

HOUSE AMENDMENT NO. ____

Offered By

AMEND Senate Committee Substitute for Senate Bill No. 0715, Page 1, the Title, by deleting the words "the state militia" and inserting in lieu thereof the following:

"entities receiving state funds"; and

Further amend said Substitute, Page 1, Section 41.050, Line 12, by inserting immediately after said Line the following:

"42.300. 1. There is hereby created in the state treasury the "Veterans Commission Capital Improvement Trust Fund" which shall consist of money collected under section 313.835. The state treasurer shall administer the veterans commission capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans commission for:

(1) The construction, maintenance or renovation or equipment needs of veterans' homes in this state;

(2) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;

(3) Fund transfers to Missouri veterans' homes fund established under the provisions of section 42.121, as necessary to maintain solvency of the fund;

(4) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed ten million dollars total may be made from the veterans commission capital improvement trust fund as a match to other funds for the new construction or renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, new construction, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans commission prior to July 1, 2004;

1 (5) The issuance of matching fund grants for veterans' service officer programs to any
2 federally chartered veterans' organization or municipal government agency that is certified by the
3 Veterans Administration to process veteran claims within the Veterans Administration System;
4 provided that such veterans' organization has maintained a veterans' service officer presence
5 within the state of Missouri for the three-year period immediately preceding the issuance of any
6 such grant. A total of one million five hundred thousand dollars in grants shall be made available
7 annually for service officers and joint training and outreach between veterans' service
8 organizations and the Missouri veterans commission with grants being issued in July of each year.
9 Application for the matching grants shall be made through and approved by the Missouri veterans
10 commission based on the requirements established by the commission;

11 (6) For payment of Missouri national guard and Missouri veterans commission expenses
12 associated with providing medals, medallions and certificates in recognition of service in the
13 armed forces of the United States during World War II, the Korean Conflict, and the Vietnam War
14 under sections 42.170 to 42.226. Any funds remaining from the medals, medallions and
15 certificates shall not be transferred to any other fund and shall only be utilized for the awarding of
16 future medals, medallions, and certificates in recognition of service in the armed forces; [and]

17 (7) Fund transfers totaling ten million dollars to any municipality with a population
18 greater than three hundred fifty thousand inhabitants and located in part in a county with a
19 population greater than six hundred thousand inhabitants and with a charter form of government,
20 for the sole purpose of the construction, restoration, renovation and maintenance of a memorial or
21 museum or both dedicated to World War I; and

22 (8) The administration of the Missouri veterans commission.

23 2. Any interest which accrues to the fund shall remain in the fund and shall be used in the
24 same manner as moneys which are transferred to the fund under this section. Notwithstanding the
25 provisions of section 33.080, to the contrary, moneys in the veterans commission capital
26 improvement trust fund at the end of any biennium shall not be transferred to the credit of the
27 general revenue fund.

28 3. Upon request by the veterans commission, the general assembly may appropriate
29 moneys from the veterans commission capital improvement trust fund to the Missouri national
30 guard trust fund to support the activities described in section 41.958.

31 4. The state auditor shall conduct an audit of all moneys in the veterans commission
32 capital improvement trust fund every year beginning January 1, 2011, and ending on December
33 31, 2013. The findings of each audit shall be distributed to the general assembly, governor, and
34 lieutenant governor no later than ten business days after the completion of such audit.

35 161.215. 1. There is hereby created in the state treasury the "Early Childhood
36 Development, Education and Care Fund" [which shall consist of money collected under section

1 313.835 and] which is created to give parents meaningful choices and assistance in choosing the
2 child-care and education arrangements that are appropriate for their family. All interest received
3 on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080,
4 moneys in the fund at the end of any biennium shall not be transferred to the credit of the general
5 revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare
6 children prior to the age in which they are eligible to enroll in kindergarten under section 160.053
7 to enter school ready to learn. All moneys deposited in the early childhood development,
8 education and care fund shall be annually appropriated for voluntary, early childhood
9 development, education and care programs serving children in every region of the state not yet
10 enrolled in kindergarten. For fiscal year 2013 and each subsequent fiscal year, at least thirty-five
11 million dollars of the funds received from the master settlement agreement, as defined in section
12 196.1000, shall be deposited in the early childhood development, education and care fund.

