

1 SENATE JOINT RESOLUTION 1

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

3 INTRODUCED BY

4 Jeff Steinborn

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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO ARTICLE 12, SECTION 13 OF THE  
12 CONSTITUTION OF NEW MEXICO TO PROVIDE FOR NOMINATING COMMITTEES  
13 FOR ALL APPOINTED AND REAPPOINTED MEMBERS OF BOARDS OF REGENTS  
14 OF STATE EDUCATIONAL INSTITUTIONS.

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16 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. It is proposed to amend Article 12, Section 13  
18 of the constitution of New Mexico to read:

19 "A. The legislature shall provide for the control  
20 and management of each of the institutions, except the  
21 university of New Mexico, by a board of regents for each  
22 institution, consisting of five members, four of whom shall be  
23 qualified electors of the state of New Mexico, one of whom  
24 shall be a member of the student body of the institution and no  
25 more than three of whom at the time of their appointment shall

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1 be members of the same political party; provided, however, that  
2 the student body member provision in this subsection shall not  
3 apply to the New Mexico school for the deaf, the New Mexico  
4 military institute or the New Mexico school for the blind and  
5 visually impaired, and for each of those three institutions all  
6 five members of the board of regents shall be qualified  
7 electors of the state of New Mexico.

8 B. The governor shall nominate from a list provided  
9 by a nominating committee established by law and by and with  
10 the consent of the senate shall appoint the members of each  
11 board of regents for each of the institutions. The terms of  
12 nonstudent members shall be for staggered terms of six years,  
13 and the terms of student members shall be two years.

14 C. The governor shall select, with the advice and  
15 consent of the senate, a student member from a list provided by  
16 ~~[the president of the institution. In making the list, the~~  
17 ~~president of the institution shall give due consideration to~~  
18 ~~the recommendations of the student body president of the~~  
19 ~~institution. Following the approval by the voters of this 2014~~  
20 ~~amendment and]~~ a nominating committee established by law. Upon  
21 the first vacancy of a position on the northern New Mexico  
22 state school board of regents, the governor shall nominate and  
23 by and with the consent of the senate shall appoint a student  
24 member to serve a two-year term.

25 D. The legislature shall provide for the control

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1 and management of the university of New Mexico by a board of  
2 regents consisting of seven members, six of whom shall be  
3 qualified electors of the state of New Mexico, one of whom  
4 shall be a member of the student body of the university of New  
5 Mexico and no more than four of whom at the time of their  
6 appointment shall be members of the same political party. The  
7 governor shall nominate from a list provided by a nominating  
8 committee established by law and by and with the consent of the  
9 senate shall appoint the members of the board of regents. The  
10 present five members shall serve out their present terms. The  
11 two additional members shall be appointed in 1987 for terms of  
12 six years. Following the approval by the voters of this  
13 amendment and upon the first vacancy of a position held by a  
14 nonstudent member on the university of New Mexico's board of  
15 regents, the governor shall nominate and by and with the  
16 consent of the senate shall appoint a student member to serve a  
17 two-year term. The governor shall select, with the advice and  
18 consent of the senate, a student member from a list provided by  
19 ~~[the president of the university of New Mexico. In making the~~  
20 ~~list, the president of the university of New Mexico shall give~~  
21 ~~due consideration to the recommendations of the student body~~  
22 ~~president of the university]~~ a nominating committee established  
23 by law.

24 E. Members of the board shall not be removed except  
25 for incompetence, neglect of duty or malfeasance in office.

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1 Provided, however, no removal shall be made without notice of  
2 hearing and an opportunity to be heard having first been given  
3 such member. The supreme court of the state of New Mexico is  
4 hereby given exclusive original jurisdiction over proceedings  
5 to remove members of the board under such rules as it may  
6 promulgate, and its decision in connection with such matters  
7 shall be final.

8 F. No member of a board of regents shall be  
9 reappointed except pursuant to the provisions of this section.

10 G. Nominating committees shall be established by  
11 law to provide lists of names for appointments for members of  
12 the board by the governor to each board of regents of the state  
13 educational institutions enumerated in Article 12, Section 11  
14 of this constitution. The legislature shall provide by law for  
15 the appointment, terms, powers and duties of the nominating  
16 committees; provided that no more than fifty percent of the  
17 nominating committee shall be members of the same political  
18 party."

19 SECTION 2. The amendment proposed by this resolution  
20 shall be submitted to the people for their approval or  
21 rejection at the next general election or at any special  
22 election prior to that date that may be called for that  
23 purpose.

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