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SENATE JOINT RESOLUTION

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

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A JOINT RESOLUTION

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

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

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

"A. The legislature shall provide for the control
and management of each of the institutions, except the
university of New Mexico, by a board of regents for each
institution, consisting of five members, four of whom shall be
qualified electors of the state of New Mexico, one of whom
shall be a member of the student body of the institution and no
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 of names
9 provided by a nominating committee for each institution as
10 established by law and by and with the consent of the senate
11 shall appoint the members of each board of regents for each of
12 the institutions. The terms of nonstudent members shall be for
13 staggered terms of six years, and the terms of student members
14 shall be two years.

15 C. The governor shall select, with the advice and
16 consent of the senate, a student member from a list provided by
17 the president of the institution. In making the list, the
18 president of the institution shall give due consideration to
19 the recommendations of the student body president of the
20 institution. ~~[Following the approval by the voters of this~~
21 ~~2014 amendment and upon the first vacancy of a position on the~~
22 ~~northern New Mexico state school board of regents, the governor~~
23 ~~shall nominate and by and with the consent of the senate shall~~
24 ~~appoint a student 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 of names provided by a
8 nominating committee established by law and by and with the
9 consent of the senate shall appoint the members of the board of
10 regents. ~~[The present five members shall serve out their~~
11 ~~present terms. The two additional members shall be appointed~~
12 ~~in 1987 for terms of six years. Following the approval by the~~
13 ~~voters of this amendment and upon the first vacancy of a~~
14 ~~position held by a nonstudent member on the university of New~~
15 ~~Mexico's board of regents, the governor shall nominate and by~~
16 ~~and with the consent of the senate shall appoint a student~~
17 ~~member to serve a two-year term.]~~ The governor shall select,
18 with the advice and consent of the senate, a student member
19 from a list provided by the president of the university of New
20 Mexico. In making the list, the president of the university of
21 New Mexico shall give due consideration to the recommendations
22 of the student body president of the university.

23 E. Members of the board shall not be removed except
24 for incompetence, neglect of duty or malfeasance in office.
25 Provided, however, no removal shall be made without notice of

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1 hearing and an opportunity to be heard having first been given
2 such member. The supreme court of the state of New Mexico is
3 hereby given exclusive original jurisdiction over proceedings
4 to remove members of the board under such rules as it may
5 promulgate, and its decision in connection with such matters
6 shall be final.

7 F. Nominating committees shall be established by
8 law to provide to the governor lists of nominees for
9 appointment of nonstudent members to the board of regents of
10 each state educational institution enumerated in Article 12,
11 Section 11 of this constitution. The legislature shall provide
12 by law for the appointment, terms, powers and duties of the
13 nominating committees; provided that no more than fifty percent
14 of a nominating committee shall be members of the same
15 political party."

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