

Barrs, Casey

From: Keebler, Patti
Sent: Saturday, January 24, 2009 10:24 AM
To: Barrs, Casey
Cc: Lombardi, Jan; Nelson, Bruce
Subject: response to your note

Dear Casey, Sorry I missed you yesterday. Attached is the statute governing appointments to the Board of Public Education and the Board of Regents. As you can see, the statute lays out political party affiliation requirements for both boards. The districts are outlined in 5-1-102, which is hot-linked inside the following statute. Please let me know if you or the Committee Chair need anything further.

2-15-1508. Appointments to board of public education and board of regents -- conditions -- vacancy.

(1) Appointments to the board of public education and to the board of regents are subject to the following qualifications:

- (a) Not more than four may be from one district provided for in 5-1-102.
- (b) Not more than four may be affiliated with the same political party.
- (c) The terms of members appointed to each board are 7 years except as provided in subsection (3).
- (d) When a vacancy occurs, the governor shall appoint a member for the remainder of the term of the incumbent, and the appointment must preserve the balance required by subsections (1)(a) and (1)(b).
- (e) A person may not be appointed to concurrent memberships on the board of public education and the board of regents.

(2) An appointed member of either board shall take and subscribe to the constitutional oath of office and file it with the secretary of state before the person may serve as a member of either board.

(3) (a) One seat of the appointed members on the board of regents is reserved for membership by a student appointed by the governor. The student must be registered as a full-time student at a unit of higher education under jurisdiction of the board of regents. The length of term of the student member is 1 year. The term begins July 1 and ends June 30. The student regent may be reappointed to succeeding terms subject to subsection (3) (b). The provisions of subsections (1)(a) and (1)(b) do not apply to the student member and may not affect the balance of the remaining appointive membership on the board of regents.

(b) The governor shall appoint the student provided for in subsection (3)(a) based upon a nomination provided by a student organization designated by the board of regents. The student organization shall nominate no fewer than three qualified students. If the governor finds that none of the students nominated are acceptable, the governor may request a new slate of nominees. Nominations must be forwarded to the governor in March immediately preceding the end of a regular term, and the governor shall make the appointment before the end of the succeeding June. In the event of a vacancy, a replacement must be appointed as soon as is practicable and in the same manner as the original appointment.

History: En. Secs. 2, 11, Ch. 344, L. 1973; R.C.M. 1947, 75-5610(part), 75-5619; amd. Sec. 1, Ch. 52, L. 1993; amd. Sec. 1, Ch. 206, L. 1999; amd. Sec. 1, Ch. 254, L. 2003; amd. Sec. 1, Ch. 120, L. 2007.

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