

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 590**  
93RD GENERAL ASSEMBLY

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Reported from the Committee on Education, February 2, 2006, with recommendation that the Senate Committee Substitute do pass.

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TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal sections 172.287, 173.005, 174.450, 174.453, and 174.500, RSMo, and to enact in lieu thereof nine new sections relating to the powers of the coordinating board of higher education, with penalty provisions and a termination date for a certain section.

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

Section A. Sections 172.287, 173.005, 174.450, 174.453, and 174.500, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known as sections 160.730, 172.287, 173.005, 173.125, 173.234, 173.272, 174.450, 174.453, and 174.500, to read as follows:

**160.730. 1. Not less than twice each calendar year, the commissioner of higher education, the chair of the coordinating board for higher education, the commissioner of education, the president of the state board of education, and the director of the department of economic development shall meet and discuss ways in which their respective departments may collaborate to copy the policy goals as outlined in this section.**

**2. In order to create a more efficient and effective education system that more adequately prepares students for the challenges of entering the workforce, the persons and agencies outlined in subsection 1 of this section shall be responsible for accomplishing the following goals:**

**(1) Studying the potential for a state-coordinated economic/educational policy that addresses all levels of education;**

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

15           **(2) Determining where obstacles make state support of programs**  
16 **that cross institutional or jurisdictional boundaries difficult and**  
17 **suggesting remedies;**

18           **(3) Creating programs that:**

19           **(a) Intervene at known critical transition points, such as middle**  
20 **school to high school and the freshman year of college to help assure**  
21 **student success at the next level;**

22           **(b) Foster higher education faculty spending time in elementary**  
23 **and secondary classrooms and private workplaces, and elementary and**  
24 **secondary faculty spending time in general-education-level higher**  
25 **education courses and private workplaces, with particular emphasis on**  
26 **secondary school faculty working with general-education higher**  
27 **education faculty;**

28           **(c) Allow education stakeholders to collaborate with members of**  
29 **business and industry to foster policy alignment, professional**  
30 **interaction, and information systems across sectors;**

31           **(d) Regularly provide feedback to schools, colleges, and employers**  
32 **concerning the number of students requiring postsecondary remediation,**  
33 **whether in educational institutions or the workplace;**

34           **(4) Exploring ways to better align academic content, particularly**  
35 **between secondary school and first-year courses at public colleges and**  
36 **universities, which may include alignment between:**

37           **(a) Elementary and secondary assessments and public college and**  
38 **university admission and placement standards; and**

39           **(b) Articulation agreements of programs across sectors and**  
40 **educational levels;**

41           **3. No later than the first Wednesday after the first Monday of**  
42 **January each year, the persons outlined in subsection 1 of this section**  
43 **shall report jointly to the general assembly and to the governor the**  
44 **actions taken by their agencies and their recommendations for policy**  
45 **initiatives and legislative alterations to achieve the policy goals as**  
46 **outlined in this section.**

172.287. 1. The University of Missouri shall annually request an  
2 appropriation under capital improvements, subject to availability of funds, for a  
3 program of grants established for the engineering colleges of the University of  
4 Missouri for the purpose of assisting such colleges in the purchase of teaching and  
5 research laboratory equipment exclusive of laboratory or classroom furniture. The

6 amount granted for each engineering college may not exceed the lesser of an  
7 amount equal to one thousand two hundred dollars per each such bachelor's  
8 degree awarded in the previous fiscal year in all engineering programs currently  
9 accredited by the accreditation board for engineering and technology, or the dollar  
10 value of new funds for equipment purchase which such colleges may obtain from  
11 sources other than state appropriations for laboratory equipment.

12 2. For purposes of this section, the fair market value of in-kind  
13 contributions of laboratory equipment to the colleges may be included as funds for  
14 equipment purchase from sources other than state appropriations. In the event  
15 that new funds for laboratory equipment purchase obtained by any college of  
16 engineering from such nonstate sources exceed the amount necessary to reach the  
17 maximum dollar limits herein specified, such excess amounts will be carried over  
18 to the following fiscal year and considered the same as that year's new equipment  
19 funds from nonstate sources.

