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HOUSE BILL 241

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Roberto "Bobby" J. Gonzales

AN ACT

RELATING TO RAILROAD SERVICE; CREATING A FUND; MAKING AN  
APPROPRIATION.

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

SECTION 1. A new section of Chapter 67, Article 3 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] SOUTHWEST CHIEF RAIL SERVICE FUND--  
CREATED.--

A. The "southwest chief rail service fund" is  
created in the state treasury. The fund shall be administered  
by the department and is appropriated for the purposes set out  
in this section. The fund shall consist of money appropriated,  
donated or otherwise accrued to the fund. Earnings on  
investment of the fund shall be credited to the fund. Balances  
in the fund shall not revert to any other fund at the end of a

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1 fiscal year.

2 B. Money in the fund shall be used solely for  
3 acquisition of rights of way or planning, design, engineering,  
4 construction or improvement of the railroad track and  
5 infrastructure within New Mexico used by the Amtrak southwest  
6 chief train from the state line to Albuquerque as identified in  
7 the southwest chief routing publication for route miles under  
8 review and is appropriated to the department for expenditure  
9 for those purposes; provided that no funds may be expended from  
10 the fund until the states of Colorado and Kansas establish  
11 similar funds for the corresponding southwest chief railroad  
12 track within their borders and the department has entered into  
13 a binding agreement with Amtrak and the states of Colorado and  
14 Kansas to maintain the southwest chief train service on the  
15 northern route in New Mexico through fiscal year 2055. The  
16 department may begin negotiations for an interstate compact or  
17 other agreement between New Mexico, Colorado and Kansas  
18 pertaining to rail improvements along the northern route of the  
19 Amtrak southwest chief and the funding of those improvements  
20 and a service agreement with Amtrak and the Burlington northern  
21 Santa Fe railway. Any agreement is subject to legislative  
22 approval."

23 SECTION 2. APPROPRIATION.--Four million dollars  
24 (\$4,000,000) is appropriated from the general fund to the  
25 southwest chief rail service fund for expenditure in fiscal

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1 year 2015 and subsequent fiscal years for the purposes of the  
2 southwest chief rail service fund. Any unexpended or  
3 unencumbered balance remaining at the end of a fiscal year  
4 shall not revert to the general fund.

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