

092811 – 1 member 1 vote commentary...

Why must the Socorro Electric cooperative's elections be based on the "one member one vote rule" and its five single member election districts be of substantially equal member populations (less than 1 10% population deviation)?

In 1962, the U.S. Supreme Court decided that federal courts could address malapportionment issues. Subsequently, the U.S. Supreme Court ruled that the 14th Amendment's guarantee of "equal protection of law" was violated when a small number of people in one district enjoyed the same political power as a large number of people in another district. Every person's vote must count equally: One Person, One Vote. This rule applies both to congressional districts (through Article I, Section 2 of the U.S. Constitution) and to state and local election districts through the 14th Amendment to the U.S. Constitution).

Despite the fact that the Internal Revenue Code requires cooperatives to be democratically controlled by their members, and SEC's bylaws require the board to assure equal representation in voting districts, the board majority has opposed these mandates for more than 30 years. Their opposition to allowing every member's vote to count equally invites illegal discrimination and election corruption.

Even if the one person one vote rule did not apply to SEC elections, it is within the power of the board to abide by the rule to assure all members the right to an equally weighted vote. That fact, like voluntarily obeying the Open Meetings Act is within the discretion of the board if the majority wanted to do the right thing.

By not willing to do it, the board demonstrates its lack of character and ethics. Their message to the membership is "you will have to make us do it."