HOUSE JOINT RESOLUTION 6

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

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FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 9, SECTION 14 OF THE
CONSTITUTION OF NEW MEXICO TO PERMIT THE STATE TO ESTABLISH
LOAN REPAYMENT PROGRAMS FOR TEACHER EDUCATION EXPENSES.

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:

"A. 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
as provided in [Subsections A through F of] this section.

[A.] B. Nothing in this section prohibits the state

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1   or any county or municipality from making provision for the

2   care and maintenance of sick and indigent persons.

3   [B.] C. Nothing in this section prohibits the state

4   from establishing a veterans' scholarship program for Vietnam

5   conflict veterans who are post-secondary students at

6   educational institutions under the exclusive control of the

7   state by exempting such veterans from the payment of tuition.

8   For the purposes of this subsection, a "Vietnam conflict

9   veteran" is any person who has been honorably discharged from

10   the armed forces of the United States, who was a resident of

11   New Mexico at the original time of entry into the armed forces

12   from New Mexico or who has lived in New Mexico for ten years or

13   more and who has been awarded a Vietnam campaign medal for

14   service in the armed forces of this country in Vietnam during

15   the period from August 5, 1964 to the official termination date

16   of the Vietnam conflict as designated by executive order of the

17   president of the United States.

18   [C.] D. The state may establish by law a program of

19   loans to students of the healing arts, as defined by law, for

20   residents of the state who, in return for the payment of

21   educational expenses, contract with the state to practice their

22   profession for a period of years after graduation within areas

23   of the state designated by law.

24   E. The state may establish by law a program to

25   repay the principal and reasonable interest accrued on loans

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1   obtained from the federal government or a commercial lender for

2   educational expenses by persons who are licensed or certified

3   as elementary or secondary teachers.

4   [D.] F. Nothing in this section prohibits the state

5   or a county or municipality from creating new job opportunities

6   by providing land, buildings or infrastructure for facilities

7   to support new or expanding businesses if this assistance is

8   granted pursuant to general implementing legislation that is

9   approved by a majority vote of those elected to each house of

10 the legislature. The implementing legislation shall include

11 adequate safeguards to protect public money or other resources

12 used for the purposes authorized in this subsection. The

13 implementing legislation shall further provide that:

14   (1)   each specific county or municipal project

15 providing assistance pursuant to this subsection need not be

16 approved by the legislature but shall be approved by the county

17 or municipality pursuant to procedures provided in the

18 implementing legislation; and

19   (2)   each specific state project providing

20 assistance pursuant to this subsection shall be approved by

21 law.

22 [E.] G. Nothing in this section prohibits the

23 state, a county or a municipality from:

24   (1)   donating land owned by the state, county

25 or municipality for the construction on it of affordable

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1   housing;

2   (2)   donating an existing building owned by the

3   state, county or municipality for conversion or renovation into

4   affordable housing; or

5   (3)   providing or paying the costs of

6   infrastructure necessary to support affordable housing

7   projects.

8   [F.] H.   The provisions of Subsection [E] G of this

9   section are not self-executing.   Before the described

10   assistance may be provided, enabling legislation shall be

11   enacted by a majority vote of the members elected to each house

12   of the legislature.   This enabling legislation shall:

13   (1)   define "affordable housing";

14   (2)   establish eligibility criteria for the

15   recipients of land, buildings and infrastructure;

16   (3)   contain provisions to ensure the

17   successful completion of affordable housing projects supported

18   by assistance authorized pursuant to Subsection [E] G of this

19   section;

20   (4)   require a county or municipality providing

21   assistance pursuant to Subsection [E] G of this section to give

22   prior formal approval by ordinance for a specific affordable

23   housing assistance grant and include in the ordinance the

24   conditions of the grant; and

25   (5)   require prior approval by law of a

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1   specific affordable housing assistance grant by the state."

2   Section 2.   The amendment proposed by this resolution

3   shall be submitted to the people for their approval or

4   rejection at the next general election or at any special

5   election prior to that date that may be called for that

6   purpose.

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