

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may 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	<u>Boitano</u>	ORIGINAL DATE	<u>02/11/2006</u>	HB	<u></u>
		LAST UPDATED	<u></u>		
SHORT TITLE	<u>Commuter Rail Oversight Task Force</u>	SJM	<u>67</u>		
		ANALYST	<u>Moser</u>		

SOURCES OF INFORMATION

LFC Files

Responses Received From
NM Department of Transportation (NMDOT)

SUMMARY

Synopsis of Bill

Senate Joint Memorial 67 requests the legislative council form a commuter rail oversight task force comprised of representatives from the counties, municipalities and pueblos affected by the commuter rail system; persons experienced in commuter rail and other modes of public mass transportation and other modes of public mass transportation; and other persons who are potential users of the commuter rail system or alternatives to the commuter rail system. The task force will be charged with conducting a thorough assessment of a number of issues enumerated within the bill regarding commuter rail, the capability of both the NMDOT and the mid-region council of government's to perform their duties regarding the commuter rail agreements.

SIGNIFICANT ISSUES

- NMDOT indicates that such a task force already exists and has performed a majority of the duties requested in the memorial. NMDOT points out that the committee was formed by MRCOG in the spring of 2004 to provide oversight, guidance and comment for the commuter rail system and has met regularly throughout the development of the project. Representatives from the counties and municipalities affected by the commuter rail service serve on this committee. The NMDOT indicates that representatives from the Pueblos along the line were invited to participate in meetings but chose to not attend instead choosing to work directly with the NMDOT and the MRCOG on project development issues.
- NMDOT points out that the task force monitored the progress of the commuter rail project and was briefed on the Alternative Analysis study for commuter rail performed under MRCOG's direction for the Albuquerque to Santa Fe segment.
- NMDOT points out that the Metropolitan Planning Organizations for the Santa Fe and Albuquerque areas separately passed resolutions supporting the community district commuter rail alternative as the locally preferred alternative for their jurisdictions.
- NMDOT indicates that because the commuter rail project was part of the GRIP approved

by the New Mexico State Legislature and signed by Governor Bill Richardson in 2003 it is clearly identified as a project and service designed to meet the transportation needs of the citizens of this state.

- The memorial requests the task force to assess the liabilities the state will assume with commuter rail. NMDOT indicates that the department has already assessed all liability issues associated with commuter rail.
- The memorial requests the task force to assess the environmental laws invoked by the project. NMDOT states that as with all transportation projects it has already assessed what state and federal environmental laws are invoked by the commuter rail project.
- The memorial requests that the task force review and assess business and financial plans for the commuter rail system. The NMDOT indicates that the existing task force has reviewed almost every element of the commuter rail project, including capital and operating costs, the BNSF agreement, marketing, planning and demographic analysis, survey findings and connecting transit services. Yet, despite repeated requests the department has not been able to produce to the LFC or the Legislature any comprehensive business plans.
- The memorial requests that the task force review the capabilities of the NMDOT and MRCOG to perform their duties under commuter rail system agreements. The NMDOT is unclear what the task force would do under this directive. Analysis indicates some concern with the state being able to assume responsibilities for managing and operating a rail system.
- The memorial requests that the task force identify future funding sources for the commuter rail system. The NMDOT indicates that future funding sources for the commuter rail system have been discussed with the task force including the possibility of utilizing voter approved tax dollars from Regional Transit Districts. No decisions have been reached regarding future funding. These discussions are ongoing.
- The memorial requests that the task force report its findings to the NM legislative Council and the LFC no later than October 15, 2006. The staff resources for the existing task force and the one described in the memorial is likely to be the NMDOT and MRCOG.

GM/mt