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HOUSE BILL 2

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 28
4 through 33, 39 through 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, 43, 45, 51 through 56, 68, 70 and 77.

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 76.

11 SECTION 10. REPRESENTATIVE DISTRICT FOUR.--Representative
12 district four is composed of San Juan county precincts 1
13 through 7, 21 through 27, 34 and 50.

14 SECTION 11. REPRESENTATIVE DISTRICT FIVE.--Representative
15 district five is composed of McKinley county precincts 4, 5, 7
16 through 11, 13, 15, 19 and 23; and San Juan county precincts 8
17 through 20.

18 SECTION 12. REPRESENTATIVE DISTRICT SIX.--Representative
19 district six is composed of Cibola county precincts 1, 5
20 through 7 and 13 through 15; and McKinley county precincts 18,
21 24 through 30, 36, 47 through 49, 54 and 55.

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 1 through 3, 7, 12, 17, 19, 21, 23, 35, 37 and 39
4 through 41.

5 **SECTION 15. REPRESENTATIVE DISTRICT NINE.--**Representative
6 district nine is composed of McKinley county precincts 1
7 through 3, 6, 20 through 22, 31 through 35, 37 through 46, 50
8 and 56 through 59.

9 **SECTION 16. REPRESENTATIVE DISTRICT TEN.--**Representative
10 district ten is composed of Bernalillo county precincts 88, 90
11 through 92, 94 through 99, 103, 105, 106, 109, 133 and 135.

12 **SECTION 17. REPRESENTATIVE DISTRICT ELEVEN.--**
13 Representative district eleven is composed of Bernalillo county
14 precincts 36, 37, 121 through 125, 131, 132, 150 through 154,
15 161 through 166, 186, 187, 196, 197, 211, 212, 214 and 221.

16 **SECTION 18. REPRESENTATIVE DISTRICT TWELVE.--**
17 Representative district twelve is composed of Bernalillo county
18 precincts 49, 54, 71 through 77 and 141 through 144.

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

23 **SECTION 20. REPRESENTATIVE DISTRICT FOURTEEN.--**
24 Representative district fourteen is composed of Bernalillo
25 county precincts 43 through 48, 50, 51, 61 through 67 and 139.

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1 **SECTION 21. REPRESENTATIVE DISTRICT FIFTEEN.--**

2 Representative district fifteen is composed of Bernalillo
3 county precincts 4 through 10, 13, 18, 82, 83, 86, 108, 110,
4 112, 114 and 455.

5 **SECTION 22. REPRESENTATIVE DISTRICT SIXTEEN.--**

6 Representative district sixteen is composed of Bernalillo
7 county precincts 28, 32 through 35, 38 through 40, 55, 119, 120
8 and 136.

9 **SECTION 23. REPRESENTATIVE DISTRICT SEVENTEEN.--**

10 Representative district seventeen is composed of Bernalillo
11 county precincts 11, 12, 14 through 17, 21, 30, 180 through
12 185, 191 through 195 and 438.

13 **SECTION 24. REPRESENTATIVE DISTRICT EIGHTEEN.--**

14 Representative district eighteen is composed of Bernalillo
15 county precincts 101, 102, 104, 107, 215 through 217, 223
16 through 226, 241 through 246, 251 through 253, 256, 311, 341,
17 345, 351 through 358 and 381 through 384.

18 **SECTION 25. REPRESENTATIVE DISTRICT NINETEEN.--**

19 Representative district nineteen is composed of Bernalillo
20 county precincts 254, 255, 257, 258, 271 through 275, 278, 281
21 through 287, 312 and 326.

22 **SECTION 26. REPRESENTATIVE DISTRICT TWENTY.--**

23 Representative district twenty is composed of Bernalillo county
24 precincts 289, 290, 293, 294, 296, 298, 300, 306, 324, 328, 330
25 through 333, 544, 545 and 549.

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1 **SECTION 27. REPRESENTATIVE DISTRICT TWENTY-ONE.--**
2 Representative district twenty-one is composed of Bernalillo
3 county precincts 291, 292, 316 through 318, 321 through 323,
4 327, 329, 471 through 478, 542 and 543.

