

Representative Daniel McCay proposes the following substitute bill:

PROPOSAL TO AMEND UTAH CONSTITUTION -- PUBLIC

EDUCATION GOVERNANCE

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jim Dabakis

House Sponsor: Daniel McCay

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify a provision relating to the governance of the public education system.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ provide that duties of the State Board of Education shall be established by statute;
- ▶ require board members to be appointed by the Governor, with the consent of the

Senate; and

- ▶ make the board's appointment of a State Superintendent of Public Instruction

subject to the Governor's approval and the consent of the Senate.

Special Clauses:

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

This resolution provides a contingent effective date of May 7, 2019, for this proposal.

Utah Constitution Sections Affected:

AMENDS:

ARTICLE X, SECTION 3



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

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

29 **Article X, Section 3. [State Board of Education.]**

30 The general control and supervision of the public education system shall be vested in a
31 State Board of Education. The membership and duties of the board shall be established [~~and~~
32 ~~elected~~] as provided by statute. Members of the board shall be appointed by the Governor, with
33 the consent of the Senate. The State Board of Education, upon approval of the Governor and
34 with the consent of the Senate, shall appoint a State Superintendent of Public Instruction who
35 shall be the executive officer of the board.

36 Section 2. **Submittal to voters.**

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

39 Section 3. **Contingent effective date.**

40 If the amendment proposed by this joint resolution is approved by a majority of those
41 voting on it at the next regular general election, the amendment shall take effect on May 7,
42 2019.