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HOUSE JOINT RESOLUTION 10
45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001
INTRODUCED BY
Ben Lujan

A JOINT RESOLUTION
PROPOSING AN AMENDMENT TO ARTICLE 9, SECTION 14 OF THE
CONSTITUTION OF NEW MEXICO TO PERMIT THE STATE AND LOCAL
GOVERNMENTS TO PROVIDE LAND, BUILDINGS OR INFRASTRUCTURE TO
CREATE AFFORDABLE HOUSING.

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

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1 as provided in Subsections A through F of this section.

2 A. Nothing in this section [~~shall be construed to~~
3 ~~prohibit~~] prohibits the state or any county or municipality
4 from making provision for the care and maintenance of sick and
5 indigent persons.

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

20 C. The state may [~~also~~] establish by law a program
21 of loans to students of the healing arts, as defined by law,
22 for residents of the state who, in return for the payment of
23 educational expenses, contract with the state to practice their
24 profession for a period of years after graduation within areas
25 of the state designated by law [~~and~~].

. 134746. 2

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1 D. Nothing in this section [~~shall be construed to~~
2 ~~prohibit~~] prohibits the state or a county or municipality from
3 creating new job opportunities by providing land, buildings or
4 infrastructure for facilities to support new or expanding
5 businesses if this assistance is granted pursuant to general
6 implementing legislation that is approved by a majority vote of
7 those elected to each house of the legislature. The
8 implementing legislation shall include adequate safeguards to
9 protect public money or other resources used for the purposes
10 authorized in this subsection. The implementing legislation
11 shall further provide that:

12 (1) each specific county or municipal project
13 providing assistance pursuant to this subsection need not be
14 approved by the legislature but shall be approved by the county
15 or municipality pursuant to procedures provided in the
16 implementing legislation; and

17 (2) each specific state project providing
18 assistance pursuant to this subsection shall be approved by
19 law.

20 E. Nothing in this section prohibits the state, a
21 county or a municipality from

22 (1) donating land owned by the state, county
23 or municipality for the construction on it of affordable
24 housing;

25 (2) donating an existing building owned by the

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1 state, county or municipality for conversion or renovation into
2 affordable housing; or

3 (3) providing or paying the costs of
4 infrastructure necessary to support affordable housing
5 projects.

6 F. The provisions of Subsection E of this section
7 are not self-executing. Before the described assistance may be
8 provided, enabling legislation shall be enacted by a majority
9 vote of the members elected to each house of the legislature.

10 This enabling legislation shall:

11 (1) define "affordable housing";

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

14 (3) contain provisions to ensure the
15 successful completion of affordable housing projects supported
16 by assistance authorized pursuant to Subsection E of this
17 section;

18 (4) require a county or municipality providing
19 assistance pursuant to Subsection E of this section to give
20 prior formal approval by ordinance for a specific affordable
21 housing assistance grant and include in the ordinance the
22 conditions of the grant; and

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

25 Section 2. The amendment proposed by this resolution

. 134746. 2

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1 shall be submitted to the people for their approval or
2 rejection at the next general election or at any special
3 election prior to that date which may be called for that
4 purpose.