5 **SECTION 28. REPRESENTATIVE DISTRICT TWENTY-TWO.--**
6 Representative district twenty-two is composed of Bernalillo
7 county precincts 295, 297, 299, 301 through 305, 539, 550, 553
8 through 559, 569, 570, 572 and 573.

9 **SECTION 29. REPRESENTATIVE DISTRICT TWENTY-THREE.--**
10 Representative district twenty-three is composed of Bernalillo
11 county precincts 2, 3, 68, 69, 78, 84, 87, 89, 116, 170 and
12 171; and Sandoval county precincts 11 through 13, 54 and 57.

13 **SECTION 30. REPRESENTATIVE DISTRICT TWENTY-FOUR.--**
14 Representative district twenty-four is composed of Bernalillo
15 county precincts 451, 453, 454, 461, 462, 465, 483, 495, 502,
16 506 through 509, 511 through 515, 520 through 523, 528, 562,
17 563 and 566.

18 **SECTION 31. REPRESENTATIVE DISTRICT TWENTY-FIVE.--**
19 Representative district twenty-five is composed of Bernalillo
20 county precincts 313 through 315, 342 through 344, 346, 347,
21 371 through 375, 385 through 387, 401, 403, 411, 412, 431
22 through 437 and 441 through 446.

23 **SECTION 32. REPRESENTATIVE DISTRICT TWENTY-SIX.--**
24 Representative district twenty-six is composed of Bernalillo
25 county precincts 20, 22 through 27, 29, 57, 70, 81, 111, 113

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1 and 134.

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

3 Representative district twenty-seven is composed of Bernalillo
4 county precincts 407, 410, 418, 422 through 424, 448, 450, 482,
5 484 through 490, 510, 529, 568 and 601.

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

7 Representative district twenty-eight is composed of Bernalillo
8 county precincts 307, 308, 463, 464, 480, 503 through 505, 516
9 through 519, 524 through 527, 530 through 536, 540, 546 through
10 548, 561, 564 and 565.

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

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

15 SECTION 36. REPRESENTATIVE DISTRICT THIRTY.--

16 Representative district thirty is composed of Bernalillo county
17 precincts 400, 402, 404 through 406, 408, 409, 413 through 417,
18 419 through 421, 439, 440, 466, 481, 491 through 494 and 496
19 through 500.

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

21 Representative district thirty-one is composed of Bernalillo
22 county precincts 425 through 430, 447, 449, 452, 456, 537, 538,
23 541, 560, 602 and 603.

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

25 Representative district thirty-two is composed of Grant county

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1 precincts 11, 30 and 31; Hidalgo county; and Luna county
2 precincts 1, 3 through 6, 8 and 10 through 14.

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

4 Representative district thirty-three is composed of Dona Ana
5 county precincts 18, 19, 23, 25, 30, 31, 37 through 40, 49, 55
6 through 57, 78, 98, 101 and 108.

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

8 Representative district thirty-four is composed of Dona Ana
9 county precincts 10, 13 through 17, 81, 82, 96 and 97.

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

11 Representative district thirty-five is composed of Dona Ana
12 county precincts 26 through 29, 32 through 36, 41 through 48,
13 50 through 53 and 91 through 94.

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

15 Representative district thirty-six is composed of Dona Ana
16 county precincts 1 through 4, 21, 60, 63, 87, 95, 100, 107, 111
17 and 115; Luna county precinct 2; Sierra county; and Socorro
18 county precincts 11 and 14.

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

20 Representative district thirty-seven is composed of Dona Ana
21 county precincts 59, 66 through 73, 102, 103, 106, 112, 113,
22 116 and 117.

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

24 Representative district thirty-eight is composed of Dona Ana
25 county precincts 20, 22, 24, 61, 62, 83 through 86, 88 through

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1 90, 99, 105 and 109.

2 SECTION 45. REPRESENTATIVE DISTRICT THIRTY-NINE.--

3 Representative district thirty-nine is composed of Catron
4 county; and Grant county precincts 1 through 10, 12 through 29
5 and 32 through 35.