20 3. In the event that the appropriations for this grant program are  
21 insufficient to fund all grants approved for a given fiscal year, all such grants  
22 shall be reduced pro rata as necessary.

23 4. The provisions of this section shall terminate on June 30, [2007] **2017**.

173.005. 1. There is hereby created a "Department of Higher Education",  
2 and the division of higher education of the department of education is abolished  
3 and all its powers, duties, functions, personnel and property are transferred as  
4 provided by the Reorganization Act of 1974, Appendix B, RSMo.

5 2. The commission on higher education is abolished and all its powers,  
6 duties, personnel and property are transferred by type I transfer to the  
7 "Coordinating Board for Higher Education", which is hereby created, and the  
8 coordinating board shall be the head of the department. The coordinating board  
9 shall consist of nine members appointed by the governor with the advice and  
10 consent of the senate, and not more than five of its members shall be of the same  
11 political party. None of the members shall be engaged professionally as an  
12 educator or educational administrator with a public or private institution of  
13 higher education at the time appointed or during his term. The other  
14 qualifications, terms and compensation of the coordinating board shall be the  
15 same as provided by law for the curators of the University of Missouri. The  
16 coordinating board may, in order to carry out the duties prescribed for it in  
17 subsections 1, 2, 3, 7, and 8 of this section, employ such professional, clerical and  
18 research personnel as may be necessary to assist it in performing those duties,  
19 but this staff shall not, in any fiscal year, exceed twenty-five full-time equivalent

20 employees regardless of the source of funding. In addition to all other powers,  
21 duties and functions transferred to it, the coordinating board for higher education  
22 shall have the following duties and responsibilities:

23 (1) The coordinating board for higher education shall have approval of  
24 proposed new degree programs to be offered by the state institutions of higher  
25 education;

26 (2) The coordinating board for higher education may promote and  
27 encourage the development of cooperative agreements between Missouri public  
28 four-year institutions of higher education which do not offer graduate degrees and  
29 Missouri public four-year institutions of higher education which do offer graduate  
30 degrees for the purpose of offering graduate degree programs on campuses of  
31 those public four-year institutions of higher education which do not otherwise  
32 offer graduate degrees. Such agreements shall identify the obligations and duties  
33 of the parties, including assignment of administrative responsibility. Any diploma  
34 awarded for graduate degrees under such a cooperative agreement shall include  
35 the names of both institutions inscribed thereon. Any cooperative agreement in  
36 place as of August 28, 2003, shall require no further approval from the  
37 coordinating board for higher education. Any costs incurred with respect to the  
38 administrative provisions of this subdivision may be paid from state funds  
39 allocated to the institution assigned the administrative authority for the  
40 program. The provisions of this subdivision shall not be construed to invalidate  
41 the provisions of subdivision (1) of this subsection;

42 (3) In consultation with the heads of the institutions of higher education  
43 affected and against a background of carefully collected data on enrollment,  
44 physical facilities, manpower needs, institutional missions, the coordinating board  
45 for higher education shall establish guidelines for appropriation requests by those  
46 institutions of higher education; however, other provisions of the Reorganization  
47 Act of 1974 notwithstanding, all funds shall be appropriated by the general  
48 assembly to the governing board of each public four-year institution of higher  
49 education which shall prepare expenditure budgets for the institution;

50 (4) No new state-supported senior colleges or residence centers shall be  
51 established except as provided by law and with approval of the coordinating board  
52 for higher education;

53 (5) The coordinating board for higher education shall establish admission  
54 guidelines consistent with institutional missions;

55 (6) The coordinating board shall establish policies and procedures for  
56 institutional decisions relating to the residence status of students;

57 (7) The coordinating board shall establish guidelines to promote and  
58 facilitate the transfer of students between institutions of higher education within  
59 the state;

60 (8) The coordinating board shall collect the necessary information and  
61 develop comparable data for all institutions of higher education in the state. The  
62 coordinating board shall use this information to delineate the areas of competence  
63 of each of these institutions and for any other purposes deemed appropriate by  
64 the coordinating board;

