

HOUSE VOTERS AND ELECTIONS COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 39

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

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.

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 28  
4 through 34, 39, 41, 42, 44, 46 through 49 and 57 through 59.

5 SECTION 8. REPRESENTATIVE DISTRICT TWO.--Representative  
6 district two is composed of San Juan county precincts 35  
7 through 38, 40, 43, 45, 50 through 56, 68 and 70.

8 SECTION 9. REPRESENTATIVE DISTRICT THREE.--Representative  
9 district three is composed of San Juan county precincts 60  
10 through 67, 69 and 71 through 77.

11 SECTION 10. REPRESENTATIVE DISTRICT FOUR.--Representative  
12 district four is composed of San Juan county precincts 1  
13 through 11, 21 through 23 and 25 through 27.

14 SECTION 11. REPRESENTATIVE DISTRICT FIVE.--Representative  
15 district five is composed of McKinley county precincts 5, 8  
16 through 10, 13, 19, 23, 36, 43, 44, 46 through 49, 55 and 56;  
17 and San Juan county precincts 12 through 14, 17, 18, 20 and 24.

18 SECTION 12. REPRESENTATIVE DISTRICT SIX.--Representative  
19 district six is composed of Cibola county precincts 1, 5, 7, 8  
20 and 13 through 15; and McKinley county precincts 15, 17, 18, 24  
21 through 30 and 52 through 54.

22 SECTION 13. REPRESENTATIVE DISTRICT SEVEN.--  
23 Representative district seven is composed of Valencia county  
24 precincts 4 through 6, 8 through 11, 14 through 16, 18, 22, 24,  
25 28, 32 and 36.

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1           **SECTION 14. REPRESENTATIVE DISTRICT EIGHT.--**

2 Representative district eight is composed of Valencia county  
3 precincts 2, 3, 7, 12, 17, 19, 21, 23, 25, 26, 31, 35, 37, 40  
4 and 41.

5           **SECTION 15. REPRESENTATIVE DISTRICT NINE.--**Representative

6 district nine is composed of McKinley county precincts 1  
7 through 4, 6, 7, 20 through 22, 31 through 35, 37 through 42,  
8 45, 50 and 57 through 59.

9           **SECTION 16. REPRESENTATIVE DISTRICT TEN.--**Representative

10 district ten is composed of Bernalillo county precincts 75  
11 through 77, 88, 90 through 92, 94 through 99, 103, 105, 106 and  
12 109.

13           **SECTION 17. REPRESENTATIVE DISTRICT ELEVEN.--**

14 Representative district eleven is composed of Bernalillo county  
15 precincts 35 through 37, 39, 121 through 125, 131, 132, 150  
16 through 154, 161 through 166, 186, 187, 211, 212 and 221.

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 33, 43, 45 through 48, 50, 51, 61 through 67,  
2 135 and 139.

3 SECTION 21. REPRESENTATIVE DISTRICT FIFTEEN.--

4 Representative district fifteen is composed of Bernalillo  
5 county precincts 4 through 10, 12 through 14, 16 through 18,  
6 21, 83, 86, 108, 110 and 114.

7 SECTION 22. REPRESENTATIVE DISTRICT SIXTEEN.--

8 Representative district sixteen is composed of Bernalillo  
9 county precincts 29, 32, 34, 38, 40, 55, 57, 70, 81, 127, 134  
10 and 136.

11 SECTION 23. REPRESENTATIVE DISTRICT SEVENTEEN.--

12 Representative district seventeen is composed of Bernalillo  
13 county precincts 11, 15, 30, 180 through 185, 191 through 197,  
14 347, 436 through 438 and 455.

15 SECTION 24. REPRESENTATIVE DISTRICT EIGHTEEN.--

16 Representative district eighteen is composed of Bernalillo  
17 county precincts 101, 102, 104, 133, 214 through 217, 223  
18 through 226, 241 through 246, 251, 252, 256, 341 through 343,  
19 345, 346, 351 through 353, 355 through 358, 381 and 382.

