

**Effective 5/10/2016**

**53B-2a-103 Utah College of Applied Technology Board of Trustees -- Membership -- Terms -- Vacancies -- Oath -- Officers -- Quorum -- Committees -- Compensation.**

- (1) There is created the Utah College of Applied Technology Board of Trustees.
- (2) Except as provided in Subsections (3) and (4), the board of trustees is composed of the following members:
  - (a) one member of the State Board of Education appointed by the chair of the State Board of Education, to serve as a nonvoting member;
  - (b) one member of the State Board of Regents appointed by the chair of the State Board of Regents, to serve as a nonvoting member;
  - (c) one member, representing business and industry employers from each applied technology college board of directors, appointed by a majority vote of the business and industry employer members of the applied technology college board of directors;
  - (d) one member representing business and industry employers from the Snow College Economic Development and Workforce Preparation Advisory Committee appointed by a majority of the business and industry employer members of the advisory committee;
  - (e) one member representing business and industry employers from the Utah State University Eastern career and technical education advisory committee appointed by a majority of the business and industry employer members of the advisory committee;
  - (f) one member representing business and industry employers from the Salt Lake Community College School of Applied Technology Board of Directors appointed by a majority of the business and industry employer members of the board of directors;
  - (g) one business or industry employer representative appointed by the governor with the consent of the Senate from nominations submitted by the speaker of the House of Representatives and president of the Senate;
  - (h) one representative of union craft, trade, or apprenticeship programs that prepare workers for employment in career and technical education fields, appointed by the governor with the consent of the Senate;
  - (i) one representative of non-union craft, trade, or apprenticeship programs that prepare workers for employment in career and technical education fields, appointed by the governor with the consent of the Senate; and
  - (j) the executive director of the Governor's Office of Economic Development or the executive director's designee.
- (3)
  - (a) Beginning on July 1, 2019, the board of trustees is composed of 15 voting members appointed by the governor with the consent of the Senate, as follows:
    - (i) one member representing each applied technology college, selected from at least two nominees presented to the governor by the board of directors of each applied technology college; and
    - (ii) one member representing each of the following sectors:
      - (A) information technology;
      - (B) manufacturing;
      - (C) life sciences;
      - (D) health care;
      - (E) transportation;
      - (F) union craft, trade, or apprenticeship; and
      - (G) non-union craft, trade, or apprenticeship.

- (b) The seven members described in Subsection (3)(a)(ii) shall be selected from the state at large, subject to the following conditions:
    - (i) at least four members shall reside in a geographic area served by an applied technology college described in Section 53B-2a-105; and
    - (ii) no more than two members may reside in a single geographic area served by an applied technology college described in Section 53B-2a-105.
  - (c)
    - (i) In addition to the 15 voting members described in Subsection (3)(a), one member of the Board of Regents, appointed by the chair of the Board of Regents, shall serve as a nonvoting member of the board of trustees.
    - (ii) The nonvoting member from the Board of Regents is not subject to the term limit described in Subsection (5)(b).
  - (d) The governor shall make appointments to the board of trustees on a nonpartisan basis.
- (4)
- (a) Except as provided in Subsection (4)(d), to transition from the composition of the board of trustees described in Subsection (2) to the composition described in Subsection (3), for a member who was appointed to the board of trustees on or before May 10, 2016, the governor shall appoint a replacement:
    - (i) when the member's current term expires, for a member who, on May 10, 2016, has served less than two consecutive full terms on the board of trustees; or
    - (ii) on May 10, 2016, for a member who, on May 10, 2016, has served two or more consecutive full terms on the board of trustees.
  - (b) In replacing a member who was appointed under Subsection (2)(c), the governor shall appoint a member to represent the applied technology college represented by the member whose term expires by:
    - (i) soliciting the applied technology college's board of directors to nominate at least two individuals for the position; and
    - (ii) selecting from the nominees presented.
  - (c) In replacing a member who was appointed under Subsections (2)(d) through (2)(j), the governor shall appoint a new member at large, ensuring representation from the sectors described in Subsection (3)(a)(ii).
  - (d)
    - (i) A member appointed under Subsection (2)(a) shall remain on the board of trustees until June 30, 2019.
    - (ii) A member appointed under Subsection (2)(b) may remain on the board following the transition to the board composition described in Subsection (3).
  - (e) In making an appointment under this Subsection (4), the governor:
    - (i) shall appoint a member on a nonpartisan basis; and
    - (ii) may not reappoint the member who is being replaced if the member has served on the board of trustees for at least two consecutive full terms.
- (5)
- (a)
    - (i) Except as provided under Subsection (5)(a)(ii), a member shall be appointed commencing on July 1 of each odd-numbered year to a four-year term.
    - (ii) The governor shall ensure that member terms are staggered so that approximately one-half of the members' terms expire in any odd-numbered year.
  - (b) A member may not hold office for more than two consecutive full terms.

- (6) When a vacancy occurs on the board of trustees for any reason, the governor shall appoint a replacement for the unexpired term.
- (7)
  - (a) Each member shall take the official oath of office prior to assuming the office.
  - (b) The oath shall be filed with the Division of Archives and Records Services.
- (8)
  - (a) The board of trustees shall elect a chair and vice chair, who serve for two years and until their successors are elected and qualified.
  - (b) A member may not serve more than two consecutive terms as the chair or vice chair.
- (9)
  - (a) The board of trustees shall enact bylaws for the board of trustees' own government, including provisions for regular meetings.
  - (b)
    - (i) The board of trustees shall provide for an executive committee in the board of trustees' bylaws.
    - (ii) The executive committee shall have full authority of the board of trustees to act upon routine matters during the interim between board of trustees meetings.
    - (iii) The executive committee may act on nonroutine matters only under extraordinary and emergency circumstances.
    - (iv) The executive committee shall report its activities to the board of trustees at the board of trustees' next regular meeting following the executive committee's action.
- (10) A quorum shall be required to conduct business which shall consist of a majority of voting board of trustee members.
- (11) The board of trustees may establish advisory committees.
- (12) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 236, 2016 General Session