6 SECTION 46. REPRESENTATIVE DISTRICT FORTY.--

7 Representative district forty is composed of Mora county
8 precinct 5; Rio Arriba county precincts 2 through 5, 10, 13
9 through 17, 37, 40 and 41; San Miguel county precincts 23 and
10 24; Santa Fe county precincts 1 through 4, 58 and 79; and Taos
11 county precincts 23 through 25, 27 through 32 and 36.

12 SECTION 47. REPRESENTATIVE DISTRICT FORTY-ONE.--

13 Representative district forty-one is composed of Rio Arriba
14 county precincts 1, 6 through 9, 11, 12, 18 through 23, 25
15 through 28, 30 through 36, 38, 39 and 42; Sandoval county
16 precincts 21 through 23; Santa Fe county precincts 5, 40 and
17 59; and Taos county precincts 1 and 22.

18 SECTION 48. REPRESENTATIVE DISTRICT FORTY-TWO.--

19 Representative district forty-two is composed of Taos county
20 precincts 2 through 21, 26 and 33 through 35.

21 SECTION 49. REPRESENTATIVE DISTRICT FORTY-THREE.--

22 Representative district forty-three is composed of Los Alamos
23 county; Sandoval county precincts 7, 10, 16 through 18, 51, 78
24 and 79; and Santa Fe county precincts 12, 14 and 88.

25 SECTION 50. REPRESENTATIVE DISTRICT FORTY-FOUR.--

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1 Representative district forty-four is composed of Sandoval
2 county precincts 33 through 39, 41, 48, 52, 53, 59 through 62,
3 64, 73 and 83.

4 SECTION 51. REPRESENTATIVE DISTRICT FORTY-FIVE.--

5 Representative district forty-five is composed of Santa Fe
6 county precincts 29, 38, 49 through 51, 54, 56, 62, 75 through
7 78 and 86.

8 SECTION 52. REPRESENTATIVE DISTRICT FORTY-SIX.--

9 Representative district forty-six is composed of Santa Fe
10 county precincts 6 through 8, 11, 20, 21, 23, 60, 61, 64, 67,
11 80, 82, 83 and 87.

12 SECTION 53. REPRESENTATIVE DISTRICT FORTY-SEVEN.--

13 Representative district forty-seven is composed of Santa Fe
14 county precincts 9, 10, 13, 28, 30, 46 through 48, 55, 57, 63,
15 65, 68 through 72 and 81.

16 SECTION 54. REPRESENTATIVE DISTRICT FORTY-EIGHT.--

17 Representative district forty-eight is composed of Santa Fe
18 county precincts 22, 24 through 27, 31 through 37, 39, 41
19 through 45, 52, 53, 66 and 74.

20 SECTION 55. REPRESENTATIVE DISTRICT FORTY-NINE.--

21 Representative district forty-nine is composed of Socorro
22 county precincts 1 through 10, 12, 13 and 16 through 26; and
23 Valencia county precincts 20, 25 through 27, 29 through 31, 33,
24 34 and 38.

25 SECTION 56. REPRESENTATIVE DISTRICT FIFTY.--

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1 Representative district fifty is composed of Bernalillo county
2 precincts 551, 552 and 571; Sandoval county precincts 5, 28,
3 55, 56 and 76; Santa Fe county precincts 15, 16, 18, 73, 84 and
4 85; and Torrance county precincts 1, 3 through 5, 7, 13, 15 and
5 16.

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

7 Representative district fifty-one is composed of Otero county
8 precincts 15, 17 through 20, 22, 25 through 34, 36, 37 and 39.

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

10 Representative district fifty-two is composed of Dona Ana
11 county precincts 7 through 9, 11, 12, 54, 58, 74, 77, 79, 80,
12 104, 110, 114 and 120.

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

14 Representative district fifty-three is composed of Dona Ana
15 county precincts 5, 6, 64, 65, 75, 76, 118 and 119; and Otero
16 county precincts 1, 16, 35 and 41.

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

18 Representative district fifty-four is composed of Eddy county
19 precincts 1 through 8, 10 through 13, 15, 29, 30, 34, 35 and 38
20 through 42.

