

AN ACT

RELATING TO AVIATION; PROVIDING FOR A DISTRIBUTION OF GROSS RECEIPTS TAX REVENUE FOR THE AIR SERVICE ASSISTANCE PROGRAM; AMENDING SECTIONS OF THE NMSA 1978; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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 1978 shall be made to the state aviation fund in an amount equal to three and fifty-nine hundredths percent of the 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.

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

C. From July 1, 2002 through June 30, 2007, a distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the state aviation fund in an amount equal to forty-

six thousandths of one percent of the net receipts attributable to the gross receipts tax distributable to the general fund. "

Section 2. Section 64-1-15 NMSA 1978 (being Laws 1963, Chapter 314, Section 7, as amended) is amended to read:

"64-1-15. EARMARKED TAXES--APPROPRIATION.--There is created in the state treasury the "state aviation fund". The state treasurer shall credit to the state aviation fund all unrefunded taxes collected on the sale of motor fuel sold for use in aircraft. All income to the state aviation fund is appropriated to the division. The amounts distributed to the state aviation fund pursuant to Subsection A of Section 7-1-6.7 NMSA 1978 shall be used for planning, construction and maintenance of a system of airports, navigation aids and related facilities serving New Mexico. The amounts distributed to the state aviation fund pursuant to Subsection C of Section 7-1-6.7 NMSA 1978 shall be used for the air service assistance program. All expenditures shall be made in accordance with budgets approved by the department of finance and administration. "

Section 3. APPROPRIATION.--Four hundred thousand dollars (\$400,000) is appropriated from the general fund to the state highway and transportation department for expenditure in fiscal years 2001 and 2002 by the aviation division to carry out the provisions of this act for an air service assistance program. Any unexpended or unencumbered

balance remaining at the end of fiscal year 2002 shall  
revert to the general fund.

Section 4. EMERGENCY.--It is necessary for the public  
peace, health and safety that this act take effect  
immediately. \_\_\_\_\_