

HOUSE FLOOR SUBSTITUTE FOR
HOUSE JOINT RESOLUTION 6

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 16 OF THE CONSTITUTION OF NEW
MEXICO BY ADOPTING A NEW SECTION PROVIDING FOR LOCAL PUBLIC
CONTROL OF PUBLIC WATER SUPPLIES.

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

Section 1. It is proposed to amend Article 16 of the
constitution of New Mexico by adding a new section to read:

"Commencing January 1, 2005, a bona fide offer of sale or
acceptance of purchase or transfer of ownership, operation or
management of a public or private water system shall be void
unless first offered on the same terms and conditions to the
community served. The offer shall provide a reasonable time
for the community to establish, if not already existing, a
public entity and financing to accept the offer. At least fair
market value shall be paid, plus reasonable interest, to

.151424.1

1 compensate for any unreasonable delay in sale caused by this
2 first right of refusal."

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.