

# SENATE BILL NO. 1371

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BLACK.

5361S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 23.295, 30.756, 160.575, 170.012, 173.095, 173.100, 173.105, 173.110, 173.115, 173.120, 173.125, 173.130, 173.141, 173.150, 173.160, 173.170, 173.180, 173.186, 173.187, 173.236, 173.239, 173.262, 173.264, 173.265, 173.385, 173.475, 173.775, 173.778, 173.781, 173.784, 173.787, 173.790, 173.793, 173.796, 178.550, 178.585, 186.019, 288.040, 620.010, 620.484, 620.490, 620.511, 620.512, 620.513, 620.515, 620.552, 620.554, 620.556, 620.558, 620.560, 620.562, 620.564, 620.566, 620.568, 620.570, 620.572, 620.574, and 640.030, RSMo, and section 167.910 as enacted by house bill no. 1606, ninety-ninth general assembly, second regular session, and section 167.910 as enacted by house bill no. 1415, ninety-ninth general assembly, second regular session, and to enact in lieu thereof seventeen new sections relating to duties of the department of higher education and workforce development, with penalty provisions.

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

Section A. Sections 23.295, 30.756, 160.575, 170.012,  
2 173.095, 173.100, 173.105, 173.110, 173.115, 173.120, 173.125,  
3 173.130, 173.141, 173.150, 173.160, 173.170, 173.180, 173.186,  
4 173.187, 173.236, 173.239, 173.262, 173.264, 173.265, 173.385,  
5 173.475, 173.775, 173.778, 173.781, 173.784, 173.787, 173.790,  
6 173.793, 173.796, 178.550, 178.585, 186.019, 288.040, 620.010,  
7 620.484, 620.490, 620.511, 620.512, 620.513, 620.515, 620.552,  
8 620.554, 620.556, 620.558, 620.560, 620.562, 620.564, 620.566,  
9 620.568, 620.570, 620.572, 620.574, and 640.030, RSMo, and  
10 section 167.910 as enacted by house bill no. 1606, ninety-ninth

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

11 general assembly, second regular session, and section 167.910  
12 as enacted by house bill no. 1415, ninety-ninth general  
13 assembly, second regular session, are repealed and seventeen  
14 new sections enacted in lieu thereof, to be known as sections  
15 23.295, 30.756, 160.575, 173.239, 173.385, 173.2565, 173.2566,  
16 173.2570, 173.2571, 173.2572, 178.550, 178.585, 186.019,  
17 288.040, 620.010, 620.515, and 640.030, to read as follows:

23.295. If an employee is displaced because a program  
2 is sunset, reorganized, or continued, the state agency and  
3 the [division] **office** of workforce development in the  
4 department of [economic] **higher education and workforce**  
5 development shall make a reasonable effort to relocate the  
6 displaced employee.

30.756. 1. An eligible lending institution that  
2 desires to receive a linked deposit shall accept and review  
3 applications for linked deposit loans from eligible  
4 multitenant enterprises, eligible farming operations,  
5 eligible alternative energy consumers, eligible alternative  
6 energy operations, eligible locally owned businesses,  
7 eligible small businesses, eligible job enhancement  
8 businesses, eligible marketing enterprises, eligible  
9 agribusinesses, eligible beginning farmers, eligible  
10 livestock operations, eligible residential property  
11 developers, eligible residential property owners, eligible  
12 governmental entities, eligible student borrowers, eligible  
13 facility borrowers, and eligible water supply systems. An  
14 eligible residential property owner shall certify on his or  
15 her loan application that the reduced rate loan will be used  
16 exclusively to purchase, develop or rehabilitate a  
17 multifamily residential property. The lending institution  
18 shall apply all usual lending standards to determine the  
19 creditworthiness of each eligible multitenant enterprise,

20 eligible farming operation, eligible alternative energy  
21 operation, eligible alternative energy consumer, eligible  
22 locally owned business, eligible small business, eligible  
23 job enhancement business, eligible marketing enterprise,  
24 eligible residential property developer, eligible  
25 residential property owner, eligible governmental entities,  
26 eligible agribusiness, eligible beginning farmer, eligible  
27 livestock operation, eligible student borrower, eligible  
28 facility borrower, or eligible water supply system. No  
29 linked deposit loan made to any eligible multitenant  
30 development enterprise, eligible farming operation, eligible  
31 alternative energy operation, eligible alternative energy  
32 consumer, eligible locally owned business, eligible  
33 livestock operation, eligible agribusiness, eligible  
34 beginning farmer, eligible job enhancement business,  
35 eligible marketing enterprise, eligible residential property  
36 developer, eligible residential property owner, eligible  
37 governmental entity, eligible student borrower, eligible  
38 water supply system, or eligible small business shall exceed  
39 a dollar limit determined by the state treasurer in the  
40 state treasurer's best judgment, except as otherwise  
41 limited. Any link deposit loan made to an eligible facility  
42 borrower shall be in accordance with the loan amount and  
43 loan term requirements in section 30.860.

44       2. An eligible farming operation, small business or  
45 job enhancement business shall certify on its loan  
46 application that the reduced rate loan will be used  
47 exclusively for necessary production expenses or the  
48 expenses listed in subsection 2 of section 30.753 or the  
49 refinancing of an existing loan for production expenses or  
50 the expenses listed in subsection 2 of section 30.753 of an  
51 eligible farming operation, small business or job

52 enhancement business. Whoever knowingly makes a false  
53 statement concerning such application is guilty of a class A  
54 misdemeanor. An eligible water supply system shall certify  
55 on its loan application that the reduced rate loan shall be  
56 used exclusively to pay the costs of upgrading or repairing  
57 an existing water system, constructing a new water system,  
58 or making other capital improvements to a water system which  
59 are necessary to improve the service capacity of the system.

60 3. In considering which eligible farming operations  
61 should receive reduced-rate loans, the eligible lending  
62 institution shall give priority to those farming operations  
63 which have suffered reduced yields due to drought or other  
64 natural disasters and for which the receipt of a reduced-  
65 rate loan will make a significant contribution to the  
66 continued operation of the recipient farming operation.

67 4. In considering which eligible small businesses  
68 should receive reduced-rate loans, the eligible lending  
69 institution shall give priority to those small businesses  
70 that are owned by veterans.

71 5. The eligible financial institution shall forward to  
72 the state treasurer a linked deposit loan package, in the  
73 form and manner as prescribed by the state treasurer. The  
74 package shall include such information as required by the  
75 state treasurer, including the amount of each loan  
76 requested. The institution shall certify that each  
77 applicant is an eligible multitenant development enterprise,  
78 eligible farming operation, eligible alternative energy  
79 operation, eligible alternative energy consumer, eligible  
80 locally owned business, eligible small business, eligible  
81 job enhancement business, eligible marketing enterprise,  
82 eligible residential property developer, eligible  
83 residential property owner, eligible governmental entity,

84 eligible agribusiness, eligible beginning farmer, eligible  
85 livestock operation, eligible student borrower, eligible  
86 facility borrower, or eligible water supply system, and  
87 shall, for each eligible multitenant development enterprise,  
88 eligible farming operation, eligible alternative energy  
89 operation, eligible alternative energy consumer, eligible  
90 small business, eligible job enhancement business, eligible  
91 marketing enterprise, eligible residential property  
92 developer, eligible residential property owner, eligible  
93 governmental entity, eligible agribusiness, eligible  
94 beginning farmer, eligible livestock operation, eligible  
95 student borrower, eligible facility borrower, or eligible  
96 water supply system, certify the present borrowing rate  
97 applicable.

98         6. The eligible lending institution shall be  
99 responsible for determining if a student borrower is an  
100 eligible student borrower. A student borrower shall be  
101 eligible for an initial or renewal reduced-rate loan only  
102 if, at the time of the application for the loan, the student  
103 is a citizen or permanent resident of the United States, a  
104 resident of the state of Missouri as defined by the  
105 coordinating board for higher education, is enrolled or has  
106 been accepted for enrollment in an eligible higher education  
107 institution, and establishes that the student has financial  
108 need. In considering which eligible student borrowers may  
109 receive reduced-rate loans, the eligible lending institution  
110 may give priority to those eligible student borrowers whose  
111 income, or whose family income, if the eligible student  
112 borrower is a dependent, is such that the eligible student  
113 borrower does not qualify for need-based student financial  
114 aid pursuant to 20 U.S.C. Section 1078, as amended (the  
115 Higher Education Amendments of 1986). The eligible lending

116 institution shall require the eligible student borrower to  
117 document that the student has applied for and has obtained  
118 all need-based student financial aid for which the student  
119 is eligible prior to application for a reduced-rate loan  
120 pursuant to this section. In no case shall the combination  
121 of all financial aid awarded to any student in any  
122 particular enrollment period exceed the total cost of  
123 attendance at the institution in which the student is  
124 enrolled. No eligible lending institution shall charge any  
125 additional fees, including but not limited to an  
126 origination, service or insurance fee on any loan agreement  
127 under the provisions of sections 30.750 to 30.765.

128 7. The eligible lending institution making an initial  
129 loan to an eligible student borrower may make a renewal loan  
130 or loans to the student. The total of such reduced-rate  
131 loans from eligible lending institutions made pursuant to  
132 this section to any individual student shall not exceed the  
133 cumulative totals established by 20 U.S.C. Section 1078, as  
134 amended. An eligible student borrower shall certify on his  
135 or her loan application that the reduced-rate loan shall be  
136 used exclusively to pay the costs of tuition, incidental  
137 fees, books and academic supplies, room and board and other  
138 fees directly related to enrollment in an eligible higher  
139 education institution. The eligible lending institution  
140 shall make the loan payable to the eligible student borrower  
141 and the eligible higher education institution as co-payees.  
142 [The method of repayment of the loan shall be the same as  
143 for repayment of loans made pursuant to sections 173.095 to  
144 173.186.]

145 8. Beginning August 28, 2005, in considering which  
146 eligible multitenant enterprise, eligible farming operation,  
147 eligible alternative energy operation, eligible alternative

148 energy consumer, eligible locally owned business, eligible  
149 small business, eligible job enhancement business, eligible  
150 marketing enterprise, eligible residential property  
151 developer, eligible residential property owner, eligible  
152 governmental entity, eligible agribusiness, eligible  
153 beginning farmer, eligible livestock operation, eligible  
154 student borrower, eligible facility borrower, or eligible  
155 water supply system should receive reduced-rate loans, the  
156 eligible lending institution shall give priority to an  
157 eligible multitenant enterprise, eligible farming operation,  
158 eligible alternative energy operation, eligible alternative  
159 energy consumer, eligible locally owned business, eligible  
160 small business, eligible job enhancement business, eligible  
161 marketing enterprise, eligible residential property  
162 developer, eligible residential property owner, eligible  
163 governmental entity, eligible agribusiness, eligible  
164 beginning farmer, eligible livestock operation, eligible  
165 student borrower, eligible facility borrower, or eligible  
166 water supply system that has not previously received a  
167 reduced-rate loan through the linked deposit program.  
168 However, nothing shall prohibit an eligible lending  
169 institution from making a reduced-rate loan to any entity  
170 that previously has received such a loan, if such entity  
171 otherwise qualifies for such a reduced-rate loan.

160.575. 1. The department of elementary and  
2 secondary education shall develop a "ready to work"  
3 endorsement program that enables high schools to endorse a  
4 certificate for students who meet certain standards that  
5 demonstrate that such students are deemed ready to work.  
6 The program shall be available no later than June 30, 2007.

7 2. The program shall include, but not be limited to,  
8 the following:

9 (1) Voluntary participation by high school seniors who  
10 choose to participate;

11 (2) Academic components;

12 (3) Work readiness components;

13 (4) Assessment tools and techniques for a third-party,  
14 independent, and objective assessment and endorsement of  
15 individual student achievement through an existing workforce  
16 investment service delivery system; and

17 (5) An easily identifiable guarantee to potential  
18 employers that the entry-level employee is ready to work.

19 3. In developing such standards, the department shall  
20 involve representatives of the [division] **office** of  
21 workforce development **in the department of higher education**  
22 **and workforce development**, employers, students, career  
23 center providers, local workforce investment boards, and  
24 school district personnel.

[167.910. 1. There is hereby established  
2 the "Career Readiness Course Task Force" to  
3 explore the possibility of a course covering the  
4 topics described in this section being offered  
5 in the public schools to students in eighth  
6 grade or ninth grade. Task force members shall  
7 be chosen to represent the geographic diversity  
8 of the state. All task force members shall be  
9 appointed before October 31, 2018. The task  
10 force members shall be appointed as follows:

11 (1) A parent of a student attending  
12 elementary school, appointed by the joint  
13 committee on education;

14 (2) A parent of a student attending a  
15 grade not lower than the sixth nor higher than  
16 the eighth grade, appointed by the joint  
17 committee on education;

18 (3) A parent of a student attending high  
19 school, appointed by the joint committee on  
20 education;



21 (4) An elementary education professional  
22 from an accredited school district, appointed by  
23 the joint committee on education from names  
24 submitted by statewide education employee  
25 organizations;

26 (5) Two education professionals giving  
27 instruction in a grade or grades not lower than  
28 the sixth nor higher than the eighth grade in  
29 accredited school districts, appointed by the  
30 joint committee on education from names  
31 submitted by statewide education employee  
32 organizations;

33 (6) Two secondary education professionals  
34 from accredited school districts, appointed by  
35 the joint committee on education from names  
36 submitted by statewide education employee  
37 organizations;

38 (7) A career and technical education  
39 professional who has experience serving as an  
40 advisor to a statewide career and technical  
41 education organization, appointed by a statewide  
42 career and technical education organization;

43 (8) An education professional from an  
44 accredited technical high school, appointed by a  
45 statewide career and technical education  
46 organization;

47 (9) A public school board member,  
48 appointed by a statewide association of school  
49 boards;

50 (10) A secondary school principal,  
51 appointed by a statewide association of  
52 secondary school principals;

53 (11) A principal of a school giving  
54 instruction in a grade or grades not lower than  
55 the sixth nor higher than the eighth grade,  
56 appointed by a statewide association of  
57 secondary school principals;

58 (12) An elementary school counselor,  
59 appointed by a statewide association of school  
60 counselors;

61 (13) Two school counselors from a school  
62 giving instruction in a grade or grades not  
63 lower than the sixth nor higher than the eighth

64 grade, appointed by a statewide association of  
65 school counselors;

66 (14) A secondary school counselor,  
67 appointed by a statewide association of school  
68 counselors;

69 (15) A secondary school career and college  
70 counselor, appointed by a statewide association  
71 of school counselors;

72 (16) An apprenticeship professional,  
73 appointed by the division of workforce  
74 development of economic development;

75 (17) A representative of Missouri Project  
76 Lead the Way, appointed by the statewide Project  
77 Lead the Way organization;

78 (18) A representative of the state  
79 technical college, appointed by the state  
80 technical college;

81 (19) A representative of a public  
82 community college, appointed by a statewide  
83 organization of community colleges; and

84 (20) A representative of a public four-  
85 year institution of higher education, appointed  
86 by the commissioner of higher education.

87 2. The members of the task force  
88 established under subsection 1 of this section  
89 shall elect a chair from among the membership of  
90 the task force. The task force shall meet as  
91 needed to complete its consideration of the  
92 course described in subsection 5 of this section  
93 and provide its findings and recommendations as  
94 described in subsection 6 of this section.  
95 Members of the task force shall serve without  
96 compensation. No school district policy or  
97 administrative action shall require any  
98 education employee member to use personal leave  
99 or incur a reduction in pay for participating on  
100 the task force.

