

SECOND REGULAR SESSION

# SENATE BILL NO. 1179

94TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR CROWELL.

Read 1st time February 25, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5295S.011

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## AN ACT

To repeal section 42.010, RSMo, and to enact in lieu thereof one new section relating to veterans' cemeteries.

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

Section A. Section 42.010, RSMo, is repealed and one new section enacted  
2 in lieu thereof, to be known as section 42.010, to read as follows:

42.010. 1. The Missouri veterans' commission shall apply to the federal  
2 government for grants to construct and maintain veterans' cemeteries in  
3 accordance with the federal aid program to states for the establishment,  
4 expansion and improvement of veterans' cemeteries, 38 U.S.C. 2408. If the  
5 federal agency approves an application for a grant and approves the acquisition  
6 of suitable real property for the establishment of a veterans' cemetery, subject to  
7 appropriation by the general assembly from the veterans' commission capital  
8 improvement trust fund established in section 313.835, RSMo, the Missouri  
9 veterans' commission shall establish veterans' cemeteries. Such cemeteries shall  
10 be solely for the burial of veterans and eligible dependents as defined by the  
11 Department of Veterans Affairs or a successor federal agency, and located as  
12 determined by the Missouri veterans' commission and as funds become available.

13 **2. The commission shall administer the provisions of this section**  
14 **and may promulgate rules and regulations necessary for such**  
15 **administration. Any rule or portion of a rule, as that term is defined**  
16 **in section 536.010, RSMo, that is created under the authority delegated**  
17 **in this section shall become effective only if it complies with and is**  
18 **subject to all of the provisions of chapter 536, RSMo, and, if applicable,**  
19 **section 536.028, RSMo. This section and chapter 536, RSMo, are**  
20 **nonseverable and if any of the powers vested with the general assembly**

21 pursuant to chapter 536, RSMo, to review, to delay the effective date,  
22 or to disapprove and annul a rule are subsequently held  
23 unconstitutional, then the grant of rulemaking authority and any rule  
24 proposed or adopted after August 28, 2008, shall be invalid and void.

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Unofficial

Bill

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