

1 HOUSE JOINT RESOLUTION 1  
2 **55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022**

3 INTRODUCED BY  
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10 A JOINT RESOLUTION  
11 PROPOSING TO AMEND ARTICLE 9, SECTION 14 OF THE CONSTITUTION OF  
12 NEW MEXICO TO ALLOW PUBLIC ASSISTANCE TO PROVIDE ACCESSIBILITY  
13 TO ESSENTIAL HOUSEHOLD SERVICES PRIMARILY FOR RESIDENTIAL USE,  
14 INCLUDING INTERNET, ENERGY, WATER, WASTEWATER AND OTHER  
15 SERVICES AS PROVIDED BY LAW, UPON THE ENACTMENT OF GENERAL  
16 IMPLEMENTING LEGISLATION BY A MAJORITY VOTE OF THE MEMBERS  
17 ELECTED TO EACH HOUSE OF THE LEGISLATURE.  
18

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

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

22 "Neither the state nor any county, school district or  
23 municipality, except as otherwise provided in this  
24 constitution, shall directly or indirectly lend or pledge its  
25 credit or make any donation to or in aid of any person,

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1 association or public or private corporation or in aid of any  
2 private enterprise for the construction of any railroad except  
3 as provided in Subsections A through [G] H of this section.

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

7 B. Nothing in this section prohibits the state from  
8 establishing a veterans' scholarship program for Vietnam  
9 conflict veterans who are post-secondary students at  
10 educational institutions under the exclusive control of the  
11 state by exempting such veterans from the payment of tuition.  
12 For the purposes of this subsection, a "Vietnam conflict  
13 veteran" is any person who has been honorably discharged from  
14 the armed forces of the United States, who was a resident of  
15 New Mexico at the original time of entry into the armed forces  
16 from New Mexico or who has lived in New Mexico for ten years or  
17 more and who has been awarded a Vietnam campaign medal for  
18 service in the armed forces of this country in Vietnam during  
19 the period from August 5, 1964 to the official termination date  
20 of the Vietnam conflict as designated by executive order of the  
21 president of the United States.

22 C. The state may establish by law a program of  
23 loans to students of the healing arts, as defined by law, for  
24 residents of the state who, in return for the payment of  
25 educational expenses, contract with the state to practice their

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1 profession for a period of years after graduation within areas  
2 of the state designated by law.

3 D. Nothing in this section prohibits the state or a  
4 county or municipality from creating new job opportunities by  
5 providing land, buildings or infrastructure for facilities to  
6 support new or expanding businesses if this assistance is  
7 granted pursuant to general implementing legislation that is  
8 approved by a majority vote of those elected to each house of  
9 the legislature. The implementing legislation shall include  
10 adequate safeguards to protect public money or other resources  
11 used for the purposes authorized in this subsection. The  
12 implementing legislation shall further provide that:

13 (1) each specific county or municipal project  
14 providing assistance pursuant to this subsection need not be  
15 approved by the legislature but shall be approved by the county  
16 or municipality pursuant to procedures provided in the  
17 implementing legislation; and

18 (2) each specific state project providing  
19 assistance pursuant to this subsection shall be approved by  
20 law.

21 E. Nothing in this section prohibits the state, or  
22 the instrumentality of the state designated by the legislature  
23 as the state's housing authority, or a county or a municipality  
24 from:

25 (1) donating or otherwise providing or paying

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1 a portion of the costs of land for the construction on it of  
2 affordable housing;

3 (2) donating or otherwise providing or paying  
4 a portion of the costs of construction or renovation of  
5 affordable housing or the costs of conversion or renovation of  
6 buildings into affordable housing; or

7 (3) providing or paying the costs of financing  
8 or infrastructure necessary to support affordable housing  
9 projects.

10 F. The provisions of Subsection E of this section  
11 are not self-executing. Before the described assistance may be  
12 provided, enabling legislation shall be enacted by a majority  
13 vote of the members elected to each house of the legislature.  
14 This enabling legislation shall:

15 (1) define "affordable housing";

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

18 (3) contain provisions to ensure the  
19 successful completion of affordable housing projects supported  
20 by assistance authorized pursuant to Subsection E of this  
21 section;

22 (4) require a county or municipality providing  
23 assistance pursuant to Subsection E of this section to give  
24 prior formal approval by ordinance for a specific affordable  
25 housing assistance grant and include in the ordinance the

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1 conditions of the grant;

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

4 (6) require the governing body of the  
5 instrumentality of the state, designated by the legislature as  
6 the state's housing authority, to give prior approval, by  
7 resolution, for affordable housing grants that are to be given  
8 by the instrumentality.

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

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1 by presidential executive order or any other campaign medal  
2 issued for service after August 1, 1990 in the armed forces of  
3 the United States during periods of armed conflict as defined  
4 by congress or by executive order.

5 H. Nothing in this section prohibits the state from  
6 expending state funds or resources for the purpose of providing  
7 essential household services if the assistance is granted  
8 pursuant to general implementing legislation approved by a  
9 majority vote of those elected to each house of the  
10 legislature. The implementing legislation shall provide for  
11 accessibility to essential household services primarily for  
12 residential purposes and include safeguards to protect public  
13 money and other public resources used for the purposes  
14 authorized in this subsection. As used in this subsection,  
15 "essential household services" means infrastructure that allows  
16 internet, energy, water, wastewater or other services as  
17 provided by law."

18 SECTION 2. The amendment proposed by this resolution  
19 shall be submitted to the people for their approval or  
20 rejection at the next regular election or at any special  
21 election prior to that date that may be called for that  
22 purpose.