

1 SENATE JOINT RESOLUTION 12

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Gerald Ortiz y Pino

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10 A JOINT RESOLUTION

11 REQUESTING THE CONGRESS OF THE UNITED STATES TO CALL A
12 CONSTITUTIONAL CONVENTION, UPON THE APPLICATION OF TWO-THIRDS
13 OF THE STATES, FOR THE SOLE PURPOSE OF PROPOSING AN AMENDMENT
14 TO THE UNITED STATES CONSTITUTION THAT WOULD RESTORE FREE AND
15 FAIR ELECTIONS.

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17 WHEREAS, the framers of the United States constitution
18 intended that the United States congress should be "dependent
19 on the people alone"; and

20 WHEREAS, that dependency has evolved from a dependency on
21 the people alone to a dependency on powerful special interests,
22 through campaigns or third-party groups, that has created a
23 fundamental imbalance in our representative democracy; and

24 WHEREAS, Americans across the political spectrum agree
25 that elections in the United States of America should be free

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1 from the disproportional influence of special interests and
2 fair enough that any citizen can be elected into office; and

3 WHEREAS, Article 2, Section 2 of the constitution of New
4 Mexico states, "All political power is vested in and derived
5 from the people: all government of right originates with the
6 people, is founded upon their will and is instituted solely for
7 their good."; and

8 WHEREAS, Article 5 of the United States constitution
9 requires congress to call a convention for proposing amendments
10 to the federal constitution on the application of two-thirds of
11 the legislatures of the several states; and

12 WHEREAS, the New Mexico legislature perceives the need for
13 an amendments convention in order to restore balance and
14 integrity to our elections by proposing an amendment to the
15 federal constitution that would permanently protect free and
16 fair elections in America by addressing, inter alia, issues
17 raised by the decisions of the United States supreme court in
18 *Citizens United v. Federal Election Commission* (2010) 130 S.Ct.
19 876 and related cases and events, and desires that said
20 convention should be so limited; and

21 WHEREAS, the state of New Mexico desires that the
22 delegates to said convention shall be composed equally of
23 individuals currently elected to state and local office, or be
24 selected by election, in each congressional district for the
25 purpose of serving as delegates, though all individuals elected

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1 or appointed to federal office, now or in the past, be
2 prohibited from serving as delegates to the convention, and
3 intends to retain the ability to restrict or expand the power
4 of its delegates within the limits expressed herein; and

5 WHEREAS, the state of New Mexico intends that this be a
6 continuing application considered together with applications
7 calling for a convention passed in the 2013-2014 Vermont
8 legislature as R454, the 2013-2014 California legislature as
9 resolution chapter 77, the 98th Illinois general assembly as
10 SJR 42, the 2014-2015 New Jersey legislature as SCR 132, the
11 2015-2016 Rhode Island legislature as HR 7670 and SR 2589 and
12 all other passed, pending and future applications until such
13 time as two-thirds of the several states have applied for a
14 convention for a similar purpose and said convention is
15 convened by the United States congress;

16 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
17 STATE OF NEW MEXICO that it respectfully petition the congress
18 of the United States to call a constitutional convention,
19 pursuant to Article 5 of the United States constitution, for
20 the exclusive purpose of proposing an amendment to the United
21 States constitution that would restore free and fair elections
22 as described herein, as soon as two-thirds of the several
23 states have applied for a convention for a similar purpose; and

24 BE IT FURTHER RESOLVED that copies of this resolution be
25 transmitted, within thirty days of its passage, to the speaker

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1 of the United States house of representatives, the clerk of the
2 United States house of representatives, the president of the
3 United States senate, the secretary of the United States senate
4 and each senator and representative from New Mexico in the
5 United States congress with the respectful request that the
6 full and complete text of this resolution be printed in the
7 congressional record.

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