101 3. The task force shall hold at least  
102 three public hearings to provide an opportunity  
103 to receive public testimony including, but not  
104 limited to, testimony from educators, local  
105 school boards, parents, representatives from  
106 business and industry, labor and community

107 leaders, members of the general assembly, and  
108 the general public.

109 4. The department of elementary and  
110 secondary education shall provide such legal,  
111 research, clerical, and technical services as  
112 the task force may require in the performance of  
113 its duties.

114 5. The task force established under  
115 subsection 1 of this section shall consider a  
116 course that:

117 (1) Gives students an opportunity to  
118 explore various career and educational  
119 opportunities by:

120 (a) Administering career surveys to  
121 students and helping students use Missouri  
122 Connections to determine their career interests  
123 and develop plans to meet their career goals;

124 (b) Explaining the differences between  
125 types of colleges, including two-year and four-  
126 year colleges and noting the availability of  
127 registered apprenticeship programs as  
128 alternatives to college for students;

129 (c) Describing technical degrees offered  
130 by colleges;

131 (d) Explaining the courses and educational  
132 experiences offered at community colleges;

133 (e) Describing the various certificates  
134 and credentials available to earn at the school  
135 or other schools including, but not limited to,  
136 career and technical education certificates  
137 described under section 170.029 and industry-  
138 recognized certificates and credentials;

139 (f) Advising students of any advanced  
140 placement courses that they may take at the  
141 school;

142 (g) Describing any opportunities at the  
143 school for dual enrollment;

144 (h) Advising students of any Project Lead  
145 the Way courses offered at the school and  
146 explaining how Project Lead the Way courses help  
147 students learn valuable skills;

148 (i) Informing students of the availability  
149 of funding for postsecondary education through

150 the A+ schools program described under section  
151 160.545;

152 (j) Describing the availability of virtual  
153 courses;

154 (k) Describing the types of skills and  
155 occupations most in demand in the current job  
156 market and those skills and occupations likely  
157 to be in high demand in future years;

158 (l) Describing the typical salaries for  
159 occupations, salary trends, and opportunities  
160 for advancement in various occupations;

161 (m) Emphasizing the opportunities  
162 available in careers involving science,  
163 technology, engineering, and math;

164 (n) Advising students of the resources  
165 offered by workforce or job centers;

166 (o) Preparing students for the ACT  
167 assessment or the ACT WorkKeys assessments  
168 required for the National Career Readiness  
169 Certificate;

170 (p) Administering a practice ACT  
171 assessment or practice ACT WorkKeys assessments  
172 required for the National Career Readiness  
173 Certificate to students;

174 (q) Advising students of opportunities to  
175 take the SAT and the Armed Services Vocational  
176 Aptitude Battery;

177 (r) Administering a basic math test to  
178 students so that they can assess their math  
179 skills;

180 (s) Administering a basic writing test to  
181 students so that they can assess their writing  
182 skills;

183 (t) Helping each student prepare a  
184 personal plan of study that outlines a sequence  
185 of courses and experiences that concludes with  
186 the student reaching his or her postsecondary  
187 goals; and

188 (u) Explaining how to complete college  
189 applications and the Free Application for  
190 Federal Student Aid;

191 (2) Focuses on career readiness and  
192 emphasizes the importance of work ethic,

193 communication, collaboration, critical thinking,  
194 and creativity;

195 (3) Demonstrates that graduation from a  
196 four-year college is not the only pathway to  
197 success by describing to students at least  
198 sixteen pathways to success in detail and  
199 including guest visitors who represent each  
200 pathway described. In exploring how these  
201 pathways could be covered in the course, the  
202 task force shall consider how instructors for  
203 the course may be able to rely on assistance  
204 from Missouri's career pathways within the  
205 department of elementary and secondary education;

206 (4) Provides student loan counseling; and

207 (5) May include parent-student meetings.

208 6. Before December 1, 2019, the task force  
209 established under subsection 1 of this section  
210 shall present its findings and recommendations  
211 to the speaker of the house of representatives,  
212 the president pro tempore of the senate, the  
213 joint committee on education, and the state  
214 board of education. Upon presenting the  
215 findings and recommendations as described in  
216 this subsection, the task force shall dissolve.]

[167.910. 1. There is hereby established  
2 the "Career Readiness Course Task Force" to  
3 explore the possibility of a course covering the  
4 topics described in this section being offered  
5 in the public schools to students in eighth  
6 grade or ninth grade. Task force members shall  
7 be chosen to represent the geographic diversity  
8 of the state. All task force members shall be  
9 appointed before October 31, 2018. The task  
10 force members shall be appointed as follows:

11 (1) A parent of a student attending  
12 elementary school, appointed by a statewide  
13 association of parents and teachers;

14 (2) A parent of a student attending a  
15 grade not lower than the sixth nor higher than  
16 the eighth grade, appointed by a statewide  
17 association of parents and teachers;

- 18 (3) A parent of a student attending high  
19 school, appointed by a statewide association of  
20 parents and teachers;
- 21 (4) An elementary education professional  
22 from an accredited school district, appointed by  
23 agreement among the Missouri State Teachers  
24 Association, the Missouri National Education  
25 Association, and the American Federation of  
26 Teachers of Missouri;
- 27 (5) An education professional giving  
28 instruction in a grade or grades not lower than  
29 the sixth nor higher than the eighth grade in an  
30 accredited school district, appointed by  
31 agreement among the Missouri State Teachers  
32 Association, the Missouri National Education  
33 Association, and the American Federation of  
34 Teachers of Missouri;
- 35 (6) A secondary education professional  
36 from an accredited school district, appointed by  
37 agreement among the Missouri State Teachers  
38 Association, the Missouri National Education  
39 Association, and the American Federation of  
40 Teachers of Missouri;
- 41 (7) A career and technical education  
42 professional who has experience serving as an  
43 advisor to a statewide career and technical  
44 education organization, appointed by a statewide  
45 career and technical education organization;
- 46 (8) An education professional from an  
47 accredited technical high school, appointed by a  
48 statewide career and technical education  
49 organization;
- 50 (9) A public school board member,  
51 appointed by a statewide association of school  
52 boards;
- 53 (10) A secondary school principal,  
54 appointed by a statewide association of  
55 secondary school principals;
- 56 (11) A principal of a school giving  
57 instruction in a grade or grades not lower than  
58 the sixth nor higher than the eighth grade,  
59 appointed by a statewide association of  
60 secondary school principals;

61 (12) An elementary school counselor,  
62 appointed by a statewide association of school  
63 counselors;

64 (13) A school counselor from a school  
65 giving instruction in a grade or grades not  
66 lower than the sixth nor higher than the eighth  
67 grade, appointed by a statewide association of  
68 school counselors;

69 (14) A secondary school counselor,  
70 appointed by a statewide association of school  
71 counselors;

72 (15) A secondary school career and college  
73 counselor, appointed by a statewide association  
74 of school counselors;

75 (16) An apprenticeship professional,  
76 appointed by the division of workforce  
77 development of the department of economic  
78 development;

79 (17) A representative of Missouri Project  
80 Lead the Way, appointed by the statewide Project  
81 Lead the Way organization;

82 (18) A representative of the State  
83 Technical College of Missouri, appointed by the  
84 State Technical College of Missouri;

85 (19) A representative of a public  
86 community college, appointed by a statewide  
87 organization of community colleges; and

88 (20) A representative of a public four-  
89 year institution of higher education, appointed  
90 by the commissioner of higher education.

91 2. The members of the task force  
92 established under subsection 1 of this section  
93 shall elect a chair from among the membership of  
94 the task force. The task force shall meet as  
95 needed to complete its consideration of the  
96 course described in subsection 5 of this section  
97 and provide its findings and recommendations as  
98 described in subsection 6 of this section.  
99 Members of the task force shall serve without  
100 compensation. No school district policy or  
101 administrative action shall require any  
102 education employee member to use personal leave  
103 or incur a reduction in pay for participating on  
104 the task force.

105           3. The task force shall hold at least  
106 three public hearings to provide an opportunity  
107 to receive public testimony including, but not  
108 limited to, testimony from educators, local  
109 school boards, parents, representatives from  
110 business and industry, labor and community  
111 leaders, members of the general assembly, and  
112 the general public.

113           4. The department of elementary and  
114 secondary education shall provide such legal,  
115 research, clerical, and technical services as  
116 the task force may require in the performance of  
117 its duties.

118           5. The task force established under  
119 subsection 1 of this section shall consider a  
120 course that:

121           (1) Gives students an opportunity to  
122 explore various career and educational  
123 opportunities by:

124           (a) Administering career surveys to  
125 students and helping students use Missouri  
126 Connections to determine their career interests  
127 and develop plans to meet their career goals;

128           (b) Explaining the differences between  
129 types of colleges, including two-year and four-  
130 year colleges, and noting the availability of  
131 registered apprenticeship programs as  
132 alternatives to college for students;

133           (c) Describing technical degrees offered  
134 by colleges;

135           (d) Explaining the courses and educational  
136 experiences offered at community colleges;

137           (e) Describing the various certificates  
138 and credentials available to earn at the school  
139 or other schools including, but not limited to,  
140 career and technical education certificates  
141 described under section 170.029 and industry-  
142 recognized certificates and credentials;

143           (f) Advising students of any advanced  
144 placement courses that they may take at the  
145 school;

146           (g) Describing any opportunities at the  
147 school for dual enrollment;



148 (h) Advising students of any Project Lead  
149 the Way courses offered at the school and  
150 explaining how Project Lead the Way courses help  
151 students learn valuable skills;

152 (i) Informing students of the availability  
153 of funding for postsecondary education through  
154 the A+ schools program described under section  
155 160.545;

156 (j) Describing the availability of virtual  
157 courses;

158 (k) Describing the types of skills and  
159 occupations most in demand in the current job  
160 market and those skills and occupations likely  
161 to be in high demand in future years;

162 (l) Describing the typical salaries for  
163 occupations, salary trends, and opportunities  
164 for advancement in various occupations;

165 (m) Emphasizing the opportunities  
166 available in careers involving science,  
167 technology, engineering, and math;

168 (n) Advising students of the resources  
169 offered by workforce or job centers;

170 (o) Preparing students for the ACT  
171 assessment or the ACT WorkKeys assessments  
172 required for the National Career Readiness  
173 Certificate;

174 (p) Administering a practice ACT  
175 assessment or practice ACT WorkKeys assessments  
176 required for the National Career Readiness  
177 Certificate to students;

178 (q) Advising students of opportunities to  
179 take the SAT and the Armed Services Vocational  
180 Aptitude Battery;

181 (r) Administering a basic math test to  
182 students so that they can assess their math  
183 skills;

184 (s) Administering a basic writing test to  
185 students so that they can assess their writing  
186 skills;

187 (t) Helping each student prepare a  
188 personal plan of study that outlines a sequence  
189 of courses and experiences that concludes with  
190 the student reaching his or her postsecondary  
191 goals; and

192 (u) Explaining how to complete college  
193 applications and the Free Application for  
194 Federal Student Aid;

195 (2) Focuses on career readiness and  
196 emphasizes the importance of work ethic,  
197 communication, collaboration, critical thinking,  
198 and creativity;

199 (3) Demonstrates that graduation from a  
200 four-year college is not the only pathway to  
201 success by describing to students at least  
202 sixteen pathways to success in detail and  
203 including guest visitors who represent each  
204 pathway described. In exploring how these  
205 pathways could be covered in the course, the  
206 task force shall consider how instructors for  
207 the course may be able to rely on assistance  
208 from Missouri Career Pathways within the  
209 department of elementary and secondary education;

210 (4) Provides student loan counseling; and  
211 (5) May include parent-student meetings.

212 6. Before December 1, 2019, the task force  
213 established under subsection 1 of this section  
214 shall present its findings and recommendations  
215 to the speaker of the house of representatives,  
216 the president pro tempore of the senate, the  
217 joint committee on education, and the state  
218 board of education. Upon presenting the  
219 findings and recommendations as described in  
220 this subsection, the task force shall dissolve.]

173.239. 1. Any member of the Missouri National Guard  
2 who possesses the qualifications set forth in this section  
3 may be awarded an educational assistance grant to an  
4 approved public institution or an approved private  
5 institution, as those terms are defined in [either section  
6 173.205 or section 173.778] **subsection 8 of this section**, of  
7 his or her choice while he or she is a member of the  
8 Missouri National Guard. Funding for educational assistance  
9 pursuant to this section may be requested annually in the  
10 budget of the Missouri National Guard. Educational

11 assistance provided pursuant to this section shall not  
12 exceed funds appropriated for that purpose.

13 2. Educational assistance provided under this section  
14 shall not exceed the least of the following:

15 (1) The actual tuition, as defined in section 173.260,  
16 charged at an approved institution where the individual is  
17 enrolled or accepted for enrollment; or

18 (2) The amount of tuition charged a Missouri resident  
19 at the University of Missouri for attendance;

20 (3) The grants provided under this section may be  
21 prorated subject to appropriations in an amount no less than  
22 fifty percent of the limits set forth in this section.

23 3. A member of the Missouri National Guard seeking  
24 educational assistance pursuant to this section shall  
25 provide a certificate of satisfactory service of his or her  
26 Missouri National Guard duties from his or her commanding  
27 officer and shall possess all other necessary entrance  
28 requirements of the school of his or her choice and shall  
29 maintain a cumulative grade point average (GPA) of at least  
30 two point five on a four point scale, or the equivalent on  
31 another scale approved by the program administrator, while  
32 attending the approved public or private institution.

33 4. If the grade point average of a member who is  
34 receiving educational assistance pursuant to this section  
35 falls below two point five on a four point scale, or the  
36 equivalent on another scale, such member shall retain the  
37 educational assistance and shall be placed on probation  
38 under the educational assistance program. Failure to  
39 achieve a current grade point average of at least two point  
40 five on a four point scale or the equivalent on another  
41 scale for future semesters or equivalent academic terms  
42 shall result in termination of the scholarship effective as

43 of the next academic term. The member shall be removed from  
44 probation status upon achieving a cumulative grade point  
45 average of two point five on a four point scale or the  
46 equivalent on another scale.

47 5. If a recipient of educational assistance pursuant  
48 to this section ceases to maintain their active military  
49 affiliation while enrolled in an academic semester or term  
50 for any reason except death, disability, or medical  
51 disqualification the educational assistance shall be  
52 terminated and the recipient shall repay any amounts awarded  
53 for the academic semester or term.

54 6. Applicants for educational assistance pursuant to  
55 this section shall meet the qualifications established by  
56 section 173.215, except the provisions of subdivisions (2)  
57 and (4) of subsection 1 of section 173.215, and shall be  
58 qualified, full-time or part-time students.

59 7. The educational assistance program established  
60 pursuant to this section shall be administered by the office  
61 of the adjutant general of the Missouri National Guard. The  
62 Missouri National Guard shall establish guidelines for  
63 equitable administrative distribution of educational  
64 assistance.

65 **8. For purposes of this section, an "approved public**  
66 **institution" or "approved private institution" shall mean**  
67 **any approved public institution or approved private**  
68 **institution, as those terms are defined in section 173.1102,**  
69 **or any other Missouri private institution that:**

70 **(1) Is required by statute to be certified to operate**  
71 **by the coordinating board for higher education;**

72 **(2) Is institutionally accredited by a United States**  
73 **Department of Education recognized accrediting commission;**

74           (3) Has operated continuously in the state of Missouri  
75 for five or more years;

76           (4) Has no more than fifty percent of its students in  
77 correspondence programs; and

78           (5) Offers a one-year or two-year certificate,  
79 associate or baccalaureate degree programs, or graduate or  
80 professional degree programs.

