

**MODIFICATIONS TO THE STATE BOARD OF  
EDUCATION MEMBERSHIP**

2008 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE**

**General Description:**

This bill modifies provisions governing the number, qualification, nomination, and election of members of the State Board of Education.

**Highlighted Provisions:**

This bill:

- requires members of the State Board of Education to be elected in partisan elections;
- expands the size of the State Board of Education;
- provides candidate qualification, nomination, and election procedures;
- amends the procedures for filling midterm vacancies of members of the State Board of Education;
- repeals the State Board of Education nominating and recruiting committee; and
- makes technical corrections.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-1-501**, as last amended by Laws of Utah 2006, Chapter 264

**20A-1-507**, as enacted by Laws of Utah 1993, Chapter 1

**20A-6-301**, as last amended by Laws of Utah 2006, Chapter 326

**20A-6-302**, as last amended by Laws of Utah 2006, Chapter 326

**20A-14-101**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,

Chapter 2

32       **20A-14-102**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,  
33           Chapter 2

34       **20A-14-102.1**, as enacted by Laws of Utah 2001, Second Special Session, Chapter 2

35       **20A-14-102.2**, as last amended by Laws of Utah 2005, Chapter 169

36       **20A-14-103**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,  
37           Chapter 2

38       **20A-14-104**, as last amended by Laws of Utah 2004, Chapter 19

39   REPEALS:

40       **20A-14-105**, as last amended by Laws of Utah 2003, Chapter 315

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42   *Be it enacted by the Legislature of the state of Utah:*

43       Section 1. Section **20A-1-501** is amended to read:

44       **20A-1-501. Candidate vacancies -- Procedure for filling.**

45       (1) The state central committee of a political party, for candidates for United States  
46   senator, United States representative, governor, lieutenant governor, attorney general, state  
47   treasurer, and state auditor, and for state school board and legislative candidates whose  
48   legislative districts encompass more than one county, and the county central committee of a  
49   political party, for all other party candidates seeking an office elected at a regular general  
50   election, may certify the name of another candidate to the appropriate election officer if:

51       (a) after the close of the period for filing declarations of candidacy and continuing  
52   through the date 15 days before the date of the primary election:

53       (i) only one or two candidates from that party have filed a declaration of candidacy for  
54   that office; and

55       (ii) one or both:

56       (A) dies;

57       (B) resigns because of becoming physically or mentally disabled as certified by a  
58   physician; or

59       (C) is disqualified by an election officer for improper filing or nominating procedures;  
60   or

61       (b) after the close of the primary election and continuing through the date of the voter  
62   registration deadline for the general election as established in Section 20A-2-102.5, the party's

63 candidate:

64 (i) dies;

65 (ii) resigns because of becoming physically or mentally disabled as certified by a  
66 physician;

67 (iii) is disqualified by an election officer for improper filing or nominating procedures;

68 or

69 (iv) resigns to become a candidate for President or Vice-President of the United States.

70 (2) If no more than two candidates from a political party have filed a declaration of  
71 candidacy for an office elected at a regular general election and one resigns to become the party  
72 candidate for another position, the state central committee of that political party, for candidates  
73 for governor, lieutenant governor, attorney general, state treasurer, and state auditor, and for  
74 state school board and legislative candidates whose legislative districts encompass more than  
75 one county, and the county central committee of that political party, for all other party  
76 candidates, may certify the name of another candidate to the appropriate election officer.

77 (3) Each replacement candidate shall file a declaration of candidacy as required by  
78 Title 20A, Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy.

79 (4) A replacement candidate may not be certified for an election during the period  
80 beginning on the day after the date of the voter registration deadline and continuing through the  
81 date of the election.

