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SENATE MEMORIAL 77

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

INTRODUCED BY

Richard C. Martinez

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

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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

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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 would address many issues;

5 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
6 OF NEW MEXICO that the secretary of state be requested to study
7 and compare the current electoral college system and the
8 national popular vote system and that the findings of the study
9 be presented to the New Mexico legislative council and the
10 appropriate interim committee by November 2011; and

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