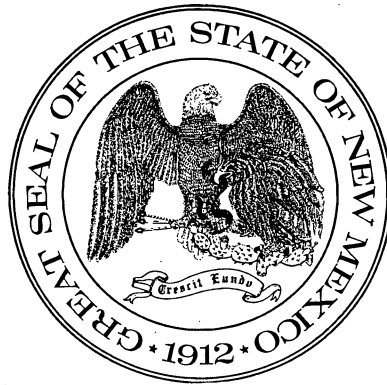


# REDISTRICTING COMMITTEE



## FINAL REPORT 2002

April 2002  
Legislative Council Service  
File No. 208-01

# **REDISTRICTING COMMITTEE**

**FINAL REPORT  
2002**

April 2002  
Legislative Council Service  
File No. 208-01





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**REDISTRICTING COMMITTEE WORK  
and  
REDISTRICTING LITIGATION SUMMARY**

The redistricting committee was created by Laws 2001, Chapter 220. The committee was charged with reviewing the requisites of current redistricting law, applying legislative council-approved guidelines for redistricting to any redistricting plans developed by the committee, conducting public hearings to involve the public in the redistricting process and recommending legislation to the legislature.

To fulfill these objectives, the committee held 14 public meetings in 12 communities across the state, beginning May 14, 2001 in Santa Fe and ending August 30, 2001, also in Santa Fe. The committee took testimony from more than 100 New Mexicans and developed numerous redistricting concepts for congressional, state board of education, public regulation commission, house of representatives and senate districts. At its final meeting, the committee requested its staff to prepare for introduction four senate plans, three house of representatives plans, nine congressional plans, two public regulation commission and state board of education plans and eight partial legislative plans. While it was decided that it was unnecessary to redistrict state magistrates, a plan adjusting magistrate district lines to conform with the new precinct lines was also forwarded to the legislature due to changes in precinct boundaries in San Juan county.

The legislature met in special session on September 4, 2001, concluding its business on September 20, 2001. It sent the governor two senate plans, two house of representatives plans and one plan each for the congressional, public regulation commission, state board of education and San Juan county magistrate districts. The governor signed the public regulation commission and San Juan county magistrate plans and vetoed all other plans. Consequently, the district plans

drawn 10 years ago, following the 1990 federal decennial census, remained in effect for those offices that were the subject of the vetoed plans.

Litigation ensued over the lack of new congressional, house of representatives, senate and state board of education redistricting plans, as well as the public regulation commission plan. The public regulation commission challenge was eventually dropped.

Upon agreement of the parties in the litigation concerning the state board of education, first judicial district court judge Art Encinias ordered that the plaintiffs' submitted plan, which was the same redistricting plan passed by the legislature and vetoed by the governor (House Voters and Elections Committee Substitute for House Bill 10), be adopted as the redistricting plan for the state board of education. *Sanchez v. Vigil-Giron*, No. D0101 CV 2001-02250 (N.M. 1st Jud. Dist.) (order of February 6, 2002).

Before a trial commenced on the lack of a senate redistricting plan, a subcommittee consisting of Senators Sue Wilson Beffort, Dianna J. Duran, Carroll H. Leavell, Linda M. Lopez, Leonard Lee Rawson, Michael S. Sanchez, John Arthur Smith and Leonard Tsosie (Beffort, Lopez and Rawson being added to the redistricting committee after the special session), developed a compromise senate plan that was introduced as Senate Bill 485 during the regular legislative session in 2002. This plan was passed by the legislature and signed by the governor, effectively ending litigation concerning redistricting of the senate.

Several parties filed suit in state and federal courts asking those courts to redistrict the house of representatives and congressional districts if the legislature did not do so in a timely fashion. *Vigil v. Lujan*, No. CIV 01-1077 (D.N.M. March 15, 2001)(order dismissing case), was filed on September 17, 2001, in the United States district court for the district of New Mexico.

Tenth circuit court of appeals chief judge Deanell Reece Tacha appointed a three-judge panel, consisting of federal district judge Bruce D. Black, circuit judge Bobby R. Baldock and circuit judge Paul Kelly, Jr., to hear the case. Another suit, *Padilla v. Johnson*, CIV 01-1081 (D.N.M.), originally filed in the state's second judicial district court, was removed by Governor Johnson to the federal district court where it was subsequently consolidated with *Vigil v. Lujan*. The court held a hearing on October 17, 2001, during which it was informed by the parties that a similar proceeding involving the same parties and same issues was pending in state court in Santa Fe, *Jepsen v. Vigil-Giron*, Nos. D0101 CV 2001-02177, -02178, -02179 (N.M. 1st Jud. Dist., filed Sept. 13, 2001)(consolidated), under a detailed scheduling order setting an expedited trial schedule. Consequently, on October 18, 2001, the federal court deferred to the state's efforts (both legislative and judicial) to accomplish its redistricting responsibilities in a timely manner.

A compromise on state house of representatives and congressional redistricting was not reached before the deadline set in first judicial district court judge James A. Hall's scheduling order. Before trial could begin in state court, however, the governor removed *Jepsen v. Vigil-Giron* to federal court. *Jepsen v. Vigil-Giron*, No. CIV 02-1291 (D.N.M., filed Nov. 14, 2001). The three-judge panel held an expedited hearing, determining that removal was improper and, on November 20, 2001, ordering the case be remanded to state district court. The governor then sought a stay of that order pending appeal of the order to the United States supreme court, which was summarily denied by the federal court. The United States supreme court also denied a similar motion on December 11, 2001. The governor then disqualified state district court trial judge Hall, leading to a state supreme court hearing on the matter and the appointment of the

state district court judge Frank H. Allen, Jr., to hear the case.

The congressional redistricting case was tried during a two-week period, from December 11 to 20, 2001. On January 2, 2002, Judge Allen issued his findings and conclusions, adopting the plan submitted by the *Vigil* plaintiffs. The plan equalized population among the three congressional districts by shifting just eight precincts among districts. On January 8, 2002, judgment was entered accordingly and no party sought review of that judgment.

The state house of representatives redistricting case was tried during a two-week period, from January 2 to 16, 2002. On January 24, 2002, Judge Allen issued his findings and conclusions, adopting the second plan passed by the legislature (House Floor Substitute for House Voters and Elections Committee Substitute for House Bill 3) with alterations to house districts 1, 2, 3, 4, 5, 6, 9 and 69 to accommodate plans submitted by the Navajo Nation and the Jicarilla Apache Nation. Judgment was entered accordingly, on January 28, 2002.

The governor and the *Vigil*, Padilla and Gutierrez plaintiffs-in-intervention moved to have the federal court declare the state house of representatives redistricting plan adopted by Judge Allen unconstitutional and adopt a lawful redistricting plan. Circuit judge Baldock, writing for the three-judge panel, denied these motions on February 22, 2002. Subsequently, the governor and lieutenant governor filed a notice of appeal in state court, which, as of April 2002, had yet to be heard.

Another set of plaintiffs challenged Judge Allen's plan in federal court on February 15, 2002, in *Varoz v. Johnson*, No. CIV 02-0187 (D.N.M.). This suit, however, upon stipulation of the parties, was dismissed on March 18, 2002.

**2001**  
**WORK PLAN, MEETING SCHEDULE AND BUDGET**  
**for the**  
**REDISTRICTING COMMITTEE**

The redistricting committee was created by Laws 2001, Chapter 220. The committee recommended new boundaries for the congressional districts in New Mexico, the state house of representatives and senate districts, the public regulation commission districts, the state board of education districts and the San Juan county magistrate court districts. The committee held one organizational meeting and 14 public meetings in 12 communities across the state, beginning on May 7, 2001 in Santa Fe and concluding August 30, 2001, also in Santa Fe.

The members of the committee are:

**Voting Members:**

Rep. Edward C. Sandoval, Co-chair  
Sen. Leonard Tsosie, Co-chair  
Sen. Joseph J. Carraro  
Rep. Max Coll  
Sen. Dianna J. Duran  
Sen. Dede Feldman  
Rep. Mary Helen Garcia  
Sen. Stuart Ingle

Sen. Timothy Z. Jennings  
Rep. James Roger Madalena  
Rep. Danice Picraux  
Rep. Earlene Roberts  
Sen. Bernadette M. Sanchez  
Sen. John Arthur Smith  
Rep. Joe Thompson  
Rep. Sandra L. Townsend

**Advisory Members:**

Sen. Rod Adair (May, June)  
Sen. Manny M. Aragon  
Rep. Gail C. Beam (Nov. on)  
Sen. Sue Wilson Beffort (Nov. on)  
Sen. Carlos R. Cisneros  
Rep. Kandy Cordova  
Rep. Anna M. Crook (Nov. on)  
Rep. Daniel R. Foley  
Sen. Mary Jane M. Garcia  
Rep. Miguel P. Garcia  
Rep. John A. Heaton  
Rep. Ted Hobbs  
Sen. Carroll H. Leavell  
Sen. Linda M. Lopez (Nov. on)

Rep. Ben Lujan  
Rep. Terry T. Marquardt (Nov. on)  
Rep. W. Ken Martinez (Nov. on)  
Rep. Brian K. Moore  
Rep. Al Park  
Sen. William H. Payne  
Sen. Leonard Lee Rawson (Nov. on)  
Sen. Richard M. Romero  
Sen. Michael S. Sanchez  
Sen. H. Diane Snyder  
Rep. Sheryl Williams Stapleton  
Rep. James G. Taylor  
Rep. Don Tripp

(months indicate partial term on committee)



## 2001 Meeting Schedule and Budget

<u>Date</u>	<u>Location</u>
May 7	Santa Fe
May 14	Santa Fe
May 31 and June 1	Deming and Las Cruces
June 20-22	Carlsbad, Roswell and Clovis
July 12-13	Las Vegas and Tucumcari
August 2-3	Shiprock and Gallup
August 23-25	Santa Ana Pueblo and Albuquerque
August 29-30	Santa Fe

Per diem and mileage for voting members of the committee: \$57,838.00

Per diem and mileage for advisory members of the committee: \$50,251.00

**Total: \$108,089.00**

### Staff

The committee was staffed by:

Jon Boller, staff attorney

Claudia McKay, staff attorney

Luce Salas, committee coordinator

John Yaeger, assistant director for legislative affairs

**SUMMARY OF REDISTRICTING LITIGATION 2001-2002**  
as of April 26, 2002

**NEW MEXICO STATE COURT CASES**

**Public Regulation Commission**

*Sanchez v. Vigil-Giron*, No. D-101-CV-2001 02233 (N.M. 1st Jud. Dist.)

Filed: 9/21/2001

Status: No Activity  
since 11/5/01

**Plaintiffs:** Frank Sanchez, Diana Bustamante and Antonio Lujan

**Defendant:** Rebecca Vigil-Giron

**State Board of Education**

*Sanchez v. Vigil-Giron*, No. D-101-CV-2001 02250 (N.M. 1st Jud. Dist.)

Filed: 9/21/2001

Status: Final Judgment  
2/6/02-no appeals

**Plaintiffs:** Frank Sanchez, Diana Bustamante, Antonio Lujan,  
the State Board of Education and Teresa Zaneti

**Defendant:** Rebecca Vigil-Giron

**Congressional**

*Jepsen v. Vigil-Giron*, No. D-101-CV-2001 02177 (consolidated) (N.M. 1st Jud. Dist.)

Filed: 9/13/2001

Status: Final Judgment  
1/8/02-no appeals

**Plaintiffs:** Michael Jepsen, Max Coll, Raymond Ruiz, Carmen Garza, Maxine Velasquez, Harold Baily, Reta Dominguez, Virginia Gillmer, Victor Gutierrez, Marlene Sherman, Sue Wilson Beffort, Daniel Foley, Leonard Lee Rawson, Mark Boitano, Brian Moore, Carson Vecenti, B. Thomas Vigil, Holm Bursum, Joe Mohorovic, William E. Sharer, the Jicarilla Apache Nation, Demesia Padilla, Lawrence Pena, Della Vega, Kent L. Cravens, Gloria Casares Vaughn, William W. Fuller, Frank Sanchez, Diana Bustamante, Antonio Lujan and Maria Lopez

**Defendants:** Rebecca Vigil-Giron, Gary Johnson, Walter Bradley, Richard Romero  
and Ben Lujan (all in their official capacities)

**House of Representatives**

*Jepsen v. Vigil-Giron*, No. D-101-CV-2001 02177 (consolidated) (N.M. 1st Jud. Dist.)

Filed: 9/13/2001

Status: Final Judgment

1/28/02-on appeal

**Plaintiffs:** Michael Jepsen, Max Coll, Raymond Ruiz, Carmen Garza, Maxine Velasquez, Harold Baily, Reta Dominguez, Virginia Gillmer, Victor Gutierrez, Marlene Sherman, Sue Wilson Beffort, Daniel Foley, Leonard Lee Rawson, Mark Boitano, Brian Moore, Carson Vecenti, B. Thomas Vigil, Holm Bursum, Joe Mohorovic, William E. Sharer, the Jicarilla Apache Nation, Demesia Padilla, Lawrence Pena, Della Vega, Kent L. Cravens, Gloria Casares Vaughn, William W. Fuller, Frank Sanchez, Diana Bustamante, Antonio Lujan and Maria Lopez

**Defendants:** Rebecca Vigil-Giron, Gary Johnson, Walter Bradley, Richard Romero and Ben Lujan (all in their official capacities)

**Senate**

*Jepsen v. Vigil-Giron*, No. D-101-CV-2001 02177 (consolidated) (N.M. 1st Jud. Dist.)

Filed: 9/13/2001

Status: No activity

since 2/22/02

**Plaintiffs:** Michael Jepsen, Max Coll, Raymond Ruiz, Carmen Garza, Maxine Velasquez, Harold Baily, Reta Dominguez, Virginia Gillmer, Victor Gutierrez, Marlene Sherman, Sue Wilson Beffort, Daniel Foley, Leonard Lee Rawson, Mark Boitano, Brian Moore, Carson Vecenti, B. Thomas Vigil, Holm Bursum, Joe Mohorovic, William E. Sharer, the Jicarilla Apache Nation, Demesia Padilla, Lawrence Pena, Della Vega, Kent L. Cravens, Gloria Casares Vaughn, William W. Fuller, Frank Sanchez, Diana Bustamante, Antonio Lujan and Maria Lopez

**Defendants:** Rebecca Vigil-Giron, Gary Johnson, Walter Bradley, Richard Romero and Ben Lujan (all in their official capacities)

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW MEXICO CASES**

**Congressional, House and Senate**

*Vigil v. Lujan*, No. CIV-01-1077 (consolidated) (D.N.M.)

Filed: 9/17/01

Status: Dismissed

3/15/02

**Plaintiffs:** B. Thomas Vigil, Holm Bursum, Joe Mohorovic, William E. Sharer, Michael Jepsen, Max Coll, Raymond Ruiz, Carmen Garza, Maxine Velasquez, Harold Baily, Reta Dominguez, Virginia Gillmer, Victor Gutierrez, Marlene Sherman, Stuart Ingle, Ted Hobbs, Sue Wilson Beffort, Daniel Foley, Leonard Lee Rawson, Mark Boitano, Brian Moore, Carson Vicenti, the Jicarilla Apache Nation, Demesia Padilla, Lawrence Pena, Della Vega, Kent L. Cravens, Gloria Casares Vaughn, Frank Sanchez, Diana Bustamante, Antonio Lujan and Gloria M. Lopez

**Defendants:** Rebecca Vigil-Giron, Gary Johnson, Walter Bradley, Richard Romero and Ben Lujan (all in their official capacities)

**House of Representatives**

*Varoz v. Johnson*, No. CIV-02-0187 (D.N.M.)

Filed: 2/15/02

Status: Dismissed

3/18/02

**Plaintiffs:** Neto Varoz, Delila Kittson, William G. Kendrick, Joe A. Rose and Joe Thompson

**Defendants:** Gary Johnson and Rebecca Vigil-Giron (in their official capacities)

**Congressional, House and Senate**

*Jepsen v. Vigil-Giron*, No. CIV-02-1291 (D.N.M.)

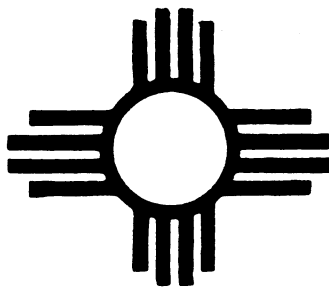
Filed: 11/14/01

Status: Dismissed

3/11/02

Plaintiffs & Defendants: Same as case in state district court, *Jepsen v. Vigil-Giron*, No. D-101-CV-2001 02177 (consolidated)(N.M. 1st Jud. Dist.), which was removed to federal court and then remanded back to state court.

# APPENDIX



The Legislature  
of the  
State of New Mexico

45th Legislature, 1st Session

LAWS 2001

CHAPTER 220

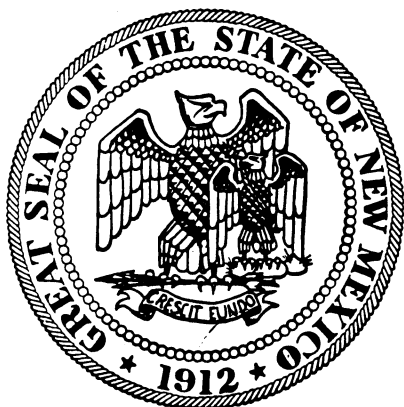
HOUSE BILL 306, as amended

with emergency clause

Introduced by

REPRESENTATIVE EDWARD C. SANDOVAL AND  
REPRESENTATIVE MARY HELEN GARCIA

REPRESENTATIVE JOSEPH M. THOMPSON  
REPRESENTATIVE JUDY VANDERSTAR RUSSELL  
REPRESENTATIVE DANICE PICRAUX  
REPRESENTATIVE BEN LUJAN  
REPRESENTATIVE JOSEPH P. MOHOROVIC  
REPRESENTATIVE JOHN A. HEATON  
REPRESENTATIVE JAMES G. TAYLOR  
REPRESENTATIVE KANDY CORDOVA



EMERGENCY CLAUSE

# CHAPTER 220

## AN ACT

1  
2 RELATING TO ELECTIONS; CREATING A JOINT INTERIM LEGISLATIVE  
3 REDISTRICTING COMMITTEE; DECLARING AN EMERGENCY.  
4

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

6 Section 1. REDISTRICTING COMMITTEE CREATED--  
7 TERMINATION.--There is created a joint interim legislative  
8 committee, which shall be known as the "redistricting  
9 committee". The committee shall function from the date of its  
10 appointment until January 14, 2002.

11 Section 2. MEMBERSHIP--APPOINTMENT--VACANCIES.--The  
12 redistricting committee shall be composed of sixteen members.  
13 Eight members of the house of representatives shall be  
14 appointed by the speaker of the house of representatives and  
15 eight members of the senate shall be appointed by the  
16 committees' committee of the senate, or, if the senate  
17 appointment is made in the interim, by the president pro  
18 tempore of the senate after consultation and agreement of a  
19 majority of the members of the committees' committee. Members  
20 shall be appointed from each house so as to give the two major  
21 political parties in each house the same proportional  
22 representation on the committee as prevails in each house;  
23 provided that in no event shall either of the parties have  
24 less than one member from each house on the committee.

25 Vacancies on the committee shall be filled by appointment in

1 the same manner as the original appointments. One co-chairman  
2 shall be selected by the speaker of the house of  
3 representatives and one co-chairman by the committees'  
4 committee, or, if the senate appointment is made in the  
5 interim, by the president pro tempore of the senate after  
6 consultation and agreement of a majority of the members of the  
7 committees' committee. No action shall be taken by the  
8 committee if a majority of the total membership from either  
9 house on the committee rejects such action.

10 Section 3. DUTIES.--

11 A. After appointment of its members, the  
12 redistricting committee shall hold one organizational meeting  
13 to develop a work plan and budget for its interim tasks. The  
14 work plan and budget shall be submitted to the New Mexico  
15 legislative council for approval. Upon approval of the work  
16 plan and budget by the legislative council, the committee  
17 shall:

18 (1) examine the statutes, constitutional  
19 provisions, rules and court decisions governing redistricting  
20 in New Mexico;

21 (2) use the guidelines for redistricting  
22 adopted by the New Mexico legislative council so that the  
23 procedures, criteria and standards for redistricting plans  
24 meet statutory and constitutional requirements;

25 (3) conduct public hearings to provide a



1 forum for public involvement in the redistricting process; and

2 (4) recommend appropriate redistricting  
3 legislation to the forty-fifth legislature.

4 B. In developing redistricting plans for  
5 congressional, legislative, public regulation commission,  
6 state board of education and magistrate court districts, the  
7 committee shall use only one version of federal census bureau  
8 data if the census bureau issues more than one version of data  
9 for the 2000 decennial census.

10 Section 4. SUBCOMMITTEES.--Subcommittees of the  
11 redistricting committee shall be created only by majority vote  
12 of all members appointed to the committee and with the prior  
13 approval of the New Mexico legislative council. A  
14 subcommittee shall be composed of at least one member from the  
15 senate and one member from the house of representatives, and  
16 at least one member of the minority party shall be a member of  
17 the subcommittee. All meetings and expenditures of a  
18 subcommittee shall be approved by the full committee in  
19 advance of such meeting or expenditure, and the approval shall  
20 be shown in the minutes of the committee.

21 Section 5. REPORT.--The redistricting committee shall  
22 recommend proposed redistricting plans to a special session of  
23 the forty-fifth legislature called for the purpose of  
24 redistricting congressional, legislative, public regulation  
25 commission, state board of education and selected magistrate

1 court districts.


2 Section 6. STAFF.--The legislative council service  
3 shall provide staff for the redistricting committee.

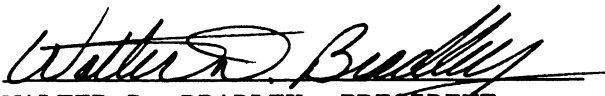
4 Section 7. EMERGENCY.--It is necessary for the public  
5 peace, health and safety that this act take effect  
6 immediately. \_\_\_\_\_

HB 306  
Page 4

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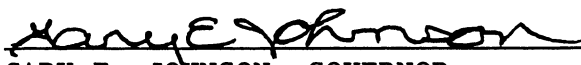
  
BEN Lujan, SPEAKER  
HOUSE OF REPRESENTATIVES

  
STEPHEN R. ARIAS, CHIEF CLERK  
HOUSE OF REPRESENTATIVES

  
WALTER D. BRADLEY, PRESIDENT  
SENATE

  
MARGARET LARRAGOITE, CHIEF CLERK  
SENATE

Approved by me this 3<sup>d</sup> day of April, 2001

  
GARY E. JOHNSON, GOVERNOR  
STATE OF NEW MEXICO

**TENTATIVE AGENDA  
for the  
FIRST MEETING  
of the  
REDISTRICTING COMMITTEE**

**May 7, 2001  
State Capitol, Room 307  
Santa Fe**

- 10:00 a.m. **CALL TO ORDER AND WELCOME**  
—Senator Leonard Tsosie and Representative Edward C. Sandoval,  
Co-Chairs
- 10:15 a.m. **INTRODUCTION TO 2001 STATE AND CONGRESSIONAL  
REDISTRICTING**  
—Brian Sanderoff, President, Research & Polling, Inc., and technical  
consultant to the committee
- Changing population and demographics in New Mexico
  - The ABCs of redistricting
- LEGAL PRINCIPLES OF REDISTRICTING**  
—Luis Stelzner, Sheehan, Sheehan & Stelzner  
—Richard Olson, Hinkle, Hensley, Shannon & Martin  
—Michael Browde, University of New Mexico School of Law  
—Jon Boller, Staff Attorney, Legislative Council Service
- 12:30 p.m. **LUNCH**
- 1:30 p.m. **COMMITTEE BUSINESS**  
Adoption of work plan and budget
- ADJOURN**

**TENTATIVE AGENDA  
for the  
SECOND MEETING  
of the  
REDISTRICTING COMMITTEE**

**May 14, 2001  
State Capitol, Room 307  
Santa Fe**

- 9:00 a.m.           **CALL TO ORDER AND WELCOME**  
—Representative Edward C. Sandoval and Senator Leonard Tsosie,  
Co-Chairs
- 9:15 a.m.           **INTRODUCTION TO 2001 STATE AND CONGRESSIONAL  
REDISTRICTING**  
—Changing population and demographics in New Mexico  
—The ABCs of redistricting  
   Brian Sanderoff, President, Research & Polling, Inc., and technical  
   consultant to the committee
- 10:30 a.m.           **PUBLIC COMMENT ON REDISTRICTING ISSUES**  
—Mary Lou Cameron, National Education Association – New Mexico  
—Barbara Robinson, League of Women Voters – New Mexico  
—Jose Luis Aguilar, Artesia  
—Nita Taylor, County Clerk, Los Alamos County  
—Michael Guerrero, Southwest Organizing Project  
—Frances Apodaca-Gandara, Executive Director, LULAC National  
   Education Service Centers, Inc.  
—Susan Loubet, Women's Agenda  
—Kevin Haney, Republican Party Chairman, Sandoval County  
—Carlos Valdez, Los Alamos  
—Steve Stoddard, Los Alamos
- 12:00 noon           **LUNCH**
- 1:30 p.m.           **PUBLIC COMMENT ON REDISTRICTING ISSUES**  
—Bob Moses, NAACP  
—other speakers TBA  
Written testimony has been submitted by the following:  
—Linda Chavez, Center for Equal Opportunity  
—Nieves Torres of MALDEF
- COMMITTEE BUSINESS**
- 5:00 p.m.           **ADJOURN**

**TENTATIVE AGENDA**  
**for the**  
**SOUTHWEST NEW MEXICO REGIONAL MEETING**  
**of the**  
**REDISTRICTING COMMITTEE**  
**May 31 & June 1, 2001**

**Thursday, May 31, Garcia Civic Center, 110 S. Diamond, Deming**

10:00 a.m.

CALL TO ORDER AND WELCOME

- Representative Edward C. Sandoval and Senator Leonard Tsosie  
Co-Chairs
- Sam Baca, Mayor, City of Deming

OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS

INTRODUCTION TO 2001 STATE AND CONGRESSIONAL  
REDISTRICTING PROPOSALS

- Brian Sanderoff, President, Research & Polling, Inc., and technical  
consultant to the committee

OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES

RECESS

**Friday, June 1, City Hall, 200 N. Church, Las Cruces**

9:00 a.m.

CALL TO ORDER AND WELCOME

- Senator Leonard Tsosie and Representative Edward C. Sandoval  
Co-Chairs
- Ruben Smith, Mayor, City of Las Cruces

OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS

INTRODUCTION TO 2001 STATE AND CONGRESSIONAL  
REDISTRICTING PROPOSALS

- Brian Sanderoff, President, Research & Polling, Inc., and technical  
consultant to the committee

OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES

ADJOURNMENT

**TENTATIVE AGENDA**  
**for the**  
**SOUTHEAST NEW MEXICO REGIONAL MEETING**  
**of the**  
**REDISTRICTING COMMITTEE**  
**June 20-22, 2001**

**Wednesday, June 20, Pecos River Conference Center, Carousel House,**  
**711 Muscatel, Carlsbad**

- 10:00 a.m.      **CALL TO ORDER AND WELCOME**  
—Representative Edward C. Sandoval and Senator Leonard Tsosie,  
                    Co-Chairs  
—Gary Perkowski, Mayor, Carlsbad
- OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS**
- INTRODUCTION TO 2001 STATE, CONGRESSIONAL AND  
MAGISTRATE REDISTRICTING PROPOSALS**  
—Brian Sanderoff, President, Research & Polling, Inc., and technical  
                    consultant to the committee
- OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES**
- RECESS**

**Thursday, June 21, ENMU, Occupational Technology Center Seminar Room,**  
**20 W. Mathis, Roswell**

- 10:00 a.m.      **CALL TO ORDER AND WELCOME**  
—Senator Leonard Tsosie and Representative Edward C. Sandoval,  
                    Co-Chairs  
—Richard Taylor, Mayor Pro Tem, Roswell
- OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS**
- MAGISTRATE COURT WORKLOAD**  
—Michael Hall, Administrative Office of the Courts
- INTRODUCTION TO 2001 STATE, CONGRESSIONAL AND  
MAGISTRATE REDISTRICTING PROPOSALS**  
—Brian Sanderoff, President, Research & Polling, Inc., and technical  
                    consultant to the committee

OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES

RECESS

**Friday, June 22, Clovis Community College, Room 512, 417 Schepps Blvd., Clovis**

10:00 a.m.

CALL TO ORDER AND WELCOME

—Senator Leonard Tsosie and Representative Edward C. Sandoval,  
Co-Chairs

—David Lansford, Mayor, Clovis

OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS

INTRODUCTION TO 2001 STATE, CONGRESSIONAL AND  
MAGISTRATE REDISTRICTING PROPOSALS

—Brian Sanderoff, President, Research & Polling, Inc., and technical  
consultant to the committee

OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES

COMMITTEE BUSINESS

ADJOURNMENT



**TENTATIVE AGENDA**  
**for the**  
**NORTH CENTRAL NEW MEXICO REGIONAL MEETING**  
**of the**  
**REDISTRICTING COMMITTEE**  
**July 12-13, 2001**

**Thursday, July 12, Memorial Middle School Auditorium, 947 Old National Road,  
Las Vegas**

10:00 a.m.

**CALL TO ORDER AND WELCOME**

- Representative Edward C. Sandoval and Senator Leonard Tsosie,  
Co-chairs
- Tony Martinez, Mayor, Las Vegas

**OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS**

**INTRODUCTION TO 2001 STATE AND CONGRESSIONAL  
REDISTRICTING PROPOSALS**

- Brian Sanderoff, President, Research & Polling, Inc., and technical  
consultant to the committee

**OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES**

**RECESS**

**Friday, July 13, Convention Center, 1500 W. Tucumcari Blvd., Tucumcari**

10:00 a.m.

**CALL TO ORDER AND WELCOME**

- Senator Leonard Tsosie and Representative Edward C. Sandoval,  
Co-chairs
- Charlie Maciel, Mayor, Tucumcari

**OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS**

**INTRODUCTION TO 2001 STATE AND CONGRESSIONAL  
REDISTRICTING PROPOSALS**

- Brian Sanderoff, President, Research & Polling, Inc., and technical  
consultant to the committee

**OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES**

**COMMITTEE BUSINESS**

**ADJOURNMENT**

**For more information on redistricting, please see our web site: [www.legis.state.nm.us](http://www.legis.state.nm.us)**

**TENTATIVE AGENDA**  
for the  
**NORTHWEST NEW MEXICO REGIONAL MEETING**  
of the  
**REDISTRICTING COMMITTEE**  
August 2-3, 2001

**Thursday, August 2, Shiprock Chapter House, U.S. Hwy. 64 West, Shiprock**

10:00 a.m.

**CALL TO ORDER AND WELCOME**

—Representative Edward C. Sandoval and Senator Leonard Tsosie,  
Co-chairs

—Duane H. Yazzie, President, Shiprock Chapter

**OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS**

**INTRODUCTION TO 2001 STATE, CONGRESSIONAL AND  
MAGISTRATE REDISTRICTING PROPOSALS**

—Brian Sanderoff, President, Research & Polling, Inc., and Technical  
Consultant to the committee

**OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES**

**RECESS**

**Friday, August 3, Room 248, Calvin Hall, UNM Gallup**

10:00 a.m.

**CALL TO ORDER AND WELCOME**

—Senator Leonard Tsosie and Representative Edward C. Sandoval,  
Co-chairs

—John Pena, Mayor, Gallup

**OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS**

**INTRODUCTION TO 2001 STATE, CONGRESSIONAL AND  
MAGISTRATE REDISTRICTING PROPOSALS**

—Brian Sanderoff, President, Research & Polling, Inc., and Technical  
Consultant to the committee

**OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES**

**COMMITTEE BUSINESS**

**ADJOURNMENT**

**For more information on redistricting, please see our web site: [www.legis.state.nm.us](http://www.legis.state.nm.us)**

Revised: August 22, 2001

**TENTATIVE AGENDA**  
**for the**  
**ALBUQUERQUE METRO REGIONAL MEETING**  
**of the**  
**REDISTRICTING COMMITTEE**  
**August 23-25, 2001**

**Thursday, August 23, Tamaya Resort, 1300 Tuyuna Trail, Santa Ana Pueblo**

10:00 a.m.

**CALL TO ORDER AND WELCOME**

—Representative Edward C. Sandoval and Senator Leonard Tsosie,  
Co-chairs

—Bruce Sanchez, Governor, Santa Ana Pueblo

**OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS**

**INTRODUCTION TO 2001 STATE, CONGRESSIONAL AND  
MAGISTRATE REDISTRICTING PROPOSALS**

—Brian Sanderoff, President, Research & Polling, Inc., and Technical  
Consultant to the Committee

**OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES**

**RECESS**

**Friday, August 24, City Council Chambers, 400 Marquette Ave., Albuquerque**

10:00 a.m.

**CALL TO ORDER AND WELCOME**

—Senator Leonard Tsosie and Representative Edward C. Sandoval,  
Co-chairs

—Jim Baca, Mayor, Albuquerque

**OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS**

**INTRODUCTION TO 2001 STATE, CONGRESSIONAL AND  
MAGISTRATE REDISTRICTING PROPOSALS**

—Brian Sanderoff, President, Research & Polling, Inc., and Technical  
Consultant to the Committee

**OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES**

**Saturday, August 25, West Mesa High School, 6701 Fortuna Rd. NW, Albuquerque**

10:00 a.m.

CALL TO ORDER AND WELCOME

—Representative Edward C. Sandoval and Senator Leonard Tsosie,  
Co-chairs

OVERVIEW OF THE REDISTRICTING COMMITTEE PROCESS

INTRODUCTION TO 2001 STATE, CONGRESSIONAL AND  
MAGISTRATE REDISTRICTING PROPOSALS

—Brian Sanderoff, President, Research & Polling, Inc., and Technical  
Consultant to the Committee

OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES

RECESS

COMMITTEE BUSINESS

ADJOURNMENT

**For more information on redistricting, please see our web site: [www.legis.state.nm.us](http://www.legis.state.nm.us)**

**TENTATIVE AGENDA  
for the  
EIGHTH MEETING  
of the  
REDISTRICTING COMMITTEE  
August 29-30, 2001  
Room 322, State Capitol**

**Wednesday, August 29**

10:00 a.m.        CALL TO ORDER AND WELCOME  
                      —Representative Edward C. Sandoval and Senator Leonard Tsosie, Co-chairs

OPEN PUBLIC COMMENT ON REDISTRICTING ISSUES

COMMITTEE DELIBERATION ON REDISTRICTING PLANS

RECESS

**Thursday, August 30**

9:00 a.m.        CALL TO ORDER AND WELCOME  
                      —Senator Leonard Tsosie and Representative Edward C. Sandoval, Co-chairs

COMMITTEE DELIBERATION ON REDISTRICTING PLANS

ADJOURNMENT  
(Note: the committee will also meet on Friday, August 31, if necessary to complete its business)

**For more information on redistricting, please see our web site: [www.legis.state.nm.us](http://www.legis.state.nm.us)**

**MINUTES  
of the  
FIRST MEETING  
of the  
REDISTRICTING COMMITTEE**

**May 7, 2001  
Room 307  
State Capitol**

The first meeting of the Redistricting Committee was called to order by Representative Edward C. Sandoval, co-chair, on Monday, May 7, at 10:10 a.m. in Room 307 of the State Capitol in Santa Fe.

**PRESENT**

Sen. Leonard Tsosie, Co-chair  
Rep. Edward C. Sandoval, Co-chair  
Sen. Joseph J. Carraro  
Rep. Max Coll  
Sen. Dianna J. Duran  
Sen. Dede Feldman  
Rep. Mary Helen Garcia  
Sen. Stuart Ingle  
Sen. Timothy Z. Jennings  
Rep. James Roger Madalena  
Rep. Danice Picraux  
Rep. Earlene Roberts  
Sen. Bernadette M. Sanchez  
Sen. John Arthur Smith  
Rep. Joe Thompson  
Rep. Sandra L. Townsend

**ABSENT**

**Advisory**

Sen. Rod Adair  
Sen. Manny M. Aragon  
Sen. Carlos R. Cisneros  
Rep. Kandy Cordova  
Rep. Daniel R. Foley  
Sen. Mary Jane M. Garcia  
Rep. Miguel P. Garcia  
Rep. John A. Heaton  
Rep. Ted Hobbs

Sen. William H. Payne

Sen. Carroll H. Leavell  
Rep. Ben Lujan  
Rep. Brian K. Moore  
Rep. Alfred A. Park  
Sen. Richard M. Romero  
Sen. Michael S. Sanchez  
Sen. H. Diane Snyder  
Rep. Sheryl Williams Stapleton  
Rep. James G. Taylor  
Rep. Don Tripp

**Staff**

Jon Boller  
Claudia McKay  
Luce Salas  
Paula Tackett  
John Yaeger

**Guests**

The guest list is in the meeting file.

At the suggestion of Co-chairman Sandoval, the members of the committee introduced themselves. Paula Tackett, director of the Legislative Council Service, then introduced the staff for the Redistricting Committee.

Representative Sandoval referred to the committee agenda to explain the purpose of the organizational meeting and what the committee would be covering during the meeting. He further explained, noting that public comment will be important to the redistricting process in New Mexico, that additional meetings will be held throughout various regions of the state over the next few months in order for the committee to take public comment on the subject of redistricting.

Representative Earlene Roberts moved that the committee adopt a letter written to the committee by Representative Ted Hobbs. A copy of the letter is located in the meeting file. The letter expressed a concern over the availability of census data produced by Research & Polling, Inc., the company under contract with the Legislative Council Service to provide data and assist in drawing plans for redistricting. After a discussion among the committee members and assurances from the co-chairmen that all raw data used by Research & Polling, Inc. would be available to all legislators and members of the public, Representative Roberts withdrew her motion.

Co-chairman Tsosie introduced Richard Olson of Hinkle, Hensley, Shannon & Martin and Luis Stelzner of Sheehan, Sheehan & Stelzner who discussed the legal principles of redistricting, pertinent sections of the Voting Rights Act of 1965 and certain United States

Supreme Court cases relating to redistricting. Mr. Olson began by explaining that the case law mandates, among other things, that legislative districts be drawn in a manner resulting in districts with populations within plus or minus five percent of the ideal population numbers. Ideal populations are derived by taking the state's total population and dividing that number by the number of districts. Based on the recently released 2000 census data, an ideal population for a legislative house district in New Mexico is 25,986, and an ideal population for a legislative senate district is 43,311. Mr. Olson explained that in the case of congressional districts, the courts apply a different standard and have held that the districts must be as equal in population as practicable.

Mr. Stelzner reminded the members that the last time New Mexico went through the redistricting process, the state was under preclearance requirements, meaning redistricting plans had to be approved by the United States Department of Justice. He explained that now, 10 years later, New Mexico is no longer under preclearance requirements but, like all other states, is subject to Section 2 of the Voting Rights Act, which prohibits state or political subdivisions from imposing any voting qualification, standard, practice or procedure that results in denial or abridgement of a United States citizen's right to vote on account of race, color or status as a member of a language minority. Mr. Stelzner pointed out that race and ethnicity are considered equally for purposes of Section 2 of the Voting Rights Act.

