

SECOND REGULAR SESSION

HOUSE BILL NO. 2062

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PEARCE (Sponsor), WITTE, DAY, BRUNS, FISHER, NANCE,
GRILL, ROORDA, AULL, DUSENBERG, McGHEE, EMERY, JONES (89),
DARROUGH AND BIVINS (Co-sponsors).

Read 1st time February 7, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4411L.03I

AN ACT

To repeal sections 41.1010, 42.007, 115.277, 160.053, 168.021, 170.011, and 620.515, RSMo,
and to enact in lieu thereof thirteen new sections relating to members of the military and
their families, with an emergency clause for certain sections.

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

Section A. Sections 41.1010, 42.007, 115.277, 160.053, 168.021, 170.011, and 620.515,
2 RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections
3 41.1010, 42.007, 115.277, 160.053, 168.021, 170.011, 173.238, 620.515, 1, 2, 3, 4, and 5, to read
4 as follows:

41.1010. 1. There is hereby established the "Missouri Military Preparedness and
2 Enhancement Commission". The commission shall have as its purpose the design and
3 implementation of measures intended to protect, retain, and enhance the present and future
4 mission capabilities at the military posts or bases within the state. The commission shall consist
5 of nine members:

6 (1) Five members to be appointed by the governor;

7 (2) Two members of the house of representatives, one appointed by the speaker of the
8 house of representatives, and one appointed by the minority floor leader;

9 (3) Two members of the senate, one appointed by the president pro tempore, and one
10 appointed by the minority floor leader;

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.

11 (4) The director of the department of economic development or the director's designee,
12 ex officio;

13 (5) **The chairman of the Missouri veteran's commission or the chairman's designee,**
14 **ex officio.**

15

16 No more than three of the five members appointed by the governor shall be of the same political
17 party. To be eligible for appointment by the governor, a person shall have demonstrated
18 experience in economic development, the defense industry, military installation operation,
19 environmental issues, finance, local government, or the use of air space for future military
20 missions. Appointed members of the commission shall serve three-year terms, except that of the
21 initial appointments made by the governor, two shall be for one-year terms, two shall be for
22 two-year terms, and one shall be for a three-year term. No appointed member of the commission
23 shall serve more than six years total. A vacancy occurs if a legislative member leaves office for
24 any reason. Any vacancy on the commission shall be filled in the same manner as the original
25 appointment.

26 2. Members of the commission shall be reimbursed for the actual and necessary expenses
27 incurred in the discharge of the member's official duties.

28 3. A chair of the commission shall be selected by the members of the commission.

29 4. The commission shall meet at least quarterly and at such other times as the chair
30 deems necessary.

31 5. The commission shall be funded by an appropriation limited to that purpose. Any
32 expenditure constituting more than ten percent of the commission's annual appropriation shall
33 be based on a competitive bid process.

34 6. The commission shall:

35 (1) Advise the governor and the general assembly on military issues and economic and
36 industrial development related to military issues;

37 (2) Make recommendations regarding:

38 (a) Developing policies and plans to support the long-term viability and prosperity of the
39 military, active and **retiree, and** civilian **military employees**, in this state, including promoting
40 strategic regional alliances that may extend over state lines;

41 (b) Developing methods to improve private and public employment opportunities for
42 former members of the military **and their families** residing in this state; and

43 (c) Developing methods to assist defense-dependent communities in the design and
44 execution of programs that enhance a community's relationship with military installations and
45 defense-related businesses;

