

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 1903

## 95TH GENERAL ASSEMBLY

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Reported from the Committee on Appropriations, April 22, 2010, with recommendation that the Senate Committee Substitute do pass.

4849S.05C

TERRY L. SPIELER, Secretary.

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### 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.

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*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Section A. Section 160.254, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 30.1011, 30.1025, and 160.254, to read as follows: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a provision that extends the temporary increase in the Medicaid Federal Medical Assistance Percentage (FMAP) as originally enacted by the American Recovery and Reinvestment Act of 2009.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**

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

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

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

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

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

14 4. The committee shall:

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

17 (2) Receive reports from the commissioner of education concerning the

18 public schools and from the commissioner of higher education concerning  
19 institutions of higher education;

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

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

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

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

29 (7) Conduct studies and analysis regarding:

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

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

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

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

41 (10) Within three years of August 28, 2007, review the impact of the  
42 higher education student funding act established in sections 173.1000 to  
43 173.1006;

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

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

51 5. During the legislative interim between the first regular session of the  
52 ninety-fifth general assembly through January 29, 2010, of the second regular  
53 session of the ninety-fifth general assembly, the joint committee on education

54 shall study the issue of open enrollment for public school students across school  
55 district boundary lines in this state. In studying this issue, the joint committee  
56 may solicit input and information necessary to fulfill its obligation, including but  
57 not limited to soliciting input and information from any state department, state  
58 agency, school district, political subdivisions of this state, teachers, and the  
59 general public. The joint committee shall prepare a final report, together with  
60 its recommendations for any legislative action deemed necessary for submission  
61 to the general assembly by December 31, 2009.

62           6. The committee may make reasonable requests for staff assistance from  
63 the research and appropriations staffs of the house and senate and the committee  
64 on legislative research, as well as the department of elementary and secondary  
65 education, the department of higher education, the coordinating board for higher  
66 education, the state tax commission, the department of economic development, all  
67 school districts and other political subdivisions of this state, teachers and teacher  
68 groups, business and other commercial interests and any other interested  
69 persons.

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

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

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