

1 SENATE JOINT RESOLUTION 8

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 TO AMEND ARTICLE 12, SECTION 13 OF THE CONSTITUTION  
12 OF NEW MEXICO TO INCREASE AND MAKE UNIFORM THE NUMBER OF  
13 MEMBERS OF BOARDS OF REGENTS OF INSTITUTIONS OF HIGHER  
14 EDUCATION AND TO DECREASE THEIR TERMS OF OFFICE.

15  
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~~] of higher education by a board of  
22 regents for each institution, consisting of [~~five~~] seven  
23 members, [~~four~~] five of whom shall be qualified electors of the  
24 state of New Mexico, one of whom shall be a faculty member of  
25 the institution, one of whom shall be a member of the student

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1 body of the institution and no more than [~~three~~] four of whom  
2 at the time of their appointment shall be members of the same  
3 political party [~~provided, however, that the student body~~  
4 ~~member provision in this subsection shall not apply to~~].

5 B. The New Mexico school for the deaf, the New  
6 Mexico military institute [~~or~~] and the New Mexico school for  
7 the blind and visually impaired [~~and for each of those three~~  
8 ~~institutions all~~] shall have five members of [~~the board~~] their  
9 boards of regents, all of whom shall be qualified electors of  
10 the state of New Mexico.

11 [~~B.~~] C. The governor shall nominate and by and with  
12 the consent of the senate shall appoint the members of each  
13 board of regents for each of the institutions. The terms of  
14 nonstudent members shall be for staggered terms of [~~six~~] four  
15 years, and the terms of student members shall be two years.

16 [~~C.~~] D. The governor shall select, with the advice  
17 and consent of the senate, a student member from a list  
18 provided by the president of the institution of higher  
19 education. In making the list, the president of the  
20 institution shall give due consideration to the recommendations  
21 of the student body president of the institution. [~~Following~~  
22 ~~the approval by the voters of this 2014 amendment and upon the~~  
23 ~~first vacancy of a position on the northern New Mexico state~~  
24 ~~school board of regents, the governor shall nominate and by and~~  
25 ~~with the consent of the senate shall appoint a student member~~

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1 ~~to serve a two-year term.~~

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

24 E. Members of ~~[the]~~ a board of regents shall not be  
25 removed except for incompetence, neglect of duty or malfeasance

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

8 F. Following the approval by the voters of this  
9 amendment:

10 (1) nonstudent members who are serving on the  
11 board of regents of an institution of higher education shall  
12 finish out their terms, and their successors shall be appointed  
13 for terms of four years or less in such a way that the board of  
14 regents shall continue to have staggered terms;

15 (2) upon the first vacancy of a position held  
16 by a nonstudent member on the board of regents of each  
17 institution of higher education except the university of New  
18 Mexico, the governor shall nominate and by and with the consent  
19 of the senate shall appoint a faculty member of the institution  
20 to serve a four-year term, and that position shall remain a  
21 faculty position, and upon the second vacancy, the governor  
22 shall appoint a public member to serve a four-year term; and

23 (3) upon the first vacancy of a position held  
24 by a nonstudent member on the university of New Mexico board of  
25 regents, the governor shall nominate and by and with the

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1 consent of the senate shall appoint a faculty member of the  
2 university of New Mexico to serve a four-year term, and that  
3 position shall remain a faculty position."

4 SECTION 2. The amendment proposed by this resolution  
5 shall be submitted to the people for their approval or  
6 rejection at the next general election or at any special  
7 election prior to that date that may be called for that  
8 purpose.

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