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SENATE JOINT RESOLUTION 13

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

Linda M. Lopez

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 12, SECTION 13 OF THE  
CONSTITUTION OF NEW MEXICO TO PROVIDE FOR THE REMOVAL OF  
REGENTS OF STATE EDUCATIONAL INSTITUTIONS FOR VIOLATIONS OF  
CONFLICT OF INTEREST STANDARDS ESTABLISHED BY LAW.

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. The legislature shall provide for the control  
and management of each of 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  
shall be a member of the student body of the institution and no  
more than three of whom at the time of their appointment shall

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1 be members of the same political party; provided, however, that  
2 the student body member provision in this subsection shall not  
3 apply to the New Mexico school for the deaf, the New Mexico  
4 military institute or the New Mexico school for the blind and  
5 visually impaired, and for each of those three institutions all  
6 five members of the board of regents shall be qualified  
7 electors of the state of New Mexico.

8 B. The governor shall nominate and by and with the  
9 consent of the senate shall appoint the members of each board  
10 of regents for each of the institutions. The terms of  
11 nonstudent members shall be for staggered terms of six years,  
12 and the terms of student members shall be two years.

13 C. The governor shall select, with the advice and  
14 consent of the senate, a student member from a list provided by  
15 the president of the institution. In making the list, the  
16 president of the institution shall give due consideration to  
17 the recommendations of the student body president of the  
18 institution. Following the approval by the voters of this 2014  
19 amendment and upon the first vacancy of a position on the  
20 northern New Mexico state school board of regents, the governor  
21 shall nominate and by and with the consent of the senate shall  
22 appoint a student member to serve a two-year term.

23 D. The legislature shall provide for the control  
24 and management of the university of New Mexico by a board of  
25 regents consisting of seven members, six of whom shall be

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

20 E. Members of the board shall not be removed except  
21 for violations of conflict of interest standards established by  
22 law, incompetence, neglect of duty or malfeasance in office.  
23 Provided, however, no removal shall be made without notice of  
24 hearing and an opportunity to be heard having first been given  
25 such member. The supreme court of the state of New Mexico is

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1 hereby given exclusive original jurisdiction over proceedings  
2 to remove members of the board under such rules as it may  
3 promulgate, and its decision in connection with such matters  
4 shall be final."

5 SECTION 2. The amendment proposed by this resolution  
6 shall be submitted to the people for their approval or  
7 rejection at the next general election or at any special  
8 election prior to that date that may be called for that  
9 purpose.