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HOUSE JOINT RESOLUTION 3
46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004
INTRODUCED BY
Edward C. Sandoval

A JOINT RESOLUTION
PROPOSING AN AMENDMENT TO ARTICLE 9, SECTION 14 OF THE
CONSTITUTION OF NEW MEXICO TO ALLOW FOR A SCHOLARSHIP PROGRAM
FOR DESERT STORM VETERANS.

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

Section 1. It is proposed to amend Article 9, Section 14
of the constitution of New Mexico to read:

"Neither the state nor any county, school district or
municipality, except as otherwise provided in this
constitution, shall directly or indirectly lend or pledge its
credit or make any donation to or in aid of any person,
association or public or private corporation or in aid of any
private enterprise for the construction of any railroad except
as provided in Subsections A through [F] G of this section.

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1 A. Nothing in this section prohibits the state or
2 any county or municipality from making provision for the care
3 and maintenance of sick and indigent persons.

4 B. Nothing in this section prohibits the state from
5 establishing a veterans' scholarship program for Vietnam
6 conflict veterans who are post-secondary students at
7 educational institutions under the exclusive control of the
8 state by exempting such veterans from the payment of tuition.
9 For the purposes of this subsection, a "Vietnam conflict
10 veteran" is any person who has been honorably discharged from
11 the armed forces of the United States, who was a resident of
12 New Mexico at the original time of entry into the armed forces
13 from New Mexico or who has lived in New Mexico for ten years or
14 more and who has been awarded a Vietnam campaign medal for
15 service in the armed forces of this country in Vietnam during
16 the period from August 5, 1964 to the official termination date
17 of the Vietnam conflict as designated by executive order of the
18 president of the United States.

19 C. Nothing in this section prohibits the state from
20 establishing a veterans' scholarship program for Desert Storm
21 veterans who are post-secondary students at educational
22 institutions under the exclusive control of the state by
23 exempting such veterans from the payment of tuition. For the
24 purposes of this subsection, a "Desert Storm veteran" is any
25 person who has been honorably discharged from the armed forces

1 of the United States, who was a resident of New Mexico at the
2 original time of entry into the armed forces from New Mexico or
3 who has lived in New Mexico for ten years or more and who has
4 been awarded a Southwest Asia service medal for service in the
5 armed forces of this country during the period from August 2,
6 1990 to November 30, 1995.

7 [C-] D. The state may establish by law a program of
8 loans to students of the healing arts, as defined by law, for
9 residents of the state who, in return for the payment of
10 educational expenses, contract with the state to practice their
11 profession for a period of years after graduation within areas
12 of the state designated by law.

13 [D-] E. Nothing in this section prohibits the state
14 or a county or municipality from creating new job opportunities
15 by providing land, buildings or infrastructure for facilities
16 to support new or expanding businesses if this assistance is
17 granted pursuant to general implementing legislation that is
18 approved by a majority vote of those elected to each house of
19 the legislature. The implementing legislation shall include
20 adequate safeguards to protect public money or other resources
21 used for the purposes authorized in this subsection. The
22 implementing legislation shall further provide that:

23 (1) each specific county or municipal project
24 providing assistance pursuant to this subsection need not be
25 approved by the legislature but shall be approved by the county

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1 or municipality pursuant to procedures provided in the
2 implementing legislation; and

3 (2) each specific state project providing
4 assistance pursuant to this subsection shall be approved by
5 law.

6 [~~E-~~] F. Nothing in this section prohibits the
7 state, a county or a municipality from:

8 (1) donating land owned by the state, county
9 or municipality for the construction on it of affordable
10 housing;

11 (2) donating an existing building owned by the
12 state, county or municipality for conversion or renovation into
13 affordable housing; or

14 (3) providing or paying the costs of
15 infrastructure necessary to support affordable housing
16 projects.

17 [~~F-~~] G. The provisions of Subsection [~~E~~] F of this
18 section are not self-executing. Before the described
19 assistance may be provided, enabling legislation shall be
20 enacted by a majority vote of the members elected to each house
21 of the legislature. This enabling legislation shall:

22 (1) define "affordable housing";

23 (2) establish eligibility criteria for the
24 recipients of land, buildings and infrastructure;

25 (3) contain provisions to ensure the

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1 successful completion of affordable housing projects supported
2 by assistance authorized pursuant to Subsection [E] F of this
3 section;

4 (4) require a county or municipality providing
5 assistance pursuant to Subsection [E] F of this section to give
6 prior formal approval by ordinance for a specific affordable
7 housing assistance grant and include in the ordinance the
8 conditions of the grant; and

9 (5) require prior approval by law of a
10 specific affordable housing assistance grant by the state. "

11 Section 2. The amendment proposed by this resolution
12 shall be submitted to the people for their approval or
13 rejection at the next general election or at any special
14 election prior to that date that may be called for that
15 purpose.