

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 2062 & 1518
94TH GENERAL ASSEMBLY

Reported from the Committee on Pensions, Veterans' Affairs and General Laws, May 12, 2008, with recommendation that the Senate Committee Substitute do pass.

4411S.06C

TERRY L. SPIELER, Secretary.

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 sixteen 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Section A. Sections 41.1010, 42.007, 115.277, 160.053, 168.021, 170.011, 2 and 620.515, RSMo, are repealed and sixteen new sections enacted in lieu thereof, 3 to be known as sections 41.1010, 42.007, 115.277, 135.555, 160.053, 168.021, 4 170.011, 173.234, 620.515, 1, 2, 3, 4, 5, 6, and 7, to read as follows:

41.1010. 1. There is hereby established the "Missouri Military 2 Preparedness and Enhancement Commission". The commission shall have as its 3 purpose the design and implementation of measures intended to protect, retain, 4 and enhance the present and future mission capabilities at the military posts or 5 bases within the state. The commission shall consist 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 8 speaker of the house of representatives, and one appointed by the minority floor 9 leader;

10 (3) Two members of the senate, one appointed by the president pro 11 tempore, and one appointed by the minority floor leader;

12 (4) The director of the department of economic development or the 13 director's designee, ex officio;

14 (5) **The chairman of the Missouri veterans' commission or the**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

15 chairman's designee, ex officio.

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

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

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

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

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

36 6. The commission shall:

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

39 (2) Make recommendations regarding:

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

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

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

50 (3) Provide information to communities, the general assembly, the state's

51 congressional delegation, and state agencies regarding federal actions affecting
52 military installations and missions;

53 (4) Serve as a clearinghouse for:

54 (a) Defense economic adjustment and transition information and
55 activities; and

56 (b) Information concerning the following:

57 a. Issues related to the operating costs, missions, and strategic value of
58 federal military installations located in the state;

59 b. Employment issues for communities that depend on defense bases and
60 in defense-related businesses; and

61 c. Defense strategies and incentive programs that other states are using
62 to maintain, expand, and attract new defense contractors;

63 (5) Provide assistance to communities that have experienced a
64 defense-related closure or realignment;

65 (6) Assist communities in the design and execution of programs that
66 enhance a community's relationship with military installations and
67 defense-related businesses, including regional alliances that may extend over
68 state lines;

69 (7) Assist communities in the retention and recruiting of defense-related
70 businesses, including fostering strategic regional alliances that may extend over
71 state lines;

72 (8) Prepare a biennial strategic plan that:

73 (a) Fosters the enhancement of military value of the contributions of
74 Missouri military installations to national defense strategies;

75 (b) Considers all current and anticipated base realignment and closure
76 criteria; and

77 (c) Develops strategies to protect the state's existing military missions and
78 positions the state to be competitive for new and expanded military missions;

79 (9) Encourage economic development in this state by fostering the
80 development of industries related to defense affairs.

81 7. The commission shall prepare and present an annual report to the
82 governor and the general assembly by December thirty-first of each year.

83 8. The department of economic development shall furnish administrative
84 support and staff for the effective operation of the commission.

42.007. 1. There is hereby established within the department of public
2 safety the "Missouri Veterans' Commission", such commission to be a type III

3 agency within the department of public safety under the Omnibus State
4 Reorganization Act of 1974. All duties and activities carried on by the division
5 of veterans' affairs on August 28, 1989, shall be vested in such commission as
6 provided by the Omnibus Reorganization Act of 1974.

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

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

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

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

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

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

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

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

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

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

64 (7) Establish, maintain and operate offices throughout this state as
65 necessary to carry out the purposes of sections 42.002 to 42.135 and section
66 143.1001, RSMo;

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

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

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

5 due to:

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

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

11 (3) Religious belief or practice;

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

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

16 2. Any person in federal service, as defined in section 115.275, who is
17 eligible to register and vote **in any election** in this state [but is not registered]
18 may vote [only in the election of presidential and vice presidential electors,
19 United States senator and representative in Congress even though] **in the**
20 **election even if** the person is not registered. Each person in federal service
21 may vote by absentee ballot or, upon submitting an affidavit that the person is
22 qualified to vote in the election, may vote at the person's polling place.

