

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 74

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE PUBLIC CHARTER SCHOOL COMMISSION; AMENDING SECTION 33-5213,
IDAHO CODE, TO CLARIFY THE SEQUENCE OF APPOINTMENTS TO THE COMMISSION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-5213, Idaho Code, be, and the same is hereby amended to read as follows:

33-5213. PUBLIC CHARTER SCHOOL COMMISSION. (1) There is hereby created an independent public charter school commission, referred to hereinafter as the commission, to be located in the office of the state board of education, pursuant to section 33-105, Idaho Code. It shall be the responsibility and duty of the executive director of the state board of education, or his designee, acting at the direction of the commission to administer and enforce the provisions of this chapter, and the director or his designee shall serve as secretary to the commission.

(2) The public charter school commission shall adopt policies, subject to law, regarding the governance and administration of the commission and make recommendations to the state board of education regarding the oversight of public charter schools.

(3) The commission shall be composed of seven (7) members:

(a) Three (3) members shall be appointed by the governor, subject to the advice and consent of the senate;

(b) Two (2) members shall be appointed by the speaker of the house of representatives; and

(c) Two (2) members shall be appointed by the president pro tempore of the senate.

Commissioner appointments made pursuant to this section prior to July 1, 2013, shall remain valid through the duration of the term to which each commissioner was appointed. To establish a transition to the appointing authority structure contained in this subsection, the first four (4) appointments available on or after July 1, 2013, shall be made in an alternating sequence for each appointment by the speaker of the house of representatives ~~and, the president pro tempore of the senate, followed by three (3) appointments by and the governor.~~ Notwithstanding this sequence of appointments, at no time may any appointing authority appoint more members of the commission than permitted under this subsection. Subsequent appointments shall be made by the same appointing authority that originally appointed the commissioner whose term expired.

(4) The term of office for commission members shall be four (4) years. In making such appointments, the appointing authorities shall consider regional balance. Members appointed to the commission shall collectively possess strong experience and expertise in public and nonprofit governance, management and finance, public school leadership, assessment, curriculum

1 and instruction and public education law. All members of the commission
2 shall have demonstrated understanding of and commitment to charter schools
3 as a strategy for strengthening public education. No commissioner shall
4 serve more than two (2) consecutive four (4) year terms. Members of the
5 commission shall hold office until the expiration of the term to which the
6 member was appointed and until a successor has been duly appointed, unless
7 sooner removed for cause by the appointing authority. Whenever a vacancy
8 occurs, the appointing authority shall appoint a qualified person to fill
9 the vacancy for the unexpired portion of the term.

10 (5) All members of the commission shall be citizens of the United States
11 and residents of the state of Idaho for not less than two (2) years.

12 (6) The members of the commission shall, at their first regular meet-
13 ing following the effective date of this act, and every two (2) years there-
14 after, elect, by a majority vote of the members of the commission, a chairman
15 and a vice-chairman. The chairman shall preside at meetings of the commis-
16 sion, and the vice-chairman shall preside at such meetings in the absence of
17 the chairman. A majority of the members of the commission shall constitute a
18 quorum. The commission shall meet at such times and places as determined to
19 be necessary and convenient, or at the call of the chair.

20 (7) Each member of the commission not otherwise compensated by public
21 moneys shall be compensated as provided in section 59-509 (h), Idaho Code.