

**AMENDMENTS TO THE NOMINATING COMMITTEE FOR
THE SCHOOL AND INSTITUTIONAL TRUST LANDS
BOARD OF TRUSTEES**

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melvin R. Brown

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to the nominating committee for the School and Institutional Trust Lands Board of Trustees.

Highlighted Provisions:

This bill:

► provides that a member of the State Board of Education may not serve as a member of the nominating committee for the School and Institutional Trust Lands Board of Trustees.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53C-1-203, as last amended by Laws of Utah 2014, Chapter 426

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

Section 1. Section **53C-1-203** is amended to read:



28 **53C-1-203. Board of trustees nominating committee -- Composition --**
 29 **Responsibilities -- Per diem and expenses.**

30 (1) There is established [~~an 11 member board of trustees nominating committee~~] a
 31 nominating committee for the School and Institutional Trust Lands Board of Trustees,
 32 established under Section 53C-1-202, consisting of 11 members as described in Subsection (2).

33 (2) (a) The State Board of Education shall appoint five members ~~H~~→ **who possess**
 33a **outstanding professional qualifications pertinent to the purpose and activities of the trust** ←~~H~~
 33b to the nominating
 34 committee from different geographical areas of the state.

35 (b) The governor shall appoint five members to the nominating committee on or before
 36 the December 1 of the year preceding the vacancy on the nominating committee as follows:

37 (i) one individual from a nomination list of at least two names of individuals
 38 knowledgeable about institutional trust lands submitted on or before the October 1 of the year
 39 preceding the vacancy on the nominating committee by the University of Utah and Utah State
 40 University on an alternating basis every four years;

41 (ii) one individual from a nomination list of at least two names submitted by the Utah
 42 Farm Bureau in consultation with the Utah Cattleman's Association and the Utah Wool
 43 Growers' Association on or before the October 1 of the year preceding the vacancy on the
 44 nominating committee;

45 (iii) one individual from a nomination list of at least two names submitted by the Utah
 46 Petroleum Association on or before the October 1 of the year preceding the vacancy on the
 47 nominating committee;

48 (iv) one individual from a nomination list of at least two names submitted by the Utah
 49 Mining Association on or before the October 1 of the year preceding the vacancy on the
 50 nominating committee; and

51 (v) one individual from a nomination list of at least two names submitted by the
 52 executive director of the Department of Natural Resources after consultation with statewide
 53 wildlife and conservation organizations on or before the October 1 of the year preceding the
 54 vacancy on the nominating committee.

55 (c) The president of the Utah Association of Counties shall designate the chair of the
 56 Public Lands Steering Committee, who must be an elected county commissioner or councilor,
 57 to serve as the eleventh member of the nominating committee.

58 (d) A member of the State Board of Education may not serve as a member of the

59 nominating committee for the School and Institutional Trust Lands Board of Trustees.

60 (3) (a) Except as required by Subsection (3)(b), each member shall serve a four-year
61 term.

62 (b) Notwithstanding the requirements of Subsection (3)(a), the state board and the
63 governor shall, at the time of appointment or reappointment, adjust the length of terms to
64 ensure that the terms of committee members are staggered so that approximately half of the
65 committee is appointed every two years.

66 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
67 appointed for the unexpired term.

68 (4) The nominating committee shall select a chair and vice chair from its membership
69 by majority vote.

70 (5) (a) The nominating committee shall nominate at least two candidates for each
71 position or vacancy which occurs on the board of trustees except for the governor's appointee
72 under Subsection 53C-1-202(5).

73 (b) The nominations shall be by majority vote of the committee.

74 (6) A member may not receive compensation or benefits for the member's service, but
75 may receive per diem and travel expenses in accordance with:

76 (a) Section 63A-3-106;

77 (b) Section 63A-3-107; and

78 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
79 63A-3-107.

80 (7) The School Children's Trust Section, established in Section 53A-16-101.6, shall
81 provide staff support to the nominating committee.

Legislative Review Note
as of 2-23-15 11:09 AM

Office of Legislative Research and General Counsel