20 SECTION 25. REPRESENTATIVE DISTRICT NINETEEN.--

21 Representative district nineteen is composed of Bernalillo  
22 county precincts 107, 253 through 255, 257, 271 through 275,  
23 278, 281 through 287, 311, 312, 315, 383 and 384.

24 SECTION 26. REPRESENTATIVE DISTRICT TWENTY.--

25 Representative district twenty is composed of Bernalillo county  
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1 precincts 289, 290, 294 through 299, 301, 305, 306, 324, 328,  
2 332, 333 and 546 through 550.

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

4 Representative district twenty-one is composed of Bernalillo  
5 county precincts 291 through 293, 300, 318, 321 through 323,  
6 326, 327, 329 through 331 and 475 through 478.

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

8 Representative district twenty-two is composed of Bernalillo  
9 county precincts 258, 302 through 304, 307, 553 through 559,  
10 570, 572 and 573; and Santa Fe county precincts 18, 73, 84 and  
11 85.

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

13 Representative district twenty-three is composed of Bernalillo  
14 county precincts 2, 3, 78 and 171; and Sandoval county  
15 precincts 11 through 13, 30 through 33, 35, 36, 54, 57, 72 and  
16 81.

17 **SECTION 30. REPRESENTATIVE DISTRICT TWENTY-FOUR.--**

18 Representative district twenty-four is composed of Bernalillo  
19 county precincts 453, 462 through 465, 471 through 474, 502  
20 through 508, 514, 522, 531 through 536, 542 through 545 and  
21 562.

22 **SECTION 31. REPRESENTATIVE DISTRICT TWENTY-FIVE.--**

23 Representative district twenty-five is composed of Bernalillo  
24 county precincts 313, 314, 316, 317, 344, 354, 371 through 375,  
25 385 through 387, 401, 403, 411 through 417, 431 through 435,

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1 441 through 446 and 491.

2 SECTION 32. REPRESENTATIVE DISTRICT TWENTY-SIX.--

3 Representative district twenty-six is composed of Bernalillo  
4 county precincts 20, 22 through 28, 82, 111 through 113, 119  
5 and 120.

6 SECTION 33. REPRESENTATIVE DISTRICT TWENTY-SEVEN.--

7 Representative district twenty-seven is composed of Bernalillo  
8 county precincts 407, 410, 418, 419, 421 through 425, 448, 456,  
9 485 through 490, 510 and 601.

10 SECTION 34. REPRESENTATIVE DISTRICT TWENTY-EIGHT.--

11 Representative district twenty-eight is composed of Bernalillo  
12 county precincts 308, 428 through 430, 452, 454, 480, 515  
13 through 521, 524 through 528, 530, 540, 561, 564 through 566  
14 and 603.

15 SECTION 35. REPRESENTATIVE DISTRICT TWENTY-NINE.--

16 Representative district twenty-nine is composed of Bernalillo  
17 county precincts 19, 68, 69, 79, 80, 84, 85, 87, 89, 116, 128,  
18 129 and 170.

19 SECTION 36. REPRESENTATIVE DISTRICT THIRTY.--

20 Representative district thirty is composed of Bernalillo county  
21 precincts 400, 402, 404 through 406, 408, 409, 420, 439, 440,  
22 461, 466, 481, 484, 492 through 500, 509, 511 through 513 and  
23 523.

24 SECTION 37. REPRESENTATIVE DISTRICT THIRTY-ONE.--

25 Representative district thirty-one is composed of Bernalillo

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1 county precincts 426, 427, 447, 449 through 451, 482, 483, 529,  
2 537 through 539, 541, 560, 563, 567 through 569 and 602.

3 **SECTION 38. REPRESENTATIVE DISTRICT THIRTY-TWO.--**

4 Representative district thirty-two is composed of Grant county  
5 precinct 31; Hidalgo county precincts 2, 3, 5 and 6; and Luna  
6 county.

