

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 104, Page 5, Section 162.491, Line 17, by  
2 inserting immediately after all of said section the following:

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4 "178.820. 1. In the organization election, six trustees shall be elected at large throughout the  
5 entire proposed district. The two candidates receiving the greatest number of votes shall be elected  
6 for terms of six years each, the two receiving the next greatest number of votes for terms of four  
7 years each, the two receiving the next greatest number of votes for terms of two years each, and such  
8 terms shall be effective until the first Tuesday in April coinciding with or next following such period  
9 of years, or until the successors to such trustees have been duly elected and qualified. Thereafter, the  
10 trustees shall be elected for terms of six years each.

11 2. Following the initial election, the board of trustees may, at any duly called meeting, adopt  
12 a resolution calling for the formation of a redistricting committee to consider the formation of  
13 subdistricts within the community college district from which trustees are thereafter to be elected.  
14 Upon adoption of any such resolution, the secretary of the board of trustees shall forward a certified  
15 copy thereof to the coordinating board for higher education with the request that a redistricting  
16 committee be appointed in order to divide the community college districts into at least two and not  
17 more than six subdistricts for the purpose of electing trustees. The redistricting committee shall  
18 consist of three residents within the affected district, appointed by the board of trustees of the  
19 affected district, plus three additional persons residents within the affected district, appointed by the  
20 coordinating board for higher education. Thereafter, the redistricting committee shall meet, organize  
21 itself with a chairman and secretary, and proceed with the adoption of a redistricting plan specifying  
22 at least two but not more than six subdistricts which are to the extent possible so apportioned on the  
23 basis of population that the population of any such subdistrict divided by the number of trustees to be  
24 selected therefrom substantially equals the population of any other subdistrict divided by the number  
25 of trustees to be selected therefrom. The redistricting plan referred to herein, in lieu of requiring all  
26 trustees to be elected from subdistricts, may provide for the election of one or more trustees at large  
27 and the remainder from subdistricts, or for the election of all the trustees at large with the  
28 requirement that each must reside in a certain subdistrict, so long as in any plan adopted, subdistricts  
29 are apportioned as provided above. Notwithstanding the above, the board of trustees of any  
30 community college district which contains more than four hundred fifty thousand residents shall, at  
31 the first duly called meeting following August 13, 1972, and thereafter within ninety days following  
32 the publication of the decennial census figures, adopt a resolution calling for the formation of a  
33 redistricting committee; and the redistricting committee shall adopt a redistricting plan specifying  
34 the establishment of not less than four nor more than six subdistricts compact and contiguous in  
35 territory and apportioned as provided above.

36 3. In any district which shall contain a city not within a county, if four subdistricts are

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1 established, then at least one subdistrict shall be within said city, and if five or six subdistricts are  
2 established, then at least two subdistricts shall be within said city.

3 4. Any person running for election as a trustee of a subdistrict shall be domiciled and a  
4 resident therein. Any plan proposed to be adopted must receive approval of a majority of the whole  
5 redistricting committee. Upon adoption the redistricting committee shall forward a copy of the plan  
6 certified by the secretary to the coordinating board for higher education for its approval or  
7 disapproval. The coordinating board for higher education shall approve any redistricting plan in  
8 which the population of any subdistrict divided by the number of trustees to be selected therefrom  
9 substantially equals the population of any other subdistrict divided by the number of trustees to be  
10 elected therefrom. Upon approval, the redistricting plan shall become effective and all trustees  
11 elected thereafter shall be required to be elected from subdistricts in which they are resident. If the  
12 plan is not approved, then it shall be returned to the redistricting committee for revision and  
13 resubmission. Until approval of a plan by the coordinating board for higher education, trustees of a  
14 district shall continue to run at large. Upon approval of any plan, the board of trustees shall  
15 determine by resolution the assignment of trustees to subdistricts. Any such assignment shall not  
16 affect the term of office of any such trustee. Once a district has been divided into subdistricts in  
17 accordance with the provisions hereof, it shall remain so divided until one year following the  
18 publication of the decennial census figures, by which date a new plan shall have been adopted or the  
19 trustees shall again be required to run in the district at large; provided, however, that if during the  
20 period between publications of decennial census figures the area of a district is increased or  
21 decreased, a new plan shall be adopted within one year thereafter or the trustees shall be required to  
22 run in the district at large. No member of the redistricting committee shall serve on the board of  
23 trustees for a period of six years following his service on the redistricting committee.

24 5. Candidates for the office of trustee shall be citizens of the United States, at least  
25 twenty-one years of age, who have been voters of the district for at least one whole year preceding  
26 the election, and if trustees are elected other than at large they shall be voters of the subdistricts for at  
27 least one whole year next preceding the election. All candidates for the first board of a district shall  
28 file their declaration of candidacy with the coordinating board for higher education.

29 6. Notwithstanding the provisions of this section or any other law to the contrary, the board  
30 of trustees of the community college district in any district that contains a city not within a county  
31 shall be composed of seven members, six of whom shall each be elected to a six-year term, and one  
32 at-large member who shall be appointed to a six-year term, beginning with the board election  
33 occurring immediately after August 28, 2015. The first appointment shall be made by the mayor of  
34 a city not within a county and the second appointment shall be made by the county executive of a  
35 county with a charter form of government and with more than nine hundred fifty thousand  
36 inhabitants. All subsequent appointments shall be made on an alternating basis between such mayor  
37 and such county executive.

38 (1) The appointed member shall be a citizen of the United States, at least twenty-one years  
39 of age, and a registered voter of the district for at least one year preceding the appointment.

40 (2) No member, elected or appointed, shall be an employee or former employee of such  
41 community college district.

42 (3) Whenever a vacancy occurs in the appointed member's seat due to death, resignation,  
43 removal from the district, or by operation of law or otherwise, the appointing executive shall, in a  
44 like manner, appoint a competent person to fill such vacancy and shall communicate his or her  
45 action to the board secretary of the district. Such appointed member shall hold office for the  
46 remainder of the unexpired term.

47 (4) If a board member is found by unanimous vote of the other board members to have  
48 moved his or her residence to a district other than the district from which such board member was

1 appointed or elected, or to have violated a duly promulgated bylaw of the district, then the office of  
2 such board member shall be vacant.

3 (5) The board shall have the power to make such bylaws or ordinances, rules, and  
4 regulations as they may judge most expedient for the accomplishment of the trust reposed in them,  
5 for the government of their officers and employees, to secure their accountability, and to delegate  
6 their authority as they may deem necessary to such officers and employees or to committees  
7 appointed by the board.

8 (6) Except as specifically provided in this section, the appointment or election and term of  
9 office for members of the board, and all other duties and responsibilities of the board, shall comply  
10 with the provisions of state law regarding trustees of community college districts."; and

11  
12 Further amend said bill by amending the title, enacting clause, and intersectional references  
13 accordingly.