

1 SENATE JOINT RESOLUTION 8

2 49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

3 INTRODUCED BY

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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO THE CONSTITUTION OF NEW MEXICO TO
12 REQUIRE A TWO-THIRDS' MAJORITY VOTE OF THE SENATE TO CONFIRM
13 APPOINTMENTS TO THE BOARDS OF REGENTS OF THE STATE EDUCATIONAL
14 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 [~~said~~] the state educational
21 institutions, except the university of New Mexico, by a board
22 of regents for each institution, consisting of five members,
23 four of whom shall be qualified electors of the state [~~of New~~
24 ~~Mexico~~], one of whom shall be a member of the student body of
25 the institution and no more than three of whom at the time of

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1 their appointment shall be members of the same political party;
2 provided, however, that the student body member provision in
3 this section shall not apply to the New Mexico school for the
4 deaf, the New Mexico military institute, the northern New
5 Mexico state school or the New Mexico school for the blind and
6 visually ~~[handicapped]~~ impaired, and for each of those four
7 institutions all five members of the board of regents shall be
8 qualified electors of the state ~~[of New Mexico]~~. The governor
9 shall nominate and by and with the consent of the senate shall
10 appoint the members of each board of regents for each of ~~[said]~~
11 the institutions. The terms of ~~[said]~~ the nonstudent members
12 shall be for six years; provided that of the five first
13 appointed the terms of two shall be for two years, the terms
14 for two shall be for four years and the term of one shall be
15 for six years. ~~[Following the approval by the voters of this~~
16 ~~amendment and upon the first vacancy of a position held by a~~
17 ~~nonstudent member on each eligible institution's board of~~
18 ~~regents]~~ The governor shall nominate and by and with the
19 consent of the senate shall appoint a student member to serve a
20 two-year term. The governor shall select, with the advice and
21 consent of the senate, a student member from a list provided by
22 the president of the institution. In making the list, the
23 president of the institution shall give due consideration to
24 the recommendations of the student body president of the
25 institution.

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1 B. The legislature shall provide for the control
2 and management of the university of New Mexico by a board of
3 regents consisting of seven members, six of whom shall be
4 qualified electors of the state [~~of New Mexico~~], one of whom
5 shall be a member of the student body of the university of New
6 Mexico and no more than four of whom at the time of their
7 appointment shall be members of the same political party. The
8 governor shall nominate 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.

23 C. Consent of the senate to an appointment of a
24 member of a board of regents shall be by two-thirds of the
25 members present and voting.

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1 D. Members of ~~[the]~~ a board of regents shall not be
2 removed except for incompetence, neglect of duty or malfeasance
3 in office. ~~[Provided, however]~~ No removal shall be made
4 without notice of hearing and an opportunity to be heard having
5 first been given ~~[such]~~ the member. The supreme court of ~~[the~~
6 ~~state of]~~ New Mexico ~~[is hereby given]~~ has exclusive original
7 jurisdiction over proceedings to remove members of the board
8 under such rules as it may promulgate, and its decision in
9 connection with such matters shall be final."

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.