



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 1869		DATE: 2/10/2026
COMMITTEE: Veterans and Armed Forces		
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL:	ATTENDANCE: In-Person	SUBMIT DATE: 2/10/2026 11:27 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

I am Opposed to this Bill. This Reset and Repair should be done by Cemeteries with Preputial Maintenance Funds or Federal or State Cemeteries.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: SARAH BERRY		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/6/2026 12:09 PM

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1. Public funds ? private benefit problem

This bill authorizes direct grants to individual family members, not to cemeteries, nonprofits, or public entities. That matters.

Missouri’s Constitution allows public spending only for a public purpose.

While honoring veterans is UNQUESTIONABLY important, private grave markers on private cemetery plots create a gray zone courts do scrutinize.

This is not about disrespect — it’s about HOW the money is structured.

2. First-come, first-served = inequitable & legally vulnerable

Grant programs distributing limited public funds on a first-come basis routinely draw criticism for:
 disadvantaging rural families
 disadvantaging elderly survivors
 rewarding speed, not need or severity of damage

This is exactly the kind of design choice auditors flag.

3. No cost caps, no repair standards, no verification mechanism

The bill does not:
 cap per-marker spending
 require licensed monument contractors
 require inspection or verification post-repair
 require reimbursement vs. upfront grants

That’s a textbook audit finding waiting to happen.

4. Trust fund + non-reversion clause

Section 5 explicitly prevents unused funds from reverting to General Revenue.

**That's legal — but it also:
reduces legislative oversight
creates a permanently parked fund
increases pressure to “spend it because it's there”**

5. Rulemaking nonseverability clause

This clause nukes the entire program if rule-review authority is later ruled unconstitutional.

That's a policy fragility problem — families could rely on a benefit that disappears overnight due to unrelated litigation.

Footnotes:

Missouri Constitution, Article III, Section 36

Prohibits the granting of public money to private individuals absent a clearly defined public purpose with sufficient safeguards.

Missouri Constitution, Article III, Section 37

Bars special laws where a general law could apply — relevant where grants benefit individual private parties without neutral, statewide criteria beyond “first come.”

Missouri State Auditor Authority — §§ 29.200–29.230, RSMo

Requires accountability, documentation, and auditability of public funds distributed through grant programs.

Chapter 536, RSMo (Administrative Procedure & Review)

The bill's nonseverability clause creates legal instability and risks total program invalidation based on unrelated constitutional challenges.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: PAUL KIRCHHOFF		PHONE NUMBER: 573-751-4063	
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