

SECOND REGULAR SESSION

SENATE BILL NO. 694

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS BENTLEY AND MAXWELL.

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

TERRY L. SPIELER, Secretary.

S2336.011

AN ACT

To repeal section 167.260, RSMo 1994, and 313.835, RSMo Supp. 1997, relating to prekindergarten education programs, and to enact in lieu thereof two new sections relating to the same subject.

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

Section A. Section 167.260, RSMo 1994, and 313.835, RSMo Supp. 1997, are repealed and two new sections enacted in lieu thereof, to be known as sections 167.260 and 313.835, to read as follows:

167.260. 1. Any local school district offering to all pupils who are eligible by age pursuant to section 163.017, RSMo a full day of kindergarten within the school calendar as prepared pursuant to section 171.031, RSMo, shall be eligible for state aid for a program for developmentally delayed children ages three and four as defined in section 178.691, RSMo, and for children from at-risk families as defined in section 167.273 **and for prekindergarten programs for free and reduced price lunch eligible students ages three and four as defined under subsection two of this section.** [State aid shall be provided for no more than a half-day program within the district's school calendar.] At a minimum such eligible child shall reach the age of three before the first day of [October] **August** prior to the start of the school year. Such program shall emphasize social skills, physical development and preparation for kindergarten.

2. **School districts shall receive aid based on the full-time equivalency of children enrolled in the district's program for accredited prekindergarten classes for children ages three and four years. Prekindergarten classes shall be accredited under standards**

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

established by the state board of education pursuant to this section. Classes shall be reimbursed at a rate which shall be initially established at one thousand dollars per full-time equivalent child eligible for free and reduced lunch based upon the enrollment count taken on the last Wednesday in September for accredited programs times a proration factor established pursuant to subsection 5 of this section. Standards for accreditation of prekindergarten programs shall be established by the state board of education.

3. The initial rate of reimbursement established pursuant to subsection two of this section shall be adjusted annually, subject to appropriation, by the lesser of:

(1) The percentage change in state average per-pupil operating costs, as defined in section 163.011, RSMo, from the second preceding school year to the first preceding school year; or

(2) The percentage change in the state's apportionment from the second preceding school year to the first preceding school year.

4. Funds not expended in the year of appropriation shall be placed to the credit of the "Early Childhood Care and Education Fund" which is established hereby in the state treasury. Moneys placed to the credit of the fund shall be distributed pursuant to this section, subject to appropriation, in subsequent years. Interest earned by the fund shall accrue to the fund. Provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in the fund shall not lapse to general revenue at the end of the biennium.

5. The rate of reimbursement provided pursuant to subsection 2 of this section shall be multiplied by a proration factor which shall be equal to the lesser of one or the quotient of the amount of the current year appropriation for such reimbursements divided by the amount of the unprorated eligible reimbursement for the current year.

6. Districts seeking accreditation of prekindergarten classes shall submit to the department an early childhood care and education plan which has been developed in partnership with representative child care and education programs in the district, which may include Head Start programs, and submitted plans which meet the standards established by the state board of education shall be approved.

7. School districts providing programs eligible for funding under this section may charge an enrollment fee based on a sliding scale determined by family income as established by the state board of education.

8. The state board of education shall approve such programs and distribute state aid.

9. The board is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in this section shall become effective

only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, 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 the effective date of this section shall be invalid and void.

313.835. 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 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, 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 community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) Until July 1, 2000, the remaining unencumbered funds shall be transferred to the "Veterans' Commission Capital Improvement Trust Fund", as hereby created in the state treasury. 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 the construction, maintenance or renovation of veterans' homes and cemeteries 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' commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Beginning July 1, 2000, the remaining unencumbered funds shall be transferred from the gaming commission fund to the state general revenue 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 early childhood care and education fund established pursuant to section 167.260, RSMo, in an amount not to exceed the current year appropriation for reimbursements provided pursuant to subsection 2 of section 167.260, RSMo. The treasurer shall perform such transfer prior to making any other transfer from the gaming commission fund provided by law. Funding shall be appropriated to ensure sufficient funds as determined under subsection 2 of section 167.260, RSMo, for programs for those children ages three and four years.

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Bill

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