- 46 (3) Provide information to communities, the general assembly, the state's congressional
47 delegation, and state agencies regarding federal actions affecting military installations and
48 missions;
- 49 (4) Serve as a clearinghouse for:
- 50 (a) Defense economic adjustment and transition information and activities; and
- 51 (b) Information concerning the following:
- 52 a. Issues related to the operating costs, missions, and strategic value of federal military
53 installations located in the state;
- 54 b. Employment issues for communities that depend on defense bases and in
55 defense-related businesses; and
- 56 c. Defense strategies and incentive programs that other states are using to maintain,
57 expand, and attract new defense contractors;
- 58 (5) Provide assistance to communities that have experienced a defense-related closure
59 or realignment;
- 60 (6) Assist communities in the design and execution of programs that enhance a
61 community's relationship with military installations and defense-related businesses, including
62 regional alliances that may extend over state lines;
- 63 (7) Assist communities in the retention and recruiting of defense-related businesses,
64 including fostering strategic regional alliances that may extend over state lines;
- 65 (8) Prepare a biennial strategic plan that:
- 66 (a) Fosters the enhancement of military value of the contributions of Missouri military
67 installations to national defense strategies;
- 68 (b) Considers all current and anticipated base realignment and closure criteria; and
- 69 (c) Develops strategies to protect the state's existing military missions and positions the
70 state to be competitive for new and expanded military missions;
- 71 (9) Encourage economic development in this state by fostering the development of
72 industries related to defense affairs.
- 73 7. The commission shall prepare and present an annual report to the governor and the
74 general assembly by December thirty-first of each year.
- 75 8. The department of economic development shall furnish administrative support and
76 staff for the effective operation of the commission.

42.007. 1. There is hereby established within the department of public safety the
2 "Missouri Veterans' Commission", such commission to be a type III agency within the
3 department of public safety under the Omnibus State Reorganization Act of 1974. All duties and
4 activities carried on by the division of veterans' affairs on August 28, 1989, shall be vested in
5 such commission as provided by the Omnibus Reorganization Act of 1974.

6 2. The commission shall be composed of five members, who shall be veterans appointed
7 by the governor, with the advice and consent of the senate, for a four-year term; except that
8 initial appointments to the commission shall consist of two veterans to serve four-year terms, two
9 veterans to serve three-year terms, and one veteran to serve a two-year term. **In addition, the**
10 **chair of the Missouri military preparedness and enhancement commission or the chair's**
11 **designee shall be an ex officio member of the commission.**

12 3. The governor shall make all appointments to the commission from lists of nominees
13 recommended by each of the statewide veterans' organizations incorporated in this state,
14 chartered by Congress, or authorized under Title 38, United States Code. Vacancies shall be
15 filled by appointment made in the same manner as the original appointments. A member of the
16 commission shall be a resident of the state of Missouri but shall not be an employee of the state.
17 Members of the commission shall not be compensated for their services, but shall be reimbursed
18 from funds appropriated therefor for actual and necessary expenses incurred in the performance
19 of their duties.

20 4. The commission shall organize by electing one member as chairman and another as
21 vice chairman. Such officers shall serve for a term of two years. The commission shall meet no
22 fewer than four times per calendar year, at the call of the chairman, and at times and places
23 established by the chairman by written notice. The commission's executive director shall serve
24 as secretary to the commission.

25 5. The commission shall aid and assist all veterans and their dependents and legal
26 representatives, **who are legal Missouri residents or** who live in the state of Missouri, in all
27 matters relating to the rights of veterans under the laws of the United States and under the rules
28 and regulations of federal agencies, boards, commissions and other authorities which are in any
29 manner concerned with the interest and welfare of veterans and their dependents. In addition to
30 any other duties imposed by sections 42.002 to 42.135 and section 143.1001, RSMo, the
31 commission shall:

32 (1) Disseminate by all means available information concerning the rights of veterans and
33 their dependents;

34 (2) Provide aid and assistance to all veterans, their dependents and legal representatives,
35 in preparing, presenting and prosecuting claims for compensation, education, pensions, insurance
36 benefits, hospitalization, rehabilitation and all other matters in which a veteran may have a claim
37 against the United States or any state arising out of or connected with service in the military
38 forces of the United States;

39 (3) Prosecute all claims listed in subdivision (2) of this subsection to conclusion, when
40 so authorized and empowered by a veteran, his survivors or legal representatives;

41 (4) Cooperate with the United States Employment Service, the United States Department
42 of Veterans' Affairs and all federal and state offices legally concerned with and interested in the
43 welfare of veterans and their dependents;

44 (5) Arrange for and accept through such mutual arrangements as may be made, the
45 volunteer services, equipment, facilities, properties, supplies, funds and personnel of all federal,
46 welfare, civic and service organizations, and other organized groups and individuals which are
47 in furtherance of the purposes of sections 42.002 to 42.135 and section 143.1001, RSMo;

