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1 HOUSE BILL 3

2 54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

3 INTRODUCED BY Patricio Ruiloba

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6 Pursuant to House Rule 24-1, this document incorporates
7 amendments that have been adopted prior to consideration
8 of this measure by the House. It is a tool to show the
9 amendments in context and is not to be used for the
10 purpose of amendments.

11
12 Amendments: new = →bold, blue, highlight←

13 delete = →~~bold, red, highlight, strikethrough~~←

14
15 AN ACT

16 MAKING APPROPRIATIONS FOR THE OPERATION OF THE DEPARTMENT OF TRANSPORTATION.

17
18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

19 SECTION 1. SHORT TITLE.--This act may be cited as the "Department of Transportation Appropriation
20 Act".

21 SECTION 2. DEFINITIONS.--As used in the Department of Transportation Appropriation Act:

22 A. "federal funds" means any payment by the United States government to state government or
23 state agencies, except those payments made in accordance with the federal Mineral Lands Leasing Act and the
24 federal State and Local Fiscal Assistance Act of 1972, as amended;

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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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1 B. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes the federal
2 Mineral Lands Leasing Act receipts; and

3 C. "other state funds" means:

4 (1) unexpended, nonreverting balances in state agency accounts, other than internal
5 service funds accounts, appropriated by the Department of Transportation Appropriation Act;

6 (2) all revenue available to state agencies from sources other than the general fund,
7 internal service funds, interagency transfers and federal funds; and

8 (3) all revenue the use of which is restricted by statute or agreement.

9 SECTION 3. FORMAT.--The general format of the appropriations set forth in the Department of
10 Transportation Appropriation Act with respect to symbols used, column headings and stating of amounts is
11 that used in the General Appropriation Act of 2018.

12 SECTION 4. FISCAL YEAR 2020 APPROPRIATIONS AND PERFORMANCE STANDARDS.--

13 DEPARTMENT OF TRANSPORTATION:

14 (1) Project design and construction:

15 The purpose of the project design and construction program is to provide improvements and additions to the
16 state's highway infrastructure to serve the interest of the general public. These improvements include
17 those activities directly related to highway planning, design and construction necessary for a complete
18 system of highways in the state.

19 Appropriations:

20 (a) Personal services and
21 employee benefits

22,949.4 2,439.4 25,388.8

22 (b) Contractual services

HTPWC→74,853.4←HTPWC 250,076.3 324,929.7←HTPWC

91,810.4←HTPWC

HTPWC→341,886.7

24 (c) Other

HTPWC→74,679.8←HTPWC

113,617.3 188,297.1←HTPWC

75,628.8←HTPWC

HTPWC→189,246.1

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Authorized FTE: 340.0 Permanent; 18.0 Term; 0.00 Temporary

Notwithstanding the provisions of Section 6-21-6.8 NMSA 1978, any funds received by the New Mexico finance authority from the department of transportation in fiscal year 2020 as an annual administrative fee for issuing state transportation bonds pursuant to Sections 67-3-59.3 and 67-3-59.4 NMSA 1978 shall not be deposited into the local transportation infrastructure fund.

HTPWC→The other state funds appropriations to the project design and construction program of the department of transportation include ten million nine hundred fifty-seven thousand dollars (\$10,957,000) for maintenance, reconstruction and related construction costs of state-managed highways.←HTPWC

Performance measures:

- * Outcome: Percent of projects in production let HTPWC→to bid←HTPWC as scheduled >67%
- * Outcome: Percent of projects completed according to schedule >88%
- * Quality: Percent of final cost-over-bid amount, less gross receipts tax, on highway construction projects <3%

(2) Highway operations:

The purpose of the highway operations program is to maintain and provide improvements to the state's highway infrastructure to serve the interest of the general public. These improvements include those activities directly related to preserving roadway integrity and maintaining open highway access throughout the state system.

Appropriations:

(a) Personal services and employee benefits	103,240.8	3,000.0	106,240.8
(b) Contractual services	HTPWC→49,698.6	HTPWC→49,698.6	
	54,698.6←HTPWC		54,698.6←HTPWC
(c) Other	HTPWC→82,250.8	HTPWC→82,250.8	
	87,250.8←HTPWC		87,250.8←HTPWC

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Authorized FTE: 1,813.0 Permanent; 16.7 Term; 0.00 Temporary

Performance measures:

* Output:	Number of statewide pavement lane miles preserved	>2,750
* Outcome:	Percent of bridges in fair or better condition, based on deck area	>90%
* Outcome:	Number of combined systemwide lane miles in poor condition	<5,500

(3) Program support:

The purpose of the program support program is to provide management and administration of financial and human resources, custody and maintenance of information and property and management of construction and maintenance projects.

Appropriations:

(a) Personal services and employee benefits		25,340.4	25,340.4
(b) Contractual services		4,615.4	4,615.4
(c) Other		13,292.8	13,292.8

Authorized FTE: 237.0 Permanent; 5.8 Term; 0.00 Temporary

Performance measures:

* HTPWC→	Outcome: Explanatory:←HTPWC	Vacancy rate in all programs	HTPWC→<13%←HTPWC
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(4) Modal:

The purpose of the modal program is to provide federal grants management and oversight of programs with dedicated revenues, including transit and rail, traffic safety and aviation.