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

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

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

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

2 (1) **"Contribution", a donation of cash, stock, bonds, or other**
3 **marketable securities, body armor, armor plating for military vehicles,**
4 **or materials consumed in the process of manufacturing body armor**
5 **used by members of the United States armed forces or armor plating**
6 **used on military vehicles of such forces, for the purpose of providing**
7 **protection for members of the armed forces of the United States of**

8 America;

9 (2) "Director", the director of the department of revenue;

10 (3) "State tax liability", in the case of an individual taxpayer, any
11 liability incurred by such taxpayer pursuant to the provisions of
12 chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo, and
13 related provisions;

14 (4) "Taxpayer", an individual subject to the state income tax
15 imposed by the provisions of chapter 143, RSMo.

16 2. For all tax years beginning on or after January 1, 2008, a
17 taxpayer shall be allowed to claim a tax credit against the taxpayer's
18 state tax liability in an amount equal to one hundred percent of the
19 amount of such taxpayer's contribution, not to exceed one thousand
20 dollars. In order to claim the credit provided under this section, a
21 taxpayer shall attach an affidavit signed by such taxpayer stating the
22 amount or value of the contribution, the date of contribution, and the
23 entity or individual receiving the contribution.

24 3. The amount of the tax credit claimed shall not exceed the
25 amount of the taxpayer's state tax liability for the taxable year for
26 which the credit is claimed, however, any tax credit that cannot be
27 claimed in the taxable year the contribution was made may be carried
28 over to the next five succeeding taxable years until the full credit has
29 been claimed.

30 4. The cumulative amount of tax credits which may be claimed,
31 under this section, by all taxpayers making contributions in any one
32 fiscal year shall not exceed two million dollars. Tax credits shall be
33 issued in the order contributions are received.

34 5. The department shall promulgate rules and regulations
35 necessary for the implementation of the provisions of this section. Any
36 rule or portion of a rule, as that term is defined in section 536.010,
37 RSMo, that is created under the authority delegated in this section
38 shall become effective only if it complies with and is subject to all of
39 the provisions of chapter 536, RSMo, and, if applicable, section 536.028,
40 RSMo. This section and chapter 536, RSMo, are nonseverable and if any
41 of the powers vested with the general assembly pursuant to chapter
42 536, RSMo, to review, to delay the effective date, or to disapprove and
43 annul a rule are subsequently held unconstitutional, then the grant of
44 rulemaking authority and any rule proposed or adopted after August

45 28, 2008, shall be invalid and void.

46 6. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

47 (1) Any new program authorized under this section shall
48 automatically sunset six years after August 28, 2008, unless
49 reauthorized by an act of the general assembly; and

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

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

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

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

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

24 4. The provisions of this section relating to kindergarten instruction and
25 state aid therefor, shall not apply during any particular school year to those

26 districts which do not provide kindergarten classes that year.

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

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

21 (a) Recommendation of a state-approved baccalaureate-level teacher
22 preparation program;

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

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

31 2. All valid teaching certificates issued pursuant to law or state board
32 policies and regulations prior to September 1, 1988, shall be exempt from the
33 professional development requirements of this section and shall continue in effect
34 until they expire, are revoked or suspended, as provided by law. When such
35 certificates are required to be renewed, the state board or its designee shall grant

36 to each holder of such a certificate the certificate most nearly equivalent to the
37 one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or
38 continuous professional certificate shall, upon expiration of his or her current
39 certificate, be issued the appropriate level of certificate based upon the
40 classification system established pursuant to subsection 3 of this section.

41 3. Certificates of license to teach in the public schools of the state shall
42 be based upon minimum requirements prescribed by the state board of
43 education. The state board shall provide for the following levels of professional
44 certification: an initial professional certificate and a career continuous
45 professional certificate.

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

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

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

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

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

60 (b) The career continuous professional certificate shall be continuous
61 based upon verification of actual employment in an educational position as
62 provided for in state board guidelines and completion of fifteen contact hours of
63 professional development per year which may include hours spent in class in an
64 appropriate college curriculum. Should the possessor of a valid career continuous
65 professional certificate fail, in any given year, to meet the fifteen-hour
66 professional development requirement, the possessor may, within two years, make
67 up the missing hours. In order to make up for missing hours, the possessor shall
68 first complete the fifteen-hour requirement for the current year and then may
69 count hours in excess of the current year requirement as make-up hours. Should
70 the possessor fail to make up the missing hours within two years, the certificate
71 shall become inactive. In order to reactivate the certificate, the possessor shall

72 complete twenty-four contact hours of professional development which may
73 include hours spent in the classroom in an appropriate college curriculum within
74 the six months prior to or after reactivating his or her certificate. The
75 requirements of this paragraph shall be monitored and verified by the local school
76 district which employs the holder of the career continuous professional certificate.

