

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1746
93RD GENERAL ASSEMBLY

Reported from the Committee on Veterans March 15, 2006 with recommendation that House Committee Substitute for House Bill No. 1746 Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

5142L.02C

AN ACT

To repeal sections 42.014 and 42.015, RSMo, and to enact in lieu thereof two new sections relating to veterans' programs.

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

Section A. Sections 42.014 and 42.015, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 42.014 and 42.015, to read as follows:

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

6 2. The [executive director of the veterans' commission] **lieutenant governor** shall
7 administer the provisions of this section and may adopt all rules and regulations necessary to
8 administer the provisions of this section. Any rule or portion of a rule, as that term is defined
9 in 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 536,
11 RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
12 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536,
13 RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
15 after August 28, 2004, shall be invalid and void.

16 3. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

17 (1) The provisions of the new program authorized under this section shall automatically
18 sunset six years after August 28, 2004, unless reauthorized by an act of the general assembly; and

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

22 (3) This section shall terminate on September first of the calendar year immediately
23 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 in
2 the state treasury a special trust fund, to be known as the "Veterans' Historical Education Trust
3 Fund". The fund shall be administered by the [commission] **lieutenant governor** for the sole
4 purpose of financing [veterans' outreach and] education programs established in section 42.014.

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

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

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

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