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**HOUSE BILL 651**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Daniel P. Silva**

**AN ACT**

**RELATING TO FINANCING OF HIGHWAY PROJECTS; INCREASING CERTAIN  
FUEL TAXES AND FEES; PROVIDING FOR DISTRIBUTION OF CERTAIN  
FEES AND TAX PROCEEDS; AUTHORIZING THE ISSUANCE OF STATE  
HIGHWAY BONDS FOR VARIOUS HIGHWAY PROJECTS THROUGHOUT THE  
STATE; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978 AND  
AMENDING AND REPEALING SECTIONS 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 by Laws 1995, Chapter 6,  
Section 1 and also by Laws 1995, Chapter 36, Section 1) is  
amended to read:**

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

**A. A distribution pursuant to Section 7-1-6.1 NMSA**

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1 1978 shall be made to the state aviation fund in an amount  
2 equal to three and fifty-nine hundredths percent of the gross  
3 receipts attributable to the sale of fuel specially prepared  
4 and sold for use in turboprop or jet-type engines as  
5 determined by the department.

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

11 (1) prior to August 1, 2002, twenty-six  
12 hundredths of one percent;

13 (2) from August 1, 2002 through July 31,  
14 2003, twenty-three hundredths of one percent; and

15 (3) after July 31, 2003, two-tenths of one  
16 percent. "

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

19 "7-1-6.8. DISTRIBUTION--MOTORBOAT FUEL TAX FUND.--A  
20 distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be  
21 made to the motorboat fuel tax fund in an amount equal to  
22 [~~thirteen hundredths of one percent~~] the following percentage  
23 of the net receipts attributable to the gasoline tax:

24 A. prior to August 1, 2002, thirteen hundredths of  
25 one percent;

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1                   B. from August 1, 2002 through July 31, 2003,  
2 twelve hundredths of one percent; and

3                   C. after July 31, 2003, one-tenth of one percent. "

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

6                   "7-1-6.9. DISTRIBUTION OF GASOLINE TAXES TO  
7 MUNICIPALITIES AND COUNTIES. --

8                   A. A distribution pursuant to Section 7-1-6.1 NMSA  
9 1978 shall be made in an amount equal to [~~ten and thirty-eight~~  
10 ~~hundredths percent~~] the following percentage of the net  
11 receipts attributable to the taxes, exclusive of penalties and  
12 interest, imposed by the Gasoline Tax Act:

13                               (1) prior to August 1, 2002, ten and thirty-  
14 eight hundredths percent;

15                               (2) from August 1, 2002 through July 31,  
16 2003, nine and twenty-nine hundredths percent; and

17                               (3) after July 31, 2003, eight and two  
18 hundredths percent.

19                   B. The amount determined in Subsection A of this  
20 section shall be distributed as follows:

21                               (1) ninety percent of the amount shall be  
22 paid to the treasurers of municipalities and H class counties  
23 in the proportion that the taxable motor fuel sales in each of  
24 the municipalities and H class counties bears to the aggregate  
25 taxable motor fuel sales in all of these municipalities and H

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1 class counties; and

2 (2) ten percent of the amount shall be paid  
3 to the treasurers of the counties, including H class counties,  
4 in the proportion that the taxable motor fuel sales outside of  
5 incorporated municipalities in each of the counties bears to  
6 the aggregate taxable motor fuel sales outside of incorporated  
7 municipalities in all of the counties.

8 C. This distribution shall be paid into a separate  
9 road fund in the municipal treasury or county road fund for  
10 expenditure only for construction, reconstruction, resurfacing  
11 or other improvement or maintenance of public roads, streets,  
12 alleys or bridges, including right-of-way and materials  
13 acquisition. Money distributed pursuant to this section may  
14 be used by a municipality or county to provide matching funds  
15 for projects subject to cooperative agreements entered into  
16 with the state highway and transportation department pursuant  
17 to Section 67-3-28 NMSA 1978. Any municipality or H class  
18 county that has created or that creates a "street improvement  
19 fund" to which gasoline tax revenues or distributions are  
20 irrevocably pledged under Sections 3-34-1 through 3-34-4 NMSA  
21 1978 or that has pledged all or a portion of gasoline tax  
22 revenues or distributions to the payment of bonds shall  
23 receive its proportion of the distribution of revenues under  
24 this section impressed with and subject to these pledges. "

25 Section 4. Section 7-1-6.19 NMSA 1978 (being Laws 1991,

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1 Chapter 9, Section 15, as amended) is amended to read:

2 "7-1-6.19. DISTRIBUTION-- COUNTY GOVERNMENT ROAD FUND  
3 CREATED. --

4 A. There is created in the state treasury the  
5 "county government road fund".

6 B. A distribution pursuant to Section 7-1-6.1 NMSA  
7 1978 shall be made to the county government road fund in an  
8 amount equal to [~~five and seventy-six hundredths percent~~] the  
9 following percentage of the net receipts attributable to the  
10 gasoline tax:

11 (1) prior to August 1, 2002, five and  
12 seventy-six hundredths percent;

13 (2) from August 1, 2002 through July 31,  
14 2003, five and fifteen hundredths percent; and

15 (3) after July 31, 2003, four and forty-five  
16 hundredths percent. "

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

19 "7-1-6.27. DISTRIBUTION-- MUNICIPAL ROADS. --

20 A. A distribution pursuant to Section 7-1-6.1 NMSA  
21 1978 shall be made to municipalities for the purposes and  
22 amounts specified in this section in an aggregate amount equal  
23 to [~~five and seventy-six hundredths percent~~] the following  
24 percentage of the net receipts attributable to the gasoline  
25 tax:

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1                   (1) prior to August 1, 2002, five and seventy-  
2 six hundredths percent;

3                   (2) from August 1, 2002 through July 31,  
4 2003, five and fifteen hundredths percent; and

5                   (3) after July 31, 2003 four and forty-five  
6 hundredths percent.

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

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

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

21                   (3) for expenses of purchasing, maintaining  
22 and operating transit operations and facilities, for the  
23 operation of a transit authority established by the municipal  
24 transit law and for the operation of a vehicle emission  
25 inspection program. A municipality may engage in the business

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1 of the transportation of passengers and property within the  
2 political subdivision by whatever means the municipality may  
3 decide and may acquire cars, trucks, motor buses and other  
4 equipment necessary for operating the business. A  
5 municipality may acquire land, erect buildings and equip the  
6 buildings with all the necessary machinery and facilities for  
7 the operation, maintenance, modification, repair and storage  
8 of the cars, trucks, motor buses and other equipment needed.  
9 A municipality may do all things necessary for the acquisition  
10 and the conduct of the business of public transportation.

11 C. For the purposes of this section:

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

17 (2) "floor amount" means four hundred  
18 seventeen dollars (\$417);

19 (3) "floor municipality" means a municipality  
20 whose computed distribution amount is less than the floor  
21 amount; and

22 (4) "full distribution municipality" means a  
23 municipality whose population at the last federal decennial  
24 census was at least two hundred thousand.

25 D. Subject to the provisions of Subsections E and

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1 F of this section, each municipality shall be distributed a  
2 portion of the aggregate amount distributable under this  
3 section in an amount equal to the greater of:

4 (1) the floor amount; or

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

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

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1 amounts for all floor municipalities.

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

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

15 "7-1-6.28. DISTRIBUTION--MUNICIPAL ARTERIAL PROGRAM OF  
16 LOCAL GOVERNMENTS ROAD FUND.--A distribution pursuant to  
17 Section 7-1-6.1 NMSA 1978 shall be made to the municipal  
18 arterial program of the local governments road fund created in  
19 Section 67-3-28.2 NMSA 1978 in an amount equal to [~~one and~~  
20 ~~forty-four hundredths percent~~] the following percentage of the  
21 net receipts attributable to the gasoline tax:

22 A. prior to August 1, 2002, one and forty-four  
23 hundredths percent;

24 B. from August 1, 2002 through July 31, 2003, one  
25 and twenty-nine hundredths percent; and

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1                   C. after July 31, 2003, one and eleven hundredths  
2 percent. "

3                   Section 7. Section 7-1-6.39 NMSA 1978 (being Laws 1995,  
4 Chapter 6, Section 9) is amended to read:

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

13                   A. prior to August 1, 2002, eleven and eleven  
14 hundredths percent;

15                   B. from August 1, 2002 through July 31, 2003, ten  
16 percent; and

17                   C. after July 31, 2003, eight and seven-tenths  
18 percent. "

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

21                   "7-13-3. IMPOSITION AND RATE OF TAX-- DENOMINATION AS  
22 "GASOLINE TAX". --

23                   A. For the privilege of receiving gasoline in this  
24 state, there is imposed an excise tax at a rate provided in  
25 Subsection B of this section on each gallon of gasoline

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1 received in New Mexico.

