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SENATE JOINT RESOLUTION 20

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

William P. Soules

A JOINT RESOLUTION

PROPOSING TO AMEND ARTICLE 12, SECTION 6 OF THE CONSTITUTION OF
NEW MEXICO TO CREATE A TEN-MEMBER STATE BOARD OF EDUCATION OF
FIVE ELECTED AND FIVE APPOINTED MEMBERS TO SET PUBLIC SCHOOL
POLICY AS PROVIDED BY LAW AND APPOINT A SUPERINTENDENT OF
PUBLIC EDUCATION.

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

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

"A. There is hereby created a "public education
department" and a [~~"public education commission" that shall
have such powers and duties as provided by law. The department
shall be a cabinet department headed by a secretary of public
education who is a qualified, experienced educator who shall be
appointed by the governor and confirmed by the senate]~~ ten-

underscored material = new
[bracketed material] = delete

1 member "state board of education". As provided by law, the
2 state board of education shall determine public school policy,
3 distribute public school funds and control, manage and direct
4 the public education department and the administration,
5 operation and finance of public schools. The state board of
6 education shall appoint a superintendent of public education
7 who is a qualified, experienced and licensed educational
8 administrator to manage the public education department as
9 directed by the state board of education.

10 B. ~~[Ten]~~ Five members of the ~~[public]~~ state board
11 of education ~~[commission]~~ shall be elected for staggered terms
12 of four years as provided by law. ~~[Commission]~~ Board members
13 shall be residents of the ~~[public]~~ state board of education
14 ~~[commission]~~ district from which they are elected. ~~[Change of~~
15 ~~residence of a commission member to a place outside the~~
16 ~~district from which he was elected shall automatically~~
17 ~~terminate the term of that member.]~~ A board member who
18 permanently removes the member's residence from or maintains no
19 residence in the district from which the member was elected or
20 appointed shall be deemed to have resigned.

21 C. Five members of the state board of education,
22 one from each of the five state board of education districts,
23 shall be appointed by the governor, by and with the advice and
24 consent of the senate, for staggered terms of four years as
25 provided by law.

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underscored material = new
[bracketed material] = delete

1 ~~[G. The governor shall fill vacancies on the~~
2 ~~commission by appointment of a resident from the district in~~
3 ~~which the vacancy occurs until the next regular election for~~
4 ~~membership on the commission.~~

5 ~~D. The secretary of public education shall have~~
6 ~~administrative and regulatory powers and duties, including all~~
7 ~~functions relating to the distribution of school funds and~~
8 ~~financial accounting for the public schools to be performed as~~
9 ~~provided by law.~~

10 ~~E. The elected members of the 2003 state board of~~
11 ~~education]~~

12 D. Members of the public education commission
13 elected on or before the 2016 general election shall constitute
14 the ~~[public education commission]~~ state board of education, if
15 this amendment is approved, until their terms expire, and the
16 districts from which the ~~[state board of education]~~ public
17 education commission were elected shall constitute the state
18 ~~[public education commission]~~ board of education districts
19 until changed by law in the year following each federal
20 decennial census."

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

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