48 (6) Volunteers shall be deemed unpaid employees and shall be accorded the protection
49 of the legal expense fund and liability provisions. Reimbursement for transportation and other
50 necessary expenses may be furnished to those volunteers whose presence on special assignment
51 is determined to be necessary by the commission. Such expenses shall be reimbursed from the
52 regular appropriations of the commission. Volunteers may utilize state vehicles in the
53 performance of commission-related duties, subject to those rules and regulations governing use
54 of state vehicles by paid staff;

55 (7) Establish, maintain and operate offices throughout this state as necessary to carry out
56 the purposes of sections 42.002 to 42.135 and section 143.1001, RSMo;

57 (8) Provide to the executive director of the commission all appropriate authority for the
58 execution of the duties of the commission under this chapter;

59 (9) Employ such staff as necessary for performance of the duties and purposes of this
60 chapter.

115.277. 1. Except as provided in subsections 3, 4 and 5 of this section, any registered
2 voter of this state may vote by absentee ballot for all candidates and issues for which such voter
3 would be eligible to vote at the polling place if such voter expects to be prevented from going
4 to the polls to vote on election day due to:

5 (1) Absence on election day from the jurisdiction of the election authority in which such
6 voter is registered to vote;

7 (2) Incapacity or confinement due to illness or physical disability, including a person
8 who is primarily responsible for the physical care of a person who is incapacitated or confined
9 due to illness or disability;

10 (3) Religious belief or practice;

11 (4) Employment as an election authority, as a member of an election authority, or by an
12 election authority at a location other than such voter's polling place;

13 (5) Incarceration, provided all qualifications for voting are retained.

14 2. Any person in federal service, as defined in section 115.275, who is eligible to register
15 and vote **in any election** in this state [but is not registered] may vote [only in the election of
16 presidential and vice presidential electors, United States senator and representative in Congress

17 even though] **in the election even if** the person is not registered. Each person in federal service
18 may vote by absentee ballot or, upon submitting an affidavit that the person is qualified to vote
19 in the election, may vote at the person's polling place.

20 3. Any interstate former resident, as defined in section 115.275, may vote by absentee
21 ballot for presidential and vice presidential electors.

22 4. Any intrastate new resident, as defined in section 115.275, may vote by absentee ballot
23 at the election for presidential and vice presidential electors, United States senator, representative
24 in Congress, statewide elected officials and statewide questions, propositions and amendments
25 from such resident's new jurisdiction of residence after registering to vote in such resident's new
26 jurisdiction of residence.

27 5. Any new resident, as defined in section 115.275, may vote by absentee ballot for
28 presidential and vice presidential electors after registering to vote in such resident's new
29 jurisdiction of residence.

160.053. 1. If a school district maintains a kindergarten program, a child is eligible for
2 admission to kindergarten and to the summer school session immediately preceding kindergarten,
3 if offered, if the child reaches the age of five before the first day of August of the school year
4 beginning in that calendar year **or if the child is a military dependent who has successfully**
5 **completed an accredited prekindergarten program or has attended an accredited**
6 **kindergarten program in another state.** A child is eligible for admission to first grade if the
7 child reaches the age of six before the first day of August of the school year beginning in that
8 calendar year **or if the child is a military dependent who has successfully completed an**
9 **accredited kindergarten program in another state.**

10 2. Any kindergarten or grade one pupil beginning the school term and any pupil
11 beginning summer school prior to a kindergarten school term in a metropolitan school district
12 or an urban school district containing the greater part of the population of a city which has more
13 than three hundred thousand inhabitants pursuant to section 160.054 or 160.055 and
14 subsequently transferring to another school district in this state in which the child's birth date
15 would preclude such child's eligibility for entrance shall be deemed eligible for attendance and
16 shall not be required to meet the minimum age requirements. The receiving school district shall
17 receive state aid for the child, notwithstanding the provisions of section 160.051.

18 3. Any child who completes the kindergarten year shall not be required to meet the age
19 requirements of a district for entrance into grade one.

20 4. The provisions of this section relating to kindergarten instruction and state aid
21 therefor, shall not apply during any particular school year to those districts which do not provide
22 kindergarten classes that year.