13 2. No less than sixty percent of moneys deposited in the early childhood development,
14 education and care fund shall be appropriated as provided in this subsection to the department of
15 elementary and secondary education and to the department of social services to provide early
16 childhood development, education and care programs through competitive grants to, or contracts
17 with, governmental or private agencies. Eighty percent of such moneys under the provisions of
18 this subsection and additional moneys as appropriated by the general assembly shall be
19 appropriated to the department of elementary and secondary education and twenty percent of such
20 moneys under the provisions of this subsection shall be appropriated to the department of social
21 services. The departments shall provide public notice and information about the grant process to
22 potential applicants:

23 (1) Grants or contracts may be provided for:

24 (a) Start-up funds for necessary materials, supplies, equipment and facilities; and

25 (b) Ongoing costs associated with the implementation of a sliding parental fee schedule
26 based on income;

27 (2) Grant and contract applications shall, at a minimum, include:

28 (a) A funding plan which demonstrates funding from a variety of sources including
29 parental fees;

30 (b) A child development, education and care plan that is appropriate to meet the needs of
31 children;

32 (c) The identity of any partner agencies or contractual service providers;

33 (d) Documentation of community input into program development;

34 (e) Demonstration of financial and programmatic accountability on an annual basis;

35 (f) Commitment to state licensure within one year of the initial grant, if funding comes
36 from the appropriation to the department of elementary and secondary education and commitment

1 to compliance with the requirements of the department of social services, if funding comes from
2 the department of social services; and

3 (g) With respect to applications by public schools, the establishment of a parent advisory
4 committee within each public school program;

5 (3) In awarding grants and contracts under this subdivision, the departments may give
6 preference to programs which:

7 (a) Are new or expanding programs which increase capacity;

8 (b) Target geographic areas of high need, namely where the ratio of program slots to
9 children under the age of six in the area is less than the same ratio statewide;

10 (c) Are programs designed for special needs children;

11 (d) Are programs that offer services during nontraditional hours and weekends; or

12 (e) Are programs that serve a high concentration of low-income families.

13 3. No less than ten percent of moneys deposited in the early childhood development,
14 education and care fund shall be appropriated to the department of social services to provide early
15 childhood development, education and care programs through child development, education and
16 care certificates to families whose income does not exceed one hundred eighty-five percent of the
17 federal poverty level in the manner pursuant to 42 U.S.C. Section 9858c(c)(2)(A) and 42 U.S.C.
18 Section 9858n(2) for the purpose of funding early childhood development, education and care
19 programs as approved by the department of social services. At a minimum, the certificate shall be
20 of a value per child which is commensurate with the per-child payment under paragraph (b) of
21 subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. On February
22 first of each year the department shall certify the total amount of child development, education
23 and care certificates applied for and the unused balance of the funds shall be released to be used
24 for supplementing the competitive grants and contracts program authorized under subsection 2 of
25 this section.

26 4. No less than ten percent of moneys deposited in the early childhood development,
27 education and care fund shall be appropriated to the department of social services to increase
28 reimbursements to child-care facilities for low-income children that are accredited by a
29 recognized, early childhood accrediting organization.

30 5. No less than ten percent of the funds deposited in the early childhood development,
31 education and care fund shall be appropriated to the department of social services to provide
32 assistance to eligible parents whose family income does not exceed one hundred eighty-five
33 percent of the federal poverty level who wish to care for their children under three years of age in
34 the home, to enable such parent to take advantage of early childhood development, education and
35 care programs for such parent's child or children. At a minimum, the certificate shall be of a value
36 per child which is commensurate with the per-child payment under paragraph (b) of subdivision

(1) of subsection 2 of this section pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods.

6. In setting the value of parental certificates under subsection 3 of this section and payments under subsection 5 of this section, the department of social services may increase the value based on the following:

(1) The adult caretaker of the children successfully participates in the parents as teachers program under the provisions of sections 178.691 to 178.699, a training program provided by the department on early childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. Section 9832 or a similar program approved by the department;

(2) The adult caretaker consents to and clears a child abuse or neglect screening under subdivision (1) of subsection 2 of section 210.152; and

(3) The degree of economic need of the family.

7. The department of elementary and secondary education and the department of social services each shall by rule promulgated under chapter 536 establish guidelines for the implementation of the early childhood development, education and care programs as provided in subsections 2 to 6 of this section.

