

SECOND REGULAR SESSION
[P E R F E C T E D]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 650
93RD GENERAL ASSEMBLY

Reported from the Committee on Education, February 9, 2006, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

Senate Committee Substitute adopted March 2, 2006.

Taken up March 2, 2006. Read 3rd time and placed upon its final passage; bill passed.

3306S.04P

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 174.450, 174.453, and 174.500, RSMo, and to enact in lieu thereof three new sections relating to the board of governors of Missouri State University, with an emergency clause.

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

Section A. Sections 174.450, 174.453, and 174.500, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 174.450,
3 174.453, and 174.500, to read as follows:

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
12 least two years immediately prior to such appointment. Not more than four
13 voting members shall belong to any one political party. The appointed members
14 of the board of regents serving on the date of the statutory mission change shall

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

15 become members of the board of governors on the effective date of the statutory
16 mission 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**
35 **expire in a given year. The term of office for those appointed hereafter**
36 **shall 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
45 which they were appointed.

46 5. Should the boundaries of any congressional districts be
47 altered in a manner that displaces a member of the board of governors
48 of Missouri State University from the congressional district from which
49 the 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
4 the 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
17 board of governors of Missouri Southern State University shall be appointed as
18 follows:

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

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

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

28 (4) The provisions of subdivisions (1) and (2) of this subsection shall only

29 apply to board members first appointed after August 28, 2004.

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

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

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

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

41 (4) The provisions of subdivisions (1) and (2) of this subsection shall only
42 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
9 the 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.

Section B. Because it is necessary for the state to provide effective
2 leadership for institutions of higher education in this state, section A of this act
3 is deemed necessary for the immediate preservation of the public health, welfare,
4 peace and safety, and is hereby declared to be an emergency act within the
5 meaning of the constitution, and section A of this act shall be in full force and
6 effect upon its passage and approval.