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LEGISLATIVE SCORECARD BASED ON THE THE U.S. CONSTITUTION

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Peter Wirth

New Mexico
Senator, SD-025 (D)

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NM Legislative Scorecard 2025

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
1. HB548 Carbon-Capture Stewardship (passed 26 to 11 on 3/22/2025). Enacts the Geologic Carbon Dioxide Storage Stewardship Act, which authorizes the transfer of carbon capture sequestration facilities, and long-term storage responsibilities to the state, and creates a long-term storage fund.			YES ✗
2. HB77 SNAP Expansion (passed 36 to 0 on 3/21/2025). Enacts a new section of the Public Assistance Act requiring the New Mexico Health Care Authority to develop annual state outreach plans, and seek maximum matching funds from the federal Supplemental Nutrition Assistance Program (SNAP).			YES ✗
3. HB12 "Extreme Risk" Firearm Confiscation (passed 23 to 15 on 3/17/2025) Amends the Extreme Risk Firearm Protection Order Act to allow law-enforcement officers to file petitions for firearm protection orders, requiring respondents to surrender all firearms immediately.			YES ✗
4. SB364 Illegal Aliens as Law Enforcement Officers (passed 26 to 12 on 3/13/2025). Amends New Mexico law to expand eligibility for law-enforcement-officer appointments to noncitizens. The bill allows illegal aliens to serve as law-enforcement officers in New Mexico.			YES ✗
5. SB38 Special Education Act (passed 31 to 7 on 2/27/2025). Enacts the Special Education Act, which creates the Office of Special Education within the Public Education Department. This legislation transfers federal funding to the Early Childhood Education and Care Department.			YES ✗
6. SB48 Climate-Change Fund (passed 23 to 15 on 2/25/2025). Creates the Community Benefit Fund in the state treasury, administered by the Department of Finance and Administration, to fund "climate change" projects.			YES ✗

Scorecard Votes: 0%

Why do these votes matter?

1. Carbon-Capture Stewardship

HB458 enacts the Geologic Carbon Dioxide Storage Stewardship Act, which authorizes the transfer of carbon capture sequestration facilities, and long-term storage responsibilities to the state, and creates a long-term storage fund.

We have assigned pluses to the nays because carbon capture programs intended to combat "climate change" align closely with the UN's Agenda 2030, undermining national sovereignty and individual liberty. States should reject UN environmental agendas that erode U.S. sovereignty.

2. SNAP Expansion

HB77 enacts a new section of the Public Assistance Act requiring the New Mexico Health Care Authority to develop annual state outreach plans for the federal Supplemental Nutrition Assistance Program (SNAP). The authority must submit these plans to the U.S. Department of Agriculture's Food and Nutrition Service, and seek maximum federal matching funds.

We have assigned pluses to the nays because this legislation increases state acceptance of the federal SNAP program. Article I, Section 8 of the U.S. Constitution does not authorize the federal government to create food assistance programs. By aligning with federal SNAP requirements and relying on federal matching funds, HB77 entangles New Mexico in federal regulations and undermines state authority over public policy.

3. "Extreme Risk" Firearm Confiscation

HB12 amends the Extreme Risk Firearm Protection Order Act to allow law-enforcement officers to file petitions for firearm protection orders based on information collected during official duties, and from reporting parties. Respondents are required to surrender all firearms immediately upon service of a extreme-risk firearm protection order.

We have assigned pluses to the nays because this legislation allows law enforcement to confiscate firearms without due process, violating the Second Amendment and undermining individual liberty by allowing subjective assessments of "imminent danger" to authorize firearm confiscations. The Second Amendment of the U.S. Constitution explicitly protects the right of the people to keep and bear arms. State governments must reject laws that infringe on God-given, constitutionally protected rights.

4. Illegal Aliens as Law-Enforcement Officers

SB364 amends New Mexico law to expand eligibility for law-enforcement-officer appointments to noncitizens. The bill allows DACA recipients, and non-citizens authorized to work by U.S. Citizenship and Immigration Services to serve as law-enforcement officers in New Mexico.

We have assigned pluses to the nays because this legislation undermines public safety and national security by expanding law-enforcement eligibility to noncitizens. While the 10th Amendment reserves to the states the authority to regulate law enforcement qualifications, this power should be exercised in a manner that upholds the integrity of law enforcement. Allowing noncitizens to exercise police power and authority over citizens as law-enforcement officers undermines public trust in law enforcement and raises concerns about allegiance and accountability.

5. Special Education Act

SB38 enacts the Special Education Act, which creates the Office of Special Education within the Public Education Department. This legislation transfers federal funding for preschool special education to the Early Childhood Education and Care Department. It mandates evaluations and screenings for disabilities, as well as research-based or evidence-based interventions.

We have assigned pluses to the nays because this legislation expands public-education bureaucracy and increases government involvement in education, infringing on local control and parental rights. The bill's alignment with federal mandates increases federal oversight in New Mexico, reducing state sovereignty.

6. Climate-Change Fund

SB48 creates the Community Benefit Fund in the state treasury, administered by the Department of Finance and Administration, to fund "climate change" projects to reduce combustion-engine vehicle use and greenhouse-gas emissions, increase electric grid capacity, increase electricity from renewable energy resources, and support electric-vehicle charging infrastructure. Projects under this bill focus on supporting "overburdened communities" affected by environmental challenges.

We have assigned pluses to the nays because climate-change programs aligned with the United Nations' Agenda 2030, undermine national sovereignty and expand government bureaucracy. The bill's focus on climate-change initiatives reduces state autonomy and prioritizes ideological goals, states should reject UN environmental agendas that infringe on economic freedom and local control.