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SENATE MEMORIAL 51

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

Carlos R. Cisneros

A MEMORIAL

REQUESTING THE UNITED STATES CONGRESS TO PASS AN AMENDMENT TO
THE CONSTITUTION OF THE UNITED STATES RELATING TO CONTRIBUTIONS
AND EXPENDITURES INTENDED TO AFFECT ELECTIONS.

WHEREAS, recent United States supreme court decisions have
significantly weakened the power of congress and the states to
regulate political campaign contributions and expenditures; and

WHEREAS, individual citizens and groups of many kinds may
all have legitimate concerns that deserve to be heard in
political campaigns; and

WHEREAS, the resources that are available to any
individual or group to participate in the free speech of a
political campaign will vary widely, so that in order to
prevent a single individual or group from dominating the public
debate, it is in the public interest that limits be set on the

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1 amount of spending that may be done by any participant; and

2 WHEREAS, in recognition of this public interest, congress
3 and the New Mexico legislature have previously passed laws
4 regulating campaign contributions and expenditures, and
5 continue to affirm the right of the people to establish and
6 benefit from such laws; and

7 WHEREAS, it is appropriate for congress and the states to
8 legislate the details of such regulation, while it is
9 appropriate for the courts to ensure that in the exercise of
10 such powers, no other rights guaranteed by the constitution of
11 the United States are violated; and

12 WHEREAS, in response to these concerns, United States
13 Senator Tom Udall and twenty-two other United States senators
14 have proposed an amendment to the constitution of the United
15 States relating to contributions and expenditures intended to
16 affect elections that reads:

17 "A. Congress shall have power to regulate the
18 raising and spending of money and in kind equivalents with
19 respect to federal elections, including through setting limits
20 on:

21 (1) the amount of contributions to candidates
22 for nomination for election to, or for election to, federal
23 office; and

24 (2) the amount of expenditures that may be
25 made by, in support of, or in opposition to such candidates.

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