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HOUSE BILL 4

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

INTRODUCED BY

Max Coll

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**

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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 96 through 99, 106, 111 through 114, 120 through 125, 131
20 through 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

. 138948. 1

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 566, 568, 569, 571, 573 and
4 602.

5 Section 6. BOARD OF EDUCATION DISTRICT THREE. -- Board of
6 education district three is composed of Bernalillo county
7 precincts 4 through 18, 86, 95, 101 through 105, 107, 150
8 through 153, 161, 180 through 187, 191 through 197, 211, 212,
9 214 through 217, 221, 223 through 226, 241 through 246, 251
10 through 258, 271 through 275, 278, 281 through 287, 291, 292,
11 311 through 318, 321 through 323, 326 through 329, 341 through
12 347, 351 through 358, 371 through 375, 381 through 387, 410,
13 418, 422 through 425, 431 through 438, 441 through 446, 475
14 through 478, 485, 486, 510, 542, 543 and 601.

15 Section 7. BOARD OF EDUCATION DISTRICT FOUR. -- Board of
16 education district four is composed of Bernalillo county
17 precinct 567; Sandoval county precincts 1 through 10, 14
18 through 20, 28 through 50, 55, 56, 58 through 64 and 67; and
19 Santa Fe county precincts 8 through 14, 20 through 22, 24
20 through 39, 41 through 57, 62 through 72, 74 through 78, 80,
21 81, 83 and 86.

22 Section 8. BOARD OF EDUCATION DISTRICT FIVE. -- Board of
23 education district five is composed of McKinley county; and
24 San Juan county.

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

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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; Sierra county; Socorro
4 county precincts 13 through 16; and 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; Lincoln county;
13 Otero county precincts 2 through 40; Santa Fe county precincts
14 15 through 19, 73, 84 and 85; Socorro county precincts 1
15 through 12 and 17; 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; De Baca county; Eddy county; Lea county;
19 Quay county precincts 1 through 5; and Roosevelt county.

20 Section 13. BOARD OF EDUCATION DISTRICT TEN. -- Board of
21 education district ten is composed of Colfax county; Guadalupe
22 county; Harding county; Los Alamos county; Mora county; Quay
23 county precincts 6 through 13; Rio Arriba county; San Miguel
24 county; Sandoval county precincts 21 through 27 and 51; Santa
25 Fe county precincts 1 through 7, 23, 40, 58 through 61, 79 and

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1 82; Taos county; and Union county.

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

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

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

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

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

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

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

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

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

25 A. Elected members of the state board of education

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1 shall be elected for staggered terms of four years.

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

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

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

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

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

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

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

25 C. Terms of appointed members shall expire on

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December 31.

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

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

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