

1 SENATE JOINT RESOLUTION 3

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

3 INTRODUCED BY

4 Jeff Steinborn

5
6
7
8
9
10 A JOINT RESOLUTION

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

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, by a board of regents for each
22 institution, consisting of five members, four of whom shall be
23 qualified electors of the state of New Mexico, one of whom
24 shall be a member of the student body of the institution and no
25 more than three of whom at the time of their appointment shall

.216118.1

underscored material = new
[bracketed material] = delete

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

.216118.1

underscored material = new
[bracketed material] = delete

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.

.216118.1

underscored material = new
[bracketed material] = delete

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 a 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.