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HOUSE JOINT RESOLUTION 25

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Earlene Roberts

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 12, SECTION 13 OF THE  
CONSTITUTION OF NEW MEXICO TO GRANT THE LEGISLATURE AUTHORITY  
OVER THE BOARDS OF REGENTS AT HIGHER EDUCATIONAL INSTITUTIONS  
FOR THE PURPOSE OF DISTANCE LEARNING PROGRAMS.

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

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

"A. Except as provided in Subsection D of this  
section, the legislature shall provide for the control and  
management of each of [~~said~~] the institutions, except the  
university of New Mexico, by a board of regents for each  
institution, consisting of five members, four of whom shall be  
qualified electors of the state of New Mexico, one of whom

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1 shall be a member of the student body of the institution and no  
2 more than three of whom at the time of their appointment shall  
3 be members of the same political party; provided, however, that  
4 the student body member provision in this section shall not  
5 apply to the New Mexico school for the deaf, the New Mexico  
6 military institute, the northern New Mexico state school or the  
7 New Mexico school for the visually handicapped, and for each of  
8 those four institutions all five members of the board of  
9 regents shall be qualified electors of the state of New Mexico.  
10 The governor shall nominate and by and with the consent of the  
11 senate shall appoint the members of each board of regents for  
12 each of said institutions. The terms of said nonstudent  
13 members shall be for six years, provided that of the five first  
14 appointed the terms of two shall be for two years, the terms  
15 for two shall be for four years, and the term of one shall be  
16 for six years. Following the approval by the voters of this  
17 amendment and upon the first vacancy of a position held by a  
18 nonstudent member on each eligible institution's board of  
19 regents, the governor shall nominate and by and with the  
20 consent of the senate shall appoint a student member to serve a  
21 two-year term. The governor shall select, with the advice and  
22 consent of the senate, a student member from a list provided by  
23 the president of the institution. In making the list, the  
24 president of the institution shall give due consideration to  
25 the recommendations of the student body president of the

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1 institution.

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

25 C. Members of the board shall not be removed except

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1 for incompetence, neglect of duty or malfeasance in office.  
2 Provided, however, no removal shall be made without notice of  
3 hearing and an opportunity to be heard having first been given  
4 such member. The supreme court of the state of New Mexico is  
5 hereby given exclusive original jurisdiction over proceedings  
6 to remove members of the board under such rules as it may  
7 promulgate, and its decision in connection with such matters  
8 shall be final.

9 D. The legislature may provide by law for distance  
10 learning programs."

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

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