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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Click all that apply:

Original Amendment
Correction Substitute

Date 2024-01-23

Bill No: SJR2

Sponsor: Steinborn, Jeff
Short BOARD OF REGENTS
Title: NOMINATING

Agency Name
and Code NMHED
Number: _____
Person Writing Chisholm, Mark
Phone: 5052716754 Email mark.chisholm@hed.n

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		

N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

SJR2 (Very similar to 2021 SRJ7; 2020 SJR3; 2019 SJR6; 2018 SJR1; 2017 SJR9) Amends Art. 12, Sec. 13, of the Constitution of New Mexico to provide for nominating committees for all appointed and reappointed members of Boards of Regents of New Mexico Public Higher Education Institutions (HEIs) except student members.

The New Mexico Higher Education Department (NMHED) analysis of this bill focuses on the higher education implications of the proposed legislation. Additional insight may be obtained from other agencies' analyses.

FISCAL IMPLICATIONS

SJR2 may have fiscal implications if the Legislature were to determine through legislation that a nominating committee should receive compensation and/or reimbursement. SJR2 may have a fiscal impact on the Legislature, HEIs, or state agencies depending upon how the Legislature chooses to structure and staff nominating committees.

There will be election costs to include voting on the resolution in the next general election.

SIGNIFICANT ISSUES

SJR2 would require the New Mexico Governor to nominate non-student Board of Regents members from a list provided by a nominating committee established by law. SJR2 states that the New Mexico Legislature would determine the appointment, terms, powers, and duties of the nominating committees. No more than 50 percent (50%) of the nominating committee shall be members of the same political party.

While SJR2 shifts the authority to nominate Board of Regents members from the Executive branch to a nominating committee established by the Legislative branch, SJR2 still preserves the authority of the Governor to select nominees and, with the consent of the Senate, appoint Board of Regents members.

SJR2 calls for its proposed amendment to be submitted to the people of New Mexico for approval or rejection at the next general election or at a special election.

If SJR2 were passed, the work of the nominating committee(s) would not begin until the proposed resolution is submitted and approved by vote of the electorate.

The amendment to the Constitution proposed by SJR2 will require all state educational institutions enumerated in Article 12, Section 11 to have regents appointed via nominating committee process. The institutions are:

- ? University of New Mexico (UNM)
- ? New Mexico State University (NMSU)
- ? New Mexico Highlands University (NMHU)
- ? Western New Mexico University (WNMU)
- ? Eastern New Mexico University (ENMU)
- ? New Mexico Institute of Mining and Technology (NMT)
- ? New Mexico Military Institute (NMMI)
- ? New Mexico School for the Blind and Visually Impaired (NMSBVI)
- ? New Mexico School for the Deaf (NMSD)
- ? Northern New Mexico College (NNMC)

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

SJR2 necessitates the Legislature to pass legislation regarding the appointment, terms, powers, and duties of a nominating committee.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Article 12, Section 13 of the New Mexico Constitution will be unchanged. The authority to nominate Board of Regent members will remain with the Governor.

AMENDMENTS

N/A