168.021. 1. Certificates of license to teach in the public schools of the state shall be
2 granted as follows:

3 (1) By the state board, under rules and regulations prescribed by it,

4 (a) Upon the basis of college credit;

5 (b) Upon the basis of examination;

6 (2) By the state board, under rules and regulations prescribed by the state board with
7 advice from the advisory council established by section 168.015 to any individual who presents
8 to the state board a valid doctoral degree from an accredited institution of higher education
9 accredited by a regional accrediting association such as North Central Association. Such
10 certificate shall be limited to the major area of postgraduate study of the holder, shall be issued
11 only after successful completion of the examination required for graduation pursuant to rules
12 adopted by the state board of education, and shall be restricted to those certificates established
13 pursuant to subdivision (1) of subsection 3 of this section; or

14 (3) By the state board, which shall issue the professional certificate classification in both
15 the general and specialized areas most closely aligned with the current areas of certification
16 approved by the state board, commensurate with the years of teaching experience of the
17 applicant, and based upon the following criteria:

18 (a) Recommendation of a state-approved baccalaureate-level teacher preparation
19 program;

20 (b) Successful attainment of the Missouri qualifying score on the exit assessment for
21 teachers or administrators designated by the state board of education. Applicants who have not
22 successfully achieved a qualifying score on the designated examinations will be issued a
23 two-year nonrenewable provisional certificate; and

24 (c) Upon completion of a background check and possession of a valid teaching certificate
25 in the state from which the applicant's teacher preparation program was completed.

26 2. All valid teaching certificates issued pursuant to law or state board policies and
27 regulations prior to September 1, 1988, shall be exempt from the professional development
28 requirements of this section and shall continue in effect until they expire, are revoked or
29 suspended, as provided by law. When such certificates are required to be renewed, the state
30 board or its designee shall grant to each holder of such a certificate the certificate most nearly
31 equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II,
32 or continuous professional certificate shall, upon expiration of his or her current certificate, be
33 issued the appropriate level of certificate based upon the classification system established
34 pursuant to subsection 3 of this section.

35 3. Certificates of license to teach in the public schools of the state shall be based upon
36 minimum requirements prescribed by the state board of education. The state board shall provide

37 for the following levels of professional certification: an initial professional certificate and a
38 career continuous professional certificate.

39 (1) The initial professional certificate shall be issued upon completion of requirements
40 established by the state board of education and shall be valid based upon verification of actual
41 teaching within a specified time period established by the state board of education. The state
42 board shall require holders of the four-year initial professional certificate to:

43 (a) Participate in a mentoring program approved and provided by the district for a
44 minimum of two years;

45 (b) Complete thirty contact hours of professional development, which may include hours
46 spent in class in an appropriate college curriculum; and

47 (c) Participate in a beginning teacher assistance program;

48 (2) (a) The career continuous professional certificate shall be issued upon verification
49 of completion of four years of teaching under the initial professional certificate and upon
50 verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of
51 subdivision (1) of this subsection.

52 (b) The career continuous professional certificate shall be continuous based upon
53 verification of actual employment in an educational position as provided for in state board
54 guidelines and completion of fifteen contact hours of professional development per year which
55 may include hours spent in class in an appropriate college curriculum. Should the possessor of
56 a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour
57 professional development requirement, the possessor may, within two years, make up the
58 missing hours. In order to make up for missing hours, the possessor shall first complete the
59 fifteen-hour requirement for the current year and then may count hours in excess of the current
60 year requirement as make-up hours. Should the possessor fail to make up the missing hours
61 within two years, the certificate shall become inactive. In order to reactivate the certificate, the
62 possessor shall complete twenty-four contact hours of professional development which may
63 include hours spent in the classroom in an appropriate college curriculum within the six months
64 prior to or after reactivating his or her certificate. The requirements of this paragraph shall be
65 monitored and verified by the local school district which employs the holder of the career
66 continuous professional certificate.

