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SENATE BILL 8

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

INTRODUCED BY

Linda M. Lopez

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, 78,
18 79, 83 through 86, 89, 94 through 96, 98, 101 through 109, 114,
19 116, 121 through 125, 131 through 133, 135, 150 through 154,
20 161 through 166, 171, 180 through 187, 191 through 197, 211,
21 212, 214 through 217, 221, 223 through 226, 241 through 246,
22 251 through 258, 271 through 275, 278, 281 through 287, 289
23 through 302, 304 through 308, 311 through 318, 321 through 324,
24 326 through 333, 341 through 347, 351 through 358, 371 through
25 375, 381 through 387, 400 through 456, 461 through 466, 471

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1 through 478, 480 through 500, 502 through 550, 560 through 569
2 and 601 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 Chaves county; Colfax county; Curry county; De Baca
9 county; Eddy county; Guadalupe county; Harding county; Lea
10 county; Lincoln county; Mora county; Otero county; Quay county;
11 Roosevelt county; San Miguel county precincts 1 through 17 and
12 25 through 28; 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 Bernalillo county precincts 1, 69, 80, 87, 115,
19 117, 118, 127 through 129 and 170; Los Alamos county; Rio
20 Arriba county; San Miguel county precincts 18 through 24;
21 Sandoval county; Santa Fe county precincts 1 through 17, 19
22 through 72, 74 through 83 and 86 through 88; and Taos county."

23 SECTION 6. Section 8-7-9 NMSA 1978 (being Laws 2001 (1st
24 S.S.), Chapter 3, Section 6) is repealed and a new Section
25 8-7-9 NMSA 1978 is enacted to read:

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1 "8-7-9. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
2 DISTRICT FOUR.--Public regulation commission district four is
3 composed of Bernalillo county precincts 20 through 67, 70
4 through 77, 81, 82, 88, 90 through 93, 97, 99, 110 through 113,
5 119, 120, 134 and 136 through 144; Cibola county; McKinley
6 county; San Juan county; and Valencia county precinct 13."

7 SECTION 7. Section 8-7-10 NMSA 1978 (being Laws 2001 (1st
8 S.S.), Chapter 3, Section 7) is repealed and a new Section
9 8-7-10 NMSA 1978 is enacted to read:

10 "8-7-10. [NEW MATERIAL] PUBLIC REGULATION COMMISSION
11 DISTRICT FIVE.--Public regulation commission district five is
12 composed of Bernalillo county precincts 303, 551 through 559
13 and 570 through 573; Catron county; Dona Ana county; Grant
14 county; Hidalgo county; Luna county; Santa Fe county precincts
15 18, 73, 84 and 85; Sierra county; Socorro county; Torrance
16 county; and Valencia county precincts 1 through 12 and 14
17 through 41."

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

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

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1 from the districts described in Sections 8-7-6 and 8-7-8 NMSA
2 1978 at the [~~2004~~] 2012 and subsequent general elections."

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