There was further discussion regarding the strict scrutiny standard of review used by the Supreme Court in cases alleging violation of the Voting Rights Act, and Mr. Olson outlined the criteria the Court has articulated for states to ensure race-neutral principles in the redistricting process. Mr. Stelzner relayed that the Court's recent decision in the *Hunt v. Cromartie* case clarified that a person alleging a violation of Section 2 of the Voting Rights Act must show that race or ethnicity was the predominant factor in the drawing of the district. There was discussion about what factors are considered appropriate for redistricting purposes, such as incumbency, communities of interest, preservation of the core of a district and compactness.

Mr. Brian Sanderoff, president of Research & Polling, Inc., presented to the committee a handout that helped to illustrate, among other things, the recent population changes in New Mexico. A copy of the handout is located in the meeting file. He explained that the precinct is the building block of redistricting and reminded the committee that there are still a few remaining counties with precinct boundaries still unresolved. Mr. Clifton Hoyt from the Secretary of State's Office said that his office was working closely with those counties to get the issue resolved as quickly as possible. Co-chairman Tsosie requested that committee staff keep current on the progress of that work.

Mr. Sanderoff then discussed the way growth in New Mexico has been distributed in various counties. He noted that three of the four fastest growing counties are adjacent to Bernalillo County, that eight of the 10 slowest growing counties are on the east side of the state and that Los Alamos has remained virtually the same.



The committee discussed its proposed work plan. A copy of this plan, as adopted by the committee, is located in the meeting file.

The committee next discussed the dates for the special session on redistricting. A motion was made to ask the governor to call the special session on September 4, 2001, and the motion carried without objection. The meeting adjourned at 3:20 p.m.

**MINUTES  
of the  
SECOND MEETING  
of the  
REDISTRICTING COMMITTEE**

**May 14, 2001  
Room 307  
State Capitol**

The second meeting of the Redistricting Committee was called to order by Senator Leonard Tsosie, co-chair, on Monday, May 14, 2001, at 9:05 a.m. in Room 307 of the State Capitol in Santa Fe.

**Present**

Rep. Edward C. Sandoval, Co-chair  
Sen. Leonard Tsosie, Co-chair  
Sen. Joseph J. Carraro  
Sen. Dianna J. Duran  
Sen. Dede Feldman  
Rep. Mary Helen Garcia  
Sen. Timothy Z. Jennings  
Rep. James Roger Madalena  
Rep. Danice Picraux  
Rep. Earlene Roberts  
Sen. Bernadette M. Sanchez  
Sen. John Arthur Smith  
Rep. Joe Thompson  
Rep. Sandra L. Townsend

**Absent**

Rep. Max Coll  
Sen. Stuart Ingle

**Advisory Members**

Sen. Rod Adair  
Sen. Manny M. Aragon  
Rep. Kandy Cordova  
Sen. Mary Jane M. Garcia  
Rep. Miguel P. Garcia  
Rep. John A. Heaton  
Rep. Ted Hobbs

Sen. Carlos R. Cisneros  
Rep. Daniel R. Foley  
Sen. William H. Payne  
Sen. Michael S. Sanchez  
Sen. H. Diane Snyder

Sen. Carroll H. Leavell  
Rep. Ben Lujan  
Rep. Brian K. Moore  
Rep. Alfred A. Park  
Sen. Richard M. Romero  
Rep. Sheryl Williams Stapleton  
Rep. James G. Taylor  
Rep. Don Tripp

**Staff**

Jon Boller  
Claudia McKay  
Luce Salas  
Paula Tackett  
John Yaeger

**Guests**

The guest list is located in the meeting file.

The chairmen requested that the members of the committee introduce themselves to the audience. After the introductions, Co-chairman Tsosie asked members of the audience to be sure to sign in, and he advised them to make a note and provide their addresses if they wished to be added to the committee's mailing list. He also asked the audience to sign a separate sheet if they wished to speak at the meeting, and he noted that public comment was encouraged and would be taken after the presenters noted on the agenda.

Co-chairman Tsosie introduced Mr. Brian Sanderoff, president of Research & Polling, Inc., the company under contract with the Legislative Council Service to provide data and assist in drawing plans for redistricting. Mr. Sanderoff provided the committee members and the public with a handout containing a variety of redistricting information. A copy of the handout is located in the meeting file. Mr. Sanderoff provided a brief overview of the redistricting process and used the handout to illustrate the growth and changes in population within New Mexico that have taken place since the 1990 census. He noted that three of New Mexico's fastest growing counties are adjacent to Bernalillo County, that eight of the 10 slowest growing counties are on the east side of the state and that the population of Los Alamos has remained virtually the same.

Mr. Sanderoff explained that there are two ways the population can change: 1) people moving to or from a location; and 2) births and deaths. He further explained that since the overall population of the state has grown, in order for a district's boundaries to stay the same the population of the district must have grown at the same overall rate as the population of the state. He pointed out that Bernalillo County has not kept pace with the state's overall growth.

Mr. Sanderoff explained the racial distribution of New Mexico's population. He offered as a point of interest the fact that New Mexico is the only state in the continental United States in which non-Hispanic whites do not comprise a majority of the state's citizenry. He explained that the bulk of New Mexico's Native American population resides in the northwest quadrant of the state.

There was a brief discussion concerning the redistricting of magistrate judges. The Administrative Office of the Courts will provide information relating to caseload and the number of people served per magistrate within all districts in New Mexico. Senator Tsosie requested that the specific topic of redistricting of the magistrate judges be placed on the agenda for one of the meetings in late June. It was noted that staff will provide legal information relating to electing magistrate judges from districts and whether the legislature can alter the number of magistrate judges in counties that elect magistrates by district.

Mr. Sanderoff handed out an additional packet of information that contained maps and tables illustrating such things as the existing house and senate districts throughout New Mexico. A copy of the information is located in the meeting file. The information also showed the growth in population deviations through the state and broke that information down by districts. At a later point in the meeting, Mr. Sanderoff went through the handout in more detail and reminded the committee that the next set of data that will be released is precinct level data. He updated the members as to the status of certain counties that have yet to finalize their precinct boundaries.

Testimony was then taken by members of the public. Co-chairman Sandoval introduced the first speaker, Mary Lou Cameron, president of the National Education Association. Ms. Cameron spoke of her organization's desire to protect the electoral process in general and stated that she had no specific plans to present to the committee, but hoped that any plans considered would ensure that one citizen's vote is equal to any other citizen's vote.

Representative Sandoval then introduced Barbara Robinson from the League of Women Voters. Ms. Robinson said that the most important activities her organization is involved in are voting and elections. She acknowledged the difficulty of the redistricting task before the committee and said that the members of her organization have been encouraged to attend the redistricting meetings throughout the state.

The next speaker was Jose Luis Aguilar, who spoke on behalf of Mexican Americans for Redistricting. Mr. Aguilar presented two proposed methods for the committee's consideration in redistricting New Mexico. Copies of the proposed methods are located in the meeting file. Mr. Aguilar noted that the state of New Mexico is nearly as wide as it is long and, in his opinion, could be split into four equal regions for the purposes of redistricting. Mr. Aguilar expressed concern over maintaining minority voting rights in New Mexico. There was a discussion about the importance of maintaining minority voting strength, and Representative Sandoval acknowledged Mr. Aguilar's concerns, thanked him for his suggestions and invited him to attend

the regional meetings scheduled throughout the next few months. Mr. Aguilar said he did not favor using precincts as building blocks for redistricting because, in his opinion, many precincts are too large. Senator Tsosie then asked the secretary of state's office to provide the committee with information on precincts in which population is a concern and whether such precincts need to be split.

A number of speakers addressed the committee regarding Los Alamos. Among them was Nita Taylor, Los Alamos County clerk. She relayed her concern over Los Alamos being served by three state senators and questioned whether dividing Los Alamos into three districts was a benefit to that community. She requested that the committee take a look at the precinct maps when making redistricting considerations. The committee members acknowledged Ms. Taylor's concerns. Members mentioned the need to serve their constituents as best they can and noted that in some cases vast distances within a single district can make such service a challenge for both voters and legislators. Later in the day, Carlos Valdez, Los Alamos County Republican Party chair, asked the committee to consider changing the representation of Los Alamos so it is represented by only two senators. He was followed by ex-senator Steve Stoddard, who complimented the committee chairs on the running of the meeting. He mentioned that as a senator he had been through the redistricting process two times and knew firsthand the difficult task before the committee. He concurred with Mr. Valdez that Los Alamos could best be represented by two state senators. A number of the members expressed their understanding of the concerns of the Los Alamos community. Later in the meeting, Lawry Mann of Los Alamos requested that the committee redistrict so that Los Alamos lies in only one district.

Michael Guerrero of the Southwest Organizing Project spoke about his organization and explained that he wants the committee to think about the redistricting taking place currently in the city of Albuquerque. He asserted that there have been many complaints regarding that process, and he strongly urged the committee to bear in mind the Voting Rights Act of 1965 while drawing redistricting plans.

Frances Apodaca-Gandara, executive director for LULAC, National Education Services, Inc., next spoke to the committee. Ms. Apodaca-Gandara explained that LULAC is a civil rights organization with councils in many cities throughout New Mexico. She noted that previous speakers had covered many of the issues she was concerned about, and she asked the committee to remember that equal representation for Hispanics is very important in the redistricting process. She continued by saying that LULAC did not have a specific plan to present to the committee. After she spoke, Representative Sandoval thanked her and urged her to have members of LULAC attend the meetings. Senator Tsosie also thanked her and all of the groups participating in the meeting.

Susan Loubet of the Women's Agenda talked to the members about voting trends among women in New Mexico and in other states. She provided a handout outlining, among other things, the percentage of women voter participation in the states. A copy of the handout is

located in the meeting file. Ms. Loubet wanted to encourage the members to consider women and their voting power when working on the task of redistricting.

Kevin Haney, Sandoval County chair of the Republican Party, expressed concern over problems in Sandoval County regarding precinct boundaries and corrections made to those boundaries. He relayed an instance of a candidate announcing his candidacy and then learning of changes to precinct boundaries made to correct prior errors. Mr. Haney suggested that a closer eye should be kept on related issues during this year's redistricting. He also proposed that precinct boundaries should be drawn based on population rather than on voter turnout. Accompanying Mr. Haney was Mr. Stephan Vanhorn, who asked the committee to encourage citizens to go to the Census Bureau web site and get as much information as possible relating to redistricting. He also concurred with Mr. Haney's concerns over mistakes and corrections of precinct boundaries. After a discussion about the process of making such corrections, Representative Sandoval asked that Mr. Sanderoff note the testimony and concerns of Mr. Haney and Mr. Vanhorn.

Bob Moses of the National Association for the Advancement of Colored People (NAACP) and the Santa Fe branch of the New Mexico Voter Services Coalition urged the committee to take into consideration declining voter participation occurring not only in New Mexico but throughout the various states. He suggested the need for more funding for voter-participation-related information campaigns.

Alice Hoppes, also from the NAACP, told the members that she applauded the committee on its appointment of an African American to the committee membership, but was disappointed that the appointed member lacked voting status. She added that she understood the committee had a huge task before it, and she hoped that African Americans, as well as all others, would be equally considered during redistricting. Senator Tsosie assured Ms. Hoppes that since the entire legislature will vote on and approve any redistricting plans introduced, each legislator's vote will count equally.

Kate Stetson, tribal attorney and chair of the Bernalillo County Democratic Party, urged the committee to keep in mind the mandates of the United States Supreme Court with regard to tribes and their status as political and community entities. She offered a case cite, and staff was asked to provide the members of the committee with a copy of the Supreme Court case.

Marion Isidoro, state co-chair of the American Association of University Women, complimented Speaker Ben Lujan and President Pro Tempore Richard M. Romero on the composition of the committee. She was happy to see that women are appropriately represented, and she urged the committee to consider inclusion of all groups in the redistricting process so that legislators and other governing officials will look like the citizens they represent.

Representative Sandoval asked if there were any other members of the audience wishing to address the committee, and there were none. A motion was made to adopt the minutes from

the May 7, 2001 Redistricting Committee meeting, as amended, and the motion was carried without objection. A copy of the adopted minutes is located in the meeting file.

The meeting adjourned at 3:00 p.m.

July 6, 2001  
as amended

**MINUTES  
of the  
THIRD MEETING  
of the  
REDISTRICTING COMMITTEE**

**May 31, 2001  
Garcia Civic Center, Deming**

**June 1, 2001  
City Hall, Las Cruces**

The third meeting of the Redistricting Committee was called to order by Representative Edward C. Sandoval, co-chairman, at 10:20 a.m. on May 31, 2001 in Deming, New Mexico and at 9:25 a.m. on June 1, 2001 in Las Cruces, New Mexico.

**PRESENT**

Rep. Edward C. Sandoval, Co-chair  
Sen. Leonard Tsosie, Co-chair  
Rep. Max Coll  
Sen. Dianna J. Duran  
Sen. Dede Feldman  
Rep. Mary Helen Garcia  
Sen. Stuart Ingle  
Sen. Timothy Z. Jennings  
Rep. Danice Picraux  
Rep. Earlene Roberts  
Sen. Bernadette M. Sanchez  
Sen. John Arthur Smith  
Rep. Sandra L. Townsend

**ABSENT**

Sen. Joseph J. Carraro  
Rep. James Roger Madalena  
Rep. Joe Thompson

**Advisory**

Rep. Kandy Cordova  
Rep. Daniel R. Foley  
Sen. Mary Jane M. Garcia  
Rep. Miguel P. Garcia  
Rep. John A. Heaton  
Rep. Ben Lujan  
Rep. Al Park  
Sen. Richard M. Romero  
Rep. Sheryl Williams Stapleton  
Rep. James G. Taylor (5/31)  
Rep. Don Tripp

Sen. Rod Adair  
Sen. Manny M. Aragon  
Sen. Carlos R. Cisneros  
Rep. Ted Hobbs  
Sen. Carroll H. Leavell  
Rep. Brian K. Moore  
Sen. William H. Payne  
Sen. Michael S. Sanchez  
Sen. H. Diane Snyder



(Attendance dates are noted for members not present for the entire meeting.)

**Staff**

Jon Boller, LCS  
Claudia McKay, LCS  
Joyce Pankey, LFC  
Luce Salas, LCS

**Guests**

The guest list is located in the meeting file.

Deming, May 31

The mayor of Deming, Sam Baca, along with George Pintar, chairman of the Deming Chamber of Commerce, welcomed the members of the Redistricting Committee and the members of the audience to the city of Deming. Representative Dona Irwin also addressed the members and welcomed everyone to Deming.

Co-chairman Tsosie began by explaining the purpose of the meeting. He outlined the agenda for the day, explaining that the meeting in Deming was the first of several to be held throughout the state. Senator Tsosie introduced Brian Sanderoff, president of Research & Polling, Inc., the company under contract with the Legislative Council Service to provide data and assist in drawing plans for the redistricting process.

Senator Tsosie next asked members of the audience to sign the guest list and, in particular, asked those wishing to speak to the committee to indicate so on the list. He also encouraged everyone to visit the redistricting website for updated information on the redistricting process.

Mr. Sanderoff explained his organization's experience in the redistricting process and the principles of redistricting that, according to the courts, must be followed during redistricting. Mr. Sanderoff introduced the members of his staff present for the meeting. He continued by saying that the plans he was going to show to the committee were intended to get a discussion started and were not "set in stone". He followed by relaying that, similar to a jigsaw puzzle, at the end of the redistricting process, all of the pieces must fit together.

Mr. Sanderoff provided a handout for the members and audience which outlined, among other things, who has the authority to perform the redistricting duties. A copy of the handout is located in the meeting file. Mr. Sanderoff explained that the Public Regulation Commission (PRC) districts were drawn in 1998 using 1990 census data. This occurred because the PRC was newly formed by virtue of a constitutional amendment passed by the voters. He further explained that 2001 would be the first time since its inception that the PRC would be redistricted.

Mr. Sanderoff discussed basic concepts to be kept in mind for redistricting purposes, concepts like equal populations, minority voting strengths, compactness, contiguity and communities of interest. He explained the meaning of one person, one vote and how it applies in a variety of situations where districts might gain or lose population. Mr. Sanderoff confirmed for a member of the audience that, for purposes of the census, prisoners, persons in the military and students in dorms are counted provided they are residents of the state. He explained that children are counted as well. He discussed how to calculate the ideal population of a district by taking the state's total population and dividing it by the number of districts. He went on to explain which magistrate judge seats would be redistricted in 2001.

A member of the audience asked Mr. Sanderoff what the role of Research & Polling, Inc. was in New Mexico's redistricting. Mr. Sanderoff responded that, among other things, his organization was tasked by the committee to develop plans like those he brought to the Deming meeting. Mr. Sanderoff further explained that the public meetings offer an excellent resource of public input for use by Research & Polling, Inc. in drafting possible plans for discussion by the committee and others.

As separate handouts and for discussion purposes, Mr. Sanderoff presented the following potential redistricting plan "Concepts":

- 1) three Concepts for the PRC districts;
- 2) two Concepts for the State Board of Education districts;
- 3) five Concepts for congressional districts;
- 4) three Concepts for the southwest region for New Mexico House of Representatives districts; and
- 5) three Concepts for the southwest region for New Mexico Senate districts.

Copies of the Concepts are located in the meeting file. Mr. Sanderoff explained the differences and the highlights between the various Concepts presented. The handouts illustrate the proposed boundaries for each Concept and also include relevant statistical information on districts as they are currently drawn. For better clarification of the Concepts, Mr. Sanderoff was asked by the committee to provide a written summary of each Concept. In response, Mr. Sanderoff provided a summary of the Concepts at the meeting the following day. Copies of the summary are located in the meeting file.

In going over the different Concepts for the State Board of Education districts, Mr. Sanderoff mentioned that, simply by coincidence, Dona Ana County has just the right population and under a certain plan could have its own State Board of Education district. Senator Tsosie asked whether the residences of State Board of Education members who are appointed to their seats are taken into account in the redistricting process. Mr. Sanderoff responded that it was possible for such a factor to be taken into account when drawing a plan.

Mr. Sanderoff pointed out that one of the Concepts for United States congressional districts was the result of a suggestion by a legislator. The Concept proposes to divide Albuquerque in three ways so that the city will be represented by three people.

In the discussion of the Concepts that deal with the house districts, Mr. Sanderoff noted that the population of Luna County has grown to roughly 25,000 people so its population could potentially support its own house district.

There was a discussion among the members and Mr. Sanderoff on possible ways to make the information from Research & Polling, Inc. more informative and useful. A number of the members were interested in having more information with greater detail. Mr. Sanderoff explained the pros and cons of supplying such additional information and assured the members that his team would look into meeting their requests. Representative Foley stated that he thought that each regional plan should be a statewide plan.

The chairmen thanked the city of Deming for hosting the redistricting meeting and thanked the public for its comment. The meeting adjourned at 4:15 p.m.

#### Las Cruces, June 1

Representative Sandoval welcomed the members and the audience and thanked everyone for attending. He commented that he was pleased to see such a large turnout from the public. The committee and public were welcomed by Las Cruces mayor Reuben Smith.

Senator Tsosie introduced Mr. Sanderoff, who began by handing out copies of the same handouts he had provided the day before in Deming. Additionally, he handed out a document containing a brief summary of the major components of each Concept presented. A copy of the document is located in the meeting file. Next, Mr. Sanderoff presented the same information regarding redistricting principles that he had presented in Deming. He again noted the impressive population growth in Dona Ana County.

Many members of the public addressed the committee and expressed concern that the communities of interest in the area be considered during the redistricting process. They each felt that the area was distinct from areas such as Albuquerque and wished for those distinctions to be taken into account. Former representative Shirley Baca noted that within Dona Ana County there are language differences and cultural differences. She further expressed her concern over the fact that New Mexico currently has no Hispanic representation in Congress.

Mr. Jose Luis Aguilar, of Hispanic Americans for Redistricting, addressed the committee as he had done in Santa Fe a few weeks earlier. He introduced his organization's attorney, Mr. Manny Lopez. Both gentlemen stressed their concern over maintaining minority voting strength throughout the state. Mr. Aguilar provided a handout with some proposed ways to approach the task of redistricting. A copy of the handout is located in the meeting file. After some members

of the public requested copies of Mr. Aguilar's proposed plan, Senator Tsosie asked Mr. Sanderoff to assist Mr. Aguilar and other members of the public with producing plans. Senator Tsosie commended Mr. Aguilar and Mr. Lopez on their commitment and efforts on behalf of minority voters in New Mexico and offered to be of assistance in the drawing of plans to be submitted for review. Representative Foley asked Mr. Aguilar why it is necessary to further maximize the number of Hispanics in certain districts when, in two out of three of those districts, Hispanic women have been elected.

Throughout Mr. Sanderoff's presentation, the chairmen solicited public comment. A number of people who had signed up to speak felt that their concerns were addressed by the information given by Mr. Sanderoff. Mr. Sanderoff relayed to the committee and the audience that even though the group was focusing on the southwest region of the state, all regions would need to be considered in any final plans.

The chairmen thanked the city of Las Cruces for hosting the redistricting meeting. The meeting was adjourned at 12:20 p.m.

**MINUTES**  
**of the**  
**FOURTH MEETING**  
**of the**  
**REDISTRICTING COMMITTEE**

**June 20-22, 2001**  
**Carlsbad, Roswell and Clovis**

The fourth meeting of the redistricting committee was called to order by Representative Edward C. Sandoval, co-chairman, at 10:30 a.m. on June 20, 2001 in Carlsbad, New Mexico, at 10:30 a.m. on June 21 in Roswell, New Mexico and at 10:10 a.m. on June 22, 2001 in Clovis, New Mexico.

**PRESENT**

Rep. Edward C. Sandoval, Co-chair  
Sen. Leonard Tsosie, Co-chair  
Rep. Max Coll  
Sen. Dianna J. Duran  
Sen. Dede Feldman  
Rep. Mary Helen Garcia  
Sen. Stuart Ingle (6/21, 6/22)  
Sen. Timothy Z. Jennings (6/20, 6/21)  
Rep. Danice Picraux  
Rep. Earlene Roberts  
Sen. Bernadette M. Sanchez (6/20, 6/21)  
Sen. John Arthur Smith  
Rep. Joe Thompson  
Rep. Sandra L. Townsend

**Advisory**

Sen. Rod Adair (6/21)  
Rep. Kandy Cordova  
Rep. Daniel R. Foley  
Sen. Mary Jane M. Garcia (6/20, 6/21)  
Rep. Miguel P. Garcia (6/21, 6/22)  
Rep. John A. Heaton (6/20, 6/21)  
Rep. Ted Hobbs (6/21, 6/22)  
Sen. Carroll H. Leavell (6/20)  
Rep. Brian K. Moore  
Sen. Richard M. Romero (6/20, 6/21)  
Sen. H. Diane Snyder (6/21, 6/22)  
Rep. Sheryl Williams Stapleton  
Rep. James G. Taylor (6/20)  
Rep. Don Tripp (6/21, 6/22)

**ABSENT**

Sen. Joseph J. Carraro  
Rep. James Roger Madalena

Sen. Manny M. Aragon  
Sen. Carlos R. Cisneros  
Rep. Ben Lujan  
Rep. Al Park  
Sen. William H. Payne  
Sen. Michael S. Sanchez

(Attendance dates are noted for those not present for the entire meeting.)

**Staff**

Jon Boller, LCS

Claudia McKay, LCS

Luce Salas, LCS

**Guests**

The guest list is in the meeting file.

**June 20, Carlsbad**

The mayor of Carlsbad, Gary Perkowski, along with Representative Heaton and Senator Jennings, welcomed the committee to Carlsbad. Brian Sanderoff of Research & Polling, Inc. (R&P), outlined the ABCs of redistricting and then reviewed several conceptual redistricting plans for the state board of education (SBE), public regulation commission (PRC) and congressional districts. Senator Tsosie then asked for public comment.

Tom Bearden, chairman of the Eddy county Republican party, expressed general satisfaction with the representation that the county has received in the legislature, but urged that two changes be made to the present district layout in the region. First, Mr. Bearden suggested that consolidating representation in northern Eddy county be accomplished by creating a house district with a single representative for the city of Artesia and the surrounding region. Second, he recommended creating house and senate districts in the region that reside in one, or at most two, counties. In particular, he suggested that Eddy and Lea counties could be considered as similar enough in their interests to be considered together for the purposes of redistricting (see meeting file for written comments).

Janet Seagrave, executive director of the Economic Development Corporation of Lea County, Inc., expressed the concerns of local businessmen and business women of Lea county over reports that the county would lose representation in the legislature due to low or negative population growth in the region. Ms. Seagrave asked that the committee take note that though Lea county's population had experienced negative effects from a recession in the energy industry and from a wave of mergers and acquisitions in that industry, the labor force had already grown by five percent since 1999 and was expected to continue to grow in the next decade. Consequently, she asked that the legislature not remove any legislative representation from the county when it redistricts (see meeting file for written comments).

Gary Don Reagan, former state senator from district 41, asked the committee to consider the communities of interest within each county, rather than ignoring those interests by creating artificial boundaries based on race that put communities with very different interests, such as Hobbs and Carlsbad, in the same district. Mr. Reagan noted that he had won election in a majority/minority district, even though he had minority opponents in both the primary and

general elections, because there was not racial bloc voting there; rather, community interests took precedence in the district.

After lunch, Mr. Sanderoff presented regional plans for the state senate. Asked if it was possible to create a plan that preserved the existing house and senate seats in southeast New Mexico, he replied that it is possible, though that would have a ripple effect in other regions; for example, Torrance county may have to become part of the southeast districts. Representative Foley wanted to know if a statewide plan could be drawn beginning on the east side that protected existing east side districts. This sparked a discussion of how the various concepts might affect districts throughout the state, ending with the chairmen reminding the committee that it was a long way from making any recommendations to the legislature, and that the committee would only develop a statewide plan once it had heard from the public in all of the regions of the state.

Senator Leavell commented that senate concept C seemed to reflect Gary Don Reagan's concerns in that it separated Hobbs and Carlsbad while maintaining a majority/minority district. Senator Jennings noted that this resulted in Roswell being split between three senate districts.

Jose Luis Aguilar presented a plan for the senate that created three majority/minority districts in the southeast region. Representative Foley asked why Mr. Aguilar made district 40 a majority/minority district when a Hispanic woman was already representing that district.

Mr. Sanderoff then presented regional plans for the house, noting that concept B saved all the current seats by not giving Las Cruces a new seat, not pairing any incumbents in the region and also fitting with southwest regional plan A, as requested by Representative Foley during the southwest meetings. Representative Coll said he was not enthusiastic about that plan. Representative Heaton noted that the interests of southern Eddy county were very different from those in the rest of district 61 as drawn in concept B.

Jose Luis Aguilar also presented a concept E plan for the house. Representative James G. Taylor thanked Mr. Aguilar for his input and his efforts to attend the meetings. Representative Foley asked why it was OK to racially gerrymander to create majority Hispanic districts. Mr. Aguilar replied that he was only trying to keep communities of interest together. Asked if his plan increased the number of minority districts in concept E, Mr. Aguilar replied that there were currently five districts with a majority of minorities and that he maintained the same number in his plan.

The committee recessed at 4 p.m.

### **June 21, Roswell**

The mayor pro tem of Roswell, Richard Taylor, welcomed the committee to the city and briefly described the economic importance of the region to the state. Mr. Sanderoff then

explained the ABCs of redistricting and answered questions from the public about the process.

Mr. Frank Sanchez, lead plaintiff in the *Sanchez v. King* voting rights case of the 1980s, addressed the committee. Mr. Sanchez said he wanted to give the committee some historical background on the redistricting process in southeastern New Mexico, noting that the court had found that in many counties there was a history of racial bloc voting, official discrimination against minorities, a lack of responsiveness to minorities on the part of local officials, depressed voter participation due to the above factors and districting plans that split up minority communities. Consequently, 17 out of 19 districts challenged were thrown out and redrawn by the court. Asked if he was now advocating racial gerrymandering, Mr. Sanchez replied that he was not, but that he was advocating adhering to the guidelines adopted by the committee, and that, for example, district 58 should not be redrawn in a way that dilutes minority voting strength.

Michael Hall, acting director of the administrative office of the courts, presented statistics on the workload of the magistrates to the committee (see handouts in meeting file). Mr. Hall stressed that his comments were general in nature and he was not advocating any particular position. Asked what kind of caseload a magistrate judge could handle, he said that a judge could handle approximately 3,100 cases a year, depending on what types of cases predominate in a given court. Senator Snyder reminded the committee that another committee is looking at caseload distribution and what to do about the differences between various districts.

Mr. Sanderoff presented various concepts for Lea and Eddy county magistrate districts. After a discussion of the plans and the desirability of adding and subtracting magistrates from certain counties, Representative Coll asked if it was necessary to redistrict magistrates this year. The magistrate judge from Tatum asked if it was legal to reduce the number of judges in Lea county before the court decree setting up the divisions from which the existing judges are elected is effective. Staff members were asked to look into the questions and report back to the committee.

Mr. Sanderoff presented the concepts for public regulation commission, state board of education, congressional, house and senate districts. Duane Williams of Lincoln county asked that Lincoln county be placed in a senate district that was part of the east or southeast part of the state rather than with the northern counties. Martha Proctor, Lincoln county clerk, said she preferred concepts B or C for senate districts, and hoped that the PRC and SBE districts containing Lincoln county would stay with the southeast part of the state.

Mr. Aguilar presented his plans, at which point Beverly Dow of Chaves county asked what Mr. Aguilar's role was in the redistricting process. Senator Tsosie explained that Mr. Aguilar had presented a regional plan at the previous meeting, and that members of the public had requested that his plans be made available also. Therefore, the chairman asked Mr. Sanderoff to assist Mr. Aguilar in putting his maps in presentable form to distribute to the public. Representative Roberts expressed concern that if the committee accepts one request from



the public, it will have to accept all requests from citizens, at which point Mr. Sanderoff would be swamped. Chairmen Tsosie and Sandoval replied that it is a public process, but that if it becomes unbearable the committee would have to reconsider the policy. Senator Tsosie said that if Ms. Dow would like to present a plan to the committee, she was welcome to do so. Senator Duran said she was glad the committee was offering the same assistance to all members of the public.

A lengthy discussion of the role of race and politics in redistricting and what information would be available to the public and the legislature ensued. Senator John Arthur Smith said that he believed the committee had been following the basic outline set out in the guidelines whereby factors are considered in the following order: 1) the shifts in population between districts; 2) the concepts of contiguity and compactness; 3) constitutional and Voting Rights Act issues concerning race and ethnicity and communities of interest; and lastly 4) political concerns.

Senator Adair presented a proposal that keeps Artesia in one senate district, commenting that the folks from Artesia are only asking for fairness. He explained that his plan combined areas with common economic, cultural and historical interests. The plan is in the meeting file. Martha Proctor asked the committee if there was any way to change the Precinct Boundary Freeze Act so that Lincoln county could redraw its precincts so that it can redistrict its county commissioners, since there are currently not enough precincts to evenly distribute the population among the districts.

The committee recessed at 4:50 p.m.

### June 22, Clovis

Mayor David Lansford welcomed the committee to Clovis. Mr. Sanderoff reviewed the ABCs of redistricting and then presented redistricting concepts for the PRC, SBE and congressional districts. Ellen Vaughn of De Baca county commented that the people in De Baca county had more in common with the people of the second congressional district than they did with those of the third congressional district. Accordingly, she said she preferred congressional concepts A or C to concepts B or D. Karen Smith of Curry county said she was upset with carpetbag representatives and also supported congressional concepts A or C over B or D. Jose Luis Aguilar said he supported congressional concept D.

After Mr. Sanderoff presented the regional redistricting concepts for the house and senate, Ms. Vaughn expressed her support for the senate concept B because it removed Las Vegas from the district containing De Baca county.

Senator Duran asked that a correction be included in the minutes from the Las Cruces meeting to reflect a comment by Representative Roberts concerning the effect on R&P's workload if the committee had Mr. Sanderoff doing work for private individuals and groups. Representative Sandoval expressed concern about the minutes becoming politicized and said the

minutes should reflect that Senator Tsosie had asked R&P to put Mr. Aguilar's plans in a form that could be distributed to the public. Representative Foley asked that his concerns about having a statewide plan for the house and senate also be reflected in the Deming minutes, along with his question for Mr. Aguilar about why it was necessary to change districts that are already represented by Hispanic women. Representatives Coll and Sandoval noted that the minutes are only a summary of the meetings and that the meetings were being recorded verbatim on tape. Representative Foley replied that he wanted the record to reflect the fact that not everyone on the committee supported Mr. Aguilar's plans. The chairmen instructed staff to make the appropriate changes to the minutes.

Members of the committee then entered into a discussion of whose requests for redistricting plans should take precedence, a legislator's or a private citizen's. Some members noted that they had requested plans as early as May, and yet had not received anything from R&P, while Mr. Aguilar had gotten assistance from R&P after the meeting in Las Cruces. Jon Boller, staff attorney for the committee, explained that the legislative council service had not relayed any requests to R&P until the second week in June based on the assumption that R&P would be focusing initially on regional plans and was not yet prepared to begin working on any plans other than those requested by the committee. Committee members agreed that all legislators should be treated equally in getting their respective requests fulfilled to avoid any undue suspicion of partisanship. The chairmen said they would meet with staff and with R&P to ensure that the process remains fair and consistent for all involved.

The committee adjourned at 12:45 p.m.

**MINUTES  
of the  
FIFTH MEETING  
of the  
REDISTRICTING COMMITTEE**

**July 12, 2001  
Memorial Middle School, Las Vegas**

**July 13, 2001  
Convention Center, Tucumcari**

The fifth meeting of the redistricting committee was called to order by Representative Edward C. Sandoval, Co-chair, at 10:15 a.m. on July 12, 2001 at Memorial Middle School in Las Vegas, New Mexico, and by Senator Leonard Tsosie, Co-chair, at 10:20 a.m. on July 13, 2001 at the Convention Center in Tucumcari, New Mexico.

**PRESENT**

Rep. Edward C. Sandoval, Co-chair  
Sen. Leonard Tsosie, Co-chair  
Sen. Joseph J. Carraro  
Rep. Max Coll (7/12)  
Sen. Dede Feldman  
Rep. Mary Helen Garcia  
Sen. Stuart Ingle (7/13)  
Sen. Timothy Z. Jennings  
Rep. Danice Picraux  
Rep. Earlene Roberts  
Sen. Bernadette M. Sanchez  
Rep. Joe Thompson  
Rep. Sandra L. Townsend

**ABSENT**

Sen. Dianna J. Duran  
Rep. James Roger Madalena  
Sen. John Arthur Smith

**Advisory**

Sen. Manny M. Aragon (7/12)  
Rep. Kandy Cordova  
Rep. Daniel R. Foley  
Sen. Mary Jane M. Garcia  
Rep. Miguel P. Garcia  
Rep. John A. Heaton  
Rep. Ted Hobbs (7/12)  
Rep. Ben Lujan  
Rep. Brian K. Moore  
Rep. Al Park  
Rep. Sheryl Williams Stapleton (7/12)  
Rep. James G. Taylor

Sen. Rod Adair  
Sen. Carlos R. Cisneros  
Sen. Carroll H. Leavell  
Sen. William H. Payne  
Sen. Richard M. Romero  
Sen. Michael S. Sanchez  
Sen. H. Diane Snyder  
Rep. Don Tripp

(Attendance dates are noted for members not present for the entire meeting.)

**Staff**

Jon Boller, LCS  
Claudia McKay, LCS  
Luce Salas, LCS  
John Yaeger, LCS

**Guests**

The guest list is in the meeting file.

**July 12, Las Vegas**

Representatives Bengie Regensberg and Richard Vigil and Las Vegas city clerk Cheryl Yarra, on behalf of the mayor, welcomed the committee to Las Vegas. Brian Sanderoff of Research & Polling, Inc. then explained the ABCs of redistricting, and Senator Tsosie invited public comment for those attending the meeting who could not stay for the entire meeting.

Jose C de Baca noted that senate district 8, as currently drawn, fulfills some of the guidelines outlined by Mr. Sanderoff, but that Mora, Guadalupe and San Miguel counties should all be in one district since they had common interests and similarities, whereas Lincoln County did not belong in the same district.

Lorenzo Flores, chairman of the Concerned Citizens' Committee of Las Vegas, observed that there was no one on the committee from the Las Vegas area, though he appreciated the fact that the committee decided to meet in Las Vegas. Mr. Flores stated that he supported congressional concept D and that the current districts result in vote dilution of Hispanics in the state. Mr. Flores noted that none of the five congressional representatives or senators were Hispanic, even though a large portion of the population in the state is Hispanic. Senator Tsosie responded that he had received a letter from a University of New Mexico professor who had drawn a congressional plan that looked similar to concept D and he hoped the committee could consider it at a later meeting. Mr. Flores also urged the legislature to give San Miguel County its own house seat, or at least put it in a district with Mora County, and to not put San Miguel County in a senate district that extended all the way south to Lincoln County.

Lawrence Alires expressed concern that the redistricting process was flawed from the beginning because no Hispanic from the area was serving on the committee. He said that the legislature split the community and diluted Hispanic voting strength during the last redistricting process but that he hoped the committee would use its discretion to help out the area and that the community supported congressional concept D. Mr. Sanderoff noted that sometimes splitting counties can be an advantage because it gets more representatives. Mr. Flores replied that some districts are so badly shaped and spread out that his community is no longer a priority.

Mr. Sanderoff presented the Public Regulation Commission districting concepts. Jerome Block, commissioner from district 3, speaking on his own behalf, urged the committee to consider compactness and community interests when drawing commission boundaries, and to

look at the state in quadrants. He also said he thought Colfax and Guadalupe counties had more in common with the north-central part of state than with the southeast, that the west side of Albuquerque should be put into district 1 and that Torrance and Lincoln counties should be placed in district 2.

The State Board of Education and congressional districting plans were next presented by Mr. Sanderoff. Senator Aragon commented that only congressional concepts B and D avoided diluting minority voting strength in accordance with Section 2 of the Voting Rights Act. Representative Regensberg said he thought concept D would be fine, but was concerned that three of the state's representatives could come from Bernalillo county under that plan. Senator Aragon replied that that can happen with any plan, since U.S. representatives do not have to live in the district from which they are elected. Steven Martinez said that redistricting is not about race, but rather the law, and that New Mexico has had many champions for civil rights in this nation and voting rights for all. Eric Honeyfield of Raton said he favored concept D, but preferred that Guadalupe County should be district 3 instead of district 2. He said he thought it only fair that New Mexico have at least one Hispanic-majority congressional district given the Hispanic population in the state.

