

1 SENATE JOINT RESOLUTION 21

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 John M. Sapien

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND ARTICLE 8, SECTION 10 OF THE CONSTITUTION OF
12 NEW MEXICO BY REQUIRING AN ADDITIONAL DISTRIBUTION FROM THE
13 SEVERANCE TAX PERMANENT FUND FOR EARLY CHILDHOOD EDUCATION AND
14 CARE PROGRAMS AS PROVIDED BY LAW.

15
16 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. It is proposed to amend Article 8, Section 10
18 of the constitution of New Mexico to read:

19 "A. There shall be deposited in a permanent trust
20 fund known as the "severance tax permanent fund" that part of
21 state revenue derived from excise taxes that have been or shall
22 be designated severance taxes imposed upon the severance of
23 natural resources within this state, in excess of that amount
24 that has been or shall be reserved by statute for the payment
25 of principal and interest on outstanding bonds to which

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1 severance tax revenue has been or shall be pledged. Money in
2 the severance tax permanent fund shall be invested as provided
3 by law. Distributions from the fund shall be appropriated by
4 the legislature as other general operating revenue is
5 appropriated for the benefit of the people of the state.

6 B. All additions to the fund and all earnings,
7 including interest, dividends and capital gains from investment
8 of the fund shall be credited to the corpus of the fund.

9 C. The annual distributions from the fund shall be
10 one hundred two percent of the amount distributed in the
11 immediately preceding fiscal year until the annual
12 distributions equal four and seven-tenths percent of the
13 average of the year-end market values of the fund for the
14 immediately preceding five calendar years. Thereafter, the
15 amount of the annual distributions shall be four and
16 seven-tenths percent of the average of the year-end market
17 values of the fund for the immediately preceding five calendar
18 years.

19 D. In addition to the distribution in Subsection C
20 of this section, an additional distribution of eight-tenths
21 percent of the average of the year-end market values of the
22 fund for the immediately preceding five calendar years shall be
23 made to the general fund dedicated to early childhood education
24 and care programs as provided by law.

25 [~~D.~~] E. The frequency and the time of the

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1 distributions made pursuant to Subsection C of this section
2 shall be as provided by law."

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

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