

AN ACT

RELATING TO THE REDISTRICTING OF THE SENATE; ESTABLISHING SENATORIAL DISTRICTS; PROVIDING THE METHOD FOR ELECTING SENATORS; PROVIDING FOR THE FILLING OF VACANCIES; FIXING THE NUMBER, RESIDENCE AND TERMS OF SENATORS; 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 "2001 Senate Redistricting Act".

Section 2. FINDINGS OF FACT.--The legislature finds that the 2001 Senate Redistricting Act meets all of the constitutional and statutory requirements governing redistricting of state legislative bodies in that the act:

A. creates districts that are compact and contiguous;

B. creates districts that are substantially equal in population, with no more than a plus or minus five percent deviation from the ideal;

C. does not violate provisions of the federal Voting Rights Act of 1965, as amended, concerning dilution of racial or language minority voting strength; and

D. creates or preserves majority-minority districts where necessary, but does not subordinate traditional districting criteria to race.

Section 3. MEMBERSHIP.--The senate is composed of forty-two members to be elected from districts that are contiguous and that are as compact as is practical.

Section 4. RESIDENCE.--At the time of filing a declaration of candidacy for the office of state senator, the

candidate shall reside in the district for which he files. Thereafter, if a senator permanently removes his residence from or maintains no residence in the district from which he was elected, he shall be deemed to have resigned and his successor shall be selected as provided in Section 5 of the 2001 Senate Redistricting Act.

Section 5. ELECTIONS--VACANCIES.--

A. Members of the senate shall be elected for terms of four years.

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

(1) for a senate district that is situated wholly within the exterior boundaries of a single county, the board of county commissioners of that county shall appoint the senator to fill the vacancy; and

(2) for a senate district situated within two or more counties:

(a) the board of county commissioners of each county in the senate district shall submit one name to the governor; and

(b) the governor shall appoint the senator to fill the vacancy from the list of names so submitted.

C. An appointment to fill a vacancy in the senate shall be for a term ending on December 31 after the next general election.

D. An appointment to fill a vacancy made before the general election of 2004 shall be made from the district as it was described in Laws 1991 (1st S.S.), Chapter 3, Sections 7 through 48. After the general election of 2004, a

vacancy shall be filled by appointment from the district set out in the 2001 Senate Redistricting Act.

Section 6. PRECINCTS.--

A. Precinct designations and boundaries used in the 2001 Senate Redistricting Act are those precinct designations and boundaries established pursuant to the Precinct Boundary Adjustment Act and revised and approved pursuant to that act by the secretary of state as of August 31, 2001.

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

Section 7. DISTRICTS.--The districts of the senate shall be as set out in Sections 8 through 49 of the 2001 Senate Redistricting Act.

Section 8. SENATE DISTRICT ONE.--Senate district one is composed of San Juan county precincts 20 through 29, 40 through 47, 49, 51 through 55, 59, 62, 63 and 66 through 69.

Section 9. SENATE DISTRICT TWO.--Senate district two is composed of McKinley county precincts 7 through 9, 19 and 36; and San Juan county precincts 5, 6, 11 through 13, 16, 19, 56 through 58, 70, 74 through 76, 79 and 81 through 86.

Section 10. SENATE DISTRICT THREE.--Senate district three is composed of McKinley county precincts 1, 3 through 6, 20, 21 and 31; and San Juan county precincts 1 through 4, 7 through 10, 14, 15, 18, 30, 31, 60, 61, 64 and 65.

Section 11. SENATE DISTRICT FOUR.--Senate district four is composed of Cibola county precincts 5 through 7; and McKinley county precincts 18, 22 through 30, 32 through 35 and 37 through 50.

Section 12. SENATE DISTRICT FIVE.--Senate district five is composed of Los Alamos county precincts 9 and 14 through 16; and Rio Arriba county precincts 1 through 20, 22, 23, 26, 27 and 30 through 41.

Section 13. SENATE DISTRICT SIX.--Senate district six is composed of Mora county precinct 5; Santa Fe county precincts 1 through 5, 23, 58, 59 and 79; and Taos county.

Section 14. SENATE DISTRICT SEVEN.--Senate district seven is composed of Curry county precincts 1 through 3, 6 through 23, 32, 34, 35 and 37; Harding county; Quay county; San Miguel county precinct 15; and Union county.

Section 15. SENATE DISTRICT EIGHT.--Senate district eight is composed of De Baca county; Guadalupe county; Lincoln county; and San Miguel county precincts 1 through 7, 14 and 25 through 28.

Section 16. SENATE DISTRICT NINE.--Senate district nine is composed of Bernalillo county precincts 2, 3, 6, 86, 556, 558, 559, 567 and 573; and Sandoval county precincts 1 through 3, 5, 11 through 13, 28, 29, 38, 50, 53 through 56, 59, 63 and 64.

