AN ACT

RELATING TO THE SPACEPORT AUTHORITY; REQUIRING ALL DISPOSITIONS OF AUTHORITY PROJECTS, INCLUDING LEASES, TO BE RATIFIED BY THE LEGISLATURE PRIOR TO BECOMING EFFECTIVE.

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

**SECTION 1.** Section 58-31-5 NMSA 1978 (being Laws 2005, Chapter 128, Section 5, as amended) is amended to read:

"58-31-5. AUTHORITY POWERS AND DUTIES.--

A. The authority shall:

(1) hire an executive director, who shall employ the necessary professional, technical and clerical staff to enable the authority to function efficiently and shall direct the affairs and business of the authority, subject to the direction of the authority;

(2) be located within fifty miles of a

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1 southwest regional spaceport;

2 (3) advise the governor, the governor's staff  
3 and the New Mexico finance authority oversight committee on  
4 methods, proposals, programs and initiatives involving a  
5 southwest regional spaceport that may further stimulate space-  
6 related business and employment opportunities in New Mexico;

7 (4) initiate, develop, acquire, own,  
8 construct, maintain and lease space-related projects; provided  
9 that, in addition to the approvals required for disposition of  
10 real property in Sections 13-6-2, 13-6-2.1 and 13-6-3 NMSA  
11 1978, a disposition by lease of a space-related project of any  
12 value shall be ratified by a joint resolution of the  
13 legislature prior to becoming effective;

14 (5) make and execute all contracts and other  
15 instruments necessary or convenient to the exercise of its  
16 powers and duties;

17 (6) create programs to expand high-technology  
18 economic opportunities within New Mexico;

19 (7) create avenues of communication among  
20 federal government agencies, the space industry, users of space  
21 launch services and academia concerning space business;

22 (8) promote legislation that will further the  
23 goals of the authority and development of space business;

24 (9) oversee and fund production of promotional  
25 literature related to the authority's goals;

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1 (10) identify science and technology trends  
2 that are significant to space enterprise and the state and act  
3 as a clearinghouse for space enterprise issues and information;

4 (11) coordinate and expedite the involvement  
5 of the state executive branch's space-related development  
6 efforts; and

7 (12) perform environmental, transportation,  
8 communication, land use and other technical studies necessary  
9 or advisable for projects and programs or to secure licensing  
10 by appropriate United States agencies.

11 B. The authority may:

12 (1) advise and cooperate with municipalities,  
13 counties, state agencies and organizations, appropriate federal  
14 agencies and organizations and other interested persons and  
15 groups;

16 (2) solicit and accept federal, state, local  
17 and private grants of funds or property and financial or other  
18 aid for the purpose of carrying out the provisions of the  
19 Spaceport Development Act;

20 (3) adopt rules governing the manner in which  
21 its business is transacted and the manner in which the powers  
22 of the authority are exercised and its duties performed;

23 (4) operate spaceport facilities, including  
24 acquisition of real property necessary for spaceport facilities  
25 and the filing of necessary documents with appropriate

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1 agencies;

2 (5) construct, purchase, accept donations of  
3 or lease projects located within the state; provided that, in  
4 addition to the approvals required for disposition of real  
5 property in Sections 13-6-2, 13-6-2.1 and 13-6-3 NMSA 1978, a  
6 disposition by lease of a space-related project of any value  
7 shall be ratified by a joint resolution of the legislature  
8 prior to becoming effective;

9 (6) sell, lease or otherwise dispose of a  
10 project upon terms and conditions acceptable to the authority  
11 and in the best interests of the state; provided that, in  
12 addition to the approvals required for disposition of real  
13 property in Sections 13-6-2, 13-6-2.1 and 13-6-3 NMSA 1978, a  
14 sale, lease or other disposition of a space-related project of  
15 any value shall be ratified by a joint resolution of the  
16 legislature prior to becoming effective;

17 (7) issue revenue bonds and borrow money for  
18 the purpose of defraying the cost of acquiring a project by  
19 purchase or construction and of securing the payment of the  
20 bonds or repayment of a loan;

21 (8) enter into contracts with regional  
22 spaceport districts and issue bonds on behalf of regional  
23 spaceport districts for the purpose of financing the purchase,  
24 construction, renovation, equipping or furnishing of a regional  
25 spaceport or a spaceport-related project;

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1 (9) refinance a project;

2 (10) contract with any competent private or  
3 public organization or individual to assist in the fulfillment  
4 of its duties;

5 (11) fix, alter, charge and collect tolls,  
6 fees or rentals and impose any other charges for the use of or  
7 for services rendered by any authority facility, program or  
8 service; and

9 (12) contract with regional spaceport  
10 districts to receive municipal regional spaceport gross  
11 receipts tax and county regional spaceport gross receipts tax  
12 revenues.

13 C. The authority shall not:

14 (1) incur debt as a general obligation of the  
15 state or pledge the full faith and credit of the state to repay  
16 debt; or

17 (2) expend funds or incur debt for the  
18 improvement, maintenance, repair or addition to property unless  
19 it is owned by the authority, the state or a political  
20 subdivision of the state."