

HOUSE JOINT MEMORIAL 30

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

INTRODUCED BY

Sheryl Williams Stapleton

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 by eight-tenths of one percent would provide
10 needed revenue for the public schools while maintaining the
11 permanent inviolable nature and fiscal integrity of the fund;

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

1 BE IT FURTHER RESOLVED that copies of this memorial and
2 the referenced proposed constitutional amendment be sent to
3 the president of the United States senate, the speaker of the
4 United States house of representatives and the New Mexico
5 congressional delegation.

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