65 (9) Compliance with requests from the coordinating board for institutional  
66 information and the other powers, duties and responsibilities, herein assigned to  
67 the coordinating board, shall be a prerequisite to the receipt of any funds for  
68 which the coordinating board is responsible for administering; and

69 (10) If any institution of higher education in this state, public or private,  
70 willfully fails or refuses to follow any lawful guideline, policy or procedure  
71 established or prescribed by the coordinating board, or knowingly deviates from  
72 any such guideline, or knowingly acts without coordinating board approval where  
73 such approval is required, or willfully fails to comply with any other lawful order  
74 of the coordinating board, the coordinating board may, after a public hearing,  
75 withhold or direct to be withheld from that institution any funds the  
76 disbursement of which is subject to the control of the coordinating board, or may  
77 remove the approval of the institution as an "approved institution" within the  
78 meaning of section 173.205, **or, if an institution willfully disregards board**  
79 **policy, the commissioner of higher education may order an institution**  
80 **to remit a fine in an amount not to exceed one percent of the**  
81 **institution's current fiscal year state appropriation to the board. The**  
82 **board shall hold such funds until such time that the institution, as**  
83 **determined by the commissioner of higher education, corrects the**  
84 **violation, at which time the board shall refund such amount to the**  
85 **institution. Should the commissioner determine that the institution has**  
86 **not redressed said violation within one year, the fine amount shall be**  
87 **deposited into the general revenue fund, unless the institution appeals**  
88 **such decision to the full coordinating board, which shall have the**  
89 **authority to make a final decision regarding the matter, but nothing in**  
90 this section shall prevent any institution of higher education in this state from  
91 presenting additional budget requests or from explaining or further clarifying its  
92 budget requests to the governor or the general assembly.

93 3. The coordinating board shall meet at least four times annually with an

94 advisory committee who shall be notified in advance of such meetings. The  
95 coordinating board shall have exclusive voting privileges. The advisory committee  
96 shall consist of thirty-two members, who shall be the president or other chief  
97 administrative officer of the University of Missouri; the chancellor of each campus  
98 of the University of Missouri; the president of each state-supported four-year  
99 college or university, including Harris-Stowe State University, Missouri Southern  
100 State University, Missouri Western State University, and Lincoln University; the  
101 president of Linn State Technical College; the president or chancellor of each  
102 public community college district; and representatives of each of five accredited  
103 private institutions selected biennially, under the supervision of the coordinating  
104 board, by the presidents of all of the state's privately supported institutions; but  
105 always to include at least one representative from one privately supported junior  
106 college, one privately supported four-year college, and one privately supported  
107 university. The conferences shall enable the committee to advise the coordinating  
108 board of the views of the institutions on matters within the purview of the  
109 coordinating board.

110           4. The University of Missouri, Lincoln University, and all other  
111 state-governed colleges and universities, chapters 172, 174 and 175, RSMo, and  
112 others, are transferred by type III transfers to the department of higher education  
113 subject to the provisions of subsection 2 of this section.

114           5. The state historical society, chapter 183, RSMo, is transferred by type  
115 III transfer to the University of Missouri.

116           6. The state anatomical board, chapter 194, RSMo, is transferred by type  
117 II transfer to the department of higher education.

118           7. All the powers, duties and functions vested in the division of public  
119 schools and state board of education relating to community college state aid and  
120 the supervision, formation of districts and all matters otherwise related to the  
121 state's relations with community college districts and matters pertaining to  
122 community colleges in public school districts, chapters 163 and 178, RSMo, and  
123 others, are transferred to the coordinating board for higher education by type I  
124 transfer. Provided, however, that all responsibility for administering the  
125 federal-state programs of vocational-technical education, except for the 1202a  
126 post-secondary educational amendments of 1972 program, shall remain with the  
127 department of elementary and secondary education. The department of  
128 elementary and secondary education and the coordinating board for higher  
129 education shall cooperate in developing the various plans for vocational-technical  
130 education; however, the ultimate responsibility will remain with the state board

131 of education.

