

SECOND REGULAR SESSION

SENATE BILL NO. 931

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR NIEVES.

Read 1st time February 25, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

6151S.011

AN ACT

To repeal sections 161.022 and 161.032, RSMo, and to enact in lieu thereof two new sections relating to the state board of education, with a contingent effective date.

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

Section A. Sections 161.022 and 161.032, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 161.022 and 161.032, to read as follows:

161.022. 1. The state board of education [consists of eight lay members appointed by the governor, by and with the advice and consent of the senate, after an open committee hearing. The term of office of each member is eight years. At the expiration of the term of each member, the governor, by and with the advice and consent of the senate, shall appoint a successor. If the general assembly is not in session at the time for making an appointment, the governor shall make a temporary appointment as in the case of a vacancy.

2. No member may be removed by the governor except after written notice and hearing on charges of malfeasance, misfeasance, or nonfeasance in office.

3.] **shall be elected by the voters of Missouri beginning with the general election in 2016 and based on residence in congressional districts as follows: for persons elected from congressional district 1, 2, 5, or 6, an initial term of two years; and for persons elected from congressional district 3, 4, 7, or 8, an initial term of four years. No person shall be eligible for such office who is not at least thirty years of age and who has not resided in the state for at least five years and his or her congressional district for at least one year immediately**

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

18 preceding the election. All subsequent terms of office shall be for a
19 period of four years and no person shall serve more than two full terms
20 or a total of eight years.

21 2. In the event that the number of congressional districts in the
22 state decreases, the board member from the eliminated district or
23 districts shall be elected on a statewide basis. In the event that the
24 number of congressional districts in the state increases, the number of
25 positions as members of the board shall increase in the same number.

26 3. The board shall elect one of its members president and one
27 vice president and may appoint any other officers it deems
28 necessary. The president shall vote only in the case of breaking a
29 tie. The officers shall serve at the pleasure of the board. Duties of the
30 board and compensation of its members shall be as provided by law.

31 4. A member of the board shall be subject to a recall vote if a
32 petition signed by at least twenty-five percent of the total votes cast for
33 governor at the last general election in the congressional district which
34 he or she represents is submitted and verified by the secretary of state.
35 If so verified, an election on recall shall be held no later than sixty days
36 after verification. If a majority of the votes cast in such election is for
37 recall, the position shall be deemed vacated and an election for that
38 position shall be held no later than ninety days after the recall vote is
39 certified. Any vacancy occurring in the term of office of any board
40 member shall be filled by an election within ninety days.

41 5. Each member of the board shall receive as compensation for his or her
42 services twenty-five dollars for each day actually spent in attendance at board
43 meetings, and in addition shall be reimbursed for all necessary expenses incurred
44 in the performance of his or her duties as a member of the board.

161.032. The members of the board shall be citizens of high moral
2 standards and recognized ability in their respective business or profession, who
3 have resided in the state for not less than five years immediately preceding their
4 appointment, and [not more than one of whom shall be a resident of the same
5 county or] **resided in his or her congressional district for not less than one**
6 **year immediately preceding their appointment.** [At no time shall more
7 than four members be of the same political party.] No member of the board shall
8 be connected, either as an official or as an employee, with any public, private, or
9 denominational school, college or university, nor be the holder of or a candidate

10 for any **other** public office.

Section B. Section A of this act shall become effective upon passage of a
2 constitutional amendment to section 2(a) of article IX of the Constitution of
3 Missouri to allow the voters to elect the members of the state board of education.

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Bill

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