

SECOND REGULAR SESSION

SENATE BILL NO. 939

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BERNSKOETTER.

4764S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 174.300, 174.332, 174.450, 174.453, 174.610, 175.020, and 178.632, RSMo, and to enact in lieu thereof seven new sections relating to higher education governing bodies.

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

Section A. Sections 174.300, 174.332, 174.450, 174.453,
2 174.610, 175.020, and 178.632, RSMo, are repealed and seven new
3 sections enacted in lieu thereof, to be known as sections
4 174.300, 174.332, 174.450, 174.453, 174.610, 175.020, and
5 178.632, to read as follows:

174.300. 1. Prior to October 17, 1978, the governor
2 shall, with the advice and consent of the senate, appoint a
3 six-member board of regents to assume the general control
4 and management of Harris-Stowe College. The members of the
5 board shall serve for terms of six years each, except for
6 the members first appointed, two of whom shall serve two-
7 year terms, two of whom shall serve four-year terms, and two
8 of whom shall serve six-year terms. Not more than three of
9 the regents shall be affiliated with any one political party
10 **or reside in a city not within a county.**

11 2. On and after August 28, 2005, Harris-Stowe State
12 College shall be known as Harris-Stowe State University, and
13 the provisions contained in subsection 1 of this section
14 shall continue to apply to the institution.

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

174.332. 1. Notwithstanding the provisions of section 174.050 to the contrary, the board of regents of Northwest Missouri State University shall be composed of nine members, eight of whom shall be voting members and one who shall be a nonvoting member. Not more than four voting members shall belong to any one political party[. Not more than two voting members shall be residents of the same county. The appointed members of the board serving on August 28, 2008, shall continue to serve until the expiration of the terms for which the appointed members were appointed and until such time a successor is duly appointed.

2. The board of regents shall be appointed as follows:

(1) Six voting members shall be residents of the university's historic statutory service region, provided at least one member shall be a resident of Nodaway County. For the sole purpose of determining the composition of the board of regents, the university's historic statutory service region shall consist of the counties of Atchison, Andrew, Caldwell, Carroll, Clay, Clinton, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Livingston, Mercer, Nodaway, Ray, and Worth;

(2) Two voting members shall be residents of a county in the state that is outside the university's historic statutory service region, as described in subdivision (1) of this subsection, provided these two members shall not be appointed from the same congressional district; and

(3)] or reside in a county with more than nineteen thousand but fewer than twenty-two thousand inhabitants and with a county seat with more than ten thousand but fewer than thirteen thousand inhabitants. One nonvoting member shall be a full-time student of the university, a United States citizen, and a resident of Missouri.

33 [3.] 2. A majority of the voting members of the board
34 shall constitute a quorum for the transaction of business;
35 however, no appropriation of money nor any contract that
36 shall require any appropriation or disbursement of money
37 shall be made, nor teacher employed or dismissed, unless a
38 majority of the voting members of the board vote for the
39 same.

40 [4.] 3. Except as specifically provided in this
41 section, the appointments and terms of office for the voting
42 and nonvoting members of the board, and all other duties and
43 responsibilities of the board, shall comply with the
44 provisions of state law regarding boards of regents.

174.450. 1. Except as provided in subsections 2, [6]
2 3, and [7] 4 of this section, the governing board of the
3 University of Central Missouri, Missouri State University,
4 Missouri Southern State University, Missouri Western State
5 University, and of each other public institution of higher
6 education which, through the procedures established in
7 subdivision (8) or (9) of section 173.030, is charged with a
8 statewide mission shall be a board of governors consisting
9 of eight members, composed of seven voting members and one
10 nonvoting member as provided in sections 174.453 and
11 174.455, who shall be appointed by the governor of Missouri,
12 by and with the advice and consent of the senate. No person
13 shall be appointed a voting member who is not a citizen of
14 the United States and who has not been a resident of the
15 state of Missouri for at least two years immediately prior
16 to such appointment. Not more than four voting members
17 shall belong to any one political party. The appointed
18 members of the board of regents serving on the date of the
19 statutory mission change shall become members of the board
20 of governors on the effective date of the statutory mission

21 change and serve until the expiration of the terms for which
22 such members were appointed. The board of regents of any
23 such institution shall be abolished on the effective date of
24 the statutory mission change, as prescribed in subdivision
25 (8) or (9) of section 173.030.

