

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1365
92ND GENERAL ASSEMBLY

Reported from the Committee on Homeland Security and Veterans Affairs, April 22, 2004, with recommendation that the House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1365 Do Pass.

STEPHEN S. DAVIS, Chief Clerk

4788L.03C

AN ACT

To amend chapter 42, RSMo, by adding thereto two new sections relating to veterans.

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

Section A. Chapter 42, RSMo, is amended by adding thereto two new sections, to be
2 known as sections 42.014 and 42.015, to read as follows:

**42.014. 1. The Missouri general assembly shall, through appropriations as
2 provided by law, encourage the development of any veterans' programs approved by the
3 executive director of the veterans' commission whereby the historical significance of
4 veteran service can be dedicated to outreach and education inside public schools, veteran
5 cemeteries, veteran homes, and other institutions as determined by rule and regulation.**

**6 2. The executive director of the veterans' commission shall administer the
7 provisions of this section and may adopt all rules and regulations necessary to administer
8 the provisions of this section. Any rule or portion of a rule, as that term is defined in
9 section 536.010, RSMo, that is created under the authority delegated in this section shall
10 become effective only if it complies with and is subject to all of the provisions of chapter
11 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,
12 RSMo, are nonseverable and if any of the powers vested with the general assembly
13 pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and
14 annul a rule are subsequently held unconstitutional, then the grant of rulemaking
15 authority and any rule proposed or adopted after August 28, 2004, shall be invalid and
16 void.**

17 3. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

18 (1) The provisions of the new program authorized under this section shall
19 automatically sunset six years after the effective date of this section unless reauthorized by
20 an act of the general assembly; and

21 (2) If such program is reauthorized, the program authorized under this section
22 shall automatically sunset twelve years after the effective date of the reauthorization of this
23 section; and

24 (3) This section shall terminate on September first of the calendar year immediately
25 following the calendar year in which the program authorized under this section is sunset.

42.015. 1. In order to contribute to the preservation of freedom, there is established
2 in the state treasury a special trust fund, to be known as the "Veterans' Historical
3 Education Trust Fund". The fund shall be administered by the commission for the sole
4 purpose of financing veterans' outreach and education programs established in section
5 42.014.

6 **2.** The director of revenue shall deposit in the treasury to the credit of the veterans'
7 historical education trust fund all amounts received by or designated to the fund
8 established pursuant to this section and any other amounts which may be received from
9 grants, gifts, bequests, appropriations, the federal government, or other sources granted
10 or given for this specific purpose. The state treasurer shall invest moneys in the veterans'
11 historical education trust fund in the same manner as surplus state funds are invested
12 pursuant to section 30.260, RSMo. All earnings resulting from the investment of moneys
13 in the veterans' historical education trust fund shall be credited to the veterans' historical
14 education trust fund.

15 **3.** As established by this section, funds appropriated by the general assembly from
16 the veterans' historical education trust fund shall only be used by the commission for
17 purposes authorized pursuant to section 42.014 and shall not be used to supplant any
18 existing program or service.

19 **4.** The provisions of section 33.080, RSMo, requiring all unexpended balances
20 remaining in various state funds to be transferred and placed to the credit of the general
21 revenue fund of this state at the end of each biennium shall not apply to the veterans'
22 historical education trust fund.