

In order to address these concerns, SM15 calls for UNM to convene a redistricting task force that will (1) analyze current changes made within each county’s redistricting efforts; (2) standardize the process and rules for redistricting by the counties; and (3) that the task force present recommendations for legislation to the appropriate interim committees and the Legislature during the 2024 regular session. SM15 calls for a diverse set of elected officials and community leaders to be included in the task force and the public meetings to be held.

FISCAL IMPLICATIONS

UNM states the SM15 does not explicitly identify a budget for this project; however, there will be considerable time, effort, and costs associated with convening a task force and carrying out this work.

UNM Bureau of Business and Economic Research (BBER) Estimate

SM15 specifies that work will be undertaken in FY23 and FY24, therefore fiscal estimates are provided for each year. Cost were estimated assuming a typical socioeconomic research center at UNM with a selection of senior and junior personnel, other support staff, and student help. Publically available salaries were used to estimate annual and monthly costs at the listed ranks. Fully loaded compensation is assumed using UNM’s posted fringe rates (36.4 percent in FY23 and 37.8 percent in FY24 for staff; 1 percent for students. See: <https://osp.unm.edu/resources/fringeratesfy22.pdf>). In addition, increase in staff salaries of 5 percent are assumed in FY24.

Other direct costs associated with travel, copying, printing, and the like are also assumed for each year. Greater costs are assumed in the second year as there are likely to be greater travel and printing costs in that year.

Estimated costs to undertake this work are \$125 thousand in FY23 and \$133 thousand in FY24 (for a total cost of \$258 thousand).

There are no revenue impacts from this memorial. See cost table below for a complete breakdown of anticipated costs.

Costs Year 1 (FY23)			
Position	Salary	Estimated Time Required (months)	Salary
Director	\$101,500	1	\$8,458
Sr. Research Scientist 2	\$74,758	2	\$12,460
Sr. research Scientist 1	\$68,000	2	\$11,333
Research Scientist 3	\$62,442	2	\$10,407
Research Scientist 2	\$55,000	3	\$13,750
Senior Program Manager	\$68,475	2	\$11,413
Unit Administrator	\$57,700	1	\$4,808
Programmer	\$60,000	2	\$10,000
Students	\$14.50/hour	12	\$11,040

Total Salary	\$93,669
Fringe (36.4% staff; 1% students)	\$30,187
Other direct costs	\$1,143
Total Projected Costs FY23	\$125,000

Costs Year 2 (FY24)

Position	Salary	Estimated Time Required (months)	Salary
Director	\$106,575	1	\$8,881
Sr. Research Scientist 2	\$78,496	2	\$13,083
Sr. research Scientist 1	\$71,400	2	\$11,900
Research Scientist 3	\$65,564	2	\$10,927
Research Scientist 2	\$57,750	3	\$14,438
Senior Program Manager	\$71,899	2	\$11,983
Unit Administrator	\$60,585	1	\$5,049
Programmer	\$63,000	2	\$10,500
Students	\$14.50/hour	12	\$11,040
Total Salary			\$97,801
Fringe (37.8% staff; 1% students)			\$32,906
Other direct costs			\$2,294
Total Projected Costs FY24			\$133,001

Total Costs

FY23	\$125,000
FY24	\$133,001
Total	\$258,000

UNM Center for Social Policy Estimate

This project could be housed at the Center for Social Policy on main campus. The Center estimates this project would cost \$220 thousand. This funding would support the Center’s administrative staff and fund PhD fellows at the Center who participate in the research.

UNM’s role would be to establish a task force, listen to their recommendations and develop a research strategy to ensure the recommendations can be enacted. Such an undertaking is considerable and will require a mapping license to Maptitude, the leading redistricting software, and the time of multiple researchers at UNM to conduct the map analysis. Students would be involved in this project to in order to train a new generation of social scientists in New Mexico capable of doing redistricting research.

