

**Laws 2001 (1<sup>st</sup> S.S.)**  
**1<sup>st</sup> Special Session, Forty-Fifth Legislature**

**CERTIFICATE OF AUTHENTICATION**

STATE OF NEW MEXICO )

) SS:

OFFICE OF THE SECRETARY OF STATE )

I, **REBECCA VIGIL-GIRON**, Secretary of State of the State of New Mexico, do hereby certify that the printed laws contained herein are the true and correct copies of the **ENROLLED AND ENGROSSED LAWS** that were passed by the Forty-Fifth State Legislature of New Mexico at its First Special Session, which convened on the 4<sup>th</sup> day of September, 2001, and adjourned on the 20<sup>th</sup> day of September, 2001, in Santa Fe, the Capital of the State, as said copies appear on file in my office.

I further certify that in preparing the following laws for publication, the texts of the **ORIGINAL ENROLLED AND ENGROSSED ACTS** have been photographically reproduced without changes and that any errors must be attributed to the original, as certified by the Enrolling and Engrossing and Judiciary Committees of the Forty-Fifth State Legislature of the State of New Mexico, First Special Session.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the Great Seal of the State of New Mexico.

Done in the City of Santa Fe, the  
State Capital, this 15<sup>th</sup> day of February,  
2002.

Rebecca Vigil-Giron  
Secretary of State

Chapter 1

**CHAPTER 1**

**CHAPTER 1, LAWS 2001, 1ST SPECIAL SESSION**

AN ACT

RELATING TO LEGISLATIVE EXPENDITURES; MAKING APPROPRIATIONS FROM LEGISLATIVE CASH BALANCES FOR NECESSARY EXPENSES OF THE SPECIAL SESSION; DECLARING AN EMERGENCY.

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

**Section 1. SPECIAL SESSION--APPROPRIATION.--**

A. The following amounts are appropriated from the legislative council service cash balances for expenditure in fiscal year 2002 for the following expenses of the first special session of the forty-fifth legislature:

(1) for the expense of the house of representatives, three hundred five thousand nine hundred forty dollars (\$305,940) to be disbursed on vouchers signed by the speaker and the chief clerk of the house of representatives;

(2) for the expense of the senate, two hundred fifty-four thousand eight hundred dollars (\$254,800) to be disbursed on vouchers signed by the chairman of the committees' committee and the chief clerk of the senate; and

(3) for the expense of the legislative council service, the joint billroom and the legislative switchboard, one hundred thirty thousand dollars (\$130,000) to be disbursed on vouchers signed by the director of the legislative council service or his authorized representative.

B. Following adjournment of the first special session of the forty-fifth legislature, expenditures authorized in this section shall be disbursed on vouchers signed by the director of the legislative council service or his authorized representative.

**Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.**

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HOUSE BILL 1 WITH EMERGENCY CLAUSE

SIGNED SEPTEMBER 10, 2001

**CHAPTER 2**

**CHAPTER 2, LAWS 2001, 1ST SPECIAL SESSION**

AN ACT

RELATING TO MAGISTRATE COURTS; ADJUSTING THE SAN JUAN COUNTY  
MAGISTRATE DISTRICT DIVISION BOUNDARIES.

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

**Section 1. Section 35-1-27 NMSA 1978 (being Laws 1968, Chapter  
62, Section 29, as amended) is amended to read:**

"35-1-27. MAGISTRATE COURT--SAN JUAN DISTRICT ELECTION DIVISION  
PRECINCTS.--

A. There shall be four magistrate divisions in

San Juan magistrate district, each division having its own magistrate. Divisions 1 and 4 shall operate as a single court in Aztec and divisions 2 and 3 shall operate as a single court in Farmington.