132 8. The administration of sections 163.171 and 163.181, RSMo, relating to  
133 teacher-training schools in cities, is transferred by type I transfer to the  
134 coordinating board for higher education.

135 9. All the powers, duties, functions, personnel and property of the state  
136 library and state library commission, chapter 181, RSMo, and others, are  
137 transferred by type I transfer to the coordinating board for higher education, and  
138 the state library commission is abolished. The coordinating board shall appoint  
139 a state librarian who shall administer the affairs of the state library under the  
140 supervision of the board.

141 10. All the powers, duties, functions, and properties of the state poultry  
142 experiment station, chapter 262, RSMo, are transferred by type I transfer to the  
143 University of Missouri, and the state poultry association and state poultry board  
144 are abolished. In the event the University of Missouri shall cease to use the real  
145 estate of the poultry experiment station for the purposes of research or shall  
146 declare the same surplus, all real estate shall revert to the governor of the state  
147 of Missouri and shall not be disposed of without legislative approval.

**173.125. 1. As a condition of receiving state funds, every public  
2 institution of higher education shall agree to submit to binding dispute  
3 resolution with regard to disputes among public institutions of higher  
4 education that involve jurisdictional boundaries or the use or  
5 expenditure of any state resources whatsoever, as determined by the  
6 coordinating board. In all cases, the arbitrator shall be the  
7 commissioner of higher education or his or her designee, whose decision  
8 shall be binding on all parties. In other respects, such arbitration shall  
9 be governed by the provisions of chapter 435, RSMo. The coordinating  
10 board for higher education shall establish, by rule, an appeals process  
11 for any institution aggrieved by a decision of the commissioner of higher  
12 education or his or her designee under this section. Such appeals  
13 process shall include, at a minimum, that the coordinating board for  
14 higher education review the commissioner's or designee's decision.**

15 **2. Any rule or portion of a rule, as that term is defined in section  
16 536.010, RSMo, that is created under the authority delegated in this  
17 section shall become effective only if it complies with and is subject to  
18 all of the provisions of chapter 536, RSMo, and, if applicable, section  
19 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable  
20 and if any of the powers vested with the general assembly pursuant to**

21 chapter 536, RSMo, to review, to delay the effective date, or to  
22 disapprove and annul a rule are subsequently held unconstitutional,  
23 then the grant of rulemaking authority and any rule proposed or  
24 adopted after August 28, 2006, shall be invalid and void.

173.234. 1. As used in this section, unless the context clearly  
2 requires otherwise, the following terms shall mean:

3 (1) "Board", the coordinating board for higher education;

4 (2) "Eligible student", a qualifying military member, as defined in  
5 this section;

6 (3) "Grant", the Iraq war military member grant as established by  
7 this section;

8 (4) "Qualifying institution", any approved public or private  
9 institution as defined in section 173.205;

10 (5) "Qualifying military member", any member of the military of  
11 the United States, whether active duty, reserve, or national guard, who  
12 served in Iraq during Operations Iraqi Freedom and Enduring Freedom,  
13 who is a citizen of the state of Missouri;

14 (6) "Tuition", any tuition or incidental fee or both charged by a  
15 qualifying institution, as defined in this section, for attendance at the  
16 institution by an eligible student.

17 2. Within the limits of the amounts appropriated therefor, the  
18 board shall provide, as defined in this section, a grant to eligible  
19 students who attend qualifying institutions of postsecondary education.

20 3. An eligible student may receive a grant under this section only  
21 so long as the eligible student is enrolled in a program leading to a  
22 certificate, or an associate or baccalaureate degree in a qualifying  
23 institution. In no event shall the eligible student receive a grant beyond  
24 the completion of the first baccalaureate degree. No eligible student  
25 shall receive more than one hundred percent of tuition when combined  
26 with similar funds made available to such eligible student.

27 4. The coordinating board for higher education shall:

28 (1) Promulgate all necessary rules and regulations for the  
29 implementation of this section;

30 (2) Determine minimum standards of performance in order for a  
31 student to remain eligible to receive a grant under this program;

32 (3) Make available on behalf of the eligible student an amount  
33 toward the eligible student's tuition which is equal to the grant to which



34 the eligible student is entitled under the provisions of this section;

35 (4) Provide the forms and determine the procedures necessary for  
36 an eligible student to apply for and receive a grant under this program.

