

1 SENATE BILL 236

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Gay G. Kernan

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10 AN ACT

11 RELATING TO HIGHER EDUCATION; REMAKING NEW MEXICO STATE
12 UNIVERSITY CARLSBAD BRANCH COMMUNITY COLLEGE INTO AN
13 INDEPENDENT COMMUNITY COLLEGE.

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

16 SECTION 1. A new section of the Community College Act is
17 enacted to read:

18 "[NEW MATERIAL] CREATION OF SOUTHEAST NEW MEXICO COLLEGE--
19 NAME CHANGE--GOVERNING BOARD.--

20 A. New Mexico state university Carlsbad shall be
21 made into an independent community college known as "southeast
22 New Mexico college" and shall be organized as provided in
23 Chapter 21, Article 13 NMSA 1978.

24 B. The governing board of southeast New Mexico
25 college shall be created and function as provided in the

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1 Community College Act. The governing board of southeast New
2 Mexico college shall be created by a regular local election
3 from each of the five districts within the Carlsbad municipal
4 school district and called for by the Carlsbad municipal school
5 board, and the governing board shall function as provided for
6 in the Community College Act.

7 C. All taxes levied to pay any principal and
8 interest on bonds of New Mexico state university Carlsbad for
9 operating, maintaining and providing facilities shall continue
10 in effect until dissolution pursuant to procedures set forth in
11 Chapter 21, Article 13 NMSA 1978."

12 SECTION 2. A new section of the Community College Act is
13 enacted to read:

14 "[NEW MATERIAL] TRANSFER OF FUNCTIONS, PERSONNEL,
15 PROPERTY, CONTRACTS AND REFERENCES IN LAW.--On April 10, 2022:

16 A. all functions, personnel, appropriations, money,
17 records, equipment, supplies, grants, real and other property
18 of the board of regents of New Mexico state university located
19 or held in Carlsbad or used to support operations of New Mexico
20 state university Carlsbad, except those pertaining to the
21 Carlsbad environmental monitoring and research center, shall be
22 transferred to southeast New Mexico college;

23 B. all contracts of the board of regents of New
24 Mexico state university regarding New Mexico state university
25 Carlsbad, except those pertaining to the Carlsbad environmental

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1 monitoring and research center, shall be binding and effective
2 on the governing board of southeast New Mexico college;

3 C. all references in law to the board of regents of
4 New Mexico state university regarding New Mexico state
5 university Carlsbad, except those regarding the Carlsbad
6 environmental monitoring and research center, shall be deemed
7 to be references to the governing board of southeast New Mexico
8 college; and

9 D. all references in law to New Mexico state
10 university Carlsbad shall be construed to be references to
11 southeast New Mexico college."

12 SECTION 3. EFFECTIVE DATE.--

13 A. The effective date of the provisions of Section
14 1 of this act is July 1, 2021.

15 B. The effective date of the provisions of Section
16 2 of this act is April 10, 2022.