67 (c) A holder of a career continuous professional certificate shall be exempt from the
68 professional development contact hour requirements of paragraph (b) of this subdivision if such
69 teacher has a local professional development plan in place within such teacher's school district
70 and meets two of the three following criteria:

71 a. Has ten years of teaching experience as defined by the state board of education;

72 b. Possesses a master's degree; or

73 c. Obtains a rigorous national certification as approved by the state board of education.

74 4. Policies and procedures shall be established by which a teacher who was not retained
75 due to a reduction in force may retain the current level of certification. There shall also be
76 established policies and procedures allowing a teacher who has not been employed in an
77 educational position for three years or more to reactivate his or her last level of certification by
78 completing twenty-four contact hours of professional development which may include hours
79 spent in the classroom in an appropriate college curriculum within the six months prior to or after
80 reactivating his or her certificate.

81 5. The state board shall, upon an appropriate background check, issue a professional
82 certificate classification in the areas most closely aligned with an applicant's current areas of
83 certification, commensurate with the years of teaching experience of the applicant, to any person
84 who is hired to teach in a public school in this state and who possesses a valid teaching
85 certificate from another state, provided that the certificate holder shall annually complete the
86 state board's requirements for such level of certification, and shall establish policies by which
87 residents of states other than the state of Missouri may be assessed a fee for a certificate license
88 to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover
89 any or all costs associated with the issuing of a certificate of license to teach. **The board shall**
90 **additionally promulgate a rule to permit the issuance of a provisional certificate of license**
91 **permitting the holder to assume classroom duties pending the completion of a background**
92 **check conducted under section 168.133 when the applicant is the spouse of a member of the**
93 **United States armed forces stationed in Missouri who has relocated from another state**
94 **within one year from the date of application for Missouri certificate of license, who**
95 **otherwise qualifies under the provisions of this subsection, if a background check was**
96 **required for the issuance of the teaching certificate from another state.**

97 6. The state board may assess to holders of an initial professional certificate a fee, to be
98 deposited into the excellence in education revolving fund established pursuant to section
99 160.268, RSMo, for the issuance of the career continuous professional certificate. However,
100 such fee shall not exceed the combined costs of issuance and any criminal background check
101 required as a condition of issuance.

102 7. Any member of the public school retirement system of Missouri who entered covered
103 employment with ten or more years of educational experience in another state or states and held
104 a certificate issued by another state and subsequently worked in a school district covered by the
105 public school retirement system of Missouri for ten or more years who later became certificated
106 in Missouri shall have that certificate dated back to his or her original date of employment in a
107 Missouri public school.

170.011. 1. Regular courses of instruction in the Constitution of the United States and of the state of Missouri and in American history and institutions shall be given in all public and private schools in the state of Missouri, except privately operated trade schools, and shall begin not later than the seventh grade and continue in high school to an extent determined by the state commissioner of education, and shall continue in college and university courses to an extent determined by the state commissioner of higher education. In the 1990-91 school year and each year thereafter, local school districts maintaining high schools shall comply with the provisions of this section by offering in grade nine, ten, eleven, or twelve a course of instruction in the institutions, branches and functions of the government of the state of Missouri, including local governments, and of the government of the United States, and in the electoral process. A local school district maintaining such a high school shall require that prior to the completion of the twelfth grade each pupil, who receives a high school diploma or certificate of graduation on or after January 1, 1994, shall satisfactorily complete such a course of study. Such course shall be of at least one semester in length and may be two semesters in length. The department of elementary and secondary education may provide assistance in developing such a course if the district requests assistance. **A school district may elect to waive the requirements of this subsection for any student who transfers from outside the state to a Missouri high school if the student can furnish documentation deemed acceptable by the school district of the student's successful completion in any year from the ninth through the twelfth grade of a course of instruction in the institutions, branches, and functions of state government, including local governments, and of the government of the United States, and in the electoral process.**

2. American history courses at the elementary and secondary levels shall include in their proper time-line sequence specific referrals to the details and events of the racial equality movement that have caused major changes in United States and Missouri laws and attitudes.