Section 17. SENATE DISTRICT TEN.--Senate district ten is composed of Bernalillo county precincts 4, 5, 7 through 10, 13, 406 through 410, 418 through 424, 439, 440, 481, 485, 487 through 490, 500, 510 and 601.

Section 18. SENATE DISTRICT ELEVEN.--Senate district eleven is composed of Bernalillo county precincts 41 through

44, 49, 50, 52 through 54, 73, 74, 88, 90 through 92 and 97.

Section 19. SENATE DISTRICT TWELVE.--Senate district twelve is composed of Bernalillo county precincts 45, 61 through 65, 101, 121 through 125, 131, 132, 163 through 166, 211, 212, 214 through 217, 221, 223, 224, 341, 344 through 346, 371, 374, 375, 431 through 434 and 442 through 444.

Section 20. SENATE DISTRICT THIRTEEN.--Senate district thirteen is composed of Bernalillo county precincts 11, 12, 14 through 18, 30, 150 through 154, 161, 162, 180 through 187, 191 through 197, 347 and 438.

Section 21. SENATE DISTRICT FOURTEEN.--Senate district fourteen is composed of Bernalillo county precincts 66, 67, 71, 72, 75 through 77, 93 through 96, 98, 99, 102 through 107, 133, 135, 225, 226, 246 and 258; and Valencia county precincts 4, 9, 11, 13 and 18.

Section 22. SENATE DISTRICT FIFTEEN.--Senate district fifteen is composed of Bernalillo county precincts 316, 400, 402 through 405, 414 through 417, 435 through 437, 453, 461 through 466, 471 through 476, 491 through 499, 502, 506 through 509, 511 through 514 and 523.

Section 23. SENATE DISTRICT SIXTEEN.--Senate district sixteen is composed of Bernalillo county precincts 241 through 245, 251 through 257, 271 through 275, 278, 311, 313 through 315, 317, 342, 343, 351 through 358, 372, 373, 381 through 387, 401, 411 through 413, 441, 445 and 446.

Section 24. SENATE DISTRICT SEVENTEEN.--Senate district seventeen is composed of Bernalillo county precincts 281 through 287, 291 through 293, 312, 318, 321 through 323, 326 through 331, 477 and 478.

Section 25. SENATE DISTRICT EIGHTEEN.--Senate district

eighteen is composed of Sandoval county precincts 30 through 37, 39 through 49, 58, 60 through 62 and 67.

Section 26. SENATE DISTRICT NINETEEN.--Senate district nineteen is composed of Bernalillo county precincts 289, 290, 294 through 306, 332, 333, 544, 550 through 555, 557 and 571; Santa Fe county precincts 15, 18, 73 and 84; and Torrance county precinct 5.

Section 27. SENATE DISTRICT TWENTY.--Senate district twenty is composed of Bernalillo county precincts 307, 308, 454, 480, 503 through 505, 515 through 519, 521, 522, 524 through 528, 530 through 536, 540, 542, 543, 545 through 549, 561, 562, 564 and 565.

Section 28. SENATE DISTRICT TWENTY-ONE.--Senate district twenty-one is composed of Bernalillo county precincts 425 through 430, 447, 449 through 452, 482 through 484, 486, 520, 529, 537 through 539, 541, 560, 563, 566, 568, 569 and 602.

Section 29. SENATE DISTRICT TWENTY-TWO.--Senate district twenty-two is composed of Bernalillo county precinct 31; Cibola county precincts 3, 4 and 15; McKinley county precincts 10 through 17; Rio Arriba county precincts 24, 25 and 29; San Juan county precincts 71 through 73; and Sandoval county precincts 4, 6 through 10 and 14 through 27.

Section 30. SENATE DISTRICT TWENTY-THREE.--Senate district twenty-three is composed of Bernalillo county precincts 1, 20, 24, 29, 80 through 85, 87, 89 and 111 through 114.

Section 31. SENATE DISTRICT TWENTY-FOUR.--Senate district twenty-four is composed of Santa Fe county precincts 24, 25, 27, 31 through 35, 38, 39, 41, 49 through 51, 56, 64,

66, 67, 74 through 76 and 86.

Section 32. SENATE DISTRICT TWENTY-FIVE.--Senate district twenty-five is composed of Santa Fe county precincts 6 through 11, 14, 20 through 22, 26, 28 through 30, 36, 37, 40, 42 through 47, 52 through 55, 60, 61, 70, 77, 78, 81 and 83.

Section 33. SENATE DISTRICT TWENTY-SIX.--Senate district twenty-six is composed of Bernalillo county precincts 21 through 23, 25 through 28, 32 through 40, 46 through 48, 51, 55 and 120.