Appropriations:

(a) Personal services and employee benefits		3,381.2	519.4	1,290.2	5,190.8
(b) Contractual services		HTPWC→18,766.1	2,000.0	11,346.8	32,112.9←HTPWC
		18,878.1←HTPWC		HTPWC→32,224.9	

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(c) Other		HTPWC→7,669.3	1,000.0	19,772.8	28,442.1←HTPWC
		9,132.3←HTPWC		HTPWC→29,905.1	

Authorized FTE: 60.0 Permanent; 16.0 Term; 0.00 Temporary

The internal services funds/interagency transfers appropriations to the modal program of the department of transportation include three million two hundred nineteen thousand four hundred dollars (\$3,219,400) from the weight distance tax identification permit fund to hire contract workers, purchase equipment for commercial truck permitting and maintain and fund capital improvements for port-of-entry facilities.

Performance measures:

- * Outcome: Number of traffic fatalities <355
- * Outcome: Number of alcohol-related traffic fatalities <135.

HTPWC→Any unexpended or unencumbered balances of other state funds and federal funds appropriations to the project design and construction program, highway operations program and modal program of the department of transportation pertaining to prior fiscal years is extended through fiscal year 2020.

The period of time for expending forty-four million dollars (\$44,000,000) from the general fund in Item 104 of Section 5 of Chapter 73 of Laws 2018 for road improvement projects is extended through fiscal year 2020.

The period of time for expending twenty million dollars (\$20,000,000) from the general fund in Item 105 of Section 5 of Chapter 73 of Laws 2018 for the local governments road fund is extended through fiscal year 2020.

The period of time for expending four million dollars (\$4,000,000) from the general fund in Item 106 of Section 5 of Chapter 73 of Laws 2018 for statewide rest area improvements is extended through fiscal year 2020.

The department of transportation may request budget increases up to thirty-five million dollars (\$35,000,000) in fiscal year 2019 from other state funds and fund balances to meet federal matching requirements and for debt service and related costs, intergovernmental agreements, lawsuits and construction- and maintenance-related costs.

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1 The department of transportation may request program transfers between the project design and
2 construction program, the highway operations program and the modal program for fiscal year 2020 for costs
3 related to engineering, construction and maintenance services; may request program transfers into the
4 personal services and employee benefits category for prospective salary increases and the employer's share
5 of applicable taxes and retirement benefits; and may request budget increases up to fifty-five million
6 dollars (\$55,000,000) from other state funds and fund balances to meet federal matching requirements and for
7 debt service and related costs, intergovernmental agreements, lawsuits, transfer to the Carlsbad brine well
8 remediation fund and construction- and maintenance-related costs.

9 The department of transportation may request budget increases up to three million five hundred
10 thousand dollars (\$3,500,000) for fiscal year 2020 from other state funds, internal service
11 funds/interagency transfers and fund balances from the weight distance tax identification permit fund of the
12 taxation and revenue department, if sufficient funds are available.

13 (5) Special Appropriations: 98,000.0
14 To be distributed equally among the six transportation districts statewide for roadway planning, design,
15 construction and maintenance in accordance with projects identified on the statewide transportation
16 improvement program. Any unexpended or unencumbered balance remaining from this appropriation at the end of
17 fiscal year 2024 shall revert to the general fund.

18 53,000.0

19 To the local governments road fund. Any unexpended or unencumbered balance remaining from this
20 appropriation at the end of fiscal year 2024 shall revert to the general fund.

21 128,000.0

22 One hundred twenty-three million dollars (\$123,000,000) for expenditure in fiscal years 2019 through 2024
23 for acquisition of rights of way, planning, design and construction of projects as follows: eighteen
24 million dollars (\$18,000,000) for New Mexico highway 404 in transportation district one; three million
25 dollars (\$3,000,000) for interstate 10 in transportation district one; twenty-one million dollars

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(\$21,000,000) for U.S. highway 285 in transportation district two; ten million dollars (\$10,000,000) for the Los Lunas east/west corridor in transportation district three; eight million dollars (8,000,000) for interstate 25 at the Gibson exit in transportation district three; ten million five hundred thousand dollars (\$10,500,000) for New Mexico highway 39 in transportation district four; ten million five hundred thousand dollars (\$10,500,000) for U.S. highway 54 in transportation district four; ten million five hundred thousand dollars (\$10,500,000) for interstate 25 in transportation district five; ten million five hundred thousand dollars (\$10,500,000) for New Mexico highway 68 in transportation district five; twelve million dollars (\$12,000,000) for U.S. highway 491 in transportation district 6; four million five hundred thousand dollars (\$4,500,000) for the Allison corridor in transportation district six; and four million five hundred thousand dollars (\$4,500,000) for Interstate 40 in transportation district six.

Three million dollars (\$3,000,000) for purchase of rights of way, planning and design related to the construction of Paseo Del Volcan road in transportation district three. Any unexpended or unencumbered balance remaining from this appropriation at the end of fiscal year 2024 shall revert to the general fund.

Two million dollars (\$2,000,000) to match federal and other state funds for the purpose of making improvements to the New Mexico rail runner line in Albuquerque. Any unexpended or unencumbered balance remaining from this appropriation at the end of fiscal year 2024 shall revert to the general fund. ←HTPWC