2 B. The tax imposed by Subsection A of this section  
3 shall be [~~seventeen cents (\$.17)~~] at the following rate per  
4 gallon received in New Mexico:

5 (1) prior to July 1, 2002, seventeen cents  
6 (\$.17);

7 (2) from July 1, 2002 through June 30, 2003,  
8 nineteen cents (\$.19); and

9 (3) after June 30, 2003, twenty-two cents  
10 (\$.22).

11 C. The tax imposed by this section may be called  
12 the "gasoline tax". "

13 Section 9. Section 7-14-10 NMSA 1978 (being Laws 1988,  
14 Chapter 73, Section 20, as amended) is amended to read:

15 "7-14-10. DISTRIBUTION OF PROCEEDS. -- The receipts from  
16 the tax and any associated interest and penalties shall be  
17 deposited in the "motor vehicle suspense fund", hereby created  
18 in the state treasury. As of the end of each month, the net  
19 receipts attributable to the tax and associated penalties and  
20 interest shall be distributed [~~to the general fund~~] as  
21 follows:

22 A. for the period prior to July 1, 2002, one  
23 hundred percent to the general fund;

24 B. from July 1, 2002 through June 30, 2003, five-  
25 sixths to the general fund and one-sixth to the state road

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1 fund;

2 C. from July 1, 2003 through June 30, 2004, two-  
3 thirds to the general fund and one-third to the state road  
4 fund; and

5 D. after June 30, 2004, one-half to the general  
6 fund and one-half to the state road fund. "

7 Section 10. Section 7-16A-3 NMSA 1978 (being Laws 1992,  
8 Chapter 51, Section 3, as amended) is amended to read:

9 "7-16A-3. IMPOSITION AND RATE OF TAX--DENOMINATION AS  
10 SPECIAL FUEL EXCISE TAX. --

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

15 B. The tax imposed by Subsection A of this section  
16 shall be [~~eighteen cents (\$.18)~~] at the following rate per  
17 gallon of special fuel received or used in New Mexico:

18 (1) prior to July 1, 2002, eighteen cents  
19 (\$.18);

20 (2) from July 1, 2002 through June 30, 2003,  
21 twenty cents (\$.20); and

22 (3) after June 30, 2003, twenty-three cents  
23 (\$.23).

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

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1 Section 11. Section 67-3-59.1 NMSA 1978 (being Laws  
2 1989, Chapter 157, Section 1, as amended) is amended to read:

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

5 A. In order to provide funds to finance state  
6 highway projects, including state highway projects that are  
7 required for the waste isolation pilot project and are  
8 eligible for federal reimbursement or payment as authorized by  
9 federal legislation, the state highway commission is  
10 authorized, subject to the limitations of this section, to  
11 issue bonds from time to time, payable from federal funds not  
12 otherwise obligated that are paid into the state road fund,  
13 the proceeds of the collection of taxes and fees that are  
14 required by law to be paid into the state road fund and not  
15 otherwise pledged solely to the payment of outstanding bonds  
16 and debentures.

17 B. Except as provided in [~~Subsections C and D~~]  
18 Subsection C of this section, the total aggregate outstanding  
19 principal amount of bonds issued from time to time pursuant to  
20 this section, secured by or payable from federal funds not  
21 otherwise obligated that are paid into the state road fund and  
22 the proceeds from the collection of taxes and fees required by  
23 law to be paid into the state road fund, shall not, without  
24 additional authorization of the state legislature, exceed one  
25 hundred fifty million dollars (\$150,000,000) at any given

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1 time, subject to the following provisions:

2 (1) the total aggregate outstanding principal  
3 amount of bonds issued for state highway projects that are  
4 required for the waste isolation pilot project and are  
5 eligible for federal reimbursement or payment as authorized by  
6 federal legislation shall not exceed one hundred million  
7 dollars (\$100,000,000); and

8 (2) the total aggregate outstanding principal  
9 amount of bonds issued for state highway projects other than  
10 state highway projects that are required for the waste  
11 isolation pilot project and are eligible for federal  
12 reimbursement or payment as authorized by federal legislation  
13 shall not exceed fifty million dollars (\$50,000,000).