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

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

83 b. Possesses a master's degree; or

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

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

94 5. The state board shall, upon an appropriate background check, issue a
95 professional certificate classification in the areas most closely aligned with an
96 applicant's current areas of certification, commensurate with the years of
97 teaching experience of the applicant, to any person who is hired to teach in a
98 public school in this state and who possesses a valid teaching certificate from
99 another state, provided that the certificate holder shall annually complete the
100 state board's requirements for such level of certification, and shall establish
101 policies by which residents of states other than the state of Missouri may be
102 assessed a fee for a certificate license to teach in the public schools of
103 Missouri. Such fee shall be in an amount sufficient to recover any or all costs
104 associated with the issuing of a certificate of license to teach. **The board shall**
105 **additionally promulgate a rule to permit the issuance of a provisional**
106 **certificate of license permitting the holder to assume classroom duties**
107 **pending the completion of a background check conducted under section**

108 **168.133 when the applicant is the spouse of a member of the United**
109 **States armed forces stationed in Missouri who has relocated from**
110 **another state within one year from the date of application for Missouri**
111 **certificate of license, who otherwise qualifies under the provisions of**
112 **this subsection, if a background check was required for the issuance of**
113 **the teaching certificate from another state.**

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

120 7. Any member of the public school retirement system of Missouri who
121 entered covered employment with ten or more years of educational experience in
122 another state or states and held a certificate issued by another state and
123 subsequently worked in a school district covered by the public school retirement
124 system of Missouri for ten or more years who later became certificated in
125 Missouri shall have that certificate dated back to his or her original date of
126 employment in a Missouri public school.

170.011. 1. Regular courses of instruction in the Constitution of the
2 United States and of the state of Missouri and in American history and
3 institutions shall be given in all public and private schools in the state of
4 Missouri, except privately operated trade schools, and shall begin not later than
5 the seventh grade and continue in high school to an extent determined by the
6 state commissioner of education, and shall continue in college and university
7 courses to an extent determined by the state commissioner of higher education.
8 In the 1990-91 school year and each year thereafter, local school districts
9 maintaining high schools shall comply with the provisions of this section by
10 offering in grade nine, ten, eleven, or twelve a course of instruction in the
11 institutions, branches and functions of the government of the state of Missouri,
12 including local governments, and of the government of the United States, and in
13 the electoral process. A local school district maintaining such a high school shall
14 require that prior to the completion of the twelfth grade each pupil, who receives
15 a high school diploma or certificate of graduation on or after January 1, 1994,
16 shall satisfactorily complete such a course of study. Such course shall be of at
17 least one semester in length and may be two semesters in length. The

18 department of elementary and secondary education may provide assistance in
19 developing such a course if the district requests assistance. **A school district**
20 **may elect to waive the requirements of this subsection for any student**
21 **who transfers from outside the state to a Missouri high school if the**
22 **student can furnish documentation deemed acceptable by the school**
23 **district of the student's successful completion in any year from the**
24 **ninth through the twelfth grade of a course of instruction in the**
25 **institutions, branches, and functions of state government, including**
26 **local governments, and of the government of the United States, and in**
27 **the electoral process.**

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

32 3. No pupil shall receive a certificate of graduation from any public or
33 private school other than private trade schools unless he has satisfactorily passed
34 an examination on the provisions and principles of the Constitution of the United
35 States and of the state of Missouri, and in American history and American
36 institutions. **A school district may elect to waive the requirements of**
37 **this subsection for any student who transfers from outside the state to**
38 **a Missouri high school if the student can furnish documentation**
39 **deemed acceptable by the school district of the student's successful**
40 **completion in any year from the ninth through the twelfth grade of a**
41 **course of instruction in the institutions, branches, and functions of**
42 **state government, including local governments, and of the government**
43 **of the United States, and in the electoral process.** A student of a college
44 or university, who, after having completed a course of instruction prescribed in
45 this section and successfully passed an examination on the United States
46 Constitution, and in American history and American institutions required hereby,
47 transfers to another college or university, is not required to complete another
48 such course or pass another such examination as a condition precedent to his
49 graduation from the college or university.

