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HOUSE BILL 350

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Anna Marie Crook

AN ACT

RELATING TO MUNICIPAL HOUSING AUTHORITIES; PERMITTING A
MUNICIPAL OFFICIAL OR EMPLOYEE TO SERVE AS A MUNICIPAL HOUSING
AUTHORITY COMMISSIONER.

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

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1 construct, maintain, operate and manage any housing project or
2 projects of the city and may delegate to the authority any or
3 all of the powers conferred on the city by the Municipal
4 Housing Law.

5 B. When the governing body of a city adopts a
6 resolution pursuant to Subsection A of this section, the mayor
7 shall appoint five persons as commissioners of the authority
8 created as agent for the city. The commissioners who are
9 first appointed shall be designated to serve for terms of one,
10 two, three, four and five years, respectively, from the date
11 of their appointment, but thereafter, commissioners shall be
12 appointed for a term of office of five years, except that all
13 vacancies shall be filled for the unexpired term. [A
14 ~~commissioner of an authority shall not hold any other office~~
15 ~~or employment of the city for which the authority is created.~~]

16 A commissioner shall hold office until his successor has been
17 appointed and has qualified, unless sooner removed according
18 to law. A commissioner may serve two or more successive terms
19 of office. A certificate of the appointment or reappointment
20 of any commissioner shall be filed with the clerk, and the
21 certificate shall be conclusive evidence of the due and proper
22 appointment of such commissioner. A commissioner shall
23 receive no compensation for his services for the authority in
24 any capacity, but he shall be entitled to the necessary
25 expenses, including traveling expenses, incurred in the

1 discharge of his duties.

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

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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5
6 February 18, 1999

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8 Mr. Speaker:

9
10 Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to
11 whom has been referred

12
13 HOUSE BILL 350

14
15 has had it under consideration and reports same with
16 recommendation that it DO PASS, amended as follows:

17 1. On page 2, lines 13 through 15, strike the brackets
18 and line-through.

19
20 2. On page 2, line 15, after "created" insert ", except
21 that a member of the governing body may be appointed to one of
22 the five memberships on the housing authority for the purpose of
23 advising the authority and the governing body on housing
24 policy".,

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HGUAC/HB 350

Page 5

and thence referred to the VOTERS AND ELECTIONS
COMMITTEE.

Respectfully submitted,

James G. Taylor, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

Excused: Saavedra

Absent: None

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

1 HGUAC/HB 350

Page 6

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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March 8, 1999

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Mr. President:

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Your PUBLIC AFFAIRS COMMITTEE, to whom has been

12

referred

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HOUSE BILL 350, as amended

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

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Respectfully submitted,

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Shannon Robinson, Chairman

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

1 HGUAC/HB 350

Page 7

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Adopted _____ Not

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Adopted _____

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(Chief Clerk)

(Chief Clerk)

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Date _____

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The roll call vote was 8 For 0 Against

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Yes: 8

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No: 0

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Excused: Stockard

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Absent: None

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