

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**HOUSE BILL 975**

**46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003**

**INTRODUCED BY**

Daniel P. Silva

**AN ACT**

**RELATING TO FINANCING OF HIGHWAY PROJECTS; INCREASING CERTAIN  
FUEL TAXES; ADJUSTING DISTRIBUTIONS OF TAX PROCEEDS;  
AUTHORIZING THE ISSUANCE OF STATE HIGHWAY BONDS FOR VARIOUS  
HIGHWAY PROJECTS THROUGHOUT THE STATE; AMENDING SECTIONS OF THE  
NMSA 1978 AND REPEALING A SECTION OF LAWS 1995; MAKING  
APPROPRIATIONS.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

**Section 1. Section 7-1-6.7 NMSA 1978 (being Laws 1994,  
Chapter 5, Section 2, as amended) is amended to read:**

**"7-1-6.7. DISTRIBUTIONS--STATE AVIATION FUND. --**

**A. A distribution pursuant to Section 7-1-6.1 NMSA  
1978 shall be made to the state aviation fund in an amount  
equal to three and fifty-nine hundredths percent of the gross  
receipts attributable to the sale of fuel specially prepared**

**. 145562. 1**

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 and sold for use in turboprop or jet-type engines as determined  
2 by the department.

3 B. A distribution pursuant to Section 7-1-6.1 NMSA  
4 1978 shall be made to the state aviation fund in an amount  
5 equal to [~~twenty-six hundredths~~] two-tenths of one percent of  
6 gasoline taxes, exclusive of penalties and interest, collected  
7 pursuant to the Gasoline Tax Act.

8 C. From July 1, 2002 through June 30, 2007, a  
9 distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be  
10 made to the state aviation fund in an amount equal to forty-six  
11 thousandths of one percent of the net receipts attributable to  
12 the gross receipts tax distributable to the general fund. "

13 Section 2. Section 7-1-6.8 NMSA 1978 (being Laws 1983,  
14 Chapter 211, Section 13, as amended) is amended to read:

15 "7-1-6.8. DISTRIBUTION--MOTORBOAT FUEL TAX FUND.--A  
16 distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be  
17 made to the motorboat fuel tax fund in an amount equal to  
18 [~~thirteen hundredths~~] one-tenth of one percent of the net  
19 receipts attributable to the gasoline tax. "

20 Section 3. Section 7-1-6.9 NMSA 1978 (being Laws 1991,  
21 Chapter 9, Section 11, as amended) is amended to read:

22 "7-1-6.9. DISTRIBUTION OF GASOLINE TAXES TO  
23 MUNICIPALITIES AND COUNTIES.--

24 A. A distribution pursuant to Section 7-1-6.1 NMSA  
25 1978 shall be made in an amount equal to [~~ten and thirty-eight~~

underscored material = new  
[bracketed material] = delete

1 ~~hundredths~~ eight and two-hundredths percent of the net  
2 receipts attributable to the taxes, exclusive of penalties and  
3 interest, imposed by the Gasoline Tax Act.

4 B. ~~[Except as provided in Subsection D of this~~  
5 ~~section]~~ The amount determined in Subsection A of this section  
6 shall be distributed as follows:

7 (1) ninety percent of the amount shall be paid  
8 to the treasurers of municipalities and H class counties in the  
9 proportion that the taxable motor fuel sales in each of the  
10 municipalities and H class counties bears to the aggregate  
11 taxable motor fuel sales in all of these municipalities and H  
12 class counties; and

13 (2) ten percent of the amount shall be paid to  
14 the treasurers of the counties, including H class counties, in  
15 the proportion that the taxable motor fuel sales outside of  
16 incorporated municipalities in each of the counties bears to  
17 the aggregate taxable motor fuel sales outside of incorporated  
18 municipalities in all of the counties.

