

State of New Mexico
Office of the Governor

Susana Martinez
Governor

Contact: Scott Darnell
(505) 819-1398
scott.darnell@state.nm.us

For Immediate Release
October 7, 2011

**GOVERNOR SUSANA MARTINEZ VETOES HOUSE, SENATE, AND PRC
REDISTRICTING MAPS**

SANTA FE – Today, Governor Susana Martinez vetoed legislation that would re-draw district lines for the New Mexico Senate, the New Mexico House of Representatives, and the Public Regulation Commission – as well as a stand-alone bill that would have split a single Bernalillo County precinct. Earlier this week, the Governor signed the redistricting map for the Public Education Commission, citing the bipartisan compromise and broad support that the plan received. The legislature failed to pass a redistricting plan for the U.S. House of Representatives.

Governor Martinez issued veto messages for each bill, outlining some of the specific problems that call into question the fairness, appropriateness, and even constitutionality of the measures that were sent to her desk.

For example, with respect to the House of Representatives redistricting plan, the legislature's own demographer admitted that the plan intentionally over-populates districts in Albuquerque, while under-populating certain rural areas. He explained that keeping rural districts on the lower end of the population deviation allows you to preserve the number of districts in those regions. Democrats used this strategy to avoid moving a Democratic district in north central New Mexico, which has not kept pace with state-wide population growth, to the Westside of Albuquerque and Rio Rancho, areas that have experienced explosive growth. This manipulation of population deviations is a tactic that has been found to be unconstitutional by the United States Supreme Court.

Such a plan does not demonstrate appropriate regard for the "one person, one vote" principle, as it dilutes the voting strength and representation of a significant number of New Mexicans, and in some cases, leaves high-growth areas over-populated, which will guarantee the increased dilution of representation in those areas for years to come. In both chambers, the House plan had bipartisan opposition.

The Senate plan suffers from similar flaws. When the sponsor of the Democrats' Senate redistricting map presented the plan in the Senate Judiciary Committee, she was asked directly if the proposal was fair, balanced, bipartisan, and reflected an attempt to compromise. Her response was, "I would prefer not to answer that" - a strong indication of the Democratic majority's effort to pass a partisan map that reduced political competition and rejected any attempts to compromise. Moreover, in packing population into Republican districts and under-populating Democratic districts, the map not only allows for the creation of more Democratic districts, but the population disparity also ensures that the votes of some New Mexicans will count more than others, depending upon where they happen to live.

The Democrats' redistricting plan for the Public Regulation Commission was another example of a partisan plan that does not fairly address changes in population over the last decade. Despite the fact that the central goal of the redistricting process is to provide for equal representation by creating districts of nearly equal population, the PRC map creates a district that has 35,000 more residents than another district. In a plan with only five districts, there is no justification for such extreme population deviations.

"The purpose of redistricting is to fairly equalize population among districts to ensure that New Mexicans have an equal voice in their representation," said Martinez. "Unfortunately, the Democratic leaders chose to pack thousands more New Mexicans in the districts of certain areas - including Albuquerque and its fast-growing Westside in the House plan - to avoid creating new districts that would provide New Mexicans with the representation they deserve. That tactic is clearly unconstitutional and I have no choice but to veto these plans. Despite our best efforts to develop a compromise, Democratic leaders have refused to negotiate and have chosen the courts over compromise - and that's their costly decision."

SB 41 would have split a precinct, providing for the separation of the Mesa del Sol area from Isleta Pueblo. The legislation represents an unjustified end-run around the Precinct Boundary Adjustment Act, an existing law which provides a mechanism for the secretary of state, boards of county commissioners, and county clerks to adjust precinct boundaries as necessary. Moreover, it is an example of politicians attempting to pick and choose their voters rather than allowing voters to choose their representatives and senators. In this case, the rationale for splitting the precinct even relied on projections about growth in the precinct - not actual growth.

Full veto messages for each bill can be found on the Governor's website at:

- House Map - <http://governor.state.nm.us/uploads/FileLinks/329fa0fbfe324da3a9c8c0142cfb373a/HEM11ss11.pdf>
- Senate Map - <http://governor.state.nm.us/uploads/FileLinks/f6894cabd0474b55927e0bda0cc2ce7f/SEM12ss11.pdf>
- PRC Map - <http://governor.state.nm.us/uploads/FileLinks/f6894cabd0474b55927e0bda0cc2ce7f/SEM13ss11.pdf>

- SB 41 –
<http://governor.state.nm.us/uploads/FileLinks/f6894cabd0474b55927e0bda0cc2ce7f/SEM14ss11.pdf>

###