

Senator Darin G. Peterson proposes the following substitute bill:

BOARD OF REGENTS AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeff Alexander

Senate Sponsor: John W. Hickman

LONG TITLE

General Description:

This bill modifies the membership requirements for the State Board of Regents.

Highlighted Provisions:

This bill:

- ▶ requires appointment of certain members of the State Board of Regents to be alumni of specified universities and colleges; and
- ▶ makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53B-1-104, as last amended by Chapter 289, Laws of Utah 2003

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

Section 1. Section **53B-1-104** is amended to read:

53B-1-104. Membership of the board -- Student appointee -- Terms -- Oath --



26 **Officers -- Committees -- Bylaws -- Meetings -- Quorum -- Vacancies -- Compensation.**

27 (1) (a) The board shall consist of 18 residents of the state.

28 (b) ~~[(†)]~~ Fifteen members shall be appointed by the governor with the consent of the
29 Senate.

30 ~~[(†)-(A)]~~ (c) (i) One additional member shall be appointed by the governor from
31 nominations of the student body presidents council.

32 ~~[(B)]~~ (ii) The council shall nominate three qualified, matriculated students enrolled in
33 the state institutions of higher education.

34 ~~[(C)]~~ (iii) Student body presidents are not eligible for nomination.

35 ~~[(iii) Other than the student appointee, not more than eight members appointed by the
36 governor shall, at any time, be from one political party.]~~

37 (d) All appointments to the board shall be made on a nonpartisan basis.

38 ~~[(iv)]~~ (2) In making appointments to the board, the governor shall select:

39 (a) ten individuals who shall serve, respectively, as an alumnus of:

40 (b) the University of Utah;

41 (c) Utah State University;

42 (d) Weber State University;

43 (e) Southern Utah University;

44 (f) Snow College;

45 (g) Dixie State College of Utah;

46 (h) the College of Eastern Utah;

47 (i) Utah Valley State College;

48 (j) Salt Lake Community College; and

49 (k) the Utah College of Applied Technology; and

50 ~~[(A)]~~ (b) five individuals from the state at large with due consideration for:

51 (i) geographical representation; and

52 ~~[(B)]~~ (ii) ~~[at least three individuals with]~~ personal experience in applied technology
53 education, which could include service on a campus board of directors.

54 ~~[(c)-(†)]~~ (3) (a) In addition to the members designated under ~~[Subsection (1)(b)]~~

55 Subsections (1)(c) and (2), two members of the State Board of Education, appointed by the
56 chair of the State Board of Education, shall serve as nonvoting members of the board.

57 ~~[(11)]~~ (b) A nonvoting member shall continue to serve as a member without a set term
58 until the member is replaced by the chair of the State Board of Education.

59 ~~[(2)]~~ (4) (a) Five members of the board, other than the student member and the State
60 Board of Education members, shall be appointed during each odd-numbered year to six-year
61 staggered terms which commence on July 1 of the year of appointment.

62 (b) (i) The student member shall be appointed for a one-year term and may be
63 reappointed for one additional term.

64 (ii) The student member has full voting rights and may vote on selection of a board
65 chair or vice chair, but not serve in either office.

66 ~~[(e)]~~ (5) (a) Board members shall hold office until their successors have been appointed
67 and qualified.

68 ~~[(3)-(a)]~~ (b) Each member of the board shall take the official oath of office before
69 entering upon the duties of office.

70 ~~[(b)]~~ (c) The oath shall be filed with the Division of Archives and Records Services.

71 ~~[(4)]~~ (6) The board shall elect a chair and vice chair from its members who shall serve
72 terms of two years and until their successors are chosen and qualified.

73 ~~[(5)]~~ (7) (a) The board shall appoint a secretary from the staff of its chief executive to
74 serve at its discretion.

75 (b) The secretary shall be a full-time employee who receives a salary set by the board.

76 (c) The secretary shall record and maintain a record of all board meetings and perform
77 other duties as the board directs.

78 ~~[(6)]~~ (8) The board shall appoint a treasurer who serves at the discretion of the board.

79 ~~[(7)]~~ (9) (a) The board may establish advisory committees.

80 (b) The powers and authority of the board are nondelegable, except as specifically
81 provided for in this title.

82 (c) All matters requiring board determination shall be addressed in a properly convened
83 meeting of the board or its executive committee.

84 ~~[(8)]~~ (10) The board shall enact bylaws for its own government not inconsistent with
85 the constitution or the laws of this state.

86 ~~[(9)]~~ (11) (a) The board shall meet regularly upon its own determination.

87 (b) The board may also meet, in full or executive session, at the request of its chair, its

88 executive officer, or five members of the board.

89 ~~[(10)]~~ (12) A quorum of the voting members of the board is required to conduct its
90 business and consists of nine members.

91 ~~[(11)]~~ (13) (a) A vacancy in the board occurring before the expiration of a voting
92 member's full term shall be immediately filled by appointment by the governor with the
93 consent of the Senate.

94 (b) The appointee serves for the remainder of the unexpired term.

95 ~~[(12)]~~ (14) (a) Each member of the board shall receive a per diem as provided by law
96 as compensation for services for attending meetings of the board.

97 (b) Each member shall also be paid actual expenses incurred for attending meetings of
98 the board or its committees or for attending to any business of the institutions under the
99 direction of the board or authority of the board or its committees.