7 **SECTION 39. REPRESENTATIVE DISTRICT THIRTY-THREE.--**

8 Representative district thirty-three is composed of Dona Ana  
9 county precincts 18, 19, 31, 37 through 40, 49, 54 through 58,  
10 78, 82, 98, 101 and 108.

11 **SECTION 40. REPRESENTATIVE DISTRICT THIRTY-FOUR.--**

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

14 **SECTION 41. REPRESENTATIVE DISTRICT THIRTY-FIVE.--**

15 Representative district thirty-five is composed of Dona Ana  
16 county precincts 24, 25, 27 through 30, 32 through 36, 41  
17 through 48, 50 through 53 and 91 through 94.

18 **SECTION 42. REPRESENTATIVE DISTRICT THIRTY-SIX.--**

19 Representative district thirty-six is composed of Dona Ana  
20 county precincts 1 through 4, 20 through 23, 60, 63, 84 through  
21 88, 90, 100, 107, 111 and 115.

22 **SECTION 43. REPRESENTATIVE DISTRICT THIRTY-SEVEN.--**

23 Representative district thirty-seven is composed of Dona Ana  
24 county precincts 26, 59, 61, 67 through 69, 83, 89, 99, 102,  
25 103, 112 and 116 through 118.

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1           **SECTION 44. REPRESENTATIVE DISTRICT THIRTY-EIGHT.--**

2       Representative district thirty-eight is composed of Catron  
3       county; Dona Ana county precincts 62, 65, 95, 105 and 109;  
4       Grant county precincts 1, 6 and 35; Hidalgo county precinct 4;  
5       Sierra county; and Socorro county precincts 11, 13, 14 and 26.

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

7       Representative district thirty-nine is composed of Grant county  
8       precincts 2 through 5, 7 through 30 and 32 through 34; and  
9       Hidalgo county precinct 1.

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

11       Representative district forty is composed of Mora county  
12       precincts 1, 2, 4 and 5; Rio Arriba county precincts 2 through  
13       5, 13 through 17, 37, 40 and 41; San Miguel county precincts 22  
14       through 24; Santa Fe county precincts 4 and 58; and Taos county  
15       precincts 20, 23 through 25, 27, 28, 30 through 32, 34 and 36.

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

17       Representative district forty-one is composed of Rio Arriba  
18       county precincts 1, 6 through 12, 18 through 23, 25 through 28,  
19       30 through 36, 38, 39 and 42; Sandoval county precincts 16  
20       through 18, 21 through 23, 78 and 79; Santa Fe county precinct  
21       40; and Taos county precincts 1 and 22.

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

23       Representative district forty-two is composed of Colfax county  
24       precinct 1; and Taos county precincts 5 through 19, 21, 26, 29,  
25       33 and 35.

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

2 Representative district forty-three is composed of Los Alamos  
3 county; Sandoval county precincts 7 and 51; and Santa Fe county  
4 precincts 12 and 86.

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

6 Representative district forty-four is composed of Sandoval  
7 county precincts 34, 37 through 39, 48, 52, 53, 58 through 62,  
8 64, 65, 73, 74, 82 and 83.

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

10 Representative district forty-five is composed of Santa Fe  
11 county precincts 29, 37, 38, 51, 53, 54, 56, 64, 75 through 78  
12 and 80.

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

14 Representative district forty-six is composed of Santa Fe  
15 county precincts 1 through 3, 5 through 8, 11, 20, 21, 23, 25,  
16 31, 33, 59 through 61, 79, 82, 83 and 87.

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

18 Representative district forty-seven is composed of Santa Fe  
19 county precincts 9, 10, 13, 22, 28, 30, 36, 46 through 48, 55,  
20 57, 63, 65, 68 through 71 and 81.