19 C. Except as provided in Subsection D of this  
20 section, this distribution shall be paid into a separate road  
21 fund in the municipal treasury or county road fund for  
22 expenditure only for construction, reconstruction, resurfacing  
23 or other improvement or maintenance of public roads, streets,  
24 alleys or bridges, including right-of-way and materials  
25 acquisition. Money distributed pursuant to this section may be

. 145562. 1

underscored material = new  
[bracketed material] = delete

1 used by a municipality or county to provide matching funds for  
2 projects subject to cooperative agreements entered into with  
3 the state highway and transportation department pursuant to  
4 Section 67-3-28 NMSA 1978. Any municipality or H class county  
5 that has created or that creates a "street improvement fund" to  
6 which gasoline tax revenues or distributions are irrevocably  
7 pledged under Sections 3-34-1 through 3-34-4 NMSA 1978 or that  
8 has pledged all or a portion of gasoline tax revenues or  
9 distributions to the payment of bonds shall receive its  
10 proportion of the distribution of revenues under this section  
11 impressed with and subject to these pledges.

12 D. This distribution may be paid into a separate  
13 road fund or the general fund of the municipality or county if  
14 the municipality has a population less than three thousand or  
15 the county has a population less than four thousand."

16 Section 4. Section 7-1-6.19 NMSA 1978 (being Laws 1991,  
17 Chapter 9, Section 15, as amended) is amended to read:

18 "7-1-6.19. DISTRIBUTION-- COUNTY GOVERNMENT ROAD FUND  
19 CREATED. --

20 A. There is created in the state treasury the  
21 "county government road fund".

22 B. A distribution pursuant to Section 7-1-6.1 NMSA  
23 1978 shall be made to the county government road fund in an  
24 amount equal to [~~five and seventy-six~~] four and forty-five  
25 hundredths percent of the net receipts attributable to the

. 145562. 1

underscored material = new  
[bracketed material] = delete

1 gasoline tax. "

2 Section 5. Section 7-1-6.27 NMSA 1978 (being Laws 1991,  
3 Chapter 9, Section 20, as amended) is amended to read:

4 "7-1-6.27. DISTRIBUTION-- MUNICIPAL ROADS. --

5 A. A distribution pursuant to Section 7-1-6.1 NMSA  
6 1978 shall be made to municipalities for the purposes and  
7 amounts specified in this section in an aggregate amount equal  
8 to [~~five and seventy-six~~] four and forty-five hundredths  
9 percent of the net receipts attributable to the gasoline tax.

10 B. The distribution authorized in this section  
11 shall be used for the following purposes:

12 (1) reconstructing, resurfacing, maintaining,  
13 repairing or otherwise improving existing alleys, streets,  
14 roads or bridges, or any combination of the foregoing; or  
15 laying off, opening, constructing or otherwise acquiring new  
16 alleys, streets, roads or bridges, or any combination of the  
17 foregoing; provided that any of the foregoing improvements may  
18 include, but are not limited to, the acquisition of rights of  
19 way;

20 (2) to provide matching funds for projects  
21 subject to cooperative agreements with the state highway and  
22 transportation department pursuant to Section 67-3-28 NMSA  
23 1978; and

24 (3) for expenses of purchasing, maintaining  
25 and operating transit operations and facilities, for the

. 145562. 1

underscored material = new  
[bracketed material] = delete

1 operation of a transit authority established by the Municipal  
2 Transit Law and for the operation of a vehicle emission  
3 inspection program. A municipality may engage in the business  
4 of the transportation of passengers and property within the  
5 political subdivision by whatever means the municipality may  
6 decide and may acquire cars, trucks, motor buses and other  
7 equipment necessary for operating the business. A municipality  
8 may acquire land, erect buildings and equip the buildings with  
9 all the necessary machinery and facilities for the operation,  
10 maintenance, modification, repair and storage of the cars,  
11 trucks, motor buses and other equipment needed. A municipality  
12 may do all things necessary for the acquisition and the conduct  
13 of the business of public transportation.

