

CITY of ALBUQUERQUE

TWENTY FIRST COUNCIL

COUNCIL BILL NO. R-15-265 ENACTMENT NO. _____

SPONSORED BY: Diane G. Gibson

1 RESOLUTION

2 URGING THE NEW MEXICO LEGISLATURE TO AUTHORIZE AN ELECTION ON
3 A PROPOSED AMENDMENT TO ARTICLE II, SECTION 6 OF THE
4 CONSTITUTION OF THE STATE OF NEW MEXICO

5 WHEREAS, Article II, Section 6 of the New Mexico Constitution was
6 amended by popular vote in November of 1986, in a manner that apparently
7 eliminated any municipal authority incident to the right to keep and bear arms
8 (the "1986 Amendment"); and

9 WHEREAS, while the City recognizes the present Constitutional right of
10 citizens to keep and bear arms, the 1986 Amendment appears to impose a
11 one-size-fits-all approach for all localities within the state despite the vast
12 differences in population concentrations and other factors, and has eliminated
13 local discussion and self-determination on this issues since that time; and

14 WHEREAS, nearly thirty years has passed since the 1986 Amendment, and
15 attitudes and perspectives can change drastically over that amount of time;
16 and

17 WHEREAS, it is now timely for the citizens of New Mexico to once again
18 consider whether the 1986 Amendment should remain in place; and

19 WHEREAS, the New Mexico Constitution may be amended only by a
20 popular vote on a proposal approved by the Legislature; and

21 WHEREAS, the legislature may propose constitutional amendments during
22 any regular session, including during even numbered years, pursuant to
23 Article XIX Section 1 of the Constitution, notwithstanding any limits otherwise
24 prescribed for even numbered years by Article IV, Section 5.

25 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
26 ALBUQUERQUE:

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1 Section 1. REQUEST OF LEGISLATURE. The City of Albuquerque
2 requests and encourages the 2016 New Mexico State Legislature to pass a
3 proposal that authorizes the voters of New Mexico to consider whether or not
4 to repeal the 1986 Amendment.

5 Section 2. SEVERABILITY. If any section, paragraph, sentence, clause,
6 word, or phrase of this resolution is for any reason held to be invalid or
7 unenforceable by any court of competent jurisdiction, such decision shall not
8 affect the validity of the remaining provisions of this resolution. The Council
9 hereby declares that it would have passed this resolution and each section,
10 paragraph, sentence, clause word phrase irrespective of any provisions being
11 declared unconstitutional or otherwise invalid.

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