



State Transit Fund in the State Treasury, to be administered by the Secretary of the NMDOT. Money in the Fund shall be used by the NMDOT for public transit purposes. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall remain in the Fund.

### **FISCAL IMPLICATIONS**

This bill creates a new fund and appears based upon its purpose to be reliant upon continuing appropriations.

This bill creates a new fund and provides for continuing appropriations. The LFC has concerns with including continuing appropriation language in the statutory provisions for newly created funds, as earmarking reduces the ability of the legislature to establish spending priorities.

### **SIGNIFICANT ISSUES**

This bill provides for the disbursement of funds for public transit purposes. There is no clarification of what this means. It is assumed that this would allow for the provision of assistance to local governments and transit services with matching funds required to obtain federal funding. Additionally, commuter rail also falls within the definition of public transit.

It is recommended that clarification be given as to the intent behind this bill in that appropriations may be required to sustain fund viability in other fiscal years.

GM/nt