14 C. For the purposes of this section:

15 (1) "computed distribution amount" means the  
16 distribution amount calculated for a municipality for a month  
17 pursuant to Paragraph (2) of Subsection D of this section prior  
18 to any adjustments to the amount due to the provisions of  
19 Subsections E and F of this section;

20 (2) "floor amount" means four hundred  
21 seventeen dollars (\$417);

22 (3) "floor municipality" means a municipality  
23 whose computed distribution amount is less than the floor  
24 amount; and

25 (4) "full distribution municipality" means a

underscored material = new  
[bracketed material] = delete

1 municipality whose population at the last federal decennial  
2 census was at least two hundred thousand.

3 D. Subject to the provisions of Subsections E and F  
4 of this section, each municipality shall be distributed a  
5 portion of the aggregate amount distributable under this  
6 section in an amount equal to the greater of:

7 (1) the floor amount; or

8 (2) eighty-five percent of the aggregate  
9 amount distributable under this section [~~times~~] multiplied by a  
10 fraction, the numerator of which is the municipality's reported  
11 taxable gallons of gasoline for the immediately preceding state  
12 fiscal year and the denominator of which is the reported total  
13 taxable gallons for all municipalities for the same period.

14 E. Fifteen percent of the aggregate amount  
15 distributable under this section shall be referred to as the  
16 "redistribution amount". Beginning in August 1990, and each  
17 month thereafter, from the redistribution amount there shall be  
18 taken an amount sufficient to increase the computed  
19 distribution amount of every floor municipality to the floor  
20 amount. In the event that the redistribution amount is  
21 insufficient for this purpose, the computed distribution amount  
22 for each floor municipality shall be increased by an amount  
23 equal to the redistribution amount [~~times~~] multiplied by a  
24 fraction, the numerator of which is the difference between the  
25 floor amount and the municipality's computed distribution

. 145562. 1

underscored material = new  
[bracketed material] = delete

1 amount and the denominator of which is the difference between  
2 the product of the floor amount multiplied by the number of  
3 floor municipalities and the total of the computed distribution  
4 amounts for all floor municipalities.

5 F. If a balance remains after the redistribution  
6 amount has been reduced pursuant to Subsection E of this  
7 section, there shall be added to the computed distribution  
8 amount of each municipality that is neither a full distribution  
9 municipality nor a floor municipality an amount that equals the  
10 balance of the redistribution amount [~~times~~] multiplied by a  
11 fraction, the numerator of which is the computed distribution  
12 amount of the municipality and the denominator of which is the  
13 sum of the computed distribution amounts of all municipalities  
14 that are neither full distribution municipalities nor floor  
15 municipalities. "

16 Section 6. Section 7-1-6.28 NMSA 1978 (being Laws 1991,  
17 Chapter 9, Section 22, as amended) is amended to read:

18 "7-1-6.28. DISTRIBUTION--MUNICIPAL ARTERIAL PROGRAM OF  
19 LOCAL GOVERNMENTS ROAD FUND.--A distribution pursuant to  
20 Section 7-1-6.1 NMSA 1978 shall be made to the municipal  
21 arterial program of the local governments road fund created in  
22 Section 67-3-28.2 NMSA 1978 in an amount equal to [~~one and~~  
23 ~~forty-four hundredths~~] one and eleven-hundredths percent of the  
24 net receipts attributable to the gasoline tax. "

25 Section 7. Section 7-1-6.39 NMSA 1978 (being Laws 1995,

. 145562. 1

underscored material = new  
[bracketed material] = delete

1 Chapter 6, Section 9) is amended to read:

2 "7-1-6.39. DISTRIBUTION OF SPECIAL FUEL EXCISE TAX TO  
3 LOCAL GOVERNMENTS ROAD FUND. --A distribution pursuant to  
4 Section 7-1-6.1 NMSA 1978 shall be made to the local  
5 governments road fund in an amount equal to [~~eleven and eleven~~  
6 ~~hundredths~~] nine and nine-hundredths percent of the net  
7 receipts attributable to the taxes, exclusive of penalties and  
8 interest, from the special fuel excise tax imposed by the  
9 Special Fuels Supplier Tax Act. "

10 Section 8. Section 7-13-3 NMSA 1978 (being Laws 1971,  
11 Chapter 207, Section 3, as amended) is amended to read:

12 "7-13-3. IMPOSITION AND RATE OF TAX--DENOMINATION AS  
13 "GASOLINE TAX".--

14 A. For the privilege of receiving gasoline in this  
15 state, there is imposed an excise tax at a rate provided in  
16 Subsection B of this section on each gallon of gasoline  
17 received in New Mexico.