173.385. 1. The authority shall have the following  
2 powers, together with all powers incidental thereto or  
3 necessary for the performance thereof:

4           (1) To have perpetual succession as a body politic and  
5 corporate;

6           (2) To adopt bylaws for the regulation of its affairs  
7 and the conduct of its business;

8           (3) To sue and be sued and to prosecute and defend, at  
9 law or in equity, in any court having jurisdiction of the  
10 subject matter and of the parties;

11           (4) To have and to use a corporate seal and to alter  
12 the same at pleasure;

13           (5) To maintain an office at such place or places in  
14 the state of Missouri as it may designate;

15           (6) To issue bonds or other forms of indebtedness to  
16 obtain funds to purchase student loan notes or finance  
17 student loans, or both, including those which are guaranteed  
18 [under the provisions of sections 173.095 to 173.187, or]

19 under the provisions of the federal Higher Education Act of  
20 1965, as amended, or secondary education loans, or  
21 scholarships which have been converted to loans under the  
22 Missouri teacher education scholarship program provided for  
23 in sections 160.276 to 160.283. Such bonds or other forms  
24 of indebtedness shall be payable from and secured by a  
25 pledge of revenues derived from or by reason of the

26 ownership of student loan notes or financing of student  
27 loans, or both, and investment income or shall be payable  
28 from and secured as may be designated in a bond resolution  
29 authorized by the authority. Such bonds or other forms of  
30 indebtedness shall not constitute a debt or liability of the  
31 state of Missouri or of any political subdivision thereof;

32 (7) To cause proceeds of any bond or any other form of  
33 indebtedness to be used to purchase student loan notes or  
34 finance student loans, or both, including those which are  
35 guaranteed under [section 173.110, or guaranteed under] the  
36 federal Higher Education Act of 1965, as amended, or  
37 secondary education loans, or scholarships which have been  
38 converted to loans under the Missouri teacher education  
39 scholarship program provided for in sections 160.276 to  
40 160.283;

41 (8) To sell or enter into agreements to sell student  
42 loan notes acquired pursuant to subdivision (7) of this  
43 section[, and any agreement to sell student loan notes  
44 guaranteed under section 173.110 shall be subject to prior  
45 approval of the department]. Such agreements to sell  
46 student loan notes shall be limited only by the terms of the  
47 bond resolution authorizing the issue of the bonds or other  
48 forms of indebtedness, but shall not be limited by any other  
49 provision of law limiting the sale of such student loan  
50 notes;

51 (9) To transfer assets of the authority to the Lewis  
52 and Clark discovery fund established in section 173.392;

53 (10) To accept appropriations, gifts, grants,  
54 bequests, and devises and to utilize or dispose of the same  
55 to carry out its purpose;

56           (11) To make and execute contracts, releases,  
57 compromises, and other instruments necessary or convenient  
58 for the exercise of its powers, or to carry out its purpose;

59           (12) To collect reasonable fees and charges in  
60 connection with making and servicing its loans, notes,  
61 bonds, obligations, commitments, and other evidences of  
62 indebtedness, and in connection with providing technical,  
63 consultative and project assistant services. Such fees and  
64 charges shall be used to pay the costs of the authority;

65           (13) To invest any funds not required for immediate  
66 disbursement in obligations of the state of Missouri or of  
67 the United States government or any instrumentality thereof,  
68 the principal and interest of which are guaranteed by the  
69 state of Missouri, or the United States government or any  
70 instrumentality thereof, or certificates of deposit or time  
71 deposits of federally insured banks, or federally insured  
72 savings and loan associations or of insured credit unions,  
73 or, with respect to moneys pledged or held under a trust  
74 estate or otherwise available for the owners of bonds or  
75 other forms of indebtedness, any investment authorized under  
76 the bond resolution governing the security and payment of  
77 such obligations or repurchase agreements for the specified  
78 investments;

79           (14) To acquire, hold and dispose of personal property  
80 to carry out its purposes;

81           (15) To enter into agreements or other transactions  
82 with any federal or state agency, any person and any  
83 domestic or foreign partnership, corporation, association or  
84 organization;

85           (16) To take any necessary actions to be qualified to  
86 issue tax-exempt bonds or other forms of tax-exempt  
87 indebtedness pursuant to the applicable provisions of the

88 Internal Revenue Code of 1986, as amended, including the  
89 issuance of such bonds to fulfill the obligations of the  
90 authority under subsection 2 of this section;

91 (17) To take any necessary actions to be qualified to  
92 issue bonds or other forms of indebtedness, the interest on  
93 which is not exempt from federal income taxation, including  
94 the issuance of such bonds to fulfill the obligations of the  
95 authority under subsection 2 of this section;

96 (18) To service student loans for any owner thereof,  
97 regardless of whether such student loans are originated in  
98 this state or out of this state;

99 (19) To create, acquire, contribute to, or invest in  
100 any type of financial aid program that provides grants and  
101 scholarships to students.

102 2. The authority shall distribute three hundred fifty  
103 million dollars of assets of the authority to the Lewis and  
104 Clark discovery fund established in section 173.392 as  
105 follows: two hundred thirty million dollars no later than  
106 September 15, 2007; five million dollars by December 31,  
107 2007; and five million dollars each quarter thereafter  
108 ending September 30, 2013. Any investment earnings on the  
109 moneys in the Lewis and Clark discovery fund shall be  
110 credited against the next distribution by the authority and  
111 shall thereby reduce the amount of any such distribution by  
112 the authority. The authority shall make any distributions  
113 to the Lewis and Clark discovery fund pursuant to the dates  
114 scheduled in this subsection, provided, however, that the  
115 date of any such distribution may be delayed by the  
116 authority if the authority determines that any such  
117 distribution may materially adversely effect the services  
118 and benefits provided Missouri students or residents in the  
119 ordinary course of the authority's business, the borrower



120 benefit programs of the authority, or the economic viability  
121 of the authority. Notwithstanding the ability of the  
122 authority to delay any distribution required by this  
123 subsection, the distribution of the entire three hundred  
124 fifty million dollars of assets by the authority to the  
125 Lewis and Clark discovery fund shall be completed no later  
126 than September 30, 2013, unless otherwise approved by the  
127 authority and the commissioner of the office of  
128 administration.

129         3. No member of the authority who lawfully acts or  
130 votes on any agreement or other matter authorized under the  
131 powers granted to the authority under this section shall  
132 incur any personal liability as a result of such lawful  
133 deliberations, acts, or votes, and such members shall be  
134 immune from suit for such deliberations, acts, or votes. In  
135 no event shall such deliberations, acts, or votes constitute  
136 a conflict of interest under section 173.380.

137         4. Notwithstanding any provision of law to the  
138 contrary, in the event of the initial distribution of two  
139 hundred thirty million dollars of assets by the authority to  
140 the Lewis and Clark discovery fund created in section  
141 173.392, the director of the department of economic  
142 development shall allocate to and reserve for the authority  
143 during the year of such first distribution and in at least  
144 each of the next fourteen years thereafter a percentage of  
145 the state ceiling under sections 108.500 to 108.532, which  
146 percentage shall at a minimum be equal to one and one-half  
147 percent less than the average percentage of the authority's  
148 allocation of state ceiling for the two calendar years 2005  
149 and 2006 calculated annually. The dollar amount of state  
150 ceiling to be received by the authority as determined under  
151 the provisions of this subsection for calendar year 2014 and

152 later years, not to exceed calendar year 2021, shall be  
153 reduced in any calendar year by the percentage of the three  
154 hundred fifty million dollars not yet distributed by the  
155 authority to the Lewis and Clark discovery fund by the  
156 preceding calendar year end.

[620.484.] **173.2565.** The provisions of the Wagner-  
2 Peyser Act (29 U.S.C.A. Sec. 49 et seq.), as amended, are  
3 hereby accepted by this state and the [division] **office** of  
4 workforce development of the department of [economic] **higher**  
5 **education and workforce** development is hereby designated and  
6 constituted the agency of this state for the purposes of  
7 said act. The [division] **office** shall establish and  
8 maintain free public employment offices in such number and  
9 in such places as may be necessary for the proper  
10 administration of this chapter and for the purposes of  
11 performing such functions as are within the purview of the  
12 Wagner-Peyser Act.

[620.490.] **173.2566.** The department of [economic]  
2 **higher education and workforce** development shall promulgate  
3 rules providing for the coordination of state and federal  
4 job training resources administered by the department of  
5 [economic] **higher education and workforce** development,  
6 including the local workforce investment areas established  
7 in the state to administer federal funds pursuant to the  
8 federal Workforce Investment Act or its successor, for the  
9 provision of assistance to businesses in this state relating  
10 to the creation of new jobs in the state. The department  
11 shall include in these rules the methods to be followed by  
12 any business engaged in the creation of new jobs in state to  
13 ensure that economically disadvantaged citizens receive  
14 opportunities for employment in the new jobs created. No  
15 rule or portion of a rule promulgated pursuant to the

16 authority of this section shall become effective unless it  
17 has been promulgated pursuant to the provisions of section  
18 536.024.

[620.511.] **173.2570.** 1. There is hereby established  
2 the "Missouri Workforce Development Board", formerly known  
3 as the Missouri workforce investment board, and hereinafter  
4 referred to as "the board" in sections [620.511 to 620.513]  
5 **173.2570 to 173.2572.**

6 2. The purpose of the board is to provide workforce  
7 investment activities, through statewide and local workforce  
8 investment systems, that increase the employment, retention,  
9 and earnings of participants, and increase occupational  
10 skill attainment by participants, and, as a result, improve  
11 the quality of the workforce, reduce welfare dependency, and  
12 enhance the productivity and competitiveness of the state of  
13 Missouri. The board shall be the state's advisory board  
14 pertaining to workforce preparation policy.

15 3. The board shall meet the requirements of the  
16 federal Workforce Innovation and Opportunity Act,  
17 hereinafter referred to as the "WIOA", P.L. 113-128, as  
18 amended. Should another federal law supplant the WIOA, all  
19 references in sections [620.511 to 620.513] **173.2570 to**  
20 **173.2572** to the WIOA shall apply as well to the new federal  
21 law.

22 4. Composition of the board shall comply with the  
23 WIOA. Board members appointed by the governor shall be  
24 subject to the advice and consent of the senate. Consistent  
25 with the requirements of the WIOA, the governor shall  
26 designate one member of the board to be its chairperson.

27 5. Each member of the board shall serve for a term of  
28 four years, subject to the pleasure of the governor, and  
29 until a successor is duly appointed. In the event of a

30 vacancy on the board, the vacancy shall be filled in the  
31 same manner as the original appointment and said replacement  
32 shall serve the remainder of the original appointee's  
33 unexpired term.

34 6. Of the members initially appointed to the WIOA,  
35 formerly known as the WIA, board, one-fourth shall be  
36 appointed for a term of four years, one-fourth shall be  
37 appointed for a term of three years, one-fourth shall be  
38 appointed for a term of two years, and one-fourth shall be  
39 appointed for a term of one year.

40 7. WIOA board members shall receive no compensation,  
41 but shall be reimbursed for all necessary expenses actually  
42 incurred in the performance of their duties.

43 8. The department may include on its website a list of  
44 the names of the members of the board, including the names  
45 of members of local workforce development boards, along with  
46 information on how to contact such boards.

[620.512.] **173.2571.** 1. The board shall establish  
2 bylaws governing its organization, operation, and procedure  
3 consistent with sections [620.511 to 620.513] **173.2570 to**  
4 **173.2572,** and consistent with the WIOA.

5 2. The board shall meet at least four times each year  
6 at the call of the chairperson.

7 3. In order to assure objective management and  
8 oversight, the board shall not operate programs or provide  
9 services directly to eligible participants, but shall exist  
10 solely to plan, coordinate, and monitor the provisions of  
11 such programs and services. A member of the board may not  
12 vote on a matter under consideration by the board that  
13 regards the provision of services by the member or by an  
14 entity that the member represents or would provide direct  
15 financial benefit to the member or the immediate family of

16 the member. A member of the board may not engage in any  
17 other activity determined by the governor to constitute a  
18 conflict of interest.

19 4. The composition and the roles and responsibilities  
20 of the board membership may be amended to comply with any  
21 succeeding federal or state legislative or regulatory  
22 requirements governing workforce investment activities,  
23 except that the procedure for such change shall be outlined  
24 in state rules and regulations and adopted in the bylaws of  
25 the board.

26 5. The **office of workforce development in the**  
27 department of **[economic] higher education and workforce**  
28 development shall provide professional, technical, and  
29 clerical staff for the board.

30 6. The board may promulgate any rules and regulations  
31 necessary to administer the provisions of sections **[620.511**  
32 **to 620.513] 173.2570 to 173.2572**. Any rule or portion of a  
33 rule, as that term is defined in section 536.010, that is  
34 created under the authority delegated in this section shall  
35 become effective only if it complies with and is subject to  
36 all of the provisions of chapter 536 and, if applicable,  
37 section 536.028. This section and chapter 536 are  
38 nonseverable and if any of the powers vested with the  
39 general assembly pursuant to chapter 536 to review, to delay  
40 the effective date, or to disapprove and annul a rule are  
41 subsequently held unconstitutional, then the grant of  
42 rulemaking authority and any rule proposed or adopted after  
43 August 28, 2007, shall be invalid and void.

**[620.513.] 173.2572.** 1. The board shall assist the  
2 governor with the functions described in Section 101(d) of  
3 the WIOA, 29 U.S.C. Section 311d, and any regulations issued  
4 pursuant to the WIOA.

5           2. The board shall submit an annual report of its  
6 activities to the governor, the speaker of the house of  
7 representatives, and the president pro tem of the senate no  
8 later than January thirty-first of each year.

9           3. Nothing in sections [620.511 to 620.513] **173.2570**  
10 **to 173.2572** shall be construed to require or allow the board  
11 to assume or supersede the statutory authority granted to,  
12 or impose any duties or requirements on, the state  
13 coordinating board for higher education, the governing  
14 boards of the state's public colleges and universities, the  
15 state board of education, or any local educational agencies.

178.550. 1. This section shall be known and may be  
2 cited as the "Career and Technical Education Student  
3 Protection Act". There is hereby established the "Career  
4 and Technical Education Advisory Council" within the  
5 department of elementary and secondary education.

6           2. The advisory council shall be composed of sixteen  
7 members who shall be Missouri residents. The director of  
8 the department of economic development, or his or her  
9 designee, shall be a member. The commissioner of education  
10 shall appoint the following members:

11           (1) A director or administrator of a career and  
12 technical education center;

13           (2) An individual from the business community with a  
14 background in commerce;

15           (3) A representative from State Technical College of  
16 Missouri;

17           (4) Three current or retired career and technical  
18 education teachers who also serve or served as an advisor to  
19 any of the nationally recognized career and technical  
20 education student organizations of:

21           (a) DECA;

- 22 (b) Future Business Leaders of America (FBLA);
- 23 (c) FFA;
- 24 (d) Family, Career and Community Leaders of America
- 25 (FCCLA);
- 26 (e) Health Occupations Students of America (HOSA);
- 27 (f) SkillsUSA; or
- 28 (g) Technology Student Association (TSA);
- 29 (5) A representative from a business organization,
- 30 association of businesses, or a business coalition;
- 31 (6) A representative from a Missouri community college;
- 32 (7) A representative from Southeast Missouri State
- 33 University or the University of Central Missouri;
- 34 (8) An individual participating in an apprenticeship
- 35 recognized by the department of labor and industrial
- 36 relations or approved by the United States Department of
- 37 Labor's Office of Apprenticeship;
- 38 (9) A school administrator or school superintendent of
- 39 a school that offers career and technical education.
- 40 3. Members appointed by the commissioner of education
- 41 shall serve a term of five years except for the initial
- 42 appointments, which shall be for the following lengths:
- 43 (1) One member shall be appointed for a term of one
- 44 year;
- 45 (2) Two members shall be appointed for a term of two
- 46 years;
- 47 (3) Two members shall be appointed for a term of three
- 48 years;
- 49 (4) Three members shall be appointed for a term of
- 50 four years;
- 51 (5) Three members shall be appointed for a term of
- 52 five years.

