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HOUSE BILL 1122

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

ANNA MARIE CROOK

AN ACT

RELATING TO MUNICIPAL HOUSING AUTHORITIES; PERMITTING A  
MUNICIPAL HOUSING AUTHORITY COMMISSIONER TO HOLD ANOTHER OFFICE  
OR EMPLOYMENT WITH THE CITY.

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

Section 1. Section 3-45-5 NMSA 1978 (being Laws 1965,  
Chapter 300, Section 14-46-5, as amended) is amended to read:

"3-45-5. CREATION OF AUTHORITY. --

A. Every city, in addition to other powers conferred  
by the Municipal Housing Law, shall have power and is ~~hereby~~  
authorized, by proper resolution of its governing body, to  
create, as an agent of such city, an authority to be known as  
the "housing authority" of the city. The "housing authority" of  
the city may constitute a public body corporate. The city may  
delegate to such authority the power to construct, maintain,

Underscored material = new  
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1 operate and manage any housing project or projects of the city  
2 and may delegate to the authority any or all of the powers  
3 conferred on the city by the Municipal Housing Law.

4 B. When the governing body of a city adopts a  
5 resolution pursuant to Subsection A of this section, the mayor  
6 shall appoint five persons as commissioners of the authority  
7 created as agent for the city. The commissioners who are first  
8 appointed shall be designated to serve for terms of one, two,  
9 three, four and five years, respectively, from the date of their  
10 appointment, but thereafter, commissioners shall be appointed  
11 for a term of office of five years, except that all vacancies  
12 shall be filled for the unexpired term. [~~A commissioner of an~~  
13 ~~authority shall not hold any other office or employment of the~~  
14 ~~city for which the authority is created.~~] A commissioner shall  
15 hold office until his successor has been appointed and has  
16 qualified, unless sooner removed according to law. A  
17 commissioner may serve two or more successive terms of office.  
18 A certificate of the appointment or reappointment of any  
19 commissioner shall be filed with the clerk, and the certificate  
20 shall be conclusive evidence of the due and proper appointment  
21 of such commissioner. A commissioner shall receive no  
22 compensation for his services for the authority in any capacity,  
23 but he shall be entitled to the necessary expenses, including  
24 traveling expenses, incurred in the discharge of his duties.

25 C. Any powers delegated by a city to an authority

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1 shall be vested in the commissioners of the authority in office  
2 from time to time. Three commissioners shall constitute a  
3 quorum of the authority for the purpose of conducting its  
4 business and exercising its powers and for all other purposes.  
5 Action may be taken by the authority upon a vote of a majority  
6 of the commissioners present. The commission shall organize  
7 itself at its annual meeting each even-numbered year. Any city  
8 creating a housing authority may authorize the authority to  
9 employ a secretary, who shall be executive director and who  
10 shall be removable only for cause, technical experts and such  
11 other officers, attorneys, agents and employees, permanent and  
12 temporary, as the authority may require; to determine their  
13 qualifications, duties and compensation; and to delegate to one  
14 or more of them such powers or duties as the authority may deem  
15 proper. "

**State of New Mexico**  
**House of Representatives**

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**FORTY-THIRD LEGISLATURE**  
**FIRST SESSION, 1997**

**March 6, 1997**

**Mr. Speaker:**

Your **VOTERS AND ELECTIONS COMMITTEE**, to whom has  
been referred

**HOUSE BILL 1122**

has had it under consideration and reports same with  
recommendation that it **DO PASS**, amended as follows:

1. On page 2, lines 12 through 14, strike the brackets and  
line-through.
2. On page 2, line 14, strike the period after "created" and  
insert ", except that a member of the governing body may be  
appointed to one of the five memberships on the housing authority  
for the purpose of advising the authority and the governing body

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HVEC/HB 1122

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on housing policy”.

and thence referred to the CONSUMER AND PUBLIC AFFAIRS  
COMMI TTEE.

Respectfully submitted,

\_\_\_\_\_  
Edward C. Sandoval, Chairman

Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

(Chi ef Clerk)

(Chi ef Clerk)

Date \_\_\_\_\_

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HVEC/HB 1122

Page 6

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2 The roll call vote was 12 For 0 Against

3 Yes: 12

4 Excused: None

5 Absent: None

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

1 HVEC/HB 1122

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

March 21, 1997

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 1122, as amended

has had it under consideration and reports same with recommendation that it DO PASS.

Respectfully submitted,

\_\_\_\_\_  
Shannon Robinson, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

1 HVEC/HB 1122

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(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

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The roll call vote was 4 For 1 Against

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Yes: 4

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No: Garcia

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Excused: Adair, Feldman, Ingle, Smith

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Absent: None

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