This project would be led by Dr. Collingwood, Associate Professor of Political Science at UNM, and a nationally recognized expert in redistricting. Dr. Collingwood has experience working in redistricting and the analysis of election practices in Northern and Southern California, Alaska, Arizona, Florida, Georgia, Illinois, Iowa, Montana, Nebraska, New York, North Dakota, South Carolina, South Dakota, Texas, and Wisconsin. Dr. Collingwood has worked with the Inland Empire Funding Alliance in Southern California and West Contra Costa Unified School District to draw election districts, the Native American Rights Fund (NARF), New York Civil Liberties Union (NYCLU), the Department of Justice, Lawyers' Committee for Civil Rights Under Law, LatinoJustice PRLDEF, and other organizations focused on voting rights. Dr. Gabriel Sanchez, the Director of the Center for Social Policy, would provide administrative oversight for the project.

The Secretary of State (SOS) notes that in order to convene a taskforce of specialists to review county redistricting and make lawful recommendations for statutory changes, it would likely require a contract for services by experts. It is the understanding of the SOS that this has been estimated by UNM to cost approximately \$220 thousand. Additionally, it may be necessary or desirable to add travel costs such as mileage and per diem to task force members and an additional fiscal impact.

The State Ethics Commission states that in 2020, New Mexico First convened a task force to consider recommendations for redistricting those entities that the legislature must decennially redistrict (i.e., New Mexico's congressional delegation, the New Mexico senate, the New Mexico house of representatives, and the public education commission). The task force was chaired by the honorable Edward L. Chávez (Ret.), retired chief justice of the New Mexico supreme court, and the honorable Roderick Kennedy (Ret.), retired judge on the New Mexico court of appeals. The task force included several members of the legislature, state employees (including the executive director of the state ethics commission) and several representatives of non-profit organizations operating in New Mexico. The task force resulted in recommendations that became the Redistricting Act, NMSA 1978, §§ 1-3A-1 to -10 (2021), which created the citizen redistricting committee (CRC). To review the CRC's work, visit <https://www.nmredistricting.org>.

New Mexico First estimates that the 2020 task force cost \$120 thousand, inclusive of New Mexico First staff time. A private grant funded the New Mexico First task force.

Like the New Mexico First task force, the task force created by SM 15 might lead to state agency involvement in redistricting at the county level. Note that the citizen redistricting committee performed its work under a budget of \$400 thousand.

The CRC, however, was *significantly* subsidized by the work of state ethics commission staff and by the metric geometry and gerrymandering group redistricting lab at Tufts University (MGGG). First, the state ethics commission appointed three of the CRC's seven members, including the CRC's chair. Following those appointments, the state ethics commission's executive director, special projects coordinator II, and executive assistant I performed significant support to the CRC and the CRC's chair, Edward Chávez, under an interagency memorandum of understanding, under which the CRC reimbursed the commission for the cost of the special projects coordinator II. Second, the MGGG supplied the CRC with use of the District mapping tool and accompanying public portal, without cost.

SIGNIFICANT ISSUES

The State Ethics Commission points out that counties and other local jurisdictions are subject to the same redistricting criteria as state legislative and congressional redistricting—including the Equal Protection guarantee of equal population (within an acceptable deviation), *see, e.g., Abate v. Mundt*, 403, U.S. 182, 185 (1971); *Avery v. Midland County*, 390 U.S. 474, 480 (1968), and the Voting Rights Act, *see e.g., Patino v. City of Pasadena*, 230 F. Supp. 3d 667 (S.D. Tex. 2017).

The Administrative Office of the Courts references *Bernalillo Board of County Commissioners: Redistricting Basics*, prepared in September 2021 by Research and Polling, Inc. for the Bernalillo County Commission at:

https://www.bernco.gov/county-manager/wp-content/uploads/sites/2/2021/10/Redistricting-Report-Bernalillo-County-Commission_09.14.21.pdf.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Companion bill to SB 200, appropriating \$250 thousand to the Secretary of State to convene a county redistricting task force, and relates to SB6 concerning local government redistricting.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

UNM points out that enacting SM15 will make it more likely that the redistricting will not be equitable, that certain groups will be advantaged relative to other groups, and that the redistricting process will not be consistent across the state. In other words, not enacting SM15 will make it more likely that the state’s population will be inadequately represented.

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