3. No pupil shall receive a certificate of graduation from any public or private school other than private trade schools unless he has satisfactorily passed an examination on the provisions and principles of the Constitution of the United States and of the state of Missouri, and in American history and American institutions. **A school district may elect to waive the requirements of this subsection for any student who transfers from outside the state to a Missouri high school if the student can furnish documentation deemed acceptable by the school district of the student's successful completion in any year from the ninth through the twelfth grade of a course of instruction in the institutions, branches, and functions of state government, including local governments, and of the government of the United States, and in the electoral process.** A student of a college or university, who, after having completed a course of instruction prescribed in this section and successfully passed an examination on the

37 United States Constitution, and in American history and American institutions required hereby,
38 transfers to another college or university, is not required to complete another such course or pass
39 another such examination as a condition precedent to his graduation from the college or
40 university.

41 4. In the 1990-91 school year and each year thereafter, each school district maintaining
42 a high school may annually nominate to the state board of education a student who has
43 demonstrated knowledge of the principles of government and citizenship through academic
44 achievement, participation in extracurricular activities, and service to the community. Annually,
45 the state board of education shall select fifteen students from those nominated by the local school
46 districts and shall recognize and award them for their academic achievement, participation and
47 service.

48 5. [The state commissioner of education and the state commissioner of higher education
49 shall make arrangements for carrying out the provisions of this section and prescribe a list of
50 suitable texts adapted to the needs of the school grades and college courses, respectively.

51 6. The willful neglect of any superintendent, principal or teacher to observe and carry
52 out the requirements of this section is sufficient cause for termination of his contract.

53 7.] The provisions of this section shall not apply to students from foreign countries who
54 are enrolled in public or private high schools in Missouri, if such students are foreign exchange
55 students sponsored by a national organization recognized by the department of elementary and
56 secondary education.

**173.238. 1. As used in this section, unless the context clearly requires otherwise, the
2 following terms mean:**

3 (1) "Board", the coordinating board for higher education;

4 (2) "Books", any books required for any course for which tuition was paid by a
5 grant awarded under this section;

6 (3) "Grant", the war veteran's survivors grant as established in this section;

7 (4) "Institution of postsecondary education", any approved Missouri public
8 institution of postsecondary education, as defined in section 173.205;

9 (5) "Survivor", a child or spouse of a war veteran;

10 (6) "Tuition", any tuition or incidental fee, or both, charged by an institution of
11 postsecondary education for attendance at the institution by a student as a resident of this
12 state. The tuition grant shall not exceed the amount of tuition charged a Missouri resident
13 at the University of Missouri-Columbia for attendance;

14 (7) "War veteran", a person who served in armed combat in the military and to
15 whom the following criteria shall apply:

16 (a) The veteran was a Missouri resident when first entering the military service and
17 at the time of death or injury; and

18 (b) The veteran dies as a result of combat action or the veteran's death was certified
19 by a Veterans' Administration medical authority to be attributable to an illness that was
20 contracted while serving in combat, or who became eighty percent disabled as a result of
21 injuries or accidents sustained in combat action.

22 2. Within the limits of the amounts appropriated therefor, the coordinating board
23 for higher education shall award annually up to twenty-five grants to survivors of war
24 veterans to attend institutions of postsecondary education in this state, which shall continue
25 to be awarded annually to eligible recipients as long as the recipient achieves and maintains
26 a cumulative grade point average of at least two and one-half on a four point scale, or its
27 equivalent. If the waiting list of eligible survivors exceeds fifty, the coordinating board
28 may petition the general assembly to expand the quota. If the quota is not expanded, then
29 the eligibility of survivors on the waiting list shall be extended.

30 3. A survivor may receive a grant under this section only so long as the survivor is
31 enrolled in a program leading to a certificate, or an associate or baccalaureate degree. In
32 no event shall a survivor receive a grant beyond the completion of the first baccalaureate
33 degree, regardless of age.

34 4. The coordinating board for higher education shall:

35 (1) Promulgate all necessary rules and regulations for the implementation of this
36 section; and

37 (2) Provide the forms and determine the procedures necessary for a survivor to
38 apply for and receive a grant under this section.

39 5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
40 that is created under the authority delegated in this section shall become effective only if
41 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
42 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
43 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
44 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
45 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
46 adopted after August 28, 2008, shall be invalid and void.

