

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 produced a president who did not win the popular vote; and

WHEREAS, the United States constitution gives the states the exclusive and plenary control over the manner of awarding their electoral votes; and

WHEREAS, between 2006 and 2010, every state legislature in the nation considered enacting legislation to implement a national popular vote system as an alternative to the electoral college system and national popular vote legislation

has passed thirty-one state legislative chambers, including the New Mexico house of representatives in 2009; and

WHEREAS, the national popular vote movement seeks to guarantee that the presidential candidate who wins the most popular votes nationwide is elected president; and

WHEREAS, the goal of the national popular vote movement is to preserve state control and to reform the use of the electoral college to reflect the choice of the people in all fifty states and the District of Columbia; and

WHEREAS, a state that joins the compact will continue to award its electoral votes in its current manner until the compact has enough states to represent a controlling majority of the electoral college, at which point all of the electoral votes of the member states will be cast for the winner of the national popular vote in all fifty states and the District of Columbia; and

WHEREAS, the electoral college system and a national popular vote system may present different advantages and disadvantages to the state of New Mexico; and

WHEREAS, a comparison of the two systems for selecting a president would address many issues;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the secretary of state be requested to study and compare the current electoral college system and the national popular vote system

and that the findings of the study be presented to the New Mexico legislative council and the appropriate interim committee by November 2011; and

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