26 2. The governing board of Missouri State University, a
27 public institution of higher education charged with a
28 statewide mission in public affairs, shall be a board of
29 governors of ten members, composed of nine voting members
30 and one nonvoting member, who shall be appointed by the
31 governor, by and with the advice and consent of the senate.
32 The nonvoting member shall be a student selected in the same
33 manner as prescribed in section 174.055. [At least one but
34 no more than two voting members shall be appointed to the
35 board from each congressional district, and] Every member of
36 the board shall be a citizen of the United States, and a
37 resident of this state for at least two years prior to the
38 member's appointment. No more than five voting members
39 shall belong to any one political party. **No more than four**
40 **voting members shall reside in a county with more than two**
41 **hundred sixty thousand but fewer than three hundred thousand**
42 **inhabitants.** The term of office of the governors shall be
43 six years, except as provided in this subsection. The term
44 of office for those appointed hereafter shall end January
45 first in years ending in an odd number.

46 3. [If a voting member of the board of governors of
47 Missouri State University is found by unanimous vote of the
48 other governors to have moved such governor's residence from
49 the district from which such governor was appointed, then
50 the office of such governor shall be forfeited and
51 considered vacant.]

52 4. Should the total number of Missouri congressional
53 districts be altered, all members of the board of governors
54 of Missouri State University shall be allowed to serve the
55 remainder of the term for which such members were appointed.

56 5. Should the boundaries of any congressional
57 districts be altered in a manner that displaces a member of
58 the board of governors of Missouri State University from the
59 congressional district from which the member was appointed,
60 the member shall be allowed to serve the remainder of the
61 term for which the member was appointed.

62 6.] The governing board of Missouri Southern State
63 University shall be a board of governors consisting of nine
64 members, composed of eight voting members and one nonvoting
65 member as provided in sections 174.453 and 174.455, who
66 shall be appointed by the governor of Missouri, by and with
67 the advice and consent of the senate. No person shall be
68 appointed a voting member who is not a citizen of the United
69 States and who has not been a resident of the state of
70 Missouri for at least two years immediately prior to such
71 appointment. Not more than four voting members shall belong
72 to any one political party **or reside in a county with more**
73 **than one hundred twenty thousand but fewer than one hundred**
74 **fifty thousand inhabitants.**

75 [7.] 4. The governing board of Northwest Missouri
76 State University shall be a board of regents as provided in
77 section 174.332.

78 5. **Not more than three voting members of the governing**
79 **board of the University of Central Missouri shall reside in**
80 **a county with more than fifty thousand but fewer than sixty**
81 **thousand inhabitants and with a county seat with more than**
82 **seventeen thousand but fewer than twenty-one thousand**
83 **inhabitants.**

174.453. 1. Except as provided in section 174.450 and
2 in [subsection] **subsections 4, 5, and 6** of this section, the
3 board of governors shall be appointed as follows:

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

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

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

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

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

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

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

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

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

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

34 (3)] **Not more than three voting members shall be**
35 **selected who reside in a county with more than one hundred**
36 **twenty thousand but fewer than one hundred fifty thousand**
37 **inhabitants; and**

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

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

44 5. Notwithstanding the provisions of subsection 1 of
45 this section, the board of governors of Missouri Western
46 State University shall be composed of eight members
47 appointed as follows:

48 (1) Five voting members shall be selected from any of
49 the following counties: Buchanan, Platte, Clinton, Andrew,
50 and DeKalb ;

51 (2) One nonvoting member who is a student shall be
52 selected in the same manner as prescribed in section
53 174.055; and

54 (3) The provisions of subdivisions (1) and (2) of this
55 subsection shall only apply to board members first appointed
56 after August 28, 2005.

