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SENATE JOINT RESOLUTION 15

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

TOM C. WRAY

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 12, SECTION 6 OF THE  
CONSTITUTION OF NEW MEXICO TO PROVIDE FOR THE APPOINTMENT RATHER  
THAN THE ELECTION OF STATE BOARD OF EDUCATION MEMBERS, TO REDUCE  
THE SIZE OF THE STATE BOARD OF EDUCATION AND TO LENGTHEN THE  
TERM OF ITS MEMBERS.

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

Section 1. It is proposed to amend Article 12, Section 6  
of the constitution of New Mexico to read:

"A. There is hereby created a "state department of  
public education" and a "state board of education". The state  
board of education shall determine public school policy and  
vocational educational policy and shall have control, management  
and direction, including financial direction, distribution of  
school funds and financial accounting for all public schools,

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1 pursuant to authority and powers provided by law. The board  
2 shall appoint a qualified, experienced educational administrator  
3 to be known as the superintendent of public instruction, who  
4 shall, subject to the policies established by the board, direct  
5 the operation of the state department of public education.

6 B. ~~[Ten members of the state board of education who~~  
7 ~~shall be state officers shall be elected for staggered terms of~~  
8 ~~four years as provided by law.]~~ Board members shall be  
9 residents of the ~~[board of education]~~ district from which they  
10 are ~~[elected]~~ appointed. Change of residence of a board member  
11 to a place outside the district from which ~~[he was elected]~~ the  
12 member was appointed shall automatically terminate the ~~[term]~~  
13 service of that member and create a vacancy in that position.  
14 Appointments to fill such a vacancy shall be for the remainder  
15 of the unexpired term.

16 C. ~~[Five members of the state board of education who~~  
17 ~~shall be state officers]~~ Members of the board shall be nominated  
18 and by and with the consent of the senate appointed by the  
19 governor ~~[from five districts substantially equal in population]~~  
20 for staggered ~~[four-year]~~ six-year terms ~~[as provided by law.]~~  
21 ~~Those appointed by the governor]~~ with three members being  
22 appointed from each congressional district. Members of the  
23 state board shall be qualified electors of the state of New  
24 Mexico, no more than one-half or a simple majority of whom at  
25 the time of their appointment shall be members of the same

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1 political party. ~~[After 1990, the number of appointed members~~  
2 ~~may be changed by law not to exceed five members.~~

3 D. ~~The governor shall fill vacancies on the board by~~  
4 ~~appointment of a resident from the district in which the vacancy~~  
5 ~~occurs until the next regular election for membership on the~~  
6 ~~board.~~

7 E. ~~Upon adoption of this amendment, all functions~~  
8 ~~relating to the distribution of school funds and financial~~  
9 ~~accounting for the public schools shall be transferred to the~~  
10 ~~state department of public education to be performed as provided~~  
11 ~~by law.] Members of the board shall not be removed except for~~  
12 ~~incompetence, neglect of duty or malfeasance in office."~~

13 Section 2. The amendment proposed by this resolution shall  
14 be submitted to the people for their approval or rejection at  
15 the next general election or at any special election prior to  
16 that date which may be called for that purpose.

1 FORTY- SECOND LEGI SLATURE  
2 SECOND SESSI ON, 1996  
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5 February 14, 1996  
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7 Mr. President:  
8

9 Your RULES COMMI TTEE, to whom has been referred  
10

11 SENATE JOI NT RESOLUTION 15  
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13 has had it under consideration and reports same with  
14 recommendation that it DO PASS, and thence referred to the  
15 EDUCATI ON COMMI TTEE.  
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17 Respectfully submi tted,  
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22 Glori a Howes, Chair man  
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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

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(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Aragon, Doni sthorpe, EJenni ngs

Absent: 0

**SJR15RU1**

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1 FORTY- SECOND LEGI SLATURE  
2 SECOND SESSI ON, 1996  
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5 February 14, 1996  
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7 Mr. President:  
8

9 Your EDUCATION COMMI TTEE, to whom has been referred  
10

11 SENATE JOI NT RESOLUTION 15  
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13 has had it under consideration and reports same with  
14 recommendation that it DO PASS.  
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16 Respectfully submi tted,  
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21 Carlos R. Ci sneros, Chair man  
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25 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chi ef Clerk) (Chi ef Clerk)

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Date \_\_\_\_\_

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Carraro, Duran, Lyons, Scott

Absent: None

SJR15ED1