

AN ACT

RELATING TO PUBLIC SAFETY; CREATING THE OFFICE OF HOMELAND SECURITY; PROVIDING DUTIES.

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

Section 1. OFFICE OF HOMELAND SECURITY--CREATED--
DUTIES.--

A. The "office of homeland security" is created as an administratively attached agency to the office of the governor.

B. The office shall be the central point for coordinating the state's homeland security efforts, including the gathering, review, analysis and dissemination of information relating to homeland security.

C. The chief administrative and executive officer of the office shall be the "director of homeland security", appointed by the governor with the advice and consent of the senate.

D. The director of homeland security shall:

(1) coordinate the homeland security preparedness efforts of all state and local government agencies, as well as enlist cooperation from private entities such as health care providers;

(2) apply for and accept federal funds for homeland security, administer the funds and develop criteria

to allocate grants to local governments, tribes, state agencies and other qualified entities;

(3) act as liaison between federal, state and local agencies to effect the improved sharing of counterterrorism intelligence;

(4) provide information to the general public and to private businesses that is essential to ensuring their safety and security and provide the governor with timely information relating to acts of terrorism or terrorist threats;

(5) establish security standards for state facilities and for protection of their occupants and develop plans for the continuity of state government operations in the event of a threat or act of terrorism, or other natural or man-made disaster;

(6) identify the state's critical infrastructures and assist public and private entities with developing plans and procedures designed to implement the protective actions necessary to continue operations;

(7) coordinate law enforcement plans for prevention, preparedness and response with a focus on an all-hazards approach;

(8) coordinate law enforcement counterterrorism prevention, preparedness and response training on a statewide basis, including training for

emergency responders, government officials, health care providers and others as appropriate;

(9) work with emergency response and emergency management programs and provide assistance in developing and conducting terrorism response exercises for emergency responders, government officials, health care providers and others;

(10) coordinate the law enforcement and emergency responders response to an act of terrorism or terrorist threat;

(11) develop and maintain a statewide plan and strategy to manage and allocate federal grant funds required to provide the state's emergency response community with the equipment necessary to respond to an act of terrorism involving a weapon of mass destruction;

(12) perform such other duties relating to homeland security as may be assigned by the governor;

(13) subject to available funding, employ such administrative and technical personnel as are necessary to perform the duties of the office; and

(14) promulgate such rules as are necessary to carry out the purpose of this section.

Section 2. Section 9-15-48 NMSA 1978 (being Laws 2003, Chapter 166, Section 1 and Laws 2003, Chapter 170, Section 1, as amended) 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 director of homeland security 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 director of homeland security, 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 director of homeland security 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;

(4) serve as a liaison with the community organizations whose purpose is to support the long-term viability of the military bases;

(5) communicate with the staff of the state's congressional delegation; and

(6) identify issues, prepare information and provide for presentations necessary for the commission to carry out its duties."

Section 3. Section 9-15-49 NMSA 1978 (being Laws 2003, Chapter 166, Section 2 and Laws 2003, Chapter 170, Section 2, as amended) is amended to read:

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

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

B. The commission consists of fifteen members, thirteen of which are appointed by the governor with the advice and consent of the senate. The commission shall include the lieutenant governor, the director of homeland security and appropriate representatives from the counties, or adjoining counties, in which military bases are located.

C. The governor shall appoint a chair from among the members of the commission. The commission shall meet at the call of the chair and shall meet not less than quarterly. Members of the commission shall not be paid but shall receive per diem and mileage expenses as provided in the Per Diem and

Mileage Act.

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

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