

1 A MEMORIAL

2 AFFIRMING THE COMMITMENT OF NEW MEXICO AND ITS POLITICAL
3 SUBDIVISIONS TO HUMAN AND CIVIL RIGHTS AND TO FREEDOM FOR
4 REFUGEES AND IMMIGRANTS, BOTH DOCUMENTED AND UNDOCUMENTED.

5
6 WHEREAS, a substantial portion of New Mexico's
7 population is of Hispanic heritage, and many people's roots
8 in New Mexico go back four hundred years to Native Americans
9 and the original Spanish explorers; and

10 WHEREAS, through many centuries, New Mexico has been
11 home to many migrants and immigrants who came seeking better
12 lives for themselves and their families; and

13 WHEREAS, the people of New Mexico have rich and lasting
14 multicultural traditions and a history of tolerance toward
15 all people, cultures, traditions and lifestyles and recognize
16 the right to define their way of life; and

17 WHEREAS, the human and civil rights of the residents of
18 the state should not be diminished or otherwise infringed;
19 and

20 WHEREAS, no state law, ordinance, resolution or policy
21 should be enacted or adopted nor should any action be
22 condoned that discriminates on the basis of ethnicity, race,
23 age, religion, creed, color, national origin, ancestry, sex,
24 gender, sexual orientation, physical or mental disability,
25 medical condition or citizenship status; and

1 WHEREAS, the productive relationship between New Mexico
2 and immigrants living in the state would be undermined if the
3 state were to retreat from its long-standing support of
4 immigrant-friendly policies; and

5 WHEREAS, New Mexico should adopt policies that welcome,
6 integrate and embrace migrants, undocumented immigrants,
7 refugees and their families into the local community,
8 irrespective of their citizenship status; and

9 WHEREAS, New Mexico does not discriminate on the basis
10 of a person's national origin, and all persons will be
11 treated equally with respect and dignity, regardless of their
12 immigration status; and

13 WHEREAS, no state resources will be used to identify or
14 apprehend any non-citizen on the sole basis of the person's
15 immigration status, unless otherwise lawfully required to do
16 so; and

17 WHEREAS, New Mexico has long recognized the
18 contributions made to its economy and culture by its
19 community of immigrants, who often live in mixed-status
20 families with United States citizen children and are
21 long-time residents of the state; and

22 WHEREAS, the use of resources by the state to enforce
23 federal civil immigration laws both diverts resources from
24 other productive services for the people of New Mexico and
25 undermines a productive and trusting relationship between the

1 undocumented community and the state; and

2 WHEREAS, the state has the authority to preserve the
3 confidentiality of certain private and sensitive information
4 of its residents obtained for the purposes of carrying out
5 essential state functions, and the residents of New Mexico
6 have a basic expectation that certain sensitive and private
7 information will be not be disclosed; and

8 WHEREAS, the tenth amendment to the United States
9 constitution provides that the powers that are not delegated
10 expressly or by implication to the United States or
11 prohibited to the states are reserved to the states,
12 respectively, or to the people, and that has been interpreted
13 by the United States supreme court to preclude the federal
14 government from compelling or commandeering any state or
15 local government, either directly or by the use of coercive
16 threats to withhold federal funding, to adopt federal
17 programs or enforce federal laws, including immigration laws;
18 and

19 WHEREAS, New Mexico and its political subdivisions,
20 agents, agencies, officers and employees in performance of
21 official duties should not, to the extent legally possible,
22 assist or voluntarily cooperate with United States department
23 of homeland security investigations or arrest procedures
24 relating to alleged violations of immigration law;

25 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF

1 REPRESENTATIVES OF THE STATE OF NEW MEXICO that it affirm and
2 continue to abide by its nondiscrimination and integration
3 policies toward residents, irrespective of immigration and
4 citizenship status; and

5 BE IT FURTHER RESOLVED that the house of representatives
6 affirm its immigrant-friendly status and commitment; and

7 BE IT FURTHER RESOLVED that the house of representatives
8 recognize the state's status as a welcoming community and ask
9 that all state agencies and all agencies operating under a
10 political subdivision of the state accept driving
11 authorization cards and non-REAL-ID-compliant identification
12 cards issued by the motor vehicle division of the taxation
13 and revenue department for all purposes for which it accepts
14 REAL-ID-compliant driver's licenses and identification cards
15 issued by the division; and

16 BE IT FURTHER RESOLVED that the house of representatives
17 request that no one acting on behalf of the state or its
18 political subdivisions voluntarily use the federal e-verify
19 system to investigate or determine the work eligibility of
20 applicants for employment unless required by law for the
21 purposes of administering a federal benefit or program; and

22 BE IT FURTHER RESOLVED that the house of representatives
23 continue to promote, enforce and defend policies and
24 procedures that protect the human and civil rights of all
25 residents and that ensure adherence to the nondiscrimination

1 principles; and

2 BE IT FURTHER RESOLVED that copies of this memorial be
3 transmitted to the governor and all New Mexico counties and
4 incorporated municipalities. _____

HM 54
Page 5

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25