

Approved by SPARC 2024 Sept 3

**DEMOCRATIC PARTY OF BERNALILLO COUNTY RESOLUTIONS COMMITTEE
APPROVED AND REFERRED TO THE DEMOCRATIC PARTY OF NEW MEXICO
STATE PLATFORM AND RESOLUTIONS COMMITTEE AND
STATE CENTRAL COMMITTEE
on August 8, 2024**

Resolution Title: **To Promote Passage of a Constitutional Amendment Empowering the People of New Mexico to Enact Legislation through Ballot Initiatives**

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WHEREAS ballot initiatives, a form of direct democracy, empower ordinary people to propose constitutional amendments and statutes by petitioning for their placement on election ballots and, if successful, putting these proposed measures before the voters for their approval and adoption;¹ and

WHEREAS twenty-six states have some form of direct initiative, “direct” meaning that in these states the voters are able to petition for the placement of proposed constitutional amendments and/or legislation on the ballot without the involvement of their state legislatures;² and

WHEREAS direct democracy has served as a supplement to representative democracy since before the American Revolution through constitutional and legislative referenda, as well as ballot initiatives, tools used by the populace typically when political pressures stymie the popular will;³ and

WHEREAS voters in Ohio and Michigan were successful recently in using direct ballot initiatives to enact constitutional amendments that established certain reproductive rights; and voters in other states have successfully enacted constitutional amendments or legislation to enhance the rights of the customers of investor-owned public utilities (Maine), and to limit the

¹ See for example, Initiative and Referendum Institute, University of Southern California (IRI), “The History of the Initiative and Referendum Process in the U.S.”,

<https://www.initiativeandreferenduminstitute.org/history-us-direct-democracy>; and Ballot Initiative Strategy Center, “What are Ballot Initiatives,” at <https://ballot.org/what-are-ballot-measures/>

² IRI, I&R, Factsheet, What is Initiative and Referendum, Table 1.1, at <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://static1.squarespace.com/static/64fb2a824bc4a564c732b324/t/6547f7d62344e76b3d89a8a5/1699215320142/Handout+-+What+is+IR+%281%29.pdf>

³ ACLU of Ohio, “HJR 6: The Attack on Citizen Led Ballot Initiatives,” at <https://www.acluohio.org/en/publications/hjr6-attack-citizen-led-ballot-initiatives>; and IRI, Ballot Watch, at <https://www.initiativeandreferenduminstitute.org/ballotwatch>

maximum interest rates on medical debts, as well as premiums on dental insurance (Arizona and Massachusetts respectively);⁴

WHEREAS voters in New Mexico have been stymied in their efforts to advocate for the passage of the “Green Amendment,” the enactment of legislation that would effectuate paid family leave and the regulation of high capacity magazines and firearm licensing; and

WHEREAS voters of all persuasions in several states have used ballot initiatives to advance their policy preferences, but regardless of the political orientation of such advocates, their advocacy has resulted in increased voter participation across the board;⁵ and

WHEREAS the NM state legislature meets only for brief periods of time each year, and that limited time – combined with the lack of sufficient paid legislative staff - means that state Representatives and Senators cannot fully consider and pass important legislation that could impact individuals, businesses, and communities. Ballot initiatives would provide another productive avenue for the people of New Mexico to get necessary, popularly supported policies enacted.

THEREFORE, BE IT RESOLVED that the Democratic Party of New Mexico, through its elected government officials, Party leaders and grassroots activists alike, will advocate for and fully support a legislative memorial to form an interim committee whose objective will be to develop a constitutional amendment establishing direct ballot initiatives and that such proposed constitutional amendment is ready for the approval of voters in the 2026 elections.

⁴ *Id.*

⁵ Tolbert, Caroline, *et al.*, “The Effects of Ballot Initiatives on Voter Turnout in the American States,” Sage Journal, Fordham University, Nov. 2001, <https://journals.sagepub.com/doi/abs/10.1177/1532673X01029006005?journalCode=aprb>