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HOUSE BILL 6

**55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2021**

INTRODUCED BY

D. Wonda Johnson

AN ACT

RELATING TO REDISTRICTING OF THE PUBLIC EDUCATION COMMISSION;  
ESTABLISHING PUBLIC EDUCATION COMMISSION DISTRICTS; PROVIDING  
FOR STAGGERED TERMS AND THE FILLING OF VACANCIES; SETTING  
PRECINCTS; SETTING RESIDENCY REQUIREMENTS; REPEALING AND  
ENACTING SECTIONS OF THE NMSA 1978.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be  
cited as the "2021 Educational Redistricting Act".

SECTION 2. [NEW MATERIAL] COMMISSION MEMBERS.--The public  
education commission is composed of ten members to be elected  
from districts established by law.

SECTION 3. [NEW MATERIAL] ELECTION FOR STAGGERED TERMS.--  
A. Members of the public education commission shall  
be elected for staggered terms of four years.

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1           B. Members shall be elected at the general election  
2 for terms commencing on January 1 next succeeding their  
3 election.

4           C. Members from districts two, three, five, six and  
5 seven shall be elected from the districts described in Sections  
6 7, 8, 10, 11 and 12 of the 2021 Educational Redistricting Act  
7 at the 2022 and subsequent general elections.

8           D. Members from districts one, four, eight, nine  
9 and ten shall be elected from the districts described in  
10 Sections 6, 9, 13, 14 and 15 of the 2021 Educational  
11 Redistricting Act at the 2024 and subsequent general elections.

12           SECTION 4. [NEW MATERIAL] RESIDENCE.--A candidate for the  
13 office of public education commissioner shall reside in the  
14 district for which the candidate files a declaration of  
15 candidacy at the time of such filing. A public education  
16 commissioner shall reside in the district from which the  
17 commissioner was elected or appointed and shall be deemed to  
18 have resigned if the commissioner changes residence to a place  
19 outside the district. Vacancies shall be filled as provided in  
20 Section 16 of the 2021 Educational Redistricting Act.

21           SECTION 5. [NEW MATERIAL] PRECINCTS.--

22           A. Precinct designations and boundaries used in the  
23 2021 Educational Redistricting Act are those precinct  
24 designations and boundaries established pursuant to the  
25 Precinct Boundary Adjustment Act as revised and approved

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1 pursuant to that act by the secretary of state as of November  
2 30, 2021.

3 B. A board of county commissioners shall not create  
4 any precinct that lies in more than one public education  
5 commission district and shall not divide any precinct so that  
6 the divided parts of the precinct are situated in two or more  
7 public education commission districts. Votes cast in a public  
8 education commission election from precincts created or divided  
9 in violation of this subsection shall be invalid and shall not  
10 be counted or canvassed.

11 SECTION 6. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION  
12 DISTRICT ONE.--Public education commission district one is  
13 composed of Bernalillo county precincts 1, 20 through 30, 32  
14 through 67, 70 through 77, 81 through 83, 88, 90 through 92, 94  
15 through 100, 109 through 115, 117 through 120, 130, 134, 136  
16 through 149, 156 through 160, 167 through 169, 178, 189, 190,  
17 198, 199, 202 through 210, 213, 217, 227 through 229, 231, 233,  
18 234, 236, 237, 239, 240, 247, 249, 250, 258, 260, 262 through  
19 265, 267 through 270, 288, 340, 363, 367, 394, 399, 599, 600,  
20 604 through 607, 609, 611, 612, 614 through 622, 626, 629  
21 through 633, 638, 639, 647 through 650, 652 through 655 and  
22 687.

23 SECTION 7. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION  
24 DISTRICT TWO.--Public education commission district two is  
25 composed of Bernalillo county precincts 289 through 302, 304

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1 through 310, 316 through 325, 328 through 336, 339, 348 through  
2 350, 359 through 362, 364 through 366, 368, 370, 376, 380, 388  
3 through 393, 395 through 398, 406 through 410, 413 through 430,  
4 440, 447 through 454, 456 through 550, 560 through 569, 574,  
5 583 through 590, 592 through 594, 598, 601 through 603, 608,  
6 656 through 660, 662 through 665, 667 and 669 through 685.

7 SECTION 8. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION

8 DISTRICT THREE.--Public education commission district three is  
9 composed of Bernalillo county precincts 2 through 19, 68, 69,  
10 78 through 80, 84 through 87, 89, 101 through 108, 116, 121  
11 through 129, 131 through 133, 135, 150 through 155, 161 through  
12 166, 170 through 177, 179 through 188, 191 through 197, 200,  
13 201, 211, 212, 214 through 216, 218 through 226, 230, 232, 235,  
14 238, 241 through 246, 248, 251 through 257, 259, 261, 266, 271  
15 through 287, 311 through 315, 326, 327, 337, 338, 341 through  
16 347, 351 through 358, 369, 371 through 375, 377 through 379,  
17 381 through 387, 400 through 405, 411, 412, 431 through 439,  
18 441 through 446, 455, 581, 591, 610, 613, 623 through 625, 627,  
19 628, 634 through 637, 640 through 646, 651, 661, 666, 668 and  
20 686.

