



Campaign Finance After Citizens United

Public Information Presentation

Tuesday, January 8, 2013, 6:30-8:00 p.m.
Las Cruces City Council Chambers
700 N. Main Street

Broadcast live on Comcast Cable Ch. 20

Free and Open to the Public

PROGRAM

Goal: To seek ways of mitigating the effects of the U.S. Supreme Court’s decision in Citizens United v. Federal Election Commission (2010) by reviewing its scope, presenting alternative options for campaign finance, and introducing prospective legislation for consideration during the 2013 New Mexico legislative session.

- Welcome Bonnie Burn
- Overview of Citizens United Supreme Court Case Peter Ossorio
- Options for Campaign Finance Stephen Fischmann
- Strengths, Weaknesses & Opportunities. Jason Marks
with NM’s Voter Action Act
- Campaign Finance, League of Women Voters Bonnie Burn
- Priorities for Campaign Financing Viki Harrison

Questions and Answers – Audience and Panelists

- Closing – Call to Action Viki Harrison
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Campaign Finance Milestones

Tillman Act (1907) - Prohibited direct corporate contributions to federal campaigns.

Taft-Hartley Act (1947) – Prohibited corporations and labor unions from making “independent expenditures” for “express advocacy.”

Federal Election Campaign Act (FECA) (1971) - Required reporting of campaign contributions and expenditures and permitted corporation and labor union Political Action Committees (PACs).

Federal Election Campaign Act (FECA) Amendments (1974) – Established Federal Election Commission and imposed contribution and expenditure limits by individuals and PACs.

Buckley v. Valeo (1976) - Upheld FECA reporting requirements and contribution limits but overturned limits on candidates’ personal expenditures as violating free speech.

Austin v. Michigan Chamber of Commerce (1990) – Acknowledged the “corrosive and distorting effects of immense aggregations of wealth [of corporations]” and upheld prohibiting corporations from using their general funds to support or oppose candidates in elections.

McCain-Feingold Bi-Partisan Campaign Finance Reform Act (BPCRA) (2002) – Corporations (including non-profits) and unions banned from “electioneering communications” on television and cable close to elections.

McConnell v. Federal Election Commission (2003) – Upheld the McCain-Feingold Bi-Partisan Campaign Finance Reform Act (BPCRA) against First and Fourteenth Amendment challenges.

Davis v. Federal Election Commission (2008) – Struck down permitting candidates to accept three times the normal (\$2,300) contribution limit if opponents spent more than \$350,000 of their own money.

Citizens United v. Federal Election Commission (2010) – Overturned Austin and rejected immense corporate wealth as sufficient justification for limitations on corporate free speech (First Amendment rights); also overturned McCain-Feingold Bi-Partisan Campaign Finance Reform Act (BPCRA) limits on corporate and independent expenditures but upheld contribution and expenditure reporting requirements.

Arizona Free Enterprise Club v. Bennett (2011) – Struck down Arizona law that provided additional public funding if opponent rejected public funding or spent more than initial grant.

American Tradition Partnership v. Bullock (June 2012) – Struck down Montana law that prohibited corporations from making “independent expenditures” despite strong evidence of corporate expenditures leading to corruption in the past.

Thank You

City of Las Cruces

Robert Garza, City Manager

Udell Vigil,
Communications Director

Adrian Guzman
Operations and Production
Coordinator, CLC-TV

Planning Committee and Panelists (in alphabetic order)

Phillip Banks
Bonnie Burn, Moderator
Bob Burn, Timekeeper
Alex Burr
Stephen Fischmann
Erika Graf-Webster
Viki Harrison
Jason Marks
Peter Ossorio

League of Women Voters Member Volunteers

Johnnie Aldrich
Sue Cain
Gracia Class
Martha Duran
Erika Graf-Webster
Roberta Gran
Gwen Hanson
Vicki Simons
Dale Yeo

League of Women Voters of Greater Las Cruces

A nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

New Mexico Common Cause

A nonpartisan, grass roots organization dedicated to restoring the core values of American democracy, reinventing an open, honest and accountable government that serves the public interest, and empowering ordinary people to make their voices heard in the political process.

Campaign Financing After Citizens United

Panel Members

Bonnie Burn: President of the League of Women Voters of Greater Las Cruces, and moderator of the presentation.

Peter Ossorio: Retired attorney concerned about reconciling free speech and clean elections.

Stephen Fischmann: Recently retired NM State Senator has been a consistent advocate of campaign finance reform and open government. He carried and passed a 2012 New Mexico Senate memorial requesting congress to overturn the Citizens United decision and 2011 legislation requiring state agencies to provide public records via e-mail at little or no cost. He also introduced legislation requiring public financing to be made available for statewide political races.

Jason Marks: Albuquerque attorney and former member of the Public Regulation Committee, representing District 1 that includes Albuquerque. He ran successfully for reelection to the Public Regulation Commission in 2008 using public financing through the Voter Action Act.

Viki Harrison: Executive Director of New Mexico Common Cause where she manages the state office in Albuquerque, organizes and coordinates legislative programs, conducts research, directs fundraising initiatives and serves as a lobbyist.

Note: Questions from the audience will be written on 3x5 cards, collected by League members, and reviewed to ensure that the questions cover a broad spectrum of issues and are not repetitive or inappropriate. The moderator will read the questions to the panelists who will have two minutes for response to each question.

NOTES