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SENATE BILL 128

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

INTRODUCED BY

Leonard Lee Rawson

AN ACT

**RELATING TO ROADS; CLARIFYING THAT THE STATE HIGHWAY AND
TRANSPORTATION DEPARTMENT IS REQUIRED TO REPAIR AND MAINTAIN
STATE PARK ROADS, BRIDGES AND PARKING AREAS; MAKING AN
APPROPRIATION.**

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

**Section 1. Section 67-3-14 NMSA 1978 (being Laws 1912,
Chapter 54, Section 2, as amended) is amended to read:**

**"67-3-14. STATE HIGHWAY COMMISSION-- POWERS AND DUTIES--
ROAD FUNDS. --**

**A. The state highway commission has charge of all
policy matters pertaining to the expenditure of the state road
fund in the construction, improvement and maintenance of state
highways and bridges in the state.**

B. The state highway commission may also make

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1 rules [~~and regulations~~] governing the method of construction,
2 improvement and maintenance of state highways and bridges and
3 compel compliance with the laws and rules [~~and regulations~~]
4 relating to state highways and bridges. The commission [~~shall~~
5 ~~have~~] has no duty to maintain or supervise the maintenance of
6 roads [~~which~~] that are not designated state highways or
7 bridges. The commission shall repair and maintain state park
8 roads, bridges and parking areas as provided in Section
9 67-3-19 NMSA 1978.

10 C. The secretary of highway and transportation
11 [~~shall have~~] has authority to expend state road funds and use
12 state forces and equipment in an amount not to exceed ten
13 thousand dollars (\$10,000) for the purpose of restoring and
14 preserving the public safety and welfare in any emergency
15 involving a threat of injury to lives or property within areas
16 under the control of the state or local governmental bodies. "

17 Section 2. APPROPRIATION. -- Two million five hundred
18 thousand dollars (\$2,500,000) is appropriated from the state
19 road fund to the state highway and transportation department
20 for expenditure in fiscal year 2002 to repair and maintain
21 state park roads, bridges and parking areas. Any unexpended
22 or unencumbered balance remaining at the end of fiscal year
23 2002 shall revert to the general fund.