53           4. Four members shall be from the general assembly.  
54 The president pro tempore of the senate shall appoint two  
55 members of the senate of whom not more than one shall be of  
56 the same party. The speaker of the house of representatives  
57 shall appoint two members of the house of representatives of  
58 whom not more than one shall be of the same party. The  
59 legislative members shall serve on the advisory council  
60 until such time as they resign, are no longer members of the  
61 general assembly, or are replaced by new appointments.

62           5. The advisory council shall have three nonvoting ex  
63 officio members:

64           (1) A director of guidance and counseling services at  
65 the department of elementary and secondary education, or a  
66 similar position if such position ceases to exist;

67           (2) The director of the **[division] office** of workforce  
68 development **in the department of higher education and**  
69 **workforce development;** and

70           (3) A member of the coordinating board for higher  
71 education, as selected by the coordinating board.

72           6. The assistant commissioner for the office of  
73 college and career readiness of the department of elementary  
74 and secondary education shall provide staff assistance to  
75 the advisory council.

76           7. The advisory council shall meet at least four times  
77 annually. The advisory council may make all rules it deems  
78 necessary to enable it to conduct its meetings, elect its  
79 officers, and set the terms and duties of its officers. The  
80 advisory council shall elect from among its members a  
81 chairperson, vice chairperson, a secretary-reporter, and  
82 such other officers as it deems necessary. Members of the  
83 advisory council shall serve without compensation but may be



84 reimbursed for actual expenses necessary to the performance  
85 of their official duties for the advisory council.

86         8. Any business to come before the advisory council  
87 shall be available on the advisory council's internet  
88 website at least seven business days prior to the start of  
89 each meeting. All records of any decisions, votes,  
90 exhibits, or outcomes shall be available on the advisory  
91 council's internet website within forty-eight hours  
92 following the conclusion of every meeting. Any materials  
93 prepared for the members shall be delivered to the members  
94 at least five days before the meeting, and to the extent  
95 such materials are public records as defined in section  
96 610.010 and are not permitted to be closed under section  
97 610.021, shall be made available on the advisory council's  
98 internet website at least five business days in advance of  
99 the meeting.

100         9. The advisory council shall make an annual written  
101 report to the state board of education and the commissioner  
102 of education regarding the development, implementation, and  
103 administration of the state budget for career and technical  
104 education.

105         10. The advisory council shall annually submit written  
106 recommendations to the state board of education and the  
107 commissioner of education regarding the oversight and  
108 procedures for the handling of funds for student career and  
109 technical education organizations.

110         11. The advisory council shall:

111             (1) Develop a comprehensive statewide short- and long-  
112 range strategic plan for career and technical education;

113             (2) Identify service gaps and provide advice on  
114 methods to close such gaps as they relate to youth and adult

115 employees, workforce development, and employers on training  
116 needs;

117 (3) Confer with public and private entities for the  
118 purpose of promoting and improving career and technical  
119 education;

120 (4) Identify legislative recommendations to improve  
121 career and technical education;

122 (5) Promote coordination of existing career and  
123 technical education programs;

124 (6) Adopt, alter, or repeal by its own bylaws, rules  
125 and regulations governing the manner in which its business  
126 may be transacted.

127 12. For purposes of this section, the department of  
128 elementary and secondary education shall provide such  
129 documentation and information as to allow the advisory  
130 council to be effective.

131 13. For purposes of this section, "advisory council"  
132 shall mean the career and technical education advisory  
133 council.

178.585. 1. Under rules and regulations of the state  
2 board of education, the commissioner of education, in  
3 cooperation with the [director of the division] **office** of  
4 workforce development of the department of [economic] **higher**  
5 **education and workforce** development, shall establish  
6 procedures to provide grants to public high schools,  
7 vocational-technical schools, State Technical College of  
8 Missouri, and community colleges solely for the purpose of  
9 new programs, curriculum enhancement, equipment and  
10 facilities so as to upgrade vocational and technical  
11 education in the state.

12 2. Each vocational-technical school, community  
13 college, State Technical College of Missouri, and school

14 district of any public high school receiving a grant  
15 authorized by this section shall have an advisory committee  
16 composed of local business persons, labor leaders, parents,  
17 senior citizens, community leaders and teachers to establish  
18 a plan to ensure that students who graduate from the  
19 vocational-technical school, community college, State  
20 Technical College of Missouri, or public high school proceed  
21 to a four-year college or high-wage job with workplace-skill  
22 development opportunities.

23 3. The [director of the] department of [economic]  
24 **higher education and workforce** development shall provide  
25 annually to the commissioner of education a listing of  
26 demand occupations in the state including substate  
27 projections. The listing shall include those occupations  
28 for which, in the judgment of the [director of the]  
29 department of [economic] **higher education and workforce**  
30 development, there is a critical shortage to meet present or  
31 future employment needs necessary to the economic growth and  
32 competitiveness of the state.

33 4. In any fiscal year, at least seventy-five percent  
34 of all moneys for the grant awards authorized by this  
35 section shall be to public high schools, vocational-  
36 technical schools, State Technical College of Missouri, or  
37 community colleges for new programs, curriculum enhancement  
38 or equipment necessary to address demand occupations  
39 identified pursuant to subsection 3 of this section.

186.019. 1. Prior to April first of each year,  
2 starting in 1992, the information described in subdivisions  
3 (1), (2), (3) and (4) of this subsection shall be delivered  
4 in report form to the Missouri women's council, the  
5 governor's office, the secretary of the senate, and the  
6 chief clerk of the house of representatives. The

7 information shall apply only to activities which occurred  
8 during the previous calendar year. Reports shall be  
9 required from the following:

10 (1) The department of labor and industrial relations,  
11 and the [division] **office** of workforce development of the  
12 department of [economic] **higher education and workforce**  
13 development, who shall assemble all available data and  
14 report on all business start-ups and business failures which  
15 are fifty-one percent or more owned by women. The reports  
16 shall distinguish, as best as possible, those businesses  
17 which are sole proprietorships, partnerships, or  
18 corporations;

19 (2) The department of economic development, who shall  
20 assemble all available data and report on financial  
21 assistance or other incentives given to all businesses which  
22 are fifty-one percent or more owned by women. The report  
23 shall contain information relating to assistance or  
24 incentives awarded for the retention of existing businesses,  
25 the expansion of existing businesses, or the start-up of new  
26 businesses;

27 (3) The department of revenue, who shall assemble all  
28 available data and report on the number, gross receipts and  
29 net income of all businesses which are fifty-one percent or  
30 more owned by women. The reports shall distinguish those  
31 businesses which are sole proprietorships, partnerships or  
32 corporations;

33 (4) The division of purchasing of the office of  
34 administration, who shall assemble all available data and  
35 report on businesses which are fifty-one percent or more  
36 owned by women which are recipients of contracts awarded by  
37 the state of Missouri.

38           2. Prior to December first of each year, starting in  
39 1990, the information described in subdivisions (1) and (2)  
40 of this subsection shall be delivered in report form to the  
41 Missouri women's council, the governor's office, the  
42 secretary of the senate, and the chief clerk of the house of  
43 representatives. The information shall apply only to  
44 activities which occurred during the previous school year.  
45 Reports shall be required from the following:

46           (1) The department of elementary and secondary  
47 education shall assemble all available data from the  
48 Vocational and Education Data System (VEDS) on class  
49 enrollments by Instruction Program Codes (CIP); by secondary  
50 and postsecondary schools; and, secondary, postsecondary,  
51 and adult level classes; and by gender. This data shall  
52 also be reported by classes of traditional and  
53 nontraditional occupational areas;

54           (2) The coordinating board for higher education shall  
55 assemble all available data and report on higher education  
56 degrees awarded by academic discipline; type of degree; type  
57 of school; and gender. All available data shall also be  
58 reported on salaries received upon completion of degree  
59 program and subsequent hire, as well as any data available  
60 on follow-up salaries.

288.040. 1. A claimant who is unemployed and has been  
2 determined to be an insured worker shall be eligible for  
3 benefits for any week only if the deputy finds that:

4           (1) The claimant has registered for work at and  
5 thereafter has continued to report at an employment office  
6 in accordance with such regulations as the division may  
7 prescribe;

8           (2) The claimant is able to work and is available for  
9 work. No person shall be deemed available for work unless

10 such person has been and is actively and earnestly seeking  
11 work. Upon the filing of an initial or renewed claim, and  
12 prior to the filing of each weekly claim thereafter, the  
13 deputy shall notify each claimant of the number of work  
14 search contacts required to constitute an active search for  
15 work. Unless the deputy directs otherwise, a claimant shall  
16 make a minimum of three work search contacts during any week  
17 for which he or she claims benefits. No person shall be  
18 considered not available for work, pursuant to this  
19 subdivision, solely because he or she is a substitute  
20 teacher or is on jury duty. A claimant shall not be  
21 determined to be ineligible pursuant to this subdivision  
22 because of not actively and earnestly seeking work if:

23 (a) The claimant is participating in training approved  
24 pursuant to Section 236 of the Trade Act of 1974, as  
25 amended, (19 U.S.C.A. Sec. 2296, as amended);

26 (b) The claimant is temporarily unemployed through no  
27 fault of his or her own and has a definite recall date  
28 within eight weeks of his or her first day of unemployment;  
29 however, upon application of the employer responsible for  
30 the claimant's unemployment, such eight-week period may be  
31 extended not to exceed a total of sixteen weeks at the  
32 discretion of the director;

33 (3) The claimant has reported to an office of the  
34 division as directed by the deputy, but at least once every  
35 four weeks, except that a claimant shall be exempted from  
36 the reporting requirement of this subdivision if:

37 (a) The claimant is claiming benefits in accordance  
38 with division regulations dealing with partial or temporary  
39 total unemployment; or

40 (b) The claimant is temporarily unemployed through no  
41 fault of his or her own and has a definite recall date

42 within eight weeks of his or her first day of unemployment;  
43 or

44 (c) The director of the division of employment  
45 security has determined that the claimant belongs to a group  
46 or class of workers whose opportunities for reemployment  
47 will not be enhanced by reporting, or is prevented from  
48 reporting due to emergency conditions that limit access by  
49 the general public to an office that serves the area where  
50 the claimant resides, but only during the time such  
51 circumstances exist.

52 Ineligibility pursuant to this subdivision shall begin on  
53 the first day of the week which the claimant was scheduled  
54 to claim and shall end on the last day of the week preceding  
55 the week during which the claimant does report to the  
56 division's office;

57 (4) Prior to the first week of a period of total or  
58 partial unemployment for which the claimant claims benefits  
59 he or she has been totally or partially unemployed for a  
60 waiting period of one week. No more than one waiting week  
61 will be required in any benefit year. During calendar year  
62 2008 and each calendar year thereafter, the one-week waiting  
63 period shall become compensable once his or her remaining  
64 balance on the claim is equal to or less than the  
65 compensable amount for the waiting period. No week shall be  
66 counted as a week of total or partial unemployment for the  
67 purposes of this subsection unless it occurs within the  
68 benefit year which includes the week with respect to which  
69 the claimant claims benefits;

70 (5) The claimant has made a claim for benefits within  
71 fourteen days from the last day of the week being claimed.

72 The fourteen-day period may, for good cause, be extended to  
73 twenty-eight days;

74 (6) The claimant has reported to an employment office  
75 to participate in a reemployment assessment and reemployment  
76 services as directed by the deputy or designated staff of an  
77 employment office, unless the deputy determines that good  
78 cause exists for the claimant's failure to participate in  
79 such reemployment assessment and reemployment services. For  
80 purposes of this section, "reemployment services" may  
81 include, but not be limited to, the following:

82 (a) Providing an orientation to employment office  
83 services;

84 (b) Providing job search assistance; and

85 (c) Providing labor market statistics or analysis;

86 Ineligibility under this subdivision shall begin on the  
87 first day of the week which the claimant was scheduled to  
88 report for the reemployment assessment or reemployment  
89 services and shall end on the last day of the week preceding  
90 the week during which the claimant does report in person to  
91 the employment office for such reemployment assessment or  
92 reemployment services;

93 (7) The claimant is participating in reemployment  
94 services, such as job search assistance services, as  
95 directed by the deputy if the claimant has been determined  
96 to be likely to exhaust regular benefits and to need  
97 reemployment services pursuant to a profiling system  
98 established by the division, unless the deputy determines  
99 that:

100 (a) The individual has completed such reemployment  
101 services; or



102 (b) There is justifiable cause for the claimant's  
103 failure to participate in such reemployment services.

104 2. A claimant shall be ineligible for waiting week  
105 credit or benefits for any week for which the deputy finds  
106 he or she is or has been suspended by his or her most recent  
107 employer for misconduct connected with his or her work.  
108 Suspensions of four weeks or more shall be treated as  
109 discharges.

110 3. (1) Benefits based on "service in employment",  
111 described in subsections 7 and 8 of section 288.034, shall  
112 be payable in the same amount, on the same terms and subject  
113 to the same conditions as compensation payable on the basis  
114 of other service subject to this law; except that:

115 (a) With respect to service performed in an  
116 instructional, research, or principal administrative  
117 capacity for an educational institution, benefits shall not  
118 be paid based on such services for any week of unemployment  
119 commencing during the period between two successive academic  
120 years or terms, or during a similar period between two  
121 regular but not successive terms, or during a period of paid  
122 sabbatical leave provided for in the individual's contract,  
123 to any individual if such individual performs such services  
124 in the first of such academic years (or terms) and if there  
125 is a contract or a reasonable assurance that such individual  
126 will perform services in any such capacity for any  
127 educational institution in the second of such academic years  
128 or terms;

129 (b) With respect to services performed in any capacity  
130 (other than instructional, research, or principal  
131 administrative capacity) for an educational institution,  
132 benefits shall not be paid on the basis of such services to  
133 any individual for any week which commences during a period

134 between two successive academic years or terms if such  
135 individual performs such services in the first of such  
136 academic years or terms and there is a contract or a  
137 reasonable assurance that such individual will perform such  
138 services in the second of such academic years or terms;

139 (c) With respect to services described in paragraphs  
140 (a) and (b) of this subdivision, benefits shall not be paid  
141 on the basis of such services to any individual for any week  
142 which commences during an established and customary vacation  
143 period or holiday recess if such individual performed such  
144 services in the period immediately before such vacation  
145 period or holiday recess, and there is reasonable assurance  
146 that such individual will perform such services immediately  
147 following such vacation period or holiday recess;

148 (d) With respect to services described in paragraphs  
149 (a) and (b) of this subdivision, benefits payable on the  
150 basis of services in any such capacity shall be denied as  
151 specified in paragraphs (a), (b), and (c) of this  
152 subdivision to any individual who performed such services at  
153 an educational institution while in the employ of an  
154 educational service agency, and for this purpose the term  
155 "educational service agency" means a governmental agency or  
156 governmental entity which is established and operated  
157 exclusively for the purpose of providing such services to  
158 one or more educational institutions.

159 (2) If compensation is denied for any week pursuant to  
160 paragraph (b) or (d) of subdivision (1) of this subsection  
161 to any individual performing services at an educational  
162 institution in any capacity (other than instructional,  
163 research or principal administrative capacity), and such  
164 individual was not offered an opportunity to perform such  
165 services for the second of such academic years or terms,

166 such individual shall be entitled to a retroactive payment  
167 of the compensation for each week for which the individual  
168 filed a timely claim for compensation and for which  
169 compensation was denied solely by reason of paragraph (b) or  
170 (d) of subdivision (1) of this subsection.

