

SENATE RULES COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION 3

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

A JOINT RESOLUTION

GRANTING CONCURRENT LEGISLATIVE JURISDICTION TO THE UNITED STATES OVER CERTAIN UNITS OF THE NATIONAL PARK SYSTEM IN NEW MEXICO.

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

SECTION 1. Pursuant to the provisions of Section 19-2-2 NMSA 1978, concurrent legislative jurisdiction is granted to the United States over lands and waters owned, managed, leased or administered by the United States within the authorized boundaries in effect on January 1 of the year in which this resolution is considered of the following units of the national park system in New Mexico:

- A. Petroglyph national monument; and
- B. Valles Caldera national preserve.

SECTION 2. As used in this resolution, "concurrent

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1 legislative jurisdiction" means the vesting in the state and  
2 the United States of all the rights accorded a sovereign with  
3 the broad qualification that such authority is held  
4 concurrently over matters, including criminal laws and police  
5 powers, and that it is the parallel right of both the state and  
6 the federal government to legislate with respect to such land  
7 and persons present or residing on it.

8 SECTION 3. The granting of concurrent legislative  
9 jurisdiction provided in Section 1 of this resolution is  
10 subject to compliance by the United States secretary of the  
11 interior with the provisions of 54 U.S.C. Section 100754.

12 SECTION 4. Following approval of this resolution by the  
13 legislature and pursuant to Section 19-2-2 NMSA 1978, the  
14 governor shall cause a duly authenticated copy of this  
15 resolution to be recorded in the office of the county clerk of  
16 the county where the land or other area affected by the  
17 transfer of jurisdiction is situated, and upon the county  
18 recordation of this resolution and adequate legal descriptions  
19 of the applicable units of the national park system, the  
20 transfer of jurisdiction shall take effect. If the land or  
21 other area is situated in more than one county, a duly  
22 authenticated copy of this resolution and adequate legal  
23 descriptions shall be recorded in the county clerk's office of  
24 each county.

25 SECTION 5. It is recognized that additional tracts of

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1 land may be added to Petroglyph national monument, as  
2 authorized in Public Law 101-313, or the Valles Caldera  
3 national preserve, as authorized in Public Law 113-291, Sec  
4 3043, due to land exchanges, donations or acquisitions. Upon  
5 any such modifications to the boundary of Petroglyph national  
6 monument or Valles Caldera national preserve, a letter to that  
7 effect with adequate legal descriptions shall be provided to  
8 the governor to ensure that concurrent legislative jurisdiction  
9 is recognized on the additional tracts without any further  
10 legislative action required; provided that after providing the  
11 letter to the governor, the legal descriptions shall be  
12 recorded in the office of the county clerk of the county or  
13 counties in which the land is situated, and upon the county  
14 recordation, the transfer of jurisdiction shall take effect as  
15 to the additional tracts.

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