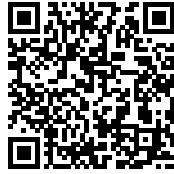




Gay Kernan

Senate District SD-042
Republican



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This legislator voted constitutionally on **33%** of the votes shown below.

★ Pro-liberty ✗ Anti-liberty ? Did not Vote **Vote**

1. HB15 Permanent Residence for Illegal Aliens Under 21 **Yes**
(passed 33 to 6 on 3/18/2023). Allows illegal aliens under 21 years of age to apply for "Special Immigrant Juvenile (SIJ)" classification in children's court and seek "lawful permanent residence" in the U.S. if it is in their "best interests" due to "abuse, neglect, abandonment, or similar circumstances." **✗**

2. HB306 Universal Background Checks for Firearms (passed 28 to 10 on 3/16/2023). Makes it a crime for a person to purchase or transfer any firearm "for, on behalf of or at the request or demand of" another person who is a "felon" or "intends to use, carry, possess, sell, or otherwise transfer" a firearm "in furtherance of a felony or misdemeanor." **✗**

3. SB13 State-Sponsored Abortion and Sex Mutilation (passed 26 to 16 on 3/10/2023). Considers "reproductive health care," such as "abortion," as well as "gender affirming health care," to be a "protected health care activity," which shall not be subject to certain civil or criminal liability or professional disciplinary action. **★**

4. SB4 "Free" School Meals (passed 35 to 0 on 3/4/2023). Expands "free" meals to all public, charter, and private school students attending schools that participate in the national school breakfast and lunch programs. **✗**

5. SB226 "Diversity Act" (passed 27 to 10 on 2/28/2023). Would establish a "chief diversity officer" for New Mexico, along with a "workforce diversity and inclusion council," and direct state agencies to address the problem of "institutional racism." **★**

6. SB64 No Life Sentence for Juvenile Murderers (passed 32 to 8 on 2/22/2023). Eliminates life imprisonment, without release or parole, **Yes**

NEW MEXICO LEGISLATIVE
SCORECARD
BASED ON THE U.S. CONSTITUTION

Sen. Gay Kernan
Lifetime Score: 33%

NM Scorecard 2023
2023 Regular Session Score 33%

The Legislative Scorecard is a nationwide educational program of The John Birch Society. Its purpose is to create an informed electorate on how state legislators are voting. The Scorecard is nonpartisan; it does not promote any candidate or political party. Bills are selected for their constitutional implications and cost to the taxpayers.

Please share this Scorecard in your district to inform people about your legislator's record on key votes.

U.S. Constitution, Amendment I --- 11 C.F.R. §114(4)(c)(4) --- 616 F.2d 45 (2d Cir. 1980)

The following scorecard lists several key votes in the New Mexico Legislature in 2023 and ranks state representatives and senators based on their fidelity to (U.S.) constitutional and limited-government principles.

This is our second state-level Scorecard; the selected votes may not be reflective of legislators' overall records. Their cumulative scores will change as we add more votes. Please check regularly for updates.



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The Constitution

Learn more about the U.S. Constitution and our founding principles.



for juvenile murderers.



Bill Descriptions for the Votes that Affect You

1. Permanent Residence for Illegal Aliens Under 21

HB15 allows illegal aliens under 21 years of age to seek “lawful permanent residence” in the U.S. if it is in their “best interests” due to “abuse, neglect, abandonment, or similar circumstances.”

Persons who enter the United States illegally—which, by definition, is a crime—should not be permitted sanctuary in New Mexico, let alone be regarded as eligible for “lawful permanent residence” according to UN Convention on the Rights of the Child-inspired legislation. Rather than pursue a blatantly unconstitutional and anti-American policy that erodes both the rule of law and the value of citizenship, New Mexico should use its powers reserved under the U.S. Constitution’s 10th Amendment to end the crisis of illegal immigration and provide for the public safety.

2. Universal Background Checks for Firearms

HB306 makes it a crime for a person to purchase or transfer any firearm “for, on behalf of or at the request or demand of” another person who is a “felon.” This bill effectively requires a background check for every firearm purchase or transfer, without any exception for gifts or family members. Also, it does not contain a time limit for prosecution or differentiate between a “felon” convicted of a violent crime (e.g., rape) as opposed to a non-violent crime (e.g., theft). Law-abiding citizens, including those who have made just restitution for their past wrongs, need their Constitutional rights restored. The Second Amendment guarantees the right “to keep and bear Arms,” whereas the Fifth and the 14th Amendments prevent denials of “liberty, or property, without due process of law.”

3. State-Sponsored Abortion and Sex Mutilation

SB13 considers “reproductive health care,” such as “abortion,” as well as “gender affirming health care,” to be a “protected health care activity.” The care of human life—not its destruction—is the greatest responsibility of government. New Mexico ought to forbid all methods of abortion and prohibit the practice of sex mutilation. No person has the right to kill or harm a child using the pretext of “reproductive health” or “gender identity.” Both the Declaration of Independence and the U.S. Constitution affirm the fundamental, God-given, and unalienable right to life and limb of every person. Therefore, each of the several States has a duty to defend the basic humanity of all its citizens, especially the preborn and minors.

4. "Free" School Meals

SB4 expands “free” meals to all public, charter, and private school students attending schools that participate in the national school breakfast and lunch programs.

It is not the role of government to feed or educate children; rather, each of these responsibilities belongs to a child’s parents or family. There is no such thing as a “free” meal that comes at “no cost.” This program relies on the unconstitutional theft of taxpayer money for use on behalf of some citizens at the expense of others. The citizens of New Mexico should not be forced to fund all that now entails a compulsory, failing, and state-administered K-12 school system.

5. "Diversity Act"

SB226 would establish a “chief diversity officer,” along with a “workforce diversity and inclusion council,” and direct state agencies to address the problem of “institutional racism.”

This bill would lead to the formation of a state-controlled and operated “diversity” police, with the intent of forcing compliance on anyone it deems “racist.” The DEI movement is nothing but a modern outgrowth of efforts by earlier Marxist radicals to alter or destroy the American way of life via a ‘long march through the institutions.’ Its goal is to impose conformity on citizens and end any opposition to the welfare state. Defenders of liberty should reject the divisive myths and false historical narratives propagated by the CRT, feminist, and LGBTQ “social justice” warriors. Our Constitution’s Bill of Rights and 14th Amendment promote the “general Welfare” of all Americans through “equal protection of the laws” respecting private property and freedom of association.

6. No Life Sentence for Juvenile Murderers

SB64 eliminates life imprisonment, without release or parole, for juvenile murderers.

Justice is the overall purpose of civil government. The State of New Mexico has a dual role of securing the “unalienable” right to life, liberty, and property while punishing anyone responsible for depriving it. Young adult offenders (e.g., 16 or 17-year-olds) who have reached an age of discretion can only themselves be held accountable for their own actions. Punishment for one’s crimes must be borne by that person, and failed parenting is not an excuse for first-degree murder. The U.S. Constitution’s “due process” and “equal protection” requirements follow the Common Law retributive principle that ‘the punishment should fit the crime.’ Serious crimes, especially murder, demand capital punishment, and thus are worthy of no less than life imprisonment without release or parole.