

1 HOUSE JOINT RESOLUTION 20

2 46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

3 INTRODUCED BY

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND ARTICLE 12, SECTION 6 OF THE CONSTITUTION OF
12 NEW MEXICO TO MOVE FINANCIAL FUNCTIONS FROM THE STATE BOARD OF
13 EDUCATION AND THE STATE DEPARTMENT OF PUBLIC EDUCATION TO THE
14 DEPARTMENT OF FINANCE AND ADMINISTRATION.

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

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

19 "A. There is hereby created a "state department of
20 public education" and a "state board of education". The state
21 board of education shall determine public school policy and
22 vocational educational policy and shall have control,
23 management and direction [~~including financial direction,
24 distribution of school funds and financial accounting for all
25 public schools~~] pursuant to authority and powers provided by

. 144661. 1

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1 law. The board shall appoint a qualified, experienced
2 educational administrator to be known as the superintendent of
3 public instruction, who shall, subject to the policies
4 established by the board, direct the operation of the state
5 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. Change of residence of a board member to a place
11 outside the district from which he was elected shall
12 automatically terminate the term of that member.

13 C. Five members of the state board of education who
14 shall be state officers shall be nominated and by and with the
15 consent of the senate appointed by the governor from five
16 districts substantially equal in population for staggered
17 four-year terms as provided by law. Those appointed by the
18 governor shall be qualified electors of the state of New
19 Mexico, no more than one-half or a simple majority of whom at
20 the time of their appointment shall be members of the same
21 political party. After 1990, the number of appointed members
22 may be changed by law not to exceed five members.

23 D. The governor shall fill vacancies on the board
24 by appointment of a resident from the district in which the
25 vacancy occurs until the next regular election for membership

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on the board.

E. Upon adoption of this amendment, all functions relating to the distribution of school funds and financial accounting for the public schools shall be transferred to the [state] department of [~~public education~~] finance and administration to be performed as provided by law.

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