50 4. In the 1990-91 school year and each year thereafter, each school district
51 maintaining a high school may annually nominate to the state board of education
52 a student who has demonstrated knowledge of the principles of government and
53 citizenship through academic achievement, participation in extracurricular

54 activities, and service to the community. Annually, the state board of education
55 shall select fifteen students from those nominated by the local school districts and
56 shall recognize and award them for their academic achievement, participation and
57 service.

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

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

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

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

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

4 (2) "Eligible student", the natural, adopted, or stepchild of a
5 qualifying military member, who is less than twenty-five years of age
6 and who was a dependent of a qualifying military member at the time
7 of death or injury, or the spouse of a qualifying member who is less
8 than forty-five years of age;

9 (3) "Grant", the military member survivor grant as established by
10 this section;

11 (4) "Qualifying institution", any approved Missouri public or
12 private institution of postsecondary education as defined in section
13 173.1102;

14 (5) "Qualifying military member", any member of the military of
15 the United States, whether active duty, reserve, or national guard, who
16 served in the military after September 11, 2001, during a time of war
17 and for whom the following criteria apply:

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

20 (b) The veteran died as a result of combat action or the veteran's
21 death was certified by the Veterans Administration medical authority

22 to be attributable to an illness or accident that occurred while serving
23 in combat, or who became eighty percent disabled as a result of injuries
24 or accidents sustained in combat action after September 11, 2001, and
25 who was at the time of death or injury a citizen of the state of Missouri;

26 (6) "Tuition", any tuition or incidental fee or both charged by a
27 qualifying institution for attendance at the institution by an eligible
28 student. The tuition grant shall not exceed the amount of tuition
29 charged a Missouri resident at the University of Missouri-Columbia for
30 attendance.

31 2. Within the limits of the amounts appropriated therefor, the
32 coordinating board for higher education shall award annually up to
33 twenty-five grants to survivors of war veterans to attend institutions
34 of postsecondary education in this state, which shall continue to be
35 awarded annually to eligible recipients as long as certain standards of
36 academic performance, as determined by the coordinating board for
37 higher education, continue to be achieved. If the waiting list of eligible
38 survivors exceeds fifty, the coordinating board may request the general
39 assembly to increase the limitation on the number of grants authorized
40 under this section. If the limitation on the number of grants under this
41 section is not increased, the eligibility of survivors on the waiting list
42 shall be extended.

43 3. An eligible student may receive a grant under this section only
44 so long as the eligible student is enrolled in a program leading to a
45 certificate, or an associate or baccalaureate degree in a qualifying
46 institution. In no event shall the eligible student receive a grant
47 beyond the completion of the first baccalaureate degree. No eligible
48 student shall receive more than one hundred percent of tuition when
49 combined with similar funds made available to such eligible student.

50 4. The coordinating board for higher education shall:

51 (1) Promulgate all necessary rules for the implementation of this
52 section;

53 (2) Determine minimum standards of performance for a student
54 to remain eligible to receive a grant under this program;

55 (3) Make available on behalf of the eligible student an amount
56 toward the eligible student's tuition which is equal to the grant to
57 which the eligible student is entitled under the provisions of this
58 section;

59 (4) Provide the forms and determine the procedures necessary
60 for an eligible student to apply for and receive a grant under this
61 program.

62 5. An eligible student who is enrolled or has been accepted for
63 enrollment at a qualifying institution shall receive a tuition grant in an
64 amount not to exceed the actual tuition charged at the qualifying
65 institution where the eligible student is enrolled or accepted for
66 enrollment. In addition, such student shall receive an allowance of two
67 thousand dollars per semester for room and board, and an allowance
68 for the actual cost of books, up to five hundred dollars per semester.

69 6. An eligible student who is a recipient of a grant may transfer
70 from one qualifying institution to another without losing his or her
71 entitlement under this section. The board shall make necessary
72 adjustments in the amount of the grant. If a grant recipient at anytime
73 withdraws from a qualifying institution so that under the rules of such
74 institution the eligible student is entitled to a refund of any tuition,
75 fees, or other charges, the qualifying institution shall pay the portion
76 of the refund to which the student is entitled attributable to the grant
77 for that semester or similar grading period to the board.

