

1 SENATE JOINT RESOLUTION 7

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Jeff Steinborn

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND ARTICLE 12, SECTION 13 OF THE CONSTITUTION  
12 OF NEW MEXICO TO INCREASE AND MAKE UNIFORM THE NUMBER OF  
13 MEMBERS OF BOARDS OF REGENTS OF INSTITUTIONS OF HIGHER  
14 EDUCATION AND TO DECREASE THEIR TERMS OF OFFICE.

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

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

19 "A. The legislature shall provide for the control  
20 and management of each of the institutions [~~except the~~  
21 ~~university of New Mexico~~] of higher education by a board of  
22 regents for each institution, consisting of [~~five~~] seven  
23 members, [~~four~~] five of whom shall be qualified electors of the  
24 state of New Mexico, one of whom shall be a member of the  
25 student body of the institution and no more than [~~three~~] four

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1 of whom at the time of their appointment shall be members of  
2 the same political party [~~provided, however, that the student~~  
3 ~~body member provision in this subsection shall not apply to~~].

4 B. The New Mexico school for the deaf, the New  
5 Mexico military institute [~~or~~] and the New Mexico school for  
6 the blind and visually impaired [~~and for each of those three~~  
7 ~~institutions all~~] shall have five members of [~~the board~~] their  
8 boards of regents, all of whom shall be qualified electors of  
9 the state of New Mexico.

10 [~~B.~~] C. The governor shall nominate and by and with  
11 the consent of the senate shall appoint the members of each  
12 board of regents for each of the institutions. The terms of  
13 nonstudent members shall be for staggered terms of [~~six~~] four  
14 years, and the terms of student members shall be two years.

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

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

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

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

7 F. Following the approval by the voters of this  
8 amendment, nonstudent members who are serving on the board of  
9 regents of an institution of higher education shall finish out  
10 their terms, and their successors shall be appointed for terms  
11 of four years or less in such a way that the board of regents  
12 shall continue to have staggered terms."

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