

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 254

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO SCHOOLS; AMENDING SECTION 33-5213, IDAHO CODE, TO REMOVE TERM
LIMITS FOR THE COMMISSIONERS ON THE PUBLIC CHARTER SCHOOL 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 here-
inafter 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 responsi-
bility 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 en-
force 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 au-
thority structure contained in this subsection, the first four (4) appoint-
ments 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) appoint-
ments by the governor. 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
and instruction and public education law. All members of the commission
shall have demonstrated understanding of and commitment to charter schools

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

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

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

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