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SENATE BILL 28

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

INTRODUCED BY

Joseph J. Carraro

AN ACT

**RELATING TO THE REDISTRICTING OF THE SENATE; ESTABLISHING
SENATORIAL DISTRICTS; PROVIDING THE METHOD FOR ELECTING
SENATORS; PROVIDING FOR THE FILLING OF VACANCIES; FIXING THE
NUMBER, RESIDENCE AND TERMS OF SENATORS; 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 Senate Redistricting Act".**

**Section 2. MEMBERSHIP.--The senate is composed of forty-
two members to be elected from districts that are contiguous
and that are as compact as is practical.**

**Section 3. RESIDENCE.--At the time of filing a
declaration of candidacy for the office of state senator, the
candidate shall reside in the district for which he files.**

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1 Thereafter, if a senator permanently removes his residence
2 from or maintains no residence in the district from which he
3 was elected, he shall be deemed to have resigned and his
4 successor shall be selected as provided in Section 4 of the
5 2001 Senate Redistricting Act.

6 Section 4. ELECTIONS--VACANCIES.--

7 A. Members of the senate shall be elected for
8 terms of four years.

9 B. If a vacancy occurs in the office of senator
10 for any reason, the vacancy shall be filled as follows:

11 (1) for a senate district that is situated
12 wholly within the exterior boundaries of a single county, the
13 board of county commissioners of that county shall appoint the
14 senator to fill the vacancy; and

15 (2) for a senate district situated within two
16 or more counties:

17 (a) the board of county commissioners
18 of each county in the senate district shall submit one name to
19 the governor; and

20 (b) the governor shall appoint the
21 senator to fill the vacancy from the list of names so
22 submitted.

23 C. An appointment to fill a vacancy in the senate
24 shall be for a term ending on December 31 after the next
25 general election.

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1 D. An appointment to fill a vacancy made before
2 the general election of 2004 shall be made from the district
3 as it was described in Laws 1991 (1st S.S.), Chapter 3,
4 Sections 7 through 48. After the general election of 2004, a
5 vacancy shall be filled by appointment from the district set
6 out in the 2001 Senate Redistricting Act.

7 Section 5. PRECINCTS. --

8 A. Precinct designations and boundaries used in
9 the 2001 Senate Redistricting Act are those precinct
10 designations and boundaries established pursuant to the
11 Precinct Boundary Adjustment Act and revised and approved
12 pursuant to that act by the secretary of state as of August
13 31, 2001.

14 B. A board of county commissioners shall not
15 create any precinct that lies in more than one senate district
16 and shall not divide any precinct so that the divided parts of
17 the precinct are situated in two or more senate districts.
18 Votes cast in a statewide election from precincts created or
19 divided in violation of this subsection are invalid and shall
20 not be counted or canvassed.

21 Section 6. DISTRICTS. --The districts of the senate shall
22 be as set out in Sections 7 through 48 of the 2001 Senate
23 Redistricting Act.

24 Section 7. SENATE DISTRICT ONE. --Senate district one is
25 composed of San Juan county precincts 20 through 29, 31, 40

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1 through 47, 49, 51 through 55, 58, 59, 68 and 69.

2 Section 8. SENATE DISTRICT TWO. --Senate district two is
3 composed of San Juan county precincts 11 through 13, 18, 19,
4 30, 56, 57, 60 through 67, 70 through 76, 79, 84 and 85.

5 Section 9. SENATE DISTRICT THREE. --Senate district three
6 is composed of McKinley county precincts 1, 4 through 7, 20,
7 21, 31, 34 through 38 and 49; and San Juan county precincts 1
8 through 10, 14 through 16, 81 through 83 and 86.

9 Section 10. SENATE DISTRICT FOUR. --Senate district four
10 is composed of Cibola county precinct 5; and McKinley county
11 precincts 3, 18, 19, 22 through 30, 32, 33, 39 through 48 and
12 50.

