

**NOTE:** As provided in LFC policy, this report is intended only for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used for other purposes.

The most recent FIR version (in HTML & Adobe PDF formats) is available on the Legislative Website. The Adobe PDF version includes all attachments, whereas the HTML version does not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

SPONSOR: Gonzales DATE TYPED: 3/3/03 HB HJM100

SHORT TITLE: Develop NM Transportation Policy SB \_\_\_\_\_

ANALYST: Reynolds-Forte

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	Indeterminate (see fiscal implications)			Non-Rec	Legislative Interim Expense Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

Responses Received From  
 Energy, Minerals and Natural Resources Department  
 State Highway and Transportation Department

### SUMMARY

#### Synopsis of Bill

HJM 100 requests the New Mexico Legislative Council Service to direct an appropriate interim legislative committee to develop New Mexico's Transportation Policy. The purpose of the committee is to:

- Identify strengths and weaknesses of the current New Mexico transportation system and laws;
- Determine how they (system and laws) can be structured and strengthened to promote a desirable quality of life and maintain the vital cultural character of both rural and urban communities unique to New Mexico;
- Determine how government actions on transportation issues can involve more public input and increased accountability;
- Develop a transportation policy that will improve the state's economic vitality and thereby the lives of all New Mexicans;
- Provide for the preservation and promotion of the distinctive essence of New Mexico; and

- Educate the legislature on rural and urban transportation issues and needs.

### **FISCAL IMPLICATIONS**

The memorial provides no funding for payment of the interim committee. Therefore, the funds to pay members mileage and per diem will come from the Legislative Council Interim Expense Fund. The memorial does not specify the committee. The fiscal impact to the fund will depend on the number of committee members and the location and frequency of the meeting.

### **ADMINISTRATIVE IMPLICATIONS**

The State Highway and Transportation Department believes that the State Transportation Commission and the Department can easily meet any needs of the interim committee for information and advice during its deliberations. Implementing the resulting policy could require new statutory authority, rulemaking, and policy development by Department staff. This staff is singularly good at these tasks. It is unknown what volume of work this might require. Thus, it is impossible now to comment on how such efforts will impact on-going work at the Department.

### **OTHER SUBSTANTIVE ISSUES**

The State Highway and Transportation Department notes that HJM100 does not direct that either the State Transportation Commission or SHTD be involved in the development of the interim committee's policy, although representatives of the STC and SHTD would likely be invited by the interim committee to participate.

Currently, the constitutional STC sets transportation policy for the Department and has the fundamental and inviolable power to set policy for the expenditure of the state road fund for highway construction and maintenance. It would be important for the interim committee to assure that its concerns and desires are shared with and accepted by the STC. Additionally, there is already in place a sophisticated process, much of it driven by federally imposed conditions for the receipt of federal highway funds, for planning at least the highway element of transportation, which results in a Statewide Transportation Improvement Plan (STIP). Care will need to be taken that the interim committee comprehends and implements these federal conditions. The STIP process presents an opportunity for the STC/SHTD to expand it to include more transportation modalities and coordination among modalities, without the creation of an interim process.

An important element of any policy will be matching a desired transportation system to available funding. If a dedicated stream of income is not identified and earmarked to achieve the policy goals, then those goals cannot be met.

PRF/njw