82 Section 2. Section **20A-1-507** is amended to read:

83 **20A-1-507. Midterm vacancies in the State Board of Education.**

84 (1) If a vacancy occurs on the State Board of Education for any reason other than the  
85 expiration of a member's term, the governor[~~, with the consent of the Senate,~~] shall fill the  
86 vacancy by [~~appointment of a qualified member to serve out the unexpired term~~] immediately  
87 appointing the person whose name was submitted by the party liaison of the same political  
88 party as the prior board member.

89 (2) The lieutenant governor shall issue a certificate of appointment to the appointed  
90 member and certify the appointment to the board.

91 Section 3. Section **20A-6-301** is amended to read:

92 **20A-6-301. Paper ballots -- Regular general election.**

93 (1) Each election officer shall ensure that:

(a) all paper ballots furnished for use at the regular general election contain no captions or other endorsements except as provided in this section;

(b) (i) the paper ballot contains a ballot stub at least one inch wide, placed across the top of the ballot, and divided from the rest of ballot by a perforated line;

(ii) the ballot number and the words " Poll Worker's Initial \_\_\_\_ " are printed on the stub; and

(iii) ballot stubs are numbered consecutively;

(c) immediately below the perforated ballot stub, the following endorsements are printed in 18-point bold type:

(i) "Official Ballot for \_\_\_\_ County, Utah";

(ii) the date of the election; and

(iii) a facsimile of the signature of the county clerk and the words "county clerk";

(d) each ticket is placed in a separate column on the ballot in the order determined by the election officer with the party emblem, followed by the party name, at the head of the column;

(e) the party name or title is printed in capital letters not less than 1/4 of an inch high;

(f) a circle 1/2 inch in diameter is printed immediately below the party name or title, and the top of the circle is placed not less than two inches below the perforated line;

(g) unaffiliated candidates and candidates not affiliated with a registered political party are listed in one column, without a party circle, with the following instructions printed at the head of the column: "All candidates not affiliated with a political party are listed below. They are to be considered with all offices and candidates listed to the left. Only one vote is allowed for each office.";

(h) the columns containing the lists of candidates, including the party name and device, are separated by heavy parallel lines;

(i) the offices to be filled are plainly printed immediately above the names of the candidates for those offices;

(j) the names of candidates are printed in capital letters, not less than 1/8 nor more than 1/4 of an inch high in heavy-faced type not smaller than ten-point, between lines or rules 3/8 of an inch apart;

(k) a square with sides measuring not less than 1/4 of an inch in length is printed at the

125 right of the name of each candidate;

126 (l) for the offices of president and vice president and governor and lieutenant governor,  
127 one square with sides measuring not less than 1/4 of an inch in length is printed opposite a  
128 double bracket enclosing the right side of the names of the two candidates;

129 (m) immediately to the right of the unaffiliated ticket on the ballot, the ballot contains a  
130 write-in column long enough to contain as many written names of candidates as there are  
131 persons to be elected with:

132 (i) for each office on the ballot, the office to be filled plainly printed immediately  
133 above:

134 (A) a blank, horizontal line to enable the entry of a valid write-in candidate and a  
135 square with sides measuring not less than 1/4 of an inch in length printed at the right of the  
136 blank horizontal line; or

137 (B) for the offices of president and vice president and governor and lieutenant  
138 governor, two blank horizontal lines, one placed above the other, to enable the entry of two  
139 valid write-in candidates, and one square with sides measuring not less than 1/4 of an inch in  
140 length printed opposite a double bracket enclosing the right side of the two blank horizontal  
141 lines; and

142 (ii) the words "Write-In Voting Column" printed at the head of the column without a  
143 1/2 inch circle;

144 (n) when required, the ballot includes a nonpartisan ticket placed immediately to the  
145 right of the write-in ticket with the word "NONPARTISAN" in reverse type in an 18-point  
146 solid rule running vertically the full length of the nonpartisan ballot copy; and

147 (o) constitutional amendments or other questions submitted to the vote of the people,  
148 are printed on the ballot after the list of candidates.

