

1 SENATE JOINT RESOLUTION 7

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 PERMIT, UNDER CERTAIN CONDITIONS, THE STATE TO  
13 EXPEND STATE FUNDS FOR THE PURPOSE OF PROVIDING ESSENTIAL  
14 HOUSEHOLD SERVICES TO INDIVIDUAL HOUSEHOLDS OR COMMUNITIES,  
15 PROVIDING DISASTER RELIEF TO INDIVIDUALS, BUSINESSES AND  
16 NONPROFIT ORGANIZATIONS AND ADVANCING COMMUNITY WELL-BEING.

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

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

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

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1 private enterprise for the construction of any railroad except  
2 as provided in Subsections A through [G] J of this section.

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

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

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

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1 of the state designated by law.

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

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

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

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

24 (1) donating or otherwise providing or paying  
25 a portion of the costs of land for the construction on it of

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1 affordable housing;

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

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

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

14 (1) define "affordable housing";

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

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

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

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

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

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

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

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

17 I. Nothing in this section prohibits the state from  
18 expending state funds or resources for the purpose of providing  
19 disaster relief to individuals, businesses or federally  
20 recognized nonprofit organizations if the assistance is granted  
21 pursuant to general implementing legislation approved by a  
22 majority vote of those elected to each house of the  
23 legislature. The implementing legislation shall provide for  
24 disaster relief and include safeguards to protect public money  
25 and other public resources used for the purpose authorized in

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1 this subsection.

2 J. Nothing in this section prohibits the state or a  
3 county or municipality from providing assistance to advance  
4 community well-being by providing state funds or resources,  
5 including real estate and equipment, for the use of a federally  
6 recognized nonprofit corporation or cooperative corporation if  
7 the assistance is granted pursuant to general implementing  
8 legislation approved by a majority vote of those elected to  
9 each house of the legislature. The implementing legislation  
10 shall provide for community well-being and include safeguards  
11 to protect public money and other public resources used for the  
12 purpose authorized in this subsection. As used in this  
13 subsection, "community well-being" means infrastructure and  
14 services that address accessibility of food, water and  
15 sanitation; affordable housing; accessibility of health  
16 services; adequate and equitable education; transportation  
17 availability; social networks and social supports; a healthy  
18 environment; and employment opportunities and livable wages."

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