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HOUSE BILL 48

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

INTRODUCED BY

Jimmie C. Hall

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 4, 5, 7 through 18, 20
18 through 28, 30, 39, 107, 108, 119 through 121, 125, 131, 150
19 through 154, 161 through 166, 180 through 187, 191 through 197,
20 211, 212, 215, 216, 241 through 246, 251 through 258, 271
21 through 275, 278, 281 through 287, 289 through 302, 304 through
22 308, 311 through 318, 321 through 324, 326 through 333, 341
23 through 347, 351 through 358, 371 through 375, 381 through 387,
24 400 through 456, 461 through 466, 471 through 478, 480 through
25 500, 502 through 550, 560 through 566, 568, 569 and 601 through
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underscoring material = new
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1 603."

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3 S.S.), Chapter 3, Section 4) is repealed and a new Section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

5 "8-7-7. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
6 DISTRICT TWO.--Public regulation commission district two is
7 composed of Bernalillo county precincts 303, 551 through 559
8 and 570 through 573; Chaves county; Colfax county; Curry
9 county; De Baca county; Dona Ana county precincts 5, 6, 59, 65,
10 66, 75, 76, 110 and 116 through 119; Eddy county; Guadalupe
11 county; Harding county; Lea county; Lincoln county precincts 1,
12 3, 12 and 14 through 16; Otero county precincts 1 through 13,
13 19, 20, 22, 23, 26 through 28, 30 through 33, 35, 37 through 39
14 and 41; Quay county; Roosevelt county; San Miguel county
15 precincts 14 and 15; Santa Fe county precincts 15 through 19,
16 73, 84 and 85; Torrance county; and Union county."

17 SECTION 5. Section 8-7-8 NMSA 1978 (being Laws 2001 (1st
18 S.S.), Chapter 3, Section 5) is repealed and a new Section
19 8-7-8 NMSA 1978 is enacted to read:

20 "8-7-8. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
21 DISTRICT THREE.--Public regulation commission district three is
22 composed of Bernalillo county precincts 1 through 3, 6, 19, 29,
23 57, 68, 69, 78 through 87, 89, 110 through 118, 127 through
24 129, 134, 170, 171 and 567; Los Alamos county; Mora county; Rio
25 Arriba county precincts 1 through 18, 20, 21, 28, 31 through 34

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1 and 36 through 42; San Miguel county precincts 1 through 13 and
2 16 through 28; Sandoval county precincts 1 through 6, 11
3 through 13, 28 through 76 and 80 through 86; Santa Fe county
4 precincts 1 through 11, 13, 14, 20 through 61, 63, 65 through
5 72, 74 through 79, 81, 83 and 86 through 88; and Taos county."

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

9 "8-7-9. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
10 DISTRICT FOUR.--Public regulation commission district four is
11 composed of Bernalillo county precincts 31 through 38, 40
12 through 56, 58 through 67, 70 through 77, 88, 90 through 99,
13 101 through 106, 109, 122 through 124, 132, 133, 135 through
14 144, 214, 217, 221 and 223 through 226; Cibola county; McKinley
15 county; Rio Arriba county precincts 19, 22 through 27, 29, 30
16 and 35; San Juan county; Sandoval county precincts 7 through
17 10, 14 through 27, 78 and 79; Santa Fe county precincts 12, 62,
18 64, 80 and 82; Socorro county precincts 15 and 26; and Valencia
19 county precinct 13."

20 SECTION 7. Section 8-7-10 NMSA 1978 (being Laws 2001 (1st
21 S.S.), Chapter 3, Section 7) is repealed and a new Section
22 8-7-10 NMSA 1978 is enacted to read:

23 "8-7-10. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
24 DISTRICT FIVE.--Public regulation commission district five is
25 composed of Catron county; Dona Ana county precincts 1 through

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1 4, 7 through 58, 60 through 64, 67 through 74, 77 through 109,
2 111 through 115 and 120; Grant county; Hidalgo county; Lincoln
3 county precincts 2, 4 through 11, 13 and 17 through 21; Luna
4 county; Otero county precincts 14 through 18, 21, 24, 25, 29,
5 34, 36 and 40; Sierra county; Socorro county precincts 1
6 through 14 and 16 through 25; and Valencia county precincts 1
7 through 12 and 14 through 41."

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

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