14 C. Upon specific authorization and appropriation  
15 by the legislature, [~~and subject to the limitations of~~  
16 ~~Subsection D of this section~~] an additional amount of bonds  
17 may be issued pursuant to this section for state highway  
18 projects, to be secured by or payable from taxes or fees  
19 required by law to be paid into the state road fund and  
20 federal funds not otherwise obligated that are paid into the  
21 state road fund, and, as applicable, taxes or fees required by  
22 law to be paid into the highway infrastructure fund, as  
23 follows:

24 (1) an aggregate outstanding principal amount  
25 of bonds, not to exceed six hundred twenty-four million

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1 dollars (\$624,000,000), for major highway infrastructure  
2 projects for which the department has, prior to January 1,  
3 1998, submitted or initiated the process of submitting a plan  
4 to the federal highway administration for innovative financing  
5 pursuant to 23 USCA Sections 122 and 307;

6 (2) an aggregate outstanding principal amount  
7 of bonds, not to exceed one hundred million dollars  
8 (\$100,000,000), for state highway projects that are required  
9 for the waste isolation pilot project and are eligible for  
10 federal reimbursement; and

11 (3) an aggregate outstanding principal amount  
12 of bonds, not to exceed [~~four hundred million dollars~~  
13 ~~(\$400,000,000)] one billion seven hundred thirty-three  
14 million eight hundred ninety thousand dollars  
15 (\$1,733,890,000), for other state highway projects.~~

16 [~~D. The total amount of bonds that may be issued~~  
17 ~~by the state highway commission for state highway projects~~  
18 ~~pursuant to Subsection C of this section shall not exceed a~~  
19 ~~total aggregate outstanding principal amount of:~~

20 (1) ~~three hundred million dollars~~  
21 ~~(\$300,000,000) prior to July 1, 1999;~~

22 (2) ~~six hundred million dollars~~  
23 ~~(\$600,000,000) from July 1, 1999 through June 30, 2000;~~

24 (3) ~~nine hundred million dollars~~  
25 ~~(\$900,000,000) from July 1, 2000 through June 30, 2001; and~~

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1           ~~[I.]~~ H. The bonds may be sold at a public or  
2 negotiated sale at, above or below par or through the New  
3 Mexico finance authority. Any negotiated sale shall be made  
4 with one or more investment ~~[banker]~~ bankers whose services  
5 are obtained through a competitive proposal process. For any  
6 sale, the state highway commission or the New Mexico finance  
7 authority shall also procure the services of any financial  
8 advisor or bond counsel through a competitive proposal  
9 process. If sold at public sale, a notice of the time and  
10 place of sale shall be published in a newspaper of general  
11 circulation in the state, and in any other newspaper  
12 determined in the resolution authorizing the issuance of the  
13 bonds, once each week for two consecutive weeks prior to the  
14 date of sale. The bonds may be purchased by the state  
15 treasurer or state investment officer.

16           ~~[J.]~~ I. This section is full authority for the  
17 issuance and sale of the bonds, and the bonds shall not be  
18 invalid for any irregularity or defect in the proceedings for  
19 their issuance and sale and shall be incontestable in the  
20 hands of bona fide purchasers or holders of the bond for  
21 value.

22           ~~[K.]~~ J. The bonds shall be legal investments for  
23 any person or board charged with the investment of public  
24 funds and may be accepted as security for any deposit of  
25 public money and, with the interest thereon, are exempt from

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1 taxation by the state and any political subdivision or agency  
2 of the state.

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

18 ~~[M-]~~ L. In contracting for state highway projects  
19 to be paid in whole or in part with proceeds of bonds  
20 authorized by this section, the department shall require that  
21 any sand, gravel, caliche or similar material needed for the  
22 project shall, if practicable, be mined from state lands.  
23 Each contract shall provide that the contractor notify the  
24 commissioner of public lands of the need for the material and  
25 that, through lease or purchase, the material shall be mined

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1 from state lands if:

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

4 (2) the commissioner determines that the  
5 lease or purchase is in the best interest of the state land  
6 trust beneficiaries; and

7 (3) the cost to the contractor for the  
8 material, including the costs of transportation, is  
9 competitive with other available material from non-state  
10 lands.

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

16 Section 12. STATE HIGHWAY BONDS--PURPOSE FOR WHICH  
17 ISSUED--APPROPRIATION OF PROCEEDS.--

18 A. The state highway commission may issue and sell  
19 state highway bonds in compliance with the provisions of  
20 Section 67-3-59.1 NMSA 1978 in an amount not to exceed the  
21 total of the amounts authorized for purposes specified in this  
22 section when the commission determines the need for the  
23 issuance of the bonds. The state highway commission shall  
24 schedule the issuance and sale of the bonds in the most  
25 expeditious and economic manner possible upon a finding by the

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1 commission that the project has been developed sufficiently to  
2 justify the issuance and that the project can proceed to  
3 contract within a reasonable time. The proceeds from the sale  
4 of the bonds are appropriated to the state highway and  
5 transportation department in the following amounts for the  
6 following purposes:

7 (1) seventy-two million dollars (\$72,000,000)  
8 for the four-lane construction of United States highway 180  
9 from Silver City to Deming;

10 (2) fifty-three million five hundred sixty  
11 thousand dollars (\$53,560,000) for the six-lane construction  
12 of interstate 10 from the interstate 25 interchange to the  
13 Texas state line;

14 (3) thirty-one million two hundred thousand  
15 dollars (\$31,200,000) for the six-lane construction of  
16 interstate 25 from the tramway interchange to the United  
17 States highway 550 interchange;

18 (4) seventy-four million six hundred ninety  
19 thousand dollars (\$74,690,000) for the four-lane construction  
20 of United States highway 666 from Sheep Springs to the  
21 Colorado state line;

22 (5) one hundred eighty-five million three  
23 hundred seventy thousand dollars (\$185,370,000) for the four-  
24 lane construction of United States highways 64 and 87 from  
25 Raton to Clayton;

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1 (6) eighty-eight million six hundred ten  
2 thousand dollars (\$88,610,000) for construction of a new four-  
3 lane northwest loop highway from New Mexico 550 to interstate  
4 40 near the rio puerco;

5 (7) seventy-nine million one hundred seventy  
6 thousand dollars (\$79,170,000) for the four-lane construction  
7 of United States highway 285 from Clines Corners to Lamy;

8 (8) three hundred twenty-nine million ten  
9 thousand dollars (\$329,010,000) for the four-lane construction  
10 of United States highway 54 from Tularosa to Santa Rosa;

11 (9) eighty-five million dollars (\$85,000,000)  
12 for the four-lane construction of United States highway 54  
13 from Tucumcari to the Texas state line;

14 (10) fifteen million two hundred forty  
15 thousand dollars (\$15,240,000) for construction of New Mexico  
16 404 from interstate 10 to United States highway 54;

17 (11) seventy-five million two hundred ten  
18 thousand dollars (\$75,210,000) for the four-lane construction  
19 of United States highways 62 and 180 from Carlsbad to the  
20 Texas state line;

21 (12) forty-five million dollars (\$45,000,000)  
22 for the four-lane construction of United States highway 285  
23 from Carlsbad to the Texas state line;

24 (13) eleven million two hundred twenty  
25 thousand dollars (\$11,220,000) for the four-lane construction

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1 of New Mexico 18 from Jal to the Texas state line;

2 (14) eighteen million dollars (\$18,000,000)  
3 for a new east loop Espanola relief route;

4 (15) ninety-four million two hundred thousand  
5 dollars (\$94,200,000) for the four-lane construction of United  
6 States highway 82 from Artesia to Lovington;

7 (16) twenty-five million four hundred  
8 thousand dollars (\$25,400,000) for the six-lane construction  
9 of interstate 25 from New Mexico 47 to Cesar Chavez boulevard;

10 (17) twelve million ten thousand dollars  
11 (\$12,010,000) for a new bypass route in Deming off interstate  
12 10;

13 (18) fifteen million dollars (\$15,000,000)  
14 for a new Richards avenue interchange on interstate 25 in  
15 Santa Fe county;

16 (19) fifteen million dollars (\$15,000,000)  
17 for the construction and expansion of Paseo del Norte west to  
18 Unser boulevard in Bernalillo county; and

19 (20) nine million dollars (\$9,000,000) for  
20 improvements to Isleta boulevard in Bernalillo county.

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

25 C. For the purposes of this section,

underscored material = new  
[bracketed material] = delete

1 "construction" and "improvement" include planning, design,  
2 engineering, construction and acquisition of rights of way.

3 Section 13. Laws 1995, Chapter 6, Section 23 is amended  
4 to read:

5 "Section 23. EFFECTIVE DATE. --

6 A. The effective date of the provisions of  
7 Sections 10 and 12 through 14 of [~~this act~~] Laws 1995, Chapter  
8 6 is July 1, 1995.

9 B. The effective date of the provisions of  
10 Sections 1 through 9 and 21 of [~~this act~~] Laws 1995, Chapter  
11 6 is August 1, 1995.

12 [~~C. The effective date of the provisions of~~  
13 ~~Section 11 of this act is July 1, 2003 or the July 1 or~~  
14 ~~January 1 immediately following any earlier date on which the~~  
15 ~~obligations for payment of principal and interest on the~~  
16 ~~series 1993 state highway debentures have been defeased.]"~~

17 Section 14. REPEAL. --Laws 1995, Chapter 6, Section 11 is  
18 repealed.

19 Section 15. EFFECTIVE DATE. --The effective date of the  
20 provisions of this act is July 1, 2002.

21 - 23 -  
22  
23  
24  
25