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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 10, SECTION 10 OF THE
CONSTITUTION OF NEW MEXICO TO ALLOW CERTAIN COUNTIES TO
BECOME URBAN COUNTIES AND TO CLARIFY THE MAJORITY VOTE NEEDED
TO ADOPT A COUNTY CHARTER.

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

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

"A. A county that is less than one thousand five
hundred square miles in area and has a population of three
hundred thousand or more may become an urban county by the
following procedure:

(1) the board of county commissioners shall
appoint a charter commission consisting of not less than
three persons to draft a proposed urban county charter;

(2) the proposed charter shall provide for
the form and organization of the urban county government and
shall designate those officers that shall be elected and
those officers and employees that shall perform the duties
assigned by law to county officers; and

(3) within one year after the appointment of
the charter commission, the proposed charter shall be
submitted to the qualified voters of the county and, if
adopted by a majority of those voting, the county shall

1 become an urban county. If, at the election or any
2 subsequent election, the proposed charter is not adopted,
3 then, after at least one year has elapsed after the election,
4 pursuant to this section another charter commission may be
5 appointed and another proposed charter may be submitted to
6 the qualified voters for approval or disapproval.

7 B. An urban county may exercise all legislative
8 powers and perform all governmental functions not expressly
9 denied by general law or charter and may exercise all powers
10 granted to and shall be subject to all limitations placed on
11 municipalities by Article 9, Section 12 of the constitution
12 of New Mexico. This grant of powers shall not include the
13 power to enact private or civil laws except as incident to
14 the exercise of an independent municipal power, nor shall it
15 include the power to provide for a penalty greater than the
16 penalty provided for a misdemeanor. No tax imposed by the
17 governing body of an urban county, except a tax authorized by
18 general law, shall become effective until approved by a
19 majority vote in the urban county.

20 C. A charter of an urban county shall only be
21 amended in accordance with the provisions of the charter.

22 D. If the charter of an urban county provides for
23 a governing body composed of members elected by districts, a
24 member representing a district shall be a resident and
25 elected by the registered qualified electors of that

1 district.

2 E. The purpose of this section is to provide for
3 maximum local self-government. A liberal construction shall
4 be given to the powers of urban counties.

5 F. The provisions of this section shall be
6 self-executing."

7 SECTION 2. The amendment proposed by this resolution
8 shall be submitted to the people for their approval or
9 rejection at the next general election or at any special
10 election prior to that date that may be called for that
11 purpose. _____

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