

1 **STATE BOARD OF REGENTS AMENDMENTS**

2 2010 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Dennis E. Stowell**

5 House Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions related to appointments to the State Board of Regents.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ requires the governor to appoint at least one member to the Board of Regents from
13 each county that contains a credit-granting higher education institution;
- 14 ▶ provides for transition provisions; and
- 15 ▶ makes technical changes.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **53B-1-104**, as last amended by Laws of Utah 2009, Chapter 346

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

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

26 **53B-1-104. Membership of the board -- Student appointee -- Terms -- Oath --**
27 **Officers -- Committees -- Bylaws -- Meetings -- Quorum -- Vacancies -- Compensation.**



28 (1) (a) The board shall consist of 19 residents of the state.

29 (b) (i) Fifteen members shall be appointed by the governor with the consent of the
30 Senate.

31 (ii) (A) One additional member shall be appointed by the governor from nominations
32 of the student body presidents council.

33 (B) The student body presidents council shall nominate three qualified, matriculated
34 students enrolled in the state institutions of higher education.

35 (C) Student body presidents are not eligible for nomination.

36 (iii) All appointments to the board shall be made on a nonpartisan basis.

37 (iv) In making appointments to the board, the governor shall select:

38 (A) at least one individual from each county that contains a credit-granting institution
39 of higher education in the Utah System of Higher Education;

40 [~~(A)~~] (B) the remaining individuals from the state at large with due consideration [for
41 geographical representation] of the full-time equivalent student enrollment at the institutions;
42 and

43 [~~(B)~~] (C) at least three individuals with personal experience in career and technical
44 education, which could include service on a campus board of directors.

45 (v) An individual appointed under Subsection (1)(b)(iv)(A) shall reside in the county
46 that the individual represents.

47 (c) (i) In addition to the members designated under Subsection (1)(b), two members of
48 the State Board of Education, appointed by the chair of the State Board of Education, shall
49 serve as nonvoting members of the board.

50 (ii) A nonvoting State Board of Education member shall continue to serve as a member
51 without a set term until the member is replaced by the chair of the State Board of Education.

52 (d) (i) In addition to the members designated under Subsection (1)(b), one member of
53 the Utah College of Applied Technology Board of Trustees, appointed by the chair of the Utah
54 College of Applied Technology Board of Trustees, shall serve as a nonvoting member of the
55 board.

56 (ii) A nonvoting Utah College of Applied Technology Board of Trustees member shall
57 continue to serve as a member without a set term until the member is replaced by the chair of
58 the Utah College of Applied Technology Board of Trustees.

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

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

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

67 (c) Board members shall hold office until their successors have been appointed and
68 qualified.

69 (d) The governor shall begin making the appointments in Subsection (1)(b)(iv)(A) as
70 current terms of board members expire, until all the members appointed under Subsection
71 (1)(b)(iv)(A) have been appointed.

72 (3) (a) Each member of the board shall take the official oath of office before entering
73 upon the duties of office.

74 (b) The oath shall be filed with the Division of Archives and Records Services.

75 (4) The board shall elect a chair and vice chair from its members who shall serve terms
76 of two years and until their successors are chosen and qualified.

77 (5) (a) The board shall appoint a secretary from the staff of its chief executive to serve
78 at its discretion.

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

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

82 (6) The board shall appoint a treasurer who serves at the discretion of the board.

83 (7) (a) The board may establish advisory committees.

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

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

88 (8) The board shall enact bylaws for its own government not inconsistent with the
89 constitution or the laws of this state.

90 (9) (a) The board shall meet regularly upon its own determination.

91 (b) The board may also meet, in full or executive session, at the request of its chair, its
92 executive officer, or five members of the board.

93 (10) A quorum of the voting members of the board is required to conduct its business
94 and consists of nine members.

95 (11) (a) A vacancy in the board occurring before the expiration of a voting member's
96 full term shall be immediately filled by appointment by the governor with the consent of the
97 Senate.

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

99 (12) (a) Each member of the board shall receive a per diem as provided by law as
100 compensation for services for attending meetings of the board.

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

Legislative Review Note

as of 1-26-10 12:34 PM

Office of Legislative Research and General Counsel

S.B. 52 - State Board of Regents Amendments

Fiscal Note

2010 General Session
State of Utah

State Impact

Additional travel and reimbursement expenses to meet the required appointments would result in an increased cost of \$6,200.

	<u>FY 2010 Approp.</u>	<u>FY 2011 Approp.</u>	<u>FY 2012 Approp.</u>	<u>FY 2010 Revenue</u>	<u>FY 2011 Revenue</u>	<u>FY 2012 Revenue</u>
General Fund	\$0	\$6,200	\$6,200	\$0	\$0	\$0
Total	\$0	\$6,200	\$6,200	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.