The senate concepts were presented after lunch. Mike Trujillo from Taos County said that senate concept A makes a lot of sense because Taos and Colfax counties have a lot in common because of their interest in the winter tourist industry. Eric Honeyfield agreed up to a point, noting that the eastern half of Colfax County has more in common with the areas in current senate district 7. Paula Garcia of Mora County expressed disappointment over the fact that all the proposed concepts seemed to dilute the Hispanic voting power of Mora County. She asked the committee to come up with a plan that protects the Mora County community, whose interests are more closely aligned with Taos or Las Vegas than with the eastern counties of the state.

Roberto Mondragon stated that he was concerned that Guadalupe County is historically and culturally considered a northern rather than a southern or eastern county, and that it should be placed in a district with the northern counties. Randy Ruben of Raton asked the committee to keep Colfax County together. Alfred Dominguez of southern Taos County observed that Penasco in district 40 shared Representative Salazar with five other counties, and said that the district looks like a salamander and that the school district is the only governing body to speak of. Mr. Dominguez suggested that the five precincts around Penasco be placed in a district with the rest of Taos County. William Mees of the Voter Services Coalition commented that voter participation in the state has been declining and that with the upcoming changes in districts it would be all the more difficult to get voters to feel connected to their districts. Consequently, he said, the secretary of state's office should be adequately funded so that it could properly educate voters on the new boundaries and encourage greater voter participation. Ian Serrano of Guadalupe County asked that his county be placed in a district with the other northern New Mexico counties.

The committee recessed at 4:55 p.m.

**July 13, Tucumcari**

Charlie Maciel, mayor of Tucumcari, welcomed the committee to Tucumcari. The minutes from the May 14, May 31-June 1 and June 20-22 meetings were approved by the committee without objection.

Mr. Sanderoff presented the ABCs of redistricting and reviewed the redistricting concepts for the State Board of Education and the Public Regulation Commission. Mary Mayfield, a city commissioner of Tucumcari, commented that Harding and Union counties have more in common with Colfax County than with the southern counties, and should be districted accordingly.

After the presentation of the five congressional redistricting concepts, Terry Cone of Portales expressed his concern that Roosevelt and Curry counties were pawns in the redistricting process 10 years ago, and his hope that that would not be the case this time.

Upon presentation of the house and senate district concepts, the committee entered into a discussion of what effect court-created districts had on the process of redistricting. Mr. Sanderoff explained that while the legislature could make changes in those districts, it is also important not to draw districts that result in violations of Section 2 of the Voting Rights Act. Karen Mitchell, magistrate judge from Harding County, urged the committee to not disenfranchise rural New Mexico. Terry Cone echoed Ms. Mitchell's concerns and also stressed that rural New Mexico would be best served by a plan that preserved the current representatives and kept the people in the area in one district. J.A. Gunn said he would regret not being able to keep Representative Brian Moore in the district.

Jose Luis Aguilar gave a short follow-up on data requested by the committee at its previous meeting (see handout in meeting file). The data illustrates the differences in growth in southeast New Mexico between Anglo and Hispanic populations.

The co-chairmen and Speaker of the House Ben Lujan thanked the community for its hospitality. The meeting was adjourned at 12:40 p.m.

**MINUTES  
of the  
SIXTH MEETING  
of the  
REDISTRICTING COMMITTEE**

**August 2, 2001  
Shiprock Chapter House, Shiprock**

**August 3, 2001  
University of New Mexico, Gallup**

The sixth meeting of the Redistricting Committee was called to order by Senator Leonard Tsosie, co-chairman, at 10:25 a.m. on August 2, 2001 in Shiprock, New Mexico and was reconvened at 10:15 a.m. by Representative Edward C. Sandoval, co-chairman, on August 3, 2001 in Gallup.

**PRESENT**

Rep. Edward C. Sandoval, Co-chair  
Sen. Leonard Tsosie, Co-chair  
Sen. Joseph J. Carraro  
Rep. Max Coll  
Sen. Dianna J. Duran  
Sen. Dede Feldman  
Rep. Mary Helen Garcia  
Rep. James Roger Madalena (8/3)  
Rep. Danice Picraux (8/3)  
Rep. Earlene Roberts  
Sen. Bernadette M. Sanchez  
Rep. Joe Thompson (8/2)  
Rep. Sandra L. Townsend

**ABSENT**

Sen. Stuart Ingle  
Sen. Timothy Z. Jennings  
Sen. John Arthur Smith

**Advisory**

Sen. Manny M. Aragon  
Rep. Kandy Cordova  
Rep. Daniel R. Foley (8/3)  
Sen. Mary Jane M. Garcia  
Rep. Miguel P. Garcia  
Rep. John A. Heaton  
Rep. Ted Hobbs (8/3)  
Rep. Ben Lujan  
Rep. Al Park  
Sen. Richard M. Romero  
Sen. H. Diane Snyder (8/3)  
Rep. Sheryl Williams Stapleton (8/2)

Sen. Rod Adair  
Sen. Carlos R. Cisneros  
Sen. Carroll H. Leavell  
Rep. Brian K. Moore  
Sen. William H. Payne  
Sen. Michael S. Sanchez

Rep. James G. Taylor (8/2)  
Rep. Don Tripp

(Attendance dates are noted for those not present for the entire meeting.)

**Staff**

Claudia McKay, LCS  
Luce Salas, LCS  
John Yaeger, LCS

**Guests**

The guest list is located in the meeting file.

**August 2 — Shiprock**

Co-chairman Leonard Tsosie called the meeting to order, welcomed the audience and asked the legislative members to introduce themselves. Representative Ray Begaye also welcomed everyone, and he then described the Shiprock area as a farming community and stressed how important redistricting would be to the Navajo community.

Duane "Chile" Yazzie, the president of the Shiprock chapter, welcomed the committee and explained that the Shiprock community is the largest community on the Navajo Nation. He emphasized the obvious lack of development in the area and his desire to see that change over the next few years. He said that the area was beginning to realize its potential as a result of tourism. He asked that the legislators take note of the conditions in Shiprock and translate that into financial support. Finally, he expressed how important redistricting would be to the Navajo Nation and how critical the need would be for good representation.

Brian Sanderoff, president of Research & Polling, Inc., explained the ABCs of redistricting, which emphasize the guidelines that legislators must follow when redrawing district boundaries.

Co-chairman Tsosie translated Mr. Sanderoff's entire presentation into the Navajo language for the benefit of audience members who did not understand English.

There was a discussion about the proposed Concept B for the State Board of Education. Representative Begaye was concerned about how moving the Aztec school district into a north central New Mexico district might affect the Navajo and Apache students in that school district. His question was followed by a comment by Linda Paul, the assistant superintendent of Aztec schools, who asked that the Aztec school district be aligned with District 5. She expressed that there were communities of interest that the Aztec school district shares with San Juan College and explained that the Aztec students participate in the San Juan College program.



Frank Hanhardt, the San Juan county clerk, added that it would be better for the State Board of Education if Bloomfield was kept in District 5.

Mr. Sanderoff said that he would take another look at it, taking into account the concerns expressed at the meeting. He next presented the concepts for congressional districts. Representative Coll expressed his doubts about whether Concept D would promote fairness. He assessed the plan as "packing" Democrats into one district. Representative Joe Thompson responded that although there could be elements of the plan he did not prefer, overall it made a lot of sense to do certain things such as grouping the high-tech labs together.

The committee adjourned for lunch and upon its return approved the minutes from the previous meeting.

Mr. Edward T. Begaye, state highway commissioner and speaker of the Navajo Nation Council, spoke on behalf of the council. He was accompanied by Mr. Frank Seanez, attorney for the Navajo Nation Council, and demographer Dr. Ron Faich. Mr. Begaye presented a packet of information which contained, among other things, the Navajo Nation proposal regarding redistricting. A copy of the information is located in the meeting file. The proposal includes a brief summary about the Navajo Nation, its status as a tribal government, current demographics and a discussion of the proposed redistricting plans. Mr. Begaye explained that the Subcommittee on Congressional and Legislative Redistricting was established by the Intergovernmental Relations Committee of the Navajo Nation Council. That subcommittee reviewed various options for New Mexico senate and house districts on and near the New Mexico portion of the Navajo Nation.

The subcommittee selected its preferred options and made recommendations to the full Intergovernmental Relations Committee. The full committee unanimously endorsed the recommendations of its subcommittee and those recommendations are reflected in the proposed districts presented by the Navajo Nation as the official recommendations of the Navajo Nation.

They began with the recommendations for three senate districts. Proposed Senate District 3 would include all of the Navajo reservation precincts in both San Juan and McKinley counties, all of the checkerboard precincts in San Juan County and several checkerboard precincts in McKinley County between the reservation line and Gallup. Mr. Begaye said that they consider this an improvement over the existing senate districts in the area because senators from Farmington and Aztec currently represent parts of the area populated predominantly by Navajo people in San Juan County, and the senator elected from Gallup represents several reservation precincts in McKinley County. In their opinion, given the "community of interest" guideline for redistricting, the Navajo proposed Senate District 3 consolidates Navajo Nation precincts as much as possible. Accordingly, its population is nearly 96 percent Native American, a very safe district allowing the Navajo people to elect a senator of their choice.

The Navajo Nation's proposed Senate District 4 would include the entire city of Gallup, a number of Navajo checkerboard precincts on all sides of, but mostly south of, Gallup, the Zuni reservation in southern McKinley County and the Ramah Navajo reservation in western Cibola County. Such a proposed district would be more compact than the existing Senate District 4 that currently extends into the Navajo reservation up to the San Juan County line. The proposed District 4 would have a total population within 2 percent of the ideal population for a senate district, and would be about 60 percent Native American. They pointed out that the committee should realize that while the proposed district clearly is a minority-majority district, that is somewhat illusory because the 7,206 Native Americans, mostly Navajos, who live in Gallup generally do not vote in Gallup; rather, they reside there largely for job-related, educational or housing opportunities, but return to their traditional home areas on the reservation, including homes in Arizona, to vote in tribal, national, state and local elections.

A discussion ensued regarding the notion that the Navajos living in Gallup did not vote there. Dr. Faich noted that Native Americans are generally younger than other racial groups; thus, a smaller proportion of Native Americans are eligible to vote compared to other groups. In addition, of those eligible to vote, a lower proportion of Native Americans actually register to vote, given their language and educational differences as compared to other groups, and of those registered to vote, Native Americans tend to turn out to vote less than others, often due to bad road conditions and poor weather on Election Day.

In their opinion, a safe Native American district would be 65 percent, in order to compensate for low participation rates of smaller proportions of adult Native Americans eligible to vote. Thus, while the proposed District 4 would be nearly 60 percent Native American, it would not likely elect a Native American.

The Navajo Nation's proposed Senate District 22 would be nearly identical to the current Senate District 22. It would extend from the Navajo precincts of eastern McKinley County to the Navajo communities of Torreon and Counselors in northwest Sandoval County, it would pick up the Tohajillee Navajo reservation in northwest Bernalillo County and include six of the seven pueblos in Sandoval County and also the Jicarilla Apache reservation in western Rio Arriba County. Its total population would be within 3 percent of the ideal number for a senate district, and it would be approximately 72 percent Native American. Dr. Faich noted that given the changes in population over the past decade, the Los Alamos County precincts currently included in Senate District 22 were eliminated from the proposed district, in view of the communities of interest guideline.

The meeting was recessed at 4:25 p.m.

### **August 3 — Gallup**

The meeting was reconvened by Representative Edward C. Sandoval. He welcomed everyone to the meeting and introduced Representative Patricia Lundstrom, who also welcomed the committee. She said that she was pleased to be hosting the committee in the city of Gallup.

Representative Lundstrom then introduced a number of people of local governmental and community prominence who were in the audience.

Commissioner Ben Shelly of McKinley County addressed the committee and said that the county supports congressional Concept C. He welcomed the committee and mentioned his concern that people considered San Juan a wealthy county and McKinley a poor county. He felt that was anything but the truth and mentioned that McKinley County has more millionaires per capita than any other county.

Senator Lidio G. Rainaldi introduced John Pena, the mayor of Gallup, who welcomed the committee and briefly discussed the Gallup area. He was followed by Representative Leo C. Watchman, Jr., who also welcomed the committee to the area and expressed his desire that there be more representation for Native Americans in the new district boundaries.

Mr. Sanderoff went through the ABCs of redistricting and presented the various concepts for the districts. He explained that Research & Polling, Inc. had received input relaying that some people would like McKinley County to be with Cibola County and southern San Juan County in the State Board of Education plans. He said that they would work on such a plan but that the demographic challenges would be that Farmington, Aztec and Bloomfield could be forced into a district with Rio Arriba County.

Ronald Morsbach, the chairman of the McKinley County Republican party, addressed the committee and told the members, among other things, that the party favored including Gallup as part of District 5 in the house and ensuring that precinct 21 remain in House District 5.

Susan Griffin, Catron County assessor, said that after talking with other county officials, the general consensus was that in reference to the congressional districts, Catron County would be best served by Concept C because it would satisfy the similarities of industries and cultural backgrounds. She further stated that under Concepts A and B, Catron County citizens would be disenfranchised. Relating to the house districts, she expressed concerns for historical preservation. She reminded the members that until 1921, Catron County was with Socorro County and, therefore, shares a history and cultural interests with that county. She next commented that none of the proposed concepts offer much of a change in the senate district and explained that the district extends to Grant County in the Silver City area.

There was a discussion about congressional Concept F. Representative Hobbs commented that Concept F contains traditional redistricting patterns with minor changes and the plan would provide two minority-majority districts with strong regional Democratic advantages. He further said that it would bring most pueblos and Native Americans together in District 3, as well as bringing rural interests together in District 2. Representative Max Coll remarked that he would stand by his previous statements concerning Concept F. Senator Tsosie stated his concern over splitting the northern and southern pueblo councils, and said that Concept F would put too much of a concentration of high-tech labs into one district. Representative John Heaton

expressed his opinion that the labs often have differences in that they compete for federal dollars and can have diverse interests and thus perhaps would be better served by more than one member of Congress representing them. Cecil Lewis, Jr., noted that the pueblos are like a nation and would not want to be split as they are recognized as the eight northern tribes.

Mr. Dolph Barnhouse, an attorney who used to work for one of the largest Native American legal aid services in the country, spoke in favor of Concept D for the congressional plan because of the way it would split the city of Albuquerque instead of segregating Albuquerque off from the rest of the state. He further stated that Concept D is the only concept that would tie rural and urban communities together and that this would be a positive thing.

There was a discussion about the total population figures and what they meant. Mr. Sanderoff pointed out that the total population figures include people such as children, prisoners and airbase personnel.

Mr. Sanderoff continued with the presentation of the house and senate concepts. Next, Edward T. Begaye presented the Navajo Nation's proposed redistricting plans as he had the day before in Shiprock. He was joined by the Navajo Nation Council attorney, Mr. Frank Seanez, who discussed the proposed Navajo plans. He explained how they had considered such factors as communities of interest.

Maryann Armijo, chairman of the McKinley County Democratic party, said that they liked the Navajo Nation's senate proposal and asked the committee to consider it. As an alternative, she recommended Concept B, stressing that the party's main concern was keeping the city of Gallup intact.

Mr. Tommy McDonald, a Navajo Nation chapter official, said that what they would really like is a congressional district represented by a Native American. He was followed by Chief Smith, Jr., from the eastern-most part of McKinley County, who said he agreed with the comments of Mr. McDonald.

Mr. Jim Harland from the McKinley County food bank and the Democratic party of McKinley County stated that Gallup was a community and the citizens there did not want to be split. He further stated that whenever possible, communities like Gallup should not be split as it makes things confusing to citizens with regard to understanding who represents them.

Council delegate Ervin Keeswood spoke concerning the senate Concept B. He said that while all the intentions with the numbers may be good, it does not reflect the whole story because of the voting-age population of Native Americans, who tend to have large numbers under the age of eighteen.

The meeting was adjourned at 4:00 p.m.

**MINUTES  
of the  
SEVENTH MEETING  
of the  
REDISTRICTING COMMITTEE**

**August 23, 2001  
Tamaya Resort, Santa Ana Pueblo**

**August 24, 2001  
City Council Chambers, Albuquerque**

**August 25, 2001  
West Mesa High School, Albuquerque**

The seventh meeting of the redistricting committee was called to order by Representative Edward C. Sandoval, co-chair, on Thursday, August 23, 2001, at 10:25 a.m. at Santa Ana Pueblo, was reconvened at 10:15 a.m. on Friday, August 24, 2001, in the city council chambers in Albuquerque and at 10:25 a.m., August 25, 2001, at West Mesa high school in Albuquerque.

**PRESENT**

Rep. Edward C. Sandoval, Co-chair  
Sen. Leonard Tsosie, Co-chair  
Sen. Joseph J. Carraro  
Rep. Max Coll (8/23, 8/24)  
Sen. Dianna J. Duran  
Sen. Dede Feldman  
Rep. Mary Helen Garcia  
Sen. Stuart Ingle (8/23, 8/24)  
Sen. Timothy Z. Jennings  
Rep. James Roger Madalena  
Rep. Danice Picraux  
Sen. Bernadette M. Sanchez  
Sen. John Arthur Smith (8/23, 8/24)  
Rep. Joe Thompson  
Rep. Sandra L. Townsend

**ABSENT**

Rep. Earlene Roberts

**Advisory**

Sen. Manny M. Aragon  
Sen. Carlos R. Cisneros (8/25)  
Rep. Kandy Cordova (8/23, 8/24)  
Rep. Daniel R. Foley  
Sen. Mary Jane M. Garcia  
Rep. Miguel P. Garcia (8/23, 8/25)

Sen. Carroll H. Leavell  
Rep. Brian K. Moore

Rep. John A. Heaton (8/23, 8/24)  
Rep. Ted Hobbs  
Rep. Ben Lujan (8/23, 8/25)  
Rep. Al Park  
Sen. William H. Payne  
Sen. Richard M. Romero  
Sen. Michael S. Sanchez (8/24)  
Sen. H. Diane Snyder  
Rep. Sheryl Williams Stapleton  
Rep. James G. Taylor  
Rep. Don Tripp (8/23, 8/24)

(Attendance dates are noted for those not present for the entire meeting.)

**Staff**

Jon Boller, LCS  
Claudia McKay, LCS  
Luce Salas, LCS  
Paula Tackett, LCS  
John Yaeger, LCS

**Guests**

The guest list is in the meeting file.

**Thursday, August 23—Santa Ana Pueblo**

Co-chairman Edward Sandoval called the meeting to order at 10:25 a.m. and summarized the committee's travels throughout the state. Roy Montoya, Santa Ana Pueblo tribal administrator, welcomed the committee and members of the public and wished the attendees success in the difficult task of redistricting. Bill Sapien, Sandoval county commission chairman, welcomed the committee to Sandoval county and wished the committee well. Representative Madalena and Senator Tsosie thanked Santa Ana Pueblo for hosting the committee. Representatives from the pueblos of San Felipe, Santa Ana, Sandia, Zia, Laguna, Acoma, Pojoaque and Tesuque and the Jicarilla Apache Nation were in attendance.

Brian Sanderoff, president of Research & Polling, Inc., explained the redistricting process and then presented the various senate and house redistricting concepts.

During the public comment period, Bill James Gallo of Albuquerque urged the committee to set aside political considerations when it redistricted and to not draw districts solely to protect incumbents. Brad Hays, a former candidate for senate, asked that senate district nine be redrawn so that Rio Rancho would be entirely in one district, since the needs of the surrounding small communities of Corrales, Bernalillo and Placitas are not compatible with

those of Rio Rancho.

Carson Vicente presented the Jicarilla Apache Nation's redistricting proposal for the house of representatives (see meeting file for handout). Mr. Vicente noted that all the house concepts being considered by the committee thus far placed the Jicarilla Apache Nation into house district 41, which, in comparison with a plan that placed the nation in district 65, would dilute the voting strength of Native American voters. Mr. Vicente went on to explain that not putting the Jicarilla Apache Nation into a majority Native American district would violate the federal Voting Rights Act. In response, Co-chairman Tsosie and Representative Madalena asked Mr. Sanderoff to develop a plan that put the Jicarilla Apache Nation into a majority Native American district.

Tesuque Pueblo Governor Charlie Dorame spoke on behalf of the Eight Northern Indian Pueblos Council. Mr. Dorame requested that the northern pueblos be kept together in one public regulation commission, state board of education and congressional district. He also asked that six of the eight northern pueblos be placed in senate district 5 (see meeting file for handout).

Kathleen Gilmore said she had heard that Governor Johnson was going to veto any plan, so what was the point of the meeting? Co-chairman Sandoval responded, saying he hoped that the legislature could negotiate an acceptable plan.

The committee recessed for lunch at 12:30 p.m. and reconvened at 1:40 p.m.

Governor Harry D. Early of the pueblo of Laguna expressed concern that the Laguna reservation was split into two house districts in each of the house redistricting concepts, and asked that the legislature instead consider putting all of Laguna, Acoma and Zuni pueblos, along with the Navajo communities of Ramah and Canoncito, into one district (see meeting file for written comments). Representative Madalena requested the committee to work with Laguna Pueblo to draw up a plan reflecting Governor Early's concerns.

Stephen van Horn, second chair of the Republican party of Sandoval county, stressed the need for fairness when redrawing district lines, and that while it may be necessary and fair to create more majority Native American districts in New Mexico, making a district in which a Native American is certain to win isn't fair. Mr. van Horn also submitted a letter from the party's executive committee describing its preferences for precinct assignments to the house districts in Sandoval county (see meeting file for letter). Mr. van Horn asked that Sandoval county not be parceled out to several districts; rather, he said the county should have two senate and three house of representative districts completely within its borders.

Michael Sharp of Research & Polling, Inc., presented redistricting concepts for the public regulation commission, state board of education and congressional districts. Committee members discussed the need for more information on the economic, social and infrastructure characteristics of the public regulation commission districts and congressional districts. Also

discussed were the standards for determining what a community of interest is.

Professor Don Morrison, university of New Mexico professor emeritus of mathematics and computer science, extolled the virtues of drawing congressional district lines according to a set of simple, nonpartisan rules that would lessen, if not eliminate, much of the acrimonious debate surrounding the redistricting process. Professor Morrison noted that his methodology was developed based on data from all 50 states, and that his congressional concept G is based on the application of his findings to New Mexico after the 2000 census. In his description of concept G, Professor Morrison pointed out that his plan would split only one county, Bernalillo, and that in the future following the decennial census any citizen could redraw the districts using his formula (see meeting file for handout).

Lisa Lutz, chief deputy clerk of Sandoval county, asked the committee to please not split Sandoval county between two congressional districts, and pointed out that at least congressional concepts D and G didn't do so. James Moran of Rio Rancho said he thought there was no advantage in removing portions of Rio Rancho, Corrales and Sandoval county from the third congressional district, and suggested that removing Paradise Hills from district three would provide district one with the necessary population (see file for written comments).

The co-chairmen thanked Santa Ana Pueblo for hosting the committee at Tamaya resort and all those attending the meeting for their participation. The committee adjourned at 3:50 p.m.

#### **Friday, August 24 — Albuquerque City Council Chambers**

Co-chairman Sandoval called the meeting to order at 10:15 a.m. Albuquerque Mayor Jim Baca welcomed the committee to the city.

Brian Sanderoff, president of Research & Polling, Inc., explained the redistricting process and then presented the various senate and house redistricting concepts.

Former congressman Manuel Lujan addressed the committee, saying that in comparison to other states, there were only minor shifts in population between New Mexico's congressional districts; consequently, major changes in the districts would not be required, and in fact, there is value in maintaining the core of the existing districts for the sake of continuity (see meeting file for written comments). In response to Mr. Lujan's statement that a majority Hispanic district was not necessary to ensure election of a Hispanic member of congress from New Mexico, committee members launched a discussion on the various representatives from the state and whether voting patterns argued for a majority Hispanic district or not. Mr. Lujan said he felt he represented all New Mexicans when he was in congress. Other committee members noted that certain Native American majority districts were the product of the federal courts, and that often there was little support in congress by either party for tribal sovereignty issues. Mr. Lujan said that combining Indian communities into a single congressional district seemed more logical,



given their interests in relationship to the federal government are unique.

Isaac Eastvold, president of the Fair Heights Neighborhood Association, asked that the Fair Heights neighborhood not be split between two senate districts (see meeting file for written comments). Jim Buhaug, a resident of the East Mountain area, suggested that the East Mountain area be removed from senate district nine and placed into senate district nineteen, since the Sandia mountains effectively cut off access to the western portion of senate district nine (see meeting file for written comments). Moises Gonzales, assistant planning director for Rio Arriba county, expressed his support for house concept D.

The committee recessed for lunch at 12:15 p.m. and reconvened at 1:45 p.m.

Mr. Sanderoff described the various congressional redistricting concepts, with Professor Morrison again describing concept G. Committee members discussed the merits of the various proposals. In response to committee questioning, Matt Hoyt, general counsel of the governor's office, stated that the governor wants plans that are fair and competitive.

Mr. Sanderoff then presented the public regulation commission redistricting proposals. Committee members discussed the difficulty in determining what a community of interest is in relation to public regulation commission districts. Andrew Leo Lopez, an Albuquerque resident, said he supported public regulation commission redistricting concept D because it put downtown Albuquerque and Bernalillo county in two districts, which would give the urban area two commissioners.

After presentation of the senate redistricting concepts, members of the public commented on the proposals. Phil Ewing asked that the Old Town and Martineztown neighborhoods be kept in one district. Jose Luis Aguilar said he supported senate concept D and house concept E. Steve Anaya of Moriarty asked that Torrance county and southern Santa Fe county be kept together in one district, since there was a community of interest in that area.

Co-chairman Sandoval thanked the public for its participation and patience. The meeting adjourned at 4:10 p.m.

#### **Saturday, August 25 — West Mesa High School**

Co-chairman Sandoval called the meeting to order at 10:25 a.m. Senator Bernadette Sanchez, Representative Ray Ruiz and Representative Dan Silva welcomed the committee to West Mesa high school.

After presentation of the ABCs of redistricting by Mr. Sanderoff, members of the public addressed the committee. Maria Day urged the committee to not split Albuquerque into three congressional districts and also to refrain from gerrymandering, which in the past had created contorted districts like senate district 39.

Flora Sanchez, president of the state board of education, presented a recommendation from the board members in support of state board of education redistricting concept C, with minor adjustments (see meeting file for letter). Pat Prescott, a teacher at West Mesa high school, preferred concept B, whereas JoAnn Anders, a teacher at Ladera, supported concept C. Todd Hawthorne noted that Santa Fe high school has problems very different from those of Rio Rancho, and therefore all of Sandoval county should be in one state board of education district. Asked what standards he used in drawing the state board of education proposals, Mr. Sanderoff replied that he had not considered political or partisan differences in creating the plans. Mr. Hoyt, the governor's general counsel, was asked which plan the governor supported, to which he replied that it was premature to say what the governor's preferred plan would be.

David McConaughy, a resident of senate district 13, spoke in support of senate redistricting concepts A and B, since both concepts included the Old Town area of Albuquerque in district 13. Mr. McConaughy stated that the Old Town area and the North Valley area were historically linked and constituted a community of interest that should be preserved (see meeting file for letter). Alice Hoppes, president of the Albuquerque section of the National Council of Negro Women, urged the committee to create a majority-minority senate district favoring African Americans, noting that there has never been an African American elected to the senate in New Mexico. She also commended Representative Sheryl Williams Stapleton for her work on behalf of her district and the community at large (see meeting file for written comments). Jens Deichmann, president of the North Valley Coalition, stressed the importance of keeping the core of Senator Feldman's and Representatives Meira's and Sandoval's districts intact to ensure continuity in the implementation of the North Valley area plan. Lovater Jones asked that house district 19 be preserved so that Representative Sheryl Williams Stapleton could be reelected, since she gave a voice to African Americans in the state, and demonstrated that New Mexico is a multicultural, rather than a tricultural, state.

The committee next considered the congressional redistricting concepts. Professor Don Morrison warned that putting all of Albuquerque in one district would guarantee that the city's interests would dominate all other interests in that district. Ralph Arellanes reported that the Hispano Roundtable had voted unanimously in support of congressional concept D because it included areas of common interests and problems into district one. Ryan Rice, Sarah Hunt and Matt Kennicott of Young New Mexicans for United Communities spoke in support of congressional concept F, stating that the plan kept Albuquerque together as a community and would promote a Native American voice in congress. Antonio Maestas of Albuquerque expressed his support for congressional concept D, pointing out that the north and south valleys of Albuquerque had more in common with communities along the Rio Grande than with the Northeast Heights area of the city. Mr. Maestas also argued that given the voting history of the state, creation of a majority Hispanic district was necessary to avoid violating the federal Voting Rights Act. JoAnn Anders asked that Paradise Hills (precinct 80) not be sectioned off from Albuquerque and the rest of Bernalillo county in congressional plans, since that neighborhood is part of the city, not part of Rio Rancho. Larry Weaver said that he echoed Ms. Anders views, supported congressional concept C and disliked concepts D and F. Tom Hathaway added that

Rio Rancho would love to be in congressional district one since the city's interests are tied to those of Albuquerque. He also said that although it is important to consider race, other factors are also needed to be part of the equation.

Representative Miguel Garcia presented congressional concept H, which, he explained, had a strong historical and psychological basis and created an opportunity for both Native Americans and Hispanics to elect a candidate of their choice in district one. He said he wished there were more proposed plans that challenged the status quo. This prompted a discussion on the merits of splitting Albuquerque between districts and on what consideration should be given to history, neighborhoods, community interests and language minorities when redrawing districts. The co-chairmen observed that few of the committee's past discussions of history had been reported in the press.

Mr. Sanderoff presented the house redistricting concepts, with public comment following. Pat Prescott expressed support for concept B. JoAnn Anders stressed the need for an additional westside seat due the population growth in that area in the past 10 years. Representative Ray Ruiz said he also supported the creation of a new westside seat, and that he thought concept B was a good plan. Representative Miguel Garcia observed that there are now nine majority-minority districts in Bernalillo county and argued that any redistricting plan should at least protect those existing districts.

The co-chairmen thanked the committee for its great work and the public for its input. The committee adjourned at 2:20 p.m.

**MINUTES**  
**of the**  
**EIGHTH MEETING**  
**of the**  
**REDISTRICTING COMMITTEE**

**August 29-30, 2001**  
**Room 322, State Capitol**  
**Santa Fe**

The eighth meeting of the redistricting committee was called to order by Representative Edward C. Sandoval, co-chair, on Wednesday, August 29, 2001, at 11:00 a.m. and was reconvened at 10:25 a.m. on Thursday, August 30, 2001, in Room 322 of the State Capitol in Santa Fe.

**PRESENT**

Rep. Edward C. Sandoval, Co-chair  
Sen. Leonard Tsosie, Co-chair (8/30)  
Sen. Joseph J. Carraro  
Rep. Max Coll  
Sen. Dianna J. Duran  
Sen. Dede Feldman  
Rep. Mary Helen Garcia  
Sen. Stuart Ingle  
Sen. Timothy Z. Jennings  
Rep. James Roger Madalena  
Rep. Danice Picraux  
Rep. Earlene Roberts  
Sen. Bernadette M. Sanchez  
Sen. John Arthur Smith  
Rep. Joe Thompson  
Rep. Sandra L. Townsend

**ABSENT**

**Advisory Members**

Sen. Manny M. Aragon  
Rep. Kandy Cordova  
Sen. Mary Jane M. Garcia  
Rep. John A. Heaton  
Rep. Ted Hobbs  
Rep. Ben Lujan  
Rep. Brian K. Moore  
Rep. Al Park  
Sen. Richard M. Romero  
Sen. H. Diane Snyder

Sen. Carlos R. Cisneros  
Rep. Daniel R. Foley  
Rep. Miguel P. Garcia  
Sen. Carroll H. Leavell  
Sen. William H. Payne  
Sen. Michael S. Sanchez

Rep. Sheryl Williams Stapleton  
Rep. James G. Taylor (8/30)  
Rep. Don Tripp

(Attendance dates are noted for those not present for the entire meeting.)

**Staff**

Jon Boller, LCS  
Claudia McKay, LCS  
Luce Salas, LCS  
Paula Tackett, LCS  
John Yaeger, LCS

**Guests**

The guest list is in the meeting file.

**Wednesday, August 29**

Co-chairman Ed Sandoval called the meeting to order at 11:00 a.m. and asked for public comment.

Chuck Montano, an employee at Los Alamos national laboratory (LANL), expressed his concerns about congressional redistricting Concept F, stating that he opposed the plan because it took Los Alamos out of the third congressional district. Manuel Trujillo, a member of the LANL employee rights board, also opposed Concept F, claiming that putting Los Alamos into a district with Albuquerque would cut off input from the surrounding northern New Mexico communities on how the lab affects its neighbors.

Ervin M. Keeswood, Sr., representing the Navajo Nation, presented the Navajo Nation's revised proposals for state legislative districts to the committee (see files for Resolution IGRAU-237-01). Mr. Keeswood thanked the committee for hearing the Navajo Nation's concerns at the Shiprock and Gallup meetings and noted that the revised proposals he was submitting were developed upon recommendation of the committee at the August 2 meeting. A discussion ensued on how the proposals would affect Native American majorities in the senate and house districts and the effect on various pueblos, municipalities and incumbents.

Senator Rod Adair spoke in favor of congressional redistricting Concept F, saying that the plan would keep communities of interest together.

Upon a query, Brian Sanderoff of Research & Polling, Inc., explained his methodology for creating a political performance index, noting that there is no perfect index and the index is useful as a guideline for all election races rather than a race in any one district. Incumbency,

personality and other factors could easily erase party advantage in a given district.

The committee recessed at 1:30 p.m. and reconvened at 2:50 p.m., at which time David Almager of the Mexican American legal defense and educational fund addressed the committee. Mr. Almager explained that his organization has been involved in the redistricting process for over 30 years, both in protecting Latino voting rights nationwide and ensuring that state and local governments do not dilute minority voting strength. He also said that it is admirable that New Mexico offers significant opportunities for electing Latino representatives and hoped that it would continue to do so.

Mr. Sanderoff described the various state board of education redistricting concepts. Michael Davis, superintendent of public instruction, reported that the board, by a 14 to 0 vote, supported Concept C, with slight modifications. Co-chairman Sandoval noted that Concept C-1 incorporated the changes to Concept C that the board recommended. He then moved, without objection, to direct the legislative council service to put Concepts A-1 and C-1 into bill format for consideration by the legislature.

Public regulation commissioner Tony Schaeffer told the committee that the commissioners unanimously supported public regulation commission redistricting Concept D, with slight modifications. Co-chairman Sandoval directed staff to prepare Concepts A and D for introduction.

Peter M. Pino, representing the Pueblo of Zia, spoke in favor of congressional redistricting Concept D-revised and house of representatives redistricting Concept A. He noted that the pueblo had been well served by Representative Madalena and said he hoped that any plan approved by the legislature would keep the Pueblo of Zia in his district.

Upon a motion without objection, the committee directed staff to draft for introduction all of the congressional redistricting concepts that had been presented to the committee.

The committee recessed at 4:15 p.m.

#### **Thursday, August 30**

Co-chairman Sandoval called the meeting to order at 10:25 a.m. on August 30, 2001.

Bernie Teba, representing the eight northern Indian pueblos council, presented the council's recommendation that the senate district boundaries be redrawn so that the pueblos would all lie within senate district five (see meeting file for handout).

Mr. Sanderoff summarized the demographic changes in the state and described how the different house redistricting concepts compensated for those changes. Co-chairman Sandoval then moved, without objection, to have staff prepare house redistricting Concepts B, C and D for

introduction, along with the partial house and senate plans proposed by Jose Luis Aguilar, the Jicarilla Apache Nation, the Navajo Nation, the city of Espanola and the eight northern Indian pueblos council. Representative Madalena reminded the committee that the Pueblo of Laguna was planning to submit a proposal. The committee agreed to have that plan drafted also.

Mr. Sanderoff described the various senate redistricting concepts. Co-chairman Sandoval moved, without objection, to direct staff to draft senate redistricting Concepts A, B, C and D-1 for introduction.

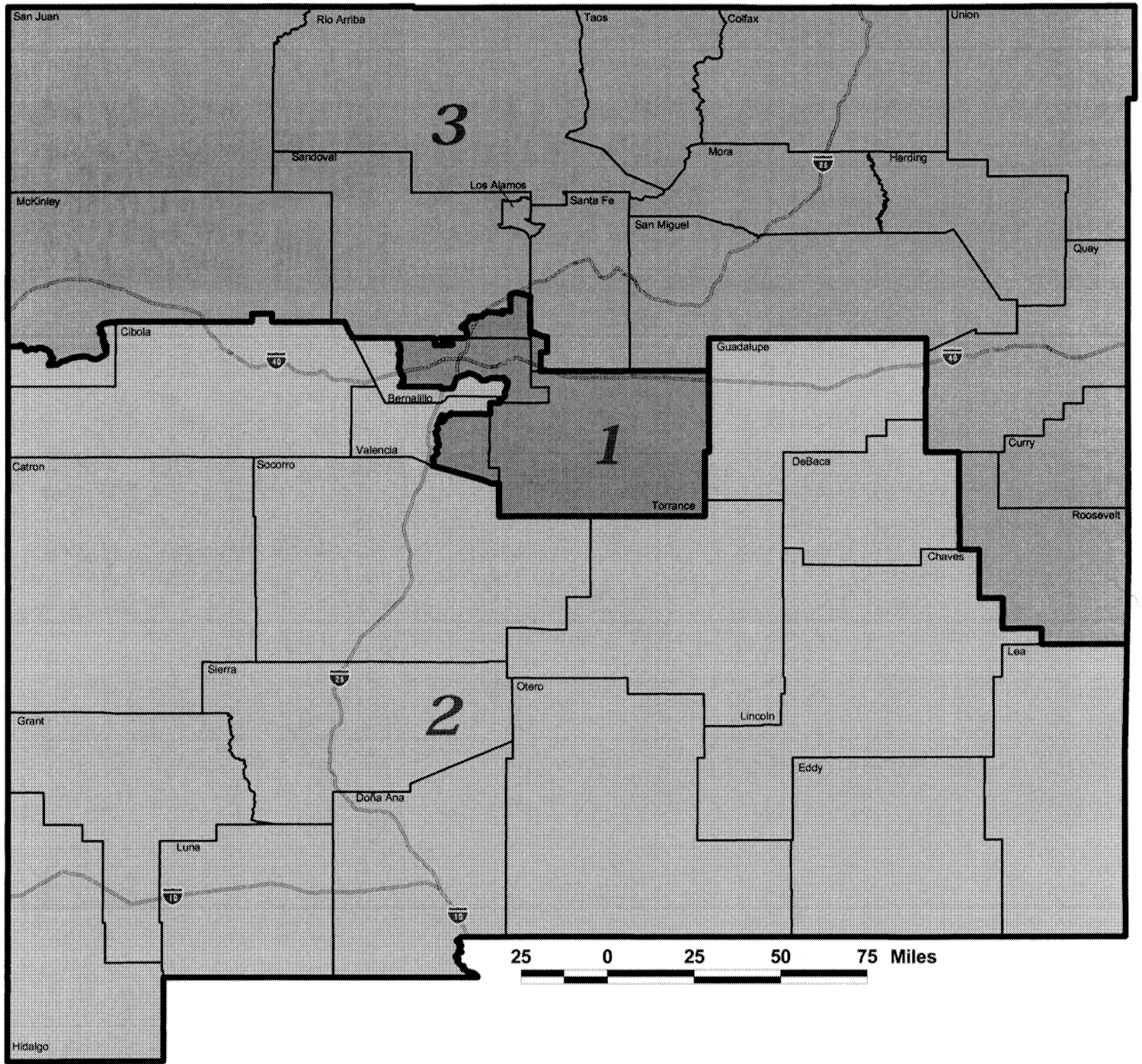
Co-chairmen Sandoval and Tsosie thanked the members of the committee for their work and all of the communities that hosted the committee through the summer. Senator Aragon complimented Research & Polling, Inc., for doing an excellent job.

The committee adjourned at 12:05 p.m.

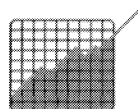
REDISTRICTING  
BILLS, MAPS  
and  
DATA



# New Mexico Congressional Districts Court Ordered Plan



- Interstates
- Counties
- Districts

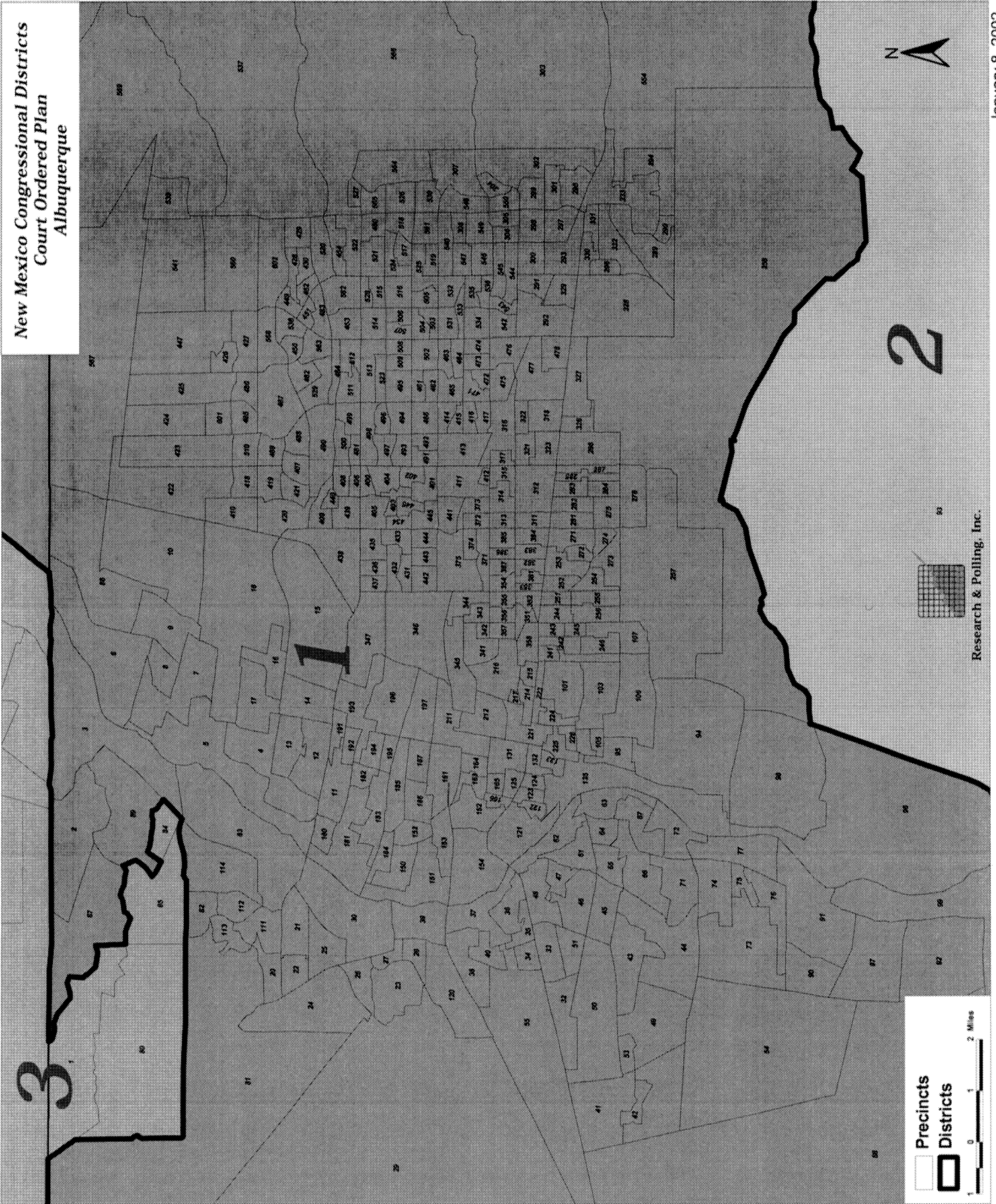


Research & Polling, Inc.



January 8, 2002

New Mexico Congressional Districts  
Court Ordered Plan  
Albuquerque



Research & Polling, Inc.

January 8, 2002

**New Mexico Congressional Districts  
Court Ordered Plan**

Dist	Non-Hisp.			Voting Behavior		Registered Voters												
	Pop	Deviation	Hisp.	White	Nat. Amer. Black	18+ Pop	Dem Perf.	Rep Perf.	Total	Dem	% Dem	Rep	% Rep	Green	% Green	Other	% Other	
1	606,400	51 .01%	42.6%	48.5%	2.9%	2.3%	450,200	50.1%	49.9%	335,802	157,836	47.0%	120,729	36.0%	5,788	1.7%	51,449	15.3%
2	606,406	57 .01%	47.3%	44.3%	4.8%	1.6%	431,111	47.7%	52.3%	306,108	159,848	52.2%	105,330	34.4%	1,173	.4%	39,757	13.0%
3	606,240	-109 -.02%	36.3%	41.4%	18.9%	1.1%	429,161	56.7%	43.3%	330,803	189,536	57.3%	92,249	27.9%	4,771	1.4%	44,247	13.4%
<b>Totals</b>	<b>1,819,046</b>		<b>42.1%</b>	<b>44.7%</b>	<b>8.9%</b>	<b>1.7%</b>	<b>1,310,472</b>	<b>51.7%</b>	<b>48.3%</b>	<b>972,713</b>	<b>507,220</b>	<b>52.1%</b>	<b>318,308</b>	<b>32.7%</b>	<b>11,732</b>	<b>1.2%</b>	<b>135,453</b>	<b>13.9%</b>

**Congressional Districts  
LC 21**

District	Pop	Deviation	Hispanic	Non - Hispanic Origin					2 Or More Races
				White	Native American	Black	Asian		
1	606,400	51 .01%	258,474 42.6%	294,340 48.5%	17,605 2.9%	14,249 2.3%	10,402 1.7%	9,873 1.6%	
Adult:	450,200		174,673 38.8%	237,717 52.8%	12,628 2.8%	10,297 2.3%	8,034 1.8%	5,811 1.3%	
2	606,406	57 .01%	286,829 47.3%	268,377 44.3%	29,326 4.8%	9,857 1.6%	3,313 .5%	7,313 1.2%	
Adult:	431,111		183,384 42.5%	213,566 49.5%	19,003 4.4%	7,017 1.6%	2,631 .6%	4,455 1.0%	
3	606,240	-109 -.02%	220,083 36.3%	250,778 41.4%	114,529 18.9%	6,548 1.1%	4,542 .7%	8,607 1.4%	
Adult:	429,161		148,523 34.6%	196,911 45.9%	70,086 16.3%	4,551 1.1%	3,460 .8%	4,838 1.1%	
<b>Totals</b>	<b>1,819,046</b>	<b>Ideal: 606,349</b>	<b>765,386 42.1%</b>	<b>813,495 44.7%</b>	<b>161,460 8.9%</b>	<b>30,654 1.7%</b>	<b>18,257 1.0%</b>	<b>25,793 1.4%</b>	
Adult:	1,310,472		506,580 38.7%	648,194 49.5%	101,717 7.8%	21,865 1.7%	14,125 1.1%	15,104 1.2%	



STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
FIRST JUDICIAL DISTRICT

02 JAN -8 PM 2: 57

No. D-0101-CV-2001-02177  
[consolidated]

MICHAEL JEPSEN, et. al,

Plaintiffs,

v.

REBECCA VIGIL-GIRON, et. al,

Defendants.

### **FINAL JUDGMENT AND ORDER ADOPTING CONGRESSIONAL REDISTRICTING PLAN**

THIS MATTER having come before the Court for trial on December 11 through 20, 2001, regarding the redistricting of New Mexico's three districts in the United States House of Representatives necessitated by population changes reflected in the 2000 decennial census, and the Court having heard the testimony and argument of counsel, reviewed the evidence, read the pleadings, and having entered Findings of Fact and Conclusions of Law on January 2, 2002 and being fully advised in the premises, finds that the present congressional districts established in 1991 in NMSA 1978, §§ 1-15-15 and 16 are malapportioned and therefore unconstitutional, and that the "Least Change" VTD Level Plan submitted by the Vigil Intervenors should therefore be adopted as the redistricting plan for New Mexico's three congressional districts beginning for the 2002 primary and general elections.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the three congressional districts set forth in NMSA 1978, §§ 1-15-15 and 16 are revised as follows:

- A. Congressional district number one is composed of Torrance county; Bernalillo county precincts number 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,

20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 61, 62, 63, 64, 65, 66, 67, 71, 72, 73, 74, 75, 76, 77, 81, 82, 83, 86, 87, 88, 89, 90, 91, 92, 94, 95, 96, 97, 98, 99, 101, 102, 103, 104, 105, 106, 107, 111, 112, 113, 114, 120, 121, 122, 123, 124, 125, 131, 132, 133, 135, 150, 151, 152, 153, 154, 161, 162, 163, 164, 165, 166, 180, 181, 182, 183, 184, 185, 186, 187, 191, 192, 193, 194, 195, 196, 197, 211, 212, 214, 215, 216, 217, 221, 223, 224, 225, 226, 241, 242, 243, 244, 245, 246, 251, 252, 253, 254, 255, 256, 257, 258, 271, 272, 273, 274, 275, 278, 281, 282, 283, 284, 285, 286, 287, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 311, 312, 313, 314, 315, 316, 317, 318, 321, 322, 323, 326, 327, 328, 329, 330, 331, 332, 333, 341, 342, 343, 344, 345, 346, 347, 351, 352, 353, 354, 355, 356, 357, 358, 371, 372, 373, 374, 375, 381, 382, 383, 384, 385, 386, 387, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 449, 450, 451, 452, 453, 454, 461, 462, 463, 464, 465, 466, 471, 472, 473, 474, 475, 476, 477, 478, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 571, 573, 601 and 602; Sandoval county precincts number 1, 2, 3, 4, 5, 28, 29, 38, 55, 56 and 64; Santa Fe county precincts number 15, 73 and 84; and Valencia county precincts number 6, 8, 15, 16, 28, 29, 30, 32, 33, 34 and 38.

- B. Congressional district number two is composed of Catron, Cibola, Chaves, De Baca, Dona Ana, Eddy, Grant, Guadalupe, Hidalgo, Lea, Lincoln, Luna, Otero, Sierra and Socorro counties; Bernalillo county precincts number 31 and 93; McKinley county precinct numbers 26, 27, 29 and 30; and Valencia county precincts number 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 31, 35, 36 and 37.
- C. Congressional district number three is composed of Colfax, Curry, Harding, Los Alamos, Mora, Quay, Rio Arriba, Roosevelt, San Juan, San Miguel, Taos and Union counties; Bernalillo county precincts numbers 1, 80, 84 and 85; McKinley county precinct numbers 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 50; Sandoval county precincts numbers 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 53, 54, 58, 59, 60, 61, 62, 63 and 67; and Santa Fe county precincts number 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85 and 86.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that costs and attorney fees shall be assessed as allowed by law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that final judgment is hereby entered adjudicating all claims regarding redistricting of the three New Mexico districts in the United States House of Representatives and there is no just reason for delay of entry of this final judgment.

IT IS SO ORDERED.

  
DISTRICT COURT JUDGE

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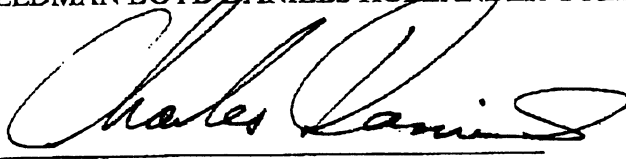
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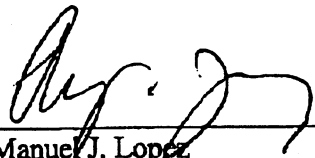
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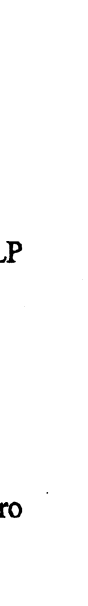
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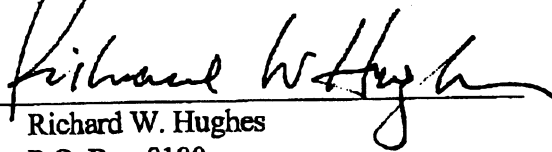
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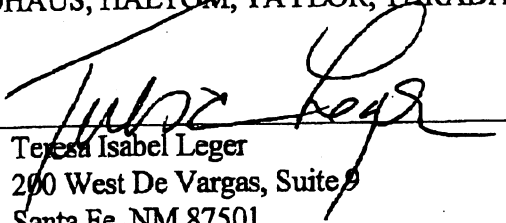
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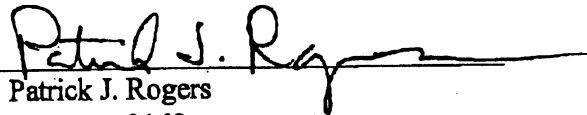
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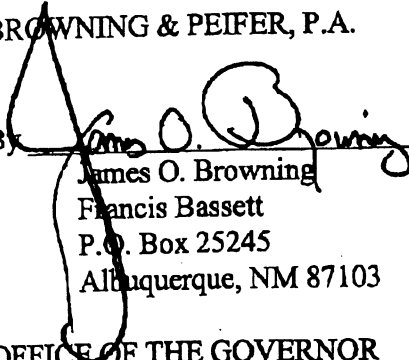
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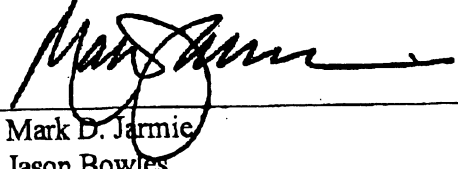
  
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FIRST JUDICIAL DISTRICT COURT  
COUNTY OF SANTA FE  
STATE OF NEW MEXICO

FIRST JUDICIAL  
DISTRICT COURT  
02 JAN -8 AM 11:28 

MICHAEL JEPSEN, et al.,  
Plaintiffs,

vs.

No. D0101-CV-2001-02177  
(Consolidated)

REBECCA VIGIL-GIRON, in her  
official capacity as New Mexico  
Secretary of State, et al.,  
Defendants.

ORDER RE: AMENDMENT TO THE COURT'S  
FINDING OF FACTS AND CONCLUSIONS OF LAW  
FILED JANUARY 2, 2002

It has been called to the Courts attention that although all of the parties have agreed that the current New Mexico congressional districts are malapportioned and therefore violate Art. I, § 2 of the Constitution of the United States, that a finding of facts and conclusions of law should indicate this. Therefore it is Ordered that the Court's Findings of Fact and Conclusions of Law shall be amended to add the following:

Additional Finding of Facts

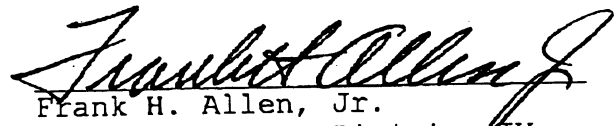
3A. The "ideal populations" (the total population of New Mexico according to the 2000 census divided by three) for congressional districts in New Mexico is 606,349. The current population, according to the 2000 census, of District 3 is 22,996 over the ideal population for that district. That is a deviation from the ideal population of 3.79 per cent. The current population of District 1 is 13,438 under the ideal population, for a

deviation from ideal of -2.2 per cent. Thus, the maximum deviation among the existing districts is 5.99 percent.

3B. In light of the deviations from the ideal population for New Mexico's congressional districts, based on the 2000 census, the current New Mexico congressional districts are malapportioned.

Additional Conclusions of Law

2A. The current New Mexico congressional districts violate Art. I, § 2 of the Constitution of the United States. The maximum deviation between the largest district and the smallest district is 5.99 per cent, which exceeds maximum deviations found to be unconstitutional under Art. 1, § 2. See Karcher v. Daggett, 462 U.S. 725, 730 (1983); Kirkpatrick v. Preisler, 394 U.S. 526, 531 (1969).

  
Frank H. Allen, Jr.  
District Judge, Division IV

FHA/mah

FIRST JUDICIAL DISTRICT COURT  
COUNTY OF SANTA FE  
STATE OF NEW MEXICO

FILED  
FIRST JUDICIAL  
DISTRICT COURT  
02 JAN -4 AM 9:15

MICHAEL JEPSEN, et al.,  
Plaintiffs,

vs.

No. D0101 CV 2001 02177  
(Consolidated)

REBECCA VIGIL-GIRON, in her  
official capacity as New Mexico  
Secretary of State, et al.,  
Defendants.

COURT'S FINDINGS OF FACTS AND  
CONCLUSIONS OF LAW

FINDINGS OF FACTS

1. Article I, Section 2 of the United States Constitution provides that the House of Representatives must be reapportioned by district every ten years.

2. Pursuant thereto, the United States Census Bureau conducts a decennial census throughout the United States to accomplish the proper apportionment of House districts.

3. The most recent census was conducted in 2000, and established that the population of the State of New Mexico is 1,819,046, an increase of 303,977 residents from the 1990 census.

4. New Mexico received the relevant 2000 Census data from the Federal Census Bureau in March, 2001. In order to allow the

legislature to perform redistricting in conformity with that data, a special legislative session was called for the fall of 2001.

5. In anticipation of that special session, the bi-partisan New Mexico Legislative Council adopted, without dissent, certain criteria or "Guidelines" which the legislature would consider in formulating redistricting plans. The Legislative Council also formed a bi-partisan Interim Redistricting Committee to study the question of redistricting and make recommendations to the full Legislature.

6. The Redistricting Committee traveled throughout the State of New Mexico and held public hearings to receive comments and input concerning certain congressional redistricting concepts from citizens and interest groups from all areas of the state. Comments were received from groups including, but not limited to, the State Republican Party, the Mexican-American Legal Defense Education Fund, the NAACP, the Navajo Nation, and the Jicarilla Apache Tribe, Id.

7. On September 20, 2001, the Legislature passed SB 33, a reapportionment plan for New Mexico's three Congressional seats. It passed the senate 21-18 and the house 34-27.

8. On October 3, 2001, Governor Johnson vetoed SB 33.

9. The Legislature adjourned on the same day it enacted SB

33 and made no attempt to override the governor's veto.

10. Redistricting is primarily a legislative duty which was not accomplished and therefore left to the court.

11. The court has been presented with 6 plans. SB 33, the plan passed by the Legislature, the Jepsen Plan a modification of SB 33, the Sanchez Plan similar to SB 33 and the Jepsen Plan, the Padilla Plan which meets many of the Governor's concerns, the Gutierrez Plan which is similar to the Padilla Plan and the Vigil Plan which is called the "Least Change" because it makes fewer changes to the current districts.

12. SB 33, the Jepsen Plan and the Sanchez Plan redistricts the State of New Mexico to provide for a majority Hispanic district.

13. Hispanic communities in New Mexico are sufficiently and geographically compact to constitute a majority in a Congressional district. (Gingles Precondition 1)

14. Hispanic citizens vote generally as a majority for Democratic candidates and non-Hispanic white citizens vote generally as a majority for Republicans. (Gingles Precondition 2)

15. The white majority does not vote sufficiently as a block to enable it to usually defeat the minority preferred candidate. (Gingles Precondition 3 fails)



16. The New Mexico's Native American communities are not sufficiently larger and geographically compact to constitute a majority in a Congressional district.

17. The Court based upon the evidence presented is not able to find that race is the predominant factor in the drawing of district lines for SB 33, Jepsen and Sanchez Plan or that a majority Hispanic district in each of the plans would constitute racial gerrymandering in violation of Shaw v. Reno, 509 U.S. 630 (1993) but;

18. The Court does find that a redistricting plan as proposed by SB 33, the Jepsen and Sanchez Interveners in establishing a majority Hispanic district is a substantial change from our existing plan and not required by Section 2 of the Voting Rights Act.

19. SB 33, the Jepsen Plan and the Sanchez Plan in establishing a majority Hispanic district require the disrupting of existing districts which have been in effect for twenty years.

20. The establishment of a majority Hispanic district as provided for in SB 33, the Jepsen and Sanchez Plan involve serious political consideration which should be made by our Legislature and Governor working within the political process and not by the court.

21. Of the remaining plans (Gutierrez, Padilla and Vigil) the Court adopts the Vigil "Least Change" VTD Level Plan which

maintains our present system until the Legislature choose to act.

22. The Vigil "Least Change" Congressional Redistricting Plans shift the minimum population necessary to bring New Mexico into compliance with the one-person, one-vote requirement set by the United States Supreme Court.

23. The Congressional Redistricting Plans submitted to the Court by the other parties shift far larger population from one congressional district to another than the Vigil "Least Change" Plans.

24. Every plan other than the Vigil "Least Change" Plans split the City of Albuquerque, placing the Northeast Heights in one district and the Downtown and areas of the Valley in another. Three of the other plans - Senate Bill 33, the Jepsen Plan and the Sanchez Plan - divide portions of the City of Albuquerque into all three congressional districts.

25. Since the adoption of single member Congressional districts in the State of New Mexico in 1968, the legislative and executive branches of New Mexico State Government have never split the City of Albuquerque in the manner proposed Plans.

26. The Vigil "Least Change" Plans promote partisan fairness and political competition.

27. Under the Vigil "Least Change" Plans are based upon the districting scheme adopted by the New Mexico Legislature and Governor Bruce King in 1991.

28. Under the Vigil "Least Change" VTD Level Plan, only 22,966 people, or 1.26% of New Mexico's total population of 1,819,046, change Congressional districts.

29. Under the Vigil "Least Change" VTD Level Plan, 13,489 people will be shifted from the 3<sup>rd</sup> Congressional District to the 1<sup>st</sup> Congressional District, and 9,616 people will be shifted from the 3<sup>rd</sup> Congressional District to the 2<sup>nd</sup> Congressional District.

30. In particular, under the Vigil "Least Change" VTD Level Plan, Cibola County Precinct 5 and McKinley County Precincts 26, 27, 29 and 30 will be moved from the 3<sup>rd</sup> to the 2<sup>nd</sup> district, and Bernalillo County Precincts 2, 87 and 89 will be moved from the 3<sup>rd</sup> to the 1<sup>st</sup> district.

31. The Vigil "Least Change" VTD Level Congressional Plan will result in a population deviation of 51 people over the ideal in the 1<sup>st</sup> district, 57 over in the 2<sup>nd</sup> and 109 under in the 3<sup>rd</sup>.

32. Under the Vigil "Least Change" VTD Level Plan, the percentage of voting age Hispanics in the new districts compared to the old districts remains virtually the same, with a Hispanic population of 38.8% compared to 39% in the 1<sup>st</sup>, 42.54% compared to 43.13% in the 2<sup>nd</sup>, and 34.61% compared to 34.05% in the 3<sup>rd</sup>.

33. Although the Vigil "Least Change" VTD Level Plan shifts some Native Americans from the 3<sup>rd</sup> to the 2<sup>nd</sup> district, the percentage decrease in the Native American voting age population in

the 3<sup>rd</sup> district would only be reduced by two thirds of 1%, from 16.99% to 16.33%.

34. Because the legislature and Governor were unable to reach agreement on a Congressional Redistricting Plan in 2001, it is appropriate for this Court to look to the last, clear expression of state policy on this issue enunciated in 1991 with the enactment of the current districts.

*revised* → \* 35. Therefore, the Court finds that New Mexico's three congressional districts should be composed as follows:

*in  
final  
order to  
include  
missing  
precincts*

- A. Congressional district number one is composed of Torrance county; Bernalillo county precincts number 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 61, 62, 63, 64, 65, 66, 67, 71, 72, 73, 74, 75, 76, 77, 81, 82, 83, 86, 87, 88, 89, 90, 91, 92, 94, 95, 96, 97, 98, 99, 101, 102, 103, 104, 105, 106, 107, 111, 112, 113, 114, 120, 121, 122, 123, 124, 125, 131, 132, 133, 135, 150, 151, 152, 153, 154, 161, 162, 163, 164, 165, 166, 180, 181, 182, 183, 184, 185, 186, 187, 191, 192, 193, 194, 195, 196, 197, 211, 212, 214, 215, 216, 217, 221, 223, 224, 225, 226, 241, 242, 243, 244, 245, 246, 251, 252, 253, 254, 255, 256, 257, 258, 271, 272, 273, 274, 275, 278, 281, 282, 283, 284, 285, 286, 287, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 311, 312, 313, 314, 315, 316, 317, 318, 321, 322, 323, 326, 327, 328, 329, 330, 331, 332, 333, 341, 342, 343, 344, 345, 346, 347, 351, 352, 353, 354, 355, 356, 357, 358, 371, 372, 373, 374, 375, 381, 382, 383, 384, 385, 386, 387, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 449, 450, 451, 452, 453, 454, 461, 462, 463, 464, 465, 466, 471, 472, 473, 474, 475, 476, 477, 478, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 571, 573, 601 and 602; Sandoval county precincts number 1, 2, 3, 4, 5, 28, 29, 38, 55, 56 and 64; Santa Fe county precincts number 15, 73 and 84; and Valencia county precincts number 6, 8, 15, 16, 28, 29, 30, 32, 33, 34 and 38.

- B. Congressional district number two is composed of Catron, Cibola, Chaves, De Baca, Dona Ana, Eddy, Grant, Guadalupe, Hidalgo, Lea, Lincoln, Luna, Otero, Sierra and Socorro counties; Bernalillo county precincts number 31 and 93; McKinley county precinct numbers 26, 27, 29 and 30; and Valencia county precincts number 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 31, 35, 36 and 37.
- C. Congressional district number three is composed of Colfax, Curry, Harding, Los Alamos, Mora, Quay, Rio Arriba, Roosevelt, San Juan, San Miguel, Taos and Union counties; Bernalillo county precincts numbers 1, 80, 84 and 85; McKinley county precinct numbers 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 50; Sandoval county precincts numbers 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 53, 54, 58, 59, 60, 61, 62, 63 and 67; and Santa Fe county precincts number 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85 and 86.

#### CONCLUSIONS OF LAW

1. The Court has jurisdiction of the parties and the subject matter.
2. Under the "one-person, one-vote" mandate, each district should contain as nearly as possible the same population as other districts, based upon the most recent federal census.
3. Section 2 of the Voting Rights Act prohibits any state from imposing any voting qualification, standard, practice or procedure that results in the denial or abridgment of any citizen's right to vote on account of race, color or status as a member of a language minority group.

4. The Court in Gingles set out "necessary preconditions," a three part test which is a threshold requirement. Only if all three preconditions are met is an examination of the "totalities of the circumstances" triggered. Gingles, 478 U.S. at 83, O'Connor concurring, Grove v. Emison, 507 U.S. 25, 39 (1992).

The necessary preconditions are:

- First, the minority group must be able to sufficiently large and geographically compact to constitute a majority in a single-member district.
- Second, the minority group must be able to show that it is politically cohesive (racial polarized voting).
- Third, the minority must be able to demonstrate that the white majority votes sufficiently as a bloc to enable it-in the absence of special circumstances, such as the minority candidate running unopposed-usually to defeat the minority's preferred candidate."

5. "Absent evidence that minorities have been excluded from the political process, a "lack of success at the polls" is not sufficient to trigger judicial intervention. Courts must undertake the additional inquiry into the reasons for, or causes

of, these electoral losses in order to determine whether they were the product of 'partisan politics' or 'racial vote dilution', or 'built-in bias.'" LULAC, 999 F.2d at 853-54.

6. Applying this law, the Court finds no persuasive evidence to establish that § 2 of the Voting Rights Act mandates the creation of an Hispanic majority district in New Mexico. The third Gingles factor has not been established.

7. This Court is and should be reluctant to make radical or partisan changes unless the law requires these changes to be made.

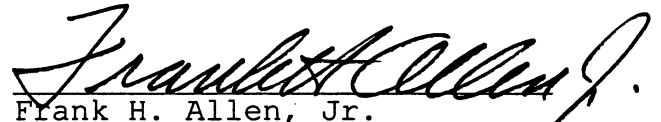
8. The current congressional plan or the Vigil Plan do not violate § 2 of the Voting Rights Act.

9. Each District should be as compact and contiguous to the extent possible and county and municipal boundaries should be kept intact to the extent possible.

10. When a court is required to redraw congressional districts due to an impasse between legislative and executive branches of government, the Court must apply neutral principles of law to his decision, Perrin v. Kitzhaber, Multnomah County Circuit Court, Oregon, Cause No. 0107-07021.

11. With the exception of the Vigil Plan, the realignment proposed by the other redistricting plans are not the type of plans that should be adopted by a Court exercising a limited role and applying neutral principles of law.

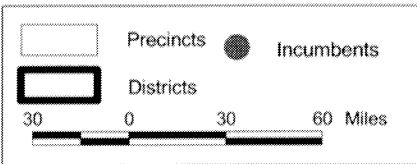
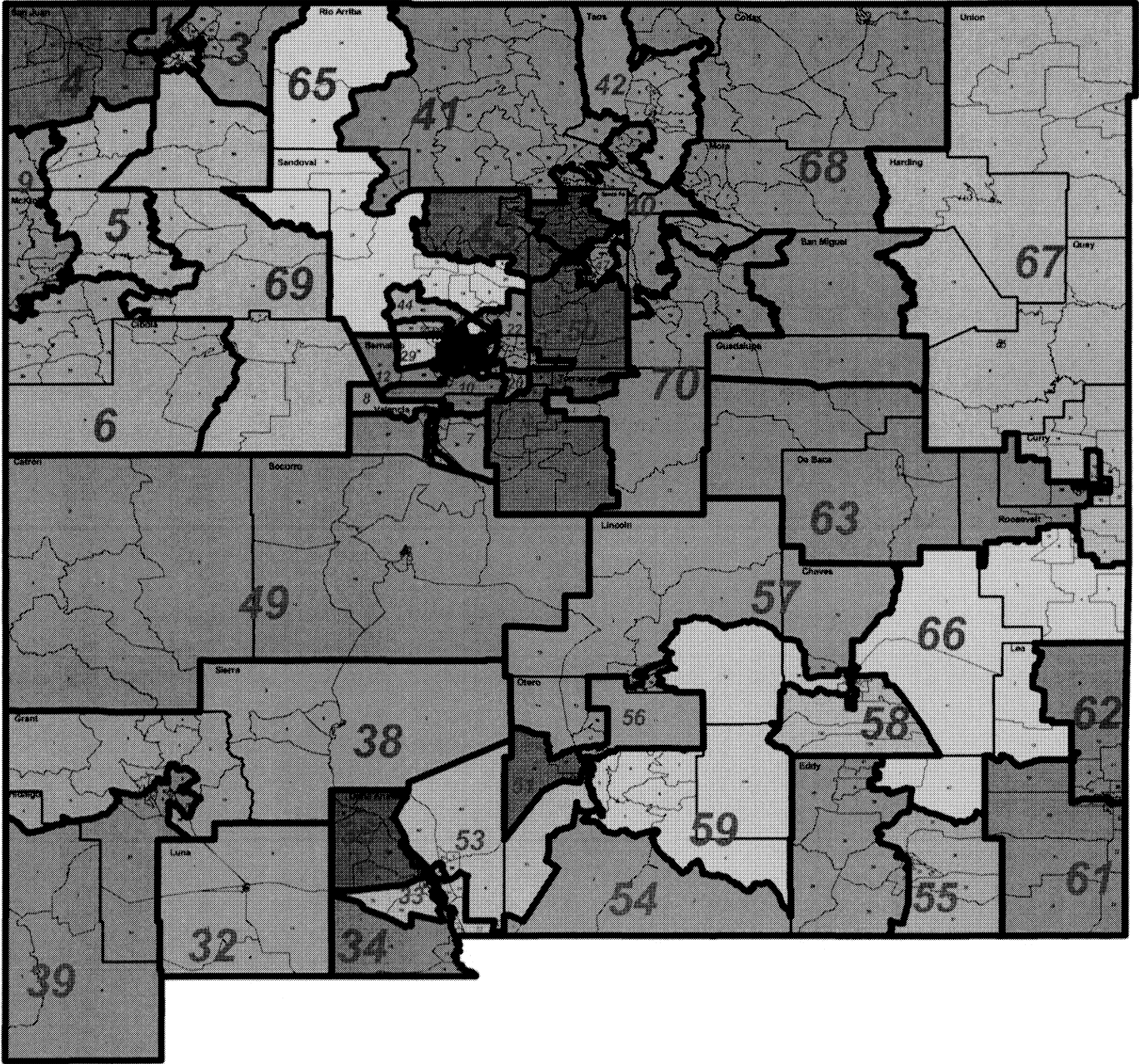
12. The Vigil Intervenors are to prepare the necessary Order with required attachments to implement this ruling and to put into effect this congressional districting plan for the primary and general elections.

  
Frank H. Allen, Jr.  
District Judge, Division IV

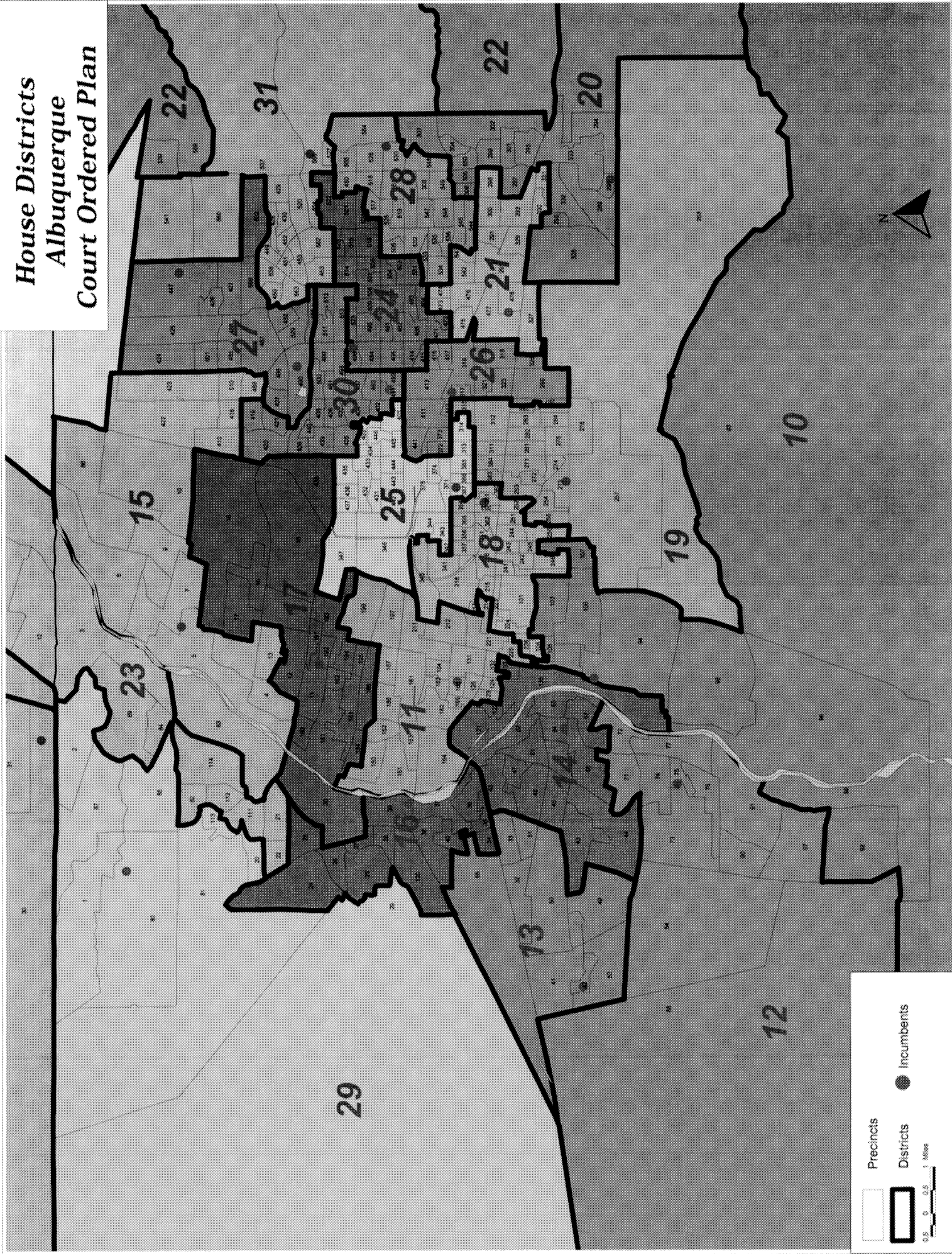
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# House Districts New Mexico Court Ordered Plan



# House Districts Albuquerque Court Ordered Plan



# New Mexico State House Districts Court Ordered Plan

Dist	Non-Hisp.				Voting Behavior		Registered Voters											
	Pop	Deviation	Hisp.	Nat.		18+ Pop	Dem Perf.	Rep Perf.	Total	Dem	% Dem	Rep	% Rep	Green	% Green	Other	% Other	
				White	Black													
1	26,114	128 .5%	13.1%	63.0%	20.9%	.6%	18,151	27.3%	72.7%	14,316	4,732	33.1%	7,487	52.3%	36	.3%	2,061	14.4%
2	25,966	-20 -.1%	23.2%	55.8%	18.0%	.7%	17,481	30.8%	69.2%	12,154	4,509	37.1%	5,714	47.0%	27	.2%	1,904	15.7%
3	26,535	549 2.1%	23.2%	65.7%	8.9%	.2%	18,670	30.3%	69.7%	13,278	4,670	35.2%	6,223	46.9%	23	.2%	2,362	17.8%
4	26,487	501 1.9%	4.9%	16.5%	77.3%	.2%	16,875	54.1%	45.9%	11,651	6,577	56.5%	3,482	29.9%	24	.2%	1,568	13.5%
5	26,606	620 2.4%	13.1%	14.2%	69.6%	.4%	16,815	66.3%	33.7%	12,584	8,599	68.3%	2,431	19.3%	29	.2%	1,525	12.1%
6	27,091	1,105 4.3%	16.0%	17.3%	64.8%	.3%	17,578	64.4%	35.6%	12,200	8,254	67.7%	2,415	19.8%	95	.8%	1,436	11.8%
7	25,914	-72 -.3%	53.3%	42.3%	1.3%	1.0%	18,012	50.0%	50.0%	13,122	6,650	50.7%	4,614	35.2%	103	.8%	1,755	13.4%
8	26,214	228 .9%	58.9%	36.3%	1.9%	1.2%	18,655	55.3%	44.7%	13,776	7,747	56.2%	4,188	30.4%	94	.7%	1,747	12.7%
9	26,757	771 3.0%	18.7%	11.3%	67.2%	.6%	16,579	64.2%	35.8%	10,363	6,989	67.4%	2,037	19.7%	23	.2%	1,314	12.7%
10	25,447	-539 -2.1%	57.2%	26.0%	11.5%	3.3%	17,420	59.3%	40.7%	10,476	6,334	60.5%	2,439	23.3%	138	1.3%	1,565	14.9%
11	26,182	196 .8%	63.5%	28.7%	3.7%	2.0%	20,260	71.3%	28.7%	15,148	9,339	61.7%	2,603	17.2%	564	3.7%	2,642	17.4%
12	26,217	231 .9%	71.1%	19.6%	6.9%	1.2%	17,578	65.0%	35.0%	10,437	6,588	63.1%	2,196	21.0%	103	1.0%	1,550	14.9%
13	27,209	1,223 4.7%	76.6%	14.7%	3.5%	3.4%	17,721	67.5%	32.5%	9,325	5,815	62.4%	1,884	20.2%	67	.7%	1,559	16.7%
14	26,694	708 2.7%	81.5%	14.9%	1.3%	1.0%	18,926	72.4%	27.6%	11,215	7,547	67.3%	1,811	16.1%	202	1.8%	1,655	14.8%
15	26,887	901 3.5%	38.5%	52.1%	4.6%	1.3%	20,438	48.5%	51.5%	15,690	7,464	47.6%	5,904	37.6%	164	1.0%	2,158	13.8%
16	26,441	455 1.8%	61.8%	30.1%	2.8%	3.0%	18,806	58.4%	41.6%	13,374	7,513	56.2%	3,876	29.0%	100	.7%	1,885	14.1%
17	25,505	-481 -1.9%	55.2%	38.4%	2.9%	1.4%	19,175	61.1%	38.9%	14,861	8,661	58.3%	3,894	26.2%	248	1.7%	2,058	13.8%
18	25,042	-944 -3.6%	29.3%	57.0%	3.8%	2.8%	20,920	68.8%	31.2%	19,171	9,824	51.2%	3,582	18.7%	1,545	8.1%	4,220	22.0%
19	26,437	451 1.7%	30.8%	53.6%	5.2%	4.9%	20,510	56.9%	43.1%	14,356	7,155	49.8%	4,125	28.7%	478	3.3%	2,598	18.1%
20	26,513	527 2.0%	23.2%	66.9%	2.3%	2.0%	20,306	38.1%	61.9%	16,574	5,864	35.4%	8,159	49.2%	206	1.2%	2,345	14.1%
21	26,178	192 .7%	39.1%	45.9%	4.8%	4.7%	19,178	49.9%	50.1%	12,784	6,034	47.2%	4,471	35.0%	149	1.2%	2,130	16.7%
22	26,666	680 2.6%	19.3%	76.9%	.9%	.5%	19,870	38.6%	61.4%	16,873	5,869	34.8%	7,913	46.9%	331	2.0%	2,760	16.4%
23	26,949	963 3.7%	33.1%	59.6%	1.8%	2.0%	19,477	46.0%	54.0%	16,076	6,792	42.2%	6,652	41.4%	140	.9%	2,492	15.5%
24	26,496	510 2.0%	23.7%	67.5%	1.8%	2.2%	20,613	38.6%	61.4%	17,458	7,012	40.2%	8,013	45.9%	161	.9%	2,272	13.0%
25	25,408	-578 -2.2%	37.6%	52.3%	4.0%	2.3%	19,824	54.0%	46.0%	16,107	8,320	51.7%	5,027	31.2%	345	2.1%	2,415	15.0%
26	25,986	0 0.0%	50.8%	35.5%	5.8%	3.4%	19,276	53.1%	46.9%	11,017	5,539	50.3%	3,258	29.6%	178	1.6%	2,042	18.5%
27	27,166	1,180 4.5%	17.1%	74.5%	1.2%	1.4%	20,083	31.8%	68.2%	17,615	5,459	31.0%	9,652	54.8%	87	.5%	2,417	13.7%
28	27,031	1,045 4.0%	24.2%	67.1%	2.1%	2.4%	20,771	37.5%	62.5%	17,513	6,632	37.9%	8,295	47.4%	141	.8%	2,445	14.0%
29	27,106	1,120 4.3%	37.8%	52.4%	3.0%	3.1%	19,212	41.3%	58.7%	12,375	4,708	38.0%	5,667	45.8%	75	.6%	1,925	15.6%
30	26,262	276 1.1%	26.7%	62.7%	3.8%	2.7%	21,079	39.9%	60.1%	17,219	7,068	41.0%	7,635	44.3%	145	.8%	2,371	13.8%
31	26,732	746 2.9%	15.4%	77.5%	1.4%	1.7%	21,162	33.4%	66.6%	18,600	5,878	31.6%	9,762	52.5%	131	.7%	2,829	15.2%
32	25,016	-970 -3.7%	57.7%	39.7%	.6%	.7%	17,511	50.0%	50.0%	10,425	5,851	56.1%	3,371	32.3%	35	.3%	1,168	11.2%



# New Mexico State House Districts Court Ordered Plan

Dist	Pop	Deviation	Non-Hisp.			Voting Behavior		Registered Voters										
			Hisp.	White Amer.	Nat. Black	18+ Pop	Dem Perf.	Rep Perf.	Total	Dem	% Dem	Rep	% Rep	Green	% Green	Other	% Other	
33	25,056	-930 -3.6%	58.1%	36.5%	1.3%	1.4%	18,660	55.5%	44.5%	12,980	6,920	53.3%	3,902	30.1%	86	.7%	2,072	16.0%
34	26,745	759 2.9%	86.1%	12.9%	.3%	.2%	17,448	66.1%	33.9%	8,222	5,262	64.0%	1,694	20.6%	6	.1%	1,260	15.3%
35	25,067	-919 -3.5%	57.2%	34.1%	1.5%	2.8%	19,352	58.9%	41.1%	15,118	7,998	52.9%	4,154	27.5%	81	.5%	2,885	19.1%
36	25,257	-729 -2.8%	62.6%	34.4%	.6%	.9%	17,499	51.4%	48.6%	12,564	6,960	55.4%	3,944	31.4%	51	.4%	1,609	12.8%
37	25,175	-811 -3.1%	44.2%	51.3%	.5%	1.4%	18,605	43.9%	56.1%	14,961	6,760	45.2%	5,949	39.8%	38	.3%	2,214	14.8%
38	24,869	-1,117 -4.3%	29.6%	67.4%	.9%	.4%	19,349	43.5%	56.5%	14,925	7,560	50.7%	5,278	35.4%	140	.9%	1,947	13.0%
39	25,335	-651 -2.5%	57.5%	40.2%	.7%	.3%	18,169	61.6%	38.4%	15,045	10,352	68.8%	2,927	19.5%	166	1.1%	1,600	10.6%
40	24,920	-1,066 -4.1%	78.5%	14.4%	5.8%	.3%	17,925	76.8%	23.2%	14,016	11,105	79.2%	1,653	11.8%	188	1.3%	1,070	7.6%
41	24,791	-1,195 -4.6%	73.9%	18.2%	6.4%	.2%	18,033	71.9%	28.1%	13,907	11,154	80.2%	1,683	12.1%	156	1.1%	914	6.6%
42	25,002	-984 -3.8%	55.2%	36.0%	6.4%	.3%	18,935	72.0%	28.0%	16,060	10,203	63.5%	2,768	17.2%	620	3.9%	2,469	15.4%
43	26,672	686 2.6%	27.6%	66.7%	1.0%	.3%	19,419	45.9%	54.1%	17,316	7,288	42.1%	6,857	39.6%	191	1.1%	2,980	17.2%
44	27,037	1,051 4.0%	26.8%	64.9%	2.1%	2.5%	19,617	40.2%	59.8%	14,688	5,561	37.9%	6,623	45.1%	85	.6%	2,419	16.5%
45	26,476	490 1.9%	66.9%	28.2%	1.8%	.6%	18,858	70.9%	29.1%	12,394	7,912	63.8%	2,307	18.6%	335	2.7%	1,840	14.8%
46	25,857	-129 -0.5%	54.4%	36.5%	6.6%	.4%	19,816	71.1%	28.9%	15,799	10,342	65.5%	2,799	17.7%	494	3.1%	2,164	13.7%
47	26,126	140 0.5%	24.6%	71.4%	1.0%	.4%	21,017	67.2%	32.8%	20,456	11,688	57.1%	4,535	22.2%	725	3.5%	3,508	17.1%
48	25,852	-134 -0.5%	51.3%	43.2%	1.9%	.5%	21,069	76.6%	23.4%	20,458	13,515	66.1%	2,776	13.6%	1,071	5.2%	3,096	15.1%
49	26,963	977 3.8%	46.8%	42.4%	7.4%	.6%	19,504	49.9%	50.1%	16,390	8,431	51.4%	5,768	35.2%	109	.7%	2,082	12.7%
50	26,882	896 3.4%	43.5%	52.0%	1.5%	.7%	18,964	50.8%	49.2%	12,221	6,160	50.4%	4,177	34.2%	290	2.4%	1,594	13.0%
51	25,036	-950 -3.7%	31.5%	57.6%	.8%	5.8%	17,851	43.8%	56.2%	9,670	4,146	42.9%	4,037	41.7%	12	.1%	1,475	15.3%
52	26,985	999 3.8%	71.6%	25.9%	.3%	.7%	18,053	55.1%	44.9%	10,169	5,372	52.8%	3,026	29.8%	20	.2%	1,751	17.2%
53	26,403	417 1.6%	56.5%	38.4%	.6%	2.1%	17,246	45.8%	54.2%	9,859	4,568	46.3%	3,512	35.6%	35	.4%	1,744	17.7%
54	24,842	-1,144 -4.4%	53.9%	42.4%	.7%	1.8%	16,619	50.0%	50.0%	10,567	6,400	60.6%	3,110	29.4%	10	.1%	1,047	9.9%
55	25,587	-399 -1.5%	33.1%	63.6%	.7%	.9%	18,691	46.0%	54.0%	14,665	9,121	62.2%	4,364	29.8%	20	.1%	1,160	7.9%
56	25,385	-601 -2.3%	22.0%	60.8%	11.6%	2.5%	18,469	36.5%	63.5%	13,681	5,153	37.7%	6,440	47.1%	33	.2%	2,055	15.0%
57	24,778	-1,208 -4.6%	24.1%	72.6%	1.1%	.4%	18,938	34.4%	65.6%	16,187	5,463	33.7%	8,789	54.3%	33	.2%	1,902	11.8%
58	25,438	-548 -2.1%	62.4%	33.6%	.6%	2.1%	17,049	54.7%	45.3%	10,915	6,111	56.0%	3,473	31.8%	9	.1%	1,322	12.1%
59	24,979	-1,007 -3.9%	34.8%	61.0%	.8%	1.7%	18,186	34.9%	65.1%	14,509	5,737	39.5%	6,920	47.7%	28	.2%	1,824	12.6%
60	27,260	1,274 4.9%	29.7%	62.2%	2.1%	2.4%	18,842	41.6%	58.4%	14,649	5,806	39.6%	6,147	42.0%	103	.7%	2,593	17.7%
61	24,732	-1,254 -4.8%	52.2%	40.1%	.6%	5.7%	16,693	41.3%	58.7%	10,265	5,572	54.3%	3,264	31.8%	9	.1%	1,420	13.8%
62	25,843	-143 -0.6%	25.7%	68.6%	.8%	3.2%	18,795	23.7%	76.3%	14,186	5,789	40.8%	6,676	47.1%	6	.0%	1,715	12.1%
63	24,986	-1,000 -3.8%	50.1%	40.2%	.7%	6.4%	17,473	52.9%	47.1%	11,338	7,250	63.9%	2,758	24.3%	17	.1%	1,313	11.6%
64	24,947	-1,039 -4.0%	21.7%	67.9%	.5%	5.4%	17,696	26.2%	73.8%	11,968	4,868	40.7%	5,728	47.9%	22	.2%	1,350	11.3%

**New Mexico State House Districts  
Court Ordered Plan**

Dist	Non-Hisp.			Registered Voters												
	Pop	Deviation	Hisp.	White Amer.	Nat. Black	18+ Pop										
65	25,600	-386 -1.5%	26.7%	8.3%	64.0%	16,450	Total	Dem	% Dem	Rep	% Rep	Green	% Green	Other	% Other	
66	26,630	644 2.5%	31.4%	64.7%	.7%	19,296	10,938	71.8%	8,297	75.9%	1,427	13.0%	65	.6%	1,149	10.5%
67	25,059	-927 -3.6%	33.9%	62.9%	.6%	18,374	14,559	30.3%	6,543	44.9%	6,306	43.3%	23	.2%	1,687	11.6%
68	24,867	-1,119 -4.3%	59.3%	38.1%	.7%	18,385	14,734	36.6%	8,159	55.4%	5,301	36.0%	21	.1%	1,253	8.5%
69	27,239	1,253 4.8%	18.9%	14.2%	65.0%	17,829	16,242	60.8%	11,030	67.9%	3,848	23.7%	112	.7%	1,252	7.7%
70	25,114	-872 -3.4%	76.3%	19.7%	1.1%	18,366	12,592	65.4%	8,884	70.6%	2,413	19.2%	28	.2%	1,267	10.1%
<b>Totals</b>	<b>1,819,046</b>		<b>42.1%</b>	<b>44.7%</b>	<b>8.9%</b>	<b>1,310,472</b>	<b>972,713</b>	<b>51.7%</b>	<b>507,220</b>	<b>52.1%</b>	<b>318,308</b>	<b>32.7%</b>	<b>11,732</b>	<b>1.2%</b>	<b>135,453</b>	<b>13.9%</b>

**New Mexico State House Districts  
Court Ordered Plan**

District	Pop	Deviation	Hispanic	Non - Hispanic Origin				
				White	Native American	Black	Asian	2 Or More Races
01	26,114	128 .5%	3,428 13.1%	16,452 63.0%	5,456 20.9%	153 .6%	119 .5%	472 1.8%
Adult:	18,151		2,114 11.6%	12,260 67.5%	3,346 18.4%	106 .6%	93 .5%	213 1.2%
02	25,966	-20 -.1%	6,037 23.2%	14,499 55.8%	4,669 18.0%	175 .7%	83 .3%	463 1.8%
Adult:	17,481		3,667 21.0%	10,654 60.9%	2,734 15.6%	123 .7%	64 .4%	215 1.2%
03	26,535	549 2.1%	6,168 23.2%	17,429 65.7%	2,357 8.9%	48 .2%	51 .2%	443 1.7%
Adult:	18,670		3,855 20.6%	12,978 69.5%	1,496 8.0%	33 .2%	34 .2%	244 1.3%
04	26,487	501 1.9%	1,294 4.9%	4,364 16.5%	20,478 77.3%	50 .2%	25 .1%	264 1.0%
Adult:	16,875		743 4.4%	3,304 19.6%	12,647 74.9%	40 .2%	19 .1%	114 .7%
05	26,606	620 2.4%	3,480 13.1%	3,783 14.2%	18,506 69.6%	107 .4%	176 .7%	512 1.9%
Adult:	16,815		2,140 12.7%	3,011 17.9%	11,164 66.4%	76 .5%	144 .9%	249 1.5%
06	27,091	1,105 4.3%	4,325 16.0%	4,685 17.3%	17,565 64.8%	76 .3%	43 .2%	364 1.3%
Adult:	17,578		2,865 16.3%	3,647 20.7%	10,767 61.3%	60 .3%	30 .2%	187 1.1%
07	25,914	-72 -.3%	13,822 53.3%	10,988 42.3%	337 1.3%	272 1.0%	96 .4%	375 1.4%
Adult:	18,012		8,644 48.0%	8,571 47.6%	233 1.3%	208 1.2%	75 .4%	251 1.4%
08	26,214	228 .9%	15,439 58.9%	9,528 36.3%	505 1.9%	312 1.2%	59 .2%	335 1.3%
Adult:	18,655		10,347 55.5%	7,410 39.7%	371 2.0%	243 1.3%	44 .2%	218 1.2%
09	26,757	771 3.0%	4,995 18.7%	3,019 11.3%	17,979 67.2%	148 .6%	122 .5%	472 1.8%
Adult:	16,579		3,154 19.0%	2,380 14.4%	10,624 64.1%	102 .6%	94 .6%	214 1.3%
10	25,447	-539 -2.1%	14,556 57.2%	6,615 26.0%	2,933 11.5%	830 3.3%	92 .4%	364 1.4%
Adult:	17,420		9,278 53.3%	5,186 29.8%	2,038 11.7%	613 3.5%	65 .4%	197 1.1%
11	26,182	196 .8%	16,627 63.5%	7,521 28.7%	976 3.7%	512 2.0%	140 .5%	348 1.3%
Adult:	20,260		11,985 59.2%	6,669 32.9%	788 3.9%	427 2.1%	118 .6%	233 1.2%

**New Mexico State House Districts  
Court Ordered Plan**

District	Pop	Deviation	Hispanic	Non - Hispanic Origin					2 Or More Races
				White	Native American	Black	Asian		
12	26,217	231 .9%	18,645 71.1%	5,138 19.6%	1,819 6.9%	308 1.2%	46 .2%	226 .9%	
Adult	17,578		11,982 68.2%	4,099 23.3%	1,083 6.2%	216 1.2%	39 .2%	133 .8%	
13	27,209	1,223 4.7%	20,833 76.6%	4,010 14.7%	953 3.5%	934 3.4%	120 .4%	319 1.2%	
Adult	17,721		13,124 74.1%	3,080 17.4%	607 3.4%	623 3.5%	102 .6%	160 .9%	
14	26,694	708 2.7%	21,748 81.5%	3,989 14.9%	355 1.3%	257 1.0%	88 .3%	228 .9%	
Adult	18,926		14,806 78.2%	3,408 18.0%	265 1.4%	199 1.1%	71 .4%	154 .8%	
15	26,887	901 3.5%	10,357 38.5%	14,017 52.1%	1,234 4.6%	341 1.3%	421 1.6%	476 1.8%	
Adult	20,438		7,270 35.6%	11,316 55.4%	989 4.8%	247 1.2%	309 1.5%	278 1.4%	
16	26,441	455 1.8%	16,334 61.8%	7,962 30.1%	732 2.8%	792 3.0%	222 .8%	356 1.3%	
Adult	18,806		10,990 58.4%	6,373 33.9%	494 2.6%	533 2.8%	179 1.0%	206 1.1%	
17	25,505	-481 -1.9%	14,072 55.2%	9,790 38.4%	730 2.9%	367 1.4%	182 .7%	333 1.3%	
Adult	19,175		9,901 51.6%	8,151 42.5%	504 2.6%	230 1.2%	146 .8%	219 1.1%	
18	25,042	-944 -3.6%	7,325 29.3%	14,271 57.0%	961 3.8%	696 2.8%	1,087 4.3%	590 2.4%	
Adult	20,920		5,538 26.5%	12,664 60.5%	747 3.6%	569 2.7%	884 4.2%	429 2.1%	
19	26,437	451 1.7%	8,138 30.8%	14,182 53.6%	1,367 5.2%	1,296 4.9%	659 2.5%	694 2.6%	
Adult	20,510		5,761 28.1%	11,906 58.0%	956 4.7%	923 4.5%	513 2.5%	392 1.9%	
20	26,513	527 2.0%	6,146 23.2%	17,736 66.9%	604 2.3%	530 2.0%	906 3.4%	510 1.9%	
Adult	20,306		4,180 20.6%	14,289 70.4%	406 2.0%	391 1.9%	693 3.4%	286 1.4%	
21	26,178	192 .7%	10,248 39.1%	12,022 45.9%	1,266 4.8%	1,230 4.7%	716 2.7%	633 2.4%	
Adult	19,178		6,754 35.2%	9,819 51.2%	847 4.4%	792 4.1%	568 3.0%	355 1.9%	
22	26,666	680 2.6%	5,150 19.3%	20,498 76.9%	246 .9%	128 .5%	149 .6%	391 1.5%	
Adult	19,870		3,362 16.9%	15,808 79.6%	182 .9%	93 .5%	107 .5%	246 1.2%	

**New Mexico State House Districts  
Court Ordered Plan**

District	Pop	Deviation	Hispanic	Non - Hispanic Origin					2 Or More Races
				White	Native American	Black	Asian		
23	26,949	963 3.7%	8,918 33.1%	16,071 59.6%	496 1.8%	547 2.0%	375 1.4%	461 1.7%	
Adult	19,477		5,899 30.3%	12,219 62.7%	368 1.9%	388 2.0%	294 1.5%	252 1.3%	
24	26,496	510 2.0%	6,271 23.7%	17,885 67.5%	470 1.8%	586 2.2%	785 3.0%	436 1.6%	
Adult	20,613		4,372 21.2%	14,541 70.5%	362 1.8%	430 2.1%	599 2.9%	262 1.3%	
25	25,408	-578 -2.2%	9,554 37.6%	13,276 52.3%	1,013 4.0%	577 2.3%	480 1.9%	441 1.7%	
Adult	19,824		6,823 34.4%	11,131 56.1%	740 3.7%	415 2.1%	387 2.0%	279 1.4%	
26	25,986	0 0.0%	13,203 50.8%	9,228 35.5%	1,508 5.8%	890 3.4%	658 2.5%	464 1.8%	
Adult	19,276		8,771 45.5%	7,983 41.4%	1,041 5.4%	657 3.4%	612 2.7%	282 1.5%	
27	27,166	1,180 4.5%	4,653 17.1%	20,245 74.5%	313 1.2%	376 1.4%	1,074 4.0%	421 1.5%	
Adult	20,083		3,162 15.7%	15,371 76.5%	239 1.2%	279 1.4%	760 3.8%	221 1.1%	
28	27,031	1,045 4.0%	6,555 24.2%	18,128 67.1%	579 2.1%	637 2.4%	616 2.3%	458 1.7%	
Adult	20,771		4,526 21.8%	14,611 70.3%	416 2.0%	447 2.2%	469 2.3%	261 1.3%	
29	27,106	1,120 4.3%	10,252 37.8%	14,207 52.4%	814 3.0%	847 3.1%	395 1.5%	533 2.0%	
Adult	19,212		6,756 35.2%	10,680 55.6%	573 3.0%	598 3.1%	311 1.6%	262 1.4%	
30	26,262	276 1.1%	7,024 26.7%	16,457 62.7%	990 3.8%	700 2.7%	581 2.2%	453 1.7%	
Adult	21,079		5,201 24.7%	13,833 65.6%	747 3.5%	516 2.4%	454 2.2%	288 1.4%	
31	26,732	746 2.9%	4,128 15.4%	20,724 77.5%	367 1.4%	453 1.7%	580 2.2%	417 1.6%	
Adult	21,162		3,040 14.4%	16,788 79.3%	281 1.3%	352 1.7%	437 2.1%	221 1.0%	
32	25,016	-970 -3.7%	14,435 57.7%	9,921 39.7%	156 .6%	183 .7%	78 .3%	213 .9%	
Adult	17,511		8,678 49.6%	8,368 47.8%	111 .6%	132 .8%	62 .4%	144 .8%	
33	25,056	-930 -3.6%	14,554 58.1%	9,146 36.5%	323 1.3%	360 1.4%	283 1.1%	324 1.3%	
Adult	18,660		10,077 54.0%	7,575 40.6%	236 1.3%	284 1.5%	224 1.2%	218 1.2%	



**New Mexico State House Districts  
Court Ordered Plan**

District	Pop	Deviation	Hispanic	Non - Hispanic Origin					2 Or More Races
				White	Native American	Black	Asian		
34	26,745	759 2.9%	23,022 86.1%	3,442 12.9%	82 .3%	60 .2%	29 .1%	85 .3%	
Adult	17,448		14,481 83.0%	2,782 15.9%	48 .3%	44 .3%	21 .1%	54 .3%	
35	25,067	-919 -3.5%	14,347 57.2%	8,554 34.1%	368 1.5%	693 2.8%	291 1.2%	400 1.6%	
Adult	19,352		10,152 52.5%	7,454 38.5%	329 1.7%	488 2.5%	262 1.4%	268 1.4%	
36	25,257	-729 -2.8%	15,816 62.6%	8,684 34.4%	146 .6%	229 .9%	62 .2%	265 1.0%	
Adult	17,499		9,993 57.1%	6,977 39.9%	116 .7%	157 .9%	55 .3%	165 .9%	
37	25,175	-811 -3.1%	11,123 44.2%	12,922 51.3%	137 .5%	359 1.4%	268 1.1%	310 1.2%	
Adult	18,605		7,278 39.1%	10,497 56.4%	101 .5%	273 1.5%	210 1.1%	205 1.1%	
38	24,869	-1,117 -4.3%	7,370 29.6%	16,751 67.4%	225 .9%	97 .4%	57 .2%	319 1.3%	
Adult	19,349		4,859 25.1%	13,935 72.0%	173 .9%	56 .3%	47 .2%	238 1.2%	
39	25,335	-651 -2.5%	14,568 57.5%	10,185 40.2%	179 .7%	86 .3%	58 .2%	216 .9%	
Adult	18,169		9,726 53.5%	8,036 44.2%	126 .7%	63 .3%	46 .3%	143 .8%	
40	24,920	-1,066 -4.1%	19,552 78.5%	3,592 14.4%	1,436 5.8%	63 .3%	44 .2%	205 .8%	
Adult	17,925		13,670 76.3%	3,006 16.8%	1,011 5.6%	49 .3%	31 .2%	137 .8%	
41	24,791	-1,195 -4.6%	18,321 73.9%	4,519 18.2%	1,589 6.4%	48 .2%	31 .1%	219 .9%	
Adult	18,033		12,898 71.5%	3,812 21.1%	1,070 5.9%	38 .2%	25 .1%	144 .8%	
42	25,002	-984 -3.8%	13,792 55.2%	8,997 36.0%	1,593 6.4%	75 .3%	90 .4%	355 1.4%	
Adult	18,935		9,752 51.5%	7,597 40.1%	1,145 6.0%	61 .3%	73 .4%	238 1.3%	
43	26,672	686 2.6%	7,361 27.6%	17,801 66.7%	257 1.0%	84 .3%	718 2.7%	394 1.5%	
Adult	19,419		4,749 24.5%	13,666 70.4%	179 .9%	67 .3%	508 2.6%	209 1.1%	
44	27,037	1,051 4.0%	7,243 26.8%	17,550 64.9%	555 2.1%	678 2.5%	394 1.5%	517 1.9%	
Adult	19,617		4,599 23.4%	13,488 68.8%	400 2.0%	504 2.6%	304 1.5%	259 1.3%	

**New Mexico State House Districts  
Court Ordered Plan**

District	Pop	Deviation	Hispanic	Non - Hispanic Origin					2 Or More Races
				White	Native American	Black	Asian		
45	26,476	490 1.9%	17,715 66.9%	7,471 28.2%	471 1.8%	156 .6%	297 1.1%	325 1.2%	
Adult	18,858		11,759 62.4%	6,223 33.0%	321 1.7%	107 .6%	211 1.1%	212 1.1%	
46	25,857	-129 -.5%	14,054 54.4%	9,438 36.5%	1,704 6.6%	110 .4%	143 .6%	351 1.4%	
Adult	19,816		9,987 50.4%	8,192 41.3%	1,122 5.7%	85 .4%	127 .6%	254 1.3%	
47	26,126	140 .5%	6,418 24.6%	18,667 71.4%	249 1.0%	107 .4%	269 1.0%	376 1.4%	
Adult	21,017		4,639 22.1%	15,623 74.3%	175 8%	90 .4%	208 1.0%	250 1.2%	
48	25,852	-134 -.5%	13,256 51.3%	11,157 43.2%	497 1.9%	135 .5%	288 1.1%	443 1.7%	
Adult	21,069		10,098 47.9%	9,834 46.7%	401 1.9%	121 .6%	236 1.1%	323 1.5%	
49	26,963	977 3.8%	12,611 46.8%	11,441 42.4%	2,008 7.4%	161 .6%	238 .9%	408 1.5%	
Adult	19,504		8,402 43.1%	9,262 47.5%	1,204 6.2%	117 .6%	194 1.0%	251 1.3%	
50	26,882	896 3.4%	11,683 43.5%	13,981 52.0%	396 1.5%	195 .7%	88 .3%	421 1.6%	
Adult	18,964		7,543 39.8%	10,571 55.7%	297 1.6%	147 .8%	67 .4%	243 1.3%	
51	25,036	-950 -3.7%	7,888 31.5%	14,418 57.6%	212 .8%	1,446 5.8%	371 1.5%	591 2.4%	
Adult	17,851		5,018 28.1%	10,995 61.6%	155 9%	1,014 5.7%	294 1.6%	308 1.7%	
52	26,985	999 3.8%	19,316 71.6%	6,984 25.9%	88 .3%	179 .7%	182 .7%	206 .8%	
Adult	18,053		11,770 65.2%	5,809 32.2%	63 3%	134 7%	133 7%	125 7%	
53	26,403	417 1.6%	14,925 56.5%	10,140 38.4%	153 .6%	547 2.1%	205 .8%	392 1.5%	
Adult	17,246		8,714 50.5%	7,675 44.5%	98 6%	351 2.0%	153 9%	226 1.3%	
54	24,842	-1,144 -4.4%	13,392 53.9%	10,539 42.4%	177 .7%	440 1.8%	52 .2%	206 .8%	
Adult	16,619		8,065 48.5%	7,911 47.6%	109 7%	333 2.0%	44 3%	133 8%	
55	25,587	-399 -1.5%	8,467 33.1%	16,270 63.6%	172 .7%	234 .9%	147 .6%	275 1.1%	
Adult	18,691		5,404 28.9%	12,701 68.0%	118 6%	171 9%	119 6%	162 9%	

**New Mexico State House Districts  
Court Ordered Plan**

District	Pop	Deviation	Hispanic	Non - Hispanic Origin					2 Or More Races
				White	Native American	Black	Asian		
56	25,385	-601 -2.3%	5,595 22.0%	15,440 60.8%	2,952 11.6%	634 2.5%	227 .9%	487 1.9%	
Adult:	18,469		3,525 19.1%	12,271 66.4%	1,737 9.4%	441 2.4%	191 1.0%	277 1.5%	
57	24,778	-1,208 -4.6%	5,971 24.1%	17,992 72.6%	283 1.1%	101 .4%	111 .4%	289 1.2%	
Adult:	18,938		3,918 20.7%	14,476 76.4%	178 9%	76 .4%	83 .4%	182 1.0%	
58	25,438	-548 -2.1%	15,871 62.4%	8,545 33.6%	150 .6%	541 2.1%	58 .2%	243 1.0%	
Adult:	17,049		9,811 57.5%	6,542 38.4%	109 6%	385 2.3%	43 3%	139 8%	
59	24,979	-1,007 -3.9%	8,694 34.8%	15,225 61.0%	200 .8%	413 1.7%	128 .5%	289 1.2%	
Adult:	18,186		5,388 29.6%	12,117 66.6%	140 8%	266 1.5%	97 .5%	158 .9%	
60	27,260	1,274 4.9%	8,083 29.7%	16,948 62.2%	586 2.1%	642 2.4%	366 1.3%	546 2.0%	
Adult:	18,842		4,907 26.0%	12,508 66.4%	385 2.0%	447 2.4%	269 1.4%	277 1.5%	
61	24,732	-1,254 -4.8%	12,915 52.2%	9,924 40.1%	140 .6%	1,416 5.7%	63 .3%	259 1.0%	
Adult:	16,693		7,640 45.8%	7,784 46.6%	107 6%	980 5.9%	47 3%	126 8%	
62	25,843	-143 -.6%	6,641 25.7%	17,735 68.6%	197 .8%	831 3.2%	124 .5%	287 1.1%	
Adult:	18,795		4,097 21.8%	13,668 72.7%	171 9%	589 3.1%	93 5%	159 .8%	
63	24,986	-1,000 -3.8%	12,519 50.1%	10,048 40.2%	178 .7%	1,591 6.4%	241 1.0%	373 1.5%	
Adult:	17,473		8,040 46.0%	7,787 44.6%	141 8%	1,069 6.1%	189 1.1%	216 1.2%	
64	24,947	-1,039 -4.0%	5,412 21.7%	16,947 67.9%	131 .5%	1,346 5.4%	556 2.2%	481 1.9%	
Adult:	17,696		3,211 18.1%	12,858 72.7%	104 6%	863 4.9%	411 2.3%	212 1.2%	
65	25,600	-386 -1.5%	6,825 26.7%	2,114 8.3%	16,394 64.0%	34 .1%	24 .1%	188 .7%	
Adult:	16,450		4,537 27.6%	1,657 10.1%	10,098 61.4%	22 1%	17 1%	103 6%	
66	26,630	644 2.5%	8,352 31.4%	17,242 64.7%	196 .7%	388 1.5%	138 .5%	293 1.1%	
Adult:	19,296		5,193 26.9%	13,388 69.4%	142 7%	255 1.3%	113 6%	189 1.0%	

**New Mexico State House Districts  
Court Ordered Plan**

District	Pop	Deviation	Hispanic	Non - Hispanic Origin					2 Or More Races
				White	Native American	Black	Asian		
67	25,059	-927 -3.6%	8,498 33.9%	15,752 62.9%	152 .6%	232 .9%	125 .5%	262 1.0%	
Adult:	18,374		5,639 30.7%	12,176 66.3%	117 .6%	164 .9%	91 .5%	159 .9%	
68	24,867	-1,119 -4.3%	14,754 59.3%	9,485 38.1%	180 .7%	72 .3%	91 .4%	239 1.0%	
Adult:	18,385		10,320 56.1%	7,616 41.4%	120 .7%	49 .3%	67 .4%	180 1.0%	
69	27,239	1,253 4.8%	5,142 18.9%	3,877 14.2%	17,693 65.0%	189 .7%	78 .3%	232 .9%	
Adult:	17,829		3,484 19.5%	3,191 17.9%	10,791 60.5%	159 .9%	57 .3%	130 .7%	
70	25,114	-872 -3.4%	19,160 76.3%	4,952 19.7%	277 1.1%	324 1.3%	98 .4%	257 1.0%	
Adult:	18,366		13,549 73.8%	4,027 21.9%	214 1.2%	285 1.6%	86 .5%	167 .9%	
<b>Totals</b>	<b>1,819,046</b>	<b>Ideal: 25,986</b>	<b>765,386 42.1%</b>	<b>813,495 44.7%</b>	<b>161,460 8.9%</b>	<b>30,654 1.7%</b>	<b>18,257 1.0%</b>	<b>25,793 1.4%</b>	
Adult:	1,310,472		506,580 38.7%	648,194 49.5%	101,717 7.8%	21,865 1.7%	14,125 1.1%	15,104 1.2%	

**NEW MEXICO STATE LEGISLATURE**  
**HOUSE OF REPRESENTATIVE DISTRICTS--COURT-ORDERED PLAN--JANUARY 2002**

*Note: This document was prepared by the Legislative Council Service and is not a court document.*

Representative district one is composed of San Juan county precincts 18, 20, 23, 25, 27 through 31, 40 through 42, 44, 49 and 51.

Representative district two is composed of San Juan county precincts 21, 22, 24, 26, 43, 45, 53 through 57, 59, 68, 70 and 79.

Representative district three is composed of San Juan county precincts 46, 47, 60 through 67, 69 and 71 through 76.

Representative district four is composed of San Juan county precincts 1 through 4, 8 through 14, 19, 52, 58, 81 and 82.

Representative district five is composed of McKinley county precincts 5, 7, 8, 10, 15, 19, 35, 36, 40, 43, 44 and 46 through 49; and San Juan county precincts 5, 6, 16 and 83.

Representative district six is composed of Cibola county precincts 4 through 8 and 13 through 15; and McKinley county precincts 18 and 24 through 30.

Representative district seven is composed of Valencia county precincts 5, 6, 8, 10, 14, 16, 18, 29, 30, 32, 34 through 36 and 38.

Representative district eight is composed of Valencia county precincts 1 through 3, 7, 11, 12, 19, 21 through 26, 31, 33 and 37.

Representative district nine is composed of McKinley county precincts 1, 3, 4, 6, 20 through 23, 31 through 34, 37 through 39, 41, 42, 45 and 50; and San Juan county precincts 7 and 15.

Representative district ten is composed of Bernalillo county precincts 92 through 96, 98, 99, 103 and 105 through 107; and Valencia county precincts 4, 9, 13, 15 and 28.

Representative district eleven is composed of Bernalillo county precincts 123 through 125, 131, 132, 150 through 154, 161 through 166, 186, 187, 196, 197, 211, 212, 214, 221 and 225.

Representative district twelve is composed of Bernalillo county precincts 31, 54, 71 through 77, 88, 90, 91 and 97.



Representative district thirteen is composed of Bernalillo county precincts 32, 33, 41, 42, 49 through 53 and 55.

Representative district fourteen is composed of Bernalillo county precincts 43 through 48, 61 through 67, 121, 122, 133 and 135.

Representative district fifteen is composed of Bernalillo county precincts 4 through 10, 13, 83, 86, 410, 418, 422, 423, 489 and 510.

Representative district sixteen is composed of Bernalillo county precincts 23 through 28, 34 through 40 and 120.

Representative district seventeen is composed of Bernalillo county precincts 11, 12, 14 through 18, 30, 180 through 185, 191 through 195 and 438.

Representative district eighteen is composed of Bernalillo county precincts 101, 102, 104, 215 through 217, 223, 224, 226, 241 through 246, 251, 252, 256, 341, 345, 351 through 358, 381 and 382.

Representative district nineteen is composed of Bernalillo county precincts 253 through 255, 257, 258, 271 through 275, 278, 281 through 285, 311, 312, 315, 383 and 384.

Representative district twenty is composed of Bernalillo county precincts 289, 290, 294 through 297, 299, 301, 302, 304 through 307, 328, 332, 333, 550, 552, 554 and 571.

Representative district twenty-one is composed of Bernalillo county precincts 291 through 293, 298, 300, 327, 329 through 331, 473 through 478, 542 and 543.

Representative district twenty-two is composed of Bernalillo county precincts 303, 539, 553, 555 through 559, 569 and 573; Sandoval county precincts 5, 28, 55 and 56; and Santa Fe county precincts 73, 84 and 85.

Representative district twenty-three is composed of Bernalillo county precincts 3, 21, 22, 82, 84, 89, 111, 112 and 114; and Sandoval county precincts 11 through 13 and 54.

