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FISCAL IMPACT REPORT

SPONSOR Sapient **ORIGINAL DATE** 01/28/10
LAST UPDATED 02/09/10 **HB** _____

SHORT TITLE Exclude Projects from Transportation Fund **SB** 181/aSCORC

ANALYST Varela

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates SB 177, SB 123

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Transportation (DOT)

Attorney General's Office (AGO)

SUMMARY

Synopsis of SCORC Amendment

The SCORC amendment for Senate Bill 181 eliminates several projects included in the GRIP II program from deletion. DOT and the LFC identified projects determined to be project ready that were included in the original bill. The amendment protects those projects from deletion.

Synopsis of Original Bill

Senate Bill 181 amends Laws of 2007 (1st Special Session), Chapter 3, Section 4 to eliminate funding authorization from the Local Government Transportation Fund for sixteen projects. The projects affected include street, road, bridge, sidewalk and drainage projects in several New Mexico counties. The total amount of funding eliminated by this bill is \$41 million.

SIGNIFICANT ISSUES

Laws of 2007 Chapter 3 was passed during the 2007 special legislative session as House Bill 2 and generally appropriated money to fund capital projects around the state. Section 2 of that bill enacted NMSA Section 6-21-6.12 (1978) and created the "Local Government Transportation

Fund” under the control of the New Mexico Finance Authority. Section 4 of that bill contained appropriations from that fund to the Department of Transportation for 116 street, road, bridge, sidewalk and drainage projects. This bill will eliminate funding authorization for sixteen of those projects.

Funding for all of the projects in Section 4 of Laws 2007 Chapter 3 was contingent upon certification by DOT that the need exists for a distribution from the fund; and upon meeting the funding qualification requirements in NMSA Section 6-21-6.12 (1978). It is not known whether certification for the projects eliminated has been made by the department.

DOT reports that the department has reviewed and approved transportation projects based on the submittal of project applications to determine construction readiness and availability of local matching funds. Projects that were not initially selected were included on a list of unfunded projects competing for remaining fund balances as they become available. The projects proposed for deletion in this bill are still in the process of competing for anticipated fund balances. Therefore, these projects should not be eliminated as proposed in the legislation. These projects include the following:

4. Village of Los Ranchos de Albuquerque in Bernalillo County	\$2,730,000
9. Pie Town Rd. In Cibola County	\$ 452,000
10. City of Grants in Cibola County	\$1,105,000
25. Sunland Park in Dona Ana County	\$3,055,000
28. Pecos River bridge in Eddy County	\$ 400,000
32. Village of Santa Clara in Grant County	\$1,950,000
33. Little Walnut Rd., Silver City in Grant County	\$3,730,100
37. Trigg Rd. in Harding County	\$2,315,700
40. POW Rd., Lordsburg in Hidalgo County	\$2,145,000
52. Village of Columbus in Luna County	\$2,957,500
72. City of Farmington in San Juan County	\$6,389,900
74. City of Aztec in San Juan County	\$4,372,500
91. Agua Fria Street in Santa Fe County	\$ 975,000
107. Alan Ayers Rd., Town of Estancia in Torrance County	\$1,050,800
109. Town of Mountainair in Torrance County	\$1,508,000
115. Manzano Expressway in Valencia County	\$5,982,500

The following projects should be deleted from the legislation due to non-receipt of applications for consideration from DOT:

(19.) 16. Maxwell and Railroad ave., Springer in Colfax County	\$3,250,000
(41.) 32. City of Lordsburg in Hidalgo County	\$ 800,000
(42.) 33. Village of Virden in Hidalgo County	\$1,787,500
(63.) 53. Village of House in Quay County	\$ 225,000
(68.) 58. County Rd. 319 in Rio Arriba County	\$7,700,000
(87.) 75. Pueblo of Santa Ana in Sandoval County	\$1,144,000
(97.) 84. City of Truth or Consequences in Sierra County	\$1,378,000
(99.) 86. City of Socorro in Socorro County	\$2,470,000
(100.) 87. Esce Rd. in Socorro County	\$ 400,000