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

22 Representative district forty-eight is composed of Santa Fe  
23 county precincts 24, 26, 27, 32, 34, 35, 39, 41 through 45, 49,  
24 50, 52, 66, 67 and 74.

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

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1 Representative district forty-nine is composed of Socorro  
2 county precincts 1 through 10, 12 and 16 through 25; and  
3 Valencia county precincts 1, 20, 27, 29, 30, 33, 34, 38 and 39.

4 SECTION 56. REPRESENTATIVE DISTRICT FIFTY.--

5 Representative district fifty is composed of Bernalillo county  
6 precincts 551, 552 and 571; Sandoval county precincts 5, 6, 28,  
7 55, 56 and 76; Santa Fe county precincts 14 through 17, 19, 62,  
8 72 and 88; and Torrance county precincts 5, 6, 13 and 16.

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

10 Representative district fifty-one is composed of Otero county  
11 precincts 2, 15 through 20, 22, 26, 27 and 29 through 37.

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

13 Representative district fifty-two is composed of Dona Ana  
14 county precincts 7, 9 through 12, 70 through 73, 77, 79, 81,  
15 104, 106, 110, 113, 114 and 120.

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

17 Representative district fifty-three is composed of Dona Ana  
18 county precincts 5, 6, 64, 66, 74 through 76, 80 and 119; and  
19 Otero county precincts 1 and 41.

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

21 Representative district fifty-four is composed of Chaves county  
22 precinct 104; Eddy county precincts 1 through 8, 10, 11, 13,  
23 29, 34, 35 and 38 through 40; and Otero county precincts 3  
24 through 8.

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

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1 Representative district fifty-five is composed of Eddy county  
2 precincts 9, 12, 14 through 21, 23, 25 through 28, 30, 32, 33,  
3 36, 37, 42, 44 and 45.

4 **SECTION 62. REPRESENTATIVE DISTRICT FIFTY-SIX.--**

5 Representative district fifty-six is composed of Lincoln county  
6 precincts 1 through 14 and 16 through 21; and Otero county  
7 precincts 10, 12 through 14 and 38.

8 **SECTION 63. REPRESENTATIVE DISTRICT FIFTY-SEVEN.--**

9 Representative district fifty-seven is composed of Chaves  
10 county precincts 1 through 7, 9 through 16, 24, 25, 32 through  
11 34, 41, 44 through 47 and 83; De Baca county precinct 2; and  
12 Roosevelt county precincts 5 and 19.

13 **SECTION 64. REPRESENTATIVE DISTRICT FIFTY-EIGHT.--**

14 Representative district fifty-eight is composed of Chaves  
15 county precincts 42, 43, 51, 52, 61 through 63, 71 through 73,  
16 81, 90 through 92, 94 and 101 through 103; and Eddy county  
17 precinct 41.

18 **SECTION 65. REPRESENTATIVE DISTRICT FIFTY-NINE.--**

19 Representative district fifty-nine is composed of Chaves county  
20 precincts 21 through 23, 31, 35, 36, 82, 84, 85 and 93; Lincoln  
21 county precinct 15; and Otero county precincts 9, 11, 21, 23  
22 through 25, 28, 39 and 40.

23 **SECTION 66. REPRESENTATIVE DISTRICT SIXTY.--**

24 Representative district sixty is composed of Bernalillo county  
25 precincts 1, 115, 117 and 118; and Sandoval county precincts 40

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1 through 45, 49, 85 and 86.

2           **SECTION 67. REPRESENTATIVE DISTRICT SIXTY-ONE.--**

3 Representative district sixty-one is composed of Lea county  
4 precincts 11 through 17, 35, 36, 52 through 55, 62 and 71  
5 through 74.

6           **SECTION 68. REPRESENTATIVE DISTRICT SIXTY-TWO.--**

7 Representative district sixty-two is composed of Lea county  
8 precincts 20, 22 through 25, 27 through 34, 41 through 44, 51  
9 and 61.

