

**FIFTY-SIXTH LEGISLATURE
FIRST SESSION, 2023**

February 9, 2023

Mr. Speaker:

Your **TRANSPORTATION, PUBLIC WORKS & CAPITAL
IMPROVEMENTS COMMITTEE**, to whom has been referred

HOUSE BILL 3

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

1. On page 2, lines 16 and 17, under the "Other State Funds" and "Federal Funds" columns, strike the dollar amounts and insert in lieu thereof:

"115,263.9	367,231.0
158,180.3	126,615.7".

2. On page 2, line 21, strike ">90%" and insert in lieu thereof ">88%".

3. On page 3, lines 7 and 8, under the "Other State Funds" column, strike the dollar amounts and insert in lieu thereof:

"78,319.4
110,870.2".

4. On page 3, line 13, strike "<6,925" and insert in lieu thereof "<4,000".

5. On page 3, lines 22 and 23, under the "Other State Funds" column, strike the dollar amounts and insert in lieu thereof:

"10,440.7
16,447.5".

6. On page 4, line 7, under the "Internal Service Funds/ Interagency Transfer" column, strike "4,269.9" and insert in lieu thereof "5,880.0".

7. On page 4, lines 8 and 9, under the "Other State Funds" column, strike the dollar amounts and insert in lieu thereof:

"23,047.0
11,674.9".

8. On page 4, line 9, under the "Internal Service Funds/ Interagency Transfer" column, strike "2,000.0" and insert in lieu thereof "2,389.9".

9. On page 4, line 12, strike "eight million dollars (\$8,000,000)" and insert in lieu thereof "ten million dollars (\$10,000,000)".

10. On page 4, line 16, strike "<150" and insert in lieu thereof "<140".

11. On page 4, between lines 16 and 17, insert the following new sections:

**"SECTION 5. FISCAL YEAR 2023
BALANCES--NONREVERSION.--**Any encumbered balances in the project design and construction program, the highway operations program and the modal program of the department of transportation at the end of fiscal year 2023 from appropriations made from other state funds and federal funds shall not revert and may be expended in fiscal year 2024.

**SECTION 6. FISCAL YEAR 2023 BUDGET ADJUSTMENT
AUTHORITY.--**The department of transportation may request budget increases of up to thirty-five million dollars (\$35,000,000) from other state funds and fund balances to meet federal matching requirements and for debt services and related costs, intergovernmental agreements, lawsuits and construction- and maintenance-related costs.

**SECTION 7. FISCAL YEAR 2024 BUDGET ADJUSTMENT
AUTHORITY.--**The department of transportation may request program transfers between the project design and construction program, the highway operations program, business support program and modal program for costs related to engineering, construction, maintenance services and grant agreements; may request program transfers into the personnel services and employee benefits category for the prospective salary increase and the employer's share of applicable taxes and retirement benefits; may request budget increases of up to eighty-five million dollars (\$85,000,000) from other state funds and fund balances to meet federal matching requirements and, for debt services and related costs, intergovernmental agreements, lawsuits and construction- and maintenance-related costs; and may request budget increases of fifty million dollars (\$50,000,000) from fund balances to mitigate emergency

road conditions in transportation district two.

SECTION 8. SPECIAL TRANSPORTATION APPROPRIATIONS.--Unless otherwise indicated, the following amounts are appropriated from the general fund to the department of transportation for the purposes specified. Unless otherwise indicated, the appropriation may be expended in fiscal years 2023 through 2026 and, unless otherwise indicated, any unencumbered or unexpended balance of an appropriation shall revert to the appropriate fund:

(1) five million dollars (\$5,000,000) for planning, design, construction, renovation and equipment for regional airports statewide;

(2) five million dollars (\$5,000,000) for design and construction of wildlife corridors to mitigate wildlife-vehicle collisions on state-managed roads;

(3) seven million dollars (\$7,000,000) from the weight distance tax identification permit fund to the modal program for expenditure in fiscal years 2024 through 2026 for improvement to ports of entry statewide and the unencumbered or unexpended balance shall revert to the weight distance tax identification permit fund; and

(4) one hundred eighty-seven million dollars (\$187,000,000) for acquisition of rights of way, planning, design and construction, field supplies, roadway preservation, roadway rehabilitation, preventive maintenance, roadway maintenance and reconstruction or new construction for state-, tribal- and locally owned roads. Funds appropriated in this item may be used to match other state funds or federal funds and may be used for projects, including: New Mexico highway 213 in Dona Ana county; New Mexico highway 31 in transportation district two; Rio Bravo boulevard in transportation district three; paseo del Norte between Kinnock road and Rainbow road in transportation district three; Los Lunas east/west corridor in transportation district three; New Mexico highway 94 from the intersection with New Mexico highway 518 for three-fourths of a mile in transportation district four; United States highway 550 in transportation district five; and bridge exits 63 and 79 on interstate 40 in transportation district six."

12. Revise all totals and subtotals to correspond with these amendments.,

and thence referred to the **APPROPRIATIONS & FINANCE COMMITTEE.**

Respectfully submitted,

Dayan Hochman-Vigil, Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 11 For 0 Against
Yes: 11
No: 0
Excused: None
Absent: None

.224917A.3

Z:\CommRep\HB0003TP1.wpd