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FISCAL IMPACT REPORT

ORIGINAL DATE 02/03/09

SPONSOR Varela LAST UPDATED _____ HB 200

SHORT TITLE Disclosure of Spaceport Authority Information SB _____

ANALYST Lucero

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB64
Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Economic Development Department (EDD)
Attorney General's Office (AGO)

SUMMARY

Synopsis of Bill

House Bill 200 proposes to amend Section 58-31-1 NMSA 1978 the Spaceport Development Act to add a new section regarding confidentiality. The bill proposes to make information obtained by the (Spaceport) authority that is proprietary technical or business information or related to the possible relation or expansion of a business shall be confidential and not subject to inspection pursuant to the Inspection of Public Records Act.

SIGNIFICANT ISSUES

The New Mexico Spaceport Authority (NMSA) is administratively attached to the Economic Development Department (EDD). NMSA does not currently have the same confidentiality provisions that EDD has regarding business development. Companies and users of the Spaceport have proprietary technical and business information that requires the same confidentiality capability as the Economic Development Department. Without confidentiality provisions, the NMSA may not be able to attract businesses to New Mexico. Attracting the new commercial space industry to New Mexico is a prime objective of NMSA.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to SB64 “Rename Spaceport as "Spaceport America"

OTHER SUBSTANTIVE ISSUES

The proposed exemption is similar to those afforded similar information received by the Economic Development Department in section 9-15-10, NMSA 1978, and by the technology enterprise division of that Department in section 9-15-18(A), NMSA 1978.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo.

DL/svb