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HOUSE BILL 5

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

INTRODUCED BY

Mary Helen Garcia

AN ACT

RELATING TO THE REDISTRICTING OF THE HOUSE OF REPRESENTATIVES;  
ESTABLISHING REPRESENTATIVE DISTRICTS; PROVIDING THE METHOD FOR  
ELECTING REPRESENTATIVES; PROVIDING FOR THE FILLING OF  
VACANCIES; SETTING PRECINCTS; FIXING THE NUMBER, RESIDENCE AND  
TERMS OF REPRESENTATIVES; 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 House Redistricting Act".

**SECTION 2. MEMBERSHIP.**--The house of representatives is  
composed of seventy 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

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1 representative, a candidate shall reside in the district for  
2 which the candidate files. Thereafter, if a representative  
3 permanently removes the representative's residence from or  
4 maintains no residence in the district from which the  
5 representative was elected, the representative shall be deemed  
6 to have resigned and a successor shall be selected as provided  
7 in Section 4 of the 2011 House Redistricting Act.

8 SECTION 4. ELECTIONS--VACANCIES.--

9 A. Members of the house of representatives shall be  
10 elected for terms of two years.

11 B. If a vacancy occurs in the office of  
12 representative for any reason, the vacancy shall be filled as  
13 follows:

14 (1) for a representative district that is  
15 situated wholly within the exterior boundaries of a single  
16 county, the board of county commissioners of that county shall  
17 appoint the representative to fill the vacancy; and

18 (2) for a representative district situated  
19 within two or more counties:

20 (a) the board of county commissioners of  
21 each county in the representative district shall submit one  
22 name to the governor; and

23 (b) the governor shall appoint the  
24 representative to fill the vacancy from the list of names so  
25 submitted.

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1           C. An appointment to fill a vacancy in the house of  
2 representatives shall be for a term ending on December 31 after  
3 the next general election.

4           D. An appointment to fill a vacancy made before the  
5 general election of 2012 shall be made from the district as it  
6 was described in Section 2-7D-1 NMSA 1978 (as established by  
7 the court in *Jepsen v. Vigil-Giron*, D-0101-CV-2001-02177 (1st  
8 Dist. Ct., filed January 28, 2002)). After the general  
9 election of 2012, a vacancy shall be filled by appointment from  
10 the district as set out in the 2011 House Redistricting Act.

11           **SECTION 5. PRECINCTS.--**

12           A. Precinct designations and boundaries used in the  
13 2011 House Redistricting Act are those precinct designations  
14 and boundaries established pursuant to the Precinct Boundary  
15 Adjustment Act and revised and approved pursuant to that act by  
16 the secretary of state as of August 31, 2011.

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

24           **SECTION 6. DISTRICTS.--**The districts of the house of  
25 representatives shall be as set out in Sections 7 through 76 of

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1 the 2011 House Redistricting Act.

2 SECTION 7. REPRESENTATIVE DISTRICT ONE.--Representative  
3 district one is composed of San Juan county precincts 21, 28  
4 through 31, 34, 39 through 42, 44, 46 through 49 and 57 through  
5 59.

6 SECTION 8. REPRESENTATIVE DISTRICT TWO.--Representative  
7 district two is composed of San Juan county precincts 32, 33,  
8 35 through 38, 43, 45, 51 through 56, 70 and 77.

9 SECTION 9. REPRESENTATIVE DISTRICT THREE.--Representative  
10 district three is composed of San Juan county precincts 60  
11 through 69 and 71 through 76.

12 SECTION 10. REPRESENTATIVE DISTRICT FOUR.--Representative  
13 district four is composed of San Juan county precincts 1  
14 through 7, 18 through 20, 22 through 27 and 50.

15 SECTION 11. REPRESENTATIVE DISTRICT FIVE.--Representative  
16 district five is composed of McKinley county precincts 1, 4, 5,  
17 7 through 11, 13, 15 through 17, 19 and 23; and San Juan county  
18 precincts 8 through 17.

