

**JOINT RESOLUTION - GOVERNANCE OF PUBLIC AND  
HIGHER EDUCATION**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stuart C. Reid**

House Sponsor: Wayne A. Harper

---

---

**LONG TITLE**

**General Description:**

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify provisions relating to the governance of public and higher education.

**Highlighted Provisions:**

This resolution proposes to amend the Utah Constitution to:

- ▶ move the general control and supervision of the public education system from the State Board of Education to the Governor, as provided by statute, and make conforming changes; and
- ▶ provide that the Governor has general control and supervision of the higher education system, as provided by statute.

**Special Clauses:**

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2013, for this proposal.

**Utah Constitution Sections Affected:**

AMENDS:

**ARTICLE X, SECTION 3**

**ARTICLE X, SECTION 4**



28 *Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each*  
29 *of the two houses voting in favor thereof:*

30 Section 1. It is proposed to amend Utah Constitution Article X, Section 3, to read:

31 **Article X, Section 3. [General control and supervision of public education system**  
32 **by Governor.]**

33 The general control and supervision of the public education system shall be vested in [a  
34 ~~State Board of Education. The membership of the board shall be established and elected as~~  
35 ~~provided by statute. The State Board of Education shall appoint a State Superintendent of~~  
36 ~~Public Instruction who shall be the executive officer of the board] the Governor, as provided by  
37 statute.~~

38 Section 2. It is proposed to amend Utah Constitution Article X, Section 4, to read:

39 **Article X, Section 4. [General control and supervision of higher education**  
40 **system by Governor -- Rights and immunities confirmed.]**

41 The general control and supervision of the higher education system shall be [~~provided~~  
42 ~~for by statute] vested in the Governor, as provided by statute. All rights, immunities,  
43 franchises, and endowments originally established or recognized by the constitution for any  
44 public university or college are confirmed.~~

45 Section 3. **Submittal to voters.**

46 The lieutenant governor is directed to submit this proposed amendment to the voters of  
47 the state at the next regular general election in the manner provided by law.

48 Section 4. **Effective date.**

49 If the amendment proposed by this joint resolution is approved by a majority of those  
50 voting on it at the next regular general election, the amendment shall take effect on January 1,  
51 2013.

**Legislative Review Note**  
as of 1-17-11 4:17 PM

**Office of Legislative Research and General Counsel**