

FIRST REGULAR SESSION

# HOUSE BILL NO. 1172

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HALEY.

2500H.011

JOSEPH ENGLER, Chief Clerk

## AN ACT

To repeal sections 172.610, 172.640, 172.650, 172.651, 172.660, 172.661, 172.680, and 172.720, RSMo, and to enact in lieu thereof three new sections relating to the seminary fund of the state university.

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

Section A. Sections 172.610, 172.640, 172.650, 172.651, 172.660, 172.661, 172.680, 2 and 172.720, RSMo, are repealed and three new sections enacted in lieu thereof, to be known 3 as sections 172.610, 172.640, and 172.650, to read as follows:

172.610. There is hereby created and established a permanent fund for the support of 2 the state university, with its several divisions, to be denominated "The Seminary Fund", 3 which shall consist of all certificates of indebtedness of the state of Missouri, issued under 4 sections 172.610 to [~~172.720~~] **172.650**, and the proceeds thereof; the net proceeds of all sales 5 of lands granted to the state for the benefit of the state university with its several divisions, as 6 provided by law; and all gifts, grants, bequests, or devises to said seminary fund or the state 7 for the benefit of the university, and not otherwise appropriated by the terms of any such gift, 8 grant, bequest or devise, which fund shall be paid into the state treasury, and be securely 9 invested by the board of curators of the state university and sacredly preserved as a seminary 10 fund, the annual income of which shall be faithfully appropriated for the maintenance of the 11 state university, and for no other uses or purposes whatsoever, said income to be applied as 12 directed by the board of curators of the state university, unless otherwise directed by the terms 13 of the act of Congress or of the general assembly relating thereto, or by the terms of the 14 certificate, instrument of gift, grant, bequest or devise by which any such certificate, property, 15 securities, or money were received.

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.

172.640. ~~[Whenever said board shall contract with the seller of any such bonds or securities, the board shall requisition and the commissioner of administration shall approve, and the state auditor shall forthwith issue, a warrant upon the state treasurer for the purchase price agreed upon, payable out of the seminary fund, in favor of such seller. All bonds or securities so purchased shall be made payable to, or be registered in the name of, the state treasurer as trustee of the seminary fund and shall be deposited as part of the seminary fund with the state treasurer who shall give his receipt therefor to said board of curators]~~ 1. **The state university shall establish a separate custodial account at a financial institution in which the amounts in the seminary fund shall be deposited and held. The state university shall invest the amounts in the custodial account in government bonds under section 172.630. The earnings on such bonds in the custodial account may be withdrawn by the university and any withdrawals shall be used by the university for the maintenance of the state university, its College of Agriculture, and the University of Missouri-Rolla campus.**

2. **The state university shall provide a report from the financial institution as to the receipts and expenditures from the custodial account to the state treasurer no less often than annually.**

172.650. 1. All of the state certificates of indebtedness issued to, and part of, the seminary fund, whether original certificates or renewals thereof, are hereby confirmed as sacred obligations of the state to said fund, and they shall be and remain nonnegotiable, unconvertible and untransferable from the purposes of their issue, and they shall remain so much of the permanent seminary fund as is represented by their amounts, respectively, until they shall be liquidated by the general assembly by appropriation and payment of the face amounts thereof to the seminary fund.

2. The general assembly may provide for the partial liquidation of any and all of said certificates by appropriation and payment to the seminary fund of a portion or portions of the face amounts thereof and, in any such event, a new certificate of indebtedness shall issue for the balance of the face amount of such partially liquidated certificate which remains unpaid after such partial liquidation.

~~[3. When the certificates of indebtedness of the state to the seminary fund shall mature, renewal certificates in form substantially similar to the maturing certificates and for like amounts, payable to the state treasurer as trustee of the seminary fund, with like maturities, and bearing the same rates of interest, payable in like manner, as provided in the maturing certificates, shall be executed, countersigned, and sealed in like manner as specified in section 172.611.~~

~~4. Upon the execution of such renewal certificates, they shall be deposited with the state treasurer as part of the seminary fund and the matured certificates of indebtedness shall~~

21 ~~be forthwith cancelled by the state treasurer. Receipts for all original and renewal certificates~~  
22 ~~of indebtedness deposited in the state treasury, and notices of all cancellations thereof, shall~~  
23 ~~be given by the state treasurer to the board of curators of the state university.]~~

2 ~~[172.651. Whenever any bond or securities which are held in the~~  
3 ~~seminary fund shall mature, the state treasurer, upon order of the board of~~  
4 ~~curators of the state university, shall present the same for payment, and shall~~  
5 ~~hold the proceeds thereof as part of the seminary fund, and such proceeds shall~~  
6 ~~be immediately reinvested as in sections 172.610 to 172.720 provided.]~~

2 ~~[172.660. 1. The state treasurer shall be the custodian of all original~~  
3 ~~and renewal certificates of indebtedness of the state to the seminary fund and~~  
4 ~~of all bonds and securities in which the seminary fund shall be invested, and~~  
5 ~~also of all moneys belonging to said seminary fund, and he and his sureties~~  
6 ~~shall be responsible on his official bond for the performance of his duties in~~  
7 ~~the safekeeping, disbursement and investment of all money or property of the~~  
8 ~~seminary fund in accordance with the provisions of sections 172.610 to~~  
9 ~~172.720.~~

10 ~~2. The state treasurer shall keep an accurate account of all certificates~~  
11 ~~of indebtedness, money, bonds and securities in the seminary fund, the~~  
12 ~~maturities thereof, the rates of interest thereon, and the dates when said interest~~  
13 ~~is payable, and shall certify to the board of curators quarter yearly such~~  
14 ~~accounts and reports relating thereto as may be required by said board.~~

15 ~~3. The state treasurer shall include in each of his reports to the general~~  
16 ~~assembly a full account of all receipts and expenditures on account of the~~  
17 ~~seminary fund and the income therefrom and a report of all information in his~~  
18 ~~possession which relates to such fund and property dedicated to the use of the~~  
19 ~~university.]~~

2 ~~[172.661. 1. The board of curators shall keep a regular account with~~  
3 ~~the state treasurer and all other persons in relation to the seminary fund.~~

4 ~~2. The board of curators of the state university shall require all persons~~  
5 ~~who shall have received any money belonging to said fund or income to settle~~  
6 ~~their accounts, and, in that name, may sue for and recover all moneys due from~~  
7 ~~any person on account of such fund or income.]~~

2 ~~[172.680. The state treasurer, whenever any bonds or securities shall~~  
3 ~~have been purchased by the board of curators for the seminary fund and~~  
4 ~~payment therefor and delivery thereof have been made, shall plainly stamp on~~  
5 ~~the face of each of said bonds or securities these words: "This bond is the~~  
6 ~~property of the seminary fund", and shall sign such statement, and thereafter~~  
7 ~~no bond or securities so stamped shall be negotiable, but it or they shall only~~  
8 ~~be payable to the state treasurer as trustee of the seminary fund. The interest~~  
9 ~~on all such bonds or securities, when due, shall be collected by the state~~  
10 ~~treasurer and credited to the "State Seminary Moneys Fund", which is hereby~~  
11 ~~created, and the payment of such interest certified by him to the board of~~  
12 ~~curators.]~~

2           ~~[172.720. The income received from the seminary fund shall be paid~~  
3           ~~for the maintenance of the state university, its College of Agriculture and~~  
4           ~~University of Missouri Rolla, upon requisition by the board of curators upon~~  
5           ~~the commissioner of administration and shall be applied as in sections 172.610~~  
              ~~to 172.720.]~~

✓