

**FORTY-EIGHTH LEGISLATURE
SECOND SESSION, 2008**

January 29, 2008

Mr. Speaker:

Your **TRANSPORTATION AND PUBLIC WORKS COMMITTEE**, to whom has been referred

HOUSE BILL 400

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 20, strike "14" and insert in lieu thereof "15".

2. On page 2, line 6, after "leased," insert "operated,".

3. On page 2, line 7, strike the first comma and insert in lieu thereof "or" and strike "or donated".

4. On page 2, between lines 10 and 11, insert the following new subsection:

"C. "department" means the department of transportation;".

5. Reletter the succeeding subsections accordingly.

6. On page 2, line 14, after "system" strike the remainder of the line, strike line 15 up to the semicolon and insert in lieu thereof "operated by the department or the district".

7. On page 4, line 9, after "governor", insert "of New Mexico".

8. On page 6, between lines 23 and 24, insert the following new paragraphs:

"(1) execute a lease and operating agreement with the department to lease components of the commuter rail system from the department and operate the commuter rail system;

(2) maintain levels of insurance that comply with federal law and are consistent with the district's operating agreement with the department;".

9. Renumber the succeeding paragraphs accordingly.

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10. On page 17, between lines 22 and 23, insert the following new section:

"Section 15. [NEW MATERIAL] LEASE OF COMMUTER RAIL SYSTEM.-- Upon a vote by the majority of voters in the district to approve the ordinance imposing the commuter rail gross receipts tax, the department shall lease its interest in the New Mexico rail runner express and the appropriate portions of the commuter rail system to the district for a nominal cost. The lease shall be for a term to coincide with the existence and operation of the district."

11. Renumber the succeeding sections accordingly.

12. On page 19, strike lines 19 through 25 and on page 20, strike lines 1 through 3.

13. Renumber the succeeding section accordingly.,

and thence referred to the **TAXATION AND REVENUE COMMITTEE.**

Respectfully submitted,

Daniel P. Silva, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

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The roll call vote was 11 For 1 Against
Yes: 11
No: Moore
Excused: None
Absent: None

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