

SENATE JOINT RESOLUTION J

April 22, 1997, Introduced by Senator BULLARD and referred to the Committee on Government Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 3 and 7 of article VIII, to abolish the state board of education and provide for gubernatorial appointment of the superintendent of public instruction.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to abolish the state board of education and provide for gubernatorial appointment of the superintendent of public instruction, is proposed, agreed to, and submitted to the people of the state:

## ARTICLE VIII

2       Sec. 3. ~~Leadership~~ UNTIL JANUARY 1, 1999, LEADERSHIP and  
3 general supervision over all public education, including adult  
4 education and instructional programs in state institutions,  
5 except as to institutions of higher education granting

1 baccalaureate degrees, is vested in a state board of education.  
2 ~~It~~ UNTIL JANUARY 1, 1999, THE STATE BOARD OF EDUCATION shall  
3 serve as the general planning and coordinating body for all  
4 public education, including higher education, and shall advise  
5 the legislature as to the financial requirements in connection  
6 therewith. EFFECTIVE JANUARY 1, 1999, THE STATE BOARD OF EDUCA-  
7 TION IS ABOLISHED AND THE POWERS AND DUTIES PREVIOUSLY VESTED BY  
8 STATUTE IN THE STATE BOARD OF EDUCATION ARE VESTED IN A SUPERIN-  
9 TENDENT OF PUBLIC INSTRUCTION APPOINTED BY THE GOVERNOR AS PRO-  
10 VIDED IN THIS SECTION.

11 ~~The~~ UNTIL JANUARY 1, 1999, THE state board of education  
12 shall appoint a superintendent of public instruction, whose term  
13 of office shall be determined by the board. ~~He~~ EFFECTIVE  
14 JANUARY 1, 1999, THE GOVERNOR, BY AND WITH THE ADVICE AND CONSENT  
15 OF THE SENATE, SHALL APPOINT A SUPERINTENDENT OF PUBLIC INSTRUC-  
16 TION, WHO SHALL SERVE AT THE PLEASURE OF THE GOVERNOR. THE TERM  
17 OF OFFICE OF A SUPERINTENDENT OF PUBLIC INSTRUCTION APPOINTED BY  
18 THE STATE BOARD OF EDUCATION SHALL NOT EXTEND BEYOND DECEMBER 31,  
19 1998. UNTIL JANUARY 1, 1999, THE SUPERINTENDENT OF PUBLIC  
20 INSTRUCTION shall be the ~~chairman~~ CHAIRPERSON of the board  
21 without the right to vote, and shall be responsible for the exe-  
22 cution of its policies. ~~He~~ THE SUPERINTENDENT OF PUBLIC  
23 INSTRUCTION shall be the principal executive officer of a state  
24 department of education. ~~which~~ EFFECTIVE JANUARY 1, 1999, THE  
25 SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE STATE DEPARTMENT OF  
26 EDUCATION shall have ONLY THOSE powers and duties provided by  
27 law.

1       ~~The~~ UNTIL JANUARY 1, 1999, THE state board of education  
2 shall consist of eight members who shall be nominated by party  
3 conventions and elected at large for terms of eight years as pre-  
4 scribed by law. The governor shall fill any vacancy by appoint-  
5 ment for the unexpired term. ~~The~~ UNTIL JANUARY 1, 1999, THE  
6 governor shall be ex-officio a member of the state board of edu-  
7 cation without the right to vote.

8       The power of the boards of institutions of higher education  
9 provided in this constitution to supervise their respective  
10 institutions and control and direct the expenditure of the  
11 institutions' funds ~~shall~~ ARE not ~~be~~ limited by this  
12 section.

13       Sec. 7. The legislature shall provide by law for the estab-  
14 lishment and financial support of public community and junior  
15 colleges which shall be supervised and controlled by locally  
16 elected boards. The legislature shall provide by law for a state  
17 board for public community and junior colleges which, UNTIL  
18 JANUARY 1, 1999, shall advise the state board of education AND,  
19 EFFECTIVE JANUARY 1, 1999, SHALL ADVISE THE SUPERINTENDENT OF  
20 PUBLIC INSTRUCTION, concerning general supervision and planning  
21 for such colleges and requests for annual appropriations for  
22 their support. The board shall consist of eight members who  
23 shall hold office for terms of eight years, not more than two of  
24 which shall expire in the same year, and who, UNTIL JANUARY 1,  
25 1999, shall be appointed by the state board of education AND,  
26 EFFECTIVE JANUARY 1, 1999, SHALL BE APPOINTED BY THE  
27 SUPERINTENDENT OF PUBLIC INSTRUCTION. Vacancies shall be filled

1 in like manner. THE TERM OF OFFICE OF A MEMBER OF THE BOARD WHO  
2 WAS APPOINTED BY THE STATE BOARD OF EDUCATION SHALL NOT EXTEND  
3 BEYOND DECEMBER 31, 1998. The superintendent of public instruc-  
4 tion shall be ex-officio a member of this board without the right  
5 to vote.

6 Resolved further, That the foregoing amendment shall be sub-  
7 mitted to the people of the state at the next general election in  
8 the manner provided by law.