Representative district twenty-four is composed of Bernalillo county precincts 414, 415, 461 through 466, 471, 472, 494 through 496, 502 through 504, 506 through 509, 514 through 516, 521 through 524, 528 and 531.

Representative district twenty-five is composed of Bernalillo county precincts 313, 314, 342 through 344, 346, 347, 371, 374, 375, 385 through 387, 401, 403, 431 through 437 and 442 through 446.

Representative district twenty-six is composed of Bernalillo county precincts 286, 287, 316

through 318, 321 through 323, 326, 372, 373, 411 through 413, 416, 417 and 441.

Representative district twenty-seven is composed of Bernalillo county precincts 407, 424 through 427, 447, 482, 484 through 488, 490, 529, 568, 601 and 602.

Representative district twenty-eight is composed of Bernalillo county precincts 308, 480, 505, 517 through 519, 525, 526, 530, 532 through 536, 540, 544 through 549, 561, 564 and 565.

Representative district twenty-nine is composed of Bernalillo county precincts 1, 2, 20, 29, 80, 81, 85, 87 and 113.

Representative district thirty is composed of Bernalillo county precincts 400, 402, 404 through 406, 408, 409, 419 through 421, 439, 440, 481, 491 through 493, 497 through 500 and 511 through 513.

Representative district thirty-one is composed of Bernalillo county precincts 428 through 430, 449 through 454, 483, 520, 527, 537, 538, 541, 560, 562, 563 and 566.

Representative district thirty-two is composed of Luna county.

Representative district thirty-three is composed of Dona Ana county precincts 18, 19, 37 through 40, 49, 54 through 57, 78, 82, 98 and 101.

Representative district thirty-four is composed of Dona Ana county precincts 8, 13 through 17, 81, 96 and 97.

Representative district thirty-five is composed of Dona Ana county precincts 27, 33, 34, 36, 41 through 48, 50 through 53, 58, 68, 91, 93 and 94.

Representative district thirty-six is composed of Dona Ana county precincts 1 through 3, 21 through 23, 25, 28 through 32, 35, 60, 84, 86 through 88, 90, 92, 95 and 100.

Representative district thirty-seven is composed of Dona Ana county precincts 4, 20, 24, 26, 59, 61, 63, 67, 69, 83, 85, 89, 99, 102 and 103.

Representative district thirty-eight is composed of Grant county precincts 1 through 7, 10, 12 through 15 and 29; Hidalgo county precinct 4; and Sierra county.

Representative district thirty-nine is composed of Grant county precincts 8, 9, 11, 16 through 28 and 30 through 34; and Hidalgo county precincts 1 through 3, 5 and 6.

Representative district forty is composed of Mora county precinct 5; Rio Arriba county precincts 2 through 5, 10, 13 through 17, 37, 40 and 41; San Miguel county precincts 22 through 24; Santa

Fe county precincts 4 and 57; and Taos county precincts 20, 23 through 25, 27 and 29 through 32.

Representative district forty-one is composed of Rio Arriba county precincts 1, 6 through 9, 11, 12, 18 through 20, 22, 23, 25 through 27, 30 through 36, 38 and 39; Sandoval county precincts 21 through 23; and Taos county precinct 22.

Representative district forty-two is composed of Taos county precincts 1, 5 through 19, 21, 26, 28 and 33 through 35.

Representative district forty-three is composed of Los Alamos county; Sandoval county precincts 7, 10, 16 through 18 and 51; and Santa Fe county precincts 12 and 80.

Representative district forty-four is composed of Sandoval county precincts 33 through 39, 50, 53 and 58 through 64.

Representative district forty-five is composed of Santa Fe county precincts 38, 49 through 51, 64, 66, 67, 75 through 77 and 86.

Representative district forty-six is composed of Santa Fe county precincts 1 through 3, 5 through 8, 11, 20, 21, 23, 28, 31, 40, 58 through 61, 79, 82 and 83.

Representative district forty-seven is composed of Santa Fe county precincts 9, 10, 13, 29, 45 through 48, 54 through 56, 63, 65, 68, 69, 71, 78 and 81.

Representative district forty-eight is composed of Santa Fe county precincts 22, 24 through 27, 30, 32 through 37, 39, 41 through 44, 52, 53 and 74.

Representative district forty-nine is composed of Catron county; Socorro county; and Valencia county precincts 17, 20 and 27.

Representative district fifty is composed of Bernalillo county precinct 551; Santa Fe county precincts 14 through 19, 62, 70 and 72; and Tarrant county precincts 1 through 6, 8 through 10 and 13.

Representative district fifty-one is composed of Otero county precincts 15 through 17, 19, 20, 22, 26, 27, 29 through 34, 36 and 37.

Representative district fifty-two is composed of Dona Ana county precincts 7, 9 through 12, 70 through 74, 76, 77, 79, 80 and 104.

Representative district fifty-three is composed of Dona Ana county precincts 5, 6, 62, 64 through 66 and 75; and Otero county precincts 18 and 35.



Representative district fifty-four is composed of Eddy county precincts 2, 3, 6 through 8, 10, 11, 13, 15, 29, 30, 34, 35, 38 through 41 and 43; and Otero county precincts 1 through 3.

Representative district fifty-five is composed of Eddy county precincts 9, 12, 14, 16 through 21, 23, 25 through 28, 31 through 33, 36, 37, 44 and 45.

Representative district fifty-six is composed of Lincoln county precincts 5 and 8 through 11; and Otero county precincts 10, 11, 21, 23 through 25, 28, 39 and 40.

Representative district fifty-seven is composed of Chaves county precincts 2 through 5, 7 and 9 through 12; Lincoln county precincts 1 through 4, 6, 7 and 13; and Otero county precincts 12 through 14 and 38.

Representative district fifty-eight is composed of Chaves county precincts 24, 32, 34, 42, 43, 51, 52, 61 through 63, 71 through 73, 90, 91 and 101 through 103.

Representative district fifty-nine is composed of Chaves county precincts 13, 16, 21 through 23, 31, 33, 35, 36, 81 through 85, 92, 93 and 104; Lincoln county precinct 12; and Otero county precincts 4 through 9.

Representative district sixty is composed of Sandoval county precincts 30 through 32, 40 through 49 and 67.

Representative district sixty-one is composed of Lea county precincts 12, 15 through 17, 31, 35, 36, 51 through 55, 61, 62 and 71 through 74.

Representative district sixty-two is composed of Lea county precincts 3, 10, 18, 20 through 30, 32 through 34 and 41 through 44.

Representative district sixty-three is composed of Curry county precincts 4 through 9, 25 through 29 and 36; De Baca county; Guadalupe county precincts 1, 2 and 4; and Roosevelt county precincts 6 through 8 and 17.

Representative district sixty-four is composed of Curry county precincts 10 through 15, 17 through 24, 31, 32 and 37.

Representative district sixty-five is composed of Bernalillo county precinct 567; McKinley county precinct 12; Rio Arriba county precincts 24 and 29; and Sandoval county precincts 1 through 4, 6, 8, 9, 14, 15, 19, 20, 24 through 27 and 29.

Representative district sixty-six is composed of Chaves county precincts 1, 6, 14, 15, 25 and 41; Eddy county precincts 1, 4, 5 and 42; Lea county precincts 2, 11, 13 and 14; and Roosevelt county precincts 3 through 5, 9 through 11 and 14 through 16.

Representative district sixty-seven is composed of Curry county precincts 1 through 3, 16, 30 and 33 through 35; Harding county; Quay county; Roosevelt county precincts 1, 2, 12, 13 and 18; San Miguel county precinct 15; and Union county.

Representative district sixty-eight is composed of Colfax county; Guadalupe county precincts 3 and 5; Mora county precincts 1 through 4 and 6 through 11; San Miguel county precincts 9, 10, 12, 14 and 17; and Taos county precincts 2 through 4.

Representative district sixty-nine is composed of Cibola county precincts 1 through 3, 9 through 12, 16 and 17; McKinley county precincts 9, 11, 13, 14, 16 and 17; and San Juan county precincts 84 through 86.

Representative district seventy is composed of San Miguel county precincts 1 through 8, 11, 13, 16, 18 through 21 and 25 through 28; and Torrance county precincts 7, 11 and 12.

STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
FIRST JUDICIAL DISTRICT COURT

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No. D-0101-CV-2001-02177 (consolidated)

MICHAEL JEPSEN, et al.,

Plaintiffs,

vs.

REBECCA VIGIL-GIRON, et al.,

Defendants.

**FINAL JUDGMENT AND ORDER ADOPTING NEW MEXICO  
STATE HOUSE OF REPRESENTATIVES REDISTRICTING PLAN**

THIS MATTER, having come before the Court for a trial on the merits on January 2, 2002 through January 16, 2002, regarding the redistricting of New Mexico's seventy (70) districts in the New Mexico State House of Representatives, said redistricting necessitated by population changes reflected in the 2000 decennial census, and the Court having heard the testimony of witnesses, argument of counsel, having reviewed the evidence, read the pleadings, having entered Findings of Fact and Conclusions of Law on January 24, 2002, and being otherwise fully advised in the premises,

FINDS, that the present New Mexico State House of Representatives districts established in 1991 and codified in NMSA 1978 §§ 2-7C-1 through 2-7C-78 are malapportioned and therefore unconstitutional;

THE COURT FURTHER FINDS, that the Legislative Plan, denominated "HB3," and

submitted by Ben Lujan, Speaker of the House of Representatives and Richard Romero, President *Pro Tempore* of the New Mexico Senate, should be adopted as the redistricting plan for New Mexico's House of Representatives beginning for the 2002 primary and general elections, subject to the following modifications:

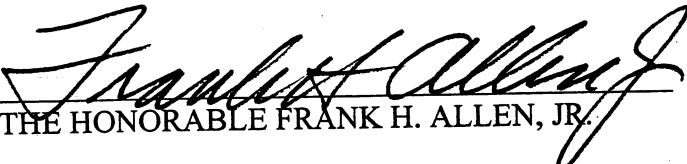
- a. the partial plan of the plaintiffs-in-intervention the Navajo Nation shall be adopted and incorporated into the Northwest corner of the plan, except for District 65 as proposed in that plan; and
- b. the House of Representatives District 65, as it presently is in HB3, and as advocated by plaintiffs-in-intervention the Jicarilla Apache Nation, shall be incorporated into the Northwest corner of the plan.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the seventy (70) New Mexico State House of Representatives Districts set forth in NMSA 1978 §§ 2-7C-1 through 2-7C-78 are revised as set forth in Exhibit A, hereto.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that costs and attorneys fees shall be assessed as allowed by law.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that final judgment is hereby entered adjudicating all claims regarding redistricting of the seventy (70) New Mexico House of Representatives districts and there is no just reason for delay of entry of this final judgment.

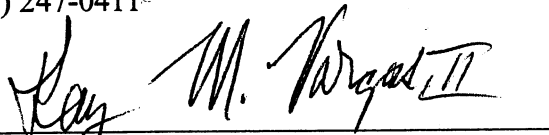
IT IS SO ORDERED.

  
THE HONORABLE FRANK H. ALLEN, JR.

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FIRST JUDICIAL DISTRICT COURT  
COUNTY OF SANTA FE  
STATE OF NEW MEXICO

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MICHAEL JEPSEN, et al.,  
Plaintiffs,

vs.

No. D-0101-CV-2001-02177  
(Consolidated)

REBECCA VIGIL-GIRON, in her  
official capacity as New Mexico  
Secretary of State, et al.,  
Defendants.

COURT'S FINDINGS OF FACT AND  
CONCLUSIONS OF LAW  
CONCERNING STATE HOUSE OF  
REPRESENTATIVES REDISTRICTING

FINDINGS OF FACT

1. The United States Constitution and the New Mexico Constitution provide that the New Mexico State House of Representatives must be reapportioned by district every ten years.
2. According to the 2000 census, the population of the State of New Mexico is 1,819,046, an increase of 303,977 residents.
3. The New Mexico Constitution establishes a State House of Representatives with a maximum of 70 seats.
4. The ideal State House of Representatives district based upon the 2000 census has a population of 25,986. The maximum deviation among the current house districts is 104.9%.
5. The current House of Representative districts are grossly malapportioned.

6. A special legislative session was called for the Fall of 2001. In anticipation of the special session, the bipartisan New Mexico Legislative Council adopted without dissent certain criteria which the legislature would consider in formulating redistricting plans.
7. The Redistricting Committee traveled throughout the State of New Mexico and held public hearings to receive comments and input from citizens and interest groups from all areas of the state. Comments were received from groups including, but not limited to, the State Republican Party, the Mexican-American Legal Defense and Education Fund, the NAACP, the Navajo Nation, and the Jicarilla Apache Nation.
8. The Legislature retained Research and Polling, Inc. to provide demographic support for the special session.
9. The special legislative session began on September 4, 2001 and ended on September 20, 2001.
10. During the special legislative session, the legislature passed HB 7 which provided for the redistricting of the New Mexico House of Representatives. That plan was vetoed by the Governor.
11. The legislature then passed HB 3, as a compromise bill to address the concerns expressed in the Governor's veto message. That plan, drafted in conformance with the criteria adopted by the Legislative Council and the laws of the United

States and the State of New Mexico, was also vetoed by the Governor.

12. Suit was filed by the Jepsen Plaintiffs prior to the conclusion of the special legislative session. This suit was consolidated with a suit filed by the Sanchez Plaintiffs. Other parties intervened, defendants were added.
13. The United States District Court deferred to the on going state proceedings after removal of the case by Governor Johnson. The Federal Court ordered the matter remanded to this Court.
14. This Court has before it 6 plans:
  - a. HB7, first passed by the legislature, and vetoed (Sanchez Plan)
  - b. HB 3, second passed by the legislature, and vetoed (Legislative Plan)
  - c. The Jepsen Plan, a modification of HB7
  - d. The Padilla Plan
  - e. The Gutierrez Plan, and
  - f. The Vigil Plan.
15. The Sanchez Plaintiffs initially advanced HB7, but during final argument, counsel advised the court that, given all the evidence presented during trial and considering the relevant criteria for selection of a court adopted plan, HB 3 is their

preferred plan.

16. Also submitted to the court were partial plans submitted by the Navajo Nation and the Jicarilla Apache Nation.
17. During the course of the trial it became obvious that the New Mexico Legislature failed to provide adequately for equal Native American electoral access in Northwestern New Mexico when it crafted the current plan in 1991. Therefore, the Court will first consider the partial plans submitted by the Navajo and the Jicarilla Apache Nations for Northwestern New Mexico.
18. Native Americans constitute 9.5% of the total population of New Mexico and 8.3% of the voting age population of New Mexico.
19. The Native American population in New Mexico increased both in absolute terms and as a percentage of the total between 1990 and 2000.
20. Of the seventy (70) seats in the State House of Representatives, at present, only three are filled by Native Americans.
21. If Native Americans were represented in the State House at a level proportionate to their total population, Native Americans would occupy seven seats in the State House.
22. If Native Americans were represented by the State House proportionate to their voting age population, Native Americans would occupy six seats in the State House.

23. Proportionality between the number of Native Americans majority State House districts and the relevant Native American population would be achieved through the creation of six districts in which Native Americans constitute the majority of the voting age population.
24. The Native American population of New Mexico, collectively, constitutes a recognizable and significant community of interest, as well as a protected racial minority, for purposes of redistricting.
25. In Northwest New Mexico, a district having a population of Native American voting age population of 55% or less does not provide Native Americans with a reasonable opportunity to elect candidates of their choice.
26. The Navajo Nation Plan with the Jicarilla Apache Plan for district 65 include six (6) reasonable compact, contiguous districts with Native American VAP in excess of 60% and with total Native American population in excess of 64.7%.
27. Six (6) compact, contiguous districts can be formed where Native Americans would have a reasonable opportunity to elect candidates of their choice.
28. Homogeneous precinct analyses, bivariate ecological regression analyses, and multivariate ecological regression analyses demonstrate that elections in the Northwestern New Mexico involving Native American candidates and non-Native

American candidates, including primary and general elections, are racially polarized.

29. In primary elections, the voting preferences of Native Americans and Hispanics are racially polarized.
30. Native Americans in Northwestern New Mexico have traditionally voted, and continue to vote, as a cohesive group.
31. Homogeneous precinct analyses, bivariate ecological regression analyses, multivariate ecological regression analyses, and scatter plot diagrams demonstrate that, in Northwestern New Mexico districts where non-Native Americans comprise the majority, the non-Native American voters vote sufficiently as a bloc to veto with regularity the election of the preferred candidate of the Native American voters.
32. The Navajo Nation and the Jicarilla Apache Nation have established that the current plan fails to provide equal electoral access to New Mexico's Native American population and satisfies the totality of the circumstances requirement. In that regard the court adopts Navajo Nation's Proposed Findings of Fact 35 through 46 and the Jicarilla Apache Nation's Proposed Findings of Fact 25 through 38.
33. The redistricting proposals submitted by the Jicarilla Apache Nation for district 65 and the Navajo Nation proposal for districts 1, 2, 3, 4, 5, 6, 9 and 69 offer the best remedy

for the current plans equal protection and Voting Rights Act violation.

34. The plans of the two Nations adhere to traditional Redistricting criteria, provide the best overall remedy to the current plans dilution of Native American vote in the Northwestern quadrant, and have acceptable population deviations.
35. The deviation in the plans of the two Nations are justified by natural, political and traditional boundaries and the need to remedy the dilution of Native American voting rights.
36. The house districting phase of the case has resulted in eleven days of trial. During that time the court has heard from eighteen witnesses including seven experts in the field of political science or redistricting, six legislators, a mayor and various representatives of the Native American Nations. Each witness discussed the pros and cons of the different plans. The parties have spent many thousands of dollars for experts to prepare the plans and testify as to why their plan should be accepted and why the other plans should be rejected. All the experts have been cross examined by as many as eight or nine different lawyers.
37. The Governor or the Lt. Governor have not submitted a plan or endorsed any of the plans presented. They have not submitted a plan which then could under go the intense scrutiny that



the other plans have received.

38. The Governors position is that the court should draw its own plan with a de minimis population deviation. This request is rejected as not necessary under the law and not possible or fair with the time restraints brought on by the coming election. A court drawn plan at this late date could not receive the necessary scrutiny from all sides as the six submitted plans have received.

39. The Court in its prior Findings of Fact and Conclusions of Law concerning the Congressional redistricting set out certain principles that a Court should follow when required to redistrict because the legislature has failed to act. These principles include the following:

- a. Look to the last clear expression of state policy. (Finding No. 34)
- b. Not make radical or partisan changes unless the law requires those changes to be made. (Conclusion No. 7)
- c. Shift the population necessary to bring New Mexico into compliance with the one-person one-vote requirement. (Finding No. 22)
- d. Insure the districts are compact and contiguous to the extent possible and keep intact to the extent possible county and municipal boundaries. (Conclusion

No. 9)

- e. Maintain percentages of effective Hispanic and Native American majority districts as in the existing plan subject to Voting Rights Act compliance. (Conclusions 3-6)
  - f. Try to promote partisan fairness and political competition.
40. In evaluating the plans submitted by the parties, it is appropriate that the Court give thoughtful consideration that HB 3 and HB 7 are plans developed through a process which reflects the will of the people, expressed through their elected representatives. That HB 3 was a compromise plan which attempted to balance the competing social, economic, geographic and racial interests which comprise the state.
41. The Court finds that HB 3 in combination with the plans of the two Nations best satisfies the principles referred to in Finding 39 and the consideration referred to in Finding 40.
42. New Mexico has a total population of 1,819,046. The New Mexico House of Representatives is made up of seventy (70) single-member districts. Accordingly, the ideal size of each district is 25,986.
43. In HB 3, the greatest deviation from the ideal among the 70

House of Representative Districts are:

- a. District 60 has a total population of 27,260, which is 1,274 people over, or 4.9% greater than the ideal.
  - b. District 41 has a total population of 24,791, which is 1,195 people under, or 4.6% less than the ideal.
44. The total maximum deviation from ideal is 9.5% which is not increased by the insertion of the plans of the two Nations into HB 3.
  45. HB 3 considered with the plans of the two Nations shifts the minimum population necessary in order to accommodate one-person one-vote mandates while meeting the legitimate needs of the Navajo and Jicarilla Apache Nations, and avoiding the loss of a Republican seat on the Eastside while creating a new Republican district on the Westside of Albuquerque.
  46. HB 3 in combination with the plans of the two Nations does not retrogress from the current plan with respect to the number of Hispanic majority district, Native American Districts and Majority-minority districts.
  47. HB 3 follows traditional redistricting criteria. By insertion of the Navajo Nation Plan, Gallup is split. This is necessary to establish six (6) Native American Districts.
  48. HB 3 in combination with the plans of the two Nations more

than any other plan promotes partisan fairness and political competition as set out in Legislative Findings 47 through 78.

#### CONCLUSIONS OF LAW

1. The Court has jurisdiction of the parties and the subject matter.
2. The current existing New Mexico House of Representatives districts are unconstitutional under the United States Constitution Amendment XIV and New Mexico Constitution Act II §18 and are therefore enjoined for use in any further elections.
3. The primary goal of state legislative redistricting is "fair and effective representation of all citizens." Reynolds v. Sims, 377 U.S. 533, 565-66 (1964). Redistricting is essentially a task for the state legislature, White v. Weiser, 412 U.S. 783, 794-95 (1973), but courts must intervene in the redistricting process when no redistricting law is enacted, *id.*, and state courts are particularly appropriate for this task. Grove v. Emison, 507 U.S. 25 (1993).
4. HB 3 in combination with the plans of the two Nations provides for fair and effective representation of the citizens of New Mexico in compliance with Federal and State Law, and neutral standards adopted by the Legislative

Council.

5. The Equal Protection Clause, "guarantees the opportunity for equal participation by all voters in the election of state legislators." Reynolds v. Sims, 377 U.S. 533, 566 (1963). This goal is achieved by creating state legislative districts having a total deviation of no more than 10% from the ideal. White v. Regester, 412 U.S. 755 (1973).
6. This Court, as a state court, is not constrained by the de minimis standard of population deviation imposed upon federal courts in drafting or adopting a state legislative redistricting plan. In re Apportionment of State Legislature 1982, 321 N.W.2d 585 (Mich. 1982) (Levin and Fitzgerald, JJ, concurring).
7. The requirement imposed upon federal courts to adhere to de minimis population deviation standards in crafting state legislative redistricting plans stems from the Supreme Court's superintending control over the federal courts, and not any federal constitutional standard. In re Apportionment of State Legislature - 1982, 321 N.W.2d 585 (Mich. 1982) (Levin and Fitzgerald, JJ, concurring).
8. In adopting a plan for redistricting the New Mexico House of Representatives, this Court is constrained only by the 10% [ +/-5% ] population deviation standard applicable to plans adopted by the State Legislature, and which have been held

per se constitutional.

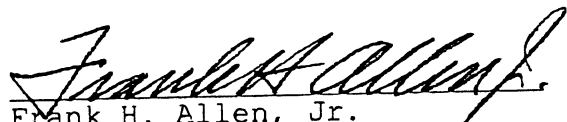
9. The state legislative districts in HB 3 in combination with plans of the two Nations fall well within the 10% deviation requirement, and are in full compliance with the requirements of the Equal Protection Clause of the United States Constitution.
10. The population deviation among the districts in the Navajo Nation Plan and District 65 in the Jicarilla Apache Nation plan does not violate the constitutional principle one-person one-vote. Moreover, any deviations inherent to these plans are justified by: (1) the need to comply with the Voting Rights Act in creating a plan that does not dilute Native American voting strength; and (2) the furtherance of significant state policies, such as providing equal protection under the law to all citizens, New Mexico's historical policy of crafting legislative districts based on precincts, and respect for tribal self-determination.
11. The Native American population in Northwestern New Mexico is sufficiently large and compact to constitute a majority in six single member State House districts. Native Americans in Northwestern New Mexico are politically cohesive, and the non-Native American majority in the State votes as a bloc to defeat Native Americans' candidates of choice. Accordingly, the Native American population in Northwestern New Mexico

satisfies the threshold criteria established by the U.S. Supreme Court in Thornburg v. Gingles, 478 U.S. 30 (1986).

12. Native Americans in New Mexico have suffered a history of discrimination, have not achieved proportional representation in the State House, and voting in New Mexico is racially polarized. The high employment, high poverty, and low educational attainment of Native Americans in New Mexico results from historical discrimination and contributes to Native Americans' diminished ability to address problems through the political process. Under the "totality of the circumstances test" of Section 2 of the Voting Rights Act, the voting strength of Native Americans in the State are diluted and Native Americans do not have an equal opportunity to participate in the political process and elect representatives of choice.
13. HB 3 in combination with the plans of the Navajo and Jicarilla Apache Nations does not dilute minority voting strength in districts where minority groups are able to elect candidates of their choice.
14. HB 3 in combination with the Navajo Nation and Jicarilla Apache Nation Plans is not retrogressive and complies with the Voting Rights Act.
15. Race was properly considered in HB 3 in combination with the plans of the two Nations for the purpose of assuring

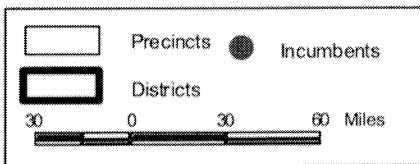
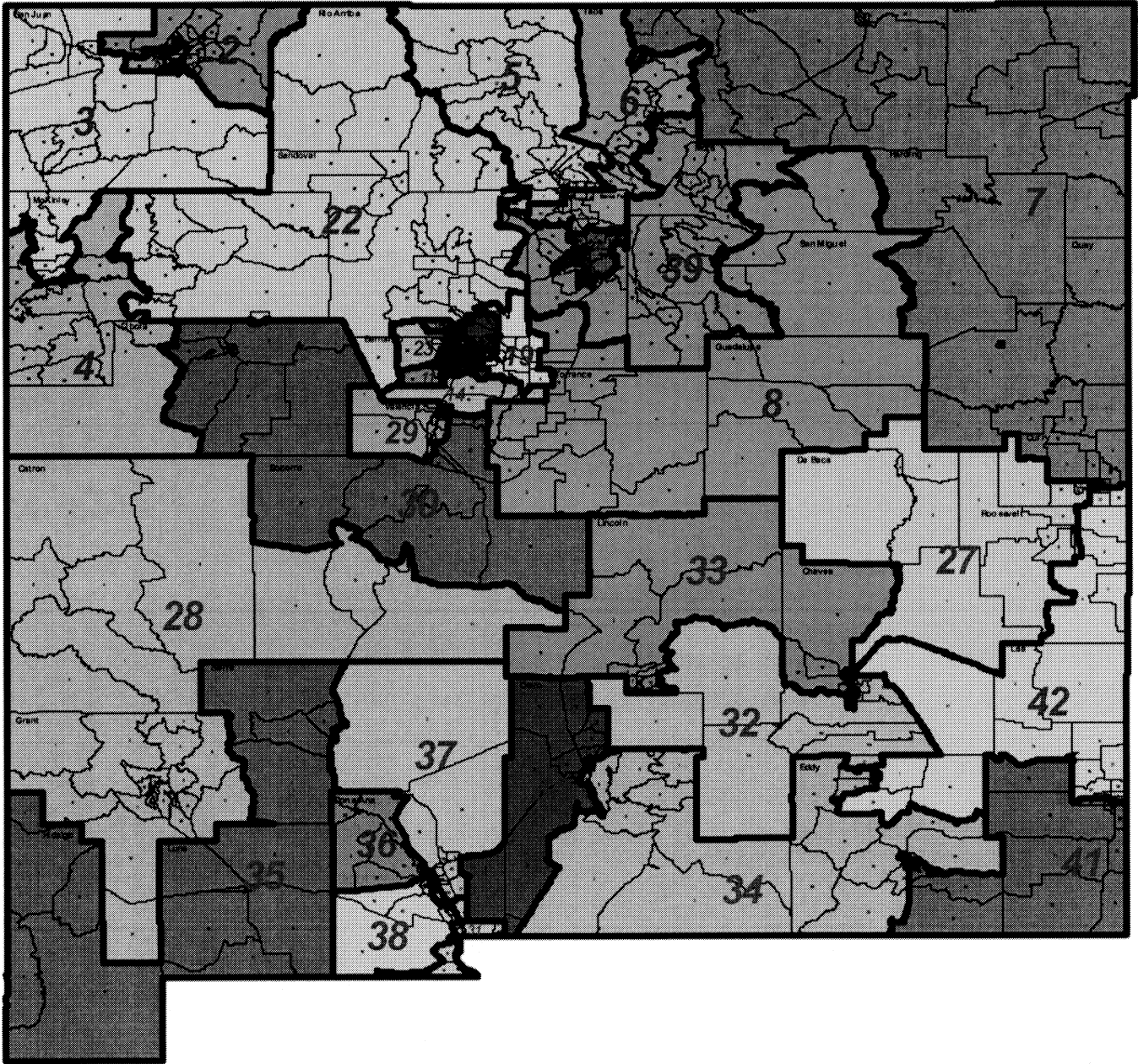
compliance with the Voting Rights Act; but race was not the predominant factor in the drawing of the district lines and race was not subordinated to other race-neutral district principles. These combination plans do not violate the Fourteenth Amendment prohibition against racial gerrymandering.

16. HB 3 in combination with the plans of the two Nations comports with other, traditional redistricting criteria. Several criteria, adopted without dissent by the bi-partisan Legislative Council, deserve heightened consideration in this case. See O'Sullivan v. Brier, 540 F. Supp. 1200, 1203 (D. Kan. 1982). Those criteria are compactness, contiguity, respect for incumbency and communities of actual shared interests and the preservation of geographical and political boundaries. The combination plan comports with the districting criteria adopted by the Legislative Council.
17. Attorneys for Defendants Romero and Lujan in cooperation with attorneys from the Navajo Nation and the Jicarilla Apache Nation are to prepare the necessary Order with required attachments to implement this ruling and to put into effect this State House of Representative Plan for the primary and general election.

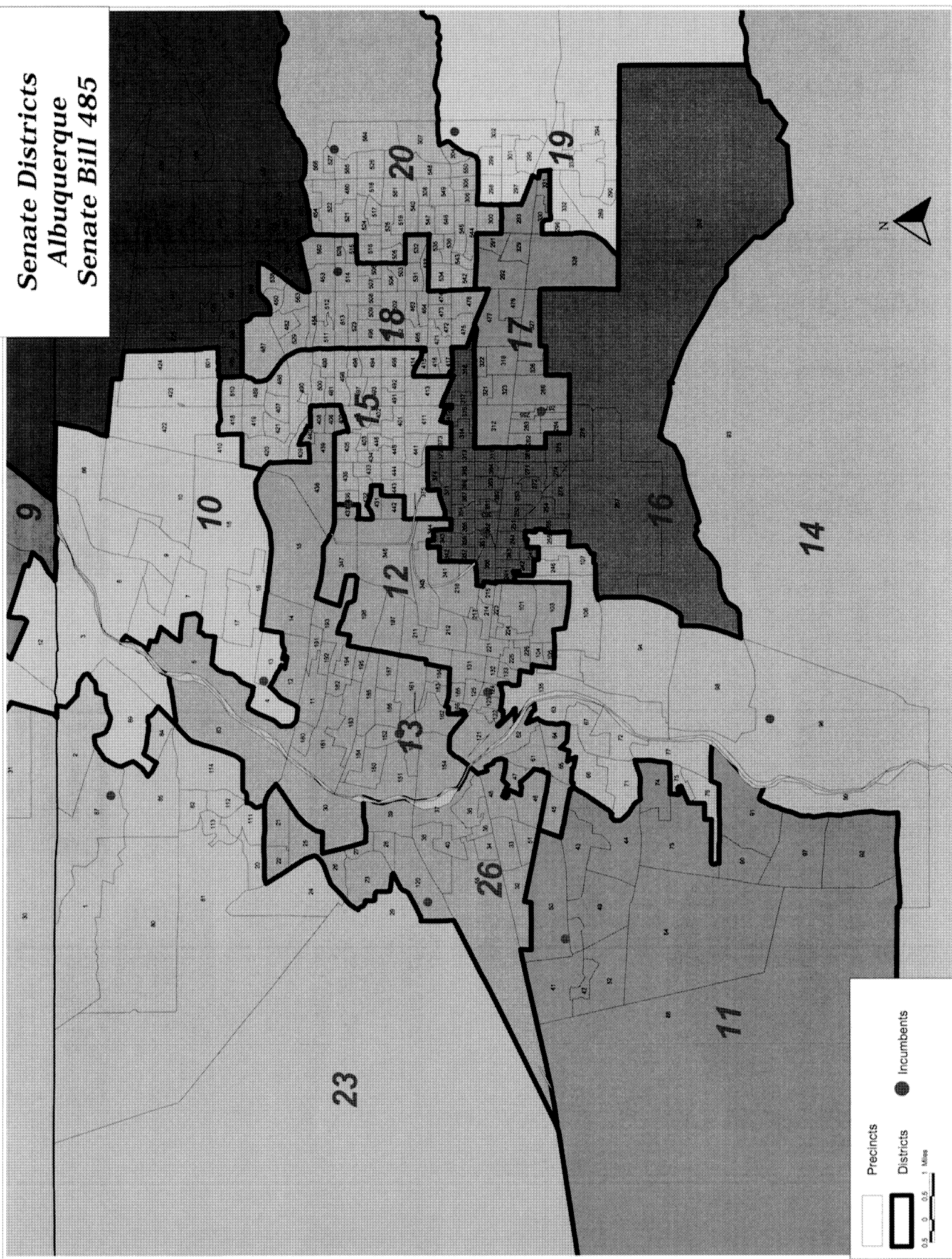
  
Frank H. Allen, Jr.  
District Judge, Division IV



**Senate Districts  
New Mexico  
139610.1**



# Senate Districts Albuquerque Senate Bill 485



Precincts  
Districts  
Incumbents

0 0.5 1 Miles

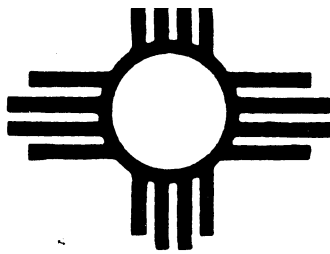
**Senate Districts  
Request #: 139610.1**

Dist	Non-Hisp.			Voting Behavior			Registered Voters							
	Pop	Deviation	Hisp.	White Amer.	Nat. Black	18+ Pop	Dem Perf.	Rep Perf.	Total	Dem %	Rep %	Green %	Other %	
1	44,631	1,320 3.0%	17.1%	56.5%	23.5%	.7%	30,818	31.0%	69.0%	23,069	8,340 36.2%	11,282 48.9%	66 .3%	3,381 14.7%
2	44,555	1,244 2.9%	20.5%	61.3%	15.9%	.2%	30,507	29.4%	70.6%	21,454	7,589 35.4%	10,155 47.3%	32 .1%	3,678 17.1%
3	42,249	-1,062 -2.5%	9.3%	3.7%	85.6%	.2%	26,056	66.0%	34.0%	17,946	12,255 68.3%	3,516 19.6%	30 .2%	2,145 12.0%
4	45,341	2,030 4.7%	11.9%	16.1%	69.0%	.4%	28,860	64.2%	35.8%	19,256	12,622 65.5%	3,878 20.1%	109 .6%	2,647 13.7%
5	44,807	1,496 3.5%	66.7%	25.4%	5.7%	.2%	32,214	68.4%	31.6%	26,065	19,131 73.4%	4,390 16.8%	202 .8%	2,342 9.0%
6	45,173	1,862 4.3%	55.4%	34.8%	7.3%	.3%	33,333	66.1%	33.9%	27,503	17,247 62.7%	5,723 20.8%	767 2.8%	3,766 13.7%
7	41,762	-1,549 -3.6%	35.1%	60.6%	.6%	1.3%	30,993	42.3%	57.7%	25,041	13,794 55.1%	9,009 36.0%	92 .4%	2,146 8.6%
8	41,198	-2,113 -4.9%	62.2%	33.8%	1.2%	1.1%	29,527	63.0%	37.0%	24,783	16,578 66.9%	5,981 24.1%	152 .6%	2,072 8.4%
9	42,386	-925 -2.1%	33.5%	58.8%	2.3%	2.3%	29,353	45.9%	54.1%	24,023	10,493 43.7%	9,372 39.0%	211 .9%	3,947 16.4%
10	43,812	501 1.2%	33.1%	59.5%	2.1%	1.6%	33,556	45.5%	54.5%	25,388	11,197 44.1%	10,384 40.9%	201 .8%	3,606 14.2%
11	41,939	-1,372 -3.2%	75.6%	18.7%	2.3%	2.0%	27,693	64.1%	35.9%	15,071	9,178 60.9%	3,370 22.4%	123 .8%	2,400 15.9%
12	42,005	-1,306 -3.0%	56.6%	32.9%	4.2%	2.8%	32,697	67.6%	32.4%	23,627	13,438 56.9%	4,594 19.4%	1,026 4.3%	4,569 19.3%
13	44,615	1,304 3.0%	53.8%	37.9%	4.4%	1.5%	33,891	61.2%	38.8%	26,308	14,840 56.4%	7,120 27.1%	453 1.7%	3,895 14.8%
14	41,335	-1,976 -4.6%	60.5%	26.6%	7.6%	2.4%	28,695	59.7%	40.3%	18,341	10,867 59.2%	4,406 24.0%	359 2.0%	2,709 14.8%
15	44,654	1,343 3.1%	31.1%	59.0%	3.3%	2.5%	35,473	44.3%	55.7%	28,917	12,957 44.8%	11,841 40.9%	275 1.0%	3,844 13.3%
16	42,253	-1,058 -2.4%	25.0%	62.4%	3.9%	3.6%	34,161	60.1%	39.9%	28,863	14,369 49.8%	7,390 25.6%	1,675 5.8%	5,429 18.8%
17	42,105	-1,206 -2.8%	48.2%	36.4%	6.0%	4.1%	30,768	54.7%	45.3%	17,716	8,744 49.4%	5,336 30.1%	253 1.4%	3,383 19.1%
18	41,951	-1,360 -3.1%	23.7%	67.9%	2.1%	2.2%	32,940	39.1%	60.9%	27,382	10,817 39.5%	12,549 45.8%	227 .8%	3,789 13.8%
19	41,521	-1,790 -4.1%	22.6%	70.6%	1.5%	1.3%	30,795	37.8%	62.2%	24,468	8,753 35.8%	11,768 48.1%	355 1.5%	3,592 14.7%
20	41,979	-1,332 -3.1%	24.0%	66.7%	2.2%	2.5%	32,124	37.5%	62.5%	26,996	10,047 37.2%	12,854 47.6%	240 .9%	3,855 14.3%
21	41,226	-2,085 -4.8%	19.9%	72.7%	1.9%	1.1%	31,060	36.2%	63.8%	27,786	9,384 33.8%	14,055 50.6%	275 1.0%	4,072 14.7%
22	43,508	197 .5%	14.3%	16.1%	67.9%	.3%	27,640	65.4%	34.6%	19,122	13,131 68.7%	3,637 19.0%	90 .5%	2,264 11.8%
23	44,878	1,567 3.6%	37.2%	53.8%	2.6%	2.7%	31,302	41.9%	58.1%	22,148	8,560 38.6%	9,986 45.1%	128 .6%	3,474 15.7%
24	44,223	912 2.1%	65.7%	29.5%	1.8%	.6%	32,406	74.1%	25.9%	23,352	15,347 65.7%	3,672 15.7%	868 3.7%	3,465 14.8%
25	45,002	1,691 3.9%	30.1%	65.4%	1.2%	.5%	37,089	69.9%	30.1%	37,461	22,311 59.6%	7,388 19.7%	1,581 4.2%	6,201 16.6%
26	42,580	-731 -1.7%	66.8%	25.1%	2.8%	3.0%	29,972	62.0%	38.0%	19,781	11,673 59.0%	5,052 25.5%	160 .8%	2,896 14.6%
27	43,413	102 .2%	33.5%	57.0%	.7%	5.5%	30,657	37.8%	62.2%	20,204	10,174 50.4%	7,224 35.8%	37 .2%	2,769 13.7%
28	44,903	1,592 3.7%	48.0%	48.2%	1.2%	.4%	33,278	54.1%	45.9%	28,985	16,983 58.6%	8,139 28.1%	329 1.1%	3,534 12.2%
29	42,490	-821 -1.9%	58.0%	37.3%	1.8%	1.0%	30,242	55.3%	44.7%	22,234	12,386 55.7%	6,921 31.1%	159 .7%	2,768 12.4%
30	44,608	1,297 3.0%	43.0%	32.3%	21.7%	1.1%	30,769	56.6%	43.4%	21,870	13,279 60.7%	5,925 27.1%	111 .5%	2,555 11.7%
31	42,520	-791 -1.8%	84.2%	14.4%	.3%	.4%	27,061	64.2%	35.8%	12,382	7,718 62.3%	2,573 20.8%	11 .1%	2,080 16.8%
32	43,105	-206 -.5%	55.0%	34.9%	6.7%	1.9%	29,008	52.2%	47.8%	19,077	10,260 53.8%	6,451 33.8%	23 .1%	2,343 12.3%



