

SECOND REGULAR SESSION

SENATE BILL NO. 693

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JACOB.

Read 1st time January 12, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3150.011

AN ACT

To repeal section 313.835, RSMo 1994, relating to certain scholarship programs, and to enact in lieu thereof three new sections relating to the same subject.

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

Section A. Section 313.835, RSMo 1994, is repealed and three new sections enacted in lieu thereof, to be known as sections 173.245, 173.248 and 313.835, to read as follows:

173.245. 1. There is hereby established the "Missouri College Guarantee Program" which, from funds dedicated pursuant to subsection 3 of section 313.835, RSMo, shall provide scholarships for Missouri citizens to attend a Missouri college, university or vocational or technical school of their choice.

2. The definitions of terms set forth in section 173.205, shall be applicable to such terms as used in this section. The term "scholarship" means an amount of money paid by the state of Missouri to a qualified college, university or vocational or technical school student who has qualified for a scholarship pursuant to the provisions of this section.

3. The coordinating board for higher education shall be the administrative agency for the implementation of the program established by this section, and shall:

(1) Promulgate reasonable rules necessary to implement this section, including rules for granting scholarship deferments;

(2) Implement the form, schedule and method of awarding scholarships as prescribed by the board established pursuant to subsection 4 of this section, and shall supervise the processing of scholarships at the direction of such board; and

(3) Select qualified recipients to receive scholarships, make such awards of

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

scholarships to qualified recipients and determine the manner and method of payment to the recipient.

4. There is hereby created the "Missouri College Guarantee Board" consisting of the state commissioner of elementary and secondary education, two members of the state board of education selected by the president of such board, the state commissioner of higher education and one member of the coordinating board for higher education selected by the president of such board. Board members from the state board of education and the coordinating board for higher education shall serve three-year terms provided that one of the initial members from the state board of education shall be designated by the president of that board to serve a term of one year and the initial member from the coordinating board for higher education shall serve a two-year term. The board shall oversee the Missouri college guarantee program and shall meet at least annually to receive a report from the coordinating board for higher education on program performance. The board, unless otherwise provided in this section, shall, by majority vote, establish the amount, form, schedule, eligibility and method of awarding scholarships pursuant to this section.

5. A student shall be eligible for an initial or renewed scholarship if such student is in compliance with the eligibility requirements set forth in section 173.215, and in addition meets the following requirements:

(1) Has a cumulative grade point average of at least two and one-half on a four point scale or equivalent on the student's high school core curriculum and has completed a high school curriculum satisfying the coordinating board's requirements for a college preparatory or technical preparatory curriculum;

(2) Has received a score of twenty or higher on the general American College Test (ACT) or a composite verbal and math score of nine hundred and fifty or higher on the Scholastic Aptitude Test (SAT);

(3) Has not been convicted of or plead guilty to any criminal offense or been adjudicated to have committed an offense which would constitute a criminal offense if committed by an adult;

(4) Has substantially participated in extracurricular activities, as determined by the coordinating board; and

(5) For the purpose of renewal, remains in compliance with the applicable provisions of section 173.215, and makes satisfactory academic degree progress as a full-time student.

6. Scholarships shall be offered beginning for any academic term beginning within twenty-four months following the date of graduation from high school to Missouri high school graduates who meet the requirements of subsection 5 of this section. The scholarship shall be applicable toward payment for tuition and other fees

and the costs of books and other instruction-related materials. The amount of the scholarship, regardless of the institution attended, shall not exceed the current average cost of tuition and other fees and costs of books and other instruction-related materials at the campus of the University of Missouri which has the largest total enrollment, as determined by the coordinating board.

7. The amount of scholarship provided under this section shall be based upon financial need as determined under this section, shall be subject to the maximum amount established in subsection 6 of this section and shall be further reduced by the amount of any federal financial aid, all other assistance received by or on behalf of the student pursuant to other provisions of this chapter and any other state financial aid which aid or assistance may be used for the purposes established pursuant to subsection 6 of this section for scholarships granted pursuant to this section.

8. A student who is enrolled or has been accepted for enrollment as a postsecondary student at an approved private or public institution beginning with the Fall 2000 term and who meets the other eligibility requirements for a scholarship pursuant to this section shall, within the limits of the funds appropriated and made available, be offered a scholarship for the first academic year of study as provided in this section. Such scholarship shall be renewable in like amount annually for the second, third, fourth and fifth academic years, or as long as the recipient is in compliance with the applicable eligibility requirements set forth in section 173.215, provided such years of study are continuous and the student continues to meet eligibility requirements for the scholarship. If a recipient ceases all attendance at an approved public or private institution for the purpose of providing service to a nonprofit organization, a state or federal government agency or any branch of the armed forces of the United States, the recipient shall be eligible for a renewal scholarship upon return to any approved public or private institution, provided the recipient:

- (1) Returns to full-time status within twenty-seven months;
- (2) Provides verification, in compliance with rules of the coordinating board, that the service to the nonprofit organization was satisfactorily completed and was not compensated other than for expenses or that the service to the state or federal governmental agency or branch of the armed forces of the United States was satisfactorily completed; and
- (3) Meets all other requirements established for eligibility to receive a renewal scholarship.

9. A recipient of a scholarship awarded pursuant to this section may transfer from one approved Missouri public or private institution to another without losing eligibility for the scholarship. If a recipient of the scholarship at any time withdraws

from an approved private or public institution so that under the rules and regulations of that institution such recipient is entitled to a refund of any tuition, fees or other charges, the institution shall pay the portion of the refund attributable to the scholarship for that term to the coordinating board for higher education.

10. Other provisions of this section to the contrary notwithstanding, if a recipient has been awarded an initial scholarship pursuant to the provisions of this section but is unable to use the scholarship during the first academic year because of illness, disability, pregnancy or other medical need or if a recipient ceases all attendance at an approved public or private institution because of illness, disability, pregnancy or other medical need, the recipient shall be eligible for an initial or renewal scholarship upon enrollment in or return to any approved public or private institution, provided the recipient:

- (1) Enrolls in or returns to full-time status within twenty-seven months;
- (2) Provides verification of sufficient medical evidence documenting an illness, disability, pregnancy or other medical need of such person to require that the person will not be able to use the initial or renewal scholarship during the time period for which it was originally offered; and
- (3) Meets all other requirements established for eligibility to receive an initial or a renewal scholarship.

11. Upon recommendation of the coordinating board, funds may be appropriated from the Missouri college guarantee fund for distribution by the coordinating board as grants to any approved public and private institution which submits an application demonstrating how the institution will establish and operate a mentoring program which ensures that at-risk students receiving scholarships pursuant to this section have a positive educational experience at the institution.

173.248. The "Missouri College Guarantee Fund" is hereby established in the state treasury. The state treasurer shall administer the fund, and the moneys in the fund shall be used solely by the coordinating board for higher education pursuant to section 173.245 for the awarding of scholarships to eligible students and for other purposes specified pursuant to section 173.245; provided that moneys in the fund may be used to fund graduate study scholarships provided pursuant to section 173.727. Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the Missouri college guarantee fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

313.835. 1. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services

provided by the commission and admission fees authorized [under] **pursuant to** the provisions of sections 313.800 to 313.850 shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission relating to excursion gambling boat operations, subject to appropriation. [Moneys deposited into this fund shall not be considered proceeds of excursion gambling boat operations.] Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. Any appropriation from the state general revenue fund to fund expenses of the state gaming commission, other than funds from the gaming commission fund, shall be reimbursed to the general revenue fund by July 1, 1995. Beginning July 1, 1995, any excess moneys not already encumbered at the end of any fiscal year in the gaming commission fund shall be distributed in the following manner:

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

(2) Until July 1, 2000, the remaining unencumbered funds shall be transferred to the "Veterans' Homes Capital Improvement Trust Fund", as hereby created in the state treasury. The state treasurer shall administer the veterans' homes capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans' commission for the construction or renovation of veterans' homes in this state. Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund pursuant to this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the veterans' homes capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. **Except as provided in subsection 3 of this section**, beginning July 1, 2000, the remaining unencumbered funds shall be transferred from the gaming commission fund to the state general revenue fund.

2. If, prior to July 1, 1995, any unencumbered moneys in the gaming commission fund that exceed the amount appropriated in fiscal year 1995 to any state agency for the purpose of regulating excursion gambling shall be transferred to the veterans' homes capital improvement trust fund.

3. Other provisions of law to the contrary notwithstanding, beginning July 1, 2000, and in each year thereafter, the state treasurer shall transfer any unencumbered moneys in the gaming commission fund to the Missouri college guarantee fund established pursuant to section 173.248. The treasurer shall perform such transfer

prior to making any other transfer from the gaming commission fund provided in law.

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