

FIRST REGULAR SESSION

HOUSE BILL NO. 655

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WRIGHT (137) (Sponsor), COOPER (158),
MYERS AND TILLEY (Co-sponsors).

Read 1st time February 28, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1814L.011

AN ACT

To repeal section 1 as enacted by the Senate Substitute for Senate Committee Substitute for Senate Bill No. 98, ninety-third general assembly, first regular session, and to enact in lieu thereof two new sections relating to funding for four-year public institutions of higher education, with a contingent effective date.

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

Section A. Section 1, as enacted by the Senate Substitute for Senate Committee
2 Substitute for Senate Bill No. 98, ninety-third general assembly, first regular session RSMo, is
3 repealed and two new sections enacted in lieu thereof, to be known as sections 1 and 2, to read
4 as follows:

**Section 1. 1. Missouri State University shall not seek the land grant designation
2 held by Lincoln University and the University of Missouri, nor shall Missouri State
3 University seek the research designation currently held by the University of Missouri.**
4 **2. Missouri State University shall offer engineering programs and doctoral
5 programs only in cooperation with the University of Missouri, and the University of
6 Missouri shall be the degree-granting institution for any degrees issued under such
7 cooperative programs. If the governing board of Missouri State University desires to
8 institute a particular cooperative degree program with the University of Missouri, the
9 governing board of Missouri State University shall send a written request to the governing
10 board of University of Missouri. A subsequent agreement between the governing boards
11 of Missouri State University and University of Missouri to institute such a program shall**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 be subject to the approval of the coordinating board for higher education. Should the
13 governing board of the University of Missouri decline Missouri State University's request
14 to institute a particular cooperative degree program, the governing board of Missouri State
15 University may, within a year, enter into an agreement with another educational institution
16 to offer such a program or directly offer the particular degree. In all cases, the offering of
17 such degree programs shall be subject to the approval of the coordinating board for higher
18 education, or any other higher education governing authority that replaces the board.

19 **3. Notwithstanding the provisions of subsection 2 of this section, Missouri State**
20 **University may offer a doctoral programs in audiology and physical therapy. Missouri**
21 **State University shall neither offer nor duplicate the professional programs at the**
22 **University of Missouri, including, without limitation, those that train medical doctors,**
23 **pharmacists, dentists, veterinarians, optometrists, lawyers, and architects.**

24 **4. The process for funding public four-year institutions of higher education in this**
25 **state shall be as follows:**

26 **(a) The general assembly shall appropriate moneys to each institution;**

27 **(b) Excluding appropriations for capital improvements, the annual increased**
28 **percentage level of funding in each institution's operating budget shall be averaged with**
29 **the increased percentage level of funding for all other such institutions;**

30 **(c) If an institution's increased percentage level of funding exceeds the average**
31 **percentage level of state funding appropriated to all other four-year institutions of higher**
32 **education, such institution's funding shall be reduced to the average calculated under**
33 **subdivision (b) of this subsection; and**

34 **(d) Any amounts appropriated under this section exceeding the average calculated**
35 **under subdivision (b) of this subsection shall revert to the general revenue fund.**

Section 2. Notwithstanding the provisions of section 1.140, RSMo, to the contrary,
2 **the provisions of this act shall be nonseverable, and if any provision is for any reason held**
3 **to be invalid, such decision shall invalidate all of the remaining provisions of this act.**

[Section 1. Missouri State University shall not seek the land grant
2 **designation held by Lincoln University and the University of Missouri nor**
3 **shall Missouri State University seek the research designation currently held**
4 **by the University of Missouri. Missouri State University shall offer**
5 **engineering programs and doctoral programs only in cooperation with the**
6 **University of Missouri; provided that such cooperative agreements are**
7 **approved by the governing boards of each institution and that in these**
8 **instances the University of Missouri shall be the degree-granting institution.**
9 **Should the University of Missouri decline to cooperate in the offering of**
10 **such programs within one year of the formal approval of the coordinating**
11 **board, Missouri State University may cooperate with another educational**

12 **institution, or directly offer the degree. In all cases, the offering of such**
13 **degree programs shall be subject to the approval of the coordinating board**
14 **for higher education, or any other higher education governing authority that**
15 **may replace it. Missouri State University may offer doctoral programs in**
16 **audiology and physical therapy. Missouri State University shall neither**
17 **offer nor duplicate the professional programs at the University of Missouri**
18 **including, without limitation, those that train medical doctors, pharmacists,**
19 **dentists, veterinarians, optometrists, lawyers, and architects. The alteration**
20 **of the name of Southwest Missouri State University to Missouri State**
21 **University shall not entitle Missouri State University to any additional state**
22 **funding.]**

 Section B. The provisions of Section A of this act shall become effective only upon
2 passage and approval of the Senate Substitute for the Senate Committee Substitute for Senate
3 Bill 98 by the ninety-third general assembly, first regular session, and approval by the governor
4 and not otherwise.