13 Section 11. SENATE DISTRICT FIVE. --Senate district five
14 is composed of Rio Arriba county precincts 1 through 20, 22,
15 23, 26, 27 and 30 through 41; and Santa Fe county precincts 1,
16 2, 58 and 79.

17 Section 12. SENATE DISTRICT SIX. --Senate district six is
18 composed of Mora county precinct 5; Santa Fe county precincts
19 3 through 7, 23, 40, 59 through 61 and 82; and Taos county
20 precincts 1, 2 and 4 through 35.

21 Section 13. SENATE DISTRICT SEVEN. --Senate district
22 seven is composed of Colfax county; Curry county precincts 1,
23 2, 10, 16 through 19, 23, 34, 35 and 37; Harding county; Mora
24 county precincts 1 through 4 and 6 through 11; Quay county;
25 San Miguel county precinct 15; Taos county precinct 3; and

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1 Union county.

2 Section 14. SENATE DISTRICT EIGHT. -- Senate district
3 eight is composed of Bernalillo county precinct 551; Guadalupe
4 county; San Miguel county precincts 1 through 12, 14 and 23
5 through 28; and Tarrant county precincts 1 through 4 and 6
6 through 13.

7 Section 15. SENATE DISTRICT NINE. -- Senate district nine
8 is composed of Bernalillo county precincts 428 through 430,
9 452, 454, 520, 522, 537, 539, 566, 567 and 569; and Sandoval
10 county precincts 1, 5, 11 through 13, 28, 29, 32, 33, 35, 36,
11 38, 53 through 56, 59 and 64.

12 Section 16. SENATE DISTRICT TEN. -- Senate district ten is
13 composed of Bernalillo county precincts 3 through 10, 13, 83,
14 86, 114, 410, 418 through 420, 422 through 425, 485, 486, 510
15 and 601.

16 Section 17. SENATE DISTRICT ELEVEN. -- Senate district
17 eleven is composed of Bernalillo county precincts 41 through
18 44, 49, 50, 52 through 54, 73 through 76, 88, 90, 92 and 97.

19 Section 18. SENATE DISTRICT TWELVE. -- Senate district
20 twelve is composed of Bernalillo county precincts 45, 61
21 through 67, 71, 72, 95, 101, 104, 105, 121 through 125, 131
22 through 133, 135, 165, 166, 211, 212, 214 through 217, 221,
23 223 through 226, 341, 345, 346 and 442.

24 Section 19. SENATE DISTRICT THIRTEEN. -- Senate district
25 thirteen is composed of Bernalillo county precincts 11, 12, 14

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1 through 18, 30, 150 through 154, 161 through 164, 180 through
2 187, 191 through 197, 347, 437 and 438.

3 Section 20. SENATE DISTRICT FOURTEEN. --Senate district
4 fourteen is composed of Bernalillo county precincts 77, 91,
5 93, 94, 96, 98, 99, 258, 278, 292, 326 through 328 and 476
6 through 478; and Valencia county precincts 3, 13, 16 and 28.

7 Section 21. SENATE DISTRICT FIFTEEN. --Senate district
8 fifteen is composed of Sandoval county precincts 30, 31, 34,
9 37, 39 through 50, 58, 60 through 63 and 67.

10 Section 22. SENATE DISTRICT SIXTEEN. --Senate district
11 sixteen is composed of Bernalillo county precincts 102, 103,
12 106, 107, 241 through 246, 251 through 257, 271 through 275,
13 281, 282, 311, 313, 342 through 344, 351 through 358, 371,
14 372, 374, 375 and 381 through 387.

15 Section 23. SENATE DISTRICT SEVENTEEN. --Senate district
16 seventeen is composed of Bernalillo county precincts 283
17 through 287, 312, 314, 315, 323, 373, 400 through 405, 411,
18 412, 431 through 436, 441, 443 through 446, 466, 491 through
19 494 and 496 through 499.

20 Section 24. SENATE DISTRICT EIGHTEEN. --Senate district
21 eighteen is composed of Bernalillo county precincts 316
22 through 318, 321, 322, 413 through 417, 453, 461 through 465,
23 471 through 475, 495, 502 through 509, 513 through 516, 523,
24 528, 531, 533 and 562.