19 SECTION 12. REPRESENTATIVE DISTRICT SIX.--Representative  
20 district six is composed of Cibola county precincts 1, 5  
21 through 8 and 13 through 15; and McKinley county precincts 18,  
22 24 through 30, 48 and 52 through 55.

23 SECTION 13. REPRESENTATIVE DISTRICT SEVEN.--  
24 Representative district seven is composed of Valencia county  
25 precincts 4 through 6, 8 through 11, 14 through 16, 18, 22, 24,

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1 28, 32 and 36.

2 SECTION 14. REPRESENTATIVE DISTRICT EIGHT.--

3 Representative district eight is composed of Valencia county  
4 precincts 1 through 3, 7, 12, 17, 19, 21, 23, 25, 37 and 39  
5 through 41.

6 SECTION 15. REPRESENTATIVE DISTRICT NINE.--Representative  
7 district nine is composed of McKinley county precincts 2, 3, 6,  
8 20 through 22, 31 through 47, 49, 50 and 56 through 59.

9 SECTION 16. REPRESENTATIVE DISTRICT TEN.--Representative  
10 district ten is composed of Bernalillo county precincts 62, 63,  
11 75 through 77, 90 through 92, 94 through 99, 103, 105 through  
12 107, 109, 133 and 135.

13 SECTION 17. REPRESENTATIVE DISTRICT ELEVEN.--  
14 Representative district eleven is composed of Bernalillo county  
15 precincts 36, 37, 39, 121 through 125, 131, 132, 150 through  
16 154, 161 through 166, 186, 187, 197, 211, 212, 221 and 225.

17 SECTION 18. REPRESENTATIVE DISTRICT TWELVE.--  
18 Representative district twelve is composed of Bernalillo county  
19 precincts 44, 49, 54, 71 through 74 and 141 through 144.

20 SECTION 19. REPRESENTATIVE DISTRICT THIRTEEN.--  
21 Representative district thirteen is composed of Bernalillo  
22 county precincts 41, 42, 52, 53, 56, 58 through 60, 137, 138  
23 and 140.

24 SECTION 20. REPRESENTATIVE DISTRICT FOURTEEN.--  
25 Representative district fourteen is composed of Bernalillo

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1 county precincts 32, 33, 35, 43, 45 through 48, 50, 51, 61, 64  
2 through 67 and 139.

3 SECTION 21. REPRESENTATIVE DISTRICT FIFTEEN.--

4 Representative district fifteen is composed of Bernalillo  
5 county precincts 4 through 10, 12, 13, 16 through 18, 83, 86,  
6 108, 110, 410, 418 and 422.

7 SECTION 22. REPRESENTATIVE DISTRICT SIXTEEN.--

8 Representative district sixteen is composed of Bernalillo  
9 county precincts 23, 27 through 29, 34, 38, 40, 55, 70, 119,  
10 120 and 136.

11 SECTION 23. REPRESENTATIVE DISTRICT SEVENTEEN.--

12 Representative district seventeen is composed of Bernalillo  
13 county precincts 11, 14, 15, 30, 180 through 185, 191 through  
14 196, 347, 438 and 455.

15 SECTION 24. REPRESENTATIVE DISTRICT EIGHTEEN.--

16 Representative district eighteen is composed of Bernalillo  
17 county precincts 101, 102, 104, 214 through 217, 223, 224, 226,  
18 241 through 246, 251, 252, 256, 341 through 346, 351 through  
19 358, 381 and 382.

20 SECTION 25. REPRESENTATIVE DISTRICT NINETEEN.--

21 Representative district nineteen is composed of Bernalillo  
22 county precincts 253 through 255, 257, 258, 271 through 275,  
23 278, 281 through 287, 311 and 312.

24 SECTION 26. REPRESENTATIVE DISTRICT TWENTY.--

25 Representative district twenty is composed of Bernalillo county  
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1 precincts 289, 290, 293, 294, 296 through 300, 305, 306, 324,  
2 328, 330 through 333 and 550.

