

HOUSE JOINT RESOLUTION 13

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

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A JOINT RESOLUTION

CALLING FOR A FEDERAL CONSTITUTIONAL CONVENTION TO PROPOSE A
COUNTERMAND AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

WHEREAS, the United States congress has, at times,
exceeded its delegated powers, the president of the United
States has, at times, exceeded the constitutional authority of
the office of the president of the United States, and the
federal courts have, at times, exceeded their authority by
issuing decisions on public policy matters reserved to the
states in violation of the principles of federalism and
separation of powers, all of which have adversely affected the
state of New Mexico and its people; and

WHEREAS, under the authority of Article V of the United
States constitution, the several states should apply to the
United States congress to call a convention of the states to

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1 amend the United States constitution and adopt a countermand
2 amendment to authorize the states, upon a vote of three-fifths
3 of the state legislatures, to nullify and repeal a federal
4 statute, executive order, judicial decision, regulatory
5 decision by a federal government agency or government mandate
6 imposed on the states by federal law that adversely affects the
7 interests of the states, in order to properly exercise the
8 states' constitutional authority to check federal power,
9 preserve state sovereignty and protect the rights of the states
10 and the people; and

11 WHEREAS, the states have the authority to define and limit
12 the agenda of a convention to a single-issue countermand
13 amendment as provided pursuant to Article V of the United
14 States constitution; and

15 WHEREAS, the delegates sent by the states to a
16 constitutional convention shall have the limited authority to
17 deliberate on and decide whether the countermand amendment, as
18 pre-approved by state legislatures, should be sent back to the
19 state legislatures for ratification;

20 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
21 STATE OF NEW MEXICO that the United States congress be
22 requested, pursuant to the provisions of Article V of the
23 United States constitution, to call a single-issue convention
24 of the states limited to proposing a countermand amendment to
25 the United States constitution; and

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1 BE IT FURTHER RESOLVED that the New Mexico legislature
2 request the United States congress to convene the requested
3 constitutional convention within sixty days after the date it
4 receives the thirty-fourth call for that convention from state
5 legislatures; and

6 BE IT FURTHER RESOLVED that the New Mexico legislature
7 urge the legislatures of the other forty-nine states to apply
8 to the United States congress to call a constitutional
9 convention of the states to consider a countermand amendment to
10 the United States constitution pursuant to Article V of the
11 United States constitution; and

12 BE IT FURTHER RESOLVED that the New Mexico secretary of
13 state be directed to transmit copies of this application to the
14 president and secretary of the United States senate and to the
15 speaker and clerk of the United States house of
16 representatives, to the New Mexico congressional delegation and
17 copies to the presiding officers of each of the legislative
18 houses in the several states, requesting their cooperation; and

19 BE IT FURTHER RESOLVED that this application constitutes a
20 continuing application in accordance with Article V of the
21 United States constitution until the legislatures of at least
22 two-thirds of the several states have made applications on the
23 same subject.