

FIRST REGULAR SESSION

SENATE BILL NO. 258

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BLAND.

Read 1st time January 12, 1999, and 1,000 copies ordered printed.

L0730.011

TERRY L. SPIELER, Secretary.

AN ACT

Relating to academic scholarships for certain motivated and talented students, with penalty provisions.

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

Section 1. 1. There is hereby created the "Missouri Transition Program", to be administered by the Missouri transition program administrative board, referred to in sections 1 and 2 of this act as the "program" and the "board", respectively.

2. The board shall be comprised of one representative of each publicly funded four-year institution of higher education in Missouri.

3. The members of the board shall be selected by the administration of each publicly funded four-year institution of higher education in Missouri collectively referred to in sections 1 and 2 of this act as the "colleges and universities".

4. The board shall distribute funds to the colleges and universities for the purpose of establishing a Missouri transition program.

5. The board shall meet as often as necessary but not less than once per annum to promulgate rules and regulations pertaining to the distribution of funds designated for the Missouri transition program.

6. The program shall be a four-year undergraduate program designed to significantly increase the enrollment and retention to graduation of motivated and talented underprivileged students.

7. As used in sections 1 and 2 of this act, the phrase "underprivileged student" means any student whose personal or family income is within two hundred percent of the federal poverty level and is a resident of the state of Missouri.

8. The colleges and universities may provide academic and social support in an effort to overcome the risks incurred by underprivileged students from deficits in high

school preparation and economic disparity.

9. Methods of selection and screening of candidates for the program shall be established and administered by the colleges and universities, provided that students are selected during the senior year of high school after careful screening for skills associated with performance, motivation, and talent. The colleges and universities shall provide for a six-week summer precollege experience of orientation, skills preparation and academic course work, to be known as the transition session, which may continue through the sophomore year.

10. The goal of the program shall be to admit at least seventy-five participants in the program each academic year.

11. The colleges and universities shall be the administrative agency for the implementation of the program established by this section. The board shall promulgate reasonable rules and regulations for the exercise of its functions and the effectuation of the purposes of this section. It shall prescribe the form and the time and method of filing applications and supervise the processing thereof. The colleges and universities shall determine the criteria for eligibility of applicants and shall evaluate each applicant's financial need. It shall determine the manner and method of payment to the recipient. The colleges and universities may increase or decrease the amount of financial assistance to an applicant if such action is warranted by a change in the financial condition of the applicant, his spouse or parents, or the availability of funds for that year. As a condition to consideration for eligibility in the program, the colleges and universities may require the applicant, the applicant's spouse and parents to execute forms of consent authorizing the director of revenue to compare financial information submitted by the applicant with the Missouri individual income tax returns of the applicant, the applicant's spouse and parents, for the taxable year immediately preceding the year for which application is made, and to report any discrepancies to the university.

12. An applicant to the program shall be entitled to financial assistance based primarily on financial need and to the extent of the applicant's financial need as determined by the colleges and universities.

13. There is hereby created in the state treasury the "Missouri Transition Program Fund", referred to in this section and section 2 of this act as the "fund". The fund shall consist of moneys generated pursuant to section 2 of this act. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of the biennium.

Section 2. 1. As used in this section, the following terms mean:

(1) "Compact disc", a digital information storage medium commonly known as

a compact disc for use in a device capable of retrieving and processing data contained therein; and

(2) "Fund", the Missouri transition program fund created in section 1 of this act.

2. In addition to all other licenses and charges, for the privilege of selling compact discs at wholesale in the state of Missouri, there shall be paid to and collected by the director of revenue a sum equal to five percent of the wholesale price of each compact disc sold. All moneys generated pursuant to this subsection shall be placed to the credit of the Missouri transition program fund created in section 1 of this act.

3. The person who sells the compact disc at wholesale to any person in this state shall be liable for the payment of the sum required by subsection 2 of this section.

4. Any person who sells to any person within this state any compact disc at wholesale without the charge hereby imposed being paid shall be guilty of a class D felony.

5. Payment of the charge required by this section shall be made by the manufacturer of the compact disc as to all compact discs produced or imported by the manufacturer for sale or use within this state, by the solicitor who imports into this state compact discs manufactured or produced outside of this state for sale within this state, or by the wholesale dealer who imports or receives compact discs manufactured or produced outside the United States for sale or use within this state. Each such manufacturer, solicitor or wholesale dealer on or before the fifteenth day of each calendar month shall file with the director of the department of revenue on forms prescribed by the director a written report in duplicate, under oath, in such form as is required by the director to enable the director to compute and assure the accuracy of the charges due on all sales and importations of compact discs occurring during the preceding month. Payment of the charges in the amount disclosed by the report by bank draft, money order, certified check, or cashier's check payment to the department of revenue shall accompany the report to the director of revenue.

6. If the director of revenue deems it necessary in order to ensure the payment of the charges imposed by this section, the director may require returns to be made more frequently than and covering periods of less than a month. The return shall contain such further information as the director of revenue may reasonably require. Each such manufacturer, solicitor, or wholesale dealer shall pay to the director of revenue with the filing of such return, the fee imposed by this section as so reported during the period covered by such return.

7. In the case of failure to pay any fee required pursuant to this section on or before the date prescribed therefor, there shall be added to the amount of charge an amount equal to one percent per business day of the deficiency, not to exceed twenty-five percent of the deficiency, and in addition, interest on the deficient charge and

penalty at the rate of one percent a month or fraction of a month from the date the deficient charge became due until paid.

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