

HOUSE VOTERS AND ELECTIONS COMMITTEE SUBSTITUTE FOR
HOUSE BILL 10

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

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 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

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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 569, 571, 573 and 602.

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

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

20 Section 8. BOARD OF EDUCATION DISTRICT FIVE. -- Board of
21 education district five is composed of McKinley county; San
22 Juan county precincts 1 through 16, 18 through 31, 40 through
23 46, 49, 51 through 59, 70, 71, 73 through 75, 79 and 81
24 through 86; and Sandoval county precincts 21 through 27.

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; Socorro county; and
4 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; De Baca county;
13 Guadalupe county precinct 4; Lincoln county; Otero county
14 precincts 2 through 40; Santa Fe county precincts 15 through
15 19, 73, 84 and 85; Sierra county; 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 Juan county
24 precincts 47, 60 through 69, 72 and 76; San Miguel county;
25 Sandoval county precincts 14 through 19 and 51; Santa Fe

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1 county precincts 1 through 6, 23, 40, 58 through 61 and 79;
2 Taos county; and Union county.

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

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

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

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

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

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

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

16 Section 15. RESIDENCE. -- A candidate for the office of

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

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

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1 A. Elected members of the state board of education
2 shall be elected for staggered terms of four years.

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

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

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

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

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

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

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

1 C. Terms of appointed members shall expire on
2 December 31.

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

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

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

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