8. The state auditor shall conduct an audit of all moneys in the early childhood development, education and care fund created in subsection 1 of this section every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly no later than ten business days after the completion of such audit.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

161.216. 1. No quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education or its successor, or any training or credentialing may be established, created, or operated within this state, unless the authority to create or operate such a quality rating system is enacted into law by the federal government or through:

(1) A bill as prescribed by article III of the Missouri Constitution;

(2) An initiative petition as prescribed by section 50 of article III of the Missouri

1 Constitution; or

2 (3) A referendum as prescribed by section 52(a) of article III of the Missouri Constitution.

3 No quality rating system, improvement system, evaluation system, training quality assurance
4 system or its successor for early childhood education shall be enacted under this section unless
5 such system allows for ratings or evaluations to be conducted by no fewer than three nationally or
6 regionally recognized organizations that reflect the composition and diversity of the early
7 childhood program market.

8 2. In no case shall the authority for establishing, administering, or operating a quality
9 rating system, improvement system, evaluation system, or training quality assurance system
10 for early childhood education in Missouri be based upon an executive order issued by the
11 governor of Missouri.

12 3. No department, board, commission, committee, council, agency, instrumentality,
13 quasi-governmental entity, or political subdivision of the state of Missouri shall promulgate any
14 rule or establish any program, policy, guideline, or plan or change any rule, program, policy,
15 guideline, or plan to implement, establish, create, administer, or otherwise operate a quality
16 rating system, improvement system, evaluation system, or training quality assurance system for
17 early childhood education unless such department, board, commission, committee, council,
18 agency, instrumentality, or political subdivision has received statutory authority to do so in a
19 manner consistent with subsection 1 of this section.

20 4. No department, board, commission, committee, council, agency, instrumentality,
21 political subdivision of this state, public officer, or quasi-governmental entity shall apply for,
22 accept, or expend any moneys directly or indirectly related to the creation, implementation, or
23 operation of a quality rating system,
24 improvement system, evaluation system, or training quality assurance system for early childhood
25 education unless such acceptance or expenditure is authorized by statute or an appropriations bill,
26 irrespective of the source of such moneys.

27 5. No department, board, commission, committee, council, agency, instrumentality,
28 political subdivision of this state, public officer, or quasi-governmental entity shall accept or
29 expend any moneys from the gaming commission fund created in section 313.835 for anything
30 directly or indirectly related to the creation, implementation, or operation of a quality rating
31 system, improvement system, evaluation system, or training quality assurance system for early
32 childhood education unless such acceptance or expenditure is authorized by statute or an
33 appropriations bill.

34 6. No department, board, commission, committee, council, agency, instrumentality,
35 political subdivision, public officer, or quasi-governmental entity, shall enter into any agreement
36 or any obligation to establish, administer, or operate a quality rating system, improvement system,

1 evaluation system, or training quality assurance system for early childhood education unless such
2 department, board, commission, committee, council, agency, instrumentality, political
3 subdivision, public officer, or quasi-governmental entity has received statutory authority to enter
4 into such agreements or obligations. No department, board, commission, committee, council,
5 agency, instrumentality, political subdivision, public officer, or quasi-governmental entity shall
6 provide assistance or resources of any kind, directly or indirectly, to any department, agency, or
7 public official related to the creation or operation of a quality rating system, improvement system,
8 evaluation system, or training quality assurance system for early childhood education unless such
9 assistance or resources are authorized by state statute or such assistance or resources are
10 specifically required by law.

11 7. Any taxpayer of this state or any member of the general assembly shall have standing to
12 bring suit against the state of Missouri or any official, department, division, agency, board,
13 commission, committee, council, political subdivision of this state, public officer,
14 quasi-governmental entity, or instrumentality which is in violation of this section in any court with
15 jurisdiction to enforce the provisions of this section. The court shall award attorney's fees, court
16 costs, and all reasonable expenses incurred by the taxpayer or member of the general assembly if
17 the court finds that the provisions of this section have been violated. Such attorney's fees, court
18 costs, and reasonable expenses shall be paid from funds appropriated to the department, division,
19 agency, board, commission, committee, council, any political subdivision of this state,
20 instrumentality, public officer, or quasi-governmental entity determined to have violated, in whole
21 or in part, the provisions of this section. In no case shall the award of attorney's fees, court costs,
22 or reasonable expenses be paid from the legal defense fund, nor shall any department, division,
23 agency, board, commission, committee, council, or political subdivision, quasi-governmental
24 entity, or public officer request, or be granted, additional appropriations in order to satisfy an
25 award made under this section.

