

1 **STATE SCHOOL BOARD NOMINATION REVISIONS**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Kraig Powell**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions relating to the nomination of candidates for the State
10 Board of Education.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ prohibits a lobbyist from serving as a member of the nominating and recruiting
14 committee for the State Board of Education.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **20A-14-104**, as last amended by Laws of Utah 2004, Chapter 19

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

24 Section 1. Section **20A-14-104** is amended to read:

25 **20A-14-104. Becoming a candidate for membership on the State Board of**
26 **Education -- Nominating and recruiting committee -- Membership -- Procedure -- Duties.**

27 (1) (a) Persons interested in becoming a candidate for the State Board of Education



28 shall file a declaration of candidacy according to the procedures and requirements of Sections
29 20A-9-201 and 20A-9-202.

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

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

37 (a) one member shall be appointed to represent each of the following business and
38 industry sectors:

- 39 (i) manufacturing and mining;
- 40 (ii) transportation and public utilities;
- 41 (iii) service, trade, and information technology;
- 42 (iv) finance, insurance, and real estate;
- 43 (v) construction; and
- 44 (vi) agriculture; and

45 (b) one member shall be appointed to represent each of the following education
46 sectors:

- 47 (i) teachers;
- 48 (ii) school administrators;
- 49 (iii) parents;
- 50 (iv) local school board members;
- 51 (v) charter schools; and
- 52 (vi) higher education.

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

56 (b) At least one member of the nominating and recruiting committee shall reside within
57 each state board district in which a member's term expires during the committee's two-year
58 term of office.

59 (c) The nominating and recruiting committee may not include a member who is a
60 lobbyist as defined in Section 36-11-102.

61 (4) (a) The members shall elect one member to serve as chair for the committee.

62 (b) The chair, or another member of the committee designated by the chair, shall
63 schedule and convene all committee meetings.

64 (c) Any formal action by the committee requires the approval of a majority of
65 committee members.

66 (d) Members of the nominating and recruiting committee shall serve without
67 compensation, but they may be reimbursed for expenses incurred in the performance of their
68 official duties as established by the Division of Finance.

69 (5) The nominating and recruiting committee shall:

70 (a) recruit potential candidates for membership on the State Board of Education prior
71 to the deadline to file a declaration of candidacy;

72 (b) prepare a list of candidates for membership on the State Board of Education for
73 each state board district subject to election in that year using the qualifications under
74 Subsection (6);

75 (c) submit a list of at least three candidates for each state board position to the
76 governor by July 1; and

77 (d) ensure that the list includes appropriate background information on each candidate.

78 (6) The nominating committee shall select a broad variety of candidates who possess
79 outstanding professional qualifications relating to the powers and duties of the State Board of
80 Education, including experience in the following areas:

81 (a) business and industry administration;

82 (b) business and industry human resource management;

83 (c) business and industry finance;

84 (d) business and industry, including expertise in:

85 (i) metrics and evaluation;

86 (ii) manufacturing;

87 (iii) retailing;

88 (iv) natural resources;

89 (v) information technology;

- 90 (vi) construction;
- 91 (vii) banking;
- 92 (viii) science and engineering; and
- 93 (ix) medical and healthcare;
- 94 (e) higher education administration;
- 95 (f) applied technology education;
- 96 (g) public education administration;
- 97 (h) public education instruction;
- 98 (i) economic development;
- 99 (j) labor; and
- 100 (k) other life experiences that would benefit the State Board of Education.

Legislative Review Note
as of 2-26-13 9:49 AM

Office of Legislative Research and General Counsel