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HOUSE BILL 7

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 through 3, 19 through
14 30, 32 through 44, 49 through 60, 68 through 70, 78 through 85,
15 87 through 89, 100, 110 through 120, 127 through 130, 134, 136
16 through 138, 140 through 149, 156 through 160, 167 through 179,
17 189, 190, 198 through 210, 217, 222, 227 through 233, 236, 237,
18 239, 240, 247 through 250, 261, 263 through 265, 267 through
19 270, 367, 394, 399, 599, 600, 604 through 607, 609 through 612,
20 614 through 628, 631 through 633, 635 through 639, 641 through
21 645, 647 through 650, 652, 653, 655, 686 and 687.

22 SECTION 7. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION
23 DISTRICT TWO.--Public education commission district two is
24 composed of Bernalillo county precincts 289 through 302, 304
25 through 310, 319, 320, 324, 325, 328 through 335, 339, 348

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1 through 350, 359 through 362, 364 through 366, 368, 370, 376,
2 380, 388 through 393, 395 through 398, 400 through 411, 413
3 through 430, 434, 438 through 441, 445 through 454, 456 through
4 476, 479 through 550, 560 through 569, 574, 581, 583 through
5 590, 592 through 594, 598, 601 through 603, 608, 656 through
6 660, 662 through 667, 669, 670 and 672 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 4 through 18, 45
10 through 48, 61 through 67, 71 through 77, 86, 90 through 92, 94
11 through 99, 101 through 109, 121 through 126, 131 through 133,
12 135, 139, 150 through 155, 161 through 166, 180 through 188,
13 191 through 197, 211 through 216, 218 through 221, 223 through
14 226, 234, 235, 238, 241 through 246, 251 through 260, 262, 266,
15 271 through 288, 311 through 318, 321 through 323, 326, 327,
16 336 through 338, 340 through 347, 351 through 358, 363, 369,
17 371 through 375, 377 through 379, 381 through 387, 412, 431
18 through 433, 435 through 437, 442 through 444, 455, 477, 478,
19 591, 613, 629, 630, 634, 640, 646, 651, 654, 661, 668 and 671.

20 SECTION 9. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION

21 DISTRICT FOUR.--Public education commission district four is
22 composed of Bernalillo county precincts 303, 553 through 559,
23 570 through 573, 575 through 580 and 595 through 597; Los
24 Alamos county; Sandoval county precincts 1 through 20 and 28
25 through 157; and Santa Fe county precincts 14 through 19, 63,

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1 65, 68 through 73, 81, 84, 85, 88, 107, 110 through 115, 125,
2 126, 129, 134, 139, 148, 150, 156, 157, 165 through 168 and
3 175.

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, 65 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 46, 51, 52, 61 through 64, 71 through 73, 81
2 through 85 and 90 through 95; Curry county; De Baca county;
3 Guadalupe county; Harding county; Lincoln county; Mora county;
4 Quay county; Roosevelt county; San Miguel county; Socorro
5 county precinct 12; Torrance county; and Union county.

6 SECTION 14. [NEW MATERIAL] PUBLIC EDUCATION COMMISSION
7 DISTRICT NINE.--Public education commission district nine is
8 composed of Chaves county precincts 47, 74 and 101 through 106;
9 Dona Ana county precincts 5, 64, 119 and 134; Eddy county; Lea
10 county; and Otero county precincts 2 through 40 and 47 through
11 65.

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 13, 20 through 62, 64, 66, 67, 74 through 80, 82, 83,
18 86, 87, 89 through 106, 108, 109, 116 through 124, 127, 128,
19 130 through 133, 135 through 138, 140 through 147, 149, 151
20 through 155, 158 through 164, 169 through 174 and 176 through
21 179; and Taos county.

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

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

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1 the commissioner was elected or appointed.

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

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

13 D. After the general election of 2022, an
14 appointment to fill a vacancy in district two, three, five, six
15 or seven shall be made from the district as set out in Sections
16 7, 8, 10, 11 and 12 of the 2021 Educational Redistricting Act.

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

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SECTION 17. REPEAL.--Sections 22-3A-1 through 22-3A-16
NMSA 1978 (being Laws 2011 (1st S.S.), Chapter 4, Sections 1
through 16) are repealed.