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AN ACT

RELATING TO REGIONAL HOUSING AUTHORITIES; REMOVING CERTAIN PROVISIONS REQUIRING OVERSIGHT OF REGIONAL HOUSING AUTHORITIES BY THE MORTGAGE FINANCE AUTHORITY; REQUIRING REGIONAL HOUSING AUTHORITIES TO COMPLY WITH THE UNITED STATES HOUSING ACT OF 1937 AND TO COOPERATE WITH CERTAIN FEDERAL AGENCIES.

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

SECTION 1. Section 11-3A-6 NMSA 1978 (being Laws 1994, Chapter 132, Section 6, as amended) is amended to read:

"11-3A-6. POWERS OF REGIONAL HOUSING AUTHORITY IN BOARD OF COMMISSIONERS--APPOINTMENT OF BOARD OF REGIONAL HOUSING AUTHORITIES--TERMS.--

A. The powers of each regional housing authority shall be vested in its board of commissioners as the board may be constituted, from time to time. The board of commissioners of the regional housing authority for each of the three regions shall be appointed by the governor and consist of at least seven members who shall be residents of the designated area of the regional housing authority; provided that no more than two members shall be residents of the same county. Appointments shall be for terms of four years and shall be made so that the terms of not more than four commissioners on each board of commissioners expire on

1 July 1 of each year. Vacancies shall be filled for the
2 unexpired term. Commissioners shall serve until their
3 successors have been appointed.

4 B. Members of the board of commissioners of a
5 regional housing authority shall elect an executive committee
6 consisting of a chair, vice chair, treasurer, secretary and
7 one other member of the board to function and meet on a
8 monthly basis as an executive committee. The executive
9 committee shall have the authority to act on behalf of the
10 board of commissioners of the regional housing authority as
11 needed. The executive committee shall submit a report of
12 actions to the full board of commissioners, which shall meet
13 on a quarterly basis.

14 C. Members of the board of commissioners of a
15 regional housing authority may receive per diem and mileage
16 as provided in the Per Diem and Mileage Act but shall receive
17 no other compensation, perquisite or allowance. A majority
18 of the appointed commissioners of a board of commissioners
19 shall constitute a quorum of the board for the purpose of
20 conducting its business and exercising its powers and for all
21 other purposes. Action may be taken by a regional housing
22 authority upon a vote of a majority of the commissioners
23 present. Each board of commissioners shall organize itself
24 at its annual meeting each year. A board of commissioners
25 may employ an executive director. With delegated authority

1 from the board of commissioners, the executive director may
2 hire or terminate, according to the procurement and personnel
3 policies and procedures of the regional housing authority,
4 any technical experts, officers, attorneys, agents or
5 employees, permanent or temporary, as the regional housing
6 authority may require.

7 D. The threshold requirements for commissioners of
8 boards of regional housing authorities are that commissioners
9 have expertise and experience in housing construction, real
10 estate, architecture, law, banking, housing finance,
11 business, property management, accounting, residential
12 development, public housing programs, community development,
13 social services or health care. The requirements set forth
14 in this section shall not apply to commissioners serving
15 pursuant to requirements of the federal department of housing
16 and urban development.

17 E. Commissioners are expected to attend all
18 meetings of the board of commissioners of the regional
19 housing authority, and more than three unexcused absences may
20 be grounds for dismissal from the board. All recommendations
21 for appointments of commissioners shall be forwarded to the
22 governor by the executive director."

23 SECTION 2. Section 11-3A-9 NMSA 1978 (being Laws 1994,
24 Chapter 132, Section 9, as amended) is amended to read:

25 "11-3A-9. NONPROFIT CORPORATIONS.--Every regional

1 housing authority, in addition to other powers conferred by
2 the Regional Housing Law, shall have, if authorized by
3 resolution of its board of commissioners, the power to create
4 nonprofit corporations to carry out the powers and duties set
5 forth in Section 11-3A-7 NMSA 1978. The articles of
6 incorporation and any subsequent changes shall be submitted
7 to the secretary of state. Such nonprofit corporations shall
8 be subject to all of the duties and limitations imposed on
9 the regional housing authority and its board of
10 commissioners."

11 SECTION 3. Section 11-3A-30 NMSA 1978 (being Laws 2007,
12 Chapter 50, Section 6, as amended) is amended to read:

13 "11-3A-30. FEDERAL COMPLIANCE--FINANCIAL AND
14 OPERATIONAL OVERSIGHT.--

15 A. Every regional housing authority shall comply
16 with the requirements of the United States Housing Act of
17 1937, as amended, and shall cooperate with the United States
18 department of housing and urban development and with all
19 other departments of the state and local governments in the
20 enforcement and administration of the provisions of the
21 United States Housing Act of 1937, as amended, and the rules
22 and regulations issued pursuant to that act; provided that
23 compliance shall be in the manner prescribed in this section,
24 or as otherwise provided by law.

25 B. Every regional housing authority shall:

