

FIRST REGULAR SESSION

HOUSE BILL NO. 1401

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WINDHAM.

1467H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 172.030, 172.035, 174.050, 174.055, 174.060, 174.300, 174.332, 174.450, 174.453, 174.610, 174.620, 175.020, and 175.021, RSMo, and to enact in lieu thereof thirteen new sections relating to student representatives to public institutions of higher education.

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

Section A. Sections 172.030, 172.035, 174.050, 174.055, 174.060, 174.300, 174.332, 174.450, 174.453, 174.610, 174.620, 175.020, and 175.021, RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 172.030, 172.035, 174.050, 174.055, 174.060, 174.300, 174.332, 174.450, 174.453, 174.610, 174.620, 175.020, and 175.021, to read as follows:

172.030. 1. The board of curators of the University of the state of Missouri shall ~~hereafter~~ consist of nine members, who shall be appointed by the governor, by and with the advice and consent of the senate; provided, that at least one but no more than two shall be appointed upon ~~said~~ **the** board from each congressional district, and no person shall be appointed a curator who ~~shall~~ **is** not ~~be~~ a citizen of the United States, and who ~~shall~~ **has** not ~~have~~ been a resident of the state of Missouri two years next prior to ~~his~~ **the person's** appointment. ~~Not~~ **No** more than five curators shall belong to any one political party. ~~Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.]~~

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.

11 **2. (1) In lieu of a student representative appointed to the board of curators under**
12 **section 172.035, one curator appointed under this section may be a full-time student of the**
13 **university appointed as provided in this subsection.**

14 **(2) Before January 1, 2023, the enrolled students from each of the four campuses**
15 **of the University of Missouri shall vote to determine whether to fill the next board vacancy**
16 **occurring on or after January 1, 2023, with a student curator appointed under this**
17 **subsection instead of a student representative appointed under section 172.035. If a**
18 **majority of the enrolled students on each campus approve the appointment of a student**
19 **curator, the governor shall fill the next vacancy caused by the expiration of a curator's**
20 **term as provided in this subsection. If a majority of the enrolled students on any of the**
21 **four campuses oppose the appointment of a student curator under this subsection, no**
22 **student shall be a curator and the governor shall appoint a student representative under**
23 **section 172.035.**

24 **(3) Each campus of the University of Missouri shall conduct a vote of the campus's**
25 **enrolled students every ten years after the initial vote held under this subsection to**
26 **determine whether to have a student curator under this subsection. If a majority of the**
27 **enrolled students on each campus fail to approve the appointment of a student curator**
28 **under this subsection in any subsequent vote, any existing student curator shall serve until**
29 **such student curator's term expires and the governor shall appoint a student**
30 **representative under section 172.035.**

31 **(4) Any student curator appointed under this subsection shall meet or exceed all**
32 **qualifications of the student representative under section 172.035.**

33 **(5) Any student curator appointed under this subsection shall exercise and be**
34 **responsible for all powers and duties vested in a curator under Article IX, Section 9(a) of**
35 **the Constitution of Missouri and this chapter.**

36 **(6) No more than one student shall serve as a curator at any one time under this**
37 **section.**

38 **(7) Appointments made under this subsection shall be made in rotation from each**
39 **of the four campuses of the University of Missouri, beginning with a student from the**
40 **Columbia campus, next from the Rolla campus, next from the Kansas City campus, and**
41 **then from the St. Louis campus.**

172.035. 1. **Unless the university votes to have a student curator as provided in**
2 **subsection 2 of section 172.030, the governor shall, by and with the advice and consent of the**
3 **senate, appoint a student representative to the board of curators of the University of Missouri,**
4 **who shall attend all meetings and participate in all deliberations of the board. Such student**
5 **representative shall not have the right to vote on any matter before the board.**

6 2. Such student representative shall be a full-time student at the university as defined by
7 the board, selected from a panel of three names submitted to the governor by the student
8 government presidents of the campuses of the university, a citizen of the United States, and a
9 resident of the state of Missouri. No person ~~may~~ **shall** be appointed who is not actually
10 enrolled during the term of such person's appointment as a student at the University of Missouri.