171 4. (1) A claimant shall be ineligible for waiting  
172 week credit, benefits or shared work benefits for any week  
173 for which he or she is receiving or has received  
174 remuneration exceeding his or her weekly benefit amount or  
175 shared work benefit amount in the form of:

176 (a) Compensation for temporary partial disability  
177 pursuant to the workers' compensation law of any state or  
178 pursuant to a similar law of the United States;

179 (b) A governmental or other pension, retirement or  
180 retired pay, annuity, or other similar periodic payment  
181 which is based on the previous work of such claimant to the  
182 extent that such payment is provided from funds provided by  
183 a base period or chargeable employer pursuant to a plan  
184 maintained or contributed to by such employer; but, except  
185 for such payments made pursuant to the Social Security Act  
186 or the Railroad Retirement Act of 1974 (or the corresponding  
187 provisions of prior law), the provisions of this paragraph  
188 shall not apply if the services performed for such employer  
189 by the claimant after the beginning of the base period (or  
190 remuneration for such services) do not affect eligibility  
191 for or increase the amount of such pension, retirement or  
192 retired pay, annuity or similar payment.

193 (2) If the remuneration referred to in this subsection  
194 is less than the benefits which would otherwise be due, the  
195 claimant shall be entitled to receive for such week, if  
196 otherwise eligible, benefits reduced by the amount of such  
197 remuneration, and, if such benefit is not a multiple of one

198 dollar, such amount shall be lowered to the next multiple of  
199 one dollar.

200 (3) Notwithstanding the provisions of subdivisions (1)  
201 and (2) of this subsection, if a claimant has contributed in  
202 any way to the Social Security Act or the Railroad  
203 Retirement Act of 1974, or the corresponding provisions of  
204 prior law, no part of the payments received pursuant to such  
205 federal law shall be deductible from the amount of benefits  
206 received pursuant to this chapter.

207 5. A claimant shall be ineligible for waiting week  
208 credit or benefits for any week for which or a part of which  
209 he or she has received or is seeking unemployment benefits  
210 pursuant to an unemployment insurance law of another state  
211 or the United States; provided, that if it be finally  
212 determined that the claimant is not entitled to such  
213 unemployment benefits, such ineligibility shall not apply.

214 6. (1) A claimant shall be ineligible for waiting  
215 week credit or benefits for any week for which the deputy  
216 finds that such claimant's total or partial unemployment is  
217 due to a stoppage of work which exists because of a labor  
218 dispute in the factory, establishment or other premises in  
219 which such claimant is or was last employed. In the event  
220 the claimant secures other employment from which he or she  
221 is separated during the existence of the labor dispute, the  
222 claimant must have obtained bona fide employment as a  
223 permanent employee for at least the major part of each of  
224 two weeks in such subsequent employment to terminate his or  
225 her ineligibility. If, in any case, separate branches of  
226 work which are commonly conducted as separate businesses at  
227 separate premises are conducted in separate departments of  
228 the same premises, each such department shall for the  
229 purposes of this subsection be deemed to be a separate

230 factory, establishment or other premises. This subsection  
231 shall not apply if it is shown to the satisfaction of the  
232 deputy that:

233 (a) The claimant is not participating in or financing  
234 or directly interested in the labor dispute which caused the  
235 stoppage of work; and

236 (b) The claimant does not belong to a grade or class  
237 of workers of which, immediately preceding the commencement  
238 of the stoppage, there were members employed at the premises  
239 at which the stoppage occurs, any of whom are participating  
240 in or financing or directly interested in the dispute.

241 (2) "Stoppage of work" as used in this subsection  
242 means a substantial diminution of the activities, production  
243 or services at the establishment, plant, factory or premises  
244 of the employing unit. This definition shall not apply to a  
245 strike where the employees in the bargaining unit who  
246 initiated the strike are participating in the strike. Such  
247 employees shall not be eligible for waiting week credit or  
248 benefits during the period when the strike is in effect,  
249 regardless of diminution, unless the employer has been found  
250 guilty of an unfair labor practice by the National Labor  
251 Relations Board or a federal court of law for an act or  
252 actions preceding or during the strike.

253 7. On or after January 1, 1978, benefits shall not be  
254 paid to any individual on the basis of any services,  
255 substantially all of which consist of participating in  
256 sports or athletic events or training or preparing to so  
257 participate, for any week which commences during the period  
258 between two successive sport seasons (or similar periods) if  
259 such individual performed such services in the first of such  
260 seasons (or similar periods) and there is a reasonable

261 assurance that such individual will perform such services in  
262 the later of such seasons (or similar periods).

263 8. Benefits shall not be payable on the basis of  
264 services performed by an alien, unless such alien is an  
265 individual who was lawfully admitted for permanent residence  
266 at the time such services were performed, was lawfully  
267 present for purposes of performing such services, or was  
268 permanently residing in the United States under color of law  
269 at the time such services were performed (including an alien  
270 who was lawfully present in the United States as a result of  
271 the application of the provisions of Section 212(d)(5) of  
272 the Immigration and Nationality Act).

273 (1) Any data or information required of individuals  
274 applying for benefits to determine whether benefits are not  
275 payable to them because of their alien status shall be  
276 uniformly required from all applicants for benefits.

277 (2) In the case of an individual whose application for  
278 benefits would otherwise be approved, no determination that  
279 benefits to such individual are not payable because of such  
280 individual's alien status shall be made except upon a  
281 preponderance of the evidence.

282 9. A claimant shall be ineligible for waiting week  
283 credit or benefits for any week such claimant has an  
284 outstanding penalty which was assessed based upon an  
285 overpayment of benefits, as provided for in subsection 9 of  
286 section 288.380.

287 10. The directors of the division of employment  
288 security and the [division] **office** of workforce development  
289 **in the department of higher education and workforce**  
290 **development** shall submit to the governor, the speaker of the  
291 house of representatives, and the president pro tem of the  
292 senate no later than October 15, 2006, a report outlining

293 their recommendations for how to improve work search  
294 verification and claimant reemployment activities. The  
295 recommendations shall include, but not limited to how to  
296 best utilize "greathires.org", and how to reduce the average  
297 duration of unemployment insurance claims. Each calendar  
298 year thereafter, the directors shall submit a report  
299 containing their recommendations on these issues by December  
300 thirty-first of each year.

301 11. For purposes of this section, a claimant may  
302 satisfy reporting requirements provided under this section  
303 by reporting by internet communication or any other means  
304 deemed acceptable by the division of employment security.

620.010. 1. There is hereby created a "Department of  
2 Economic Development" to be headed by a director appointed  
3 by the governor, by and with the advice and consent of the  
4 senate. All of the general provisions, definitions and  
5 powers enumerated in section 1 of the Omnibus State  
6 Reorganization Act of 1974 shall continue to apply to this  
7 department and its divisions, agencies and personnel.

8 2. The powers, duties and functions vested in the  
9 public service commission, chapters 386, 387, 388, 389, 390,  
10 392, 393, and others, and the administrative hearing  
11 commission, sections 621.015 to 621.198 and others, are  
12 transferred by type III transfers to the department of  
13 economic development. The director of the department is  
14 directed to provide and coordinate staff and equipment  
15 services to these agencies in the interest of facilitating  
16 the work of the bodies and achieving optimum efficiency in  
17 staff services common to all the bodies. Nothing in the  
18 Reorganization Act of 1974 shall prevent the chairman of the  
19 public service commission from presenting additional budget

20 requests or from explaining or clarifying its budget  
21 requests to the governor or general assembly.

22 3. The powers, duties and functions vested in the  
23 office of the public counsel are transferred by type III  
24 transfer to the department of economic development. Funding  
25 for the general counsel's office shall be by general revenue.

26 4. The public service commission is authorized to  
27 employ such staff as it deems necessary for the functions  
28 performed by the general counsel other than those powers,  
29 duties and functions relating to representation of the  
30 public before the public service commission.

31 5. All the powers, duties and functions vested in the  
32 tourism commission, chapter 258 and others, are transferred  
33 to the "Division of Tourism", which is hereby created, by  
34 type III transfer.

35 6. All the powers, duties and functions of the  
36 department of community affairs, chapter 251 and others, not  
37 otherwise assigned, are transferred by type I transfer to  
38 the department of economic development, and the department  
39 of community affairs is abolished. The director of the  
40 department of economic development may assume all the duties  
41 of the director of community affairs or may establish within  
42 the department such subunits and advisory committees as may  
43 be required to administer the programs so transferred. The  
44 director of the department shall appoint all members of such  
45 committees and heads of subunits.

46 7. The Missouri housing development commission,  
47 chapter 215, is assigned to the department of economic  
48 development, but shall remain a governmental instrumentality  
49 of the state of Missouri and shall constitute a body  
50 corporate and politic.



51           8. [All the authority, powers, duties, functions,  
52 records, personnel, property, matters pending and other  
53 pertinent vestiges of the division of manpower planning of  
54 the department of social services are transferred by a type  
55 I transfer to the "Division of Workforce Development", which  
56 is hereby created, within the department of economic  
57 development. The division of manpower planning within the  
58 department of social services is abolished. The provisions  
59 of section 1 of the Omnibus State Reorganization Act of  
60 1974, Appendix B, relating to the manner and procedures for  
61 transfers of state agencies shall apply to the transfers  
62 provided in this section.

63           9. All the authority, powers, functions, records,  
64 personnel, property, contracts, matters pending and other  
65 pertinent vestiges of the division of employment security  
66 within the department of labor and industrial relations  
67 related to job training and labor exchange that are funded  
68 with or based upon Wagner-Peyser funds, and other federal  
69 and state workforce development programs administered by the  
70 division of employment security are transferred by a type I  
71 transfer to the division of workforce development within the  
72 department of economic development.

73           10.] Any rule or portion of a rule, as that term is  
74 defined in section 536.010, that is created under the  
75 authority delegated in this section shall become effective  
76 only if it complies with and is subject to all of the  
77 provisions of chapter 536 and, if applicable, section  
78 536.028. This section and chapter 536 are nonseverable and  
79 if any of the powers vested with the general assembly  
80 pursuant to chapter 536 to review, to delay the effective  
81 date, or to disapprove and annul a rule are subsequently  
82 held unconstitutional, then the grant of rulemaking

83 authority and any rule proposed or adopted after August 28,  
84 2008, shall be invalid and void.

620.515. 1. This section shall be known and may be  
2 cited as the ["Show-Me Heroes"] "**Missouri Heroes Connect**"  
3 program, the purpose of which is to:

4 (1) Assist the spouse of an active duty National Guard  
5 or reserve component service member reservist and active  
6 duty United States military personnel to address immediate  
7 needs and employment in an attempt to keep the family from  
8 falling into poverty while the primary income earner is on  
9 active duty, and [during the five-year period] following  
10 discharge from deployment; and

11 (2) Assist returning National Guard troops or reserve  
12 component service member reservists and recently separated  
13 United States military personnel with finding work in  
14 situations where an individual needs to rebuild business  
15 clientele or where an individual's job has been eliminated  
16 while such individual was deployed, or where the individual  
17 otherwise cannot return to his or her previous employment.

18 2. Subject to appropriation, the department of higher  
19 education and workforce development shall operate the [Show-  
20 Me] **Missouri heroes connect** program through existing  
21 programs. Eligibility for the program shall be based on the  
22 following criteria:

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

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

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

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

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

33 (2) Services that may be provided to the family will  
34 be aimed at ameliorating the immediate crisis and providing  
35 a path for economic stability while the primary income is  
36 not available due to the active military commitment.  
37 Services shall be made available [up to five years]  
38 following discharge from deployment. Services may include,  
39 but not be limited to the following:

40 (a) Financial assistance to families facing financial  
41 crisis from overdue bills;

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

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

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

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

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

52 (g) Job placement assistance for those who don't  
53 require skills training.

54 3. (1) In addition to the benefits provided to those  
55 meeting the criteria established by subsection 2 of this  
56 section, the department of higher education and workforce  
57 development may award grants from the [Show-Me] **Missouri**  
58 heroes **connect** program or programs administering the [Show-  
59 Me] **Missouri** heroes **connect** program to one or more nonprofit  
60 organizations that facilitate the participation in  
61 apprenticeship training programs of veterans and active duty

62 United States military personnel who are transitioning into  
63 civilian employment.

64 (2) A grant awarded pursuant to this subsection shall  
65 be used only to recruit or assist veterans or active duty  
66 United States military personnel who are transitioning into  
67 civilian employment to participate in an apprenticeship  
68 training program in this state.

69 (3) As used in this subsection, the term  
70 "apprenticeship training program" means a training program  
71 that provides on-the-job training, preparatory instruction,  
72 supplementary instruction, or related instruction in a trade  
73 that has been certified as an apprenticeable occupation by  
74 the Office of Apprenticeship of the United States Department  
75 of Labor.

76 4. The department shall promulgate rules to implement  
77 the provisions of this section. Any rule or portion of a  
78 rule, as that term is defined in section 536.010, that is  
79 created under the authority delegated in this section shall  
80 become effective only if it complies with and is subject to  
81 all of the provisions of chapter 536 and, if applicable,  
82 section 536.028. This section and chapter 536 are  
83 nonseverable and if any of the powers vested with the  
84 general assembly pursuant to chapter 536 to review, to delay  
85 the effective date, or to disapprove and annul a rule are  
86 subsequently held unconstitutional, then the grant of  
87 rulemaking authority and any rule proposed or adopted after  
88 August 28, 2012, shall be invalid and void.

640.030. The department of natural resources and the  
2 department of conservation shall develop an interagency plan  
3 and execute an interagency agreement regarding the  
4 application and use of any portion of funds authorized for  
5 the respective departments by provisions of the

6 Constitution, taking into consideration the purposes for  
7 which the voters approved the funds and the extent to which  
8 expenditures under the provisions of sections 252.300 to  
9 252.333[, or sections 620.552 to 620.574,] accomplish such  
10 purposes. Such interagency agreements shall not be subject  
11 to legislative review or oversight and are not rules within  
12 the meaning of any law providing for review by the general  
13 assembly or any committee thereof.

2 [170.012. 1. Any graduate student who did  
3 not receive both his primary and secondary  
4 education in a nation or territory in which  
5 English is the primary language shall not be  
6 given a teaching appointment during his or her  
7 first semester of enrollment at any public  
8 institution of higher education in the state of  
9 Missouri. Exceptions may be granted in special  
10 cases upon approval of the chief academic and  
11 executive officers of the institution.

12 2. All graduate students who did not  
13 receive both their primary and secondary  
14 education in a nation or territory in which  
15 English is the primary language shall be tested  
16 for their ability to communicate orally in  
17 English in a classroom setting prior to  
18 receiving a teaching appointment. Such testing  
19 shall be made available by the public  
20 institution at no cost to the graduate student.

21 3. All graduate students prior to filling  
22 a teaching assistant position as a graduate  
23 student, who have not previously lived in the  
24 United States shall be given a cultural  
25 orientation to prepare them for such teaching  
26 appointment.

27 4. All public institutions of higher  
28 education in this state shall provide to the  
29 coordinating board for higher education on a  
30 biennial basis a report on the number and  
31 language background of all teaching assistants,  
32 including a copy of the institutions current  
33 policy for selection of graduate teaching  
assistants.

34           5. The provisions of this section and  
35 sections 174.310 and 175.021 shall not apply to  
36 any person employed under a contract of  
37 employment in existence prior to August 13,  
38 1986.]