149 (2) Each election officer shall ensure that:

150 (a) each person nominated by any political party or group of petitioners is placed on the  
151 ballot:

152 (i) under the party name and emblem, if any; or

153 (ii) under the title of the party or group as designated by them in their certificates of  
154 nomination or petition, or, if none is designated, then under some suitable title;

155 (b) the names of all unaffiliated candidates that qualify as required in Title 20A,

156 Chapter 9, Part 5, Candidates not Affiliated with a Party, are placed on the ballot;

157 (c) the names of the candidates for president and vice president are used on the ballot  
158 instead of the names of the presidential electors; and

159 (d) the ballots contain no other names.

160 (3) When the ballot contains a nonpartisan section, the election officer shall ensure  
161 that:

162 (a) the designation of the office to be filled in the election and the number of  
163 candidates to be elected are printed in type not smaller than eight-point;

164 (b) the words designating the office are printed flush with the left-hand margin;

165 (c) the words, "Vote for one" or "Vote for two or more" extend to the extreme right of  
166 the column;

167 (d) the nonpartisan candidates are grouped according to the office for which they are  
168 candidates;

169 (e) the names in each group are placed in alphabetical order with the surnames last,  
170 except for candidates for ~~[the State Board of Education and]~~ local school boards;

171 ~~[(f) the names of candidates for the State Board of Education are placed on the ballot as~~  
172 ~~certified by the lieutenant governor under Section 20A-14-105;]~~

173 ~~[(g)]~~ (f) if candidates for membership on a local board of education were selected in a  
174 primary election, the name of the candidate who received the most votes in the primary election  
175 is listed first on the ballot;

176 ~~[(h)]~~ (g) if candidates for membership on a local board of education were not selected  
177 in the primary election, the names of the candidates are listed on the ballot in the order  
178 determined by a lottery conducted by the county clerk; and

179 ~~[(i)]~~ (h) each group is preceded by the designation of the office for which the  
180 candidates seek election, and the words, "Vote for one" or "Vote for two or more," according to  
181 the number to be elected.

182 (4) Each election officer shall ensure that:

183 (a) proposed amendments to the Utah Constitution are listed on the ballot under the  
184 heading "Constitutional Amendment Number \_\_\_\_" with the number of the constitutional  
185 amendment as assigned under Section 20A-7-103 placed in the blank;

186 (b) propositions submitted to the voters by the Utah Legislature are listed on the ballot

under the heading "State Proposition Number \_\_\_\_" with the number of the state proposition as assigned under Section 20A-7-103 placed in the blank;

(c) propositions submitted to the voters by a county are listed on the ballot under the heading "County Proposition Number \_\_\_\_" with the number of the county proposition as assigned by the county legislative body placed in the blank;

(d) propositions submitted to the voters by a school district are listed on the ballot under the heading "School District Proposition Number \_\_\_\_" with the number of the school district proposition as assigned by the county legislative body placed in the blank;

(e) state initiatives that have qualified for the ballot are listed on the ballot under the heading "Citizen's State Initiative Number \_\_\_\_" with the number of the state initiative as assigned by Section 20A-7-209 placed in the blank;

(f) county initiatives that have qualified for the ballot are listed on the ballot under the heading "Citizen's County Initiative Number \_\_\_\_" with the number of the county initiative as assigned under Section 20A-7-508 placed in the blank;

(g) state referenda that have qualified for the ballot are listed on the ballot under the heading "Citizen's State Referendum Number \_\_\_\_" with the number of the state referendum as assigned under Sections ~~[20A-7-209]~~ 20A-7-103 and 20A-7-308 placed in the blank;

(h) county referenda that have qualified for the ballot are listed on the ballot under the heading "Citizen's County Referendum Number \_\_\_\_" with the number of the county referendum as assigned under Section 20A-7-608 placed in the blank; and

(i) bond propositions that have qualified for the ballot are listed on the ballot under the title assigned to each bond proposition under Section 11-14-206.