**Senate Districts  
Request #: 139610.1**

Dist	Non-Hisp.				Voting Behavior		Registered Voters											
	Pop	Deviation	Hisp.	White Amer.	Nat. Black	18+ Pop	Dem Perf.	Rep Perf.	Total	Dem	% Dem	Rep	% Rep	Green	% Green	Other	% Other	
33	42,338	-973 -2.2%	25.6%	70.6%	1.1%	.9%	32,120	33.0%	67.0%	27,465	9,448	34.4%	14,390	52.4%	51	.2%	3,576	13.0%
34	44,984	1,673 3.9%	26.9%	68.3%	.7%	1.7%	32,798	34.3%	65.7%	24,893	11,879	47.7%	10,464	42.0%	51	.2%	2,499	10.0%
35	41,875	-1,436 -3.3%	50.0%	47.4%	.7%	.6%	30,172	48.1%	51.9%	19,621	11,019	56.2%	6,337	32.3%	73	.4%	2,192	11.2%
36	44,556	1,245 2.9%	63.1%	33.2%	.7%	1.3%	31,343	55.2%	44.8%	23,020	13,142	57.1%	6,630	28.8%	70	.3%	3,178	13.8%
37	44,492	1,181 2.7%	44.0%	51.1%	.7%	1.5%	32,806	44.0%	56.0%	24,836	10,724	43.2%	9,925	40.0%	87	.4%	4,100	16.5%
38	43,958	647 1.5%	61.8%	32.0%	1.2%	1.6%	32,605	57.0%	43.0%	22,077	11,698	53.0%	6,353	28.8%	145	.7%	3,881	17.6%
39	41,650	-1,661 -3.8%	58.1%	37.9%	1.2%	.5%	30,919	68.3%	31.7%	23,184	14,912	64.3%	4,824	20.8%	567	2.4%	2,881	12.4%
40	44,407	1,096 2.5%	34.5%	56.7%	1.0%	4.2%	31,235	41.0%	59.0%	18,668	7,836	42.0%	8,123	43.5%	30	.2%	2,679	14.4%
41	44,405	1,094 2.5%	51.5%	42.3%	.6%	4.3%	30,495	49.5%	50.5%	19,878	12,180	61.3%	5,445	27.4%	16	.1%	2,237	11.3%
42	43,654	343 .8%	32.0%	62.9%	.7%	2.9%	31,041	27.8%	72.2%	22,452	9,920	44.2%	9,896	44.1%	22	.1%	2,614	11.6%
<b>Totals</b>	<b>1,819,046</b>		<b>42.1%</b>	<b>44.7%</b>	<b>8.9%</b>	<b>1.7%</b>	<b>1,310,472</b>	<b>51.7%</b>	<b>48.3%</b>	<b>972,713</b>	<b>507,220</b>	<b>52.1%</b>	<b>318,308</b>	<b>32.7%</b>	<b>11,732</b>	<b>1.2%</b>	<b>135,453</b>	<b>13.9%</b>



The Legislature  
of the  
State of New Mexico

45th Legislature, Second Session

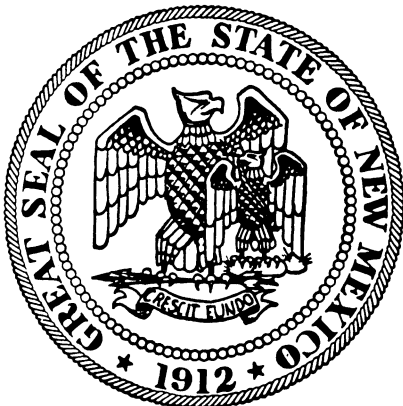
LAWS 2002

CHAPTER 98

SENATE BILL 485

Introduced by

SENATORS LEONARD TSOSIE AND LEONARD LEE RAWSON  
SENATOR SUE WILSON BEFFORT  
SENATOR DIANNA J. DURAN  
SENATOR CARROLL H. LEAVELL  
SENATOR LINDA M. LOPEZ  
SENATOR MICHAEL S. SANCHEZ  
SENATOR JOHN ARTHUR SMITH



# Chapter 98

## AN ACT

1  
2 RELATING TO THE REDISTRICTING OF THE SENATE; ESTABLISHING  
3 SENATORIAL DISTRICTS; PROVIDING THE METHOD FOR ELECTING  
4 SENATORS; PROVIDING FOR THE FILLING OF VACANCIES; FIXING THE  
5 NUMBER, RESIDENCE AND TERMS OF SENATORS; REPEALING AND  
6 ENACTING SECTIONS OF THE NMSA 1978.

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

9       Section 1. SHORT TITLE.--This act may be cited as the  
10 "2002 Senate Redistricting Act".

11       Section 2. MEMBERSHIP.--The senate is composed of  
12 forty-two members to be elected from districts that are  
13 contiguous and that are as compact as is practical.

14       Section 3. RESIDENCE.--At the time of filing a  
15 declaration of candidacy for the office of state senator, the  
16 candidate shall reside in the district for which he files.  
17 Thereafter, if a senator permanently removes his residence  
18 from or maintains no residence in the district from which he  
19 was elected, he shall be deemed to have resigned and his  
20 successor shall be selected as provided in Section 4 of the  
21 2002 Senate Redistricting Act.

22       Section 4. ELECTIONS--VACANCIES.--

23           A. Members of the senate shall be elected for  
24 terms of four years.

25           B. If a vacancy occurs in the office of senator

1 for any reason, the vacancy shall be filled as follows:

2 (1) for a senate district that is situated  
3 wholly within the exterior boundaries of a single county, the  
4 board of county commissioners of that county shall appoint  
5 the senator to fill the vacancy; and

6 (2) for a senate district situated within  
7 two or more counties:

8 (a) the board of county commissioners  
9 of each county in the senate district shall submit one name  
10 to the governor; and

11 (b) the governor shall appoint the  
12 senator to fill the vacancy from the list of names so  
13 submitted.

14 C. An appointment to fill a vacancy in the senate  
15 shall be for a term ending on December 31 after the next  
16 general election.

17 D. An appointment to fill a vacancy made before  
18 the general election of 2004 shall be made from the district  
19 as it was described in Laws 1991 (1st S.S.), Chapter 3,  
20 Sections 7 through 48. After the general election of 2004, a  
21 vacancy shall be filled by appointment from the district set  
22 out in the 2002 Senate Redistricting Act.

23 Section 5. PRECINCTS.--

24 A. Precinct designations and boundaries used in  
25 the 2002 Senate Redistricting Act are those precinct

1 designations and boundaries established pursuant to the  
2 Precinct Boundary Adjustment Act and revised and approved  
3 pursuant to that act by the secretary of state as of August  
4 31, 2001.

5 B. A board of county commissioners shall not  
6 create any precinct that lies in more than one senate  
7 district and shall not divide any precinct so that the  
8 divided parts of the precinct are situated in two or more  
9 senate districts. Votes cast in a statewide election from  
10 precincts created or divided in violation of this subsection  
11 are invalid and shall not be counted or canvassed.

12 Section 6. DISTRICTS.--The districts of the senate  
13 shall be as set out in Sections 7 through 48 of the 2002  
14 Senate Redistricting Act.

15 Section 7. SENATE DISTRICT ONE.--Senate district one is  
16 composed of San Juan county precincts 20 through 29, 31, 40,  
17 41, 43 through 45, 49, 51 through 59 and 81.

18 Section 8. SENATE DISTRICT TWO.--Senate district two is  
19 composed of San Juan county precincts 11 through 13, 18, 19,  
20 30, 42, 46, 47, 60 through 76 and 79.

21 Section 9. SENATE DISTRICT THREE.--Senate district  
22 three is composed of McKinley county precincts 1, 4 through  
23 6, 20, 21, 31, 34 through 37 and 41; and San Juan county  
24 precincts 1 through 10, 14 through 16 and 82 through 86.

25 Section 10. SENATE DISTRICT FOUR.--Senate district four



1 is composed of Cibola county precincts 5 and 6; and McKinley  
2 county precincts 3, 7, 18, 19, 22 through 30, 32, 33, 38  
3 through 40 and 42 through 50.

4 Section 11. SENATE DISTRICT FIVE.--Senate district five  
5 is composed of Los Alamos county precincts 12 through 17; Rio  
6 Arriba county precincts 1 through 15, 18 through 20, 22, 23  
7 and 31 through 41; and Santa Fe county precinct 58.

8 Section 12. SENATE DISTRICT SIX.--Senate district six  
9 is composed of Los Alamos county precincts 2 through 6; Rio  
10 Arriba county precincts 16 and 17; Santa Fe county precincts  
11 1 through 7, 23, 40, 59 through 61 and 79; and Taos county  
12 precincts 1, 5 through 17, 19, 20, 22 through 25, 27, 28 and  
13 30 through 35.

14 Section 13. SENATE DISTRICT SEVEN.--Senate district  
15 seven is composed of Colfax county; Curry county precincts 1  
16 through 3, 10, 16 through 19, 24, 34, 35 and 37; Harding  
17 county; Quay county; San Miguel county precinct 15; Taos  
18 county precincts 2 through 4; and Union county.

19 Section 14. SENATE DISTRICT EIGHT.--Senate district  
20 eight is composed of Guadalupe county; Mora county precincts  
21 9 and 11; San Miguel county precincts 1 through 8, 14, 17 and  
22 25 through 28; Santa Fe county precincts 16, 18, 19 and 85;  
23 and Torraine county precincts 1 through 4 and 6 through 13.

24 Section 15. SENATE DISTRICT NINE.--Senate district nine  
25 is composed of Sandoval county precincts 2, 3, 11, 13, 36

1 through 47, 49, 53, 54, 59 through 61, 64 and 67.

2 Section 16. SENATE DISTRICT TEN.--Senate district ten  
3 is composed of Bernalillo county precincts 3, 4, 6 through  
4 10, 13, 16 through 18, 86, 89, 410, 422 through 424 and 601;  
5 and Sandoval county precincts 12, 32 through 35, 48 and 62.

6 Section 17. SENATE DISTRICT ELEVEN.--Senate district  
7 eleven is composed of Bernalillo county precincts 41 through  
8 44, 49, 50, 52 through 54, 73, 74, 88, 90 through 92 and 97.

9 Section 18. SENATE DISTRICT TWELVE.--Senate district  
10 twelve is composed of Bernalillo county precincts 45, 47, 61,  
11 62, 64, 65, 101, 103 through 105, 121 through 125, 131  
12 through 133, 165, 166, 196, 197, 211, 212, 214 through 217,  
13 221, 223 through 226, 341, 344 through 347, 431, 437 and 442.

14 Section 19. SENATE DISTRICT THIRTEEN.--Senate district  
15 thirteen is composed of Bernalillo county precincts 5, 11,  
16 12, 14, 15, 30, 83, 150 through 154, 161 through 164, 180  
17 through 187, 191 through 195, 400, 406, 408 and 438 through  
18 440.

19 Section 20. SENATE DISTRICT FOURTEEN.--Senate district  
20 fourteen is composed of Bernalillo county precincts 63, 66,  
21 67, 71, 72, 75 through 77, 93 through 96, 98, 99, 102, 106,  
22 107, 135, 246, 256, 551 and 552; and Valencia county  
23 precincts 4, 9, 11, 13, 18 and 28.

24 Section 21. SENATE DISTRICT FIFTEEN.--Senate district  
25 fifteen is composed of Bernalillo county precincts 373, 375,

1 401 through 405, 407, 409, 411, 413, 414, 418 through 421,  
2 432 through 436, 441, 443 through 446, 466, 481, 488 through  
3 494, 496 through 500 and 510.

4 Section 22. SENATE DISTRICT SIXTEEN.--Senate district  
5 sixteen is composed of Bernalillo county precincts 241  
6 through 245, 251 through 255, 257, 258, 271 through 275, 278,  
7 281, 311, 313 through 317, 342, 343, 351 through 358, 371,  
8 372, 374, 381 through 387 and 412.

9 Section 23. SENATE DISTRICT SEVENTEEN.--Senate district  
10 seventeen is composed of Bernalillo county precincts 282  
11 through 287, 291 through 293, 312, 318, 321 through 323, 326  
12 through 331, 477 and 478.

13 Section 24. SENATE DISTRICT EIGHTEEN.--Senate district  
14 eighteen is composed of Bernalillo county precincts 415  
15 through 417, 450, 453, 461 through 465, 471 through 476, 482,  
16 484, 487, 495, 502 through 504, 506 through 509, 511 through  
17 515, 523, 528, 529, 531 through 533, 538, 562 and 563.

18 Section 25. SENATE DISTRICT NINETEEN.--Senate district  
19 nineteen is composed of Bernalillo county precincts 289, 290,  
20 294 through 299, 301 through 303, 332, 333, 553 through 559,  
21 571 and 573; Sandoval county precincts 6, 28 and 56; Santa Fe  
22 county precincts 15, 73 and 84; and Tarrant county precinct  
23 5.

24 Section 26. SENATE DISTRICT TWENTY.--Senate district  
25 twenty is composed of Bernalillo county precincts 300, 304

1 through 308, 454, 480, 505, 516 through 519, 521, 522, 524  
2 through 527, 530, 534 through 536, 540, 542 through 550, 561  
3 and 564 through 566.

4 Section 27. SENATE DISTRICT TWENTY-ONE.--Senate  
5 district twenty-one is composed of Bernalillo county  
6 precincts 425 through 430, 447, 449, 451, 452, 483, 485, 486,  
7 520, 537, 539, 541, 560, 567 through 569 and 602; and  
8 Sandoval county precincts 1, 4, 5, 29 and 55.

9 Section 28. SENATE DISTRICT TWENTY-TWO.--Senate  
10 district twenty-two is composed of Bernalillo county precinct  
11 31; Cibola county precinct 3; McKinley county precincts 8  
12 through 17; Rio Arriba county precincts 24 through 27, 29 and  
13 30; and Sandoval county precincts 8 through 10, 14 through  
14 27, 50, 58 and 63.

15 Section 29. SENATE DISTRICT TWENTY-THREE.--Senate  
16 district twenty-three is composed of Bernalillo county  
17 precincts 1, 2, 20, 24, 29, 80 through 82, 84, 85, 87 and 111  
18 through 114; and Sandoval county precincts 30 and 31.

19 Section 30. SENATE DISTRICT TWENTY-FOUR.--Senate  
20 district twenty-four is composed of Santa Fe county precincts  
21 24, 25, 27, 31 through 35, 38, 39, 41, 49 through 51, 56, 62,  
22 64, 66, 67, 74 through 76 and 86.

23 Section 31. SENATE DISTRICT TWENTY-FIVE.--Senate  
24 district twenty-five is composed of Santa Fe county precincts  
25 8 through 11, 13, 20 through 22, 26, 28 through 30, 36, 37,

1 42 through 48, 52 through 55, 65, 68, 69, 71, 77, 78, 81 and  
2 83.

3 Section 32. SENATE DISTRICT TWENTY-SIX.--Senate  
4 district twenty-six is composed of Bernalillo county  
5 precincts 21 through 23, 25 through 28, 32 through 40, 46,  
6 48, 51, 55 and 120.

7 Section 33. SENATE DISTRICT TWENTY-SEVEN.--Senate  
8 district twenty-seven is composed of Chaves county precinct  
9 1; Curry county precincts 4, 6 through 9, 11 through 15, 20,  
10 21, 29, 31 and 36; De Baca county; and Roosevelt county  
11 precincts 1 and 5 through 17.

12 Section 34. SENATE DISTRICT TWENTY-EIGHT.--Senate  
13 district twenty-eight is composed of Catron county; Grant  
14 county; and Socorro county precincts 1, 3 through 8, 10, 11,  
15 13, 14 and 17.

16 Section 35. SENATE DISTRICT TWENTY-NINE.--Senate  
17 district twenty-nine is composed of Valencia county precincts  
18 1 through 3, 5 through 8, 10, 12, 14, 17, 19, 21 through 27,  
19 31, 32 and 35 through 38.

20 Section 36. SENATE DISTRICT THIRTY.--Senate district  
21 thirty is composed of Cibola county precincts 1, 2, 4 and 7  
22 through 17; Socorro county precincts 2, 9, 12, 15 and 16; and  
23 Valencia county precincts 15, 16, 20, 29, 30, 33 and 34.

24 Section 37. SENATE DISTRICT THIRTY-ONE.--Senate  
25 district thirty-one is composed of Dona Ana county precincts

1 7, 10 through 15, 74 through 76, 79 through 81, 96 and 97.

2 Section 38. SENATE DISTRICT THIRTY-TWO.--Senate  
3 district thirty-two is composed of Chaves county precincts 13  
4 through 16, 23, 24, 31, 32, 34, 42, 43, 51, 52, 61 through  
5 63, 71 through 73, 81, 90, 91 and 101 through 104; Eddy  
6 county precincts 2, 3, 41 and 43; Lincoln county precinct 12;  
7 and Otero county precinct 11.

8 Section 39. SENATE DISTRICT THIRTY-THREE.--Senate  
9 district thirty-three is composed of Chaves county precincts  
10 2 through 7, 9 through 12, 21, 22, 25, 33, 35, 36, 82 through  
11 85, 92 and 93; and Lincoln county precincts 1 through 11 and  
12 13.

13 Section 40. SENATE DISTRICT THIRTY-FOUR.--Senate  
14 district thirty-four is composed of Eddy county precincts 4  
15 through 8, 17 through 21, 25 through 30, 34 through 38, 40,  
16 44 and 45; and Otero county precincts 2 through 9, 18, 21,  
17 23, 24 and 36.

18 Section 41. SENATE DISTRICT THIRTY-FIVE.--Senate  
19 district thirty-five is composed of Hidalgo county; Luna  
20 county; and Sierra county precincts 1 and 3 through 9.

21 Section 42. SENATE DISTRICT THIRTY-SIX.--Senate  
22 district thirty-six is composed of Dona Ana county precincts  
23 1 through 4, 21, 22, 24, 25, 27 through 30, 32 through 36, 41  
24 through 47, 60, 63, 84, 86 through 88, 91 through 95, 99 and  
25 100.

1           Section 43. SENATE DISTRICT THIRTY-SEVEN.--Senate  
2 district thirty-seven is composed of Dona Ana county  
3 precincts 5, 20, 26, 52, 59, 61, 62, 64 through 73, 77, 83,  
4 85, 89 and 102 through 104; and Sierra county precinct 2.

5           Section 44. SENATE DISTRICT THIRTY-EIGHT.--Senate  
6 district thirty-eight is composed of Dona Ana county  
7 precincts 8, 9, 16 through 19, 23, 31, 37 through 40, 48  
8 through 51, 53 through 58, 78, 82, 90, 98 and 101.

9           Section 45. SENATE DISTRICT THIRTY-NINE.--Senate  
10 district thirty-nine is composed of Los Alamos county  
11 precincts 1 and 7 through 11; Mora county precincts 1 through  
12 8 and 10; San Miguel county precincts 9 through 13, 16 and 18  
13 through 24; Sandoval county precincts 7 and 51; Santa Fe  
14 county precincts 12, 14, 17, 57, 63, 70, 72, 80 and 82; and  
15 Taos county precincts 18, 21, 26 and 29.

16           Section 46. SENATE DISTRICT FORTY.--Senate district  
17 forty is composed of Dona Ana county precinct 6; and Otero  
18 county precincts 1, 10, 12 through 17, 19, 20, 22, 25 through  
19 35 and 37 through 40.

20           Section 47. SENATE DISTRICT FORTY-ONE.--Senate district  
21 forty-one is composed of Eddy county precincts 9 through 16,  
22 23 and 31 through 33; and Lea county precincts 12, 14 through  
23 17, 25, 31, 32, 34 through 36, 51 through 55, 61, 62 and 71  
24 through 74.

25           Section 48. SENATE DISTRICT FORTY-TWO.--Senate district

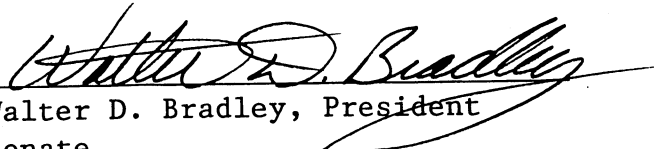
1 forty-two is composed of Chaves county precinct 41; Curry  
2 county precincts 5, 22, 23, 25 through 28, 30, 32 and 33;  
3 Eddy county precincts 1, 39 and 42; Lea county precincts 2,  
4 3, 10, 11, 13, 18, 20 through 24, 26 through 30, 33 and 41  
5 through 44; and Roosevelt county precincts 2 through 4 and  
6 18.

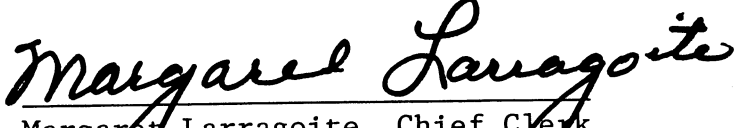
7 Section 49. ELECTION OF SENATORS.--Senators shall be  
8 elected from the districts described in the 2002 Senate  
9 Redistricting Act at the 2004 and subsequent general  
10 elections.


11 Section 50. REPEAL.--Sections 2-8C-1 through 2-8C-49  
12 NMSA 1978 (being Laws 1991 (1st S.S.), Chapter 3, Sections 1  
13 through 49, as amended) are repealed. \_\_\_\_\_

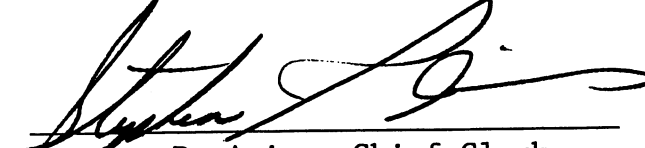
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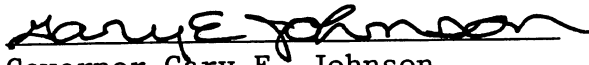
  
Walter D. Bradley, President  
Senate

  
Margaret Larragoite, Chief Clerk  
Senate

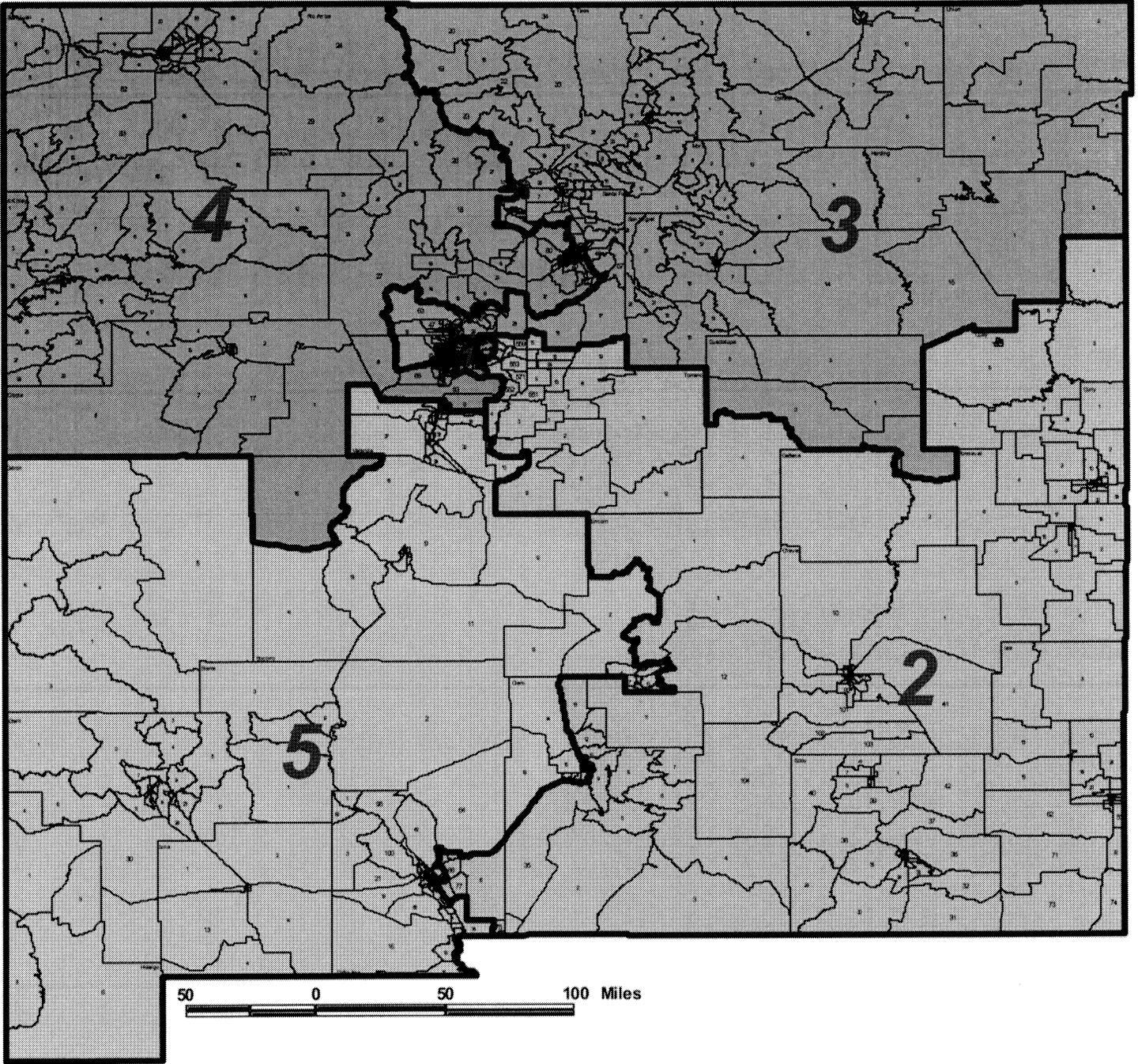
  
Ben Lujan, Speaker  
House of Representatives

  
Stephen R. Arias, Chief Clerk  
House of Representatives

Approved by me this 5<sup>th</sup> day of March, 2002

  
Governor Gary E. Johnson  
State of New Mexico

# Public Regulation Commission 139171.1



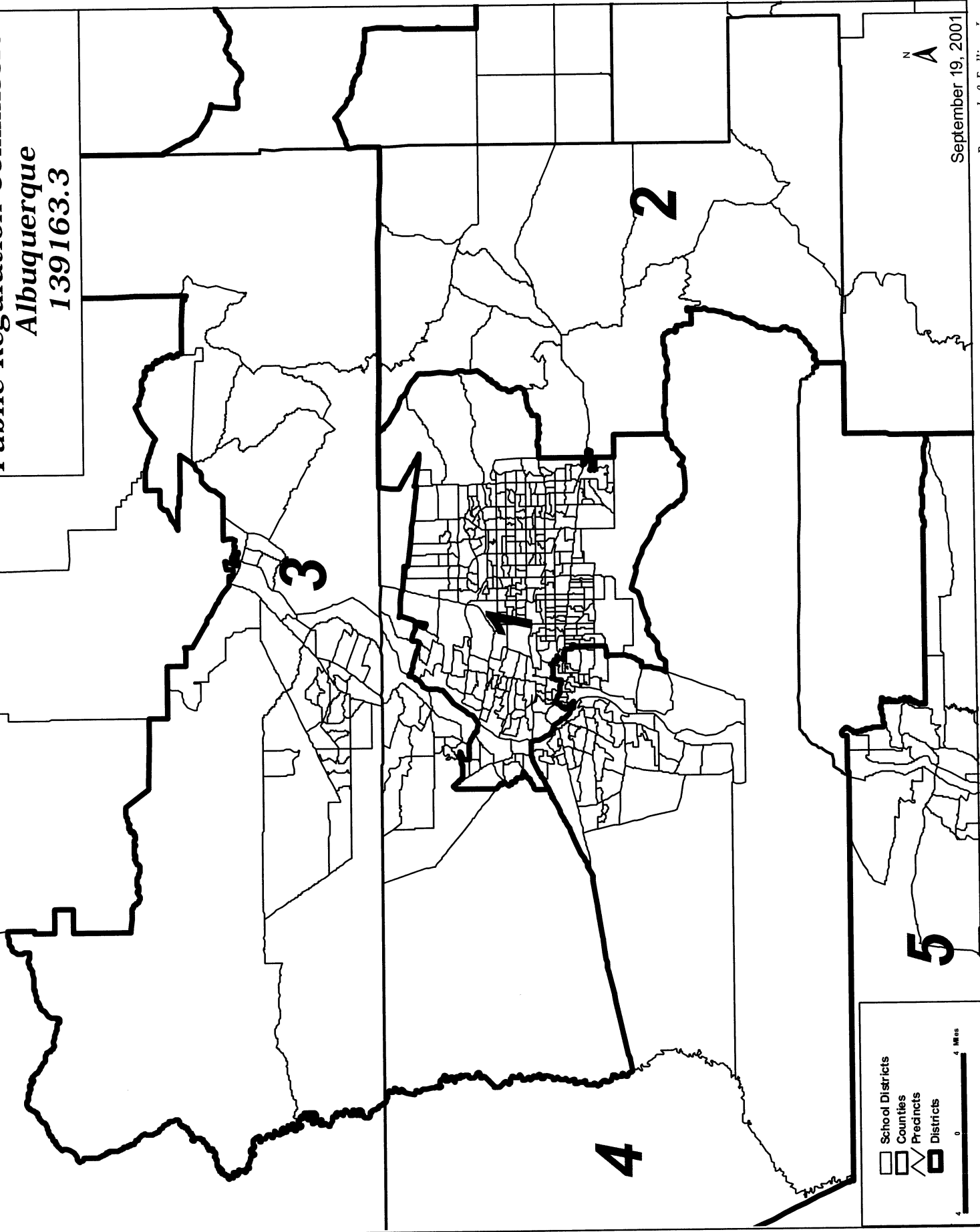
- Voting Districts
- Counties
- PRC Districts



September 19, 2001

Research & Polling, Inc.

**Public Regulation Commission**  
**Albuquerque**  
**139163.3**



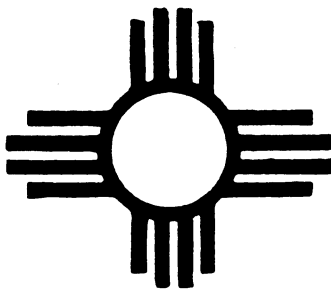
-  School Districts
-  Counties
-  Precincts
-  Districts



September 19, 2001

**PRC Districts  
Request #: 139171.1**

Dist	Non-Hisp.					18+ Pop		Voting Behavior		Registered Voters							
	Pop	Deviation	Hisp.	Nat.		18+ Pop	Dem Perf.	Rep Perf.	Total	Dem	% Dem	Rep	% Rep	Green	% Green	Other	% Other
				White	Black												
1	373,194	9,385	33.9%	56.0%	3.2%	2.5%	286,765	47.5%	52.5%	100,657	44.5%	86,901	38.4%	4,074	1.8%	34,693	15.3%
2	347,657	-16,152	37.4%	56.2%	1.5%	2.7%	245,152	39.1%	60.9%	83,652	47.8%	69,769	39.8%	583	.3%	21,163	12.1%
3	360,334	-3,475	49.5%	43.6%	3.1%	1.0%	266,681	61.0%	39.0%	129,205	58.9%	56,689	25.8%	4,229	1.9%	29,273	13.3%
4	381,696	17,887	35.9%	27.3%	33.9%	1.1%	256,616	58.4%	41.6%	100,314	58.2%	45,327	26.3%	1,839	1.1%	24,768	14.4%
5	356,165	-7,644	54.2%	41.5%	1.1%	1.2%	255,258	51.0%	49.0%	93,392	52.0%	59,622	33.2%	1,007	.6%	25,556	14.2%
<b>Totals</b>	<b>1,819,046</b>		<b>42.1%</b>	<b>44.7%</b>	<b>8.9%</b>	<b>1.7%</b>	<b>1,310,472</b>	<b>51.7%</b>	<b>48.3%</b>	<b>507,220</b>	<b>52.1%</b>	<b>318,308</b>	<b>32.7%</b>	<b>11,732</b>	<b>1.2%</b>	<b>135,453</b>	<b>13.9%</b>



The Legislature  
of the  
State of New Mexico

45th Legislature, 1st Special Session

LAWS 2001

CHAPTER 3

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
SENATE RULES COMMITTEE SUBSTITUTE FOR  
SENATE BILL 7, as amended

Introduced by



# Chapter 3

## AN ACT

1  
2 RELATING TO THE REDISTRICTING OF THE PUBLIC REGULATION  
3 COMMISSION DISTRICTS; ESTABLISHING PUBLIC REGULATION  
4 COMMISSION DISTRICTS FOR THE ELECTION OF PUBLIC REGULATION  
5 COMMISSIONERS; AMENDING, REPEALING AND ENACTING SECTIONS OF  
6 THE NMSA 1978.

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

9 Section 1. Section 8-7-4 NMSA 1978 (being Laws 1997,  
10 Chapter 262, Section 4) is amended to read:

11 "8-7-4. ELECTION--VACANCY.--

12 A. Members of the public regulation commission  
13 shall be elected for staggered four-year terms provided that  
14 commission members elected at the 1998 general election shall  
15 classify themselves by lot so that two commission members  
16 shall initially serve terms of two years and three commission  
17 members shall serve terms of four years. Thereafter, all  
18 commission members shall serve four-year terms. After  
19 serving two terms, a commission member shall be ineligible to  
20 hold office as a commission member until one full term has  
21 intervened.

22 B. The governor shall by appointment fill  
23 vacancies on the public regulation commission. An  
24 appointment to fill a vacancy on the public regulation  
25 commission shall be for a term ending on December 31 after

1 the next general election, at which election a person shall  
2 be elected to fill any remainder of the unexpired term.

3 C. An appointment to fill a vacancy on the public  
4 regulation commission made before the general election of  
5 2002 shall be made from the district as it was described in  
6 Laws 1997, Chapter 262, Sections 6 through 10. After the  
7 general election of 2002, a vacancy shall be filled by  
8 appointment from the district set out in Sections 8-7-6  
9 through 8-7-10 NMSA 1978."

10 Section 2. Section 8-7-5 NMSA 1978 (being Laws 1997,  
11 Chapter 262, Section 5) is amended to read:

12 "8-7-5. PRECINCTS.--

13 A. Designations and boundaries used in the Public  
14 Regulation Commission Apportionment Act are those precinct  
15 designations and boundaries established pursuant to the  
16 Precinct Boundary Adjustment Act and revised and approved by  
17 the secretary of state as of August 31, 2001.

18 B. A board of county commissioners shall not  
19 create any precinct that lies in more than one public  
20 regulation commission district and shall not divide any  
21 precinct so that the divided parts of the precinct are  
22 situated in two or more public regulation commission  
23 districts. Votes cast in a statewide election from precincts  
24 created or divided in violation of this subsection are  
25 invalid and shall not be counted or canvassed."

1 Section 3. Section 8-7-6 NMSA 1978 (being Laws 1997,  
2 Chapter 262, Section 6) is repealed and a new Section 8-7-6  
3 NMSA 1978 is enacted to read:

4 "8-7-6. PUBLIC REGULATION COMMISSION DISTRICT ONE.--  
5 Public regulation commission district one is composed of  
6 Bernalillo county precincts 4, 5, 7 through 18, 20 through  
7 28, 30, 39, 107, 120, 121, 125, 131, 150 through 154, 161  
8 through 166, 180 through 187, 191 through 197, 211, 212, 215,  
9 216, 241 through 246, 251 through 258, 271 through 275, 278,  
10 281 through 287, 289 through 302, 304 through 308, 311  
11 through 318, 321 through 323, 326 through 333, 341 through  
12 347, 351 through 358, 371 through 375, 381 through 387, 400  
13 through 447, 449 through 454, 461 through 466, 471 through  
14 478, 480 through 500, 502 through 550, 560 through 566, 568,  
15 569, 601 and 602."

16 Section 4. Section 8-7-7 NMSA 1978 (being Laws 1997,  
17 Chapter 262, Section 7) is repealed and a new Section 8-7-7  
18 NMSA 1978 is enacted to read:

19 "8-7-7. PUBLIC REGULATION COMMISSION DISTRICT TWO.--  
20 Public regulation commission district two is composed of  
21 Bernalillo county precincts 303, 551 through 559, 571 and  
22 573; Chaves county; Curry county; De Baca county precincts 1  
23 and 2; Dona Ana county precincts 5, 6, 59, 65, 66, 75 through  
24 77 and 104; Eddy county; Guadalupe county precinct 4; Lea  
25 county; Lincoln county precincts 1, 3 and 12; Otero county



1 precincts 1 through 13, 19, 20, 22, 23, 26 through 28, 30  
2 through 33, 35 and 37 through 39; Quay county; Roosevelt  
3 county; Santa Fe county precincts 15, 18, 19, 73, 84 and 85;  
4 and Torrance county precincts 1 through 9 and 11 through 13."