78 7. If an eligible student is granted financial assistance under any
79 other student aid program, public or private, the full amount of such
80 aid shall be reported to the board by the qualifying institution and the
81 eligible student.

82 8. Nothing in this section shall be construed as a promise or
83 guarantee that a person will be admitted to a qualifying institution or
84 to a particular qualifying institution, will be allowed to continue to
85 attend a qualifying institution after having been admitted, or will be
86 graduated from a qualifying institution.

87 9. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

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

91 (2) If such program is reauthorized, the program authorized
92 under this section shall automatically sunset twelve years after the
93 effective date of the reauthorization of this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

38 (d) Vocational evaluation and vocational counseling to help the individual

- 39 choose a visible employment goal;
- 40 (e) Vocational training to acquire or upgrade skills needed to be
- 41 marketable in the workforce;
- 42 (f) Paid internships and subsidized employment to train on the job; and
- 43 (g) Job placement assistance for those who don't require skills training;
- 44 (3) The department shall ensure the eligible providers are:
- 45 (a) Community-based not-for-profit agencies which have significant
- 46 experience in job training, placement, and social services;
- 47 (b) Providers with extensive experience providing such services to
- 48 veterans and implementing contracts with veteran organizations such as the
- 49 department of veteran affairs;
- 50 (c) Providers which have attained the distinction of being accredited
- 51 through a national accreditation body for training and or human services;
- 52 (d) Providers which are able to provide a twenty percent match to the
- 53 program either through indirect or direct expenditures; and
- 54 (e) Providers with experience in the regions targeted for the program.
- 55 3. The department shall structure [the] **any** contract such that payment
- 56 will be based on delivering the services described in this section as well as
- 57 performance to guarantee the greatest possible effectiveness of the program.
- 58 4. Because of the important nature of this program to the health and
- 59 welfare of Missourians, this section shall become effective on July 1, 2006. The
- 60 department shall make every reasonable effort to ensure that the [guard] **hero**
- 61 at home program is serving families by August 1, 2006.
- 62 5. The department shall prepare a report on the operations and progress
- 63 of the program to be delivered to the speaker of the house of representatives and
- 64 the president pro tem of the senate no later than January 1, 2007.

Section 1. The department of higher education shall by rule

2 ensure that resident tuition continues to be available to the spouse and

3 eligible dependents of any military family who remain in Missouri after

4 the military member has been reassigned or has died or retired.

Section 2. 1. To facilitate the transfer of school-age student

2 dependents of military personnel to and from the public schools of this

3 state, the state board of education shall pursue reciprocity agreements

4 with other states regarding the terms of those student 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
9 this state through successful completion of comparable courses in
10 another state; and

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

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

Section 4. If a student is a dependent of a member of the United
2 States military, was previously enrolled in high school in this state,
3 does not reside in this state due to a military deployment or transfer,
4 has not graduated from high school, and is otherwise eligible to enroll
5 in a public school in this state, the student is eligible to enroll full-time
6 in courses provided through the state virtual school under section
7 161.670, RSMo.

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

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

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

Section 6. No student who transfers into a school as a result of

2 a relocation of the student's parent or guardian as a member of the
3 military shall be subject to exclusion from participation in school
4 activities based on the timing of the relocation and the student's
5 related entry date for the new school.

Section 7. Each board or commission under subsection 15 of
2 section 620.010, RSMo, shall have the authority to collect and analyze
3 information required to support workforce planning and policy
4 development.

Section B. Because immediate action is necessary in order for school
2 districts to implement these changes prior to the 2008-2009 school year the repeal
3 and reenactment of sections 160.053, 168.021, and 170.011 and the enactment of
4 sections 173.234, 1, 2, 3, 4, 5, and 6 of section A of this act is deemed necessary
5 for the immediate preservation of the public health, welfare, peace, and safety,
6 and is hereby declared to be an emergency act within the meaning of the
7 constitution, and the repeal and reenactment of sections 160.053, 168.021, and
8 170.011 and the enactment of sections 173.234, 1, 2, 3, 4, 5, and 6 of section A of
9 this act shall be in full force and effect upon its passage and approval.

Bill ✓

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