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HOUSE JOINT RESOLUTION 12

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

MARY HELEN GARCIA

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 12, SECTION 13 OF THE
CONSTITUTION OF NEW MEXICO TO PROVIDE FOR SEVEN MEMBERS OF THE
BOARD OF REGENTS OF NEW MEXICO STATE UNIVERSITY.

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 [~~said~~] the institutions, except the
university of New Mexico and New Mexico state university, 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~~] and one of whom shall be a member of the
student body of the institution [~~and~~]. No more than three of
[~~whom~~] the members at the time of their appointment shall be

Underscored material = new
[bracketed material] = delete

Underscored material = new
[bracketed material] = delete

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

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Underscored material = new
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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~~] and one of
5 whom shall be a member of the student body of the university
6 of New Mexico [~~and~~]. No more than four of [~~whom~~] the members
7 at the time of their appointment shall be members of the same
8 political party. The governor shall nominate and by and with
9 the consent of the senate shall appoint the members of the
10 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
16 shall 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 C. The legislature shall provide for the control
25 and management of New Mexico state university by a board of

Underscored material = new
[bracketed material] = delete

1 regents consisting of seven members, six of whom shall be
2 qualified electors of the state and one of whom shall be a
3 member of the student body of New Mexico state university. No
4 more than four of the members at the time of their appointment
5 shall be members of the same political party. The governor
6 shall nominate and by and with the consent of the senate shall
7 appoint the members of the board of regents. The five members
8 -serving at the time of this 1998 amendment shall serve out
9 their terms. The two additional members shall be appointed in
10 1999 for terms of six years.

11 D. Members of [the] a board of regents shall not
12 be removed except for incompetence, neglect of duty or
13 malfeasance in office; provided, however, no removal shall be
14 made without notice of hearing and an opportunity to be heard
15 having first been given such member. The supreme court [of
16 the state of New Mexico is hereby given] has exclusive
17 original jurisdiction over proceedings to remove members of
18 the board under such rules as it may promulgate, and its
19 decision in connection with such matters shall be final."

20 Section 2. The amendment proposed by this resolution
21 shall be submitted to the people for their approval or
22 rejection at the next general election or at any special
23 election prior to that date which may be called for that
24 purpose.