Section 4. Section **20A-6-302** is amended to read:

**20A-6-302. Paper ballots -- Placement of candidates' names.**

(1) Each election officer shall ensure, for paper ballots in regular general elections, that:

(a) except for candidates for ~~[state school board and]~~ local school boards:

(i) each candidate is listed by party; and

(ii) candidates' surnames are listed in alphabetical order on the ballots when two or more candidates' names are required to be listed on a ticket under the title of an office[;].

~~[(b) the names of candidates for the State Board of Education are placed on the ballot~~

218 ~~as certified by the lieutenant governor under Section 20A-14-105;]~~

219       ~~[(c)]~~ (b) if candidates for membership on a local board of education were selected in a  
220 regular primary election, the name of the candidate who received the most votes in the regular  
221 primary election is listed first on the ballot; and

222       ~~[(d)]~~ (c) if candidates for membership on a local board of education were not selected  
223 in the regular primary election, the names of the candidates are listed on the ballot in the order  
224 determined by a lottery conducted by the county clerk.

225       (2) (a) The election officer may not allow the name of a candidate who dies or  
226 withdraws before election day to be printed upon the ballots.

227       (b) If the ballots have already been printed, the election officer:

228       (i) shall, if possible, cancel the name of the dead or withdrawn candidate by drawing a  
229 line through the candidate's name before the ballots are delivered to voters; and

230       (ii) may not count any votes for that dead or withdrawn candidate.

231       (3) (a) When there is only one candidate for county attorney at the regular general  
232 election in counties that have three or fewer registered voters of the county who are licensed  
233 active members in good standing of the Utah State Bar, the county clerk shall cause that  
234 candidate's name and party affiliation, if any, to be placed on a separate section of the ballot  
235 with the following question: "Shall (name of candidate) be elected to the office of county  
236 attorney? Yes \_\_\_\_ No \_\_\_\_."

237       (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is  
238 elected to the office of county attorney.

239       (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not  
240 elected and may not take office, nor may he continue in the office past the end of the term  
241 resulting from any prior election or appointment.

242       (d) When the name of only one candidate for county attorney is printed on the ballot  
243 under authority of this Subsection (3), the county clerk may not count any write-in votes  
244 received for the office of county attorney.

245       (e) If no qualified person files for the office of county attorney or if the candidate is not  
246 elected by the voters, the county legislative body shall appoint the county attorney as provided  
247 in Section 20A-1-509.2.

248       (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on

the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a) to the two consecutive terms immediately preceding the term for which the candidate is seeking election, Subsection (3)(a) shall not apply and that candidate shall be considered to be an unopposed candidate the same as any other unopposed candidate for another office, unless a petition is filed with the county clerk before the date of that year's primary election that:

(i) requests the procedure set forth in Subsection (3)(a) to be followed; and

(ii) contains the signatures of registered voters in the county representing in number at least 25% of all votes cast in the county for all candidates for governor at the last election at which a governor was elected.

(4) (a) When there is only one candidate for district attorney at the regular general election in a prosecution district that has three or fewer registered voters of the district who are licensed active members in good standing of the Utah State Bar, the county clerk shall cause that candidate's name and party affiliation, if any, to be placed on a separate section of the ballot with the following question: "Shall (name of candidate) be elected to the office of district attorney? Yes \_\_\_\_ No \_\_\_\_."

(b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is elected to the office of district attorney.

(c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not elected and may not take office, nor may he continue in the office past the end of the term resulting from any prior election or appointment.

(d) When the name of only one candidate for district attorney is printed on the ballot under authority of this Subsection (4), the county clerk may not count any write-in votes received for the office of district attorney.

(e) If no qualified person files for the office of district attorney, or if the only candidate is not elected by the voters under this subsection, the county legislative body shall appoint a new district attorney for a four-year term as provided in Section 20A-1-509.2.