5 Section 5. Section 8-7-8 NMSA 1978 (being Laws 1997,  
6 Chapter 262, Section 8) is repealed and a new Section 8-7-8  
7 NMSA 1978 is enacted to read:

8 "8-7-8. PUBLIC REGULATION COMMISSION DISTRICT THREE.--  
9 Public regulation commission district three is composed of  
10 Bernalillo county precincts 1 through 3, 6, 29, 80 through  
11 87, 89, 111 through 114 and 567; Colfax county; De Baca  
12 county precincts 3 and 4; Guadalupe county precincts 1  
13 through 3 and 5; Harding county; Los Alamos county; Mora  
14 county; Rio Arriba county precincts 1 through 20, 22, 23 and  
15 31 through 41; San Miguel county; Sandoval county precincts 1  
16 through 6, 11 through 13, 28 through 51, 53 through 56, 58  
17 through 64 and 67; Santa Fe county precincts 1 through 11,  
18 13, 16, 17, 20 through 61, 66, 67, 74 through 79, 83 and 86;  
19 Taos county; and Union county."

20 Section 6. Section 8-7-9 NMSA 1978 (being Laws 1997,  
21 Chapter 262, Section 9) is repealed and a new Section 8-7-9  
22 NMSA 1978 is enacted to read:

23 "8-7-9. PUBLIC REGULATION COMMISSION DISTRICT FOUR.--  
24 Public regulation commission district four is composed of  
25 Bernalillo county precincts 31 through 38, 40 through 55, 61

1 through 67, 71 through 77, 88, 90 through 99, 101 through  
2 106, 122 through 124, 132, 133, 135, 214, 217, 221 and 223  
3 through 226; Cibola county; McKinley county; Rio Arriba  
4 county precincts 24 through 27, 29 and 30; San Juan county;  
5 Sandoval county precincts 7 through 10 and 14 through 27;  
6 Santa Fe county precincts 12, 14, 62 through 65, 68 through  
7 72 and 80 through 82; Socorro county precinct 15; and  
8 Valencia county precinct 13."

9 Section 7. Section 8-7-10 NMSA 1978 (being Laws 1997,  
10 Chapter 262, Section 10) is repealed and a new Section 8-7-10  
11 NMSA 1978 is enacted to read:

12 "8-7-10. PUBLIC REGULATION COMMISSION DISTRICT FIVE.--  
13 Public regulation commission district five is composed of  
14 Catron county; Dona Ana county precincts 1 through 4, 7  
15 through 58, 60 through 64, 67 through 74 and 78 through 103;  
16 Grant county; Hidalgo county; Lincoln county precincts 2, 4  
17 through 11 and 13; Luna county; Otero county precincts 14  
18 through 18, 21, 24, 25, 29, 34, 36 and 40; Sierra county;  
19 Socorro county precincts 1 through 14, 16 and 17; Torrance  
20 county precinct 10; and Valencia county precincts 1 through  
21 12 and 14 through 38."


22 Section 8. A new Section 8-7-11 NMSA 1978 is enacted to  
23 read:

24 "8-7-11. ELECTION OF PUBLIC REGULATION COMMISSIONERS.--  
25 Commissioners for public regulation commission districts two,

1 four and five shall be elected from the districts described  
2 in Sections 8-7-7, 8-7-9 and 8-7-10 NMSA 1978 at the 2002 and  
3 subsequent general elections. Commissioners for public  
4 regulation commission districts one and three shall be  
5 elected from the districts described in Sections 8-7-6 and  
6 8-7-8 NMSA 1978 at the 2004 and subsequent general  
7 elections."

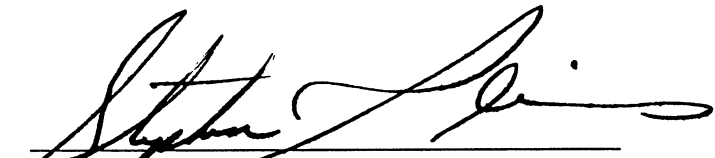
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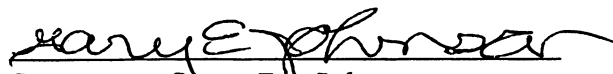
  
Walter D. Bradley, President  
Senate

  
Margaret Larragoite, Chief Clerk  
Senate

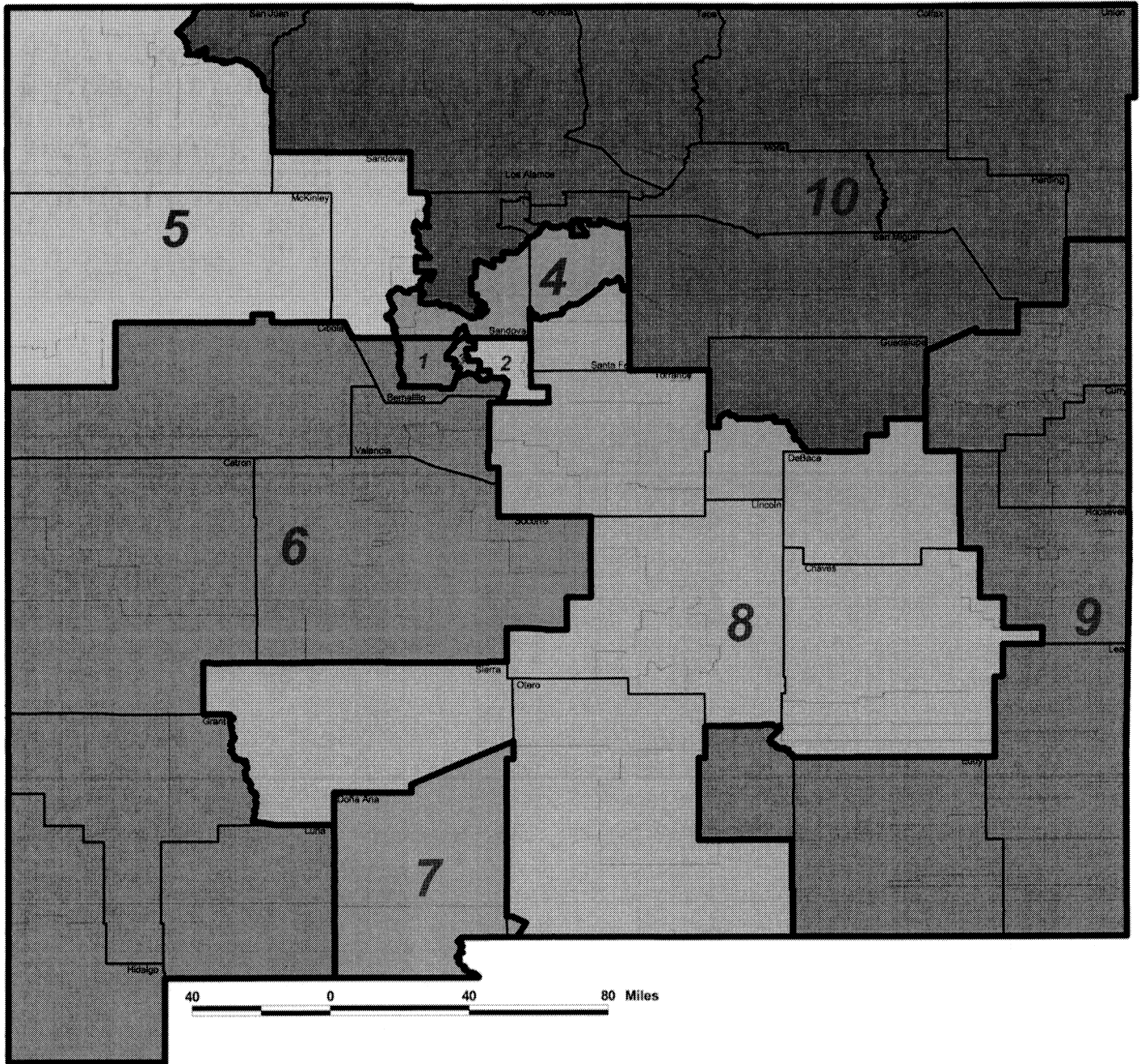
  
Ben Lujan, Speaker  
House of Representatives

  
Stephen R. Arias, Chief Clerk  
House of Representatives

Approved by me this 3rd day of October, 2001

  
Governor Gary E. Johnson  
State of New Mexico

# Board of Education Court Ordered Plan (HB10)



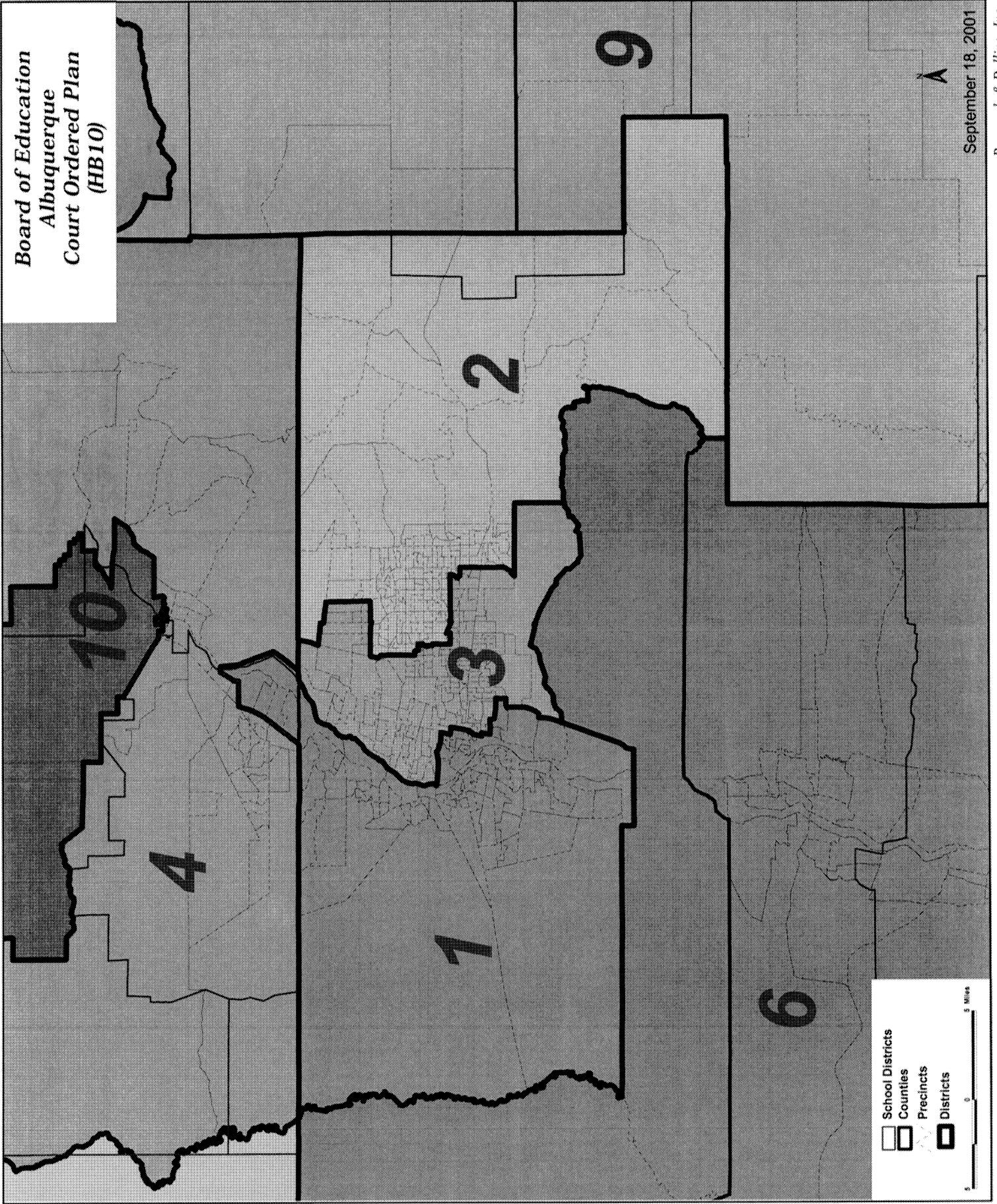
- School Districts
- Counties
- BOE Districts



September 18, 2001

Research & Polling, Inc.

Board of Education  
Albuquerque  
Court Ordered Plan  
(HB10)



- School Districts
- Counties
- Precincts
- Districts

0 5 Miles

September 18, 2001

Research & Polling, Inc.



**BOE Districts  
Request #: 139139.1**

District	Pop	Deviation	Hispanic	Non - Hispanic Origin					2 Or More Races
				White	Native American	Black	Asian		
01	186,701	4,796 2.6%	112,953 60.5%	59,959 32.1%	4,995 2.7%	4,599 2.5%	1,414 .8%	2,437 1.3%	
<b>Adult:</b>	131,715		74,901 56.9%	47,187 35.8%	3,617 2.7%	3,278 2.5%	1,130 .9%	1,364 1.0%	
02	183,134	1,229 .7%	41,456 22.6%	125,304 68.4%	4,231 2.3%	4,034 2.2%	4,470 2.4%	3,157 1.7%	
<b>Adult:</b>	141,986		29,168 20.5%	101,265 71.3%	3,101 2.2%	2,900 2.0%	3,391 2.4%	1,822 1.3%	
03	189,749	7,844 4.3%	80,634 42.5%	88,240 46.5%	7,320 3.9%	5,101 2.7%	4,450 2.3%	3,548 1.9%	
<b>Adult:</b>	144,537		56,008 38.7%	73,627 50.9%	5,210 3.6%	3,704 2.6%	3,466 2.4%	2,198 1.5%	
04	178,141	-3,764 -2.1%	74,002 41.5%	87,639 49.2%	9,532 5.4%	1,945 1.1%	1,799 1.0%	2,741 1.5%	
<b>Adult:</b>	132,664		50,423 38.0%	71,160 53.6%	6,221 4.7%	1,451 1.1%	1,379 1.0%	1,694 1.3%	
05	174,432	-7,473 -4.1%	23,677 13.6%	48,951 28.1%	97,762 56.0%	678 .4%	587 .3%	2,611 1.5%	
<b>Adult:</b>	112,687		14,615 13.0%	36,905 32.8%	58,911 52.3%	478 .4%	453 .4%	1,220 1.1%	
06	179,070	-2,835 -1.6%	87,609 48.9%	69,450 38.8%	17,335 9.7%	1,343 .7%	674 .4%	2,307 1.3%	
<b>Adult:</b>	126,546		56,783 44.9%	55,419 43.8%	11,115 8.8%	1,017 .8%	527 .4%	1,441 1.1%	
07	178,736	-3,169 -1.7%	114,120 63.8%	57,247 32.0%	1,284 .7%	2,281 1.3%	1,241 .7%	1,884 1.1%	
<b>Adult:</b>	125,050		72,885 58.3%	46,771 37.4%	981 .8%	1,631 1.3%	1,001 .8%	1,201 1.0%	
08	181,383	-522 -.3%	61,517 33.9%	107,434 59.2%	4,396 2.4%	3,756 2.1%	1,128 .6%	2,743 1.5%	
<b>Adult:</b>	131,050		38,769 29.6%	84,127 64.2%	2,739 2.1%	2,646 2.0%	891 .7%	1,596 1.2%	
09	180,593	-1,312 -.7%	65,609 36.3%	103,642 57.4%	1,223 .7%	6,298 3.5%	1,360 .8%	2,219 1.2%	
<b>Adult:</b>	127,777		40,496 31.7%	79,685 62.4%	917 .7%	4,274 3.3%	1,043 .8%	1,208 .9%	
10	187,107	5,202 2.9%	103,809 55.5%	65,629 35.1%	13,382 7.2%	619 .3%	1,134 .6%	2,146 1.1%	
<b>Adult:</b>	136,460		72,532 53.2%	52,048 38.1%	8,905 6.5%	486 .4%	844 .6%	1,360 1.0%	
<b>Totals</b>	1,819,046	Ideal: 181,905	765,386 42.1%	813,495 44.7%	161,460 8.9%	30,654 1.7%	18,257 1.0%	25,793 1.4%	
<b>Adult:</b>	1,310,472		506,580 38.7%	648,194 49.5%	101,717 7.8%	21,865 1.7%	14,125 1.1%	15,104 1.2%	

BOE Districts  
Request #: 139139.1

Dist.	Non-Hisp.			Voting Behavior		Registered Voters								
	Pop	Deviation	Hisp.	White Amer.	Nat. Black	18+ Pop	Dem Perf.	Rep Perf.	Total	Dem %	Rep %	Green %	Other %	
1	186,701	4,796 2.6%	60.5%	32.1%	2.7%	2.5%	131,715	58.4%	41.6%	86,144	46,784 54.3%	25,081 29.1%	1,085 1.3%	13,194 15.3%
2	183,134	1,229 .7%	22.6%	68.4%	2.3%	2.2%	141,986	37.7%	62.3%	118,604	43,881 37.0%	56,628 47.7%	1,130 1.0%	16,965 14.3%
3	189,749	7,844 4.3%	42.5%	46.5%	3.9%	2.7%	144,537	57.4%	42.6%	109,092	56,145 51.5%	31,245 28.6%	3,318 3.0%	18,384 16.9%
4	178,141	-3,764 -2.1%	41.5%	49.2%	5.4%	1.1%	132,664	61.9%	38.1%	105,539	58,504 55.4%	26,847 25.4%	3,124 3.0%	17,064 16.2%
5	174,432	-7,473 -4.1%	13.6%	28.1%	56.0%	.4%	112,687	52.0%	48.0%	79,669	43,665 54.8%	25,244 31.7%	228 .3%	10,532 13.2%
6	179,070	-2,835 -1.6%	48.9%	38.8%	9.7%	.7%	126,546	53.9%	46.1%	94,459	55,120 58.4%	27,267 28.9%	692 .7%	11,380 12.0%
7	178,736	-3,169 -1.7%	63.8%	32.0%	.7%	1.3%	125,050	53.7%	46.3%	81,903	43,180 52.7%	25,084 30.6%	312 .4%	13,327 16.3%
8	181,383	-522 -.3%	33.9%	59.2%	2.4%	2.1%	131,050	39.5%	60.5%	94,015	39,334 41.8%	42,223 44.9%	327 .3%	12,131 12.9%
9	180,593	-1,312 -.7%	36.3%	57.4%	.7%	3.5%	127,777	37.4%	62.6%	90,800	47,356 52.2%	33,361 36.7%	118 .1%	9,965 11.0%
10	187,107	5,202 2.9%	55.5%	35.1%	7.2%	.3%	136,460	63.2%	36.8%	112,488	73,251 65.1%	25,328 22.5%	1,398 1.2%	12,511 11.1%
<b>Totals</b>	<b>1,819,046</b>		<b>42.1%</b>	<b>44.7%</b>	<b>8.9%</b>	<b>1.7%</b>	<b>1,310,472</b>	<b>51.7%</b>	<b>48.3%</b>	<b>972,713</b>	<b>507,220 52.1%</b>	<b>318,308 32.7%</b>	<b>11,732 1.2%</b>	<b>135,453 13.9%</b>



FIRST JUDICIAL DISTRICT COURT  
COUNTY OF SANTA FE  
STATE OF NEW MEXICO

NO. D0101 CV 2001 02250

FRANK SANCHEZ, et al.,

Plaintiffs,

STATE BOARD OF EDUCATION,

Plaintiff Intervenor,

TERESA ZANETTI,

Plaintiff Intervenor

vs.

REBECCA VIGIL-GIRON, in her official  
capacity as New Mexico Secretary of State

Defendant

**FINAL JUDGMENT AND ORDER ADOPTING NEW MEXICO  
STATE BOARD OF EDUCATION REDISTRICTING PLAN**

THIS MATTER, having been set for trial on the merits on February 6, 2002, regarding the redistricting of New Mexico's ten (10) districts for the State Board of Education, such redistricting being made necessary by population changes reflected in the 2000 decennial census, and the Court, having noted Plaintiff-Intervenor Theresa Zanetti's

FINAL JUDGMENT AND ORDER ADOPTING NEW MEXICO  
STATE BOARD OF EDUCATION REDISTRICTING PLAN

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PAGE 1

FEB 06 2002  
Santa Fe  
Los Alamos  
Santa Fe

Stipulation of Dismissal, pursuant to Rule 1-041(A)1(b) of the Rules of Civil Procedure for District Courts filed herein on January 31, 2002, , and having noted the Notice of Agreed Remedy by Plaintiffs Frank Sanchez, et al., and Plaintiff-Intervenor State Board of Education, and Statement of Non-Opposition by Defendant Secretary of State, (all remaining parties) filed herein on December 14, 2001, and being otherwise fully advised in the premises,

FINDS that the present New Mexico State Board of Education districts established in 1991, and codified in Secs. 22-3-37 through 22-3-54, NMSA 1978 (being Laws 1991 (1st S. S.), Chapter 4, Sections 1 through 18, are malapportioned and therefore unconstitutional.

THE COURT FURTHER FINDS that the plan presented by Plaintiffs Sanchez, et. al., and Plaintiff-Intervenor State Board of Education, and not objected to by Defendant Rebecca Vigil-Giron, is the same redistricting plan that was enacted by 45th Legislature, State of New Mexico, First Special Session, 2001, denominated House Voters and Elections Committee Substitute for House Bill 10, should be adopted as the redistricting plan for the New Mexico Board of Education beginning for the 2002 primary and general elections.

THE COURT FURTHER FINDS that this plan is legal and constitutional.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the ten (10) New Mexico State Board of Education Districts as set forth in Secs. 22-3-37 through 22-3-54, NMSA 1978 (being Laws 1991 (1st S. S.), Chapter 4, Sections 1 through 18, are revised as set forth in Exhibit A, attached hereto and incorporated herein for all purposes.

IT IS FURTHER ORDERED that costs and attorneys' fee shall be assessed as allowed by law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that final judgment is

hereby entered adjudicating all claims regarding redistricting of the ten (10) New Mexico State Board of Educations districts, except costs and attorneys' fees, and there is no just reason for delay to entry of this final judgment.

IT IS SO ORDERED.

**Art Encinias**  
ART ENCINIAS  
DISTRICT JUDGE

APPROVED:

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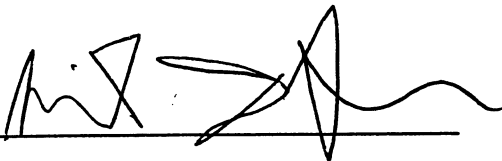
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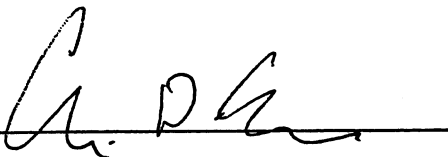
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Rebecca Vigil-Giron, in her official  
capacity as Secretary of State

HOUSE VOTERS AND ELECTIONS COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 10

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2001

AN ACT

RELATING TO THE REDISTRICTING OF THE STATE BOARD OF EDUCATION;  
ESTABLISHING STATE BOARD OF EDUCATION DISTRICTS; PROVIDING THE  
METHOD FOR ELECTING MEMBERS; PROVIDING FOR THE FILLING OF  
VACANCIES; FIXING THE NUMBER, RESIDENCE AND TERMS OF MEMBERS;  
REPEALING AND ENACTING SECTIONS OF THE NMSA 1978.

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

Section 1. SHORT TITLE.--This act may be cited as the  
"2001 Educational Redistricting Act".

Section 2. PRECINCTS.--

A. Precinct designations and boundaries used in  
the 2001 Educational Redistricting Act are those precinct  
designations and boundaries established pursuant to the  
Precinct Boundary Adjustment Act and revised and approved  
pursuant to that act by the secretary of state as of August

.139139.1

EXHIBIT

A

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1 31, 2001.

2 B. A board of county commissioners shall not  
3 create any precinct that lies in more than one state board of  
4 education district and shall not divide any precinct so that  
5 the divided parts of the precinct are situated in two or more  
6 state board of education districts. Votes cast in a statewide  
7 election from precincts created or divided in violation of  
8 this subsection are invalid and shall not be counted or  
9 canvassed.

10 Section 3. STATE BOARD OF EDUCATION--MEMBERSHIP.--The  
11 state board of education is composed of ten elected members  
12 and five appointed members, one member elected from each  
13 elective board of education district and one member appointed  
14 from each of five appointive districts.

15 Section 4. BOARD OF EDUCATION DISTRICT ONE.--Board of  
16 education district one is composed of Bernalillo county  
17 precincts 1 through 3, 20 through 30, 32 through 55, 61  
18 through 67, 71 through 77, 80 through 85, 87 through 92, 94  
19 through 99, 106, 111 through 114, 120 through 125, 131 through  
20 133, 135, 154 and 162 through 166; and Sandoval county  
21 precincts 11 through 13, 53 and 54.

22 Section 5. BOARD OF EDUCATION DISTRICT TWO.--Board of  
23 education district two is composed of Bernalillo county  
24 precincts 289, 290, 293 through 308, 330 through 333, 400  
25 through 409, 411 through 417, 419 through 421, 426 through

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1 430, 439, 440, 447, 449 through 454, 461 through 466, 471  
 2 through 474, 480 through 484, 487 through 500, 502 through  
 3 509, 511 through 541, 544 through 569, 571, 573 and 602.

4 Section 6. BOARD OF EDUCATION DISTRICT THREE.--Board of  
 5 education district three is composed of Bernalillo county  
 6 precincts 4 through 18, 86, 101 through 105, 107, 150 through  
 7 153, 161, 180 through 187, 191 through 197, 211, 212, 214  
 8 through 217, 221, 223 through 226, 241 through 246, 251  
 9 through 258, 271 through 275, 278, 281 through 287, 291, 292,  
 10 311 through 318, 321 through 323, 326 through 329, 341 through  
 11 347, 351 through 358, 371 through 375, 381 through 387, 410,  
 12 418, 422 through 425, 431 through 438, 441 through 446, 475  
 13 through 478, 485, 486, 510, 542, 543 and 601.

14 Section 7. BOARD OF EDUCATION DISTRICT FOUR.--Board of  
 15 education district four is composed of Sandoval county  
 16 precincts 1 through 10, 20, 28 through 50, 55, 56, 58 through  
 17 64 and 67; and Santa Fe county precincts 7 through 14, 20  
 18 through 22, 24 through 39, 41 through 57, 62 through 72, 74  
 19 through 78, 80 through 83 and 86.

20 Section 8. BOARD OF EDUCATION DISTRICT FIVE.--Board of  
 21 education district five is composed of McKinley county; San  
 22 Juan county precincts 1 through 16, 18 through 31, 40 through  
 23 46, 49, 51 through 59, 70, 71, 73 through 75, 79 and 81  
 24 through 86; and Sandoval county precincts 21 through 27.

25 Section 9. BOARD OF EDUCATION DISTRICT SIX.--Board of

.139139.1

1 education district six is composed of Bernalillo county  
2 precincts 31 and 93; Catron county; Cibola county; Grant  
3 county; Hidalgo county; Luna county; Socorro county; and  
4 Valencia county.

5 Section 10. BOARD OF EDUCATION DISTRICT SEVEN.--Board of  
6 education district seven is composed of Dona Ana county; and  
7 Otero county precinct 1.

8 Section 11. BOARD OF EDUCATION DISTRICT EIGHT.--Board of  
9 education district eight is composed of Chaves county  
10 precincts 1 through 7, 9 through 16, 21 through 25, 31 through  
11 36, 41 through 43, 51, 52, 61 through 63, 71 through 73, 81  
12 through 85, 90 through 93 and 101 through 103; De Baca county;  
13 Guadalupe county precinct 4; Lincoln county; Otero county  
14 precincts 2 through 40; Santa Fe county precincts 15 through  
15 19, 73, 84 and 85; Sierra county; and Torrance county.

16 Section 12. BOARD OF EDUCATION DISTRICT NINE.--Board of  
17 education district nine is composed of Chaves county precinct  
18 104; Curry county; Eddy county; Lea county; Quay county; and  
19 Roosevelt county.

20 Section 13. BOARD OF EDUCATION DISTRICT TEN.--Board of  
21 education district ten is composed of Colfax county; Guadalupe  
22 county precincts 1 through 3 and 5; Harding county; Los Alamos  
23 county; Mora county; Rio Arriba county; San Juan county  
24 precincts 47, 60 through 69, 72 and 76; San Miguel county;  
25 Sandoval county precincts 14 through 19 and 51; Santa Fe

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1 county precincts 1 through 6, 23, 40, 58 through 61 and 79;  
2 Taos county; and Union county.

3 Section 14. APPOINTIVE BOARD OF EDUCATION DISTRICTS.--

4 For the purposes of appointing members of the state board of  
5 education, five districts are created as follows:

6 A. appointive district A consists of state board  
7 of education districts two and four;

8 B. appointive district B consists of state board  
9 of education districts one and three;

10 C. appointive district C consists of state board  
11 of education districts five and ten;

12 D. appointive district D consists of state board  
13 of education districts six and seven; and

14 E. appointive district E consists of state board  
15 of education districts eight and nine.

16 Section 15. RESIDENCE.--A candidate for the office of  
17 state board of education member shall reside in the district  
18 for which he files a declaration of candidacy at the time of  
19 such filing. If an elected or appointed board member  
20 permanently removes his residence from or maintains no  
21 residence in the district from which he was elected or  
22 appointed, he shall be deemed to have resigned and his  
23 successor shall be selected as provided in Sections 16 and 17  
24 of the 2001 Educational Redistricting Act.

25 Section 16. ELECTED MEMBERS--STAGGERED TERMS.--

.139139.1

1           A. Elected members of the state board of education  
2 shall be elected for staggered terms of four years.

3           B. Board members shall be elected at the general  
4 election for terms commencing on January 1 next succeeding  
5 their election.

6           C. Board members from districts one, four, eight,  
7 nine and ten shall be elected at the general election in 2004  
8 for terms that expire in 2008.

9           D. Board members from districts two, three, five,  
10 six and seven shall be elected at the general election in 2002  
11 for terms that expire in 2006.

12           E. The governor shall by appointment fill a  
13 vacancy in the office of an elected member of the state board  
14 of education. An appointee filling such a vacancy shall serve  
15 until a successor is elected at the next general election.  
16 The successor shall be elected to fill the unexpired term for  
17 the district from which the person creating the vacancy in the  
18 office was elected.

19           Section 17. APPOINTED MEMBERS--STAGGERED TERMS.--

20           A. One member of the state board of education  
21 shall be appointed from each of the five state board of  
22 education appointive districts by the governor by and with the  
23 consent of the senate.

24           B. Appointed members shall be appointed for  
25 staggered terms of four years.

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1 C. Terms of appointed members shall expire on  
2 December 31.

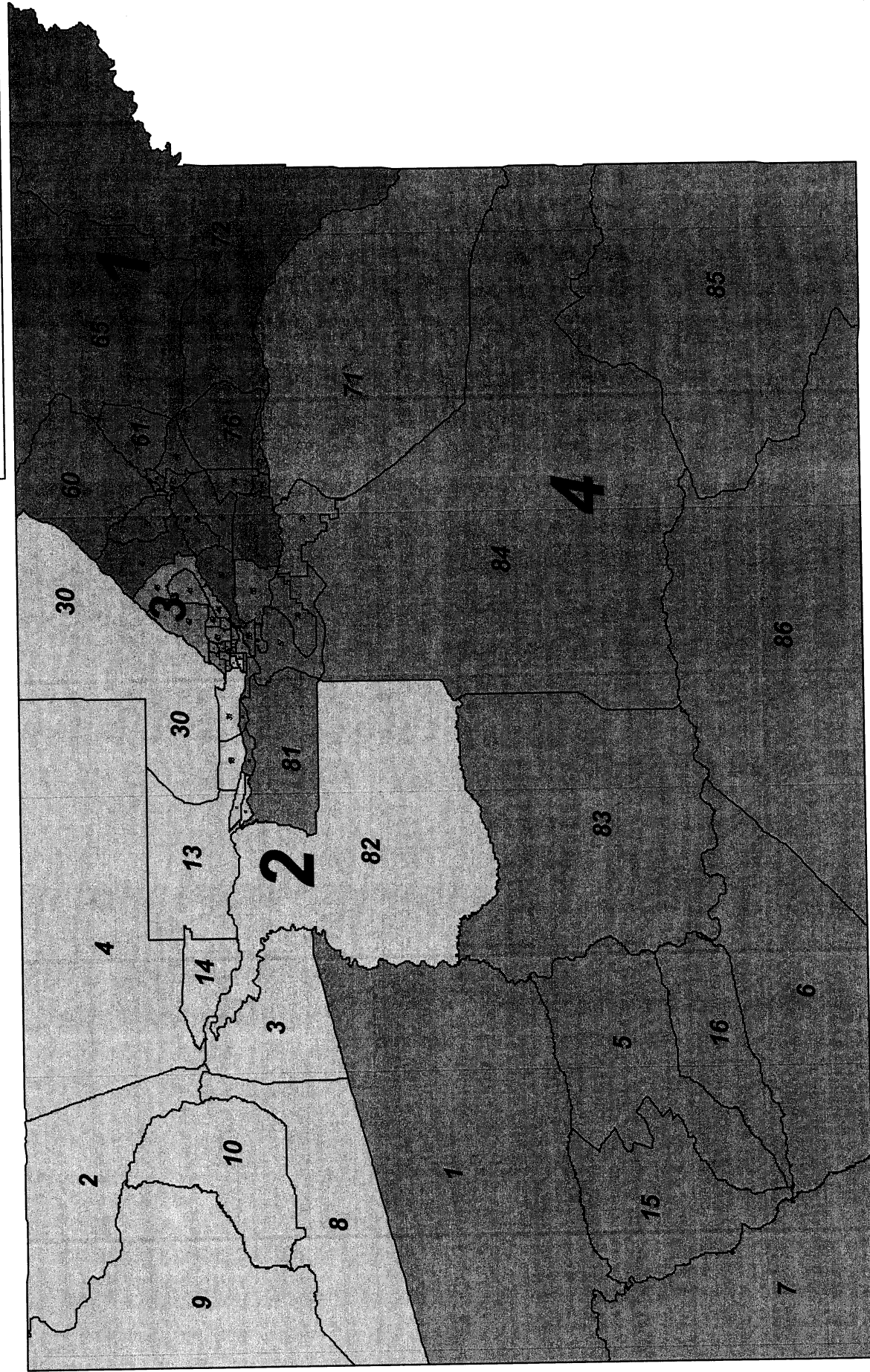
3 D. If a vacancy occurs in the office of an  
4 appointed member of the state board of education, it shall be  
5 filled by appointment of the governor by and with the consent  
6 of the senate for the remainder of the term of the member  
7 creating the vacancy.

8 Section 18. CONTINUING TERMS.--A member of the state  
9 board of education who was appointed or elected pursuant to  
10 the provisions of Laws 1991 (1st S.S.), Chapter 4, Sections 1  
11 through 17 and who is serving on the board as of the effective  
12 date of this section shall serve the remainder of the term for  
13 which he was elected or appointed.

14 Section 19. REPEAL.--Sections 22-3-37 through 22-3-54  
15 NMSA 1978 (being Laws 1991 (1st S.S.), Chapter 4, Sections 1  
16 through 18) are repealed.

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# San Juan Magistrate Divisions Concept A

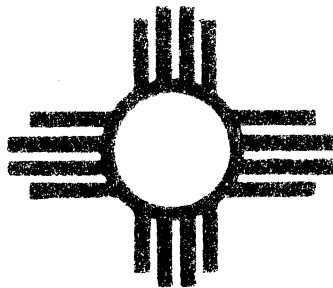


□ Precincts  
■ Divisions



July 31, 2001

Research & Polling, Inc.



The Legislature  
of the  
State of New Mexico

45th Legislature, 1st Special Session

LAWS 2001

CHAPTER 2

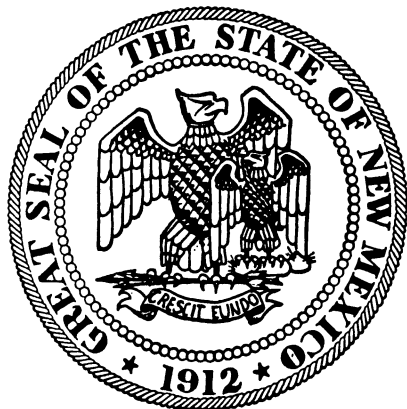
SENATE BILL 14

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Introduced by

SENATOR LEONARD TSOSIE



# Chapter 2

1 AN ACT

2 RELATING TO MAGISTRATE COURTS; ADJUSTING THE SAN JUAN COUNTY  
3 MAGISTRATE DISTRICT DIVISION BOUNDARIES.

4  
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

6 Section 1. Section 35-1-27 NMSA 1978 (being Laws 1968,  
7 Chapter 62, Section 29, as amended) is amended to read:

8 "35-1-27. MAGISTRATE COURT--SAN JUAN DISTRICT ELECTION  
9 DIVISION PRECINCTS.--

10 A. There shall be four magistrate divisions in  
11 San Juan magistrate district, each division having its own  
12 magistrate. Divisions 1 and 4 shall operate as a single  
13 court in Aztec and divisions 2 and 3 shall operate as a  
14 single court in Farmington.

15 B. Magistrate judges shall not be elected at-large  
16 from the district, but shall be elected by the voters of the  
17 division for which the magistrate sits. Magistrate judges  
18 may reside anywhere within the magistrate district and shall  
19 have district-wide jurisdiction. The composition of the  
20 divisions for elections purposes is:


21 (1) division 1 is composed of San Juan  
22 county precincts 47, 59 through 70 and 72 through 76;

23 (2) division 2 is composed of San Juan  
24 county precincts 2 through 4, 8 through 14, 18, 28 through 31  
25 and 82;

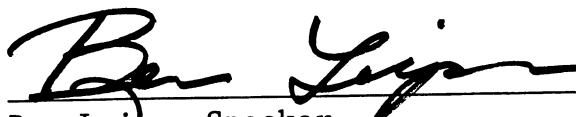
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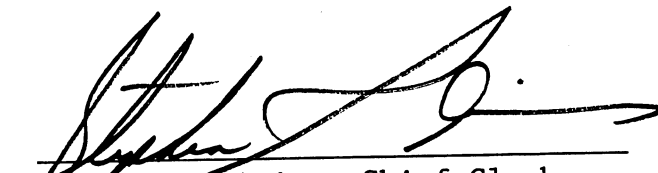
(3) division 3 is composed of San Juan county precincts 20 through 27, 40 through 46, 49, 51, 52 and 54; and

(4) division 4 is composed of San Juan county precincts 1, 5 through 7, 15, 16, 19, 53, 55 through 58, 71, 79, 81 and 83 through 86."

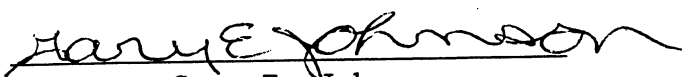
  
Walter D. Bradley, President  
Senate

  
Margaret Larragoite, Chief Clerk  
Senate

  
Ben Lujan, Speaker  
House of Representatives

  
Stephen R. Arias, Chief Clerk  
House of Representatives

Approved by me this 3<sup>rd</sup> day of October, 2001

  
Governor Gary E. Johnson  
State of New Mexico