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AN ACT

RELATING TO TRANSPORTATION; AMENDING SECTIONS OF THE NMSA
1978 TO PROVIDE FOR USES OF MONEY IN THE STATE AVIATION FUND.

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 2007, Chapter 297,
Section 1 and by Laws 2007, Chapter 298, 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 four and seventy-nine hundredths percent of the
taxable 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 percent of gasoline taxes,
exclusive of penalties and interest, collected pursuant to
the Gasoline Tax Act.

C. From July 1, 2013 through June 30, 2018, 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 percent of the net receipts

1 attributable to the gross receipts tax distributable to the
2 general fund.

3 D. A distribution pursuant to Section 7-1-6.1 NMSA
4 1978 shall be made to the state aviation fund from the net
5 receipts attributable to the gross receipts tax distributable
6 to the general fund in an amount equal to:

7 (1) eighty thousand dollars (\$80,000)
8 monthly from July 1, 2007 through June 30, 2008;

9 (2) one hundred sixty-seven thousand dollars
10 (\$167,000) monthly from July 1, 2008 through June 30, 2009;
11 and

12 (3) two hundred fifty thousand dollars
13 (\$250,000) monthly after July 1, 2009."

14 SECTION 2. Section 64-1-15 NMSA 1978 (being Laws 1963,
15 Chapter 314, Section 7, as amended by Laws 2007, Chapter 297,
16 Section 2 and by Laws 2007, Chapter 298, Section 2) is
17 amended to read:

18 "64-1-15. STATE AVIATION FUND.--

19 A. There is created in the state treasury the
20 "state aviation fund". All income to the state aviation fund
21 is appropriated to the division. Earnings from investment of
22 the fund shall be credited to the fund.

23 B. The amounts distributed to the state aviation
24 fund pursuant to Subsection C of Section 7-1-6.7 NMSA 1978
25 shall be used for the air service assistance program,

1 including planning, program administration, construction,
2 equipment, materials and maintenance of a system of airports,
3 navigation aids and related facilities. All other amounts
4 distributed to the state aviation fund, including collections
5 by the division for aircraft registration pursuant to the
6 Aircraft Registration Act, payments to the division pursuant
7 to Sections 64-1-13 and 64-1-19 NMSA 1978 and reimbursements
8 to the division from federal aviation administration funds or
9 from any other source shall be used for planning and program
10 administration, construction, equipment, materials and
11 maintenance of a system of airports, navigation aids and
12 related facilities. All expenditures shall be made in
13 accordance with budgets approved by the department. Balances
14 in the state aviation fund shall not be transferred and shall
15 not revert to any other fund."

16 SECTION 3. EFFECTIVE DATE.--The effective date of the
17 provisions of this act is July 1, 2013. _____

SB 2
Page 3