

1 SENATE JOINT MEMORIAL 67

2 47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

3 INTRODUCED BY

4 Mark Boitano

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10 A JOINT MEMORIAL

11 REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO ESTABLISH A
12 TASK FORCE TO OVERSEE THE PLANS AND PROPOSALS OF THE STATE
13 TRANSPORTATION COMMISSION, THE DEPARTMENT OF TRANSPORTATION AND
14 THE MID-REGION COUNCIL OF GOVERNMENTS TO BUILD AND OPERATE A
15 COMMUTER RAIL LINE BETWEEN BELEN AND SANTA FE OR POINTS FURTHER
16 NORTH.

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18 WHEREAS, the governor, the department of transportation
19 and the mid-region council of governments have announced and
20 begun plans and efforts to create a commuter rail system,
21 potentially carrying commuters from Belen to Santa Fe or to
22 points north of Santa Fe; and

23 WHEREAS, the state transportation commission is imbued
24 with the power to set all matters of policy for the department
25 of transportation; and

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1 WHEREAS, the cost of the commuter rail system is at least
2 three hundred ninety-three million dollars (\$393,000,000), but
3 there is no certain projection of overall, total costs; and

4 WHEREAS, few, if any, commuter rail systems in the world
5 are not subsidized by public money and the likelihood is that
6 the commuter rail system will require a long-term, perhaps
7 perpetual, investment of public money and may become a fixed
8 cost of government in New Mexico; and

9 WHEREAS, the governor, the department of transportation
10 and the mid-region council of governments undertook the
11 commuter rail system project, seeking to commit the state to
12 hundreds of millions of dollars of expenditure with little
13 information provided to and little participation by the
14 legislature; and

15 WHEREAS, the legislature is the branch of government that
16 controls the appropriation and expenditure of state public
17 money and is responsible to New Mexicans for the wise and
18 supportable expenditure of public money and thus should make
19 every effort to provide legislative oversight of the commuter
20 rail system project and to demand accountability from the
21 entities that are pursuing commuter rail; and

22 WHEREAS, it may be many years before the commuter rail
23 system project can be assessed as to whether it is a wise and
24 supportable expenditure of public money;

25 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE

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1 STATE OF NEW MEXICO that the New Mexico legislative council be
2 requested to form a commuter rail oversight task force to be
3 comprised of representatives from the counties, municipalities
4 and pueblos affected by the commuter rail system; persons
5 experienced in commuter rail and other modes of public mass
6 transportation; and persons who are potential users of the
7 commuter rail system or alternatives to the commuter rail
8 system; and

9 BE IT FURTHER RESOLVED that the New Mexico legislative
10 council be requested to charge the commuter rail oversight task
11 force with:

12 A. monitoring the progress of the commuter rail
13 system project;

14 B. assessing alternatives to the commuter rail
15 system;

16 C. assessing transportation needs in the state not
17 met by the commuter rail system in relation to the cost of the
18 commuter rail system;

19 D. assessing the liability the state has assumed or
20 may assume in pursuing the commuter rail system project;

21 E. determining what state and federal environmental
22 laws are invoked by the commuter rail system project;

23 F. promoting public involvement in the commuter
24 rail system project;

25 G. reviewing and assessing business and financial

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1 plans for the commuter rail system;

2 H. determining the capabilities of the department
3 of transportation and the
4 mid-region council of governments to perform their duties under
5 commuter rail system agreements;

6 I. identifying future funding sources for the
7 commuter rail system;

8 J. reviewing amendments to current agreements for
9 the commuter rail system;

10 K. requesting periodic reports on the status of the
11 commuter rail system from the department of transportation and
12 the mid-region council of governments; and

13 L. identifying legislation needed to continue
14 oversight of the commuter rail system project and correct any
15 legal problems with the project that may be identified by the
16 attorney general or others; and

17 BE IT FURTHER RESOLVED that the task force be requested to
18 report its findings and recommendations to the New Mexico
19 legislative council and the legislative finance committee no
20 later than October 15, 2006; and

21 BE IT FURTHER RESOLVED that the state transportation
22 commission, the department of transportation and the mid-region
23 council of governments be requested to cooperate fully with the
24 commuter rail oversight task force and promptly provide the
25 task force with the information it may request; and

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BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the governor, the chair of the state transportation commission, the secretary of transportation, the executive director of the mid-region council of governments and the co-chairs of the New Mexico legislative council.