

1 SENATE BILL 250

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Carroll H. Leavell

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10 AN ACT

11 RELATING TO STATE AIRCRAFT; LIMITING USE TO AUTHORIZED
12 PASSENGERS; PROVIDING FOR JOINT USE BY THE DEPARTMENT OF PUBLIC
13 SAFETY; ALLOWING ASSESSMENT OF CERTAIN TRAVEL CHARGES.

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

16 SECTION 1. Section 15-9-2 NMSA 1978 (being Laws 1994,
17 Chapter 135, Section 2) is amended to read:

18 "15-9-2. DEFINITIONS.--As used in the State Aircraft Act:

19 A. "authorized passenger" means a person authorized
20 by the department to use state aircraft, including the
21 governor, lieutenant governor, secretary of state, attorney
22 general, state auditor and state treasurer; members of the
23 public regulation commission; state legislators; members of the
24 state's congressional delegation and their staff members when
25 accompanying their congressional delegates; officials and

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1 employees of the executive, legislative and judicial branches
2 of government; and medical personnel;

3 ~~[A.]~~ B. "department" means the general services
4 department; ~~[and~~

5 ~~B.]~~ C. "state aircraft" means ~~[all state]~~ the
6 department's airplanes used primarily to transport passengers;
7 and

8 D. "travel charges" means amounts charged by the
9 department, including fuel surcharges and other fees,
10 incidental to the use of state aircraft."

11 SECTION 2. Section 15-9-3 NMSA 1978 (being Laws 1994,
12 Chapter 135, Section 3) is amended to read:

13 "15-9-3. AIRCRAFT CONSOLIDATION--DEPARTMENT DUTIES.--

14 A. ~~[All]~~ State aircraft shall be consolidated in
15 the department for the use of the state's agencies
16 ~~[departments, branches and institutions]~~ and other persons
17 authorized by the department.

18 B. The department shall:

19 (1) adopt and file in accordance with the
20 State Rules Act rules and regulations to carry out the
21 provisions of the State Aircraft Act;

22 (2) own, operate and maintain the state's
23 aircraft fleet;

24 (3) provide centralized statewide scheduling
25 of aircraft;

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1 (4) designate destination airports;

2 (5) determine travel charges for the use of
3 state aircraft and associated aircraft services and personnel;

4 (6) determine use requirements, including the
5 number of required passengers per flight and under what
6 conditions persons other than [~~state officers and employees~~]
7 authorized passengers are allowed to travel in state aircraft;
8 and

9 (7) determine other requirements it deems
10 appropriate or fiscally responsible.

11 C. The department may enter into agreements,
12 including cost-sharing agreements, with the department of
13 public safety for joint use of state aircraft.

14 [~~G-~~] D. The director of the transportation services
15 division of the department or the secretary of general services
16 may refuse a request for state aircraft scheduling for any
17 reason."

18 SECTION 3. Section 15-9-4 NMSA 1978 (being Laws 1994,
19 Chapter 135, Section 4, as amended) is amended to read:

20 "15-9-4. TRAVEL CHARGES.--The department shall charge for
21 the use of state aircraft. The department may assess fuel
22 surcharges and other travel charges for fees incidental to the
23 use of state aircraft. The department shall establish the
24 amount of travel charges each year pursuant to applicable rules
25 and with consideration given to any legislative appropriations

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1 for the operation and maintenance of state aircraft for that
2 fiscal year. Travel charges shall be sufficient to offset the
3 costs of operation and maintenance [~~and depreciation~~] of state
4 aircraft. Money collected for travel charges shall be
5 deposited in the aviation services fund."

6 SECTION 4. Section 15-9-4.1 NMSA 1978 (being Laws 1995,
7 Chapter 49, Section 3) is amended to read:

8 "15-9-4.1. AVIATION SERVICES FUND.--There is created in
9 the state treasury the "aviation services fund". Money in the
10 fund is appropriated to the [~~general services~~] department for
11 the purpose of operating, maintaining and repairing state
12 aircraft, including fuel, insurance, pilot compensation and
13 other basic support costs. Disbursements from the fund shall
14 be made only upon warrant drawn by the secretary of finance and
15 administration pursuant to vouchers signed by the director of
16 the [~~motor pool~~] transportation services division of the
17 [~~general services~~] department or the director's authorized
18 representative. Money in the fund shall not revert at the end
19 of any fiscal year."