          [173.095. In recognition of the role of  
2 education in modern society and its influence  
3 upon whether or not a citizen will beneficially  
4 contribute to his state and community by his  
5 talents and developed abilities, and in  
6 recognition that educational opportunity should  
7 not be limited by the financial means of the  
8 student, and in further recognition of the  
9 public purposes designated by the United States  
10 through the Higher Education Act of 1965, P.L.  
11 89-329, as amended, and the National Vocational  
12 Student Loan Insurance Act of 1965, P.L. 89-287,  
13 the general assembly of the state of Missouri  
14 declares that state assistance to postsecondary  
15 students will benefit the state economically and  
16 culturally and is a public purpose of great  
17 importance.]

          [173.100. As used in sections 173.095 to  
2 173.187 the following terms mean:

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

5           (2) "Borrower", any person who has become  
6 legally obligated to repay a loan made under the  
7 student loan program or that person's guardian,  
8 trustee, estate, or other person legally  
9 responsible for defending against or satisfying  
10 borrower's obligations under the student loan  
11 program;

12           (3) "Department", the Missouri department  
13 of higher education and workforce development;

14           (4) "Earnings", compensation paid or  
15 payable for personal services, whether  
16 denominated wages, salary, commission, bonus, or  
17 otherwise;

18           (5) "Eligible borrower", any person  
19 attending or the parent of a dependent attending  
20 an eligible institution;

21 (6) "Eligible institution", any  
22 institution of postsecondary education,  
23 including a university, college, vocational and  
24 technical school, and other postsecondary  
25 institution, which has been approved for  
26 purposes of participation in the Missouri  
27 student loan program by the department and the  
28 United States Secretary of Education;

29 (7) "Eligible lender", any bank, savings  
30 and loan association, credit union, insurance  
31 company, pension fund, eligible educational  
32 institution lender, or the department, or the  
33 federal Student Loan Marketing Association or  
34 other secondary market operation;

35 (8) "Employer", any person, partnership,  
36 association, corporation, institution,  
37 governmental body, unit or agency, school  
38 district or municipal corporation, or any other  
39 entity employing one or more persons for a  
40 salary, wage, commission or other compensation,  
41 or any self-employed borrower;

42 (9) "Fund", the state guaranty student  
43 loan fund;

44 (10) "LLR fund", the lender of last resort  
45 revolving fund established in section 173.187;

46 (11) "Program", the Missouri guaranteed  
47 student loan program.]

[173.105. 1. The board shall determine  
2 the basic policies for the loan program and  
3 shall promulgate rules and regulations necessary  
4 to establish the loan program and to carry out  
5 the purposes of sections 173.095 to 173.180.  
6 The basic policies of the board and all rules  
7 and regulations promulgated pursuant to sections  
8 173.095 to 173.180 shall be designed to  
9 encourage maximum involvement and participation  
10 by lenders and financial institutions in the  
11 student loan program. Lenders and financial  
12 institutions shall be encouraged by institutions  
13 of higher education to maximize the number of  
14 loans available to students. It shall be the  
15 responsibility of the coordinating board for  
16 higher education to establish guidelines and

17 criteria for institutions of higher education  
18 for usage in maximizing the availability of  
19 student loans. The department shall be the  
20 administrative agency for the implementation of  
21 the program, and may employ such personnel as is  
22 necessary, in excess of the number provided in  
23 subsection 2 of section 6 of the omnibus state  
24 reorganization act of 1974, to administer the  
25 provisions of sections 173.095 to 173.230.

26 2. All reports relating to the program  
27 which are now or may hereafter be required by  
28 the federal government shall also be submitted  
29 to the director of the office of administration  
30 and to the senate and house appropriations  
31 committees.]

[173.110. 1. The department is authorized  
2 to issue certificates of guarantee covering  
3 student loans by eligible lenders which meet the  
4 requirements of sections 173.095 to 173.180 and  
5 the regulations of the board adopted hereunder  
6 to eligible borrowers, and to pay from the fund  
7 to an eligible lender the amount established by  
8 federal law in the event the student defaults.  
9 Upon payment of the loss the department shall be  
10 subrogated to all the rights of the eligible  
11 lender.

12 2. The department shall charge for each  
13 guaranteed loan a special loan insurance premium  
14 established by federal law which shall be paid  
15 to the department by the borrower. Amounts so  
16 received shall be used by the department to pay  
17 the costs of administering the program and to  
18 guarantee student loans.

19 3. The department is authorized to  
20 originate loans, including lender of last resort  
21 loans. All moneys to originate loans, including  
22 lender of last resort loans, shall be paid from  
23 a fund established for that purpose, including  
24 the lender of last resort revolving fund created  
25 under section 173.187.

26 4. The total outstanding guaranteed loans  
27 shall at no time exceed an amount which,  
28 according to sound actuarial judgment as



29 determined by the state auditor, can be  
30 guaranteed by the fund.]

[173.115. 1. After the department has  
2 paid a loss on a defaulted loan and has entered  
3 a statement of claim in which it determines and  
4 sets forth the existence, nature and amount of  
5 the money due it by the defaulting borrower and  
6 a proposed payment schedule, the department may  
7 issue an order directing any employer of the  
8 borrower to withhold or pay over to the  
9 department money due or to become due to the  
10 department.

11 2. Before issuing the order as provided in  
12 subsection 1 of this section, the department  
13 shall serve on the borrower the statement of  
14 claim and shall inform the borrower that the  
15 department intends to initiate proceedings to  
16 collect the debt through deductions from  
17 earnings. The department shall also provide a  
18 copy of this section or an explanation of the  
19 borrower's rights under this section.

20 3. The department shall provide the  
21 borrower with an opportunity to inspect and copy  
22 records related to the defaulted loans.

23 4. The department shall provide the  
24 borrower with the opportunity to enter into a  
25 written agreement with the department under  
26 terms agreeable to the department to establish a  
27 schedule for the repayment of the debt.

28 5. The department shall provide the  
29 borrower with the opportunity to have a hearing  
30 before an impartial hearing officer appointed by  
31 the department but who is not under the control  
32 or supervision of the board or department. The  
33 procedures for the hearing shall be the same as  
34 those for contested cases under chapter 536.  
35 Upon the borrower's filing of a request for a  
36 hearing in compliance with the rules of the  
37 board, the department shall stay the  
38 commencement of collection proceedings for the  
39 debt described in the statement of claim until  
40 the department issues an order provided for in  
41 subsection 6, 7, or 8, of this section.

42           6. At the earliest practicable date but  
43 not later than sixty days after the filing of  
44 the request for the hearing, the hearing officer  
45 shall file with the department his written  
46 decision which states specifically his findings  
47 in regard to those matters set forth in the  
48 department's statement of claim. The hearing  
49 officer shall also determine and include in his  
50 decision the terms of the repayment schedule  
51 which shall be the same as that set forth by the  
52 department in its statement of claim unless he  
53 finds no good cause to enter that schedule.  
54 Upon receipt of the hearing officer's decision,  
55 the department shall issue an order to pay debt  
56 which adopts the findings in the decision as to  
57 the existence, nature and amount of the debt and  
58 as to the repayment schedule.

59           7. When a borrower properly requests a  
60 hearing under the board's rules and when the  
61 hearing officer does not issue a decision within  
62 sixty days of the department's having received  
63 the request for the hearing, the department  
64 shall issue an order withdrawing the statement  
65 of claim and serve it upon the borrower with a  
66 copy of this subsection. After such an order is  
67 entered, the department shall not use the  
68 provisions of this section in regard to the  
69 loans set forth in the statement of claim, but  
70 may use any other remedy provided by law to  
71 recover the moneys owed the department. The  
72 order issued by the department shall not have  
73 the effect of precluding any other  
74 administrative or judicial tribunal from  
75 deciding any claim brought by the department or  
76 other party against the borrower or from  
77 deciding any factual or legal issue relevant to  
78 such claim.

79           8. When a borrower does not make a proper  
80 timely request for a hearing, the department may  
81 issue and serve on the borrower an order to pay  
82 debt which contains as its provisions the  
83 content of the statement of claim including the  
84 proposed repayment schedule.

85           9. The borrower may seek judicial review  
86 of any order to pay debt under sections 536.100  
87 to 536.140.

88           10. Upon issuing an order to pay debt, but  
89 not less than thirty days after the statement of  
90 claim was served on the borrower, the department  
91 may issue an order to withhold earnings which  
92 directs any employer of the borrower to withhold  
93 and pay over to the department money due or to  
94 become due the borrower. The employer shall  
95 withhold from the earnings the amount specified  
96 in the order, except that the total amount  
97 withheld shall not exceed ten percent of the  
98 borrower's earnings after deduction from those  
99 earnings of any amount required by law to be  
100 withheld. When the borrower voluntarily makes a  
101 written request that money due or to become due  
102 him be withheld or applied to the debt or that  
103 more than the ten percent maximum be withheld  
104 from his earnings, the employer shall comply  
105 with that request as if so ordered by the  
106 department.

107           11. Subject to the provisions of section  
108 454.505, an order to withhold earnings shall  
109 have the same force and effect in regard to the  
110 employer as any other garnishment.

111           12. No employer or other payor who  
112 complies with an order to withhold earnings  
113 shall be liable to the borrower, or to any other  
114 person claiming rights derived from the  
115 borrower, for wrongful withholding. An employer  
116 who fails or refuses to withhold or pay the  
117 amounts as ordered under this section shall be  
118 liable to the department in an amount equal to  
119 the amount which became due the department  
120 during the relevant period and which, under the  
121 order, should have been withheld and paid over.

122           13. An employer shall not discharge,  
123 refuse to hire or otherwise discipline an  
124 employee as a result of an order to withhold and  
125 pay over certain money authorized by this  
126 section. Any employer who does so is guilty of  
127 an infraction.

128           14. Service on the borrower or on the  
129 employer pursuant to this section or pursuant to  
130 rules promulgated under this section may be made  
131 on the borrower or employer, respectively or on  
132 other party in the manner provided for service  
133 of process in a civil action by a duly  
134 authorized process server appointed by the  
135 department, or by certified mail, return receipt  
136 requested, to the borrower's last known address  
137 or to the employer's address. The department  
138 may appoint any disinterested party, including,  
139 but not necessarily limited to, employees of the  
140 department, to serve such process. For purposes  
141 of this section, a borrower or an employer who  
142 does not accept receipt of service by certified  
143 mail or a borrower who has not provided the  
144 department his new or correct address is deemed  
145 to have been served as of the date on which the  
146 certified mail is mailed.

147           15. The board may promulgate rules to  
148 carry out the provisions of this section,  
149 including, but not limited to, rules pertaining  
150 to proceedings before the hearing officer and  
151 before the department and rules pertaining to  
152 procedures to be followed by employers to comply  
153 with the order to withhold and pay over  
154 earnings.]

          [173.120. 1. The "State Guaranty Student  
2 Loan Fund" is established and shall consist of  
3 money appropriated to it by the general  
4 assembly, charges, gifts, grants and bequests  
5 from federal, private or other sources made for  
6 the purpose of assisting students in financing  
7 their education. Notwithstanding the provisions  
8 of section 33.080, no portion of the fund shall  
9 be transferred to the general revenue fund,  
10 except that in appropriations made for the  
11 fiscal year beginning July 1, 1982, the general  
12 assembly shall transfer six hundred thousand  
13 dollars from the fund to the general revenue  
14 fund, and any appropriation made to the fund  
15 shall not lapse, but the board shall hold the  
16 fund in the same manner as the curators of the

17 University of Missouri and the other state  
18 educational institutions are directed to hold  
19 funds not subject to lapse or transfer.

20 2. All moneys recovered by the department  
21 for payments made on previously defaulted  
22 guaranteed loans shall be paid promptly into the  
23 state treasury and credited to the fund.

24 3. The fund shall be administered by the  
25 department.]

[173.125. As a condition of receiving  
2 state funds, every public institution of higher  
3 education shall agree to submit to binding  
4 dispute resolution with regard to disputes among  
5 public institutions of higher education that  
6 involve jurisdictional boundaries or the use or  
7 expenditure of any state resources whatsoever,  
8 as determined by the coordinating board. In all  
9 cases, the arbitrator shall be the commissioner  
10 of higher education or his or her designee,  
11 whose decision shall be binding on all parties.  
12 Any institution aggrieved by a decision of the  
13 commissioner may appeal such decision, in which  
14 instance the case shall be reviewed by the full  
15 coordinating board, at which time the full  
16 coordinating board shall have the authority to  
17 make a binding and final decision, by means of a  
18 majority vote, regarding the matter.]

[173.130. Moneys in the fund, both  
2 unobligated and obligated as a reserve, which in  
3 the judgment of the board are not currently  
4 needed for the payment of defaults of guaranteed  
5 loans, may be invested by the state treasurer,  
6 and any income therefrom shall be deposited to  
7 the credit of the fund.]

[173.141. The board may:

2 (1) Enter into agreements with and receive  
3 grants from the United States government in  
4 connection with federal programs of assistance  
5 to students of postsecondary education;

6 (2) Contract with public agencies or  
7 private persons or organizations for the purpose

8 of carrying out the administrative functions  
9 imposed upon it by sections 173.095 to 173.180;

10 (3) Call upon agencies of the state which  
11 have actuarial or financial expertise for  
12 consultation and advice, and upon any agency of  
13 the state for assistance in the location of  
14 delinquent borrowers.]

[173.150. The board, by rules and  
2 regulations, shall determine the policy of  
3 collections and recovery of loans, including the  
4 use of private collection agencies or assigning  
5 loans to the United States Secretary of  
6 Education. Pursuant to the rules and  
7 regulations of the board the department may  
8 institute action to recover any amount due the  
9 program in any loan transaction, use private  
10 collection agencies, or otherwise carry out the  
11 policy set by the board.]

[173.160. The board shall adopt and  
2 promulgate regulations establishing standards  
3 for determining eligible institutions, eligible  
4 lenders, and eligible borrowers under sections  
5 173.095 to 173.180. These standards shall  
6 include, but are not limited to, the following:

7 (1) The student's enrollment in an  
8 eligible institution, where his good standing  
9 and workload meet the criteria of the  
10 institution;

11 (2) The total guaranteed loans made to a  
12 student for one academic year;

13 (3) The aggregate insured unpaid principal  
14 of all guaranteed loans made to any student;

15 (4) The loans received by the student  
16 other than those guaranteed under the provisions  
17 of sections 173.095 to 173.180;

18 (5) The need of the student for the loan;

19 (6) The proportion of guaranteed  
20 outstanding student loans in default or  
21 potential default status from individual  
22 institutions or lenders;

23 (7) The percentage of the enrolled  
24 students at an institution who have guaranteed  
25 student loans and then withdraw; and

26 (8) The proportion of students at an  
27 institution having received guaranteed loans.]

[173.170. 1. The board shall adopt  
2 regulations establishing standards for  
3 determining eligibility of loan agreements to be  
4 guaranteed under the provisions of sections  
5 173.095 to 173.180. The regulations shall  
6 provide for, but shall not be limited to, the  
7 following:

8 (1) The requirement or nonrequirement of  
9 security or endorsement;

10 (2) The manner and time of repayment of  
11 the principal and interest;

12 (3) The maximum rate of interest;

13 (4) The right of the borrower to  
14 accelerate payments without penalty;

15 (5) The amount of the guarantee charge;

16 (6) The effective period of the guarantee;

17 (7) The percent of the loan covered by the  
18 guarantee;

19 (8) The assignability of loans by the  
20 lender;

21 (9) Procedures in the event of default by  
22 the borrower;

23 (10) The due diligence effort on the part  
24 of lenders for collection of guaranteed loans;

25 (11) Collection assistance and  
26 supplemental preclaims assistance to be provided  
27 to lenders; and

28 (12) The extension of the guarantee in  
29 consideration of eligible deferments or  
30 forbearances.