47 6. In order to be eligible to receive a grant under this section, a survivor shall be
48 certified as eligible by the Missouri veterans' commission. In the case of an illness-related
49 death, such certification shall be made upon qualified medical certification by a Veterans'
50 Administration medical authority that the illness was both a direct result of the veteran's
51 combat service and a substantial factor in the cause of the resulting death of the veteran.

52 **7. A survivor who is enrolled or has been accepted for enrollment as an**
53 **undergraduate postsecondary student at an approved institution of postsecondary**
54 **education, and who is selected to receive a grant under this section, shall receive the**
55 **following:**

56 **(1) An amount not to exceed the actual tuition charged at the approved institution**
57 **of postsecondary education where the survivor is enrolled or accepted for enrollment;**

58 **(2) An allowance of up to two thousand dollars per semester for room and board;**
59 **and**

60 **(3) The actual cost of books, up to a maximum of five hundred dollars per semester.**

61 **8. A survivor who is a recipient of a grant may transfer from one approved public**
62 **institution of postsecondary education to another without losing his or her entitlement**
63 **under this section. The board shall make necessary adjustments in the amount of the**
64 **grant. If a grant recipient at any time withdraws from the institution of postsecondary**
65 **education so that under the rules and regulations of that institution he or she is entitled to**
66 **a refund of any tuition, fees, room and board, books, or other charges, the institution shall**
67 **pay the portion of the refund to which he or she is entitled attributable to the grant for that**
68 **semester or similar grading period to the board.**

69 **9. If a survivor is granted financial assistance under any other student aid program,**
70 **public or private, the full amount of such aid shall be reported to the board by the**
71 **institution and the eligible survivor.**

72 **10. Nothing in this section shall be construed as a promise or guarantee that a**
73 **person will be admitted to an institution of postsecondary education or to a particular**
74 **institution of postsecondary education, will be allowed to continue to attend an institution**
75 **of postsecondary education after having been admitted, or will be graduated from an**
76 **institution of postsecondary education.**

77 **11. The benefits conferred by this section shall be available to any academically**
78 **qualified surviving spouse or children of war veterans. Surviving children who are eligible**
79 **shall be permitted to apply for full benefits conferred by this section until they reach**
80 **twenty-five years of age.**

620.515. 1. This section shall be known and may be cited as the "[Guard] **Hero** at
2 **Home**" program whose purpose is to:

3 **(1) Assist the spouse of an active duty national guard or reserve component service**
4 **member reservist to address immediate needs and employment in an attempt to keep the family**
5 **from falling into poverty while the primary income earner is on active duty, and during the one-**
6 **year period following discharge from deployment; and**

7 (2) Assist returning national guard **or reserve component service member reservist**
8 troops with finding work in situations where an individual needs to rebuild business clientele or
9 where an individual's job has been eliminated while such individual was deployed, **or where the**
10 **individual otherwise cannot return to the individual's previous employment.**

11 2. Subject to appropriation, the department of economic development shall [enter]
12 **operate the hero at home program through existing programs or by entering** into a contract
13 with qualified providers through local workforce investment boards [to provide the guard at
14 home program. The department shall develop the criteria of the contract] . **Eligibility for the**
15 **program shall be** based on the following criteria:

16 (1) Eligible participants in the program shall be those families where:

17 (a) The primary income earner was called to active duty in defense of the United States
18 for a period of more than four months;

19 (b) The family's primary income is no longer available;

20 (c) The family is experiencing significant hardship due to financial burdens; and

21 (d) The family has no outside resources available to assist with such hardships;

22 (2) Services that may be provided to the family will be aimed at ameliorating the
23 immediate crisis and providing a path for economic stability while the primary income is not
24 available due to the active military commitment. **Services shall be made available up to one**
25 **year following discharge from deployment.** Services may include, but not be limited to the
26 following:

27 (a) Financial assistance to families facing financial crisis from overdue bills [due to
28 reduced income after the deployment of a spouse];

29 (b) Help paying day care costs to pursue training and or employment;

30 (c) Help covering the costs of transportation to training and or employment;

31 (d) Vocational evaluation and vocational counseling to help the individual choose a
32 visible employment goal;

33 (e) Vocational training to acquire or upgrade skills needed to be marketable in the
34 workforce;

