



## Council Action and Executive Summary

Item # 5 Ordinance/Resolution# 13-110

For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of February 4, 2013  
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE:** A RESOLUTION IN SUPPORT OF SENATE BILL 63 AND HOUSE BILL 49 WHICH AMEND THE SPACE FLIGHT INFORMED CONSENT ACT.

**PURPOSE(S) OF ACTION:**

To support the amendments to the Space Flight Informed Consent Act.

<b>COUNCIL DISTRICT: 4</b>		
<b><u>Drafter/Staff Contact:</u></b> Monica Campbell	<b><u>Department/Section:</u></b> Legal/City Attorney	<b><u>Phone:</u></b> 541-2128
<b><u>City Manager Signature:</u></b>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

Spaceport America provides economic development opportunities for Southern New Mexico and the City of Las Cruces ("City"), and a vibrant business at Spaceport America will bring revenue from ancillary businesses and an increased tourist industry.

The enactment of the amendments to extend the limitation of liability to manufacturers and suppliers will match recently enacted laws in Texas, Florida, Oklahoma and Virginia and will provide New Mexico with the opportunity to remain competitive with these states in attracting companies in the space flight industry.

The failure to enact the changes may seriously damage New Mexico's ability to compete and will result in fewer new jobs in the space industry.

**SUPPORT INFORMATION:**

1. Resolution.

(Continue on additional sheets as required)

**SOURCE OF FUNDING:**

N/A	<b>Is this action already budgeted?</b>		
	Yes	<input type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____.
<input type="checkbox"/>		Proposed funding is from a new revenue source (i.e. grant; see details below)	
<input type="checkbox"/>		Proposed funding is from fund balance in the _____ Fund.	
	<b>Does this action create any revenue?</b>		
	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$_____ for FY_____.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

N/A
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**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will indicate the City's support of Senate Bill 63 and House Bill 49.
2. Vote "No"; this will indicate that the City does not support Senate Bill 63 and House Bill 49.
3. Vote to "Amend"; this could include further direction to staff.
4. Vote to "Table"; this could delay indication of the City's support of Senate Bill 63 and House Bill 49.

**REFERENCE INFORMATION:**

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

N/A.

RESOLUTION NO. 13-110

**A RESOLUTION IN SUPPORT OF SENATE BILL 63 AND HOUSE BILL 49 WHICH AMEND THE SPACE FLIGHT INFORMED CONSENT ACT.**

The City Council is informed that:

**WHEREAS**, Spaceport America provides economic development opportunities for Southern New Mexico and the City of Las Cruces ("City"); and

**WHEREAS**, a vibrant space business at Spaceport America will bring revenue from the ancillary businesses it brings and from an increased tourist industry to the City; and

**WHEREAS**, the enactment of the amendments to extend the limitation of liability to manufacturers and suppliers will match recently enacted laws in Texas, Florida, Oklahoma, Colorado and Virginia and will provide New Mexico with the opportunity to remain competitive with these states in attracting companies in the space flight industry; and

**WHEREAS**, failure to enact these changes may seriously damage New Mexico's ability to compete in the Spaceport economic development opportunities and will result in fewer new jobs in the space industry.

**NOW, THEREFORE**, Be it resolved by the governing body of the City of Las Cruces:

(I)

**THAT** the City of Las Cruces supports the enactment of Senate Bill 63 and House Bill 49 which amend the Space Flight Informed Consent Act which extends limited liability to manufacturers and suppliers of spacecraft and spacecraft components.

(II)

THAT a copy of this resolution will be forwarded to Governor Susana Martinez, President of the New Mexico Senate Mary Kay Papen, and W. Kenneth Martinez, the Speaker of the New Mexico House of Representatives.

(III)

THAT City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

DONE AND APPROVED on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

VOTE:

Mayor Miyagishima: \_\_\_\_\_  
Councillor Silva: \_\_\_\_\_  
Councillor Smith: \_\_\_\_\_  
Councillor Pedroza: \_\_\_\_\_  
Councillor Small: \_\_\_\_\_  
Councillor Sorg: \_\_\_\_\_  
Councillor Thomas: \_\_\_\_\_

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

APPROVED AS TO FORM:

  
City Attorney