

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AN ACT

RELATING TO ECONOMIC DEVELOPMENT; PROVIDING FOR MILITARY BASE
RETENTION AND RELATED ECONOMIC ENHANCEMENT; PROVIDING A
COMPENSATING TAX DEDUCTION FOR TEST ARTICLES USED IN RESEARCH
OR TESTING; DECLARING AN EMERGENCY.

S
B
3
3
3
P
a
g
e
1

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

Section 1. Section 9-15-48 NMSA 1978 (being Laws 2003, Chapter 166,
Section 1 and Laws 2003, Chapter 170, Section 1) is amended to read:

"9-15-48. OFFICE OF MILITARY BASE PLANNING AND SUPPORT
CREATED--DUTIES.--

A. The "office of military base planning and support" is created,
which is administratively attached to the economic development department. The
department shall provide administrative services to the office.

B. The governor's homeland security adviser shall appoint a director
of the office of military base planning and support.

C. The director of the office of military base planning and support
shall:

(1) employ, under the authorization of the governor's
homeland security adviser, the staff necessary to carry out the work of the office of
military base planning and support and the military base planning commission;

(2) support the commission;

(3) inform the governor and the governor's homeland
security adviser about issues impacting the military bases in the state, including
infrastructure requirements, environmental needs, military force structure
possibilities, tax implications, property considerations and issues requiring
coordination and support from other state agencies;

- 1 (4) serve as a liaison with the community organizations SB
- 2 whose purpose is to support the long-term viability of the military bases;
- 3 (5) communicate with the staff of the state's congressional 3
- 4 delegation; and 3
- 5 (6) identify issues, prepare information and provide for Pa
- 6 presentations necessary for the commission to carry out its duties." ge

7 Section 2. Section 9-15-49 NMSA 1978 (being Laws 2003, Chapter 166, 2

8 Section 2 and Laws 2003, Chapter 170, Section 2) is amended to read:

9 "9-15-49. MILITARY BASE PLANNING COMMISSION CREATED--

10 COMPOSITION.--

11 A. The "military base planning commission" is created, which is

12 administratively attached to the economic development department. The

13 department shall provide administrative services to the commission.

14 B. The commission consists of fifteen members, thirteen of which

15 are appointed by the governor with the advice and consent of the senate. The

16 commission shall include the lieutenant governor, the governor's homeland security

17 adviser and appropriate representatives from the counties, or adjoining counties, in

18 which military bases are located.

19 C. The governor shall appoint a chair from among the members of

20 the commission. The commission shall meet at the call of the chair and shall meet

21 not less than quarterly. Members of the commission shall not be paid but shall

22 receive per diem and mileage expenses as provided in the Per Diem and Mileage

23 Act.

24 D. Notwithstanding the provisions of the Open Meetings Act,

25 meetings of the commission shall be closed to the public when proprietary

alternative New Mexico military base realignment or closure strategies or any

information regarding relocation of military units is discussed.

1 E. Information developed or obtained by the commission that
2 pertains to proprietary commission strategies or related to the relocation of military
3 units shall be confidential and not subject to inspection pursuant to the Inspection of
4 Public Records Act."

S
B
3
3
3
P
a
g
e

5 Section 3. A new section of the Gross Receipts and Compensating Tax Act
6 is enacted to read:

7 "DEDUCTION--COMPENSATING TAX--TEST ARTICLES.--

3

8 A. The value of test articles upon which research or testing is
9 conducted in New Mexico pursuant to a contract with the United States department
10 of defense may be deducted in computing the compensating tax due.

11 B. As used in this section, "test article" means a material or device
12 upon which research or testing is conducted to determine the properties and
13 qualities of the material or the properties, qualities or functioning of the device or a
14 technology used with the device.

15 C. The deduction provided by this section does not apply to the
16 value of property purchased by a prime contractor operating a facility designated as
17 a national laboratory by an act of congress."

18 Section 4. EMERGENCY.--It is necessary for the public peace, health and
19 safety that this act take effect immediately.

20
21
22
23
24
25