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SENATE BILL 192

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

INTRODUCED BY

Ben D. Altamirano

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

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1 and sold for use in turboprop or jet-type engines as  
2 determined by the department.

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

8 C. From July 1, 2002 through June 30, 2007, a  
9 distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be  
10 made to the state aviation fund in an amount equal to forty-  
11 six thousandths of one percent of the net receipts  
12 attributable to the gross receipts tax distributable to the  
13 general fund. "

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

16 "64-1-15. EARMARKED TAXES--APPROPRIATION. --There is  
17 created in the state treasury the "state aviation fund". The  
18 state treasurer shall credit to the state aviation fund all  
19 unrefunded taxes collected on the sale of motor fuel sold for  
20 use in aircraft. All income to the state aviation fund is  
21 appropriated to the division. The amounts distributed to the  
22 state aviation fund pursuant to Subsection A of Section  
23 7-1-6.7 NMSA 1978 shall be used for planning, construction and  
24 maintenance of a system of airports, navigation aids and  
25 related facilities serving New Mexico. The amounts

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1 distributed to the state aviation fund pursuant to Subsection  
2 C of Section 7-1-6.7 NMSA 1978 shall be used for the air  
3 service assistance program. All expenditures shall be made in  
4 accordance with budgets approved by the department of finance  
5 and administration. "

6 Section 3. APPROPRIATION.--One million dollars  
7 (\$1,000,000) is appropriated from the state road fund to the  
8 state highway and transportation department for expenditure in  
9 fiscal years 2001 and 2002 by the aviation division to carry  
10 out the provisions of this act for an air service assistance  
11 program. Any unexpended or unencumbered balance remaining at  
12 the end of fiscal year 2002 shall revert to the general fund.

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