26 313.835. All revenue received by the commission from license fees, penalties,
27 administrative fees, reimbursement by any excursion gambling boat operators for services
28 provided by the commission and admission fees authorized pursuant to the provisions of sections
29 313.800 to 313.850, except that portion of the admission fee, not to exceed one cent, that may be
30 appropriated to the compulsive gamblers fund as provided in section 313.820, shall be deposited
31 in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for
32 the sole purpose of funding the administrative costs of the commission, subject to appropriation.
33 Moneys deposited into this fund shall not be considered proceeds of gambling operations.
34 Moneys deposited into the gaming commission fund shall be considered state funds pursuant to
35 article IV, section 15 of the Missouri Constitution. All interest received on the gaming
36 commission fund shall be credited to the gaming commission fund. In each fiscal year, total

1 revenues to the gaming commission fund for the preceding fiscal year shall be compared to total
2 expenditures and transfers from the gaming commission fund for the preceding fiscal year. The
3 remaining net proceeds in the gaming commission fund shall be distributed in the following
4 manner:

5 (1) The first five hundred thousand dollars shall be appropriated on a per capita basis to
6 cities and counties that match the state portion and have demonstrated a need for funding
7 community neighborhood organization programs for the homeless and to deter gang-related
8 violence and crimes;

9 (2) The remaining net proceeds in the gaming commission fund for fiscal year
10 [1999] 2013 and each fiscal year thereafter shall be distributed as follows:

11 (a) The first [four and one-half] five million dollar portion shall be transferred to the
12 access Missouri financial assistance fund, established pursuant to the provisions of sections
13 173.1101 to 173.1107, and additional moneys as annually appropriated by the general assembly
14 shall be appropriated to such fund;

15 (b) The second three million dollar portion shall be transferred to the veterans'
16 commission capital improvement trust fund created in section 42.300;

17 (c) The third [three] four million dollar portion shall be transferred to the Missouri
18 national guard trust fund created in section 41.214;

19 (d) Subject to appropriations, one hundred percent of remaining net proceeds in the
20 gaming commission fund [except as provided in paragraphs (e) and (f) of this subdivision, and],
21 after the appropriations are made pursuant to the provisions of paragraphs (a), (b), and (c) of this
22 subdivision, shall be transferred to the [early childhood development, education and care fund
23 created in section 161.215;

24 (e) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of
25 this subdivision, in the gaming commission fund annually exceeds twenty-eight million dollars:
26 one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to
27 the access Missouri financial assistance fund, established pursuant to the provisions of sections
28 173.1101 to 173.1107; three million dollars of such proceeds shall be transferred annually, subject
29 to appropriation, to the veterans' commission capital improvement trust fund; and one million
30 dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri
31 national guard trust fund created in section 41.214;

32 (f) Beginning in fiscal year 2011 and each fiscal year thereafter when the funding for early
33 childhood education under paragraph (d) of this subdivision equals the funding level for early
34 childhood education under paragraph (d) of this subdivision in fiscal year 2009, one-half of the
35 next one million two hundred thousand dollars of such proceeds shall be transferred annually,
36 subject to appropriation, to the veterans commission capital improvement trust fund for the

1 purpose of funding veterans' service officer programs identified under subdivision (5) of
2 subsection 1 of section 42.300, and the other half of the one million two hundred thousand dollars
3 shall be transferred annually, subject to appropriation, to the early childhood development,
4 education and care fund created in section 161.215] veterans' commission capital improvement
5 trust fund created in section 42.300.

6 Section 1. 1. No public institution of higher education, or campus thereof, political subdivision,
7 quasi-governmental entity, or governmental entity shall operate the Sue Shear Institute for Women in
8 Public Life, or any successor entity to the Sue Shear Institute for Women in Public Life.

9 2. Any taxpayer of this state or any member of the general assembly shall have standing to bring
10 suit against the state of Missouri or any official, department, division, agency, board, commission,
11 committee, council, political subdivision of this state, public officer, or quasi-governmental entity which
12 is in violation of this section in any court with jurisdiction to enforce the provisions of this section.”; and

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