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HOUSE BILL 13

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2011**

INTRODUCED BY

Mary Helen Garcia

AN ACT

RELATING TO THE REDISTRICTING OF THE PUBLIC REGULATION  
COMMISSION DISTRICTS; ESTABLISHING PUBLIC REGULATION COMMISSION  
DISTRICTS FOR THE ELECTION OF PUBLIC REGULATION COMMISSIONERS;  
PROVIDING FOR THE ELECTION AND APPOINTMENT OF PUBLIC REGULATION  
COMMISSIONERS; SETTING PRECINCTS; 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, as amended) 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~~

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1 ~~initially serve terms of two years and three commission members~~  
2 ~~shall serve terms of four years. Thereafter, all]~~ Commission  
3 members shall serve four-year terms; provided that, after  
4 serving two consecutive terms, a commission member shall be  
5 ineligible to hold office as a commission member until one full  
6 term has intervened.

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

13 C. An appointment to fill a vacancy on the public  
14 regulation commission made before the general election of  
15 ~~[2002]~~ 2012 shall be made from the district as it was described  
16 in Laws ~~[1997, Chapter 262, Sections 6 through 10]~~ 2001 (1st  
17 S.S.), Chapter 3, Sections 3 through 7. After the general  
18 election of ~~[2002]~~ 2012, a vacancy shall be filled by  
19 appointment from the district set out in Sections 8-7-6 through  
20 8-7-10 NMSA 1978."

21 SECTION 2. Section 8-7-5 NMSA 1978 (being Laws 1997,  
22 Chapter 262, Section 5, as amended) 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 August 31, [~~2001~~] 2011.

4 B. A board of county commissioners shall not create  
5 any precinct that lies in more than one public regulation  
6 commission district and shall not divide any precinct so that  
7 the divided parts of the precinct are situated in two or more  
8 public regulation commission districts. Votes cast in a  
9 [~~statewide~~] public regulation commission election from  
10 precincts created or divided in violation of this subsection  
11 are invalid and shall not be counted or canvassed."

12 SECTION 3. Section 8-7-6 NMSA 1978 (being Laws 2001 (1st  
13 S.S.), Chapter 3, Section 3) is repealed and a new Section  
14 8-7-6 NMSA 1978 is enacted to read:

15 "8-7-6. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
16 DISTRICT ONE.--Public regulation commission district one is  
17 composed of Bernalillo county precincts 4 through 18, 86, 95,  
18 101 through 108, 121 through 125, 131 through 133, 135, 150  
19 through 154, 161 through 166, 180 through 187, 191 through 197,  
20 211, 212, 214 through 217, 221, 223 through 226, 241 through  
21 246, 251 through 258, 271 through 275, 278, 281 through 287,  
22 289 through 308, 311 through 318, 321 through 324, 326 through  
23 333, 341 through 347, 351 through 358, 371 through 375, 381  
24 through 387, 400 through 456, 461 through 466, 471 through 478,  
25 480 through 500, 502 through 573 and 601 through 603."

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1           **SECTION 4.** Section 8-7-7 NMSA 1978 (being Laws 2001 (1st  
2 S.S.), Chapter 3, Section 4) is repealed and a new Section  
3 8-7-7 NMSA 1978 is enacted to read:

4           "8-8-7. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
5 DISTRICT TWO.--Public regulation commission district two is  
6 composed of Chaves county; Colfax county; Curry county; De Baca  
7 county; Eddy county; Guadalupe county; Harding county; Lea  
8 county; Mora county; Otero county precincts 1 through 10 and 12  
9 through 40; Quay county; Roosevelt county; San Miguel county;  
10 Santa Fe county precincts 15 through 19, 73, 84 and 85;  
11 Torrance county; and Union county."

12           **SECTION 5.** Section 8-7-8 NMSA 1978 (being Laws 2001 (1st  
13 S.S.), Chapter 3, Section 5) is repealed and a new Section  
14 8-7-8 NMSA 1978 is enacted to read:

15           "8-7-8. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
16 DISTRICT THREE.--Public regulation commission district three is  
17 composed of Los Alamos county; McKinley county precincts 1  
18 through 24, 31 through 50 and 52 through 59; Rio Arriba county;  
19 San Juan county; Sandoval county precincts 16 through 18, 21  
20 through 27, 51, 78 and 79; Santa Fe county precincts 1 through  
21 14, 20 through 72, 74 through 83 and 86 through 88; and Taos  
22 county."

23           **SECTION 6.** Section 8-7-9 NMSA 1978 (being Laws 2001 (1st  
24 S.S.), Chapter 3, Section 6) is repealed and a new Section  
25 8-7-9 NMSA 1978 is enacted to read:

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1 "8-7-9. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
2 DISTRICT FOUR.--Public regulation commission district four is  
3 composed of Bernalillo county precincts 1 through 3, 19 through  
4 85, 87 through 94, 96 through 99, 109 through 120, 127 through  
5 129, 134, 136 through 144, 170 and 171; Cibola county; McKinley  
6 county precincts 25 through 30; Sandoval county precincts 1  
7 through 15, 19, 20, 28 through 50, 52 through 76 and 80 through  
8 86; and Valencia county precinct 13."

9 SECTION 7. Section 8-7-10 NMSA 1978 (being Laws 2001 (1st  
10 S.S.), Chapter 3, Section 7) is repealed and a new Section  
11 8-7-10 NMSA 1978 is enacted to read:

12 "8-7-10. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
13 DISTRICT FIVE.--Public regulation commission district five is  
14 composed of Catron county; Dona Ana county; Grant county;  
15 Hidalgo county; Lincoln county; Luna county; Otero county  
16 precincts 11 and 41; Sierra county; Socorro county; and  
17 Valencia county precincts 1 through 12 and 14 through 41."

18 SECTION 8. Section 8-7-11 NMSA 1978 (being Laws 2001 (1st  
19 S.S.), Chapter 3, Section 8) is amended to read:

20 "8-7-11. ELECTION OF PUBLIC REGULATION COMMISSIONERS.--  
21 Commissioners for public regulation commission districts two,  
22 four and five shall be elected from the districts described in  
23 Sections 8-7-7, 8-7-9 and 8-7-10 NMSA 1978 at the [~~2002~~] 2014  
24 and subsequent general elections. Commissioners for public  
25 regulation commission districts one and three shall be elected

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1 from the districts described in Sections 8-7-6 and 8-7-8 NMSA  
2 1978 at the [~~2004~~] 2012 and subsequent general elections."

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