

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**HOUSE BILL 10**

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

**INTRODUCED BY**

**Mary Helen Garcia**

**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**

**. 138969. 1**

underscored material = new  
[bracketed material] = delete

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

. 138969. 1

underscored material = new  
[bracketed material] = delete

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 550, 552 through 569, 571,  
4 573 and 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, 101 through 105, 107, 150 through  
8 153, 161, 180 through 187, 191 through 197, 211, 212, 214  
9 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 Sandoval county  
17 precincts 1 through 10, 20, 28 through 50, 55, 56, 58 through  
18 64 and 67; and Santa Fe county precincts 7 through 14, 20  
19 through 22, 24 through 39, 41 through 57, 62 through 72, 74  
20 through 78, 80, 81, 83 and 86.

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

24 Section 9. BOARD OF EDUCATION DISTRICT SIX. -- Board of  
25 education district six is composed of Bernalillo county

underscored material = new  
[bracketed material] = delete

1       precincts 31 and 93; Catron county; Cibola county; Grant  
2       county; Hidalgo county; Luna county; Socorro county; and  
3       Valencia county.

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

7               Section 11.   BOARD OF EDUCATION DISTRICT EIGHT. -- Board of  
8       education district eight is composed of Bernalillo county  
9       precinct 551; Chaves county precincts 1 through 7, 9 through  
10      16, 21 through 25, 31 through 36, 41 through 43, 51, 52, 61  
11      through 63, 71 through 73, 81 through 85, 90 through 93 and  
12      101 through 103; De Baca county; Guadalupe county precinct 4;  
13      Lincoln county; Otero county precincts 2 through 40; Santa Fe  
14      county precincts 15 through 19, 73, 84 and 85; Sierra county;  
15      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 Miguel county;  
24      Sandoval county precincts 14 through 19, 21 through 27 and 51;  
25      Santa Fe county precincts 1 through 6, 23, 40, 58 through 61,

. 138969. 1

underscored material = new  
[bracketed material] = delete

1 79 and 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

underscored material = new  
[bracketed material] = delete

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

underscored material = new  
[bracketed material] = delete

1 December 31.

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

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

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

16 - 7 -