3 SECTION 27. REPRESENTATIVE DISTRICT TWENTY-ONE.--

4 Representative district twenty-one is composed of Bernalillo  
5 county precincts 291, 292, 316, 318, 321 through 323, 326, 327,  
6 329, 475 through 478 and 542 through 544.

7 SECTION 28. REPRESENTATIVE DISTRICT TWENTY-TWO.--

8 Representative district twenty-two is composed of Bernalillo  
9 county precincts 295, 301 through 304, 552 through 559 and 570  
10 through 573; and Sandoval county precincts 5, 28, 55, 56 and  
11 76.

12 SECTION 29. REPRESENTATIVE DISTRICT TWENTY-THREE.--

13 Representative district twenty-three is composed of Bernalillo  
14 county precincts 2, 3, 68, 69, 78, 84, 87, 89, 116, 170 and  
15 171; and Sandoval county precincts 12, 33 and 57.

16 SECTION 30. REPRESENTATIVE DISTRICT TWENTY-FOUR.--

17 Representative district twenty-four is composed of Bernalillo  
18 county precincts 429, 453, 454, 461 through 465, 495, 502  
19 through 504, 506 through 509, 514 through 516, 520 through 524,  
20 528, 531 and 562.

21 SECTION 31. REPRESENTATIVE DISTRICT TWENTY-FIVE.--

22 Representative district twenty-five is composed of Bernalillo  
23 county precincts 313 through 315, 317, 371 through 375, 383  
24 through 387, 401, 411 through 417, 431 through 437 and 441  
25 through 446.

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1           **SECTION 32. REPRESENTATIVE DISTRICT TWENTY-SIX.--**

2 Representative district twenty-six is composed of Bernalillo  
3 county precincts 20 through 22, 24 through 26, 57, 81, 82, 111  
4 through 114 and 134.

5           **SECTION 33. REPRESENTATIVE DISTRICT TWENTY-SEVEN.--**

6 Representative district twenty-seven is composed of Bernalillo  
7 county precincts 407, 423 through 425, 448, 450, 456, 482, 484  
8 through 490, 510, 529, 538, 568 and 601.

9           **SECTION 34. REPRESENTATIVE DISTRICT TWENTY-EIGHT.--**

10 Representative district twenty-eight is composed of Bernalillo  
11 county precincts 307, 308, 471 through 474, 480, 505, 517  
12 through 519, 525 through 527, 530, 532 through 536, 540, 545  
13 through 549, 561 and 564 through 566.

14           **SECTION 35. REPRESENTATIVE DISTRICT TWENTY-NINE.--**

15 Representative district twenty-nine is composed of Bernalillo  
16 county precincts 1, 19, 79, 80, 85, 115, 117, 118 and 127  
17 through 129.

18           **SECTION 36. REPRESENTATIVE DISTRICT THIRTY.--**

19 Representative district thirty is composed of Bernalillo county  
20 precincts 400, 402 through 406, 408, 409, 419 through 421, 439,  
21 440, 466, 481, 491 through 494, 496 through 500 and 511 through  
22 513.

23           **SECTION 37. REPRESENTATIVE DISTRICT THIRTY-ONE.--**

24 Representative district thirty-one is composed of Bernalillo  
25 county precincts 426 through 428, 430, 447, 449, 451, 452, 483,

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1 537, 539, 541, 560, 563, 569, 602 and 603.

2 SECTION 38. REPRESENTATIVE DISTRICT THIRTY-TWO.--

3 Representative district thirty-two is composed of Dona Ana  
4 county precincts 19, 21, 82, 98, 100 and 107; and Luna county  
5 precincts 4 through 6, 8 and 10 through 14.

6 SECTION 39. REPRESENTATIVE DISTRICT THIRTY-THREE.--

7 Representative district thirty-three is composed of Dona Ana  
8 county precincts 18, 23, 31, 37 through 40, 49, 53 through 58,  
9 78, 101 and 108.

