

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 "2002 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. Thereafter, if a senator permanently removes his residence from or maintains no residence in the district from which he was elected, he shall be deemed to have resigned and his successor shall be selected as provided in Section 4 of the 2002 Senate Redistricting Act.

Section 4. ELECTIONS--VACANCIES. --

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

B. If a vacancy occurs in the office of senator

for any reason, the vacancy shall be filled as follows:

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

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

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

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

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

D. An appointment to fill a vacancy made before the general election of 2004 shall be made from the district as it was described in Laws 1991 (1st S.S.), Chapter 3, Sections 7 through 48. After the general election of 2004, a vacancy shall be filled by appointment from the district set out in the 2002 Senate Redistricting Act.

Section 5. PRECINCTS. --

A. Precinct designations and boundaries used in the 2002 Senate 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 31, 2001.

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

Section 6. DISTRICTS. --The districts of the senate shall be as set out in Sections 7 through 48 of the 2002 Senate Redistricting Act.

Section 7. SENATE DISTRICT ONE. --Senate district one is composed of San Juan county precincts 20 through 29, 31, 40, 41, 43 through 45, 49, 51 through 59 and 81.

Section 8. SENATE DISTRICT TWO. --Senate district two is composed of San Juan county precincts 11 through 13, 18, 19, 30, 42, 46, 47, 60 through 76 and 79.

Section 9. SENATE DISTRICT THREE. --Senate district three is composed of McKinley county precincts 1, 4 through 6, 20, 21, 31, 34 through 37 and 41; and San Juan county precincts 1 through 10, 14 through 16 and 82 through 86.

Section 10. SENATE DISTRICT FOUR. --Senate district four is composed of Cibola county precincts 5 and 6; and McKinley county precincts 3, 7, 18, 19, 22 through 30, 32,

33, 38 through 40 and 42 through 50.

Section 11. SENATE DISTRICT FIVE. --Senate district five is composed of Los Alamos county precincts 12 through 17; Rio Arriba county precincts 1 through 15, 18 through 20, 22, 23 and 31 through 41; and Santa Fe county precinct 58.

Section 12. SENATE DISTRICT SIX. --Senate district six is composed of Los Alamos county precincts 2 through 6; Rio Arriba county precincts 16 and 17; Santa Fe county precincts 1 through 7, 23, 40, 59 through 61 and 79; and Taos county precincts 1, 5 through 17, 19, 20, 22 through 25, 27, 28 and 30 through 35.

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

Section 14. SENATE DISTRICT EIGHT. --Senate district eight is composed of Guadalupe county; Mora county precincts 9 and 11; San Miguel county precincts 1 through 8, 14, 17 and 25 through 28; Santa Fe county precincts 16, 18, 19 and 85; and Torraine county precincts 1 through 4 and 6 through 13.

Section 15. SENATE DISTRICT NINE. --Senate district nine is composed of Sandoval county precincts 2, 3, 11, 13, 36 through 47, 49, 53, 54, 59 through 61, 64 and 67.

Section 16. SENATE DISTRICT TEN. --Senate district ten

is composed of Bernalillo county precincts 3, 4, 6 through 10, 13, 16 through 18, 86, 89, 410, 422 through 424 and 601; and Sandoval county precincts 12, 32 through 35, 48 and 62.

Section 17. SENATE DISTRICT ELEVEN. --Senate district eleven is composed of Bernalillo county precincts 41 through 44, 49, 50, 52 through 54, 73, 74, 88, 90 through 92 and 97.

Section 18. SENATE DISTRICT TWELVE. --Senate district twelve is composed of Bernalillo county precincts 45, 47, 61, 62, 64, 65, 101, 103 through 105, 121 through 125, 131 through 133, 165, 166, 196, 197, 211, 212, 214 through 217, 221, 223 through 226, 341, 344 through 347, 431, 437 and 442.

Section 19. SENATE DISTRICT THIRTEEN. --Senate district thirteen is composed of Bernalillo county precincts 5, 11, 12, 14, 15, 30, 83, 150 through 154, 161 through 164, 180 through 187, 191 through 195, 400, 406, 408 and 438 through 440.