37 5. An eligible student who is enrolled or has been accepted for  
38 enrollment at a qualifying institution shall receive a grant in an amount  
39 not to exceed the least of the following:

40 (1) The actual tuition, as defined in this section, charged at the  
41 qualifying institution where the eligible student is enrolled or accepted  
42 for enrollment; or

43 (2) The highest amount of tuition charged a Missouri resident for  
44 attendance as a full-time student, as defined in section 173.205, at any  
45 campus within the University of Missouri system.

46 6. An eligible student who is a recipient of a grant may transfer  
47 from one qualifying institution to another without losing his or her  
48 entitlement under this section. The board shall make necessary  
49 adjustments in the amount of the grant. If a grant recipient at anytime  
50 withdraws from a qualifying institution so that under the rules and  
51 regulations of that institution the eligible student is entitled to a refund  
52 of any tuition, fees, or other charges, the qualifying institution shall pay  
53 the portion of the refund to which the student is entitled attributable to  
54 the grant for that semester or similar grading period to the board.

55 7. If an eligible student is granted financial assistance under any  
56 other student aid program, public or private, the full amount of such aid  
57 shall be reported to the board by the qualifying institution and the  
58 eligible student.

59 8. Nothing in this section shall be construed as a promise or  
60 guarantee that a person will be admitted to a qualifying institution or  
61 to a particular qualifying institution, will be allowed to continue to  
62 attend a qualifying institution after having been admitted, or will be  
63 graduated from a qualifying institution.

173.272. 1. There shall be established in the state treasury a  
2 "Community College Associate Degree Transfer Incentive Scholarship  
3 Program" fund to be administered by the coordinating board for higher  
4 education. The state treasurer shall be custodian of the fund and shall  
5 approve disbursements from the fund in accordance with sections 30.170  
6 and 30.180, RSMo. Upon appropriation, money in the fund shall be used  
7 solely for the administration of this section. Notwithstanding the

8 provisions of section 33.080, RSMo, to the contrary, any moneys  
9 remaining in the fund at the end of the biennium shall not revert to the  
10 credit of the general revenue fund. The state treasurer shall invest  
11 moneys in the fund in the same manner as other funds are invested. Any  
12 interest and moneys earned on such investments shall be credited to the  
13 fund. Any moneys appropriated to the coordinating board for higher  
14 education by the general assembly for this program shall be distributed  
15 by the Missouri department of higher education to participating public  
16 four-year Missouri colleges or universities to provide scholarships for  
17 citizens of this state who graduate from a public Missouri community  
18 college and transfer to a participating public four-year Missouri college  
19 or university under the provisions of this section.

20 2. Funds for the scholarship program shall be distributed to  
21 participating institutions on a pro-rata basis according to the number  
22 of eligible two-year transfer students at each institution. The  
23 coordinating board for higher education shall promulgate rules to  
24 implement the provisions of this section.

25 3. A student shall be eligible for an associate degree transfer  
26 incentive program scholarship if the student has completed an associate  
27 of arts degree, or another degree that contains forty-two credit hours of  
28 general education core curriculum, at a Missouri public community  
29 college or other two-year institution located in Missouri and recognized  
30 by the department of higher education to confer associate  
31 degrees. Participating Missouri public colleges or universities  
32 institutions shall establish additional eligibility requirements.

33 4. Individual public four-year Missouri colleges or universities  
34 may apply to the coordinating board for higher education for funds to  
35 offer community college associate degree transfer incentive scholarships  
36 under this section. Such institutions shall establish performance  
37 standards that provide for continuation of the scholarship for a  
38 minimum of four semesters and a maximum of four years, and a  
39 minimum annual scholarship level of one thousand dollars, not to exceed  
40 the cost of attendance.

