

1 SENATE BILL 36

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2011**

3 INTRODUCED BY

4 Stuart Ingle

5  
6  
7  
8  
9  
10 AN ACT

11 RELATING TO THE REDISTRICTING OF THE PUBLIC REGULATION  
12 COMMISSION; ESTABLISHING PUBLIC REGULATION COMMISSION DISTRICTS  
13 FOR THE ELECTION OF PUBLIC REGULATION COMMISSIONERS; PROVIDING  
14 FOR THE ELECTION AND APPOINTMENT OF PUBLIC REGULATION  
15 COMMISSIONERS; SETTING PRECINCTS; AMENDING, REPEALING AND  
16 ENACTING SECTIONS OF THE NMSA 1978.

17  
18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

19 SECTION 1. Section 8-7-4 NMSA 1978 (being Laws 1997,  
20 Chapter 262, Section 4, as amended) is amended to read:

21 "8-7-4. ELECTION--VACANCY.--

22 A. Members of the public regulation commission  
23 shall be elected for staggered four-year terms. [~~provided that~~  
24 ~~commission members elected at the 1998 general election shall~~  
25 ~~classify themselves by lot so that two commission members shall~~

.187534.1

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

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

.187534.1

underscored material = new  
[bracketed material] = delete

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 19, 79,  
18 80, 82 through 85, 89, 108, 110, 112 through 115, 117, 118,  
19 127, 128, 150 through 153, 180 through 187, 191 through 197,  
20 251 through 254, 271 through 275, 281 through 287, 289 through  
21 308, 311 through 318, 321 through 324, 326 through 333, 341  
22 through 344, 346, 347, 351 through 358, 371 through 375, 381  
23 through 387, 400 through 456, 461 through 466, 471 through 478,  
24 480 through 500, 502 through 551, 553 through 566, 568 through  
25 573 and 601 through 603; and Torrance county precincts 1, 3, 5,

.187534.1

underscored material = new  
~~[bracketed material] = delete~~

1 7, 13, 15 and 16."

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 Chaves county; Colfax county; Curry county; De Baca  
8 county; Dona Ana county precincts 8 through 18, 36, 41, 42, 48,  
9 49, 55, 57, 74 through 76, 78 through 82, 96 through 98 and  
10 101; Eddy county; Guadalupe county; Harding county; Lea county;  
11 Otero county precincts 1 through 4, 6 through 8, 11 and 41;  
12 Quay county; Roosevelt county; San Miguel county precincts 6,  
13 7, 13 through 20 and 22; Santa Fe county precincts 14 through  
14 19, 57, 63, 65, 68 through 71, 73, 84, 85 and 88; Taos county  
15 precinct 7; Torrance county precincts 6, 11, 12 and 14; and  
16 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 2, 3, 6, 68, 69, 78,  
23 86, 87, 116, 171 and 567; Los Alamos county; Mora county; Rio  
24 Arriba county; San Juan county precincts 27 through 49, 51, 55  
25 through 70, 72 through 74 and 76; San Miguel county precincts 1

.187534.1

underscored material = new  
[bracketed material] = delete

1 through 5, 8 through 12, 21 and 23 through 28; Sandoval county  
2 precincts 1 through 5, 11 through 13, 28 through 41, 48 through  
3 62, 64 through 66, 72 through 74, 76, 79, 81 through 83 and 86;  
4 Santa Fe county precincts 1 through 13, 20 through 56, 58  
5 through 62, 64, 66, 67, 72, 74 through 83, 86 and 87; and Taos  
6 county precincts 1 through 6 and 8 through 36."

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

10 "8-7-9. [NEW MATERIAL] PUBLIC REGULATION COMMISSION  
11 DISTRICT FOUR.--Public regulation commission district four is  
12 composed of Bernalillo county precincts 1, 20 through 67, 70  
13 through 77, 81, 88, 90 through 92, 94 through 99, 104, 109,  
14 111, 119 through 125, 129, 131 through 144, 154, 161 through  
15 166, 170, 211, 212 and 345; Cibola county; McKinley county; San  
16 Juan county precincts 1 through 26, 50, 52 through 54, 71, 75  
17 and 77; Sandoval county precincts 6 through 10, 14 through 27,  
18 42 through 47, 63, 67 through 71, 75, 78, 80, 84 and 85; and  
19 Socorro county precinct 15."

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 Bernalillo county precincts 93, 101 through 103,

.187534.1

underscored material = new  
[bracketed material] = delete

1 105 through 107, 214 through 217, 221, 223 through 226, 241  
2 through 246, 255 through 258, 278 and 552; Catron county; Dona  
3 Ana county precincts 1 through 7, 19 through 35, 37 through 40,  
4 43 through 47, 50 through 54, 56, 58 through 73, 77, 83 through  
5 95, 99, 100 and 102 through 120; Grant county; Hidalgo county;  
6 Lincoln county; Luna county; Otero county precincts 5, 9, 10  
7 and 12 through 40; Sierra county; Socorro county precincts 1  
8 through 14 and 16 through 26; Torrance county precincts 2, 4  
9 and 8 through 10; and Valencia county."

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

12 "8-7-11. ELECTION OF PUBLIC REGULATION COMMISSIONERS.--  
13 Commissioners for public regulation commission districts two,  
14 four and five shall be elected from the districts described in  
15 Sections 8-7-7, 8-7-9 and 8-7-10 NMSA 1978 at the [~~2002~~] 2014  
16 and subsequent general elections. Commissioners for public  
17 regulation commission districts one and three shall be elected  
18 from the districts described in Sections 8-7-6 and 8-7-8 NMSA  
19 1978 at the [~~2004~~] 2012 and subsequent general elections."