

LFC Requester:

Connor Jorgensen

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

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

Check all that apply:

Original X **Amendment** _____
Correction _____ **Substitute** _____

Date Prepared: 01/19/2024

Bill No: SJR 2

Sponsor: Sen. J. Steinborn
Sen. S. C. Hemphill
Sen. M. Moores

Agency Name and Code Number: 305 – New Mexico
Department of Justice

Short Title: BOARD OF REGENTS
NOMINATING
COMMITTEES, CA

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

Senate Joint Resolution 2 (“SJR2”) proposes to add language to Article XII, Section 13 of the State of New Mexico Constitution to provide for a nominating committee for all appointed non-student members of board of regents of state educational institutions from “a list provided by a nominating committee established by law.” The nominating committee is to provide lists of names for appointments for members of the board of regents to the Governor. These appointments would apply to each board of regents of the state educational institutions enumerated in Article XII, Section 11 of the State of New Mexico Constitution.

The Legislature is to determine the appointment, terms, power, and duties of the nominating committee. However, no more than 50 percent of the nominating committee shall be members of the same political party.

FISCAL IMPLICATIONS

None to this office.

SIGNIFICANT ISSUES

If approved, the proposed constitutional amendment must be submitted to the voters at the next regular election or at a special election to be held not less than six months after the adjournment of the legislature. An amendment that is ratified by a majority of the electors voting on the amendment shall become part of the constitution. N.M. Const. Art. XIX, §1.

An issue may arise when there is a vacancy in the nominating committee. The Amendment requires no more than 50% of the committee shall be members of the same political party. There is a concern that if one member of the nominating committee resigns, the committee would be out of compliance with the constitution until another member is appointed.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo.

AMENDMENTS

None.