35 (f) Paid internships and subsidized employment to train on the job; and

36 (g) Job placement assistance for those who don't require skills training;

37 (3) The department shall ensure the eligible providers are:

38 (a) Community-based not-for-profit agencies which have significant experience in job
39 training, placement, and social services;

40 (b) Providers with extensive experience providing such services to veterans and
41 implementing contracts with veteran organizations such as the department of veteran affairs;

42 (c) Providers which have attained the distinction of being accredited through a national
43 accreditation body for training and or human services;

44 (d) Providers which are able to provide a twenty percent match to the program either
45 through indirect or direct expenditures; and

46 (e) Providers with experience in the regions targeted for the program.

47 3. The department shall structure [the] **any** contract such that payment will be based on
48 delivering the services described in this section as well as performance to guarantee the greatest
49 possible effectiveness of the program.

50 4. Because of the important nature of this program to the health and welfare of
51 Missourians, this section shall become effective on July 1, 2006. The department shall make
52 every reasonable effort to ensure that the [guard] **hero** at home program is serving families by
53 August 1, 2006.

54 5. The department shall prepare a report on the operations and progress of the program
55 to be delivered to the speaker of the house of representatives and the president pro tem of the
56 senate no later than January 1, 2007.

**Section 1. The department of higher education shall by rule ensure that resident
2 tuition continues to be available to the spouse and eligible dependents of any military
3 family who remain in Missouri after the military member has been reassigned or has died
4 or retired.**

**Section 2. 1. To facilitate the transfer of school-age student dependents of military
2 personnel to and from the public schools of this state, the state board of education shall
3 pursue reciprocity agreements with other states regarding the terms of those student
4 transfers.**

2. A reciprocity agreement may include procedures for:

6 (1) The timely transfer of student records;

7 (2) Awarding credit for completed course work;

**8 (3) Allowing a student to satisfy the graduation requirements of this state through
9 successful completion of comparable courses in another state; and**

**10 (4) Allowing a student to satisfy the requirements of any exit assessments through
11 successful performance on comparable exit-level or standard assessments administered in
12 another state.**

**Section 3. The department of elementary and secondary education shall facilitate
2 the development and implementation of memoranda of agreement between school districts
3 and military installations which address strategies for assisting students who are the
4 children of active duty military personnel in transition to Missouri schools.**

Section 4. If a student is a dependent of a member of the United States military, was
2 **previously enrolled in high school in this state, does not reside in this state due to a military**
3 **deployment or transfer, has not graduated from high school, and is otherwise eligible to**
4 **enroll in a public school in this state, the student is eligible to enroll full-time in courses**
5 **provided through the state virtual school under section 161.670, RSMo.**

Section 5. A governing board of a school district may undertake any or all of the
2 **following in order to properly address the needs of military dependents, when the parent**
3 **or legal guardian of the military dependent is serving on active duty or has been**
4 **discharged from military service within the last year and the transfer of the military**
5 **dependent to a new school is the direct result of a military transfer or discharge of the**
6 **parent or legal guardian of the dependent:**

7 **(1) Establish a course credit transfer policy for school-age military dependents**
8 **under which the military dependents would still substantially meet the graduation**
9 **requirements prescribed by the governing board. A school district may require a military**
10 **dependent, within reason, to meet the graduation requirements of the district, that are in**
11 **addition to state graduation requirements;**

12 **(2) Provide early transcript evaluation, pupil support services, and other similar**
13 **assistance to aid school-age military dependents in meeting graduation requirements.**

Section B. Because immediate action is necessary in order for school districts to
2 **implement these changes prior to the 2008-2009 school year the repeal and reenactment of**
3 **sections 160.053, 168.021, and 170.011 and the enactment of sections 173.238, 1, 2, 3, 4, and**
4 **5 of section A of this act is deemed necessary for the immediate preservation of the public health,**
5 **welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of**
6 **the constitution, and the repeal and reenactment of sections 160.053, 168.021, and 170.011 and**
7 **the enactment of sections 173.238, 1, 2, 3, 4, and 5 of section A of this act shall be in full force**
8 **and effect upon its passage and approval.**

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