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HOUSE JOINT RESOLUTION 11
53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY
Christine Trujillo

A JOINT RESOLUTION
REQUESTING THE CONGRESS OF THE UNITED STATES TO CALL A
CONVENTION, UPON THE APPLICATION OF TWO-THIRDS OF THE STATES,
FOR THE SOLE PURPOSE OF PROPOSING AN AMENDMENT TO THE UNITED
STATES CONSTITUTION THAT WOULD RESTORE FREE AND FAIR ELECTIONS.

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

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

WHEREAS, Americans across the political spectrum agree
that elections in the United States of America should be free
from the disproportional influence of special interests and

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1 fair enough that any citizen can be elected into office; and

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

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

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

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

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1 from serving as delegates to the convention, and intends to
2 retain the ability to restrict or expand the power of its
3 delegates within the limits expressed herein; and

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

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

23 BE IT FURTHER RESOLVED that this petition shall expire and
24 be withdrawn fifteen years following its passage; and

25 BE IT FURTHER RESOLVED that this petition is specific as

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1 to its purpose and shall not be combined with a petition from
2 any other state calling for an Article 5 convention for any
3 other purpose nor shall it be combined with a petition from any
4 other state calling for an Article 5 convention for all
5 purposes; and

6 BE IT FURTHER RESOLVED that copies of this resolution be
7 transmitted, within thirty days of its passage, to the speaker
8 of the United States house of representatives, the clerk of the
9 United States house of representatives, the president of the
10 United States senate, the secretary of the United States senate
11 and each senator and representative from New Mexico in the
12 United States congress with the respectful request that the
13 full and complete text of this resolution be printed in the
14 congressional record.

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