B. Magistrate judges shall not be elected at-large from the district, but shall be elected by the voters of the division for which the magistrate sits. Magistrate judges may reside anywhere within the magistrate district and shall have district-wide jurisdiction. The composition of the divisions for elections purposes is:

(1) division 1 is composed of San Juan county precincts 47, 59 through 70 and 72 through 76;

(2) division 2 is composed of San Juan county precincts 2 through 4, 8 through 14, 18, 28 through 31 and 82;

(3) division 3 is composed of San Juan county precincts 20 through 27, 40 through 46, 49, 51, 52 and 54; and

(4) division 4 is composed of San Juan county precincts 1, 5 through 7, 15, 16, 19, 53, 55 through 58, 71, 79, 81 and 83 through 86."

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SENATE BILL 14, 1ST SPECIAL SESSION

**CHAPTER 3**

**CHAPTER 3, LAWS 2001, 1ST SPECIAL SESSION**

AN ACT

RELATING TO THE REDISTRICTING OF THE PUBLIC REGULATION COMMISSION DISTRICTS; ESTABLISHING PUBLIC REGULATION COMMISSION DISTRICTS FOR THE ELECTION OF PUBLIC REGULATION COMMISSIONERS; 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) 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 initially serve terms of two years and three commission members shall serve terms of four years. Thereafter, all commission members shall serve four-year terms. After serving two terms, a commission member shall be ineligible to hold office as a commission member until one full term has intervened.

B. The governor shall by appointment fill vacancies on the public regulation commission. An appointment to fill a vacancy on the public regulation commission shall be for a term ending on December 31 after the next general election, at which election a person shall be elected to fill any remainder of the unexpired term.

C. An appointment to fill a vacancy on the public regulation commission made before the general election of 2002 shall be made from the district as it was described in Laws 1997, Chapter 262, Sections 6 through 10. After the general election of 2002, a vacancy shall be filled by appointment from the district set out in Sections 8-7-6 through 8-7-10 NMSA 1978."

**Section 2. Section 8-7-5 NMSA 1978 (being Laws 1997, Chapter 262, Section 5) is amended to read:**

"8-7-5. PRECINCTS.--

A. Designations and boundaries used in the Public Regulation Commission Apportionment Act are those precinct designations and boundaries established pursuant to the Precinct Boundary Adjustment Act and revised and approved by the secretary of state as of August 31, 2001.

B. A board of county commissioners shall not create any precinct that lies in more than one public regulation commission district and shall not divide any precinct so that the divided parts of the precinct are situated in two or more public regulation commission districts. Votes cast in a statewide election from precincts created or

divided in violation of this subsection are invalid and shall not be counted or canvassed."

**Section 3. Section 8-7-6 NMSA 1978 (being Laws 1997, Chapter 262, Section 6) is repealed and a new Section 8-7-6 NMSA 1978 is enacted to read:**

"8-7-6. PUBLIC REGULATION COMMISSION DISTRICT ONE.--Public regulation commission district one is composed of Bernalillo county precincts 4, 5, 7 through 18, 20 through 28, 30, 39, 107, 120, 121, 125, 131, 150 through 154, 161 through 166, 180 through 187, 191 through 197, 211, 212, 215, 216, 241 through 246, 251 through 258, 271 through 275, 278, 281 through 287, 289 through 302, 304 through 308, 311 through 318, 321 through 323, 326 through 333, 341 through 347, 351 through 358, 371 through 375, 381 through 387, 400 through 447, 449 through 454, 461 through 466, 471 through 478, 480 through 500, 502 through 550, 560 through 566, 568, 569, 601 and 602."

