



The Legislature
of the
State of New Mexico

50th Legislature, 2nd Session

LAWS 2012

CHAPTER _____

HOUSE MEMORIAL 4

Introduced by

REPRESENTATIVE MIMI STEWART AND REPRESENTATIVE BRIAN F. EGOLF



1 A MEMORIAL

2 EXPRESSING OPPOSITION TO THE UNITED STATES SUPREME COURT
3 RULING IN *CITIZENS UNITED V. FEDERAL ELECTION COMMISSION*
4 CONCERNING CORPORATE CAMPAIGN SPENDING AND REQUESTING CONGRESS
5 TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION.
6

7 WHEREAS, on January 21, 2010, the United States supreme
8 court, by a five to four decision in *Citizens United v.*
9 *Federal Election Commission*, overturned several important
10 provisions of the Bipartisan Campaign Reform Act of 2002, as
11 well as earlier supreme court decisions, and swept away a
12 century of tradition barring corporate spending in elections
13 in the United States; and

14 WHEREAS, the United States supreme court's ruling holds
15 that corporations are people with free speech rights under the
16 United States constitution and may engage in unlimited
17 corporate spending in elections; and

18 WHEREAS, *Citizens United v. Federal Election Commission*
19 unleashes a torrent of corporate money into the political
20 process unmatched by any campaign expenditure totals in United
21 States history; and

22 WHEREAS, *Citizens United v. Federal Election Commission*
23 purports to invalidate state laws and even state
24 constitutional provisions separating corporate money from
25 elections; and

1 WHEREAS, *Citizens United v. Federal Election Commission*
2 presents a serious and direct threat to republican democracy;
3 and

4 WHEREAS, the decision in *Citizens United v. Federal*
5 *Election Commission* grants excessive power to corporate
6 interests and threatens to overwhelm the voices of individual
7 citizens in the political process; and

8 WHEREAS, Article V of the United States constitution
9 empowers and obligates the people and states of the United
10 States of America to use the constitutional amendment process
11 to correct those egregiously wrong decisions of the United
12 States supreme court that go to the heart of democracy and
13 republican self-government; and

14 WHEREAS, the people and states of the United States of
15 America have strengthened the nation and preserved liberty and
16 equality for all by using the amendment process throughout
17 history, including in seven of the ten decades of the
18 twentieth century, and through the amendment process have
19 reversed seven erroneous supreme court decisions;

20 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
21 REPRESENTATIVES OF THE STATE OF NEW MEXICO that it express
22 strong opposition to the United States supreme court's
23 decision in *Citizens United v. Federal Election Commission* and
24 call upon the United States congress to propose and send to
25 the states for ratification an amendment to the United States

1 constitution to restore republican democracy to the people of
2 the United States; and

3 BE IT FURTHER RESOLVED that copies of this memorial be
4 transmitted to the members of the New Mexico congressional
5 delegation.

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BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES



STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES