

HOUSE JOINT RESOLUTION 11

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 9, SECTION 14 OF THE
CONSTITUTION OF NEW MEXICO TO PERMIT THE ESTABLISHMENT OF A
COLLEGE SCHOLARSHIP PROGRAM FOR NEW MEXICO MILITARY WAR
VETERANS.

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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underscoring material = new
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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. Nothing in this section prohibits the state or a

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underscoring material = new
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1 county or municipality from creating new job opportunities by
2 providing land, buildings or infrastructure for facilities to
3 support new or expanding businesses if this assistance is
4 granted pursuant to general implementing legislation that is
5 approved by a majority vote of those elected to each house of
6 the legislature. The implementing legislation shall include
7 adequate safeguards to protect public money or other resources
8 used for the purposes authorized in this subsection. The
9 implementing legislation shall further provide that:

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

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

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

22 (1) donating or otherwise providing or paying
23 a portion of the costs of land for the construction on it of
24 affordable housing;

25 (2) donating or otherwise providing or paying

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1 a portion of the costs of construction or renovation of
2 affordable housing or the costs of conversion or renovation of
3 buildings into affordable housing; or

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

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

12 (1) define "affordable housing";

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

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

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

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

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

6 G. Nothing in this section prohibits the state from
7 establishing a veterans' scholarship program, for military war
8 veterans who are post-secondary students at educational
9 institutions under the exclusive control of the state and who
10 have exhausted all educational benefits offered by the United
11 States department of defense or the United States department of
12 veterans affairs, by exempting such veterans from the payment
13 of tuition. For the purposes of this subsection, a "military
14 war veteran" is any person who has been honorably discharged
15 from the armed forces of the United States, who was a resident
16 of New Mexico at the original time of entry into the armed
17 forces or who has lived in New Mexico for ten years or more and
18 who has been awarded a southwest Asia service medal, global war
19 on terror service medal, Iraq campaign medal, Afghanistan
20 campaign medal or any other medal issued for service in the
21 armed forces of this country in support of Operation Enduring
22 Freedom or Operation Iraqi Freedom or any other campaign medal
23 issued for service after January 1, 2009 in the armed forces of
24 the United States during periods of armed conflict as defined
25 by congress or by executive order."

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