18 B. The tax imposed by Subsection A of this section  
19 shall be [~~seventeen cents (\$.17)~~] twenty-two cents (\$.22) per  
20 gallon received in New Mexico.

21 C. The tax imposed by this section may be called  
22 the "gasoline tax". "

23 Section 9. Section 7-16A-3 NMSA 1978 (being Laws 1992,  
24 Chapter 51, Section 3, as amended) is amended to read:

25 "7-16A-3. IMPOSITION AND RATE OF TAX--DENOMINATION AS

. 145562. 1

underscored material = new  
[bracketed material] = delete

1 SPECIAL FUEL EXCISE TAX. --

2 A. For the privilege of receiving or using special  
3 fuel in this state, there is imposed an excise tax at a rate  
4 provided in Subsection B of this section on each gallon of  
5 special fuel received in New Mexico.

6 B. The tax imposed by Subsection A of this section  
7 shall be [~~eighteen cents (\$.18)~~] twenty-two cents (\$.22) per  
8 gallon of special fuel received or used in New Mexico.

9 C. The tax imposed by this section may be called  
10 the "special fuel excise tax". "

11 Section 10. Section 67-3-59.1 NMSA 1978 (being Laws 1989,  
12 Chapter 157, Section 1, as amended) is amended to read:

13 "67-3-59.1. STATE HIGHWAY DEBENTURES--ISSUANCE--  
14 LIMITS--APPROVAL--COUPONS. --

15 A. In order to provide funds to finance state  
16 highway projects, including state highway projects that are  
17 required for the waste isolation pilot project and are eligible  
18 for federal reimbursement or payment as authorized by federal  
19 legislation, the state [~~highway~~] transportation commission is  
20 authorized, subject to the limitations of this section, to  
21 issue bonds from time to time, payable from federal funds not  
22 otherwise obligated that are paid into the state road fund and  
23 the proceeds of the collection of taxes and fees that are  
24 required by law to be paid into the state road fund and not  
25 otherwise pledged solely to the payment of outstanding bonds

underscored material = new  
[bracketed material] = delete

1 and debentures.

2 B. Except as provided in [~~Subsections C and D~~]  
3 Subsection C of this section, the total aggregate outstanding  
4 principal amount of bonds issued from time to time pursuant to  
5 this section, secured by or payable from federal funds not  
6 otherwise obligated that are paid into the state road fund and  
7 the proceeds from the collection of taxes and fees required by  
8 law to be paid into the state road fund, shall not, without  
9 additional authorization of the state legislature, exceed one  
10 hundred fifty million dollars (\$150,000,000) at any given time,  
11 subject to the following provisions:

12 (1) the total aggregate outstanding principal  
13 amount of bonds issued for state highway projects that are  
14 required for the waste isolation pilot project and are eligible  
15 for federal reimbursement or payment as authorized by federal  
16 legislation shall not exceed one hundred million dollars  
17 (\$100,000,000); and

18 (2) the total aggregate outstanding principal  
19 amount of bonds issued for state highway projects other than  
20 state highway projects that are required for the waste  
21 isolation pilot project and are eligible for federal  
22 reimbursement or payment as authorized by federal legislation  
23 shall not exceed fifty million dollars (\$50,000,000).