11 3. The term of the student representative shall be two years~~[- except that the person first~~
12 ~~appointed shall serve until January 1, 1986].~~

13 4. If a vacancy occurs for any reason in the position of student representative, the
14 governor shall appoint a replacement who meets the qualifications set forth in subsection 2 of
15 this section and who shall serve until the student representative's successor is appointed and
16 qualified.

17 5. If the student representative ceases to be a student at the University of Missouri, or
18 a resident of the state of Missouri, or fails to follow the board's attendance policy, the student
19 representative's position shall at once become vacant, unless such absence is caused by sickness
20 or some accident preventing such representative's arrival at the time and place appointed for the
21 meeting.

22 6. The student representative shall receive the same reimbursement for expenses as other
23 members of the board of curators receive pursuant to section 172.040.

24 7. Appointments made under this section shall be made in rotation from each of the four
25 campuses of the University of Missouri, beginning with a student from the Columbia campus,
26 next from the Rolla campus, next from the Kansas City campus, and then from the St. Louis
27 campus.

28 8. Unless alternative arrangements for payment have been made and agreed to by the
29 student and the university, the student representative shall have paid all student and tuition fees
30 due prior to such appointment and shall pay all future student and tuition fees during the term
31 of office when such fees are due.

32 **9. No student representative shall be appointed under this section during the term**
33 **of any student curator appointed to the board under subsection 2 of section 172.030.**

174.050. 1. The board of regents for each college shall be composed of seven members,
2 six of whom shall reside in the district in which the college for which they are appointed regents
3 is situated, and at least one member of each board shall be a resident of the county in which the
4 college for such district is located. The state commissioner of education shall be an ex officio
5 member of each of ~~[said]~~ **such** boards.

6 **2. (1) In lieu of a student representative appointed under section 174.055 to each**
7 **board of each educational institution referred to in section 174.020, one regent of each**

8 educational institution appointed under this section may be a full-time student of the
9 educational institution appointed as provided in this subsection.

10 (2) Before January 1, 2023, the enrolled students from each of such educational
11 institutions shall vote to determine whether to fill the next vacancy on such educational
12 institution's board of regents occurring on or after January 1, 2023, with a student regent
13 appointed under this subsection instead of a student representative appointed under
14 section 174.055. If a majority of an educational institution's enrolled students approve the
15 appointment of a student regent under this subsection, the governor shall fill the next
16 vacancy on such educational institution's board caused by the expiration of a regent's term
17 as provided in this subsection. If a majority of an educational institution's enrolled
18 students oppose the appointment of a student regent under this subsection, no student shall
19 be a regent on such educational institution's board and the governor shall appoint a
20 student representative under section 174.055.

21 (3) Each educational institution shall conduct a vote of the educational institution's
22 enrolled students every ten years after the initial vote held under this subsection to
23 determine whether to have a student regent under this subsection. If a majority of the
24 educational institution's enrolled students fail to approve the appointment of a student
25 regent under this subsection in any subsequent vote, any existing student regent shall serve
26 until such student regent's term expires and the governor shall appoint a student
27 representative under section 174.055.

28 (4) Any student regent appointed under this subsection shall meet or exceed all
29 qualifications of the student representative under section 174.055.

30 (5) Any student regent appointed under this subsection shall exercise and be
31 responsible for all powers and duties vested in a regent under this chapter.

32 (6) No more than one student shall serve as a regent at any one time under this
33 section.

174.055. 1. Unless the educational institution votes to have a student regent as
2 provided in subsection 2 of section 174.050, the governor shall, by and with the advice and
3 consent of the senate, appoint a student representative to the board of regents or governors of
4 each educational institution referred to in section 174.020 who shall attend all meetings and
5 participate in all deliberations of the board. Such student representative shall not have the right
6 to vote on any matter before the board.

7 2. Such student representative shall be a full-time student at the institution as defined by
8 the board, selected from a panel of three names submitted to the governor by the student
9 government president, a citizen of the United States, and a resident of the state of Missouri. No

10 person may be appointed who is not actually enrolled during the term of such person's
11 appointment as a student at the institution.

12 3. The term of the student representative shall be two years~~[-except that the person first~~
13 ~~appointed shall serve until January 1, 1986].~~

14 4. If a vacancy occurs for any reason in the position of student representative, the
15 governor shall appoint a replacement who meets the qualifications set forth in subsection 2 of
16 this section and who shall serve until such representative's successor is appointed and qualified.

17 5. If the student representative ceases to be a student at the institution, or a resident of
18 the state of Missouri, or fails to follow the board's attendance policy, the student representative's
19 position shall at once become vacant, unless the student representative's absence is caused by
20 sickness or some accident preventing the student representative's arrival at the time and place
21 appointed for the meeting.

22 6. The student representative shall receive the same reimbursement for expenses as other
23 members of the board of regents receive pursuant to section 174.100.

24 7. Unless alternative arrangements for payment have been made and agreed to by the
25 student and the educational institution, the student representative shall have paid all student and
26 tuition fees due prior to such appointment and shall pay all future student and tuition fees during
27 the term of office when such fees are due.

28 **8. No student representative shall be appointed under this section during the term**
29 **of any student regent or governor appointed to the board under this chapter.**

174.060. Every two years during a regular session of the general assembly, the governor
2 shall, by and with the advice and consent of the senate, appoint two regents for each college, and
3 whenever a vacancy occurs in either of ~~[said]~~ **such** boards by death, resignation, removal from
4 the district or by operation of law or otherwise, the governor shall, in a like manner immediately
5 appoint some competent person to fill such vacancy, and communicate ~~[his]~~ **such** action thereon
6 to the senate at the next session of the general assembly thereafter. The person so appointed shall
7 hold ~~[his]~~ office subject to the confirmation of the senate, for the unexpired term; provided, that
8 not more than three of ~~[said]~~ **such** board, excluding the state commissioner of education, shall
9 belong to the same political party. Of each board of regents, at least one member shall be a
10 full-time student of the college over which the board has governance **and shall be appointed**
11 **as provided in section 174.050 or 174.055, as applicable.** ~~[The student regent, while attending~~
12 ~~the meetings of the board, shall receive his actual expenses, which shall be paid out of the~~
13 ~~university's ordinary revenue.]~~

174.300. 1. ~~[Prior to October 17, 1978,]~~ The governor shall, with the advice and consent
2 of the senate, appoint a six-member board of regents to assume the general control and
3 management of Harris-Stowe College. The members of the board shall serve for terms of six

4 years each, except for the members first appointed, two of whom shall serve two-year terms, two of whom shall serve four-year terms, and two of whom shall serve six-year terms. Not more than three of the regents shall be affiliated with any one political party. **One member of the board of regents may be a student regent appointed as provided in subsection 3 of this section.**

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

3. (1) In lieu of a student representative appointed under section 174.055 to each board of each educational institution referred to in section 174.020, one member of the board of regents appointed under subsection 1 of this section may be a full-time student of Harris-Stowe State University appointed as provided in this section.

(2) Before January 1, 2023, the enrolled students from Harris-Stowe State University shall vote to determine whether to fill the next vacancy on such university's board of regents occurring on or after January 1, 2023, with a student regent appointed under this subsection instead of a student representative appointed under section 174.055. If a majority of the university's enrolled students approve the appointment of a student regent under this subsection, the governor shall fill the next vacancy on such university's board caused by the expiration of a regent's term as provided in this subsection. If a majority of the university's enrolled students oppose the appointment of a student regent under this subsection, no student shall be a regent on such university's board and the governor shall appoint a student representative under section 174.055.

(3) Harris-Stowe State University shall conduct a vote of the university's enrolled students every ten years after the initial vote held under this subsection to determine whether to have a student regent under this subsection. If a majority of the university's enrolled students fail to approve the appointment of a student regent under this subsection in any subsequent vote, any existing student regent shall serve until such student regent's term expires and the governor shall appoint a student representative under section 174.055.

(4) Any student regent appointed under this subsection shall meet or exceed all qualifications of the student representative under section 174.055.

(5) Any student regent appointed under this subsection shall exercise and be responsible for all powers and duties vested in a regent under this chapter.

(6) No more than one student shall serve as a regent at any one time under this section.

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

3 whom shall be voting members and one who shall be a nonvoting member, **or nine voting**
4 **members if the university votes to have a student regent as provided in subsection 5 of this**
5 **section.** Not more than four voting members shall belong to any one political party. Not more
6 than two voting members shall be residents of the same county. ~~[The appointed members of the~~
7 ~~board serving on August 28, 2008, shall continue to serve until the expiration of the terms for~~
8 ~~which the appointed members were appointed and until such time a successor is duly appointed.]~~

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

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

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

19 (3) **Unless the university votes to have a student regent as provided in subsection**
20 **5 of this section,** one nonvoting member shall be a full-time student of the university, a United
21 States citizen, and a resident of Missouri.

22 3. A majority of the voting members of the board shall constitute a quorum for the
23 transaction of business; however, no appropriation of money nor any contract that shall require
24 any appropriation or disbursement of money shall be made, nor teacher employed or dismissed,
25 unless a majority of the voting members of the board vote for the same.

26 4. Except as specifically provided in this section, the appointments and terms of office
27 for the voting and nonvoting members of the board, and all other duties and responsibilities of
28 the board, shall comply with the provisions of state law regarding boards of regents.

29 **5. (1) In lieu of a nonvoting student member appointed under subsections 1 and**
30 **2 of this section, one regent of the university appointed under this section may be a full-**
31 **time student of the university appointed as provided in this subsection.**

32 **(2) Before January 1, 2023, the enrolled students from such university shall vote**
33 **to determine whether to fill the next vacancy on such university's board of regents**
34 **occurring on or after January 1, 2023, with a student regent appointed under this**
35 **subsection instead of a nonvoting student member appointed under subsections 1 and 2 of**
36 **this section. If a majority of the university's enrolled students approve the appointment**
37 **of a student regent under this subsection, the governor shall fill the next vacancy on such**
38 **university's board caused by the expiration of a regent's term as provided in this**

39 subsection. If a majority of the university's enrolled students oppose the appointment of
40 a student regent under this subsection, no student shall be a regent on such university's
41 board and the governor shall appoint a nonvoting student member under subsections 1 and
42 2 of this section.

43 (3) The university shall conduct a vote of the university's enrolled students every
44 ten years after the initial vote held under this subsection to determine whether to have a
45 student regent under this subsection. If a majority of the university's enrolled students fail
46 to approve the appointment of a student regent under this subsection in any subsequent
47 vote, any existing student regent shall serve until such student regent's term expires and
48 the governor shall appoint a nonvoting student member under subsections 1 and 2 of this
49 section.

50 (4) Any student regent appointed under this subsection shall meet or exceed all
51 qualifications of the student representative under section 174.055.

52 (5) Any student regent appointed under this subsection shall exercise and be
53 responsible for all powers and duties vested in a regent under this chapter.

54 (6) No more than one student shall serve as a regent at any one time under this
55 section.

174.450. 1. Except as provided in subsection 2 and subsection 6 of this section, the
2 governing ~~[board]~~ **boards** of the University of Central Missouri, Missouri State University,
3 Missouri Southern State University, Missouri Western State University, and of each other public
4 institution of higher education ~~[which]~~ **that**, through the procedures established in subdivision
5 (8) or (9) of section 173.030, is charged with a statewide mission shall be a board of governors
6 consisting of eight members, composed of seven voting members and one nonvoting member
7 as provided in sections 174.453 and 174.455, **or eight voting members if an educational**
8 **institution votes to have a student member of its board of governors as provided in**
9 **subsection 7 of this section**, who shall be appointed by the governor of Missouri, by and with
10 the advice and consent of the senate. No person shall be appointed a voting member who is not
11 a citizen of the 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 members shall
13 belong to any one political party. The appointed members of the board of regents serving on the
14 date of the statutory mission change shall become members of the board of governors on the
15 effective date of the statutory mission change and serve until the expiration of the terms for
16 which they were appointed. The board of regents of any such institution shall be abolished on
17 the effective date of the statutory mission change, as prescribed in subdivision (8) or (9) of
18 section 173.030.

19 2. The governing board of Missouri State University, a public institution of higher
20 education charged with a statewide mission in public affairs, shall be a board of governors of ten
21 members, composed of nine voting members and one nonvoting member, **or ten voting**
22 **members if the university votes to have a student member of the board of governors as**
23 **provided in subsection 7 of this section**, who shall be appointed by the governor, by and with
24 the advice and consent of the senate. The nonvoting member shall be a student selected in the
25 same manner as prescribed in section 174.055. At least one but no more than two voting
26 members shall be appointed to the board from each congressional district, and every member of
27 the board shall be a citizen of the United States, and a resident of this state for at least two years
28 prior to ~~[his or her]~~ **the member's** appointment. No more than five voting members shall belong
29 to any one political party. The term of office of the governors shall be six years, except as
30 provided in this subsection. The term of office for those appointed hereafter shall end January
31 first in years ending in an odd number. ~~[For the six voting members' terms that expired in 2011,~~
32 ~~the successors shall be appointed in the following manner:~~

33 ~~—— (1) Of the five voting members' terms that expired on August 28, 2011, one successor~~
34 ~~member shall be appointed, or the existing member shall be reappointed, to a term that shall~~
35 ~~expire on January 1, 2013;~~

36 ~~—— (2) Of the five voting members' terms that expired on August 28, 2011, two successor~~
37 ~~members shall be appointed, or the existing members shall be reappointed, to terms that shall~~
38 ~~expire on January 1, 2015;~~

39 ~~—— (3) Of the five voting members' terms that expired on August 28, 2011, two successor~~
40 ~~members shall be appointed, or the existing members shall be reappointed, to a term that shall~~
41 ~~expire on January 1, 2017; and~~

42 ~~—— (4) For the voting member's term that expired on January 1, 2011, the successor member~~
43 ~~shall be appointed, or the existing member shall be reappointed, to a term that shall expire on~~
44 ~~January 1, 2017.—~~

45
46 ~~Notwithstanding any provision of law to the contrary, nothing in this section relating to a change~~
47 ~~in the composition and configuration of congressional districts in this state shall prohibit a~~
48 ~~member who is serving a term on August 28, 2011, from completing his or her term.]~~

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

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

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

60 6. The governing board of Missouri Southern State University shall be a board of
61 governors consisting of nine members, composed of eight voting members and one nonvoting
62 member as provided in sections 174.453 and 174.455, **or nine voting members if the university**
63 **votes to have a student member of the board of governors as provided in subsection 7 of**
64 **this section**, who shall be appointed by the governor of Missouri, by and with the advice and
65 consent of the senate. No person shall be appointed a voting member who is not a citizen of the
66 United States and who has not been a resident of the state of Missouri for at least two years
67 immediately prior to such appointment. Not more than four voting members shall belong to any
68 one political party.

69 7. **(1) In lieu of a nonvoting student member appointed under subsection 1, 2, or**
70 **6 of this section, one member of the board of governors of an educational institution**
71 **appointed under this section may be a full-time student of the educational institution**
72 **appointed as provided in this subsection.**

73 **(2) Before January 1, 2023, the enrolled students from such educational institution**
74 **shall vote to determine whether to fill the next vacancy on such educational institution's**
75 **board of governors occurring on or after January 1, 2023, with a student governor on the**
76 **board of governors appointed under this subsection instead of a nonvoting student member**
77 **appointed under subsection 1, 2, or 6 of this section. If a majority of the educational**
78 **institution's enrolled students approve the appointment of a student governor on the board**
79 **of governors under this subsection, the governor of Missouri shall fill the next vacancy on**
80 **such educational institution's board caused by the expiration of a member's term as**
81 **provided in this subsection. If a majority of the educational institution's enrolled students**
82 **oppose the appointment of a student member of the board of governors under this**
83 **subsection, no student shall be a governor on such educational institution's board and the**
84 **governor of Missouri shall appoint a nonvoting student member under subsection 1, 2, or**
85 **6 of this section.**

86 **(3) The educational institution shall conduct a vote of the educational institution's**
87 **enrolled students every ten years after the initial vote held under this subsection to**
88 **determine whether to have a student member of the board of governors under this**

89 subsection. If a majority of the educational institution's enrolled students fail to approve
90 the appointment of a student member of the board of governors under this subsection in
91 any subsequent vote, any existing student governor shall serve until such student
92 governor's term expires and the governor of Missouri shall appoint a nonvoting student
93 member under subsection 1, 2, or 6 of this section.

94 (4) Any student member of the board of governors appointed under this subsection
95 shall meet or exceed all qualifications of the student representative under section 174.055.

96 (5) Any student member of the board of governors appointed under this subsection
97 shall exercise and be responsible for all powers and duties vested in a member of the board
98 of governors under this chapter.

99 (6) No more than one student shall serve as a member of the board of governors at
100 any one time under this subsection.

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

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

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

9 (3) One nonvoting member who is a student shall be selected in the same manner as
10 prescribed in section 174.055 **unless the educational institution votes to have a student**
11 **member of the board of governors as provided in subsection 7 of section 174.450.**

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

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

14 (2) The nonvoting student member shall serve a two-year term **unless the educational**
15 **institution votes to have a student member of the board of governors as provided in**
16 **subsection 7 of section 174.450.**

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

19 ~~4.]~~ Notwithstanding the provisions of subsection 1 of this section, the board of governors
20 of Missouri Southern State University shall be appointed as follows:

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

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

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

28 ~~———— (4) The provisions of subdivisions (1) and (2) of this subsection shall only apply to board~~
29 ~~members first appointed after August 28, 2004]~~ **unless the university votes to have a student**
30 **member of the board of governors as provided in subsection 7 of section 174.450.**

31 [5.] **4.** Notwithstanding the provisions of subsection 1 of this section, the board of
32 governors of Missouri Western State University shall be appointed as follows:

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

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

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

40 ~~———— (4) The provisions of subdivisions (1) and (2) of this subsection shall only apply to board~~
41 ~~members first appointed after August 28, 2005]~~ **unless the university votes to have a student**
42 **member of the board of governors as provided in subsection 7 of section 174.450.**

174.610. **1.** The governing board of [the] Truman State University shall be a board of
2 governors consisting of ten members, composed of seven voting members and three nonvoting
3 members as provided in section 174.620, **or eight voting members and two nonvoting**
4 **members as provided in section 174.620 if the university votes to have a student member**
5 **of the board of governors as provided in subsection 2 of this section**, who shall be appointed
6 by the governor of Missouri, by and with the advice and consent of the senate. No person shall
7 be appointed a voting governor who is not a citizen of the United States and who has not been
8 a resident of the state of Missouri for at least two years immediately prior to such person's
9 appointment. Not more than four voting governors shall belong to any one political party. [The
10 appointed members of the board of regents serving on January 1, 1986, shall become members
11 of the board of governors on January 1, 1986, and serve until the expiration of the terms for
12 which they were appointed.]

13 **2. (1) In lieu of a nonvoting student member appointed under section 174.620, one**
14 **member of the board of governors of the university appointed under section 174.620 may**
15 **be a full-time student of the university appointed as provided in this subsection.**

16 **(2) Before January 1, 2023, the enrolled students from such university shall vote**
17 **to determine whether to fill the next vacancy on such university's board of governors**

18 occurring on or after January 1, 2023, with a student governor on the board of governors
19 appointed under this subsection instead of a nonvoting student member appointed under
20 section 174.620. If a majority of the university's enrolled students approve the
21 appointment of a student governor on the board of governors under this subsection, the
22 governor of Missouri shall fill the next vacancy on such university's board caused by the
23 expiration of a member's term as provided in this subsection. If a majority of the
24 university's enrolled students oppose the appointment of a student member of the board
25 of governors under this subsection, no student shall be a governor on such university's
26 board and the governor of Missouri shall appoint a nonvoting student member under
27 section 174.620.

28 (3) The university shall conduct a vote of the university's enrolled students every
29 ten years after the initial vote held under this subsection to determine whether to have a
30 student member of the board of governors under this subsection. If a majority of the
31 university's enrolled students fail to approve the appointment of a student member of the
32 board of governors under this subsection in any subsequent vote, any existing student
33 governor shall serve until such student governor's term expires and the governor of
34 Missouri shall appoint a nonvoting student member under section 174.620.

35 (4) Any student member of the board of governors appointed under this subsection
36 shall meet or exceed all qualifications of the student representative under section 174.055.

37 (5) Any student member of the board of governors appointed under this subsection
38 shall exercise and be responsible for all powers and duties vested in a member of the board
39 of governors under this chapter.

40 (6) No more than one student shall serve as a member of the board of governors at
41 any one time under this section.

174.620. 1. The board of governors shall be appointed as follows:

2 (1) Four voting members from the counties of Adair, Audrain, Boone, Callaway,
3 Chariton, Clark, Howard, Knox, Lewis, Lincoln, Linn, Marion, Macon, Monroe, Montgomery,
4 Pike, Putnam, Ralls, Randolph, St. Charles, Schuyler, Scotland, Shelby, Sullivan, and Warren,
5 provided that not more than one member shall be appointed from the same county;

6 (2) Three voting members from any of the seven college districts as contained in section
7 174.010, provided that no more than one member shall be appointed from the same
8 congressional district;

9 (3) Two nonvoting members whose residence is other than the state of Missouri and who
10 are knowledgeable of the educational mission of liberal arts institutions; and

11 (4) One nonvoting member who is a student **unless the university votes to have a**
12 **student member of the board of governors as provided in subsection 2 of section 174.610.**

13 Such student representative shall attend all meetings and participate in all deliberations of the
14 board. Such student representative shall not have the right to vote on any matter before the
15 board, but shall have all other powers and duties of section 174.055, and shall also meet the
16 qualifications of section 174.055.

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

18 (1) The voting members shall be appointed for terms of six years; except, that of the
19 voting members first appointed, two shall serve for terms of two years, two for terms of four
20 years, and three for terms of six years;

21 (2) The nonvoting members who are not students shall be appointed for terms of six
22 years; except, that of the nonvoting members first appointed, one shall serve for a term of three
23 years, and one shall serve a term of six years; and

24 (3) The nonvoting student member shall serve a two-year term as provided in section
25 174.055 **unless the university votes to have a student member of the board of governors as**
26 **provided in subsection 2 of section 174.610.**

27 3. The governors, both voting and nonvoting, while attending the meetings of the board
28 shall receive their actual and necessary expenses, which shall be paid out of the ordinary
29 revenues of the university. Vacancies in terms of office caused by death, resignation, or removal
30 shall be filled in the manner provided by law for such vacancies on the board of curators of the
31 University of Missouri.