41 5. Each institution offering a scholarship under this section shall  
42 develop and publish application procedures, deadlines, award amounts,  
43 and any other features unique to the receiving institution. The primary  
44 criterion shall be need. Scholarships may be pro-rated for part-time

45 students. Each institution shall submit an annual report of the use and  
46 distribution of such scholarship funds to the general assembly, with  
47 such report subject to audit. The coordinating board shall establish by  
48 rule a limit on funds to be used for administrative costs and a method  
49 of determining need.

50 **6. Any rule or portion of a rule, as that term is defined in section**  
51 **536.010, RSMo, that is created under the authority delegated in this**  
52 **section shall become effective only if it complies with and is subject to**  
53 **all of the provisions of chapter 536, RSMo, and, if applicable, section**  
54 **536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**  
55 **and if any of the powers vested with the general assembly under chapter**  
56 **536, RSMo, to review, to delay the effective date, or to disapprove and**  
57 **annul a rule are subsequently held unconstitutional, then the grant of**  
58 **rulemaking authority and any rule proposed or adopted after August 28,**  
59 **2006, shall be invalid and void.**

60 **7. Under section 23.253, RSMo, of the Missouri Sunset Act:**

61 **(1) The provisions of the new program authorized under this**  
62 **section shall automatically sunset six years after the effective date of**  
63 **this section unless reauthorized by an act of the general assembly; and**

64 **(2) If such program is reauthorized, the program authorized**  
65 **under this section shall automatically sunset twelve years after the**  
66 **effective date of the reauthorization of this section; and**

67 **(3) This section shall terminate on September first of the calendar**  
68 **year immediately following the calendar year in which the program**  
69 **authorized under this section is sunset.**

174.450. 1. Except as provided in subsection 2 **and subsection 6** of this  
2 section, the governing board of Central Missouri State University, Missouri State  
3 University, Missouri Southern State University, Missouri Western State  
4 University, and of each other public institution of higher education which,  
5 through the procedures established in subdivision (7) or (8) of section 173.030,  
6 RSMo, is charged with a statewide mission shall be a board of governors  
7 consisting of eight members, composed of seven voting members and one  
8 nonvoting member as provided in sections 174.453 and 174.455, who shall be  
9 appointed by the governor of Missouri, by and with the advice and consent of the  
10 senate. No person shall be appointed a voting member who is not a citizen of the  
11 United States and who has not been a resident of the state of Missouri for at least  
12 two years immediately prior to such appointment. Not more than four voting

13 members shall belong to any one political party. The appointed members of the  
14 board of regents serving on the date of the statutory mission change shall become  
15 members of the board of governors on the effective date of the statutory mission  
16 change and serve until the expiration of the terms for which they were  
17 appointed. The board of regents of any such institution shall be abolished on the  
18 effective date of the statutory mission change, as prescribed in subdivision (7) or  
19 (8) of section 173.030, RSMo.

20           2. The governing board of Missouri State University, a public institution  
21 of higher education charged with a statewide mission in public affairs, shall be  
22 a board of governors of ten members, composed of nine voting members and one  
23 nonvoting member, who shall be appointed by the governor, by and with the  
24 advice and consent of the senate. The nonvoting member shall be a student  
25 selected in the same manner as prescribed in section 174.055. No more than one  
26 voting member shall be appointed to the board from the same congressional  
27 district, and every member of the board shall be a citizen of the United States,  
28 and a resident of this state for at least two years prior to his or her appointment.  
29 No more than five voting members shall belong to any one political party. **The**  
30 **term of office of the governors shall be six years. The voting members**  
31 **of the board of governors serving on August 28, 2005, shall serve until**  
32 **the expiration of the terms for which they were appointed. For those**  
33 **voting members appointed after August 28, 2005, the term of office will**  
34 **be established in a manner where no more than three terms shall expire**  
35 **in a given year. The term of office for those appointed hereafter shall**  
36 **end January first in years ending in an odd number.**

37           3. If a voting member of the board of governors of Missouri State  
38 University is found by unanimous vote of the other governors to have  
39 moved such governor's residence from the district from which such  
40 governor was appointed, then the office of such governor shall be  
41 forfeited and considered vacant.

42           4. Should the total number of Missouri congressional districts be  
43 altered, all members of the board of governors of Missouri State  
44 University shall be allowed to serve the remainder of the term for which  
45 they were appointed.