10           **SECTION 69. REPRESENTATIVE DISTRICT SIXTY-THREE.--**

11 Representative district sixty-three is composed of Curry county  
12 precincts 5 through 9, 25, 26, 28, 29 and 36; De Baca county  
13 precincts 1, 3 and 4; Guadalupe county; Quay county precincts  
14 1, 7, 9 and 11; and Roosevelt county precincts 6 through 8 and  
15 17.

16           **SECTION 70. REPRESENTATIVE DISTRICT SIXTY-FOUR.--**

17 Representative district sixty-four is composed of Curry county  
18 precincts 10 through 15, 17 through 24, 31, 32 and 37.

19           **SECTION 71. REPRESENTATIVE DISTRICT SIXTY-FIVE.--**

20 Representative district sixty-five is composed of Rio Arriba  
21 county precincts 24 and 29; San Juan county precincts 16 and  
22 19; and Sandoval county precincts 1 through 4, 8 through 10,  
23 14, 15, 19, 20, 24 through 27 and 29.

24           **SECTION 72. REPRESENTATIVE DISTRICT SIXTY-SIX.--**

25 Representative district sixty-six is composed of Sandoval

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1 county precincts 46, 47, 50, 63, 66 through 71, 75, 80 and 84.

2 **SECTION 73. REPRESENTATIVE DISTRICT SIXTY-SEVEN.--**

3 Representative district sixty-seven is composed of Curry county  
4 precincts 1 through 4, 16, 27, 30 and 33 through 35; Lea county  
5 precincts 2, 3, 10, 18, 21 and 26; Quay county precincts 2  
6 through 4; and Roosevelt county precincts 1 through 4, 9  
7 through 13, 15, 18 and 21.

8 **SECTION 74. REPRESENTATIVE DISTRICT SIXTY-EIGHT.--**

9 Representative district sixty-eight is composed of Colfax  
10 county precincts 2 through 5, 7 and 10 through 22; Harding  
11 county; Mora county precincts 3 and 6 through 11; Quay county  
12 precincts 5, 6, 8 and 10; San Miguel county precincts 2, 6, 9,  
13 10, 12 and 25; Taos county precincts 2 through 4; and Union  
14 county.

15 **SECTION 75. REPRESENTATIVE DISTRICT SIXTY-NINE.--**

16 Representative district sixty-nine is composed of Bernalillo  
17 county precincts 31 and 93; Cibola county precincts 2 through  
18 4, 6, 9 through 12 and 16 through 25; McKinley county precincts  
19 11, 12, 14 and 16; San Juan county precinct 15; Socorro county  
20 precinct 15; and Valencia county precinct 13.

21 **SECTION 76. REPRESENTATIVE DISTRICT SEVENTY.--**

22 Representative district seventy is composed of Quay county  
23 precinct 12; San Miguel county precincts 1, 3 through 5, 7, 8,  
24 11, 13 through 21 and 26 through 28; and Torrance county  
25 precincts 1 through 4, 7 through 12, 14 and 15.

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1           SECTION 77. ELECTION OF REPRESENTATIVES.--Representatives  
2 shall be elected from the districts described in the 2011 House  
3 Redistricting Act at the 2012 and subsequent general elections.

4           SECTION 78. TEMPORARY PROVISION--COMPILATION  
5 INSTRUCTIONS.--The compiler shall remove from the NMSA 1978 the  
6 provisions of Section 2-7D-1 NMSA 1978 (copy of state house of  
7 representative districts established by Final Judgment and  
8 Order in *Jepsen v. Vigil-Giron*, D-0101-CV-2001-02177 (1st Dist.  
9 Ct., filed January 28, 2002)).

10           SECTION 79. REPEAL.--Sections 2-7C-1 through 2-7C-78 NMSA  
11 1978 (being Laws 1991 (1st S.S.), Chapter 2, Sections 1 through  
12 78) are repealed.

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