21 SECTION 9. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION

22 DISTRICT FOUR.--Public education commission district four is  
23 composed of Bernalillo county precincts 303, 553 through 559,  
24 570 through 573, 575 through 580 and 595 through 597; Los  
25 Alamos county; Sandoval county precincts 1 through 20 and 28

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1 through 157; and Santa Fe county precincts 11, 12, 15 through  
2 19, 63, 72, 73, 80, 82, 84, 85, 90, 92, 93, 114, 115, 125, 145,  
3 146, 148, 152, 153, 155 through 157, 165 and 177.

4 SECTION 10. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION  
5 DISTRICT FIVE.--Public education commission district five is  
6 composed of McKinley county; Rio Arriba county precincts 1, 2  
7 and 21; Sandoval county precincts 21 through 27; and San Juan  
8 county.

9 SECTION 11. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION  
10 DISTRICT SIX.--Public education commission district six is  
11 composed of Bernalillo county precincts 31 and 93; Catron  
12 county; Cibola county; Dona Ana county precincts 1 through 3,  
13 60 and 95; Grant county; Hidalgo county; Luna county; Sierra  
14 county; Socorro county precincts 1 through 11 and 13 through  
15 27; and Valencia county.

16 SECTION 12. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION  
17 DISTRICT SEVEN.--Public education commission district seven is  
18 composed of Dona Ana county precincts 4, 6 through 59, 61  
19 through 63, 66 through 94, 96 through 118, 120 through 133 and  
20 135 through 190; and Otero county precincts 1, 41 through 46  
21 and 66.

22 SECTION 13. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION  
23 DISTRICT EIGHT.--Public education commission district eight is  
24 composed of Bernalillo county precincts 551, 552 and 582;  
25 Chaves county precincts 1 through 18, 20 through 25, 31 through  
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1 36, 40 through 47, 51, 52, 61 through 64, 71 through 74, 81  
2 through 85, 90 through 95, 101 through 103, 105 and 106; De  
3 Baca county; Dona Ana county precincts 5, 64, 65, 119 and 134;  
4 Guadalupe county; Lincoln county; Mora county; Otero county  
5 precincts 2 through 40 and 47 through 65; San Miguel county;  
6 Socorro county precinct 12; and Torrance county.

7 SECTION 14. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION  
8 DISTRICT NINE.--Public education commission district nine is  
9 composed of Chaves county precinct 104; Curry county; Eddy  
10 county; Harding county; Lea county; Quay county; Roosevelt  
11 county; and Union county.

12 SECTION 15. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION  
13 DISTRICT TEN.--Public education commission district ten is  
14 composed of Colfax county; Rio Arriba county precincts 3  
15 through 5, 10 through 14, 22 through 28, 35 through 40, 45  
16 through 49 and 56 through 74; Santa Fe county precincts 1  
17 through 10, 13, 14, 20 through 62, 64 through 71, 74 through  
18 79, 81, 83, 86 through 89, 91, 94 through 113, 116 through 124,  
19 126 through 144, 147, 149 through 151, 154, 158 through 164,  
20 166 through 176, 178 and 179; and Taos county.

21 SECTION 16. [NEW MATERIAL] CONTINUING TERMS--VACANCIES.--

22 A. A public education commissioner who is serving  
23 on the public education commission as of the effective date of  
24 this section shall serve the remainder of the term for which  
25 the commissioner was elected or appointed.

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1           B. The governor shall by appointment fill a vacancy  
2 on the public education commission. An appointment to fill a  
3 vacancy on the public education commission shall be for a term  
4 ending on December 31 after the next general election, at which  
5 election a person shall be elected to fill any remainder of the  
6 unexpired term.

7           C. Before the general election of 2022, an  
8 appointment to fill a vacancy on the public education  
9 commission shall be made from the district as it existed when  
10 the person creating the vacancy in office was elected or  
11 appointed.

12           D. After the general election of 2022, an  
13 appointment to fill a vacancy in district two, three, five, six  
14 or seven shall be made from the district as set out in Sections  
15 7, 8, 10, 11 and 12 of the 2021 Educational Redistricting Act.

16           E. After the general election of 2022 and before  
17 the general election of 2024, an appointment to fill a vacancy  
18 in district one, four, eight, nine or ten shall be made from  
19 the district as it existed when the person creating the vacancy  
20 in office was elected or appointed. After the general election  
21 of 2024, an appointment to fill a vacancy in district one,  
22 four, eight, nine or ten shall be made from the district as set  
23 out in Sections 6, 9, 13, 14 and 15 of the 2021 Educational  
24 Redistricting Act.

25           SECTION 17. REPEAL.--Sections 22-3A-1 through 22-3A-16

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1 NMSA 1978 (being Laws 2011 (1st S.S.), Chapter 4, Sections 1  
2 through 16) are repealed.

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