



The Legislature
of the
State of New Mexico

49th Legislature, 1st Session

LAWS 2009

CHAPTER CA 1

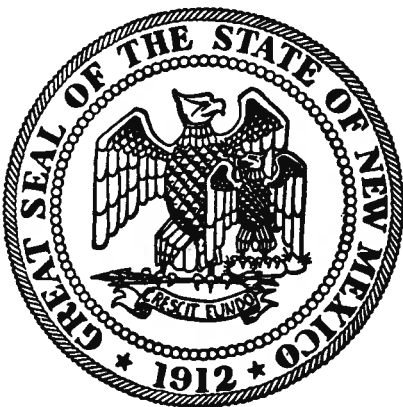
HOUSE JOINT RESOLUTION 11, as amended,

with certificate of correction

Introduced by

REPRESENTATIVE REPRESENTATIVE EDWARD C. SANDOVAL AND
REPRESENTATIVE JIM R. TRUJILLO AND
REPRESENTATIVE LUCIANO "LUCKY" VARELA

REPRESENTATIVE LARRY A. LARRAÑAGA
REPRESENTATIVE NICK L. SALAZAR
REPRESENTATIVE JIMMIE C. HALL
REPRESENTATIVE ANTONIO LUJAN
REPRESENTATIVE NATHAN P. COTE
REPRESENTATIVE ERNEST H. CHAVEZ
REPRESENTATIVE HENRY "KIKI" SAAVEDRA





State of New Mexico
House of Representatives
OFFICE of the CHIEF CLERK
Santa Fé

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FORTY-NINTH LEGISLATURE
FIRST SESSION, 2009

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March 21, 2009

CERTIFICATE OF CORRECTION

The following error was found in

HOUSE JOINT RESOLUTION 11, as amended

and has been corrected in enrolling and engrossing:

1. House Education Committee Amendment 2 was corrected as follows: "On page 5, line 23 (of the printed bill), strike "January 1, 2009" and insert in lieu thereof "August 1, 1990"." The correction appears on page 5, line 16 of the enrolled and engrossed bill.

A handwritten signature in black ink, appearing to read "Ben Zeff", written over a horizontal line.

Chairperson, Enrolling & Engrossing Committee

CONSTITUTIONAL AMENDMENT 1

A JOINT RESOLUTION

1
2 PROPOSING AN AMENDMENT TO ARTICLE 9, SECTION 14 OF THE
3 CONSTITUTION OF NEW MEXICO TO PERMIT THE ESTABLISHMENT OF A
4 COLLEGE SCHOLARSHIP PROGRAM FOR NEW MEXICO MILITARY WAR
5 VETERANS.

6
7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

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

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

20 B. Nothing in this section prohibits the state
21 from establishing a veterans' scholarship program for Vietnam
22 conflict veterans who are post-secondary students at
23 educational institutions under the exclusive control of the
24 state by exempting such veterans from the payment of tuition.

25 For the purposes of this subsection, a "Vietnam conflict

1 veteran" is any person who has been honorably discharged from
2 the armed forces of the United States, who was a resident of
3 New Mexico at the original time of entry into the armed forces
4 from New Mexico or who has lived in New Mexico for ten years
5 or more and who has been awarded a Vietnam campaign medal for
6 service in the armed forces of this country in Vietnam during
7 the period from August 5, 1964 to the official termination
8 date of the Vietnam conflict as designated by executive order
9 of the president of the United States.

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

16 D. Nothing in this section prohibits the state or
17 a county or municipality from creating new job opportunities
18 by providing land, buildings or infrastructure for facilities
19 to support new or expanding businesses if this assistance is
20 granted pursuant to general implementing legislation that is
21 approved by a majority vote of those elected to each house of
22 the legislature. The implementing legislation shall include
23 adequate safeguards to protect public money or other resources
24 used for the purposes authorized in this subsection. The
25 implementing legislation shall further provide that:

1 (1) each specific county or municipal
2 project providing assistance pursuant to this subsection need
3 not be approved by the legislature but shall be approved by
4 the county or municipality pursuant to procedures provided in
5 the implementing legislation; and

6 (2) each specific state project providing
7 assistance pursuant to this subsection shall be approved by
8 law.

9 E. Nothing in this section prohibits the state, or
10 the instrumentality of the state designated by the legislature
11 as the state's housing authority, or a county or a
12 municipality from:

13 (1) donating or otherwise providing or
14 paying a portion of the costs of land for the construction on
15 it of affordable housing;

16 (2) donating or otherwise providing or
17 paying a portion of the costs of construction or renovation of
18 affordable housing or the costs of conversion or renovation of
19 buildings into affordable housing; or

20 (3) providing or paying the costs of
21 financing or infrastructure necessary to support affordable
22 housing projects.

23 F. The provisions of Subsection E of this section
24 are not self-executing. Before the described assistance may
25 be provided, enabling legislation shall be enacted by a

1 majority vote of the members elected to each house of the
2 legislature. This enabling legislation shall:

3 (1) define "affordable housing";

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

6 (3) contain provisions to ensure the
7 successful completion of affordable housing projects supported
8 by assistance authorized pursuant to Subsection E of this
9 section;

10 (4) require a county or municipality
11 providing assistance pursuant to Subsection E of this section
12 to give prior formal approval by ordinance for a specific
13 affordable housing assistance grant and include in the
14 ordinance the conditions of the grant;

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

17 (6) require the governing body of the
18 instrumentality of the state, designated by the legislature as
19 the state's housing authority, to give prior approval, by
20 resolution, for affordable housing grants that are to be given
21 by the instrumentality.

22 G. Nothing in this section prohibits the state
23 from establishing a veterans' scholarship program, for
24 military war veterans who are post-secondary students at
25 educational institutions under the exclusive control of the

1 state and who have exhausted all educational benefits offered
2 by the United States department of defense or the United
3 States department of veterans affairs, by exempting such
4 veterans from the payment of tuition. For the purposes of
5 this subsection, a "military war veteran" is any person who
6 has been honorably discharged from the armed forces of the
7 United States, who was a resident of New Mexico at the
8 original time of entry into the armed forces or who has lived
9 in New Mexico for ten years or more and who has been awarded a
10 southwest Asia service medal, global war on terror service
11 medal, Iraq campaign medal, Afghanistan campaign medal or any
12 other medal issued for service in the armed forces of this
13 country in support of any United States military campaign or
14 armed conflict as defined by congress or by presidential
15 executive order or any other campaign medal issued for service
16 after August 1, 1990 in the armed forces of the United States
17 during periods of armed conflict as defined by congress or by
18 executive order."

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.

S/ BEN LUJAN
BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES

S/ STEPHEN R. ARIAS
STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

S/ DIANE D. DENISH
DIANE D. DENISH, PRESIDENT
SENATE

S/ LENORE M. NARANJO
LENORE M. NARANJO, CHIEF CLERK
SENATE