25 Section 25. SENATE DISTRICT NINETEEN. --Senate district

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1 nineteen is composed of Bernalillo county precincts 289, 290,
2 293 through 297, 301 through 303, 329 through 333, 552 through
3 559, 571 and 573; Santa Fe county precinct 84; and Torrance
4 county precinct 5.

5 Section 26. SENATE DISTRICT TWENTY. -- Senate district
6 twenty is composed of Bernalillo county precincts 291, 298
7 through 300, 304 through 308, 480, 517 through 519, 521, 524
8 through 527, 530, 532, 534 through 536, 540, 542 through 550,
9 561, 564 and 565.

10 Section 27. SENATE DISTRICT TWENTY-ONE. -- Senate district
11 twenty-one is composed of Bernalillo county precincts 406
12 through 409, 421, 426, 427, 439, 440, 447, 449 through 451,
13 481 through 484, 487 through 490, 500, 511, 512, 529, 538,
14 541, 560, 563, 568 and 602.

15 Section 28. SENATE DISTRICT TWENTY-TWO. -- Senate district
16 twenty-two is composed of Bernalillo county precinct 31;
17 Cibola county precincts 3, 4 and 6; McKinley county precincts
18 8 through 17; Rio Arriba county precincts 24, 25 and 29; and
19 Sandoval county precincts 2 through 4, 6 through 10 and 14
20 through 27.

21 Section 29. SENATE DISTRICT TWENTY-THREE. -- Senate
22 district twenty-three is composed of Bernalillo county
23 precincts 1, 2, 20, 24, 29, 80 through 82, 84, 85, 87, 89 and
24 111 through 113.

25 Section 30. SENATE DISTRICT TWENTY-FOUR. -- Senate

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1 district twenty-four is composed of Santa Fe county precincts
2 11, 24, 25, 27, 31 through 35, 38, 39, 41, 49 through 51, 56,
3 64, 66, 67, 74 through 76 and 86.

4 Section 31. SENATE DISTRICT TWENTY-FIVE. -- Senate
5 district twenty-five is composed of Santa Fe county precincts
6 8 through 10, 13, 20 through 22, 26, 28 through 30, 36, 37, 42
7 through 48, 52 through 55, 63, 65, 68 through 71, 77, 78, 81
8 and 83.

9 Section 32. SENATE DISTRICT TWENTY-SIX. -- Senate district
10 twenty-six is composed of Bernalillo county precincts 21
11 through 23, 25 through 28, 32 through 40, 46 through 48, 51,
12 55 and 120.

13 Section 33. SENATE DISTRICT TWENTY-SEVEN. -- Senate
14 district twenty-seven is composed of Chaves county precinct 1;
15 Curry county precincts 3, 4, 7 through 9, 11 through 15, 20,
16 21, 29, 31, 32 and 36; De Baca county; and Roosevelt county
17 precincts 1 and 5 through 17.

18 Section 34. SENATE DISTRICT TWENTY-EIGHT. -- Senate
19 district twenty-eight is composed of Catron county; Cibola
20 county precinct 17; Grant county precincts 1 through 9, 11
21 through 24 and 30 through 34; Hidalgo county precinct 4;
22 Sierra county precincts 3 through 5, 8 and 9; and Socorro
23 county precincts 11 and 13 through 15.

24 Section 35. SENATE DISTRICT TWENTY-NINE. -- Senate
25 district twenty-nine is composed of Socorro county precincts 1

1 through 10, 12, 16 and 17; and Valencia county precincts 4
2 through 6, 8 through 11, 14, 15, 18, 21, 26, 29, 30 and 32
3 through 36.

4 Section 36. SENATE DISTRICT THIRTY. -- Senate district
5 thirty is composed of Cibola county precincts 1, 2 and 7
6 through 16; and Valencia county precincts 1, 2, 7, 12, 17, 19,
7 20, 22 through 25, 27, 31, 37 and 38.

