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HOUSE JOINT MEMORIAL 44

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Mimi Stewart

A JOINT MEMORIAL

**REQUESTING THE CONGRESS OF THE UNITED STATES TO CONSENT TO THE
AMENDMENT OF THE CONSTITUTION OF NEW MEXICO TO INCREASE THE
ANNUAL DISTRIBUTION FROM THE PERMANENT SCHOOL FUND.**

**WHEREAS, the provisions of Sections 9 and 10 of the
Enabling Act for New Mexico, Act of June 20, 1910, as amended,
36 Statutes at Large 557, provide that lands granted by the
United States to New Mexico shall be held in trust for the
land grant beneficiaries and that distributions from the trust
fund shall be made as provided in Article 12, Section 7 of the
constitution of New Mexico; and**

**WHEREAS, the constitution of New Mexico, by accepting the
provisions of the Enabling Act, incorporates the foregoing
restrictions into the fundamental law of New Mexico; and**

WHEREAS, Section 2 of the Enabling Act for New Mexico and

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1 Article 21, Section 9 and Article 19, Section 4 of the
2 constitution of New Mexico prohibit a change in the
3 restrictions without the consent of the United States
4 congress; and

5 WHEREAS, New Mexico's public schools are in desperate
6 need for additional revenue for teacher salaries, other
7 operating revenue and capital improvements; and

8 WHEREAS, increasing the distribution of the permanent
9 school fund from four and seven-tenths percent to six percent
10 would provide needed revenue for the public schools while
11 maintaining the permanent inviolable nature and fiscal
12 integrity of the fund;

13 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
14 STATE OF NEW MEXICO that the congress of the United States be
15 respectfully petitioned to consent to the amendment of the
16 constitution of New Mexico in order to provide more revenue
17 for public education by increasing the distribution from the
18 permanent school fund, all as set forth with particularity in
19 a constitutional amendment proposed by a joint resolution of
20 the second session of the forty-fifth legislature, entitled "A
21 JOINT RESOLUTION PROPOSING TO AMEND THE CONSTITUTION OF NEW
22 MEXICO TO PROVIDE MORE MONEY FOR PUBLIC SCHOOLS BY INCREASING
23 THE DISTRIBUTION FROM THE PERMANENT SCHOOL FUND"; and

24 BE IT FURTHER RESOLVED that copies of this memorial and
25 the referenced proposed constitutional amendment be sent to

. 139344. 1

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1 the president of the United States senate, the speaker of the
2 United States house of representatives and the New Mexico
3 congressional delegation.

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