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SENATE BILL 32

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

INTRODUCED BY

Patrick H. Lyons

AN ACT

RELATING TO THE REDISTRICTING OF THE PUBLIC REGULATION
COMMISSION DISTRICTS; ESTABLISHING PUBLIC REGULATION
COMMISSION DISTRICTS FOR THE ELECTION OF PUBLIC REGULATION
COMMISSIONERS; AMENDING, REPEALING AND ENACTING SECTIONS OF
THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 8-7-4 NMSA 1978 (being Laws 1997,
Chapter 262, Section 4) is amended to read:

"8-7-4. ELECTION--VACANCY. --

A. Members of the public regulation commission
shall be elected for staggered four-year terms [~~provided that~~
~~commission members elected at the 1998 general election shall~~
~~classify themselves by lot so that two commission members~~
~~shall initially serve terms of two years and three commission~~

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1 ~~members shall serve terms of four years. Thereafter, all~~
2 ~~commission members shall serve four-year terms. After serving~~
3 ~~two terms, a commission member shall be ineligible to hold~~
4 ~~office as a commission member until one full term has~~
5 ~~intervened].~~ A person may not serve as commissioner for more
6 than two consecutive terms.

7 B. The governor shall by appointment fill
8 vacancies on the public regulation commission. ~~[All~~
9 ~~appointments]~~ An appointment to fill [vacancies] a vacancy on
10 the public regulation commission shall be for a term ending on
11 [January 1 subsequent to] December 31 after the next general
12 election, at which election a person shall be elected to fill
13 any remainder of the unexpired term.

14 C. An appointment to fill a vacancy on the public
15 regulation commission made before the general election of 2002
16 shall be made from the district as it was described in Laws
17 1997, Chapter 262, Sections 6 through 10. After the general
18 election of 2002, a vacancy shall be filled by appointment
19 from the district set out in Sections 8-7-6 through 8-7-10
20 NMSA 1978. "

21 Section 2. Section 8-7-5 NMSA 1978 (being Laws 1997,
22 Chapter 262, Section 5) is amended to read:

23 "8-7-5. PRECINCTS. --

24 A. Designations and boundaries used in the Public
25 Regulation Commission Apportionment Act are those precinct

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1 designations and boundaries established pursuant to the
2 Precinct Boundary Adjustment Act and revised and approved by
3 the secretary of state as of [~~November 5, 1996~~] August 31,
4 2001.

5 B. A board of county commissioners shall not
6 create any precinct that lies in more than one public
7 regulation commission district [~~nor shall any board of county~~
8 ~~commissioners~~] and shall not divide any precinct so that the
9 divided parts of the precinct are situated in two or more
10 public regulation commission districts. Votes cast in [~~any~~
11 ~~general, primary or other~~] a statewide election from precincts
12 created or divided in violation of this subsection are invalid
13 and shall not be counted or canvassed. "

14 Section 3. Section 8-7-6 NMSA 1978 (being Laws 1997,
15 Chapter 262, Section 6) is repealed and a new Section 8-7-6
16 NMSA 1978 is enacted to read:

17 "8-7-6. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
18 DISTRICT ONE. -- Public regulation commission district one is
19 composed of Bernalillo county precincts 4 through 18, 86, 94,
20 95, 101 through 107, 150 through 153, 180 through 187, 191
21 through 197, 212, 214 through 217, 221, 223 through 226, 241
22 through 246, 251 through 258, 271 through 275, 278, 281
23 through 287, 289 through 308, 311 through 318, 321 through
24 323, 326 through 333, 341 through 347, 351 through 358, 371
25 through 375, 381 through 387, 400 through 447, 449 through

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1 454, 461 through 466, 471 through 478, 480 through 500, 502
2 through 550, 560 through 569, 601 and 602. "

3 Section 4. Section 8-7-7 NMSA 1978 (being Laws 1997,
4 Chapter 262, Section 7) is repealed and a new Section 8-7-7
5 NMSA 1978 is enacted to read:

6 "8-7-7. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
7 DISTRICT TWO. --Public regulation commission district two is
8 composed of Chaves county; Colfax county; Curry county; De
9 Baca county; Eddy county; Guadalupe county; Harding county;
10 Lea county; Lincoln county; Otero county; Quay county;
11 Roosevelt county; and Union county. "

12 Section 5. Section 8-7-8 NMSA 1978 (being Laws 1997,
13 Chapter 262, Section 8) is repealed and a new Section 8-7-8
14 NMSA 1978 is enacted to read:

15 "8-7-8. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
16 DISTRICT THREE. --Public regulation commission district three
17 is composed of Bernalillo county precincts 1 through 3, 20
18 through 28, 30, 39, 80 through 85, 87, 89, 111 through 114 and
19 120; Los Alamos county; Mora county; Rio Arriba county
20 precincts 1 through 20, 22, 23, 26, 27 and 30 through 41; San
21 Miguel county; Sandoval county precincts 1 through 5, 7, 11
22 through 13, 16 through 18, 21 through 23, 28 through 49, 51,
23 53 through 56, 58 through 62, 64 and 67; Santa Fe county
24 precincts 1 through 14, 16, 17, 20 through 72, 74 through 83
25 and 86; and Taos county. "

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1 Section 6. Section 8-7-9 NMSA 1978 (being Laws 1997,
2 Chapter 262, Section 9) is repealed and a new Section 8-7-9
3 NMSA 1978 is enacted to read:

4 "8-7-9. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
5 DISTRICT FOUR. --Public regulation commission district four is
6 composed of Bernalillo county precincts 29, 31 through 38, 40
7 through 55, 61 through 67, 71 through 77, 88, 90 through 93,
8 96 through 99, 121 through 125, 131 through 133, 135, 154, 161
9 through 166 and 211; Cibola county; McKinley county; Rio
10 Arriba county precincts 24, 25 and 29; San Juan county;
11 Sandoval county precincts 6, 8 through 10, 14, 15, 19, 20, 24
12 through 27, 50 and 63; Socorro county precinct 15; and
13 Valencia county precinct 13. "

14 Section 7. Section 8-7-10 NMSA 1978 (being Laws 1997,
15 Chapter 262, Section 10) is repealed and a new Section 8-7-10
16 NMSA 1978 is enacted to read:

17 "8-7-10. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
18 DISTRICT FIVE. --Public regulation commission district five is
19 composed of Bernalillo county precincts 551 through 559, 571
20 and 573; Catron county; Dona Ana county; Grant county; Hidalgo
21 county; Luna county; Santa Fe county precincts 15, 18, 19, 73,
22 84 and 85; Sierra county; Socorro county precincts 1 through
23 14, 16 and 17; Torrance county; and Valencia county precincts
24 1 through 12 and 14 through 38. "

25 Section 8. A new Section 8-7-11 NMSA 1978 is enacted to

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read:

"8-7-11. [NEW MATERIAL] ELECTION OF PUBLIC REGULATION COMMISSIONERS. -- Commissioners for public regulation commission districts two, four and five shall be elected from the districts described in Sections 8-7-7, 8-7-9 and 8-7-10 NMSA 1978 at the 2002 and subsequent general elections. Commissioners for public regulation commission districts one and three shall be elected from the districts described in Sections 8-7-6 and 8-7-8 NMSA 1978 at the 2004 and subsequent general elections. "