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HOUSE JOINT RESOLUTION 4

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

INTRODUCED BY

Christine Trujillo

A JOINT RESOLUTION

REQUESTING THE CONGRESS OF THE UNITED STATES TO CALL AN AMENDMENT 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

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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 elections by proposing an amendment to the federal  
15 constitution that would permanently protect free and fair  
16 elections in America by addressing, inter alia, issues raised  
17 by the decisions of the United States supreme court in *Citizens*  
18 *United v. Federal Election Commission* (2010) 130 S.Ct. 876 and  
19 related cases and events and desires that said convention  
20 should be so limited; and

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

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1 appointed to federal office, now or in the past, be prohibited  
2 from serving as delegates to the convention, and intends to  
3 retain the ability to restrict or expand the power of its  
4 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 convention, pursuant to Article  
19 5 of the United States constitution, for the exclusive purpose  
20 of proposing an amendment to the United States constitution  
21 that would restore free and fair elections as described herein,  
22 as soon as two-thirds of the several states have applied for a  
23 convention for a similar purpose; and

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25 be withdrawn fifteen years following its passage; and

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1 BE IT FURTHER RESOLVED that this petition is specific as  
2 to its purpose and shall not be combined with a petition from  
3 any other state calling for an Article 5 convention for any  
4 other purpose nor shall it be combined with a petition from any  
5 other state calling for an Article 5 convention for all  
6 purposes; and

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

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