



STATE ETHICS COMMISSION

Hon. William F. Lang, Chair
Jeff Baker, Member
Stuart M. Bluestone, Member
Hon. Garrey Carruthers, Member
Ronald Solimon, Member
Judy Villanueva, Member
Frances F. Williams, Member

Resolution No. 5: Authorizing a demand and civil action against the Committee to Protect New Mexico Consumers

WHEREAS, THE NEW MEXICO STATE ETHICS COMMISSION
("Commission") met virtually, on September 14, 2020, at 4:00 p.m.;

WHEREAS, the Commission has the power to investigate violations and bring a
civil action to enforce the Campaign Reporting Act;

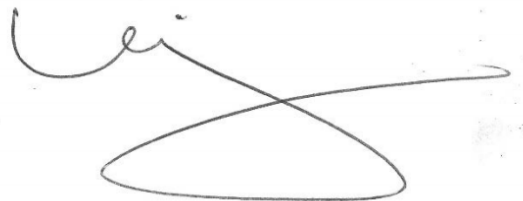
WHEREAS, Commission staff investigated mailers sent by the Committee to
Protect New Mexican Consumers, a domestic non-profit corporation, and
determined that the Committee to Protect New Mexico has not registered as a
political committee or filed independent expenditure reports in connection with the
mailers; and

WHEREAS, the Commission reviewed four mailers sent by the Committee to
Protect New Mexico Consumers, a domestic non-profit corporation, and
unanimously agrees that each mailer is susceptible to no other reasonable
interpretation than as an appeal to vote for or against a clearly identified ballot
question;

NOW, THEREFORE, BE IT RESOLVED by the New Mexico State Ethics
Commission:

1. The Commission's staff are instructed to demand that the Committee to Protect New Mexico Consumers comply with the Campaign Reporting Act. If the Committee to Protect New Mexico Consumers refuses to come into compliance with the Campaign Reporting Act, Commission staff are instructed to prepare and file a civil action in a court of competent jurisdiction seeking to enforce the civil compliance provisions of the Campaign Reporting Act, a declaration that the Committee to Protect New Mexico Consumers is required to comply with the Campaign Reporting Act, and any other relief that the court deems just and proper to ensure the Committee to Protect New Mexico Consumers complies with the Campaign Reporting Act.
2. If Commission staff file a lawsuit against the Committee to Protect New Mexico Consumers, the Executive Director is instructed to provide regular updates on the status of the suit at the Commission's meetings during closed session. Commission staff shall communicate with the Chair as necessary between Commission meetings.
3. Commission staff must obtain approval from the Commission before entering into any agreement to settle or dismiss claims brought against the Committee to Protect New Mexico Consumers.

Adopted by the New Mexico State Ethics Commission this 14th day of September 2020.

A handwritten signature in black ink, appearing to read 'W. Lang', with a large, stylized flourish extending from the end of the signature.

The Hon. William F. Lang
New Mexico State Ethics Commission
Chair