

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 583 & 645
89TH GENERAL ASSEMBLY

Reported from the Committee on Critical Issues, April 23, 1998, with recommendation that the House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 583 & 645 Do Pass.
ANNE C. WALKER, Chief Clerk
L2487.06C

AN ACT

Relating to the common language of the state.

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

Section 1. The general assembly recognizes that English is the most common language used in Missouri and recognizes that fluency in English is necessary for full integration into our common American culture.

Section 2. 1. The adult basic education programs administered by the department of elementary and secondary education shall include the provision of English language services to non-native speakers who need assistance in learning English.

2. The local entity designated by the department of elementary and secondary education to offer adult basic education shall seek the assistance of local political subdivisions, community-based agencies and organizations, migrant worker groups, refugee resettlement programs, schools, churches and others in making non-native speakers aware of the availability of English language services.

3. English language services provided through the adult basic education programs of the department of elementary and secondary education may include family and home-based curriculum and programs designed to enhance the English fluency of all family members and may include programs whereby family members teach each other the English language.

Section 3. 1. Subject to appropriation from general revenue, the department of elementary and secondary education shall provide grants to assist local public school districts, community-based organizations and nonprofit agencies, including resettlement programs, to provide instruction in the English language to individuals residing in the community or district who have language background other than English and who need assistance in learning English. Preference in grants shall be given to communities and districts demonstrating the most need.

2. Services provided through the grants authorized in this section shall be offered at times and locations designed to best assure access to the services and may include the provision of services at the individual's home, refugee resettlement center, community centers, adult basic education offices, schools, and other places where such individuals congregate.

3. An entity accepting a grant under this section shall not discriminate in the provision of English language services on the grounds of the individual's race, color, religion, gender, age or national origin. Such entity shall not discriminate against a child based upon the nature of the child's school. Any entity accepting a grant under this section may provide English language instruction to individuals of one specific language background.

4. As funds are appropriated by the Missouri general assembly, the department of elementary and secondary education shall implement classes for all age groups to assist individuals who are not proficient in the English language.

Section 4. Subject to appropriation from general revenue, the director of social services shall offer grants, on a competitive basis, to programs which are engaged in the resettling of refugees and legal immigrants for the purpose of arranging for day care, transportation or other services that will facilitate a refugee's or immigrant's accessing of English language services. The department of social services may promulgate rules to govern the grant program, pursuant to the provisions of chapter 536, RSMo. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated by the department of social services under the authority of this section, shall become effective only if the department has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.

Section 5. All wills and estates shall have an official English translation to ensure the accurate execution of such documents. If no such translation is provided at the time of probate, the court with jurisdiction shall make such arrangements as necessary to create an English translation. The reasonable costs associated with document translation shall be reimbursed from the estate or trust or both, as provided in the trust agreement, testamentary document, or as allocated by the court.