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HOUSE BILL 41

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

INTRODUCED BY

James E. Smith

AN ACT

RELATING TO THE REDISTRICTING OF THE PUBLIC REGULATION  
COMMISSION; ESTABLISHING PUBLIC REGULATION COMMISSION DISTRICTS  
FOR THE ELECTION OF PUBLIC REGULATION COMMISSIONERS; PROVIDING  
FOR THE ELECTION AND APPOINTMENT OF PUBLIC REGULATION  
COMMISSIONERS; SETTING PRECINCTS; 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, as amended) 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~~

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1 ~~initially serve terms of two years and three commission members~~  
2 ~~shall serve terms of four years. Thereafter, all]~~ Commission  
3 members shall serve four-year terms; provided that, after  
4 serving two consecutive terms, a commission member shall be  
5 ineligible to hold office as a commission member until one full  
6 term has intervened.

7 B. The governor shall by appointment fill vacancies  
8 on the public regulation commission. An appointment to fill a  
9 vacancy on the public regulation commission shall be for a term  
10 ending on December 31 after the next general election, at which  
11 election a person shall be elected to fill any remainder of the  
12 unexpired term.

13 C. An appointment to fill a vacancy on the public  
14 regulation commission made before the general election of  
15 ~~[2002]~~ 2012 shall be made from the district as it was described  
16 in Laws ~~[1997, Chapter 262, Sections 6 through 10]~~ 2001 (1st  
17 S.S.), Chapter 3, Sections 3 through 7. After the general  
18 election of ~~[2002]~~ 2012, a vacancy shall be filled by  
19 appointment from the district set out in Sections 8-7-6 through  
20 8-7-10 NMSA 1978."

21 SECTION 2. Section 8-7-5 NMSA 1978 (being Laws 1997,  
22 Chapter 262, Section 5, as amended) 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

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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 August 31, [~~2001~~] 2011.

4 B. A board of county commissioners shall not create  
5 any precinct that lies in more than one public regulation  
6 commission district and shall not divide any precinct so that  
7 the divided parts of the precinct are situated in two or more  
8 public regulation commission districts. Votes cast in a  
9 [~~statewide~~] public regulation commission election from  
10 precincts created or divided in violation of this subsection  
11 are invalid and shall not be counted or canvassed."

12 SECTION 3. Section 8-7-6 NMSA 1978 (being Laws 2001 (1st  
13 S.S.), Chapter 3, Section 3) is repealed and a new Section  
14 8-7-6 NMSA 1978 is enacted to read:

15 "8-7-6. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
16 DISTRICT ONE.--Public regulation commission district one is  
17 composed of Bernalillo county precincts 32 through 38, 40  
18 through 56, 58 through 67, 71 through 77, 88, 90 through 99,  
19 101 through 107, 109, 121 through 125, 131 through 133, 135  
20 through 144, 153, 154, 161 through 166, 211, 212, 214 through  
21 217, 221, 223 through 226, 241 through 246, 251 through 257,  
22 271 through 275, 278, 281 through 287, 311 through 318, 321  
23 through 323, 326, 327, 341 through 345, 351 through 358, 371  
24 through 375, 381 through 387, 411 through 413, 441 and 475  
25 through 478; Catron county; Grant county; Hidalgo county; Luna

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1 county; Sierra county; Socorro county precincts 1 through 14  
2 and 16 through 26; and Valencia county."

3 SECTION 4. Section 8-7-7 NMSA 1978 (being Laws 2001 (1st  
4 S.S.), Chapter 3, Section 4) is repealed and a new Section  
5 8-7-7 NMSA 1978 is enacted to read:

6 "8-7-7. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
7 DISTRICT TWO.--Public regulation commission district two is  
8 composed of Bernalillo county precincts 258, 289 through 308,  
9 324, 328 through 333, 454, 480, 503 through 507, 514 through  
10 522, 524 through 528, 530 through 536, 540, 542 through 559,  
11 561, 564 through 566 and 570 through 573; Chaves county  
12 precincts 1 through 7, 9 through 16, 21 through 25, 31 through  
13 36, 41 through 47, 51, 52, 61 through 63, 71 through 73, 81  
14 through 85, 90 through 94 and 101 through 103; Curry county; De  
15 Baca county; Guadalupe county; Lea county precincts 2, 3, 10  
16 and 13; Lincoln county precincts 1 through 3, 13, 15, 16 and  
17 19; Los Alamos county; Quay county; Roosevelt county; Sandoval  
18 county precincts 5, 6, 28, 55, 56 and 76; Santa Fe county  
19 precincts 9 through 22, 24 through 39, 41 through 57, 62  
20 through 78, 81, 84 through 86 and 88; Torrance county; and  
21 Union county."

22 SECTION 5. Section 8-7-8 NMSA 1978 (being Laws 2001 (1st  
23 S.S.), Chapter 3, Section 5) is repealed and a new Section  
24 8-7-8 NMSA 1978 is enacted to read:

25 "8-7-8. [NEW MATERIAL] PUBLIC REGULATION COMMISSION

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1 DISTRICT THREE.--Public regulation commission district three is  
2 composed of Bernalillo county precincts 1 through 30, 39, 57,  
3 68 through 70, 78 through 87, 89, 108, 110 through 120, 127  
4 through 129, 134, 150 through 152, 170, 171, 180 through 187,  
5 191 through 197, 346, 347, 400 through 410, 414 through 440,  
6 442 through 453, 455, 456, 461 through 466, 471 through 474,  
7 481 through 500, 502, 508 through 513, 523, 529, 537 through  
8 539, 541, 560, 562, 563, 567 through 569 and 601 through 603;  
9 and Sandoval county precincts 11 through 13, 30 through 50, 52  
10 through 54, 57 through 75 and 80 through 86."

11 SECTION 6. Section 8-7-9 NMSA 1978 (being Laws 2001 (1st  
12 S.S.), Chapter 3, Section 6) is repealed and a new Section  
13 8-7-9 NMSA 1978 is enacted to read:

14 "8-7-9. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
15 DISTRICT FOUR.--Public regulation commission district four is  
16 composed of Bernalillo county precinct 31; Cibola county;  
17 Colfax county; Harding county; McKinley county; Mora county;  
18 Rio Arriba county; San Juan county; San Miguel county; Sandoval  
19 county precincts 1 through 4, 7 through 10, 14 through 27, 29,  
20 51, 78 and 79; Santa Fe county precincts 1 through 8, 23, 40,  
21 58 through 61, 79, 80, 82, 83 and 87; Socorro county precinct  
22 15; and Taos county."

23 SECTION 7. Section 8-7-10 NMSA 1978 (being Laws 2001 (1st  
24 S.S.), Chapter 3, Section 7) is repealed and a new Section  
25 8-7-10 NMSA 1978 is enacted to read:

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