

## What Senate Joint Resolution 9 Will Do

If the New Mexico Legislature passes Senate Joint Resolution 9 by a simple majority in both chambers of the Legislature, it will put the question of creating of an independent redistricting commission on the ballot in the next general election. If passed by a simple majority of the voters it would assign the responsibility for redistricting of the state legislative districts and other state offices requiring redistricting to an independent redistricting commission separate from the Legislature. The Legislature would be charged with developing enabling legislation that follows the letter and spirit of the amendment. **Note: New Mexico does not have an initiative petition process.**

### SENATE JOINT RESOLUTION 9 INTRODUCED by Senator Natalie Figuero

A JOINT RESOLUTION **PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE FOR THE CREATION OF AN INDEPENDENT REDISTRICTING COMMISSION TO DEVELOP AND ADOPT REDISTRICTING PLANS FOR STATE LEGISLATIVE DISTRICTS AND THE DISTRICTS OF OTHER STATE OFFICES REQUIRING REDISTRICTING.**

**note:** Bolded language is what would go on the ballot

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. It is proposed to amend Article 4, Section 3 of the constitution of New Mexico to read: "A. Senators shall not be less than twenty-five years of age and representatives not less than twenty-one years of age at the time of their election. If any senator or representative permanently removes [his] the senator's or representative's residence from or maintains no residence in the district from which [he] the senator or representative was elected, then [he] the senator or representative shall be deemed to have resigned and [his] a successor shall be selected as provided in Section 4 of this article. No person shall be eligible to serve in the legislature who, at the time of qualifying, holds any office of trust or profit with the state, county or national governments, except notaries public and officers of the militia who receive no salary. B. The senate shall be composed of no more than forty-two members elected from single-member districts. C. The house of representatives shall be composed of no more than seventy members elected from single-member districts. **Note: This is mainly existing language with the only change is to make the language gender neutral. Replacing "he" and "his" with "senator" and "representative" and "successor" .**

~~D. Once following publication of the official report of each federal decennial census hereafter conducted, the legislature may by statute reapportion its membership~~

SECTION 2. It is proposed to amend Article 20 of the constitution of New Mexico by adding a new section to read:

A. By September 1 of the year of the federal decennial census, an independent redistricting commission shall be established to develop and adopt plans for the redistricting of state legislative districts and the districts of other state offices requiring redistricting. The commission shall file its adopted plans with the secretary of state within six months of the release of redistricting data by the United States census bureau. Plans adopted by the commission shall determine the districts for use in the succeeding elections for each respective office.

B. The redistricting commission shall consist of nine members who are registered qualified electors of New Mexico, three of whom are members of the largest political party, three of whom are members of the second largest political party and three of whom are not members of either of the two largest political parties and that, as closely as possible, reflects the demographic makeup and geographic distribution of the population of the state. From applications received, the secretary of state shall administer the process to randomly select two-thirds of the members of the commission using a statistically accepted weighting methodology as provided by law. The final third shall be selected from among the remaining applicant pool by majority vote of the commission members. The legislature shall provide by law a procedure for meetings of the redistricting commission.

C. Districts shall be drawn using traditional redistricting principles and shall not result in minority vote dilution when a minority group is sufficiently large and geographically compact to constitute a majority in a singlemember district and is politically cohesive and the non-minority group votes sufficiently as a block to usually enable it to defeat the minority group's preferred candidate. The commission shall not consider the voting address of incumbents. The commission shall not use party membership or voting history to develop redistricting plans but may use such information to assess compliance with federal law and this section.

D. The redistricting commission has procurement and contracting authority and may employ or contract with staff, consultants and legal counsel as necessary to carry out its duties. The redistricting commission has standing in legal actions challenging the redistricting plans or process or the adequacy of resources provided for the operation of the redistricting commission. The redistricting commission has sole authority to determine whether the attorney general or the commission's counsel shall represent the state in the legal defense of a redistricting plan."

SECTION 3. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

### **Fair Districts for New Mexico and its Partners:**

Adelante Progressive Caucus; American Association of University Women (AAUW), New Mexico; American Civil Liberties Union (ACLU) of New Mexico; Braver Angels North-Central New Mexico Alliance; Brennan Center for Justice; Campaign Legal Center; Central New Mexico Democrats; Democratic Party of New Mexico Rural Caucus; Common Cause New Mexico; Election Reformers Network; Fair Albuquerque Redistricting; Fair Vote NM; Green Party of Albuquerque Metro Area; Green Party of New Mexico; Indivisible Albuquerque; Indivisible Las Cruces; Indivisible Rio Grande; Indivisible Sandoval County; Indivisible Santa Fe; Indivisible SOS Santa Fe; International District Healthy Communities Coalition (IDHCC); League of Women Voters of New Mexico; League of Women Voter U.S.; Lutheran Advocacy Ministries - New Mexico; National Association for the Advancement of Colored People (NAACP) Doña Ana County; National Association for the Advancement of Colored People (NAACP), Santa Fe Branch 6109-B; Native American Democratic Caucus of New Mexico; New Mexico America Votes; New Mexico Black Voters Collaborative; New Mexico Chamber of Commerce; New Mexico Democratic Black Caucus; New Mexico Ethics Watch; New Mexico First; New Mexico Foundation for Open Government (NMFOG); New Mexico Open Elections; Princeton Gerrymandering Project; Progressive Democrats of America (PDA), Central New Mexico; Republican National Hispanic Assembly of New Mexico; Reboot Our Democracy; Rio Rancho Regional Chamber of Commerce; Vecinos United; Veterans and Military Families Caucus-DPNM



Hannah Burling: 505-603-1601  
Kathleen Burke: 505-255-0103 calls only  
Dick Mason: 505-239-3804  
fairdistricts@lwnm.org  
www.fairdistrictsnm.org  
Follow us on Facebook @ Fair Districts for New Mexico