Section 34. SENATE DISTRICT TWENTY-SEVEN.--Senate district twenty-seven is composed of Chaves county precincts 1 and 7; Curry county precincts 4, 5, 24 through 31, 33 and 36; Lea county precincts 2, 3, 10 through 12, 14, 16 and 17; and Roosevelt county.

Section 35. SENATE DISTRICT TWENTY-EIGHT.--Senate district twenty-eight is composed of Catron county; Grant county; and Socorro county precincts 1, 3 through 8, 10, 11, 13, 14 and 17.

Section 36. SENATE DISTRICT TWENTY-NINE.--Senate district twenty-nine is composed of Valencia county precincts 1 through 3, 5 through 8, 10, 12, 14, 17, 19, 21 through 27, 31, 32 and 35 through 38.

Section 37. SENATE DISTRICT THIRTY.--Senate district thirty is composed of Cibola county precincts 1, 2, 8 through 14, 16 and 17; Socorro county precincts 2, 9, 12, 15 and 16; and Valencia county precincts 15, 16, 20, 28 through 30, 33 and 34.

Section 38. SENATE DISTRICT THIRTY-ONE.--Senate district thirty-one is composed of Dona Ana county precincts

7, 11 through 15, 74 through 76, 79 through 81, 96, 97 and 101.

Section 39. SENATE DISTRICT THIRTY-TWO.--Senate district thirty-two is composed of Chaves county precincts 13 through 16, 23, 24, 31, 32, 34, 42, 43, 51, 52, 61 through 63, 71 through 73, 81, 90, 91 and 101 through 104; Eddy county precincts 2, 3, 41 and 43; and Otero county precinct 11.

Section 40. SENATE DISTRICT THIRTY-THREE.--Senate district thirty-three is composed of Los Alamos county precincts 1 through 8, 10 through 13 and 17; Sandoval county precinct 51; Santa Fe county precincts 12, 13, 16, 17, 19, 48, 57, 62, 63, 65, 68, 69, 71, 72, 80, 82 and 85; and Torrance county precinct 13.

Section 41. SENATE DISTRICT THIRTY-FOUR.--Senate district thirty-four is composed of Eddy county precincts 1, 4 through 8, 17 through 19, 25 through 29, 36 through 40, 42 and 45; Lea county precincts 20, 22, 23 and 62; and Otero county precincts 1 through 9, 21, 24, 28 and 40.

Section 42. SENATE DISTRICT THIRTY-FIVE.--Senate district thirty-five is composed of Hidalgo county; Luna county; and Sierra county precincts 1, 3 and 4 through 9.

Section 43. SENATE DISTRICT THIRTY-SIX.--Senate district thirty-six is composed of Dona Ana county precincts 1 through 4, 21, 24, 25, 27 through 30, 32 through 36, 41 through 48, 60, 63, 84, 86, 87, 92 through 95, 99 and 100.

Section 44. SENATE DISTRICT THIRTY-SEVEN.--Senate district thirty-seven is composed of Dona Ana county precincts 5, 6, 20, 26, 52, 59, 61, 62, 65 through 73, 77, 83, 85, 89, 91 and 102 through 104; and Otero county precinct

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Section 45. SENATE DISTRICT THIRTY-EIGHT.--Senate district thirty-eight is composed of Dona Ana county precincts 8 through 10, 16 through 19, 22, 23, 31, 37 through 40, 49 through 51, 53 through 58, 78, 82, 88, 90 and 98.

Section 46. SENATE DISTRICT THIRTY-NINE.--Senate district thirty-nine is composed of Colfax county; Mora county precincts 1 through 4 and 6 through 11; San Miguel county precincts 8 through 13 and 16 through 24; and Torrance county precincts 1 through 4 and 6 through 12.

Section 47. SENATE DISTRICT FORTY.--Senate district forty is composed of Dona Ana county precinct 64; Otero county precincts 10, 12 through 20, 22, 23, 25 through 27, 29 through 34 and 36 through 39; and Sierra county precinct 2.

Section 48. SENATE DISTRICT FORTY-ONE.--Senate district forty-one is composed of Eddy county precincts 9 through 16, 20, 21, 23, 30 through 35 and 44; and Lea county precincts 31, 34 through 36, 51 through 55, 61 and 71 through 74.

Section 49. SENATE DISTRICT FORTY-TWO.--Senate district forty-two is composed of Chaves county precincts 2 through 6, 9 through 12, 21, 22, 25, 33, 35, 36, 41, 82 through 85, 92 and 93; and Lea county precincts 13, 15, 18, 21, 24 through 30, 32, 33 and 41 through 44.

Section 50. ELECTION OF SENATORS.--Senators shall be elected from the districts described in the 2001 Senate Redistricting Act at the 2004 and subsequent general elections.

Section 51. REPEAL.--Sections 2-8C-1 through 2-8C-49 NMSA 1978 (being Laws 1991 (1st S.S.), Chapter 3, Sections 1 through 49, as amended) are repealed. _____