

HOUSE VOTERS AND ELECTIONS COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 16

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

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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underscored material = new  
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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**

18 ONE.--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**

24 TWO.--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

6 THREE.--Public education commission district three is composed  
7 of 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

17 FOUR.--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

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

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

2 SECTION 11. PUBLIC EDUCATION COMMISSION DISTRICT

3 SIX.--Public education commission district six is composed of  
4 Bernalillo county precincts 31 and 93; Catron county; Cibola  
5 county; Dona Ana county precincts 1 through 3, 60 and 95; Grant  
6 county; Hidalgo county; Luna county; Sierra county; Socorro  
7 county precincts 1 through 11 and 13 through 26; and Valencia  
8 county.

9 SECTION 12. PUBLIC EDUCATION COMMISSION DISTRICT

10 SEVEN.--Public education commission district seven is composed  
11 of Dona Ana county precincts 4 through 59, 61 through 94 and 96  
12 through 120; and Otero county precincts 1 and 41.

13 SECTION 13. PUBLIC EDUCATION COMMISSION DISTRICT

14 EIGHT.--Public education commission district eight is composed  
15 of Chaves county precincts 1 through 7, 9 through 16, 21  
16 through 25, 31 through 36, 41 through 47, 51, 52, 61 through  
17 63, 71 through 73, 81 through 85, 90 through 94 and 101 through  
18 103; De Baca county; Guadalupe county; Harding county precinct  
19 2; Lincoln county; Mora county; Otero county precincts 2  
20 through 40; San Miguel county; Socorro county precinct 12; and  
21 Torrance county.

22 SECTION 14. PUBLIC EDUCATION COMMISSION DISTRICT

23 NINE.--Public education commission district nine is composed of  
24 Chaves county precinct 104; Curry county; Eddy county; Harding  
25 county precinct 1; Lea county; Quay county; Roosevelt county;

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1 and Union county.

2 SECTION 15. PUBLIC EDUCATION COMMISSION DISTRICT

3 TEN.--Public education commission district ten is composed of  
4 Colfax county; Los Alamos county; Rio Arriba county precincts 1  
5 through 23, 25 through 28 and 30 through 42; Sandoval county  
6 precinct 51; Santa Fe county precincts 1 through 11, 20 through  
7 56, 58 through 62, 64, 66, 67, 74 through 83, 86 and 87; and  
8 Taos county.

9 SECTION 16. CONTINUING TERMS--VACANCIES.--

10 A. A public education commissioner who is serving  
11 on the commission as of the effective date of this section  
12 shall serve the remainder of the term for which the  
13 commissioner was elected.

14 B. An appointment to fill a vacancy on the public  
15 education commission made before the general election of 2012  
16 shall be made from the district as it existed on the effective  
17 date of this section. After the general election of 2012, a  
18 vacancy shall be filled by appointment from the district as set  
19 out in Sections 6 through 15 of the 2011 Educational  
20 Redistricting Act.

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