Section 20. SENATE DISTRICT FOURTEEN. --Senate district fourteen is composed of Bernalillo county precincts 63, 66, 67, 71, 72, 75 through 77, 93 through 96, 98, 99, 102, 106, 107, 135, 246, 256, 551 and 552; and Valencia county precincts 4, 9, 11, 13, 18 and 28.

Section 21. SENATE DISTRICT FIFTEEN. --Senate district fifteen is composed of Bernalillo county precincts 373, 375, 401 through 405, 407, 409, 411, 413, 414, 418 through 421, 432 through 436, 441, 443 through 446, 466, 481, 488 through

494, 496 through 500 and 510.

Section 22. SENATE DISTRICT SIXTEEN. -- Senate district sixteen is composed of Bernalillo county precincts 241 through 245, 251 through 255, 257, 258, 271 through 275, 278, 281, 311, 313 through 317, 342, 343, 351 through 358, 371, 372, 374, 381 through 387 and 412.

Section 23. SENATE DISTRICT SEVENTEEN. -- Senate district seventeen is composed of Bernalillo county precincts 282 through 287, 291 through 293, 312, 318, 321 through 323, 326 through 331, 477 and 478.

Section 24. SENATE DISTRICT EIGHTEEN. -- Senate district eighteen is composed of Bernalillo county precincts 415 through 417, 450, 453, 461 through 465, 471 through 476, 482, 484, 487, 495, 502 through 504, 506 through 509, 511 through 515, 523, 528, 529, 531 through 533, 538, 562 and 563.

Section 25. SENATE DISTRICT NINETEEN. -- Senate district nineteen is composed of Bernalillo county precincts 289, 290, 294 through 299, 301 through 303, 332, 333, 553 through 559, 571 and 573; Sandoval county precincts 6, 28 and 56; Santa Fe county precincts 15, 73 and 84; and Tarrant county precinct 5.

Section 26. SENATE DISTRICT TWENTY. -- Senate district twenty is composed of Bernalillo county precincts 300, 304 through 308, 454, 480, 505, 516 through 519, 521, 522, 524 through 527, 530, 534 through 536, 540, 542 through 550, 561

and 564 through 566.

Section 27. SENATE DISTRICT TWENTY-ONE. -- Senate district twenty-one is composed of Bernalillo county precincts 425 through 430, 447, 449, 451, 452, 483, 485, 486, 520, 537, 539, 541, 560, 567 through 569 and 602; and Sandoval county precincts 1, 4, 5, 29 and 55.

Section 28. SENATE DISTRICT TWENTY-TWO. -- Senate district twenty-two is composed of Bernalillo county precinct 31; Cibola county precinct 3; McKinley county precincts 8 through 17; Rio Arriba county precincts 24 through 27, 29 and 30; and Sandoval county precincts 8 through 10, 14 through 27, 50, 58 and 63.

Section 29. SENATE DISTRICT TWENTY-THREE. -- Senate district twenty-three is composed of Bernalillo county precincts 1, 2, 20, 24, 29, 80 through 82, 84, 85, 87 and 111 through 114; and Sandoval county precincts 30 and 31.

Section 30. SENATE DISTRICT TWENTY-FOUR. -- Senate district twenty-four is composed of Santa Fe county precincts 24, 25, 27, 31 through 35, 38, 39, 41, 49 through 51, 56, 62, 64, 66, 67, 74 through 76 and 86.

Section 31. SENATE DISTRICT TWENTY-FIVE. -- Senate district twenty-five is composed of Santa Fe county precincts 8 through 11, 13, 20 through 22, 26, 28 through 30, 36, 37, 42 through 48, 52 through 55, 65, 68, 69, 71, 77, 78, 81 and 83.

Section 32. SENATE DISTRICT TWENTY-SIX. -- Senate

district twenty-six is composed of Bernalillo county precincts 21 through 23, 25 through 28, 32 through 40, 46, 48, 51, 55 and 120.

Section 33. SENATE DISTRICT TWENTY-SEVEN. -- Senate district twenty-seven is composed of Chaves county precinct 1; Curry county precincts 4, 6 through 9, 11 through 15, 20, 21, 29, 31 and 36; De Baca county; and Roosevelt county precincts 1 and 5 through 17.

Section 34. SENATE DISTRICT TWENTY-EIGHT. -- Senate district twenty-eight is composed of Catron county; Grant county; and Socorro county precincts 1, 3 through 8, 10, 11, 13, 14 and 17.