10 SECTION 40. REPRESENTATIVE DISTRICT THIRTY-FOUR.--

11 Representative district thirty-four is composed of Dona Ana  
12 county precincts 8, 13 through 17, 96 and 97.

13 SECTION 41. REPRESENTATIVE DISTRICT THIRTY-FIVE.--

14 Representative district thirty-five is composed of Dona Ana  
15 county precincts 27 through 30, 32 through 36, 41 through 48,  
16 50 through 52, 68, 72 and 91 through 94.

17 SECTION 42. REPRESENTATIVE DISTRICT THIRTY-SIX.--

18 Representative district thirty-six is composed of Dona Ana  
19 county precincts 1 through 4, 20, 22, 24, 25, 60, 63, 84  
20 through 88, 90, 95, 99, 111 and 115.

21 SECTION 43. REPRESENTATIVE DISTRICT THIRTY-SEVEN.--

22 Representative district thirty-seven is composed of Dona Ana  
23 county precincts 26, 59, 61, 67, 69, 83, 89, 102, 103, 106,  
24 109, 112, 113 and 116.

25 SECTION 44. REPRESENTATIVE DISTRICT THIRTY-EIGHT.--

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1 Representative district thirty-eight is composed of Catron  
2 county; Grant county precincts 1 through 7, 12 through 15, 19  
3 and 35; Sierra county; and Socorro county precincts 13, 14 and  
4 26.

5 **SECTION 45. REPRESENTATIVE DISTRICT THIRTY-NINE.--**

6 Representative district thirty-nine is composed of Grant county  
7 precincts 8 through 11, 16 through 18 and 20 through 34;  
8 Hidalgo county; and Luna county precincts 1 through 3.

9 **SECTION 46. REPRESENTATIVE DISTRICT FORTY.--**

10 Representative district forty is composed of Mora county  
11 precincts 2 and 4 through 6; Rio Arriba county precincts 2  
12 through 6, 13 through 17, 37 and 41; San Miguel county  
13 precincts 9, 23 and 24; Santa Fe county precincts 1 through 4  
14 and 79; and Taos county precincts 20, 22 through 32 and 36.

15 **SECTION 47. REPRESENTATIVE DISTRICT FORTY-ONE.--**

16 Representative district forty-one is composed of Rio Arriba  
17 county precincts 1, 7 through 12, 18 through 23, 25 through 28,  
18 30 through 36, 38 through 40 and 42; Sandoval county precincts  
19 21 through 23; and Santa Fe county precinct 58.

20 **SECTION 48. REPRESENTATIVE DISTRICT FORTY-TWO.--**

21 Representative district forty-two is composed of Taos county  
22 precincts 1 through 19, 21 and 33 through 35.

23 **SECTION 49. REPRESENTATIVE DISTRICT FORTY-THREE.--**

24 Representative district forty-three is composed of Los Alamos  
25 county; Sandoval county precincts 7, 10, 16 through 18, 51, 78

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1 and 79; and Santa Fe county precincts 5, 12, 40 and 62.

2 **SECTION 50. REPRESENTATIVE DISTRICT FORTY-FOUR.--**

3 Representative district forty-four is composed of Sandoval  
4 county precincts 11, 13, 32, 34 through 39, 52 through 54, 59  
5 through 62, 67, 80 and 83.

6 **SECTION 51. REPRESENTATIVE DISTRICT FORTY-FIVE.--**

7 Representative district forty-five is composed of Santa Fe  
8 county precincts 29, 37, 38, 49 through 51, 54, 56, 75 through  
9 78 and 86.

10 **SECTION 52. REPRESENTATIVE DISTRICT FORTY-SIX.--**

11 Representative district forty-six is composed of Santa Fe  
12 county precincts 6 through 8, 11, 20, 21, 23, 31, 34, 59  
13 through 61, 64, 80, 82, 83 and 87.

14 **SECTION 53. REPRESENTATIVE DISTRICT FORTY-SEVEN.--**

15 Representative district forty-seven is composed of Santa Fe  
16 county precincts 9, 10, 13, 14, 30, 45 through 48, 55, 63, 65,  
17 68 through 71, 81 and 88.

