

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 897

89TH GENERAL ASSEMBLY

Reported from the Committee on Agriculture, Conservation, Parks and Tourism, March 2, 1998, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

S3843.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 172.020, RSMo 1994, relating to the university of Missouri and its ability to sell agricultural products, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 172.020, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 172.020, to read as follows:

172.020. The university is hereby incorporated and created a body politic and shall be known by the name of "The Curators of the University of Missouri", and by that name shall have perpetual succession, power to sue and be sued, complain and defend in all courts; to make and use a common seal, and to alter the same at pleasure; to take, purchase and to sell, convey and otherwise dispose of lands and chattels, except that the curators shall not have the power to subdivide, sell or convey title to any land contained within a university campus or to subdivide, sell or convey title to any portion of any parcel of land containing in excess of twenty-five hundred contiguous acres unless such transaction is approved by the general assembly by passage of a concurrent resolution signed by the governor. The curators shall not sell, trade or otherwise convey or permit the severance of timber, minerals or other natural resources, [if the timber, mineral or natural resource has a value of at least five hundred dollars, unless the curators have requested and solicited public bids by advertising for ten days in one newspaper in the county where the timber, mineral or other natural resource is located and by advertising for ten days in two daily newspapers in the state which have not less than fifty thousand daily circulation. The curators also shall send a notice of the proposed sale to the governor, state auditor, chief clerk of

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

the house of representatives and secretary of the senate not later than the same day the advertisement for public bid is first scheduled to appear; to] **unless the curators comply with bidding procedures established by rule that mandate notice of the transaction be provided in a manner reasonably calculated to apprise prospective purchasers. Such rule or rules must at a minimum require at least one notice of the transaction be published in a newspaper of general circulation where the resources are located. The curators may** act as trustee in all cases in which there be a gift of property or property left by will to the university or for its benefit or for the benefit of students of the university; to condemn an appropriate real estate or other property, or any interest therein, for any public purpose within the scope of its organization, in the same manner and with like effect as is provided in chapter 523, RSMo, relating to the appropriation and valuation of lands taken for telegraph, telephone, gravel and plank or railroad purposes; provided, that if the curators so elect, no assessment of damages or compensation under this law shall be payable and no execution shall issue before the expiration of sixty days after the adjournment of the next regular session of the legislature held after such assessment is made, but the same shall bear interest at the rate of six percent per annum from its date until paid; and provided further, that the curators may, at any time, elect to abandon the proposed appropriation of property by an instrument of writing to that effect, to be filed with the clerk of the court and entered on the minutes of the court, and as to so much as is thus abandoned, the assessment of damages or compensation shall be void.

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