

FIRST REGULAR SESSION

SENATE BILL NO. 417

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATORS ENGLER, DAYS, CHAMPION, LOUDON, GRAHAM, CALLAHAN,
BRAY, DOUGHERTY, CAUTHORN, CLEMENS, MAYER, TAYLOR AND SHIELDS.

Read 1st time February 24, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

1722S.011

AN ACT

To repeal sections 172.030, 172.037, 172.040, 172.060, 174.450, 174.610, 174.620, and 174.621, RSMo, and to enact in lieu thereof eight new sections relating to the governing boards of certain state higher education institutions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 172.030, 172.037, 172.040, 172.060, 174.450, 174.610, 174.620, and 174.621, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 172.030, 172.037, 172.040, 172.060, 174.450, 174.610, 174.620, and 174.621, to read as follows:

172.030. The board of curators of the University of the state of Missouri shall hereafter consist of nine members, **one of which shall be a student curator**, who shall be appointed by the governor, by and with the advice and consent of the senate; provided, that not more than one [person] **of the eight nonstudent curators** shall be appointed upon said board from the same congressional district, and no person shall be appointed a curator who shall not be a citizen of the United States, and who shall not have been a resident of the state of Missouri two years next prior to his **or her** appointment. **Beginning with the next appointment to the board of curators by the governor after August 28, 2005, one of the nine members of the board shall be a current full-time student of the University of Missouri, whose title shall be student curator, and notwithstanding the provisions of sections 172.040 and 172.060, whose term of service shall be two years or as long as the person maintains the status of a full-time student. The student curator shall have the right to vote on any matter before the board. At the end of the student curator's term of service, the governor shall appoint a current full-time student from the University of Missouri to serve as student curator. Not more than five curators shall belong to any one political party.**

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

172.037. 1. For the purposes of this chapter, confidentiality, as determined by the board and as provided by law, shall apply to all members and representatives on the board.

2. Any member or representative on the board may recuse himself or herself from any deliberation or proceeding of the board.

3. Upon a unanimous affirmative vote of the members of the board who are present and who are not student representatives, a given meeting closed pursuant to sections 610.021 and 610.022, RSMo, shall be closed to the **nonvoting** student representative.

172.040. **Except as provided in section 172.030 for student curators with voting powers**, the term of service of the curators shall be six years, the terms of three expiring every two years; the first expiration occurring on the first day of January, 1911, and succeeding expirations of three members every two years thereafter. Said curators, while attending the meetings of the board, shall receive their actual expenses, which shall be paid out of the ordinary revenues of the university.

172.060. **Except as provided in section 172.030 for student curators with voting powers**, all appointments to fill vacancies, except such as may be made to fill out unexpired terms, shall be for the term of six years, and until the successors of such appointees shall be appointed and qualified.

174.450. 1. **Except as provided in subsection 2 of this section**, the governing board of Central Missouri State University, Southwest Missouri State University, Missouri Southern State University-Joplin, and of each other public institution of higher education which, through the procedures established in subdivision (7) or (8) of section 173.030, RSMo, is charged with a statewide mission shall be a board of governors consisting of eight members, composed of seven voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party. The appointed members of the board of regents serving on the date of the statutory mission change shall become members of the board of governors on the effective date of the statutory mission change and serve until the expiration of the terms for which they were appointed. The board of regents of any such institution shall be abolished on the effective date of the statutory mission change, as prescribed in subdivision (7) or (8) of section 173.030, RSMo. 2. **Beginning with the next appointment to the governing board by the governor of Missouri after August 28, 2005, one of the seven voting members of the board of governors of Southwest Missouri State University shall be a current full-time student of Southwest Missouri State University, whose title shall be student governor, and, notwithstanding the provisions of subsection 2 of section 174.453, whose term of**

service shall be two years or as long as the person maintains the status of a full-time student. The student governor shall have the right to vote on any matter before the board. At the end of the student governor's term of service, the governor of Missouri shall appoint a current full-time student from Southwest Missouri State University to serve as student governor.

174.610. 1. The governing board of the Truman State University shall be a board of governors consisting of ten members, composed of seven voting members, **one of whom shall be a student governor**, and three nonvoting members as provided in section 174.620, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting governor who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such person's appointment. Not more than four voting governors shall belong to any one political party. [The appointed members of the board of regents serving on January 1, 1986, shall become members of the board of governors on January 1, 1986, and serve until the expiration of the terms for which they were appointed.]

2. Beginning with the next appointment to the governing board by the governor of Missouri after August 28, 2005, one of the seven voting members of the board shall be a current full-time student of Truman State University, whose title shall be student governor, and, notwithstanding the provisions of subdivision (1) of subsection 2 of section 174.620, whose term of service shall be two years, provided the person maintains the status of a full-time student. The student governor shall have the right to vote on any matter before the board. At the end of the student governor's term of service, the governor of Missouri shall appoint a current full-time student from Truman State University to serve as student governor.

174.620. 1. The board of governors shall be appointed as follows:

(1) Four voting members from the counties of Adair, Audrain, Boone, Callaway, Chariton, Clark, Howard, Knox, Lewis, Lincoln, Linn, Marion, Macon, Monroe, Montgomery, Pike, Putnam, Ralls, Randolph, St. Charles, Schuyler, Scotland, Shelby, Sullivan, and Warren, provided that not more than one member shall be appointed from the same county;

(2) Three voting members from any of the seven college districts as contained in section 174.010, provided that no more than one **nonstudent** member shall be appointed from the same congressional district;

(3) Two nonvoting members whose residence is other than the state of Missouri and who are knowledgeable of the educational mission of liberal arts institutions; and

(4) One nonvoting member who is a student. Such student representative shall attend all meetings and participate in all deliberations of the board. Such student representative shall not have the right to vote on any matter before the board, but shall have

all other powers and duties of section 174.055, and shall also meet the qualifications of section 174.055.

2. **Except as provided in subsection 2 of section 174.610**, the term of service of the governors shall be as follows:

(1) The voting members shall be appointed for terms of six years; except, that of the voting members first appointed, two shall serve for terms of two years, two for terms of four years, and three for terms of six years;

(2) The nonvoting members who are not students shall be appointed for terms of six years; except, that of the nonvoting members first appointed, one shall serve for a term of three years, and one shall serve a term of six years; and

(3) The nonvoting student member shall serve a two-year term as provided in section 174.055.

3. The governors, both voting and nonvoting, while attending the meetings of the board shall receive their actual and necessary expenses, which shall be paid out of the ordinary revenues of the university. Vacancies in terms of office caused by death, resignation or removal shall be filled in the manner provided by law for such vacancies on the board of curators of the University of Missouri.

174.621. 1. For the purposes of this chapter, confidentiality, as determined by the board and as provided by law, shall apply to all members and representatives on the board.

2. Any member or representative on the board may recuse himself or herself from any deliberation or proceeding of the board.

3. Upon a unanimous affirmative vote of the members of the board who are present and who are not student representatives, a given meeting closed pursuant to sections 610.021 and 610.022, RSMo, shall be closed to the **nonvoting** student representative.

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