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In Case You Missed It

NM Politics.com: Constituents expect their legislators to vote

ALBUQUERQUE, NM—This week, the following commentary was published on NMPolitics.net. It is printed below in its entirety and can be read online at:
<http://www.nmpolitics.net/index/2010/02/constituents-expect-their-legislators-to-vote/>

NM Politics.com Commentary: Constituents expect their legislators to vote

Posted By Heath Haussamen On February 7, 2010 @ 10:48 pm

I'm betting that most other voters are like me: When they vote for a candidate for state representative, they expect that person to be present for important votes when possible.

Of course, a 30- or 60-day session of the New Mexico Legislature is a long time to be in the Roundhouse and away from home. Our lawmakers arrive at work early, stay late, and often come in on the weekends. And they're not paid to do it.

So it makes sense that doctors' appointments would cause lawmakers to miss votes sometimes. That's life.

And that's why I don't find it egregious that two Republican state representatives missed a close vote Friday on whether to raise the gross receipts tax by a half cent. Both had doctors' appointments and were out of town.

Two Democrats, however, missed the close, contentious vote even though they were in the Roundhouse at the time.

Here's how it went down

To recap [what I wrote previously](#), House Democrats had been meeting behind closed doors for days to debate the tax-hike proposal from Speaker [Ben Lujan](#). The speaker knew it would be a close vote, and there was a lot of behind-the-scenes wrangling.

On Friday he called his bill up for a floor vote. Democratic Reps. [Danice Picraux](#) and [Karen Giannini](#) were absent, having been previously – and conveniently – excused.

You'd assume that means they were off taking care of some important personal business, right? They apparently weren't. A search of the Roundhouse during a call of the House turned them up, and they were brought to the House floor.

An angry-looking Lujan got on the phone, and Giannini and Picraux quickly vanished again. The vote was taken without them and the two Republicans who were at doctors' appointments, and Lujan's bill passed 34-32.

The two Democratic representatives magically reappeared on the House floor moments later, after debate on the next bill had begun.

Call me an idealist...

I'm the kind of person who can stomach a vote on an important piece of legislation going either way – regardless of my personal opinion – as long as the bill passes or fails because members are voting based on what they believe to be right or what they believe their constituents want. Call me an idealist, but I believe that's exactly what the U.S. and state constitutions intend.

In this instance, with two Republican members missing for valid reasons, an important piece of legislation passed by two votes while two Democrats were ostensibly hiding out somewhere in the Roundhouse to avoid voting.

For all we know they would have voted no and, together, had the power to kill Lujan's bill by making it a tie vote, so the speaker successfully pressured them to take a walk.

I called both women on their cell phones shortly after the vote on Friday. Neither answered or returned my messages. Giannini made two appearances on the [New Mexico Independent's liveblog](#) later that day, and both times I asked her to talk about the situation.

She vanished from the liveblog both times without another word.

For shame

I realize it's difficult to stand up to the speaker. He's the second most powerful official in state government and a master of behind-the-scenes politics. And he doesn't really care if things play out in full view of the public. What happened Friday was so obvious to many

who were watching, but he unashamedly made it happen anyway.

Such people remain in power and acting like bullies unless the members who give them those positions of authority refuse to allow it. I'm pretty sure most of Picraux's and Giannini's constituents wanted them on the floor for the vote on Lujan's bill regardless of whether Lujan wanted them to be present.

Instead of standing up for the people they're elected to serve, Picraux and Giannini apparently bowed to the will of the speaker.

Shame on them.

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