

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1903
95TH GENERAL ASSEMBLY

4849S.05T

2010

AN ACT

To repeal section 160.254, RSMo, and to enact in lieu thereof three new sections relating to funds established in the state treasury to receive federal funds, with an emergency clause.

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

Section A. Section 160.254, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 30.1011, 30.1025, and 160.254, to read as follows:

30.1011. There is hereby created in the state treasury the "Federal Budget Stabilization Extension Fund", which, provisions of law to the contrary notwithstanding, shall consist of all moneys received in the state treasury due to any act enacted by the 111th United States Congress, which is intended to assist states in budget stabilization or that contains a provision that extends the temporary increase in the Medicaid Federal Medical Assistance Percentage (FMAP) as originally enacted by the American Recovery and Reinvestment Act of 2009. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

30.1025. 1. There is hereby created in the state treasury the "Race to the Top Fund", which, provisions of law to the contrary notwithstanding, shall consist of all

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.

3 moneys awarded to the state as part of the race to the top program created pursuant to the
4 American Recovery and Reinvestment Act of 2009, as enacted by the 111th United States
5 Congress. The state treasurer shall be custodian of the fund and may approve
6 disbursements from the fund in accordance with sections 30.170 and 30.180. Upon
7 appropriation, money in the fund shall be used solely for the administration of the race to
8 the top program. Any moneys remaining in the fund at the end of the biennium shall
9 revert to the credit of the general revenue fund. The state treasurer shall invest moneys
10 in the fund in the same manner as other funds are invested. Any interest and moneys
11 earned on such investments shall be credited to the fund.

12 **2. Prior to the distribution of any funds received by the state under this section, the**
13 **commissioner of education shall appear before the joint committee on education and**
14 **present the proposed distribution to school districts for any funds received. The joint**
15 **committee shall review all distributions of funds under this section and shall approve, by**
16 **majority vote of its members, the distribution of such funds.**

160.254. 1. There is hereby established a joint committee of the general assembly, which
2 shall be known as the "Joint Committee on Education", which shall be composed of seven
3 members of the senate and seven members of the house of representatives. The senate members
4 of the committee shall be appointed by the president pro tem of the senate and the house
5 members by the speaker of the house.

6 2. The committee shall meet at least twice a year. In the event of three consecutive
7 absences on the part of any member, such member may be removed from the committee.

8 3. The committee shall select either a chairman or cochairmen, one of whom shall be a
9 member of the senate and one a member of the house. A majority of the members shall
10 constitute a quorum. Meetings of the committee may be called at such time and place as the
11 chairman or chairmen designate.

12 4. The committee shall:

13 (1) Review and monitor the progress of education in the state's public schools and
14 institutions of higher education;

15 (2) Receive reports from the commissioner of education concerning the public schools
16 and from the commissioner of higher education concerning institutions of higher education;

17 (3) Conduct a study and analysis of the public school system;

18 (4) Make recommendations to the general assembly for legislative action;

19 (5) Conduct an in-depth study concerning all issues relating to the equity and adequacy
20 of the distribution of state school aid, teachers' salaries, funding for school buildings, and overall
21 funding levels for schools and any other education funding-related issues the committee deems
22 relevant;

23 (6) Monitor the establishment of performance measures as required by section 173.1006,
24 RSMo, and report on their establishment to the governor and the general assembly;

25 (7) Conduct studies and analysis regarding:

26 (a) The higher education system, including financing public higher education and the
27 provision of financial aid for higher education; and

28 (b) The feasibility of including students enrolled in proprietary schools, as that term is
29 defined in section 173.600, RSMo, in all state-based financial aid programs;

30 (8) Annually review the collection of information under section 173.093, RSMo, to
31 facilitate a more accurate comparison of the actual costs at public and private higher education
32 institutions;

33 (9) Within three years of August 28, 2007, review a new model for the funding of public
34 higher education institutions upon submission of such model by the coordinating board for
35 higher education;

36 (10) Within three years of August 28, 2007, review the impact of the higher education
37 student funding act established in sections 173.1000 to 173.1006;

38 (11) Beginning August 28, 2008, upon review, approve or deny any expenditures made
39 by the commissioner of education pursuant to section 160.530, as provided in subsection 5 of
40 section 160.530;

41 **(12) Upon review, approve or deny the distribution of any funds received by the**
42 **state from the Race to the Top Program created pursuant to the American Recovery and**
43 **Reinvestment Act of 2009, as enacted by the 111th United States Congress.**

44 5. During the legislative interim between the first regular session of the ninety-fifth
45 general assembly through January 29, 2010, of the second regular session of the ninety-fifth
46 general assembly, the joint committee on education shall study the issue of open enrollment for
47 public school students across school district boundary lines in this state. In studying this issue,
48 the joint committee may solicit input and information necessary to fulfill its obligation, including
49 but not limited to soliciting input and information from any state department, state agency,
50 school district, political subdivisions of this state, teachers, and the general public. The joint
51 committee shall prepare a final report, together with its recommendations for any legislative
52 action deemed necessary for submission to the general assembly by December 31, 2009.

53 6. The committee may make reasonable requests for staff assistance from the research
54 and appropriations staffs of the house and senate and the committee on legislative research, as
55 well as the department of elementary and secondary education, the department of higher
56 education, the coordinating board for higher education, the state tax commission, the department
57 of economic development, all school districts and other political subdivisions of this state,

58 teachers and teacher groups, business and other commercial interests and any other interested
59 persons.

60 7. Members of the committee shall receive no compensation but may be reimbursed for
61 reasonable and necessary expenses associated with the performance of their official duties.

Section B. Because immediate action is necessary to ensure proper receipt and
2 accounting of moneys resulting from the enactment of federal legislation, section A of this act
3 is deemed necessary for the immediate preservation of the public health, welfare, peace, and
4 safety, and is hereby declared to be an emergency act within the meaning of the constitution, and
5 section A of this act shall be in full force and effect upon its passage and approval.

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