46           5. Should the boundaries of any congressional districts be altered  
47 in a manner that displaces a member of the board of governors of  
48 Missouri State University from the congressional district from which the  
49 member was appointed, the member shall be allowed to serve the

50 **remainder of the term for which the member was appointed.**

51 [3.] **6.** The governing board of Missouri Southern State University shall  
52 be a board of governors consisting of nine members, composed of eight voting  
53 members and one nonvoting member as provided in sections 174.453 and 174.455,  
54 who shall be appointed by the governor of Missouri, by and with the advice and  
55 consent of the senate. No person shall be appointed a voting member who is not  
56 a citizen of the United States and who has not been a resident of the state of  
57 Missouri for at least two years immediately prior to such appointment. Not more  
58 than four voting members shall belong to any one political party.

174.453. 1. **Except as provided in section 174.450**, the board of  
2 governors shall be appointed as follows:

3 (1) Five voting members shall be selected from the counties comprising the  
4 institution's historic statutory service region as described in section 174.010,  
5 except that no more than two members shall be appointed from any one county  
6 with a population of less than two hundred thousand inhabitants;

7 (2) Two voting members shall be selected from any of the counties in the  
8 state which are outside of the institution's historic service region; and

9 (3) One nonvoting member who is a student shall be selected in the same  
10 manner as prescribed in section 174.055.

11 2. The term of service of the governors shall be as follows:

12 (1) The voting members shall be appointed for terms of six years; and

13 (2) The nonvoting student member shall serve a two-year term.

14 3. Members of any board of governors selected pursuant to this section  
15 and in office on May 13, 1999, shall serve the remainder of their unexpired terms.

16 4. Notwithstanding the provisions of subsection 1 of this section, the board  
17 of governors of Missouri Southern State University shall be appointed as follows:

18 (1) Six voting members shall be selected from any of the following  
19 counties: Barton, Jasper, Newton, McDonald, Dade, Lawrence, and Barry  
20 provided that no more than three of these six members shall be appointed from  
21 any one county;

22 (2) Two voting members shall be selected from any of the counties in the  
23 state which are outside of the counties articulated in subdivision (1) of this  
24 subsection;

25 (3) One nonvoting member who is a student shall be selected in the same  
26 manner as prescribed in section 174.055; and

27 (4) The provisions of subdivisions (1) and (2) of this subsection shall only  
28 apply to board members first appointed after August 28, 2004.

29           5. Notwithstanding the provisions of subsection 1 of this section, the board  
30 of governors of Missouri Western State University shall be appointed as follows:

31           (1) Five voting members shall be selected from any of the following  
32 counties: Buchanan, Platte, Clinton, Andrew, and DeKalb provided that no more  
33 than three of these five members shall be appointed from any one county;

34           (2) Two voting members shall be selected from any of the counties in the  
35 state which are outside of the counties articulated in subdivision (1) of this  
36 subsection;

37           (3) One nonvoting member who is a student shall be selected in the same  
38 manner as prescribed in section 174.055; and

39           (4) The provisions of subdivisions (1) and (2) of this subsection shall only  
40 apply to board members first appointed after August 28, 2005.

174.500. 1. The board of [regents of Southwest] **governors of** Missouri  
2 State University is authorized to continue the program of higher education at  
3 West Plains, Missouri, which was begun in 1963 and which shall be known as the  
4 "West Plains Campus of [Southwest] Missouri State University". [Southwest]  
5 Missouri State University may include an appropriation request for the branch  
6 facility at West Plains in its operating budget.

7           2. The coordinating board for higher education in cooperation with the  
8 board of [regents] **governors** shall develop a mission implementation plan for the  
9 campus at West Plains, Howell County, which is known as the "West Plains  
10 Campus of [Southwest] Missouri State University", and which shall be a teaching  
11 institution, offering one-year certificates, two-year associate degrees and credit  
12 and noncredit courses to both traditional and nontraditional students to meet the  
13 ongoing and emerging employer and educational needs of the citizens of the area  
14 served.

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