Section 35. SENATE DISTRICT TWENTY-NINE. -- Senate district twenty-nine is composed of Valencia county precincts 1 through 3, 5 through 8, 10, 12, 14, 17, 19, 21 through 27, 31, 32 and 35 through 38.

Section 36. SENATE DISTRICT THIRTY. -- Senate district thirty is composed of Cibola county precincts 1, 2, 4 and 7 through 17; Socorro county precincts 2, 9, 12, 15 and 16; and Valencia county precincts 15, 16, 20, 29, 30, 33 and 34.

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

Section 38. SENATE DISTRICT THIRTY-TWO. -- Senate district thirty-two is composed of Chaves county precincts 13 through 16, 23, 24, 31, 32, 34, 42, 43, 51, 52, 61

through 63, 71 through 73, 81, 90, 91 and 101 through 104; Eddy county precincts 2, 3, 41 and 43; Lincoln county precinct 12; and Otero county precinct 11.

Section 39. SENATE DISTRICT THIRTY-THREE. -- Senate district thirty-three is composed of Chaves county precincts 2 through 7, 9 through 12, 21, 22, 25, 33, 35, 36, 82 through 85, 92 and 93; and Lincoln county precincts 1 through 11 and 13.

Section 40. SENATE DISTRICT THIRTY-FOUR. -- Senate district thirty-four is composed of Eddy county precincts 4 through 8, 17 through 21, 25 through 30, 34 through 38, 40, 44 and 45; and Otero county precincts 2 through 9, 18, 21, 23, 24 and 36.

Section 41. SENATE DISTRICT THIRTY-FIVE. -- Senate district thirty-five is composed of Hidalgo county; Luna county; and Sierra county precincts 1 and 3 through 9.

Section 42. SENATE DISTRICT THIRTY-SIX. -- Senate district thirty-six is composed of Dona Ana county precincts 1 through 4, 21, 22, 24, 25, 27 through 30, 32 through 36, 41 through 47, 60, 63, 84, 86 through 88, 91 through 95, 99 and 100.

Section 43. SENATE DISTRICT THIRTY-SEVEN. -- Senate district thirty-seven is composed of Dona Ana county precincts 5, 20, 26, 52, 59, 61, 62, 64 through 73, 77, 83, 85, 89 and 102 through 104; and Sierra county precinct 2.

Section 44. SENATE DISTRICT THIRTY-EIGHT. -- Senate

district thirty-eight is composed of Dona Ana county precincts 8, 9, 16 through 19, 23, 31, 37 through 40, 48 through 51, 53 through 58, 78, 82, 90, 98 and 101.

Section 45. SENATE DISTRICT THIRTY-NINE. -- Senate district thirty-nine is composed of Los Alamos county precincts 1 and 7 through 11; Mora county precincts 1 through 8 and 10; San Miguel county precincts 9 through 13, 16 and 18 through 24; Sandoval county precincts 7 and 51; Santa Fe county precincts 12, 14, 17, 57, 63, 70, 72, 80 and 82; and Taos county precincts 18, 21, 26 and 29.

Section 46. SENATE DISTRICT FORTY. -- Senate district forty is composed of Dona Ana county precinct 6; and Otero county precincts 1, 10, 12 through 17, 19, 20, 22, 25 through 35 and 37 through 40.

Section 47. SENATE DISTRICT FORTY-ONE. -- Senate district forty-one is composed of Eddy county precincts 9 through 16, 23 and 31 through 33; and Lea county precincts 12, 14 through 17, 25, 31, 32, 34 through 36, 51 through 55, 61, 62 and 71 through 74.

Section 48. SENATE DISTRICT FORTY-TWO. -- Senate district forty-two is composed of Chaves county precinct 41; Curry county precincts 5, 22, 23, 25 through 28, 30, 32 and 33; Eddy county precincts 1, 39 and 42; Lea county precincts 2, 3, 10, 11, 13, 18, 20 through 24, 26 through 30, 33 and 41 through 44; and Roosevelt county precincts 2 through 4 and 18.

Section 49. ELECTION OF SENATORS. -- Senators shall be elected from the districts described in the 2002 Senate Redistricting Act at the 2004 and subsequent general elections.

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