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HOUSE JOINT RESOLUTION

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

FOR THE GOVERNMENT RESTRUCTURING TASK FORCE

A JOINT RESOLUTION

PROPOSING TO AMEND ARTICLE 12, SECTION 6 OF THE CONSTITUTION OF  
NEW MEXICO TO ELIMINATE THE PUBLIC EDUCATION COMMISSION AND TO  
PROVIDE BY LAW FOR THE POWERS AND DUTIES OF THE PUBLIC  
EDUCATION DEPARTMENT AND THE SECRETARY OF PUBLIC EDUCATION.

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 "public education  
department" [~~and a "public education commission"~~] that shall  
have such powers and duties as provided by law. The department  
shall be a cabinet department headed by a secretary of public  
education who is a qualified, experienced educator who shall be  
appointed by the governor and confirmed by the senate.

~~[B. Ten members of the public education commission~~

underscored material = new  
[bracketed material] = delete

1 shall be elected for staggered terms of four years as provided  
2 by law. Commission members shall be residents of the public  
3 education commission district from which they are elected.  
4 Change of residence of a commission member to a place outside  
5 the district from which he was elected shall automatically  
6 terminate the term of that member.

7 C. The governor shall fill vacancies on the  
8 commission by appointment of a resident from the district in  
9 which the vacancy occurs until the next regular election for  
10 membership on the commission.

11 D.] B. The secretary of public education shall have  
12 administrative and regulatory powers and duties [including all  
13 functions relating to the distribution of school funds and  
14 financial accounting for the public schools to be performed] as  
15 provided by law.

16 [E. The elected members of the 2003 state board of  
17 education shall constitute the public education commission, if  
18 this amendment is approved, until their terms expire and the  
19 districts from which the state board of education were elected  
20 shall constitute the state public education commission  
21 districts until changed by law.]"

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

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