

1 SENATE JOINT RESOLUTION 9

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO PROVIDE
12 FOR NOMINATING COMMITTEES FOR ALL APPOINTED AND REAPPOINTED
13 MEMBERS OF BOARDS OF REGENTS OF STATE EDUCATIONAL INSTITUTIONS.

14
15 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. It is proposed to amend Article 12, Section 13
17 of the constitution of New Mexico to read:

18 "A. The legislature shall provide for the control
19 and management of each of the institutions, except the
20 university of New Mexico, by a board of regents for each
21 institution, consisting of five members, four of whom shall be
22 qualified electors of the state of New Mexico, one of whom
23 shall be a member of the student body of the institution and no
24 more than three of whom at the time of their appointment shall
25 be members of the same political party; provided, however, that

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1 the student body member provision in this subsection shall not
2 apply to the New Mexico school for the deaf, the New Mexico
3 military institute or the New Mexico school for the blind and
4 visually impaired, and for each of those three institutions all
5 five members of the board of regents shall be qualified
6 electors of the state of New Mexico.

7 B. The governor shall nominate from a list provided
8 by a nominating committee established by law and by and with
9 the consent of the senate shall appoint the members of each
10 board of regents for each of the institutions. The terms of
11 nonstudent members shall be for staggered terms of six years,
12 and the terms of student members shall be two years.

13 C. The governor shall select, with the advice and
14 consent of the senate, a student member [~~from a list provided~~
15 ~~by the president of the institution. In making the list, the~~
16 ~~president of the institution shall give due consideration to~~
17 ~~the recommendations of the student body president of the~~
18 ~~institution. Following the approval by the voters of this 2014~~
19 ~~amendment and] from a list provided by a nominating committee
20 established by law. Upon the first vacancy of a position on
21 the northern New Mexico state school board of regents, the
22 governor shall nominate and by and with the consent of the
23 senate shall appoint a student member to serve a two-year term.~~

24 D. The legislature shall provide for the control
25 and management of the university of New Mexico by a board of

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1 regents consisting of seven members, six of whom shall be
2 qualified electors of the state of New Mexico, one of whom
3 shall be a member of the student body of the university of New
4 Mexico and no more than four of whom at the time of their
5 appointment shall be members of the same political party. The
6 governor shall nominate from a list provided by a nominating
7 committee established by law and by and with the consent of the
8 senate shall appoint the members of the board of regents. The
9 present five members shall serve out their present terms. The
10 two additional members shall be appointed in 1987 for terms of
11 six years. Following the approval by the voters of this
12 amendment and upon the first vacancy of a position held by a
13 nonstudent member on the university of New Mexico's board of
14 regents, the governor shall nominate and by and with the
15 consent of the senate shall appoint a student member to serve a
16 two-year term. The governor shall select, with the advice and
17 consent of the senate, a student member from a list provided by
18 ~~[the president of the university of New Mexico. In making the~~
19 ~~list, the president of the university of New Mexico shall give~~
20 ~~due consideration to the recommendations of the student body~~
21 ~~president of the university]~~ a nominating committee established
22 by law.

23 E. Members of the board shall not be removed except
24 for incompetence, neglect of duty or malfeasance in office.
25 Provided, however, no removal shall be made without notice of

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1 hearing and an opportunity to be heard having first been given
2 such member. The supreme court of the state of New Mexico is
3 hereby given exclusive original jurisdiction over proceedings
4 to remove members of the board under such rules as it may
5 promulgate, and its decision in connection with such matters
6 shall be final.

7 F. No member of a board of regents shall be
8 reappointed except pursuant to the provisions of this section.

9 G. Nominating committees shall be established by
10 law to provide lists of names for appointments for members of
11 the board by the governor to each board of regents of the state
12 educational institutions enumerated in Article 12, Section 11
13 of this constitution. Each nominating committee shall include
14 members of the faculty and student body of the educational
15 institution and residents of the county in which the main
16 branch of the educational institution is located. The
17 legislature shall provide by law for the appointment, terms,
18 powers and duties of the nominating committees; provided that
19 no more than fifty percent of the nominating committee shall be
20 members of the same political party."

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

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