

STATE OF NEW MEXICO



OFFICE OF
THE STATE CORPORATION COMMISSION

CERTIFICATE OF AMENDMENT

OF

THE NEW MEXICO FOUNDATION FOR OPEN GOVERNMENT, INC.

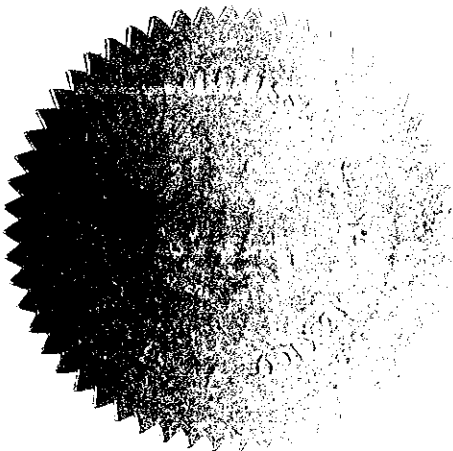
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The State Corporation Commission certifies that duplicate originals of the Articles of Amendment attached hereto, duly signed and verified pursuant to the provision of the NONPROFIT Corporation Act, have been received by it and are found to conform to law.

Accordingly, by virtue of the authority vested in it by law, the State Corporation Commission issues this Certificate of Amendment and attaches hereto a duplicate original of the Articles of Amendment.

Dated: OCTOBER 29, 1990

In Testimony Whereof, the State Corporation Commission of the State of New Mexico has caused this certificate to be signed by its Chairman and the Seal of said Commission to be affixed at the City of Santa Fe



Handwritten signature of the Chairman, Eric F. Serra, in cursive script.

Chairman

Handwritten signature of the Director, Alfred H. Salas, in cursive script.

Director

OCT 29 1990

ARTICLES OF AMENDMENT
OF
THE NEW MEXICO FOUNDATION FOR OPEN GOVERNMENT, INC.,

CORPORATION DEPT.

A NEW MEXICO NONPROFIT CORPORATION

THE NEW MEXICO FOUNDATION FOR OPEN GOVERNMENT, INC. (the "Corporation"), a corporation organized pursuant to the New Mexico Nonprofit Corporation Act (the "Act"), by and through its Board of Directors, has adopted the following Articles of Amendment in accordance with Sections 53-8-35, 53-8-36, and 53-8-37 of the Act for the purpose of amending the Corporation's Articles of Incorporation.

ARTICLE ONE

The name of the Corporation is THE NEW MEXICO FOUNDATION FOR OPEN GOVERNMENT, INC.

ARTICLE TWO

This amendment alters Article III of the Corporation's Articles of Incorporation by deleting said Article in its entirety and replacing it with the following new Article III:

III

- A. The purposes for which the corporation is organized shall be to receive and maintain a fund or funds of real or personal property, or both, and, subject to the restrictions and limitations hereinafter set forth, to use and apply the whole or any part of the income therefrom and the principal thereof exclusively for charitable, religious, scientific, literary, or educational purposes either directly or by contributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or any superseding federal statute (the "Code") and the Regulations thereunder.
- B. No part of the net earnings of the corporation shall inure to the benefit of any director, trustee, or officer of the corporation or of any private individual (except that reasonable compensation may be paid for services rendered to or for the corporation affecting one or more of its purposes), and no director, trustee, or officer of the corporation or private individual shall be entitled to share in the distribution of any of the corporate assets upon dissolution of the corporation. No substantial part of the activities of the corporation shall consist of the carrying on of propaganda or otherwise attempting to influence legislation, and the corporation shall not participate or intervene (including the publication or distribution of statements) in any political campaign on behalf of any candidate for public office.

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CORPORATION DEPT.