175.020. 1. The board of curators of Lincoln University of Missouri shall hereafter
2 consist of nine members who shall be appointed by the governor, by and with the advice and
3 consent of the senate. No person shall be appointed a curator who shall not be a citizen of the
4 United States and who shall not have been a resident of the state of Missouri two years next prior
5 to ~~his or her~~ **such** appointment. Not more than five curators shall belong to any one political
6 party.

7 2. (1) **In lieu of a nonvoting student representative appointed under section**
8 **175.021, one member of the board of curators appointed under subsection 1 of this section**
9 **may be a full-time student of Lincoln University appointed as provided in this subsection.**

10 (2) **Before January 1, 2023, the enrolled students from Lincoln University shall vote**
11 **to determine whether to fill the next vacancy on the university's board of curators**
12 **occurring on or after January 1, 2023, with a student curator appointed under this**
13 **subsection instead of a nonvoting student representative appointed under section 175.021.**
14 **If a majority of the university's enrolled students approve the appointment of a student**
15 **curator under this subsection, the governor shall fill the next vacancy on the university's**
16 **board caused by the expiration of a member's term as provided in this subsection. If a**
17 **majority of the university's enrolled students oppose the appointment of a student curator**

18 under this subsection, no student shall be a curator on the university's board and the
19 governor shall appoint a nonvoting student representative under section 175.021.

20 (3) Lincoln University shall conduct a vote of the university's enrolled students
21 every ten years after the initial vote held under this subsection to determine whether to
22 have a student curator under this subsection. If a majority of the university's enrolled
23 students fail to approve the appointment of a student curator under this subsection in any
24 subsequent vote, any existing student curator shall serve until such student curator's term
25 expires and the governor shall appoint a nonvoting student representative under section
26 175.021.

27 (4) Any student curator appointed under this subsection shall meet or exceed all
28 qualifications of the student representative under section 174.055.

29 (5) Any student curator appointed under this subsection shall exercise and be
30 responsible for all powers and duties vested in a member of the board of curators under
31 this chapter.

32 (6) No more than one student shall serve as a member of the board of curators at
33 any one time under this section.

175.021. 1. Unless Lincoln University votes to have a student curator as provided
2 in subsection 2 of section 175.021, the governor shall, by and with the advice and consent of
3 the senate, appoint a student representative to the board of curators of Lincoln University, who
4 shall attend all meetings and participate in all deliberations of the board. Such student
5 representative shall not have the right to vote on any matter before the board.

6 2. Such student representative shall be a full-time student at the university as defined by
7 the board, selected from a panel of three names submitted to the governor by the student
8 government association of the university, a citizen of the United States, and a resident of the state
9 of Missouri. No person may be appointed who is not actually enrolled during the term of ~~his~~
10 ~~or her~~ such appointment as a student at the university.

11 3. The term of the student representative shall be two years~~[-except that the person first~~
12 ~~appointed shall serve until January 1, 1989].~~

13 4. If a vacancy occurs for any reason in the position of student representative, the
14 governor shall appoint a replacement who meets the qualifications set forth in subsection 2 of
15 this section and who shall serve until ~~his or her~~ a successor is appointed and qualified.

16 5. If the student representative ceases to be a student at the university, or a resident of
17 the state of Missouri, or fails to attend any regularly called meeting of the board of which the
18 representative has due notice, the position shall at once become vacant, unless the absence is
19 caused by sickness or some accident preventing the representative's arrival at the time and place
20 appointed for the meeting.

21 6. The student representative shall receive the same reimbursement for expenses as other
22 members of the board of curators receive pursuant to section 175.030.

23 7. Unless alternative arrangements for payment have been made and agreed to by the
24 student and the university, the student representative shall have paid all student and tuition fees
25 due prior to such appointment and shall pay all future student and tuition fees during the term
26 of office when such fees are due.

27 **8. No student representative shall be appointed under this section during the term**
28 **of any student curator appointed to the board under subsection 2 of section 175.020.**

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