(f) If the candidate whose name would, except for this Subsection (4)(f), be placed on the ballot under Subsection (4)(a) has been elected on a ballot under Subsection (4)(a) to the two consecutive terms immediately preceding the term for which the candidate is seeking election, Subsection (4)(a) shall not apply and that candidate shall be considered to be an unopposed candidate the same as any other unopposed candidate for another office, unless a

petition is filed with the county clerk before the date of that year's primary election that:

(i) requests the procedure set forth in Subsection (4)(a) to be followed; and

(ii) contains the signatures of registered voters in the county representing in number at least 25% of all votes cast in the county for all candidates for governor at the last election at which a governor was elected.

Section 5. Section **20A-14-101** is amended to read:

**20A-14-101. State Board of Education -- Number of members -- District boundaries.**

(1) The State Board of Education shall consist of ~~[15]~~ 29 members, with one member to be elected from each State Board of Education district.

(2) (a) The Legislature adopts the official census population figures and maps of the Bureau of the Census of the United States Department of Commerce developed in connection with the taking of the 2000 national decennial census as the official data for establishing state board district boundaries.

(b) The numbers and boundaries of the state board districts;

(i) shall be identical to the numbers and boundaries of the Utah State Senate districts;

and

(ii) are designated and established by the maps attached to the bill that enacts [this section] the Utah State Senate districts as described in Section 36-1-101.

Section 6. Section **20A-14-102** is amended to read:

**20A-14-102. Official maps of state board districts.**

(1) (a) The Legislature shall file copies of the official maps enacted by the Legislature with the lieutenant governor's office.

(b) The legal boundaries of State Board of Education districts are contained in the official maps for the Utah State Senate districts on file with the lieutenant governor's office.

(2) When questions of interpretation of state board district boundaries arise, the official maps for the Utah State Senate districts on file in the lieutenant governor's office shall serve as the indication of the legislative intent in drawing the state board district boundaries.

(3) (a) Each county clerk shall obtain copies of the official maps for the clerk's county from the lieutenant governor's office.

(b) Each county clerk shall establish voting precincts and polling places within each

state board district according to the procedures and requirements of Section 20A-5-303.

(4) Maps identifying the boundaries for ~~[state board districts]~~ for the Utah State Senate districts may be viewed on the Internet at the lieutenant governor's website.

Section 7. Section **20A-14-102.1** is amended to read:

**20A-14-102.1. Omissions from maps -- How resolved.**

(1) If any area of the state is omitted from a State Board of Education district in the maps for the Utah State Senate districts enacted by the Legislature, the county clerk of the affected county, upon discovery of the omission, shall attach the area to the appropriate state board district according to the requirements of Subsections (2) and (3).

(2) If the area is surrounded by a state board district, the area shall be attached to that district.

(3) If the area is contiguous to two districts, the area shall be attached to the district that has the least population.

(4) Any attachment made under Subsection (1) shall be certified in writing and filed with the lieutenant governor.

Section 8. Section **20A-14-102.2** is amended to read:

**20A-14-102.2. Uncertain boundaries -- How resolved.**

(1) As used in this section, "affected party" means:

(a) a state school board member whose state school board district boundary is uncertain because the identifying feature used to establish the district boundary has been removed, modified, or is unable to be identified or who is uncertain about whether or not he or another person resides in a particular state board district;

(b) a candidate for state school board whose state board district boundary is uncertain because the identifying feature used to establish the district boundary has been removed, modified, or is unable to be identified or who is uncertain about whether or not he or another person resides in a particular state board district; or

(c) a person who is uncertain about which state board district contains the person's residence because the identifying feature used to establish the district boundary has been removed, modified, or is unable to be identified.

(2) (a) An affected party may file a written request petitioning the lieutenant governor to determine:

- (i) the precise location of the state board district boundary;
- (ii) the number of the state board district in which a person resides; or
- (iii) both Subsections (2)(a)(i) and (ii).

