

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION 6

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

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

.214100.4

underscored material = new  
[bracketed material] = delete

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 at  
9 least three names provided by a nominating committee for each  
10 institution as established by law and by and with the consent  
11 of the senate shall appoint the members of each board of  
12 regents for each of the institutions. The terms of nonstudent  
13 members shall be for staggered terms of six years, and the  
14 terms of student members 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

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

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

17 SECTION 2. The provisions of this amendment shall take  
18 effect July 1, 2021.

19 SECTION 3. 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.