

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE MEMORIAL 56

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Mary Helen Garcia

A MEMORIAL

REQUESTING THE SECRETARY OF STATE TO STUDY THE ADVANTAGES AND DISADVANTAGES TO THE STATE OF NEW MEXICO OF JOINING A NATIONAL POPULAR VOTE COMPACT WITH OTHER STATES AS AN ALTERNATIVE TO USING THE CURRENT ELECTORAL COLLEGE SYSTEM TO ELECT THE PRESIDENT OF THE UNITED STATES.

WHEREAS, currently, forty-eight states award all of their electoral votes to the candidate with the most popular votes in the state; and

WHEREAS, under the electoral college system, a candidate can win the presidency even though the candidate did not receive the most votes, which has happened four times in the fifty-six presidential elections; and

WHEREAS, in the twenty-eight close elections in which the popular vote margin was less than ten percent, one out of seven

underscored material = new
~~[bracketed material] = delete~~

underscored material = new
~~[bracketed material] = delete~~

1 produced a president who did not win the popular vote; and
2 WHEREAS, the United States constitution gives the states
3 the exclusive and plenary control over the manner of awarding
4 their electoral votes; and
5 WHEREAS, between 2006 and 2010, every state legislature in
6 the nation considered enacting legislation to implement a
7 national popular vote system as an alternative to the electoral
8 college system and national popular vote legislation has passed
9 thirty-one state legislative chambers, including the New Mexico
10 house of representatives in 2009; and
11 WHEREAS, the national popular vote movement seeks to
12 guarantee that the presidential candidate who wins the most
13 popular votes nationwide is elected president; and
14 WHEREAS, the goal of the national popular vote movement is
15 to preserve state control and to reform the use of the
16 electoral college to reflect the choice of the people in all
17 fifty states and the District of Columbia; and
18 WHEREAS, a state that joins the compact will continue to
19 award its electoral votes in its current manner until the
20 compact has enough states to represent a controlling majority
21 of the electoral college, at which point all of the electoral
22 votes of the member states will be cast for the winner of the
23 national popular vote in all fifty states and the District of
24 Columbia; and
25 WHEREAS, the electoral college system and a national

.186266.2

underscoring material = new
~~[bracketed material] = delete~~

1 popular vote system may present different advantages and
2 disadvantages to the state of New Mexico; and

3 WHEREAS, a comparison of the two systems for selecting a
4 president raises many issues, including which system would
5 produce for the state and the nation the best candidates, the
6 most informed voters, the greatest voter participation, the
7 most accurate election results and the best representation;

8 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
9 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the secretary
10 of state, in conjunction with the attorney general, be
11 requested to study and compare the current electoral college
12 system and the national popular vote system and that the
13 findings of the study be presented to the New Mexico
14 legislative council and the appropriate interim committee by
15 November 2011; and

16 BE IT FURTHER RESOLVED that copies of this memorial be
17 transmitted to the secretary of state, the attorney general and
18 the New Mexico legislative council.