(b) In order to make the determination required by Subsection (2)(a), the lieutenant governor shall review the official maps for the Utah State Senate districts and obtain and review other relevant data such as aerial photographs, aerial maps, or other data about the area.

(c) Within five days of receipt of the request, the lieutenant governor shall review the maps, obtain and review any relevant data, and make a determination.

(d) If the lieutenant governor determines the precise location of the state board district boundary, the lieutenant governor shall:

- (i) prepare a certification identifying the appropriate boundary and attaching a map, if necessary; and

- (ii) send a copy of the certification to:

- (A) the affected party;

- (B) the county clerk of the affected county; and

- (C) the Automated Geographic Reference Center created under Section 63F-1-506.

(e) If the lieutenant governor determines the number of the state board district in which a particular person resides, the lieutenant governor shall send a letter identifying that district by number to:

- (i) the person;

- (ii) the affected party who filed the petition, if different than the person whose state board district number was identified; and

- (iii) the county clerk of the affected county.

Section 9. Section **20A-14-103** is amended to read:

**20A-14-103. State Board of Education members -- When elected -- Qualifications -- Avoiding conflicts of interest.**

~~[(1)(a) In 2002 and every four years thereafter, one member each shall be elected from new Districts 2, 3, 5, 6, 9, 10, 14, and 15 to serve a four-year term.]~~

~~[(b) In 2004 and every four years thereafter, one member each shall be elected from new Districts 4, 7, 8, 11, 12, and 13 to serve a four-year term.]~~

~~[(c)(i) Because of the combination of certain former districts, the state school board~~

members elected from old Districts 2 and 4 who will reside in new District 1 may not serve out the term for which they were elected, but shall stand for election in 2002 for a term of office of four years from the realigned district in which each resides.]

~~[(ii) If one of the incumbent state school board members from new District 1 indicates in writing to the lieutenant governor that the school board member will not seek reelection, that incumbent state school board member may serve until January 1, 2003 and the other incumbent state school board member shall serve out the term for which the member was elected, which is until January 1, 2005.]~~

(1) The term of office for all previously elected or appointed state school board members shall end on January 1, 2009.

(2) (a) (i) At the 2008 General Election only, a member elected from State Board of Education districts 1, 6, 8, 10, 13, 14, 16, 19, 20, 23, 24, 25, 27, and 29 shall be elected to serve a term of office of two years, beginning on January 1, 2009.

(ii) At the 2010 General Election and every four years thereafter, a member elected from State Board of Education districts 1, 6, 8, 10, 13, 14, 16, 19, 20, 23, 24, 25, 27, and 29 shall be elected to serve a term of office of four years.

(b) At the 2008 General Election and every four years thereafter, a member elected from State Board of Education districts 2, 3, 4, 5, 7, 9, 11, 12, 15, 17, 18, 21, 22, 26, and 28 shall be elected to serve a term of office of four years, beginning on January 1, 2009.

~~[(2)]~~ (3) A member shall:

(a) be and remain a registered voter in the board district from which the member was elected or appointed; and

(b) maintain his primary residence within the board district from which the member was elected or appointed.

(3) A member of the State Board of Education may not, during the member's term of office, also serve as an employee of the board, the Utah State Office of Education, or the Utah State Office of Rehabilitation.

Section 10. Section **20A-14-104** is amended to read:

**20A-14-104. Becoming a candidate for membership on the State Board of Education.**

~~[(1)-(a)-Persons]~~ A person interested in becoming a candidate for the State Board of

Education shall file a declaration of candidacy according to the procedures and requirements of [Sections 20A-9-201 and 20A-9-202] Title 20A, Chapter 9, Candidate Qualifications and Nominating Procedures.

