

HOUSE JOINT RESOLUTION 13

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 9 OF THE CONSTITUTION OF NEW MEXICO TO ALLOW FOR A SCHOLARSHIP PROGRAM FOR LAW STUDENTS WHO WILL PRACTICE FOR THE PUBLIC GOOD.

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:

"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] G of this section.

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

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

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

25 D. The state may establish by law a program of

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1 loans to students at the university of New Mexico law school
2 for residents of the state who, in return for the payment of
3 educational expenses, contract with the state to practice their
4 profession for the public good as determined by law for a
5 specified period of years after graduation as designated by
6 law.

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

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

22 (2) each specific state project providing
23 assistance pursuant to this subsection shall be approved by
24 law.

25 ~~[E.]~~ F. Nothing in this section prohibits the

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1 state, a county or a municipality from:

2 (1) donating land owned by the state, county
3 or municipality for the construction on it of affordable
4 housing;

5 (2) donating an existing building owned by the
6 state, county or municipality for conversion or renovation into
7 affordable housing; or

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

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

16 (1) define "affordable housing";

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

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

23 (4) require a county or municipality providing
24 assistance pursuant to Subsection ~~[E]~~ F of this section to give
25 prior formal approval by ordinance for a specific affordable

. 150744. 1

1 housing assistance grant and include in the ordinance the
2 conditions of the grant; and

3 (5) require prior approval by law of a
4 specific affordable housing assistance grant by the state."

5 Section 2. The amendment proposed by this resolution
6 shall be submitted to the people for their approval or
7 rejection at the next general election or at any special
8 election prior to that date that may be called for that
9 purpose.

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