



Legislation Details (With Text)

**File #:** R-15-265  
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**In control:** City Council  
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**Title:** Urging The New Mexico Legislature To Authorize An Election On A Proposed Amendment To Article II, Section 6 Of The Constitution Of The State Of New Mexico (Gibson)  
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Date	Ver.	Action By	Action	Result
11/16/2015	1	City Council	Accepted with a Recommendation of Do Not Pass	
11/9/2015	1	Finance & Government Operations Committee	Sent to Council Without Recommendation	
11/9/2015	1	Finance & Government Operations Committee	Sent to Council with a recommendation of Do Not Pass	Pass
11/2/2015	1	President	Referred	
11/2/2015	1	City Council	Introduced and Referred	

**CITY of ALBUQUERQUE**  
**TWENTY FIRST COUNCIL**

COUNCIL BILL NO. R-15-265 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Diane G. Gibson

RESOLUTION

Urging The New Mexico Legislature To Authorize An Election On A Proposed Amendment To Article II, Section 6 Of The Constitution Of The State Of New Mexico (Gibson)

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

WHEREAS, while the City recognizes the present Constitutional right of citizens to keep and

bear arms, the 1986 Amendment appears to impose a one-size-fits-all approach for all localities within the state despite the vast differences in population concentrations and other factors, and has eliminated local discussion and self-determination on this issues since that time; and

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

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

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

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

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

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

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