~~[(b) By May 1 of the year in which a State Board of Education member's term expires, the lieutenant governor shall submit the name of each person who has filed a declaration of candidacy for the State Board of Education to the nominating and recruiting committee for the State Board of Education.]~~

~~[(2) By November 1 of the year preceding each regular general election year, a nominating and recruiting committee consisting of 12 members, each to serve a two-year term, shall be appointed by the governor as follows:]~~

~~[(a) one member shall be appointed to represent each of the following business and industry sectors:]~~

~~[(i) manufacturing and mining;]~~

~~[(ii) transportation and public utilities;]~~

~~[(iii) service, trade, and information technology;]~~

~~[(iv) finance, insurance, and real estate;]~~

~~[(v) construction; and]~~

~~[(vi) agriculture; and]~~

~~[(b) one member shall be appointed to represent each of the following education sectors:]~~

~~[(i) teachers;]~~

~~[(ii) school administrators;]~~

~~[(iii) parents;]~~

~~[(iv) local school board members;]~~

~~[(v) charter schools; and]~~

~~[(vi) higher education.]~~

~~[(3) (a) The members appointed under Subsections (2)(a)(i) through (vi) and (2)(b)(i) through (vi) shall be appointed from lists containing at least two names submitted by organizations representing each of the respective sectors.]~~

~~[(b) At least one member of the nominating and recruiting committee shall reside within each state board district in which a member's term expires during the committee's two-~~

435 ~~year term of office;]~~

436 ~~[(4)(a) The members shall elect one member to serve as chair for the committee;]~~

437 ~~[(b) The chair, or another member of the committee designated by the chair, shall~~

438 ~~schedule and convene all committee meetings;]~~

439 ~~[(c) Any formal action by the committee requires the approval of a majority of~~

440 ~~committee members;]~~

441 ~~[(d) Members of the nominating and recruiting committee shall serve without~~

442 ~~compensation, but they may be reimbursed for expenses incurred in the performance of their~~

443 ~~official duties as established by the Division of Finance;]~~

444 ~~[(5) The nominating and recruiting committee shall:]~~

445 ~~[(a) recruit potential candidates for membership on the State Board of Education prior~~

446 ~~to the deadline to file a declaration of candidacy;]~~

447 ~~[(b) prepare a list of candidates for membership on the State Board of Education for~~

448 ~~each state board district subject to election in that year using the qualifications under~~

449 ~~Subsection (6);]~~

450 ~~[(c) submit a list of at least three candidates for each state board position to the~~

451 ~~governor by July 1; and]~~

452 ~~[(d) ensure that the list includes appropriate background information on each~~

453 ~~candidate;]~~

454 ~~[(6) The nominating committee shall select a broad variety of candidates who possess~~

455 ~~outstanding professional qualifications relating to the powers and duties of the State Board of~~

456 ~~Education, including experience in the following areas:]~~

457 ~~[(a) business and industry administration;]~~

458 ~~[(b) business and industry human resource management;]~~

459 ~~[(c) business and industry finance;]~~

460 ~~[(d) business and industry, including expertise in:]~~

461 ~~[(i) metrics and evaluation;]~~

462 ~~[(ii) manufacturing;]~~

463 ~~[(iii) retailing;]~~

464 ~~[(iv) natural resources;]~~

465 ~~[(v) information technology;]~~

466            [~~(vi) construction;~~]  
467            [~~(vii) banking;~~]  
468            [~~(viii) science and engineering; and~~]  
469            [~~(ix) medical and healthcare;~~]  
470            [~~(e) higher education administration;~~]  
471            [~~(f) applied technology education;~~]  
472            [~~(g) public education administration;~~]  
473            [~~(h) public education instruction;~~]  
474            [~~(i) economic development;~~]  
475            [~~(j) labor; and~~]  
476            [~~(k) other life experiences that would benefit the State Board of Education.~~]

477            Section 11. **Repealer.**

478            This bill repeals:

479            Section **20A-14-105, Becoming a candidate for membership on the State Board of**  
480            **Education -- Selection of candidates by the governor -- Ballot placement.**