18 **SECTION 54. REPRESENTATIVE DISTRICT FORTY-EIGHT.--**

19 Representative district forty-eight is composed of Santa Fe  
20 county precincts 22, 24 through 28, 32, 33, 35, 36, 39, 41  
21 through 44, 52, 53, 66, 67 and 74.

22 **SECTION 55. REPRESENTATIVE DISTRICT FORTY-NINE.--**

23 Representative district forty-nine is composed of Socorro  
24 county precincts 1 through 12 and 16 through 25; and Valencia  
25 county precincts 20, 26, 27, 29 through 31, 33 through 35 and

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2 SECTION 56. REPRESENTATIVE DISTRICT FIFTY.--

3 Representative district fifty is composed of Bernalillo county  
4 precinct 551; Santa Fe county precincts 15, 16, 18, 19, 72, 73,  
5 84 and 85; and Torrance county precincts 1 through 10 and 13  
6 through 16.

7 SECTION 57. REPRESENTATIVE DISTRICT FIFTY-ONE.--

8 Representative district fifty-one is composed of Otero county  
9 precincts 15 through 20, 22, 23, 25 through 27, 30 through 37  
10 and 39.

11 SECTION 58. REPRESENTATIVE DISTRICT FIFTY-TWO.--

12 Representative district fifty-two is composed of Dona Ana  
13 county precincts 7, 9 through 12, 70, 71, 73, 74, 77, 79  
14 through 81, 104, 110, 114 and 120.

15 SECTION 59. REPRESENTATIVE DISTRICT FIFTY-THREE.--

16 Representative district fifty-three is composed of Dona Ana  
17 county precincts 5, 6, 62, 64 through 66, 75, 76, 105 and 117  
18 through 119.

19 SECTION 60. REPRESENTATIVE DISTRICT FIFTY-FOUR.--

20 Representative district fifty-four is composed of Eddy county  
21 precincts 3 through 8, 13, 15, 29, 30, 34, 35 and 38 through  
22 41; and Otero county precincts 1 through 3 and 41.

23 SECTION 61. REPRESENTATIVE DISTRICT FIFTY-FIVE.--

24 Representative district fifty-five is composed of Eddy county  
25 precincts 9 through 12, 14, 16 through 21, 23, 25 through 28,

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1 32, 33, 36, 37, 42, 44 and 45.

2 SECTION 62. REPRESENTATIVE DISTRICT FIFTY-SIX.--

3 Representative district fifty-six is composed of Lincoln county  
4 precincts 1 through 14 and 16 through 21; and Otero county  
5 precincts 11 through 14 and 38.

6 SECTION 63. REPRESENTATIVE DISTRICT FIFTY-SEVEN.--

7 Representative district fifty-seven is composed of Chaves  
8 county precincts 2 through 5, 7, 9 through 13, 16, 22 through  
9 24, 31 through 35, 81 and 82; De Baca county; and Guadalupe  
10 county precincts 1, 2 and 4.

11 SECTION 64. REPRESENTATIVE DISTRICT FIFTY-EIGHT.--

12 Representative district fifty-eight is composed of Chaves  
13 county precincts 47, 61 through 63, 71 through 73, 85, 90, 91  
14 and 101 through 103; Eddy county precincts 1 and 2; and Lea  
15 county precincts 11, 13 and 14.

16 SECTION 65. REPRESENTATIVE DISTRICT FIFTY-NINE.--

17 Representative district fifty-nine is composed of Chaves county  
18 precincts 21, 36, 83, 84, 92 through 94 and 104; Lincoln county  
19 precinct 15; and Otero county precincts 4 through 10, 21, 24,  
20 28, 29 and 40.

21 SECTION 66. REPRESENTATIVE DISTRICT SIXTY.--

22 Representative district sixty is composed of Sandoval county  
23 precincts 30, 31, 40 through 46, 48, 49, 70, 72, 73, 81, 85 and  
24 86.

25 SECTION 67. REPRESENTATIVE DISTRICT SIXTY-ONE.--

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1 Representative district sixty-one is composed of Lea county  
2 precincts 10, 12, 15 through 18, 35, 36, 51 through 55, 61, 62  
3 and 71 through 74.