31 2. The eligibility of any person for a  
32 student loan under the provisions of sections  
33 173.095 to 173.180 shall not be determined or  
34 otherwise affected by any considerations of that  
35 person's race, religion, sex, creed, color,  
36 location of residence, or choice of eligible  
37 institution.]

[173.180. The regulations of the board for  
2 the program shall be filed with the secretary of  
3 state as provided by statute before they shall  
4 become effective.]

2 [173.186. Independent or private  
3 guarantors of student loans of Missouri  
4 residents attending Missouri postsecondary  
5 educational institutions shall be subject to the  
6 following provisions in order to be eligible to  
7 guaranty such loans:

8 (1) No such loan shall be guaranteed for  
9 attendance at a correspondence school, at a  
10 school which has been suspended or terminated  
11 from eligibility for the Missouri guaranteed  
12 student loan program by the Missouri guaranty  
13 agency, at a school which is not designated as  
14 an eligible institution for the Missouri  
15 guaranteed student loan program by the Missouri  
16 guaranty agency or at a school which has been  
17 designated as an eligible institution but does  
18 not participate;

19 (2) Each such guarantor of student loans  
20 shall file an annual report by each August  
21 fifteenth with the Missouri coordinating board  
22 for higher education giving, for the immediately  
23 preceding period of July first through June  
24 thirtieth and for each month therein and for  
25 each Missouri postsecondary institution attended  
26 by Missouri residents for which loans were  
27 guaranteed, the total number of loans guaranteed  
28 and the total dollar amount of such loans;

29 (3) The coordinating board for higher  
30 education shall develop and promulgate rules  
31 pursuant to and shall administer the provisions  
32 of these requirements. The coordinating board  
33 shall take reasonable action to identify and  
34 notify affected guaranty agencies, lenders and  
postsecondary educational institutions.]

2 [173.187. 1. The "Lender of Last Resort  
3 Revolving Fund" is hereby established in the  
4 state treasury and shall consist of funds  
5 received from the United States Secretary of  
6 Education, charges, gifts, grants, and bequests  
7 from federal, private or other sources made for  
8 the purpose of assisting students in financing  
9 their education. No portion of the fund shall  
be transferred to the general revenue fund.



10           2. The fund shall be administered by the  
11 program.]

[173.236. 1. As used in this section,  
2 unless the context clearly requires otherwise,  
3 the following terms mean:

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

6           (2) "Grant", the Vietnam veteran's  
7 survivors grant as established in this section;

8           (3) "Institution of postsecondary  
9 education", any approved public or private  
10 institution as defined in section 173.205;

11           (4) "Survivor", a child or spouse of a  
12 Vietnam veteran as defined in this section;

13           (5) "Tuition", any tuition or incidental  
14 fee or both charged by an institution of  
15 postsecondary education, as defined in this  
16 section, for attendance at the institution by a  
17 student as a resident of this state;

18           (6) "Vietnam veteran", a person who served  
19 in the military in Vietnam or the war zone in  
20 Southeast Asia and to whom the following  
21 criteria shall apply:

22           (a) The veteran was a Missouri resident  
23 when first entering the military service and at  
24 the time of death;

25           (b) The veteran's death was attributable  
26 to illness that could possibly be a result of  
27 exposure to toxic chemicals during the Vietnam  
28 Conflict; and

29           (c) The veteran served in the Vietnam  
30 theater between 1961 and 1972.

31           2. Within the limits of the amounts  
32 appropriated therefor, the coordinating board  
33 for higher education shall award annually up to  
34 twelve grants to survivors of Vietnam veterans  
35 to attend institutions of postsecondary  
36 education in this state. If the waiting list of  
37 eligible survivors exceeds fifty, the  
38 coordinating board may petition the general  
39 assembly to expand the quota. If the quota is  
40 not expanded the eligibility of survivors on the  
41 waiting list shall be extended.

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

52           4. The coordinating board for higher  
53 education shall:

54           (1) Promulgate all necessary rules and  
55 regulations for the implementation of this  
56 section;

57           (2) Determine minimum standards of  
58 performance in order for a survivor to remain  
59 eligible to receive a grant under this program;

60           (3) Make available on behalf of a survivor  
61 an amount toward the survivor's tuition which is  
62 equal to the grant to which the survivor is  
63 entitled under the provisions of this section;

64           (4) Provide the forms and determine the  
65 procedures necessary for a survivor to apply for  
66 and receive a grant under this program.

67           5. In order to be eligible to receive a  
68 grant pursuant to this section, a survivor shall  
69 be certified as eligible by a Missouri state  
70 veterans service officer. Such certification  
71 shall be made upon qualified medical  
72 certification by a Veterans Administration  
73 medical authority that exposure to toxic  
74 chemicals contributed to or was the cause of  
75 death of the veteran, as defined in subsection 1  
76 of this section.

77           6. A survivor who is enrolled or has been  
78 accepted for enrollment as an undergraduate  
79 postsecondary student at an approved institution  
80 of postsecondary education shall receive a grant  
81 in an amount not to exceed the least of the  
82 following:

83           (1) The actual tuition, as defined in this  
84 section, charged at an approved institution

85 where the child is enrolled or accepted for  
86 enrollment; or

87 (2) The average amount of tuition charged  
88 a Missouri resident at the institutions  
89 identified in section 174.020 for attendance as  
90 a full-time student, as defined in section  
91 173.205.

92 7. A survivor who is a recipient of a  
93 grant may transfer from one approved public or  
94 private institution of postsecondary education  
95 to another without losing his entitlement under  
96 this section. The board shall make necessary  
97 adjustments in the amount of the grant. If a  
98 grant recipient at any time withdraws from the  
99 institution of postsecondary education so that  
100 under the rules and regulations of that  
101 institution he is entitled to a refund of any  
102 tuition, fees, or other charges, the institution  
103 shall pay the portion of the refund to which he  
104 is entitled attributable to the grant for that  
105 semester or similar grading period to the board.

106 8. If a survivor is granted financial  
107 assistance under any other student aid program,  
108 public or private, the full amount of such aid  
109 shall be reported to the board by the  
110 institution and the eligible survivor.

111 9. Nothing in this section shall be  
112 construed as a promise or guarantee that a  
113 person will be admitted to an institution of  
114 postsecondary education or to a particular  
115 institution of postsecondary education, will be  
116 allowed to continue to attend an institution of  
117 postsecondary education after having been  
118 admitted, or will be graduated from an  
119 institution of postsecondary education.

120 10. The benefits conferred by this section  
121 shall be available to any academically qualified  
122 surviving children and spouses of Vietnam  
123 veterans as defined in subsection 1 of this  
124 section, regardless of the survivor's age, until  
125 December 31, 1995. After December 31, 1995, the  
126 benefits conferred by this section shall not be  
127 available to such persons who are twenty-five  
128 years of age or older, except spouses will

129 remain eligible until the fifth anniversary  
130 after the death of the veteran.

131 11. This section shall expire on December  
132 31, 2015.]

[173.262. 1. There is hereby established  
2 the "Marguerite Ross Barnett Competitiveness  
3 Scholarship Program", and any moneys  
4 appropriated by the general assembly for this  
5 program shall be used to provide scholarships  
6 for Missouri citizens to attend a Missouri  
7 college or university of their choice pursuant  
8 to the provisions of this section.

9 2. The definitions of terms set forth in  
10 section 173.205 shall be applicable to such  
11 terms as used in this section. The term  
12 "competitiveness scholarship" means an amount of  
13 money paid by the state of Missouri to a  
14 qualified college or university student pursuant  
15 to the provisions of this section.

16 3. The coordinating board for higher  
17 education shall be the administrative agency for  
18 the implementation of the program established by  
19 this section, and shall:

20 (1) Promulgate reasonable rules and  
21 regulations for the exercise of its functions  
22 and the effectuation of the purposes of this  
23 section;

24 (2) Prescribe the form and the time and  
25 method of awarding competitiveness scholarships,  
26 and shall supervise the processing thereof; and

27 (3) Select qualified recipients to receive  
28 competitiveness scholarships, make such awards  
29 of competitiveness scholarships to qualified  
30 recipients and determine the manner and method  
31 of payment to the recipient.

32 4. A student shall be eligible for initial  
33 or renewed competitiveness scholarship if, at  
34 the time of his application and throughout the  
35 period during which he is receiving such  
36 assistance, he is a part-time student who:

37 (1) Is eighteen years of age or older;

38 (2) Is employed twenty hours or more per  
39 week;

40 (3) Is a citizen or a permanent resident  
41 of the United States;

42 (4) Is a resident of the state of  
43 Missouri, as determined by reference to  
44 standards promulgated pursuant to section  
45 173.140;

46 (5) Is enrolled, or has been accepted for  
47 enrollment, as a part-time undergraduate student  
48 in an approved private or public institution; and

49 (6) Establishes financial need.

50 5. A recipient of competitiveness  
51 scholarship awarded under the provisions of this  
52 section may transfer from one approved Missouri  
53 public or private institution to another without  
54 losing eligibility for the scholarship. If a  
55 recipient of the scholarship at any time  
56 withdraws from an approved private or public  
57 institution so that under the rules and  
58 regulations of that institution he is entitled  
59 to a refund of any tuition, fees or other  
60 charges, the institution shall pay the portion  
61 of the refund attributable to the scholarship  
62 for that term to the coordinating board for  
63 higher education.]

[173.264. There is hereby established as a  
2 pilot project the "International Economic  
3 Development Exchange Program". The department  
4 of economic development, with the advice of the  
5 advisory committee established in section  
6 173.265, shall administer the program, except  
7 that the department shall administer the program  
8 without additional staff or salary for such  
9 program. The program shall be established to  
10 encourage international exchanges at industrial  
11 and commercial business enterprises for students  
12 enrolled in institutions of higher education.  
13 Full-time students who attend institutions of  
14 higher education in this state shall be eligible  
15 for financial assistance to attend the student  
16 internship exchange portion of the program in  
17 eligible countries other than the United  
18 States. Priority shall be given to business  
19 internship exchange programs of public and

20 private institutions of higher education in this  
21 state, where such programs have been in  
22 existence for at least ten successive years  
23 prior to December 23, 1997. The program shall  
24 include an inventory of the number of students  
25 involved in such programs, which shall be  
26 maintained by the advisory committee. The  
27 program shall also include the development of  
28 methods for fostering international trade  
29 through exchange programs and through business  
30 and entrepreneurial training programs. The  
31 program may include the provision of  
32 scholarships and other financial assistance in  
33 cooperation with the federal government, public  
34 and private institutions of higher education,  
35 and businesses, to enable students and business  
36 people from eligible countries to study and  
37 attend training programs in the United States.]

[173.265. 1. There is hereby created an  
2 "International Economic Development Exchange  
3 Program Advisory Committee", which shall consist  
4 of five members, to be appointed by the director  
5 of the department of economic development. The  
6 committee shall include two persons associated  
7 with institutions of higher education in this  
8 state and one resident business person who deals  
9 with international business. Of the five  
10 members, all shall be residents of the state, at  
11 least one member shall be a resident of one of  
12 the two largest metropolitan areas of this  
13 state, and at least one member shall not be a  
14 resident of one of the two largest metropolitan  
15 areas of this state. The members shall serve  
16 three-year terms. The committee shall meet only  
17 in Jefferson City. The committee shall review  
18 the administration of the international economic  
19 development exchange program by the department  
20 of economic development. The director of the  
21 department of economic development shall make an  
22 annual report of the program's activities to the  
23 governor, the speaker of the house of  
24 representatives and the president pro tem of the  
25 senate. Members of the committee shall serve

26 without compensation but may be reimbursed for  
27 ordinary and necessary expenses incurred in the  
28 performance of their official duties.

29 2. The program may receive grants, loans  
30 and other funding from the federal government  
31 and from private sources. In addition, the  
32 general assembly may appropriate up to one  
33 hundred thousand dollars in each fiscal year for  
34 the program; however, such appropriation shall  
35 not exceed an amount equal to the amounts  
36 contributed to the program from nongovernmental  
37 sources.]

[173.475. Notwithstanding any provision of  
2 law or policy of a public institution of higher  
3 education to the contrary, no public college or  
4 university, as defined in section 173.355, shall  
5 reject an applicant for a faculty position based  
6 solely on the applicant having not earned a  
7 graduate degree, provided that the applicant has  
8 earned an undergraduate baccalaureate degree and  
9 has served for at least eight years in the  
10 general assembly.]

[173.775. 1. Sections 173.775 to 173.796  
2 shall be known as the "Advantage Missouri  
3 Program". This program shall provide loans to  
4 and establish a loan forgiveness program for  
5 students in approved educational programs who  
6 become employed in occupational areas of high  
7 demand in this state.

8 2. The "Advantage Missouri Trust Fund" is  
9 hereby created in the state treasury, to be used  
10 by the coordinating board for higher education  
11 to provide loans pursuant to sections 173.775 to  
12 173.796. All appropriations, private donations,  
13 and other funds provided to the board for this  
14 program shall be credited to the fund. All  
15 funds generated by loan repayments and any  
16 penalties received pursuant to sections 173.787  
17 and 173.790, shall also be credited to the  
18 fund. Notwithstanding the provisions of section  
19 33.080 to the contrary, any unexpended balance  
20 in the fund shall not revert to the general  
21 revenue fund.]

[173.778. As used in sections 173.775 to 173.796, the following terms mean:

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

(2) "Eligible institution", any approved public or private institution of postsecondary education, as defined in section 173.205 or any other Missouri private institution that:

(a) Is required by statute to be certified to operate by the board;

(b) Is institutionally accredited by a United States Department of Education recognized accrediting commission;

(c) Has operated continuously in the state of Missouri for five or more years;

(d) Has no more than fifty percent of its students in correspondence programs;

(e) Offers a one-year or two-year certificate, associate or baccalaureate degree programs, or graduate or professional degree programs; and

(f) Is approved for participation in the advantage Missouri program by the board;

(3) "Eligible student", an individual who is enrolled full time in an eligible institution, unless the board approves less than full-time enrollment, who meets the eligibility requirements pursuant to subsection 1 of section 173.215 and who meets the following additional requirements:

(a) Has received a high school diploma, general educational development certificate (GED), or its equivalent;

(b) Maintains satisfactory academic progress as determined by the eligible institution such student attends in pursuing a one-year or two-year certificate, associate or baccalaureate degree, or graduate or professional degree. Failure to maintain satisfactory academic progress shall result in ineligibility for continued participation in the program and ineligibility for forgiveness of any loan or loans received;



- 44 (c) Is not currently confined in any  
45 federal or state correctional facility or jail;  
46 (d) Has not defaulted on the repayment of  
47 any previously granted higher education loan; and  
48 (e) Submits an application provided by the  
49 board for participation in the program;  
50 (4) "Fund", the advantage Missouri trust  
51 fund, established in section 173.775; and  
52 (5) "Occupational areas of high demand",  
53 specific professions or skill areas for which  
54 the board determines that the state is  
55 experiencing a shortage of qualified employees;  
56 (6) "Program", the advantage Missouri  
57 program established pursuant to sections 173.775  
58 to 173.796.]

[173.781. By August 28, 1998, and by June  
2 first of each year thereafter, the board shall  
3 designate occupational areas of high demand in  
4 the state. The board shall also designate  
5 professions and skill areas directly related to  
6 the areas of high demand, and the degree  
7 programs or certifications directly leading to  
8 employment in such areas. In making such  
9 designations, the board shall consult with the  
10 department of labor and industrial relations,  
11 the department of economic development, and  
12 private sector business and labor groups. The  
13 board shall also consult with other private and  
14 public agencies and individuals with expertise  
15 related to labor markets, geographic and  
16 demographic analysis, and solicit input from  
17 interested parties throughout the state, in  
18 order to ensure that:

- 19 (1) The diverse needs of the state are  
20 considered; and  
21 (2) That these designations reflect the  
22 broad, long-term economic, educational, and  
23 public policy interests of the state in both the  
24 public and private sectors.]