**Section 4. Section 8-7-7 NMSA 1978 (being Laws 1997, Chapter 262, Section 7) is repealed and a new Section 8-7-7 NMSA 1978 is enacted to read:**

"8-7-7. PUBLIC REGULATION COMMISSION DISTRICT TWO.--Public regulation commission district two is composed of Bernalillo county precincts 303, 551 through 559, 571 and 573; Chaves county; Curry county; De Baca county precincts 1 and 2; Dona Ana county precincts 5, 6, 59, 65, 66, 75 through 77 and 104; Eddy county; Guadalupe county precinct 4; Lea county; Lincoln county precincts 1, 3 and 12; Otero county precincts 1 through 13, 19, 20, 22, 23, 26 through 28, 30 through 33, 35 and 37 through 39; Quay county; Roosevelt county; Santa Fe county precincts 15, 18, 19, 73, 84 and 85; and Torrance county precincts 1 through 9 and 11 through 13."

**Section 5. Section 8-7-8 NMSA 1978 (being Laws 1997, Chapter 262, Section 8) is repealed and a new Section 8-7-8 NMSA 1978 is enacted to read:**

"8-7-8. PUBLIC REGULATION COMMISSION DISTRICT THREE.--Public regulation commission district three is composed of Bernalillo county precincts 1 through 3, 6, 29, 80 through 87, 89, 111 through 114 and 567; Colfax county; De Baca county precincts 3 and 4; Guadalupe county precincts 1 through 3 and 5; Harding county; Los Alamos county; Mora county; Rio Arriba county precincts 1 through 20, 22, 23 and 31 through 41; San Miguel county; Sandoval county precincts 1 through 6, 11 through 13, 28 through 51, 53 through 56, 58 through 64 and 67; Santa Fe county precincts 1 through 11, 13, 16, 17, 20 through 61, 66, 67, 74 through 79, 83 and 86; Taos county; and Union county."

**Section 6. Section 8-7-9 NMSA 1978 (being Laws 1997, Chapter 262, Section 9) is repealed and a new Section 8-7-9 NMSA 1978 is enacted to read:**

"8-7-9. PUBLIC REGULATION COMMISSION DISTRICT FOUR.--Public regulation commission district four is composed of Bernalillo county precincts 31 through 38, 40 through 55, 61 through 67, 71 through 77, 88, 90 through 99, 101 through 106, 122 through 124, 132, 133, 135, 214, 217, 221 and 223 through 226; Cibola county; McKinley county; Rio Arriba county precincts 24 through 27, 29 and 30; San Juan county; Sandoval county precincts 7 through 10 and 14 through 27; Santa Fe county precincts 12, 14, 62 through 65, 68 through 72 and 80 through 82; Socorro county precinct 15; and Valencia county precinct 13."

**Section 7. Section 8-7-10 NMSA 1978 (being Laws 1997, Chapter 262, Section 10) is repealed and a new Section 8-7-10 NMSA 1978 is enacted to read:**

"8-7-10. PUBLIC REGULATION COMMISSION DISTRICT FIVE.--Public regulation commission district five is composed of Catron county; Dona Ana county precincts 1 through 4, 7 through 58, 60 through 64, 67 through 74 and 78 through 103; Grant county; Hidalgo county; Lincoln county precincts 2, 4 through 11 and 13; Luna county; Otero county precincts 14 through 18, 21, 24, 25, 29, 34, 36 and 40; Sierra county; Socorro county precincts 1 through 14, 16 and 17; Torrance county precinct 10; and Valencia county precincts 1 through 12 and 14 through 38."

**Section 8. A new Section 8-7-11 NMSA 1978 is enacted to read:**

"8-7-11. ELECTION OF PUBLIC REGULATION COMMISSIONERS.--Commissioners for public regulation commission districts two, four and five shall be elected from the districts described in Sections 8-7-7, 8-7-9 and 8-7-10 NMSA 1978 at the 2002 and subsequent general elections. Commissioners for public regulation commission districts one and three shall be elected from the districts described in Sections 8-7-6 and 8-7-8 NMSA 1978 at the 2004 and subsequent general elections."

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SENATE JUDICIARY COMMITTEE SUBSTITUTE

FOR SENATE RULES COMMITTEE SUBSTITUTE

FOR SENATE BILL 7, AS AMENDED