- C. Upon dissolution of the corporation or the winding up of its affairs, the assets of the corporation shall be distributed exclusively to charitable, religious, scientific, testing for public safety, literary, or educational organizations that would then qualify under the provisions of Section 501(c)(3) of the Code and the Regulations thereunder as they now exist or as they may hereafter be amended.
- D. In the event the corporation shall be a private foundation rather than a public charity within the meaning of Sections 501 and 509 of the Code, the corporation shall comply with all Code provisions regarding private foundations, including the following:
- (1) The corporation shall not engage in self-dealing within the meaning of Section 4941 of the Code.
 - (2) The corporation shall make sufficient qualifying distributions within the meaning of Section 4942 of the Code during each taxable year of the corporation to avoid the tax imposed by Section 4942 on a private foundation's undistributed net income.
 - (3) The corporation shall not maintain excess business holdings within the meaning of Section 4943 of the Code.
 - (4) The corporation shall not invest any amount in a manner that would give rise to the tax imposed by Section 4944 of the Code on investments that jeopardize the corporation's charitable purpose.
 - (5) The corporation shall not make taxable expenditures within the meaning of Section 4945 of the Code.
- E. The purposes of this corporation shall be carried out by:
- (1) Encouraging, sponsoring, and facilitating the public's right to know about the workings of government at all levels;
 - (2) Encouraging, sponsoring, and facilitating the cultivation and diffusion of knowledge and understanding of the various civil liberties, First Amendment of the Constitution of the United States, and laws of the United States

or of the State of New Mexico or which are established by traditions, through the giving of lectures and the publication of addresses, essays, treatises, reports and other literary and research works in the field of press freedoms and First Amendment protections;

- (3) Making inquiry into the extent and adequacy of the protection of freedoms in the United States and of the State of New Mexico, and publishing the results of any such inquiry; and
- (4) Supplying assistance whenever possible to persons involved in activities wherein their First Amendment freedoms as guaranteed to them under the laws of the United States and of the State of New Mexico are threatened or infringed upon.

ARTICLE THREE

This amendment also alters Article VII of Corporation's Articles of Incorporation by deleting said Article VII in its entirety.

ARTICLE FOUR

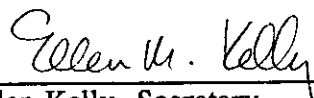
The Corporation has no members having voting powers. The Board of Directors of the Corporation adopted this amendment by unanimous written consent dated October
15, 1990.

SIGNED this 15th day of October, 1990, by the undersigned authorized officers of the Corporation.

THE NEW MEXICO FOUNDATION FOR OPEN
GOVERNMENT, INC.

By: 
Kent Walz, President

ATTEST:

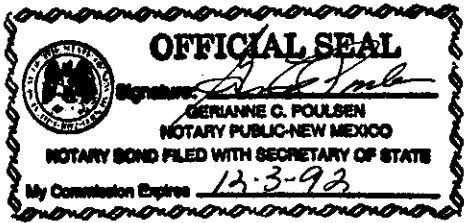

Ellen Kelly, Secretary

STATE OF NEW MEXICO

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COUNTY OF Bernalillo

I certify that on the 15 day of October, 1990, KENT WALZ, being first duly sworn, declared on personal knowledge that he is the person who signed the foregoing document on behalf of The New Mexico Foundation for Open Government, Inc., that he is authorized to sign same on behalf of such corporation and that the statements contained therein are true, correct and complete.



[Handwritten Signature]
Notary Public, State of New Mexico
My Commission Expires: 12-3-92

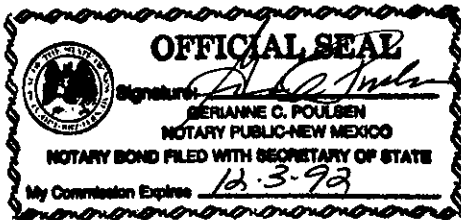
Gerianne C. Poulsen
Printed Name of Notary

STATE OF NEW MEXICO

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COUNTY OF Bernalillo

I certify that on the 15 day of October, 1990, ELLEN KELLY, being first duly sworn, declared on personal knowledge that she is the person who signed the foregoing document on behalf of The New Mexico Foundation for Open Government, Inc., that she is authorized sign same on behalf of such corporation and that the statements contained therein are true, correct, and complete.



[Handwritten Signature]
Notary Public, State of New Mexico
My Commission Expires: 12-3-92

Gerianne C. Poulsen
Printed Name of Notary

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