

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A MEMORIAL

REQUESTING THE ATTORNEY GENERAL TO ISSUE AN OPINION WHETHER
PUBLIC MONEY MAY BE USED TO REHABILITATE OR MAINTAIN A
PRIVATE ROAD FOR PUBLIC WELFARE PURPOSES.

WHEREAS, numerous private housing developments outside
of municipal jurisdictions have been built over the years
within New Mexico; and

WHEREAS, in some cases the roads to these developments
have deteriorated, or are at risk of deterioration to the
point where they pose a hazard to public welfare, including
the health and education of local residents and the economy
of the community;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
REPRESENTATIVES OF THE STATE OF NEW MEXICO that the attorney
general be requested to draft an opinion on whether, and in
which circumstance, the constitution of New Mexico allows
public money to be used for the rehabilitation or maintenance
of a private road for public welfare purposes; and

BE IT FURTHER RESOLVED that copies of this memorial be
transmitted to the attorney general and to the governor. _____