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HOUSE BILL 105

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Kelly K. Fajardo

AN ACT

RELATING TO TRANSPORTATION; AMENDING SECTIONS OF THE NMSA 1978
TO PROVIDE FOR USES OF MONEY IN THE STATE AVIATION FUND.

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 2007, Chapter 297,
Section 1 and by Laws 2007, Chapter 298, 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
1978 shall be made to the state aviation fund in an amount
equal to four and seventy-nine hundredths percent of the
taxable gross receipts attributable to the sale of fuel
specially prepared and sold for use in turboprop or jet-type
engines as determined by the department.

.191175.1

underscored material = new
~~[bracketed material] = delete~~

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1 B. A distribution pursuant to Section 7-1-6.1 NMSA
2 1978 shall be made to the state aviation fund in an amount
3 equal to twenty-six hundredths percent of gasoline taxes,
4 exclusive of penalties and interest, collected pursuant to the
5 Gasoline Tax Act.

6 C. [~~From July 1, 2002 through June 30, 2012~~] A
7 distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be
8 made to the state aviation fund in an amount equal to forty-six
9 thousandths percent of the net receipts attributable to the
10 gross receipts tax distributable to the general fund.

11 D. A distribution pursuant to Section 7-1-6.1 NMSA
12 1978 shall be made to the state aviation fund from the net
13 receipts attributable to the gross receipts tax distributable
14 to the general fund in an amount equal to:

15 (1) eighty thousand dollars (\$80,000) monthly
16 from July 1, 2007 through June 30, 2008;

17 (2) one hundred sixty-seven thousand dollars
18 (\$167,000) monthly from July 1, 2008 through June 30, 2009; and

19 (3) two hundred fifty thousand dollars
20 (\$250,000) monthly after July 1, 2009."

21 SECTION 2. Section 64-1-15 NMSA 1978 (being Laws 1963,
22 Chapter 314, Section 7, as amended by Laws 2007, Chapter 297,
23 Section 2 and by Laws 2007, Chapter 298, Section 2) is amended
24 to read:

25 "64-1-15. STATE AVIATION FUND.--

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underscored material = new
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1 A. There is created in the state treasury the
2 "state aviation fund". All income to the state aviation fund
3 is appropriated to the division. Earnings from investment of
4 the fund shall be credited to the fund.

5 B. The amounts distributed to the state aviation
6 fund pursuant to Subsection C of Section 7-1-6.7 NMSA 1978
7 shall be used for the air service assistance program, including
8 planning, program administration, construction, equipment,
9 materials and maintenance of a system of airports, navigation
10 aids and related facilities. All other amounts distributed to
11 the state aviation fund, including collections by the division
12 for aircraft registration pursuant to the Aircraft Registration
13 Act, payments to the division pursuant to Sections 64-1-13 and
14 64-1-19 NMSA 1978 and reimbursements to the division from
15 federal aviation administration funds or from any other source
16 shall be used for planning and program administration,
17 construction, equipment, materials and maintenance of a system
18 of airports, navigation aids and related facilities. All
19 expenditures shall be made in accordance with budgets approved
20 by the department. Balances in the state aviation fund shall
21 not be transferred and shall not revert to any other fund."

22 **SECTION 3. EFFECTIVE DATE.**--The effective date of
23 the provisions of this act is July 1, 2013.