4       **SECTION 68. REPRESENTATIVE DISTRICT SIXTY-TWO.--**  
5 Representative district sixty-two is composed of Lea county  
6 precincts 20 through 34 and 41 through 44.

7       **SECTION 69. REPRESENTATIVE DISTRICT SIXTY-THREE.--**  
8 Representative district sixty-three is composed of Sandoval  
9 county precincts 47, 50, 58, 63 through 66, 68, 69, 71, 75, 82  
10 and 84.

11       **SECTION 70. REPRESENTATIVE DISTRICT SIXTY-FOUR.--**  
12 Representative district sixty-four is composed of Curry county  
13 precincts 10 through 15, 17 through 24, 31, 32 and 37.

14       **SECTION 71. REPRESENTATIVE DISTRICT SIXTY-FIVE.--**  
15 Representative district sixty-five is composed of Bernalillo  
16 county precinct 567; McKinley county precinct 12; Rio Arriba  
17 county precincts 24 and 29; and Sandoval county precincts 1  
18 through 4, 6, 8, 9, 14, 15, 19, 20, 24 through 27, 29 and 74.

19       **SECTION 72. REPRESENTATIVE DISTRICT SIXTY-SIX.--**  
20 Representative district sixty-six is composed of Chaves county  
21 precincts 1, 6, 14, 15, 25, 41 through 46, 51 and 52; Lea  
22 county precincts 2 and 3; and Roosevelt county precincts 2  
23 through 5, 9 through 13, 15, 19 and 21.

24       **SECTION 73. REPRESENTATIVE DISTRICT SIXTY-SEVEN.--**  
25 Representative district sixty-seven is composed of Curry county

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1       precincts 1 through 9, 16, 25 through 30 and 33 through 36;  
2       Quay county precincts 1 through 4 and 6; and Roosevelt county  
3       precincts 1, 6 through 8, 17 and 18.

4               **SECTION 74. REPRESENTATIVE DISTRICT SIXTY-EIGHT.--**  
5       Representative district sixty-eight is composed of Colfax  
6       county; Harding county; Mora county precincts 1, 3 and 7  
7       through 11; Quay county precincts 5 and 7 through 12; San  
8       Miguel county precinct 15; and Union county.

9               **SECTION 75. REPRESENTATIVE DISTRICT SIXTY-NINE.--**  
10       Representative district sixty-nine is composed of Bernalillo  
11       county precincts 31, 88 and 93; Cibola county precincts 2  
12       through 4, 9 through 12 and 16 through 25; McKinley county  
13       precinct 14; Socorro county precinct 15; and Valencia county  
14       precinct 13.

15               **SECTION 76. REPRESENTATIVE DISTRICT SEVENTY.--**  
16       Representative district seventy is composed of Guadalupe county  
17       precincts 3 and 5; San Miguel county precincts 1 through 8, 10  
18       through 14, 16 through 22 and 25 through 28; Santa Fe county  
19       precincts 17 and 57; and Tarrant county precincts 11 and 12.

20               **SECTION 77. ELECTION OF REPRESENTATIVES.--**Representatives  
21       shall be elected from the districts described in the 2011 House  
22       Redistricting Act at the 2012 and subsequent general elections.

23               **SECTION 78. TEMPORARY PROVISION--COMPILATION**  
24       **INSTRUCTIONS.--**The compiler shall remove from the NMSA 1978 the  
25       provisions of Section 2-7D-1 NMSA 1978 (copy of state house of  
      .186983.1

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1 representative districts established by Final Judgment and  
2 Order in *Jepsen v. Vigil-Giron*, D-0101-CV-2001-02177 (1st Dist.  
3 Ct., filed January 28, 2002)).

4 SECTION 79. REPEAL.--Sections 2-7C-1 through 2-7C-78 NMSA  
5 1978 (being Laws 1991 (1st S.S.), Chapter 2, Sections 1 through  
6 78) are repealed.