

1 A JOINT RESOLUTION

2 PROPOSING TO AMEND ARTICLE 9, SECTION 14 OF THE CONSTITUTION
3 OF NEW MEXICO TO ALLOW PUBLIC INVESTMENT TO PROVIDE ACCESS TO
4 ESSENTIAL HOUSEHOLD SERVICES, INCLUDING INTERNET, ENERGY,
5 WATER, WASTEWATER AND OTHER SIMILAR SERVICES AS PROVIDED BY
6 LAW, UPON THE ENACTMENT OF GENERAL IMPLEMENTING LEGISLATION
7 BY A MAJORITY VOTE OF THE MEMBERS ELECTED TO EACH HOUSE OF
8 THE LEGISLATURE.

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10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

11 SECTION 1. It is proposed to amend Article 9, Section
12 14 of the constitution of New Mexico to read:

13 "Neither the state nor any county, school district or
14 municipality, except as otherwise provided in this
15 constitution, shall directly or indirectly lend or pledge its
16 credit or make any donation to or in aid of any person,
17 association or public or private corporation or in aid of any
18 private enterprise for the construction of any railroad
19 except as provided in Subsections A through H of this
20 section.

21 A. Nothing in this section prohibits the state or
22 any county or municipality from making provision for the care
23 and maintenance of sick and indigent persons.

24 B. Nothing in this section prohibits the state
25 from establishing a veterans' scholarship program for Vietnam

1 conflict veterans who are post-secondary students at
2 educational institutions under the exclusive control of the
3 state by exempting such veterans from the payment of tuition.
4 For the purposes of this subsection, a "Vietnam conflict
5 veteran" is any person who has been honorably discharged from
6 the armed forces of the United States, who was a resident of
7 New Mexico at the original time of entry into the armed
8 forces from New Mexico or who has lived in New Mexico for ten
9 years or more and who has been awarded a Vietnam campaign
10 medal for service in the armed forces of this country in
11 Vietnam during the period from August 5, 1964 to the official
12 termination date of the Vietnam conflict as designated by
13 executive order of the president of the United States.

14 C. The state may establish by law a program of
15 loans to students of the healing arts, as defined by law, for
16 residents of the state who, in return for the payment of
17 educational expenses, contract with the state to practice
18 their profession for a period of years after graduation
19 within areas of the state designated by law.

20 D. Nothing in this section prohibits the state or
21 a county or municipality from creating new job opportunities
22 by providing land, buildings or infrastructure for facilities
23 to support new or expanding businesses if this assistance is
24 granted pursuant to general implementing legislation that is
25 approved by a majority vote of those elected to each house of

1 the legislature. The implementing legislation shall include
2 adequate safeguards to protect public money or other
3 resources used for the purposes authorized in this
4 subsection. The implementing legislation shall further
5 provide that:

6 (1) each specific county or municipal
7 project providing assistance pursuant to this subsection need
8 not be approved by the legislature but shall be approved by
9 the county or municipality pursuant to procedures provided in
10 the implementing legislation; and

11 (2) each specific state project providing
12 assistance pursuant to this subsection shall be approved by
13 law.

14 E. Nothing in this section prohibits the state, or
15 the instrumentality of the state designated by the
16 legislature as the state's housing authority, or a county or
17 a municipality from:

18 (1) donating or otherwise providing or
19 paying a portion of the costs of land for the construction on
20 it of affordable housing;

21 (2) donating or otherwise providing or
22 paying a portion of the costs of construction or renovation
23 of affordable housing or the costs of conversion or
24 renovation of buildings into affordable housing; or

25 (3) providing or paying the costs of

1 financing or infrastructure necessary to support affordable
2 housing projects.

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

8 (1) define "affordable housing";

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

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

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

20 (5) require prior approval by law of an
21 affordable housing assistance grant by the state; and

22 (6) require the governing body of the
23 instrumentality of the state, designated by the legislature
24 as the state's housing authority, to give prior approval, by
25 resolution, for affordable housing grants that are to be

1 given by the instrumentality.

2 G. Nothing in this section prohibits the state
3 from establishing a veterans' scholarship program, for
4 military war veterans who are post-secondary students at
5 educational institutions under the exclusive control of the
6 state and who have exhausted all educational benefits offered
7 by the United States department of defense or the United
8 States department of veterans affairs, by exempting such
9 veterans from the payment of tuition. For the purposes of
10 this subsection, a "military war veteran" is any person who
11 has been honorably discharged from the armed forces of the
12 United States, who was a resident of New Mexico at the
13 original time of entry into the armed forces or who has lived
14 in New Mexico for ten years or more and who has been awarded
15 a southwest Asia service medal, global war on terror service
16 medal, Iraq campaign medal, Afghanistan campaign medal or any
17 other medal issued for service in the armed forces of this
18 country in support of any United States military campaign or
19 armed conflict as defined by congress or by presidential
20 executive order or any other campaign medal issued for
21 service after August 1, 1990 in the armed forces of the
22 United States during periods of armed conflict as defined by
23 congress or by executive order.

24 H. Nothing in this section prohibits the state
25 from expending state funds or resources for the purpose of

1 providing essential services primarily for residential
2 purposes if the assistance is granted pursuant to general
3 implementing legislation approved by a majority vote of those
4 elected to each house of the legislature. The implementing
5 legislation shall provide for accessibility to essential
6 services primarily for residential purposes and include
7 safeguards to protect public money and other public resources
8 used for the purposes authorized in this subsection. As used
9 in this subsection, "essential services" means infrastructure
10 that allows internet, energy, water, wastewater or other
11 similar services as provided by law."

12 SECTION 2. The amendment proposed by this resolution
13 shall be submitted to the people for their approval or
14 rejection at the next regular election or at any special
15 election prior to that date that may be called for that
16 purpose.

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