8 Section 37. SENATE DISTRICT THIRTY-ONE. -- Senate district
9 thirty-one is composed of Dona Ana county precincts 7, 11
10 through 15, 74 through 76, 79 through 81, 96 and 97; and Otero
11 county precinct 1.

12 Section 38. SENATE DISTRICT THIRTY-TWO. -- Senate district
13 thirty-two is composed of Chaves county precincts 24, 25, 32,
14 34, 41 through 43, 51, 52, 61 through 63, 71 through 73, 81
15 through 85, 90 through 93 and 101 through 104; Eddy county
16 precincts 2, 3, 41 and 43; and Otero county precinct 11.

17 Section 39. SENATE DISTRICT THIRTY-THREE. -- Senate
18 district thirty-three is composed of Chaves county precincts 2
19 through 7, 9 through 16, 21 through 23, 31, 33, 35 and 36; and
20 Lincoln county.

21 Section 40. SENATE DISTRICT THIRTY-FOUR. -- Senate
22 district thirty-four is composed of Eddy county precincts 1, 4
23 through 8, 14 through 18, 21, 23, 25 through 30, 34, 35, 37
24 through 40, 42 and 45; and Otero county precincts 2 through 9,
25 18, 34 and 35.

1 Section 41. SENATE DISTRICT THIRTY-FIVE. -- Senate
2 district thirty-five is composed of Grant county precincts 10
3 and 25 through 29; Hidalgo county precincts 1 through 3, 5 and
4 6; Luna county; and Sierra county precincts 1, 2, 6 and 7.

5 Section 42. SENATE DISTRICT THIRTY-SIX. -- Senate district
6 thirty-six is composed of Dona Ana county precincts 1 through
7 4, 19, 21 through 25, 27 through 33, 35 through 38, 60, 63,
8 84, 86 through 88, 90 through 93, 95, 99 and 100.

9 Section 43. SENATE DISTRICT THIRTY-SEVEN. -- Senate
10 district thirty-seven is composed of Dona Ana county precincts
11 5, 6, 20, 26, 34, 52, 59, 61, 62, 64 through 73, 77, 83, 85,
12 89 and 102 through 104.

13 Section 44. SENATE DISTRICT THIRTY-EIGHT. -- Senate
14 district thirty-eight is composed of Dona Ana county precincts
15 8 through 10, 16 through 18, 39 through 51, 53 through 58, 78,
16 82, 94, 98 and 101.

17 Section 45. SENATE DISTRICT THIRTY-NINE. -- Senate
18 district thirty-nine is composed of Los Alamos county; San
19 Miguel county precincts 13 and 16 through 22; Sandoval county
20 precinct 51; and Santa Fe county precincts 12, 14 through 19,
21 57, 62, 72, 73, 80 and 85.

22 Section 46. SENATE DISTRICT FORTY. -- Senate district
23 forty is composed of Otero county precincts 10, 12 through 17,
24 19 through 33 and 36 through 40.

25 Section 47. SENATE DISTRICT FORTY-ONE. -- Senate district

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1 forty-one is composed of Eddy county precincts 9 through 13,
2 19, 20, 31 through 33, 36 and 44; and Lea county precincts 31
3 through 36, 42 through 44, 51 through 55, 61, 62 and 71
4 through 74.

5 Section 48. SENATE DISTRICT FORTY-TWO. --Senate district
6 forty-two is composed of Curry county precincts 5, 6, 22, 24
7 through 28, 30 and 33; Lea county precincts 2, 3, 10 through
8 18, 20 through 30 and 41; and Roosevelt county precincts 2
9 through 4 and 18.

10 Section 49. ELECTION OF SENATORS. --Senators shall be
11 elected from the districts described in the 2001 Senate
12 Redistricting Act at the 2004 and subsequent general
13 elections.

14 Section 50. REPEAL. --Sections 2-8C-1 through 2-8C-49
15 NMSA 1978 (being Laws 1991 (1st S.S.), Chapter 3, Sections 1
16 through 49, as amended) are repealed.