57 6. [(1)] Notwithstanding the provisions of subsection
58 1 of this section to the contrary, the board of governors of
59 Southeast Missouri State University shall be appointed as
60 follows:

61 (a) [Two voting members shall be selected from any of
62 the following counties: Butler, Dunklin, Mississippi, New
63 Madrid, Pemiscot, Scott, or Stoddard;

64 (b) Two voting members shall be selected from any of
65 the following counties: Bollinger, Cape Girardeau, Madison,
66 Perry, Ste. Genevieve, or St. Francois;

67 (c) Two voting members shall be selected from any of
68 the following counties or areas: Franklin, Jefferson,
69 Lincoln, St. Charles, St. Louis, St. Louis City, or Warren;

70 (d) One voting member shall be selected from one of
71 the counties in the state; and

72 (e)] **Seven voting members shall be selected, not more**
73 **than three of whom shall reside in a county with more than**
74 **eighty thousand but fewer than one hundred thousand**
75 **inhabitants and with a county seat with more than thirteen**
76 **thousand but fewer than seventeen thousand inhabitants; and**

77 (b) One nonvoting member who is a student shall be
78 selected in the same manner as provided in section 174.055.

79 [(2) The provisions of paragraphs (a) to (c) of
80 subdivision (1) of this subsection shall only apply to board
81 members first appointed after August 28, 2021.]

174.610. The governing board of the Truman State
2 University shall be a board of governors consisting of ten
3 members, composed of seven voting members and three
4 nonvoting members as provided in section 174.620, who shall
5 be appointed by the governor of Missouri, by and with the
6 advice and consent of the senate. No person shall be
7 appointed a voting governor who is not a citizen of the
8 United States and who has not been a resident of the state
9 of Missouri for at least two years immediately prior to such
10 person's appointment. Not more than four voting governors
11 shall belong to any one political party. **Not more than**

12 **three voting governors shall reside in a county with more**
13 **than twenty-five thousand but fewer than thirty thousand**
14 **inhabitants and with a county seat with more than fourteen**
15 **thousand but fewer than twenty thousand inhabitants.** The
16 appointed members of the board of regents serving on January
17 1, 1986, shall become members of the board of governors on
18 January 1, 1986, and serve until the expiration of the terms
19 for which they were appointed.

175.020. The board of curators of Lincoln University
2 of Missouri shall hereafter consist of nine members who
3 shall be appointed by the governor, by and with the advice
4 and consent of the senate. No person shall be appointed a
5 curator who shall not be a citizen of the United States and
6 who shall not have been a resident of the state of Missouri
7 two years next prior to his or her appointment. Not more
8 than five curators shall belong to any one political party,
9 **and not more than four curators shall reside in a county**
10 **with more than seventy thousand but fewer than eighty**
11 **thousand inhabitants.**

178.632. The governing board of State Technical
2 College of Missouri shall be a board of regents composed of
3 seven voting members and one nonvoting student member. Such
4 members shall be appointed by the governor with the advice
5 and consent of the senate after August 28, 1995, and after
6 the conditions of section 178.631 are satisfied. No person
7 shall be appointed to the board who is not a citizen of the
8 United States and who has not been a resident of the state
9 of Missouri for at least two years immediately prior to his
10 appointment. Not less than three voting members shall
11 belong to one of the two major political parties and not
12 less than three shall belong to the other major political
13 party. Not more than [two voting members shall reside in

14 Osage County or other immediately contiguous counties] **three**
15 **voting members shall reside in a county with more than**
16 **twelve thousand five hundred but fewer than fourteen**
17 **thousand inhabitants and with a county seat with more than**
18 **one thousand but fewer than two thousand inhabitants.**

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