

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
SENATE RULES COMMITTEE SUBSTITUTE FOR  
SENATE BILL 7

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

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~~

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

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, 5, 7 through 18, 21  
 20 through 23, 25 through 28, 30, 32 through 40, 45 through 48,  
 21 51, 55, 61 through 67, 101 through 105, 107, 120 through 125,  
 22 131 through 133, 150 through 154, 161 through 166, 180 through  
 23 187, 191 through 197, 211, 212, 214 through 217, 221, 223  
 24 through 226, 241 through 246, 251 through 257, 271 through  
 25 275, 278, 281 through 287, 291 through 293, 296, 307, 308, 311

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1 through 318, 321 through 323, 326 through 331, 341 through  
2 347, 351 through 358, 371 through 375, 381 through 387, 400  
3 through 424, 431 through 446, 453, 454, 461 through 466, 471  
4 through 478, 480, 481, 485, 487 through 500, 502 through 519,  
5 521 through 528, 530 through 536, 540, 542, 543, 545 through  
6 549, 561, 562, 564, 565 and 601. "

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8 Chapter 262, Section 7) is repealed and a new Section 8-7-7  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

10 "8-7-7. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
11 DISTRICT TWO.--Public regulation commission district two is  
12 composed of Bernalillo county precincts 427 through 430, 449  
13 through 452, 482 through 484, 486, 520, 529, 537, 538, 555,  
14 557, 558, 563, 566, 568 and 602; Chaves county; Curry county;  
15 DeBaca county precincts 1 and 2; Eddy county; Lea county;  
16 Lincoln county; Otero county precincts 2 through 40; Quay  
17 county; Roosevelt county; Santa Fe county precincts 18, 19,  
18 73, 84 and 85; Sierra county precinct 2; and Torrance county  
19 precincts 5 through 7 and 11 through 13. "

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21 Chapter 262, Section 8) is repealed and a new Section 8-7-8  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

23 "8-7-8. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
24 DISTRICT THREE.--Public regulation commission district three  
25 is composed of Bernalillo county precincts 1 through 3, 6, 80,

1 84 through 87, 89, 425, 426, 447, 539, 541, 556, 559, 560,  
 2 567, 569 and 573; Colfax county; De Baca county precincts 3  
 3 and 4; Guadalupe county; Harding county; Los Alamos county;  
 4 Mora county; Rio Arriba county precincts 1 through 20, 22, 23  
 5 and 31 through 41; San Miguel county; Sandoval county  
 6 precincts 1 through 5, 11 through 13, 28 through 51, 53  
 7 through 56, 58 through 64 and 67; Santa Fe county precincts 1  
 8 through 11, 13, 15 through 17, 20 through 61, 66, 67, 74  
 9 through 79, 83 and 86; Taos county; and Union county. "

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

13 "8-7-9. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
 14 DISTRICT FOUR. --Public regulation commission district four is  
 15 composed of Bernalillo county precincts 20, 24, 29, 31, 41  
 16 through 44, 49, 50, 52 through 54, 71 through 77, 81 through  
 17 83, 88, 90 through 99, 106, 111 through 114, 135, 258, 289,  
 18 290, 294, 332 and 333; Cibola county; McKinley county; Rio  
 19 Arriba county precincts 24 through 27, 29 and 30; San Juan  
 20 county; Sandoval county precincts 6 through 10 and 14 through  
 21 27; Santa Fe county precincts 12, 14, 62 through 65, 68  
 22 through 72 and 80 through 82; and Valencia county precincts 1,  
 23 3, 13, 17 and 27. "

24 Section 7. Section 8-7-10 NMSA 1978 (being Laws 1997,  
 25 Chapter 262, Section 10) is repealed and a new Section 8-7-10

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1 NMSA 1978 is enacted to read:

2 "8-7-10. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
3 DISTRICT FIVE. --Public regulation commission district five is  
4 composed of Bernalillo county precincts 295, 297 through 306,  
5 544, 550 through 554 and 571; Catron county; Dona Ana county;  
6 Grant county; Hidalgo county; Luna county; Otero county  
7 precinct 1; Sierra county precincts 1 and 3 through 9; Socorro  
8 county; Torrance county precincts 1 through 4 and 8 through  
9 10; and Valencia county precincts 2, 4 through 12, 14 through  
10 16, 18 through 26 and 28 through 38. "

11 Section 8. A new Section 8-7-11 NMSA 1978 is enacted to  
12 read:

13 "8-7-11. [NEW MATERIAL] ELECTION OF PUBLIC REGULATION  
14 COMMISSIONERS. --Commissioners for public regulation commission  
15 districts two, four and five shall be elected from the  
16 districts described in Sections 8-7-7, 8-7-9 and 8-7-10 NMSA  
17 1978 at the 2002 and subsequent general elections.  
18 Commissioners for public regulation commission districts one  
19 and three shall be elected from the districts described in  
20 Sections 8-7-6 and 8-7-8 NMSA 1978 at the 2004 and subsequent  
21 general elections. "