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HOUSE BILL 14

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

INTRODUCED BY

Mary Helen Garcia

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 2 through 19, 68, 69,  
18 78, 79, 83 through 86, 89, 95, 101 through 105, 107, 108, 116,  
19 121 through 125, 131 through 133, 135, 150 through 154, 161  
20 through 166, 171, 180 through 187, 191 through 197, 211, 212,  
21 214 through 217, 221, 223 through 226, 241 through 246, 251  
22 through 256, 271 through 275, 278, 281 through 287, 289 through  
23 302, 304 through 308, 311 through 318, 321 through 324, 326  
24 through 333, 341 through 347, 351 through 358, 371 through 375,  
25 381 through 387, 400 through 456, 461 through 466, 471 through

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1 478, 480 through 500, 502 through 550, 560 through 569 and 601  
2 through 603."

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 303, 551 through 559  
9 and 570 through 573; Chaves county; Colfax county; Curry  
10 county; De Baca county; Eddy county; Guadalupe county; Harding  
11 county; Lea county; Lincoln county; Otero county; Quay county;  
12 Roosevelt county; Torrance county; and Union county."

13 SECTION 5. Section 8-7-8 NMSA 1978 (being Laws 2001 (1st  
14 S.S.), Chapter 3, Section 5) is repealed and a new Section  
15 8-7-8 NMSA 1978 is enacted to read:

16 "8-7-8. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
17 DISTRICT THREE.--Public regulation commission district three is  
18 composed of Los Alamos county; Mora county; Rio Arriba county;  
19 San Miguel county; Sandoval county; Santa Fe county; and Taos  
20 county."

21 SECTION 6. Section 8-7-9 NMSA 1978 (being Laws 2001 (1st  
22 S.S.), Chapter 3, Section 6) is repealed and a new Section  
23 8-7-9 NMSA 1978 is enacted to read:

24 "8-7-9. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
25 DISTRICT FOUR.--Public regulation commission district four is

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1 composed of Bernalillo county precincts 1, 20 through 57, 59  
2 through 67, 70 through 77, 80 through 82, 87, 110 through 115,  
3 117 through 120, 127 through 129, 134, 136 through 143 and 170;  
4 Cibola county; McKinley county; and San Juan county."

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6 S.S.), Chapter 3, Section 7) is repealed and a new Section  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

8 "8-7-10. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
9 DISTRICT FIVE.--Public regulation commission district five is  
10 composed of Bernalillo county precincts 58, 88, 90 through 94,  
11 96 through 99, 106, 109, 144, 257 and 258; Catron county; Dona  
12 Ana county; Grant county; Hidalgo county; Luna county; Sierra  
13 county; Socorro county; and Valencia county."

14 SECTION 8. Section 8-7-11 NMSA 1978 (being Laws 2001 (1st  
15 S.S.), Chapter 3, Section 8) is amended to read:

16 "8-7-11. ELECTION OF PUBLIC REGULATION COMMISSIONERS.--  
17 Commissioners for public regulation commission districts two,  
18 four and five shall be elected from the districts described in  
19 Sections 8-7-7, 8-7-9 and 8-7-10 NMSA 1978 at the [~~2002~~] 2014  
20 and subsequent general elections. Commissioners for public  
21 regulation commission districts one and three shall be elected  
22 from the districts described in Sections 8-7-6 and 8-7-8 NMSA  
23 1978 at the [~~2004~~] 2012 and subsequent general elections."