

1 SENATE JOINT RESOLUTION 8

2 51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

3 INTRODUCED BY

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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO ARTICLE 12, SECTION 6 OF THE
12 CONSTITUTION OF NEW MEXICO TO ESTABLISH DUTIES AND FUNCTIONS OF
13 THE PUBLIC EDUCATION COMMISSION.

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

16 SECTION 1. It is proposed to amend Article 12, Section 6
17 of the constitution of New Mexico to read:

18 "A. There is hereby created a "public education
19 department" and a "public education commission" [~~that shall~~
20 ~~have such powers and duties as provided by law~~]. The
21 department shall be a cabinet department headed by a secretary
22 of public education who is a qualified, experienced educator
23 who shall be appointed by the governor and confirmed by the
24 senate.

25 B. Ten members of the public education commission

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1 shall be elected for staggered terms of four years as provided
2 by law. Commission members shall be residents of the public
3 education commission district from which they are elected.

4 Change of residence of a commission member to a place outside
5 the district from which ~~[he]~~ the member was elected shall
6 automatically terminate the term of that member.

7 C. The governor shall fill vacancies on the
8 commission by appointment of a resident from the district in
9 which the vacancy occurs until the next regular election for
10 membership on the commission.

11 D. The secretary of public education shall have
12 administrative and regulatory powers and duties [~~including all~~
13 ~~functions~~] relating to the distribution of school funds and
14 financial accounting for ~~[the]~~ all public schools and such
15 other duties to be performed as provided by law.

16 ~~[E. The elected members of the 2003 state board of~~
17 ~~education shall constitute the public education commission, if~~
18 ~~this amendment is approved, until their terms expire and the~~
19 ~~districts from which the state board of education were elected~~
20 ~~shall constitute the state public education commission~~
21 ~~districts until changed by law.]~~

22 E. The public education commission shall:

23 (1) advise the public education department on
24 policy matters relating to charter schools and such other
25 matters and perform such other duties as provided by law; and

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1 (2) have the sole authority to render a final
2 decision:

3 (a) approving or denying an application
4 for the establishment or renewal of a charter for or revoking a
5 charter of a state-chartered charter school; and

6 (b) affirming or revoking the charter of
7 a locally chartered charter school or applicant upon review of
8 a local school board's decision to grant a new charter or renew
9 an existing charter."

10 SECTION 2. The amendment proposed by this resolution
11 shall be submitted to the people for their approval or
12 rejection at the next general election or at any special
13 election prior to that date that may be called for that
14 purpose.