

**JOINT RESOLUTION AMENDING STATE BOARD OF  
EDUCATION PROVISIONS**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Christopher N. Herrod**

Senate Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify provisions relating to the State Board of Education.

**Highlighted Provisions:**

This resolution proposes to amend the Utah Constitution to:

- ▶ repeal language providing that membership of the State Board of Education is to be established and elected as provided by statute;
- ▶ provide that members of the State Board of Education shall be appointed by the Governor, with the advice and consent of the Senate;
- ▶ provide that the number and terms of State Board of Education members shall be as provided by statute; and
- ▶ require the State Superintendent of Public Instruction to be appointed by the Governor, with the advice and consent of the Senate, rather than by the State Board of Education.

**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:



28                   **ARTICLE X, SECTION 3**



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

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

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

34                   The general control and supervision of the public education system shall be vested in a  
35 State Board of Education. ~~[The membership of the board shall be established and elected as~~  
36 ~~provided by statute.]~~ The members of the board shall be appointed by the Governor, with the  
37 advice and consent of the Senate. The number and term of members shall be as provided by  
38 statute. The [State Board of Education] Governor, with the advice and consent of the Senate,  
39 shall appoint a State Superintendent of Public Instruction who shall be the executive officer of  
40 the board.

41                   Section 2. **Submittal to voters.**

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

44                   Section 3. **Effective date.**

45                   If the amendment proposed by this joint resolution is approved by a majority of those  
46 voting on it at the next regular general election, the amendment shall take effect on January 1,  
47 2013.

---

---

**Legislative Review Note**  
as of 1-21-11 9:19 AM

**Office of Legislative Research and General Counsel**

# FISCAL NOTE

H.J.R. 15

SHORT TITLE: Joint Resolution Amending State Board of Education Provisions

SPONSOR: Herrod, C.

2011 GENERAL SESSION, STATE OF UTAH

## STATE GOVERNMENT (UCA 36-12-13(2)(b))

Publication and distribution costs to put this resolution on the ballot will cost the Lt. Governor's Office \$14,700 from the General Fund one-time in FY 2013.

### STATE BUDGET DETAIL TABLE

|                                     | FY 2011 | FY 2012 | FY 2013    |
|-------------------------------------|---------|---------|------------|
| Revenue                             | \$0     | \$0     | \$0        |
| Expenditure:                        |         |         |            |
| General Fund, One-Time              | \$0     | \$0     | \$14,700   |
| Total Expenditure                   | \$0     | \$0     | \$14,700   |
| Net Impact, All Funds (Rev.-Exp.)   | \$0     | \$0     | (\$14,700) |
| Net Impact, General/Education Funds | \$0     | \$0     | (\$14,700) |

## LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

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

## DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.