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HOUSE BILL 428

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Joseph Cervantes

AN ACT

RELATING TO EDUCATION; CHANGING THE METHOD OF APPOINTING
PERSONS TO FILL LOCAL SCHOOL BOARD VACANCIES.

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

Section 1. Section 22-5-9 NMSA 1978 (being Laws 1967,
Chapter 16, Section 32, as amended) is amended to read:

"22-5-9. LOCAL SCHOOL BOARD VACANCIES. --

A. A vacancy occurring in the membership of a
local school board shall be filled [~~at an open meeting, at
which a quorum of the membership is present, by a majority
vote of the remaining members~~] by the state board of education
appointing a qualified person to fill the vacancy.

B. A qualified person appointed to fill a vacancy
occurring in the membership of a local school board shall hold
that office until the next regular school district election

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 when an election shall be held to fill the vacancy for the
2 unexpired term.

3 ~~[C.— If a qualified person is not appointed to fill~~
4 ~~the vacancy within forty-five days from the date the vacancy~~
5 ~~occurred, the state board shall appoint a qualified person to~~
6 ~~fill the vacancy until the next regular school district~~
7 ~~election.~~

8 ~~D.— In the event vacancies occur in a majority of~~
9 ~~the full membership of a local school board, the state board~~
10 ~~shall appoint qualified persons to fill the vacancies.— Those~~
11 ~~persons appointed shall hold office until the next regular or~~
12 ~~special school district election when an election shall be~~
13 ~~held to fill the vacancies for the unexpired terms.]"~~