



## Press Release – for Immediate Release

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### Ongoing Civil Litigation for the Referendum Project

**New Mexico (June 27, 2023).** On Thursday June 22, 2023 Larry Marker and counsel for Maggie Toulouse Oliver were in court in the 5<sup>th</sup> Judicial District in Roswell. It should be noted that New Mexico taxpayers are funding three attorneys to ‘defend’ the NM Secretary of State against ‘pro se/unpaid’ citizens who have brought the referendum issues to court.

Case D-504-CV-2023-00269 heard last week pertains to the Secretary of State’s authority to designate laws as exempt from being placed on a ballot via the referendum process outlined in the NM Constitution.

Mr. Marker asserted that the Secretary of State exceeded her authority when she designated **HB 7 Reproductive and Gender-Affirming Health Care** as an act “providing for the preservation of the public peace, health or safety,” which makes it exempt from the referendum process.

He points out that the New Mexico Constitution Article IV sec. 1 reserves the right of the people to referendum laws except for general appropriations, public peace, health, and safety; payment of public debt and funding of the debt.

Judge James M. Hudson determined that the Secretary of State has the authority to determine if a law provides for the preservation of the public peace, health or safety.

The case, however, did not address whether the SOS appropriately exercised that authority. Marker has refiled with the court to address that issue.

Marker states, "People are united in this fight to exercise their rights. The Secretary of State has used this same argument for every law put up for referendum over the past 4 years and the people are not going to be bullied into quitting this time".

**There are currently six civil cases in five different districts across the state. This question for the courts is far from over according to Marker.**

The people of New Mexico tried to inform and work with legislators during the 2023 session. Had legislators listened, the referendum process would not be necessary. Over 450,000 emails and phone calls were made to legislators asking them to vote 'No' on the six laws currently under referendum. Unfortunately, many legislators voted for these bad laws. Now, thousands of New Mexicans who value parental rights and election integrity, from all walks of life and all political parties, want to exercise their constitutional right to place these six laws on the ballot.

**"These laws will be on the ballot in 2024 whether it is voting on the laws themselves or a referendum on the elected officials who put these laws in place. The people of New Mexico will hold legislators who voted for these laws accountable. The education process on how legislators voted has already begun. Gathering petition signatures will continue regardless of any elected official trying to shut us down," states Ramona Goolsby, Library Guild.**

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Better Together New Mexico is a statewide nonpartisan alliance of people seeking a better path forward for our state. For more information, please visit our website at [www.bettertogethernewmexico.org](http://www.bettertogethernewmexico.org).