24 C. Upon specific authorization and appropriation by  
25 the legislature, [~~and subject to the limitations of Subsection~~

. 145562. 1

underscored material = new  
[bracketed material] = delete

1 ~~D of this section~~] an additional amount of bonds may be issued  
2 pursuant to this section for state highway projects, to be  
3 secured by or payable from taxes or fees required by law to be  
4 paid into the state road fund and federal funds not otherwise  
5 obligated that are paid into the state road fund, and, as  
6 applicable, taxes or fees required by law to be paid into the  
7 highway infrastructure fund, as follows:

8 (1) an aggregate outstanding principal amount  
9 of bonds, not to exceed six hundred twenty-four million dollars  
10 (\$624,000,000), for major highway infrastructure projects for  
11 which the department has, prior to January 1, 1998, submitted  
12 or initiated the process of submitting a plan to the federal  
13 highway administration for innovative financing pursuant to 23  
14 USCA Sections 122 and 307;

15 (2) an aggregate outstanding principal amount  
16 of bonds, not to exceed one hundred million dollars  
17 (\$100,000,000), for state highway projects that are required  
18 for the waste isolation pilot project and are eligible for  
19 federal reimbursement; and

20 (3) an aggregate outstanding principal amount  
21 of bonds, not to exceed [~~four hundred million dollars~~  
22 ~~(\$400,000,000)] nine hundred twelve million six hundred fifteen  
23 thousand dollars (\$912,615,000), for other state highway  
24 projects.~~

25 [~~D. The total amount of bonds that may be issued by~~

underscored material = new  
[bracketed material] = delete

1 ~~the state highway commission for state highway projects~~  
2 ~~pursuant to Subsection C of this section shall not exceed a~~  
3 ~~total aggregate outstanding principal amount of:~~

4 ~~(1) three hundred million dollars~~  
5 ~~(\$300,000,000) prior to July 1, 1999;~~

6 ~~(2) six hundred million dollars (\$600,000,000)~~  
7 ~~from July 1, 1999 through June 30, 2000;~~

8 ~~(3) nine hundred million dollars~~  
9 ~~(\$900,000,000) from July 1, 2000 through June 30, 2001; and~~

10 ~~(4) one billion one hundred twenty-four~~  
11 ~~million dollars (\$1,124,000,000) after June 30, 2001.~~

12 ~~E.]~~ D. The state [~~highway~~] transportation  
13 ~~commission~~ may issue bonds to refund other bonds issued  
14 pursuant to this section by exchange or current or advance  
15 refunding.

16 ~~[F.]~~ E. Each series of bonds shall have a maturity  
17 of no more than twenty-five years from the date of issuance.  
18 The state [~~highway~~] transportation commission shall determine  
19 all other terms, covenants and conditions of the bonds;  
20 provided that the bonds shall not be issued pursuant to this  
21 section unless the state board of finance approves the issuance  
22 of the bonds and the principal amount of and interest rate or  
23 maximum net effective interest rate on the bonds.

24 ~~[G.]~~ F. The bonds shall be executed with the manual  
25 or facsimile signature of the chairman of the state [~~highway~~]

underscored material = new  
[bracketed material] = delete

1 transportation commission, countersigned by the state treasurer  
2 and attested to by the secretary of the state [~~highway~~]  
3 transportation commission, with the seal of the state [~~highway~~]  
4 transportation commission imprinted or otherwise affixed to the  
5 bonds.

6 [~~H.-~~] G. Proceeds of the bonds may be used to pay  
7 expenses incurred in the preparation, issuance and sale of the  
8 bonds and, together with the earnings on the proceeds of the  
9 bonds, may be used to pay rebate, penalty, interest and other  
10 obligations relating to the bonds and the proceeds of the bonds  
11 under the Internal Revenue Code of 1986, as amended.

12 [~~F.-~~] H. The bonds may be sold at a public or  
13 negotiated sale at, above or below par or through the New  
14 Mexico finance authority. Any negotiated sale shall be made  
15 with one or more investment [~~banker~~] bankers whose services are  
16 obtained through a competitive proposal process. For any sale,  
17 the state [~~highway~~] transportation commission or the New Mexico  
18 finance authority shall also procure the services of any  
19 financial advisor or bond counsel through a competitive  
20 proposal process. If sold at public sale, a notice of the time  
21 and place of sale shall be published in a newspaper of general  
22 circulation in the state, and in any other newspaper determined  
23 in the resolution authorizing the issuance of the bonds, once  
24 each week for two consecutive weeks prior to the date of sale.  
25 The bonds may be purchased by the state treasurer or state

. 145562. 1

underscored material = new  
[bracketed material] = delete

1 investment officer.

2 [J-] I. This section is full authority for the  
3 issuance and sale of the bonds, and the bonds shall not be  
4 invalid for any irregularity or defect in the proceedings for  
5 their issuance and sale and shall be incontestable in the hands  
6 of bona fide purchasers or holders of the bond for value.

7 [K-] J. The bonds shall be legal investments for  
8 any person or board charged with the investment of public funds  
9 and may be accepted as security for any deposit of public money  
10 and, with the interest thereon, are exempt from taxation by the  
11 state and any political subdivision or agency of the state.

12 [L-] K. Any law authorizing the imposition or  
13 distribution of taxes or fees paid into the state road fund or  
14 the highway infrastructure fund or that affects those taxes and  
15 fees shall not be amended or repealed or otherwise directly or  
16 indirectly modified so as to impair any outstanding bonds  
17 secured by a pledge of revenues from those taxes and fees paid  
18 into the state road fund or the highway infrastructure fund,  
19 unless the bonds have been discharged in full or provisions  
20 have been made for a full discharge. In addition, while any  
21 bonds issued by the state [~~highway~~] transportation ~~commission~~  
22 pursuant to the provisions of this section remain outstanding,  
23 the powers or duties of the ~~commission~~ shall not be diminished  
24 or impaired in any manner that will affect adversely the  
25 interests and rights of the holder of such bonds.

. 145562. 1

underscored material = new  
[bracketed material] = delete

1           ~~[M-]~~ L. In contracting for state highway projects  
2 to be paid in whole or in part with proceeds of bonds  
3 authorized by this section, the department shall require that  
4 any sand, gravel, caliche or similar material needed for the  
5 project shall, if practicable, be mined from state lands. Each  
6 contract shall provide that the contractor notify the  
7 commissioner of public lands of the need for the material and  
8 that, through lease or purchase, the material shall be mined  
9 from state lands if:

10                         (1) the material needed is available from  
11 state lands in the vicinity of the project;

12                         (2) the commissioner determines that the lease  
13 or purchase is in the best interest of the state land trust  
14 beneficiaries; and

15                         (3) the cost to the contractor for the  
16 material, including the costs of transportation, is competitive  
17 with other available material from non-state lands.

18           ~~[N-]~~ M. Bonds issued pursuant to this section shall  
19 be paid solely from federal funds not otherwise obligated and  
20 taxes and fees deposited into the state road fund and, as  
21 applicable, the highway infrastructure fund, and shall not  
22 constitute a general obligation of the state."

23           Section 11. STATE HIGHWAY BONDS--PURPOSES FOR WHICH  
24 ISSUED-- APPROPRIATION OF PROCEEDS. --

25           A. The state transportation commission may issue

underscored material = new  
[bracketed material] = delete

1 and sell state highway bonds in compliance with the provisions  
2 of Section 67-3-59.1 NMSA 1978 in an amount not to exceed the  
3 total of the amounts authorized for purposes specified in this  
4 section when the commission determines the need for the  
5 issuance of the bonds. The state transportation commission  
6 shall schedule the issuance and sale of the bonds in the most  
7 expeditious and economic manner possible upon a finding by the  
8 commission that the project has been developed sufficiently to  
9 justify the issuance and that the project can proceed to  
10 contract within a reasonable time. The proceeds from the sale  
11 of the bonds are appropriated to the state highway and  
12 transportation department in the following amounts for the  
13 following purposes:

14 (1) ninety-five million dollars (\$95,000,000),  
15 in addition to the forty-five million dollars (\$45,000,000)  
16 originally authorized in Subsection G of Section 1 of Chapter  
17 85 of Laws 1998 for improvement of and widening United States  
18 highway 666 to a four-lane highway from Tohatchi to Shiprock;

19 (2) one hundred sixty-six million nine hundred  
20 twenty-five thousand dollars (\$166,925,000) for improvement of  
21 United States highway 54, creating a four-lane divided highway  
22 from Tularosa to Santa Rosa;

23 (3) fifty million dollars (\$50,000,000) for  
24 reconstruction of the interstate 40 and Coors boulevard  
25 interchange in Albuquerque;

. 145562. 1

underscored material = new  
[bracketed material] = delete

1 (4) fifty-one million three hundred sixty  
2 thousand dollars (\$51,360,000) for improvements necessary to  
3 widen United States highway 62 and 180 to a four-lane highway  
4 from the Texas state line to Carlsbad;

5 (5) thirty-two million ten thousand dollars  
6 (\$32,010,000) for improvements necessary to widen interstate 25  
7 to a six-lane highway from the Tramway interchange to the  
8 United States highway 550 interchange;

9 (6) thirty-three million one hundred seventy  
10 thousand dollars (\$33,170,000) for improvements necessary to  
11 widen interstate 25 to six lanes from the state road 47 exit to  
12 Cesar Chavez boulevard in the Albuquerque metropolitan area;

13 (7) seven million five hundred thousand  
14 dollars (\$7,500,000) to provide rights of way and make  
15 improvements to Isleta boulevard in Albuquerque;

16 (8) twelve million seven hundred thousand  
17 dollars (\$12,700,000) to provide rights of way and make  
18 improvements on the Sunland Park extension near Santa Teresa in  
19 southern New Mexico;

20 (9) seven million dollars (\$7,000,000) for  
21 providing a design and reconstruction match for an equal  
22 contribution and commitment from the pueblo of Acoma for  
23 improvements to the interstate 40 and Acoma interchange;

24 (10) twelve million dollars (\$12,000,000) for  
25 reconstruction of interstate 40 from the twelve to sixteen mile

underscored material = new  
[bracketed material] = delete

1 post west of Gallup;

2 (11) twenty-five million dollars (\$25,000,000)  
3 for improvements to United States highway 84 and 285 between  
4 Pojoaque and Espanola;

5 (12) six million five hundred thousand dollars  
6 (\$6,500,000) for providing rights of way and making  
7 improvements to Coors boulevard and state road 45 from Bridge  
8 boulevard to Rio Bravo boulevard and the intersection with  
9 Arenal;

10 (13) sixteen million dollars (\$16,000,000) for  
11 reconstruction of interstate 40 from the one hundred seven to  
12 one hundred eighty-two mile post in Tijeras canyon east of  
13 Albuquerque; and

14 (14) six million dollars (\$6,000,000) for  
15 construction of university boulevard south of Rio Bravo  
16 boulevard to Mesa del Sol, improvements on Rio Bravo boulevard  
17 between University boulevard and interstate 25 and improvements  
18 to the interstate 25 and Rio Bravo interchange.

19 B. The appropriations of state highway bond  
20 proceeds in Subsection A of this section are in addition to the  
21 amounts of bonds authorized in Laws 1998, Chapter 84, Section 1  
22 and Laws 1998, Chapter 85, Section 1.

23 C. For the purposes of this section, "improvement"  
24 or "reconstruction" includes planning, designing, engineering,  
25 construction and acquisition of rights of way.

. 145562. 1

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Section 12. REPEAL. --Laws 1995, Chapter 6, Section 11 is repealed.

Section 13. APPLICABILITY. --The provisions of Sections 1 through 7 of this act apply to revenue received by the taxation and revenue department on or after August 1, 2003.

Section 14. EFFECTIVE DATE. --

A. The effective date of the provisions of Sections 1 through 7 of this act is August 1, 2003.

B. The effective date of the provisions of Sections 8 and 9 of this act is July 1, 2003.