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

22 Representative district fifty-five is composed of Eddy county
23 precincts 9, 14, 16 through 21, 23, 25 through 28, 32, 33, 36,
24 37, 44 and 45; and Lea county precincts 73 and 74.

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

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

4 **SECTION 63. REPRESENTATIVE DISTRICT FIFTY-SEVEN.--**
5 Representative district fifty-seven is composed of Chaves
6 county precincts 2 through 7, 9 through 11, 13 through 16, 22,
7 42, 44 and 46; Curry county precincts 4, 30 and 36; and
8 Roosevelt county precincts 5, 6, 8, 9, 17 and 19.

9 **SECTION 64. REPRESENTATIVE DISTRICT FIFTY-EIGHT.--**
10 Representative district fifty-eight is composed of Chaves
11 county precincts 32 through 34, 47, 51, 52, 61 through 63, 71
12 through 73, 81, 82, 85, 90, 91, 94 and 101 through 103.

13 **SECTION 65. REPRESENTATIVE DISTRICT FIFTY-NINE.--**
14 Representative district fifty-nine is composed of Chaves county
15 precincts 12, 21, 23 through 25, 31, 35, 36, 83, 84, 92, 93 and
16 104; Lincoln county precinct 15; and Otero county precincts 2
17 through 9, 11, 21, 23, 24 and 40.

18 **SECTION 66. REPRESENTATIVE DISTRICT SIXTY.--**
19 Representative district sixty is composed of Sandoval county
20 precincts 30 through 32, 40, 42 through 47, 49, 70, 72, 81, 85
21 and 86.

22 **SECTION 67. REPRESENTATIVE DISTRICT SIXTY-ONE.--**
23 Representative district sixty-one is composed of Lea county
24 precincts 10 through 12, 15 through 18, 21, 26, 31, 35, 36, 53
25 through 55, 61, 62, 71 and 72.

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

2 Representative district sixty-two is composed of Lea county
3 precincts 20, 22 through 25, 27 through 30, 32 through 34, 41
4 through 44, 51 and 52.

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

6 Representative district sixty-three is composed of Curry county
7 precincts 3, 5 through 9, 16, 25, 29 and 31; De Baca county;
8 Guadalupe county precincts 1 through 4; and Quay county
9 precincts 1, 2 and 5 through 12.

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

11 Representative district sixty-four is composed of Curry county
12 precincts 1, 2, 10 through 15, 17 through 21, 23, 24, 27, 32,
13 34, 35 and 37; and Quay county precincts 3 and 4.

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, 41, 43 and 45; Curry county precincts 22, 26, 28
22 and 33; Lea county precincts 2, 3, 13 and 14; and Roosevelt
23 county precincts 1 through 4, 7, 10 through 13, 15, 18 and 21.

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

25 Representative district sixty-seven is composed of Sandoval

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1 county precincts 50, 58, 63, 65 through 69, 71, 75, 80, 82 and
2 84.

3 SECTION 74. REPRESENTATIVE DISTRICT SIXTY-EIGHT.--

4 Representative district sixty-eight is composed of Colfax
5 county; Harding county; Mora county precincts 1 through 4 and 6
6 through 11; San Miguel county precincts 6, 9, 10, 12, 14, 15
7 and 28; and Union county.

8 SECTION 75. REPRESENTATIVE DISTRICT SIXTY-NINE.--

9 Representative district sixty-nine is composed of Bernalillo
10 county precincts 31 and 93; Cibola county precincts 2 through
11 4, 8 through 12 and 16 through 25; McKinley county precincts
12 14, 16, 17, 52 and 53; Socorro county precinct 15; and Valencia
13 county precinct 13.

14 SECTION 76. REPRESENTATIVE DISTRICT SEVENTY.--

15 Representative district seventy is composed of Guadalupe county
16 precinct 5; San Miguel county precincts 1 through 5, 7, 8, 11,
17 13, 16 through 22 and 25 through 27; Santa Fe county precincts
18 17 and 19; and Torrance county precincts 2, 6, 8 through 12 and
19 14.

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
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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.