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HOUSE BILL 16

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

INTRODUCED BY

Mary Helen Garcia

AN ACT

RELATING TO REDISTRICTING OF THE PUBLIC EDUCATION COMMISSION;
ESTABLISHING PUBLIC EDUCATION COMMISSION DISTRICTS; PROVIDING
FOR STAGGERED TERMS AND THE FILLING OF VACANCIES; SETTING
PRECINCTS; SETTING RESIDENCY REQUIREMENTS; 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
"2011 Educational Redistricting Act".

SECTION 2. COMMISSION MEMBERS.--The public education
commission is composed of ten members to be elected from
districts established by law.

SECTION 3. ELECTION FOR STAGGERED TERMS--VACANCIES.--

A. Members of the public education commission shall
be elected for staggered terms of four years.

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1 B. Members shall be elected at the general election
2 for terms commencing on January 1 next succeeding their
3 election.

4 C. Members from districts one, four, eight, nine
5 and ten shall be elected from the districts described in
6 Sections 6, 9, 13, 14 and 15 of the 2011 Educational
7 Redistricting Act at the 2012 and subsequent general elections.

8 D. Members from districts two, three, five, six and
9 seven shall be elected from the districts described in Sections
10 7, 8, 10, 11 and 12 of the 2011 Educational Redistricting Act
11 at the 2014 and subsequent general elections.

12 E. The governor shall by appointment fill a vacancy
13 in the office of a member of the public education commission.
14 An appointment to fill a vacancy on the public education
15 commission shall be for a term ending on December 31 after the
16 next general election, at which election a person shall be
17 elected to fill any remainder of the unexpired term.

18 **SECTION 4. RESIDENCE.**--A candidate for the office of
19 public education commissioner shall reside in the district for
20 which the candidate files a declaration of candidacy at the
21 time of such filing. A public education commissioner shall
22 reside in the district from which the commissioner was elected
23 or appointed and shall be deemed to have resigned if the
24 commissioner changes residence to a place outside the district.
25 Vacancies shall be filled as provided in Section 3 of the 2011

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1 Educational Redistricting Act.

2 SECTION 5. PRECINCTS.--

3 A. Precinct designations and boundaries used in the
4 2011 Educational Redistricting Act are those precinct
5 designations and boundaries established pursuant to the
6 Precinct Boundary Adjustment Act as revised and approved
7 pursuant to that act by the secretary of state as of August 31,
8 2011.

9 B. A board of county commissioners shall not create
10 any precinct that lies in more than one public education
11 commission district and shall not divide any precinct so that
12 the divided parts of the precinct are situated in two or more
13 public education commission districts. Votes cast in a public
14 education commission election from precincts created or divided
15 in violation of this subsection shall be invalid and shall not
16 be counted or canvassed.

17 SECTION 6. PUBLIC EDUCATION COMMISSION DISTRICT ONE.--

18 Public education commission district one is composed of
19 Bernalillo county precincts 1, 20 through 30, 32 through 67, 70
20 through 77, 80 through 83, 87, 88, 90 through 92, 97, 99, 110
21 through 115, 117 through 120, 127 through 129, 134, 136 through
22 144 and 170.

23 SECTION 7. PUBLIC EDUCATION COMMISSION DISTRICT TWO.--

24 Public education commission district two is composed of
25 Bernalillo county precincts 289 through 302, 304 through 308,

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1 324, 328 through 333, 400, 402, 404 through 410, 414 through
2 430, 439, 440, 447 through 454, 456, 461 through 466, 471
3 through 474, 480 through 500, 502 through 550, 560 through 569
4 and 601 through 603.

5 SECTION 8. PUBLIC EDUCATION COMMISSION DISTRICT THREE.--

6 Public education commission district three is composed of
7 Bernalillo county precincts 4 through 18, 86, 94 through 96,
8 98, 101 through 109, 121 through 125, 131 through 133, 135, 150
9 through 154, 161 through 166, 180 through 187, 191 through 197,
10 211, 212, 214 through 217, 221, 223 through 226, 241 through
11 246, 251 through 258, 271 through 275, 278, 281 through 287,
12 311 through 318, 321 through 323, 326, 327, 341 through 347,
13 351 through 358, 371 through 375, 381 through 387, 401, 403,
14 411 through 413, 431 through 438, 441 through 446, 455 and 475
15 through 478.

16 SECTION 9. PUBLIC EDUCATION COMMISSION DISTRICT FOUR.--

17 Public education commission district four is composed of
18 Bernalillo county precincts 2, 3, 19, 68, 69, 78, 79, 84, 85,
19 89, 116, 171, 303, 551 through 559 and 570 through 573;
20 Sandoval county precincts 1 through 23, 27 through 50, 52
21 through 76 and 78 through 86; and Santa Fe county precincts 12
22 through 19, 57, 63, 65, 68 through 73, 84, 85 and 88.

23 SECTION 10. PUBLIC EDUCATION COMMISSION DISTRICT FIVE.--

24 Public education commission district five is composed of
25 McKinley county; Rio Arriba county precincts 24 and 29; San

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1 Juan county; and Sandoval county precincts 24 through 26.

2 SECTION 11. PUBLIC EDUCATION COMMISSION DISTRICT SIX.--

3 Public education commission district six is composed of
4 Bernalillo county precincts 31 and 93; Catron county; Cibola
5 county; Grant county; Hidalgo county; Luna county; Sierra
6 county; Socorro county; and Valencia county.

7 SECTION 12. PUBLIC EDUCATION COMMISSION DISTRICT SEVEN.--

8 Public education commission district seven is composed of Dona
9 Ana county.

10 SECTION 13. PUBLIC EDUCATION COMMISSION DISTRICT EIGHT.--

11 Public education commission district eight is composed of
12 Chaves county; De Baca county; Guadalupe county; Lincoln
13 county; Otero county; San Miguel county; and Torrance county.

14 SECTION 14. PUBLIC EDUCATION COMMISSION DISTRICT NINE.--

15 Public education commission district nine is composed of Curry
16 county; Eddy county; Harding county; Lea county; Quay county;
17 Roosevelt county; and Union county.

18 SECTION 15. PUBLIC EDUCATION COMMISSION DISTRICT TEN.--

19 Public education commission district ten is composed of Colfax
20 county; Los Alamos county; Mora county; Rio Arriba county
21 precincts 1 through 23, 25 through 28 and 30 through 42;
22 Sandoval county precinct 51; Santa Fe county precincts 1
23 through 11, 20 through 56, 58 through 62, 64, 66, 67, 74
24 through 83, 86 and 87; and Taos county.

25 SECTION 16. CONTINUING TERMS--VACANCIES.--

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1 A. A public education commissioner who is serving
2 on the commission as of the effective date of this section
3 shall serve the remainder of the term for which the
4 commissioner was elected.

5 B. An appointment to fill a vacancy on the public
6 education commission made before the general election of 2012
7 shall be made from the district as it existed on the effective
8 date of this section. After the general election of 2012, a
9 vacancy shall be filled by appointment from the district as set
10 out in Sections 6 through 15 of the 2011 Educational
11 Redistricting Act.

12 **SECTION 17. REPEAL.--**Sections 22-3-37 through 22-3-54
13 NMSA 1978 (being Laws 1991 (1st S.S.), Chapter 4, Sections 1
14 through 18) are repealed.