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:	Silva	DATE TYPED:	3/16/03	HB	881/aHJC
SHORT TITLE	E: SHTD Name Change	,		SB	
			ANALY	YST:	Reynolds-Forte

### **APPROPRIATION**

Appropriation Contained		Estimated Add	litional Impact	Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			Minimal	Recurring	State Road Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to HB534 which also removes the expenditure cap on funds State Highway and Transportation Department can spend for mass transit.

#### **SUMMARY**

# Synopsis of HJC Amendment

House Judiciary Committee Amendment to HB881 changes "State Highway Engineer" to "Secretary of Transportation" throughout the bill.

Synopsis of Original Bill

HB 881does the following:

- 1. Changes the name of the State Highway Commission to the State "Transportation" Commission, following adoption of a constitutional amendment. As requested by the Department, it changes the name of the State Highway and Transportation Department to the "Department of Transportation" throughout the statues. Further, it changes the name of the cabinet secretary from Secretary of Highway and Transportation to the "Secretary of Transportation", and,
- 2. Section 68 of the bill removes the \$50.0 per fiscal year expenditure cap on State Highway and Transportation Department funds that can be expended for purposes of the Public Mass Transportation Act.

### House Bill 881/aHJC -- Page 2

HB 881 has a July 1, 2003 effective date.

## FISCAL IMPLICATIONS

There will be some costs for changing stationery, placards on vehicles, signage, software programs, and notices.

HB881 removes the \$50.0 cap that currently limits the funds the State Highway and Transportation Department may spend on the Public Mass Transportation Act. Such funds could be used to leverage additional federal dollars if such funds are available.

The General Appropriation Act for FY04 has appropriated funds based on the current \$50.0 cap; if HB534 were implemented and the Department wanted to increase funds for this purpose for FY04, funds would need to be moved/adjusted from other areas/programs within the Department budget as allowed.

## RELATIONSHIP

HB881 relates to HB534 that also removes the \$50.0 per fiscal year expenditure cap on State Highway and Transportation Department funds that can be expended for purposes of the Public Mass Transportation Act.

## **TECHNICAL ISSUES**

The State Highway and Transportation Department notes that **previous** titles for the secretary of highway and transportation, to be changed in this bill to secretary of transportation, were "state highway engineer" and "chief highway administrator". These terms are no longer used, but still appear in some older statutory provisions, and may create some confusion. See Section 67-2-4 NMSA 1978. This bill does update the title of "state highway engineer" to "secretary of transportation", but not in all cases. Compare, e.g., section 31 of this bill with sections 30 and 45 of this bill. The title "chief highway administrator" currently only appears twice in the entire NMSA, once in definitions at Section 67-2-4 NMSA 1978, and once in Section 67-3-43 NMSA 1978.

## PRF/njw