[173.784. An eligible student may  
2 participate in the program for up to ten  
3 semesters, or their equivalent, whether  
4 consecutive or not, and may be awarded a loan of

5 up to two thousand five hundred dollars per  
6 academic year by the board, not to exceed a  
7 maximum of ten thousand dollars. No student  
8 shall participate in the program more than seven  
9 years after beginning such participation.]

2 [173.787. Eligible students who are in  
3 compliance with program requirements may qualify  
4 for forgiveness of a loan or loans received  
5 through the program by agreeing to be employed  
6 in an occupational area of high demand within  
7 the state of Missouri, as determined by the  
8 board, with such employment beginning within one  
9 calendar year of graduation by the individual  
10 from an eligible institution, and as outlined in  
11 the contract pursuant to section 173.790. The  
12 employment qualifying the eligible student for  
13 loan forgiveness shall be approved by the  
14 board. The board shall approve loan forgiveness  
15 on a year-for-year basis, with each year of  
16 approved employment qualifying the student for  
17 the forgiveness of one year's loans. Students  
18 electing not to comply with these employment  
19 requirements, or students failing to meet these  
20 requirements shall be required to repay with  
21 interest any or all loans received, pursuant to  
22 the contractual provisions described in section  
173.790.]

2 [173.790. 1. The board shall enter into a  
3 contract with each individual qualifying for  
4 participation in the program at the time the  
5 individual declares a major or decides on a  
6 course of study, if a major is not declared at  
7 the institution at which the individual is  
8 enrolled. The written contract shall contain,  
9 but not be limited to, the following:

10 (1) The terms and conditions under which  
11 the loan is made, and the requirements for  
12 repayment of the loan by the student;

13 (2) A stipulation that, the provisions of  
14 section 143.811 to the contrary notwithstanding,  
15 no interest shall be assessed on any loan  
16 provided through the program while the student  
is enrolled full time, or enrolled part-time

17 with the approval of the board, and meets the  
18 eligibility requirements pursuant to section  
19 173.778;

20 (3) The terms and conditions for  
21 qualifying for forgiveness of loan proceeds  
22 received through the program;

23 (4) A provision that any financial  
24 obligations arising out of a contract entered  
25 into, and any obligations of the individual  
26 which are conditioned thereon, are contingent  
27 upon funds being appropriated to the fund and on  
28 the availability of a targeted high demand job;  
29 and

30 (5) The amount of any penalties assessed,  
31 in the event repayment of the loan by the  
32 student is not made in accordance with the  
33 contract, or the student fails to maintain  
34 eligibility or other requirements of the  
35 program. All such penalties shall be deposited  
36 in the fund.

37 2. Sections 173.775 to 173.796 shall not  
38 be construed to require the board to enter into  
39 contracts with individuals who otherwise qualify  
40 for the program when funds are not available for  
41 such purpose.]

2 [173.793. Nothing in sections 173.775 to  
3 173.796 shall be construed as a promise or  
4 guarantee by the coordinating board for higher  
5 education, or the state of Missouri that a  
6 person will be admitted to a state institution  
7 of higher education or to a particular state  
8 institution of higher education, will be allowed  
9 to continue to attend an institution of higher  
10 education after having been admitted, or will be  
11 graduated from an institution of higher  
education.]

2 [173.796. 1. As used in this section, the  
3 term "taxpayer" means an individual, a  
4 partnership, or a corporation as described in  
5 section 143.441 or 143.471, and includes any  
6 charitable organization which is exempt from  
7 federal income tax and whose Missouri unrelated  
business taxable income, if any, would be

8 subject to the state income tax imposed under  
9 chapter 143.

10 2. Any taxpayer may make a contribution to  
11 the fund. Within the limits specified in  
12 subsection 3 of this section, a taxpayer shall  
13 be allowed a credit against the taxes imposed  
14 pursuant to chapter 143, except for sections  
15 143.191 to 143.265, on that individual or entity  
16 of up to fifty percent of the total amount  
17 contributed to the fund, not to exceed one  
18 hundred thousand dollars per taxpayer.

19 3. The department of revenue shall  
20 administer the tax credits pursuant to this  
21 section, and shall certify eligibility for the  
22 tax credits in the order applications are  
23 received. The total amount of tax credits  
24 certified in any one calendar year shall not  
25 exceed five million dollars annually.  
26 Contributions of up to one hundred thousand  
27 dollars per annum per taxpayer may be certified  
28 by the department of revenue as a qualified  
29 contribution for purposes of receiving a tax  
30 credit under this program.

31 4. If the amount of tax credit exceeds the  
32 total tax liability for the year in which the  
33 tax credit is claimed, the amount that exceeds  
34 the state tax liability may be carried forward  
35 for credit against the taxes imposed pursuant to  
36 chapter 143, except for sections 143.191 to  
37 143.265, for the succeeding ten years, or until  
38 the full credit is used, whichever occurs first.

39 5. For all tax years beginning on or after  
40 January 1, 2005, no tax credits shall be  
41 authorized, awarded, or issued to any person or  
42 entity claiming any tax credit under this  
43 section.

44 6. The provisions of this section shall  
45 become effective January 1, 1999.]

[620.552. Sections 620.552 to 620.574  
2 shall be known and may be cited as the "Missouri  
3 Youth Service and Conservation Corps Act".]

[620.554. There is hereby established a  
2 "Missouri Youth Service and Conservation Corps"

3 which shall provide educational remediation,  
4 employability skills training, and meaningful  
5 work experience necessary to better prepare the  
6 state's youths for meeting basic work  
7 requirements and their civic responsibility,  
8 while offering them opportunities to explore  
9 careers, gain needed work experience and  
10 contribute to the general welfare of their  
11 communities and the state.]

[620.556. As used in sections 620.552 to  
2 620.574 the following terms mean:

3 (1) "Corps" and "youth corps", the  
4 Missouri youth service and conservation corps;

5 (2) "Division", the division of workforce  
6 development within the department of economic  
7 development;

8 (3) "Local workforce investment boards",  
9 the local workforce investment boards  
10 established under Section 117 of the Workforce  
11 Investment Act, Public Law 105-220, as amended,  
12 or any other succeeding administrative body  
13 established by subsequent federal legislation to  
14 provide for the local administration and  
15 expenditure of funding for employment and job  
16 training and approved by the division of  
17 workforce development;

18 (4) "Participant", a person who has been  
19 hired, or who has been accepted as a volunteer,  
20 and who meets the program eligibility criteria  
21 established by sections 620.552 to 620.574;

22 (5) "Project", an undertaking designed to  
23 provide or assist in providing services to  
24 promote conservation, public health, education  
25 and welfare among the general population. The  
26 term includes, but is not limited to:

27 (a) The rehabilitation of substandard  
28 housing;

29 (b) The repair, restoration and  
30 maintenance of public facilities and amenities;

31 (c) Assistance with the organization and  
32 delivery of educational and health services;

33 (d) Assistance for the elderly homebound;

34 (e) Delivery of food to the hungry and  
35 elderly;

36 (f) Restoration or development of park  
37 facilities;

38 (g) Trail construction and maintenance;

39 (h) Litter control;

40 (i) Land and soil conservation and  
41 rehabilitation;

42 (j) Road repair;

43 (k) Land reclamation;

44 (l) Reforestation; and

45 (m) Other undertakings which benefit the  
46 control, management, restoration and  
47 conservation of the bird, fish, game, forestry,  
48 or wildlife resources, and soil or water  
49 resources of this state;

50 (6) "Project sponsor", state agencies,  
51 including the departments of elementary and  
52 secondary education, social services, labor and  
53 industrial relations, conservation, and natural  
54 resources and the University of Missouri  
55 extension system; any unit of local government,  
56 including school districts; private not-for-  
57 profit corporations or organizations;  
58 administrative entities designated pursuant to  
59 the requirements of the Workforce Investment Act  
60 and any subsequent amendments; and community-  
61 based organizations.]

[620.558. 1. The Missouri youth service  
2 and conservation corps shall consist of the  
3 following programs:

4 (1) A year-round community services and  
5 conservation program for young adults;

6 (2) A summer employment program;

7 (3) A volunteer program for youths.

8 2. In selecting participants for the youth  
9 service and conservation corps, the director of  
10 the division shall give preference to persons  
11 who are high school dropouts and who are at risk  
12 of not graduating from high school. The  
13 director may segregate programs and funds to  
14 serve such persons to enhance the efficiency of  
15 administering any federal Workforce Investment

16 Act funds which are available to the youth  
17 service and conservation corps.

18 3. Residents of both urban and rural areas  
19 of the state shall be eligible to apply to  
20 participate in the youth service and  
21 conservation corps. No person who has been  
22 convicted of a felony within the previous two  
23 years shall be eligible to participate in the  
24 youth service and conservation corps.  
25 Participants shall be unemployed at the time of  
26 their enrollment.]

2 [620.560. 1. The community services and  
3 conservation program for young adults shall  
4 consist of projects offering participants paid  
5 work experience integrated with educational  
6 activities which may include, but is not limited  
7 to, employability skills training and  
8 educational remediation activities.

9 2. Participants who are high school  
10 dropouts shall work toward the completion of  
11 their graduate equivalency diploma and shall be  
12 excused from work according to a planned work  
13 schedule proposed by the project sponsor and  
14 approved by the division of workforce  
15 development in its review of a project  
16 application, to allow them to attend classes or  
17 gain instruction. The division of workforce  
18 development shall work with the department of  
19 elementary and secondary education to establish  
20 criteria for determining participants who may be  
21 at risk of not earning a high school diploma.  
22 Participants who meet these criteria shall be  
23 required to attend remediation classes designed  
24 to assist in the retention and successful  
25 completion of high school according to a planned  
26 work schedule proposed by the project sponsor  
27 and approved by the division in its review of a  
28 project application. All participants shall be  
29 paid a wage according to a work plan approved by  
30 the division, and commensurate with the number  
31 of hours worked by the participant. During the  
last three weeks of employment, all participants

32 may be granted eight hours of paid time each  
33 week to search for permanent employment.]

[620.562. 1. The summer employment  
2 program shall consist of projects offering  
3 needed paid work experience integrated with  
4 educational activities which may include, but is  
5 not limited to, employability skills training  
6 and educational remediation activities.  
7 Participants shall be unemployed at the time of  
8 their enrollment.]

9 2. Participants in the program shall be  
10 paid a wage according to a work plan approved by  
11 the division of workforce development, and  
12 commensurate with the number of hours worked by  
13 the participant. If participants are high  
14 school dropouts, they shall be required to work  
15 toward the completion of their graduate  
16 equivalency diploma while employed in the summer  
17 employment and remediation program. The  
18 division of workforce development shall work  
19 with the department of elementary and secondary  
20 education to establish criteria for determining  
21 participants who may be at risk of not earning a  
22 high school diploma. Participants who meet  
23 these criteria shall be required to attend  
24 remediation classes designed to assist in the  
25 retention and successful completion of high  
26 school.]

[620.564. The youth volunteer program  
2 shall consist of unpaid work in projects which  
3 provide employability skills training and  
4 preemployment work experience. Such unpaid work  
5 shall not preclude the provision of supportive  
6 services deemed appropriate. Each volunteer  
7 program of the Missouri youth service and  
8 conservation corps shall demonstrate a high  
9 degree of youth input into program development,  
10 shall provide career-related information  
11 pertaining to volunteer projects, shall provide  
12 useful service to the community and shall abide  
13 by state and federal child labor laws.]



2 [620.566. 1. The division of workforce  
3 development within the department of economic  
4 development is hereby authorized to administer  
5 the Missouri youth service and conservation  
6 corps programs and adopt rules and regulations  
7 governing their operation and participation  
8 requirements.

9 2. The division shall cooperate with and  
10 may directly contract with all state agencies,  
11 local units of government and any of the  
12 governor's advisory councils or commissions, or  
13 their successor agencies, and with private not-  
14 for-profit organizations in delivery of youth  
15 corps programs. For purposes of this section,  
16 the contracting process of the division with  
17 these entities need not be governed by the  
18 provisions of chapter 34.

19 3. Upon application to the division and  
20 subject to the availability of funds, the  
21 division is authorized to provide funding  
22 assistance through contracts with administrative  
23 entities, designated pursuant to the Workforce  
24 Investment Act and any subsequent amendments,  
25 and project sponsors. The application shall  
26 form the basis for the contract agreement and,  
27 at a minimum, shall include:

28 (1) A general project description,  
29 including the extent to which it satisfies  
30 community development or resource conservation  
31 objectives and whether or not such objectives  
32 are stated within any municipal, county,  
33 regional or state agency plan;

34 (2) The number of corps members to be  
35 assigned to each project, a description of the  
36 nature and duration of their employment or  
37 volunteer work, and a description of  
38 combinations or sequences of education or  
39 vocational training to be provided;

40 (3) The amount of total funds required to  
41 sustain the project, distinguishing between the  
42 amounts required for corps members' wages and  
43 stipends, if any, and the amounts required for  
44 other purposes;

44 (4) A statement of the amount and purpose  
45 of funding assistance requested from the  
46 division and the manner and timing of its  
47 disbursement;

48 (5) A description of the interagency  
49 coordination, technical assistance and financial  
50 support which together with the funding  
51 assistance, the resources of the applicant and  
52 support from any other source, is sufficient to  
53 ensure the success of the project. The  
54 commitment of financial support from the project  
55 sponsor shall be equal to or greater than twenty-  
56 five percent of the amount of the total project  
57 cost.

58 4. An application shall only be submitted  
59 to the division after review by the private  
60 industry council operating within the service  
61 delivery area in which the project is to be  
62 located, regardless of the actual project  
63 sponsor. It shall include the signatures of the  
64 workforce investment board chairperson and the  
65 designated chief local elected official of the  
66 local workforce investment area.

67 5. The division shall ensure that all  
68 affected state agencies are made aware of the  
69 application and are provided the opportunity to  
70 offer comments related to the project  
71 feasibility, including the identification of  
72 other available funds for the project.]

[620.568. 1. A project sponsor shall  
2 administer projects funded under sections  
3 620.552 to 620.574 in the following manner:

4 (1) Participants, except those enrolled in  
5 the youth volunteer program, shall be paid at  
6 least the minimum wage as established by federal  
7 or state law at the time of employment;

8 (2) Persons employed through any of the  
9 corps programs shall be exempt from merit system  
10 requirements, and shall not be eligible for  
11 membership in any public employees' retirement  
12 system. All participants shall be so advised by  
13 the project sponsor and the regulating authority;

14 (3) Services performed by a participant in  
15 any corps program shall not constitute  
16 "employment" within the meaning of the Missouri  
17 employment security law in chapter 288, if the  
18 program is operated as a work-relief or work-  
19 training program in accordance with subdivision  
20 (5) of subsection 9 of section 288.034.

21 2. Not more than ten percent of the funds  
22 distributed to a project sponsor may be expended  
23 for administrative expenses. Administrative  
24 expenses shall be approved by the division.

25 3. No funds shall be awarded for any  
26 program which replaces or supplants employees  
27 engaged in any authorized work stoppage or which  
28 replaces or supplants currently employed workers  
29 or which impairs existing contracts for services  
30 provided by other workers.]

[620.570. 1. The Missouri training and  
2 employment council, as established in section  
3 620.523, shall review and recommend criteria for  
4 evaluating project funding assistance, program  
5 criteria, and other requirements and priorities  
6 to be used by the division in the evaluation and  
7 monitoring of Missouri youth service and  
8 conservation corps projects.

9 2. The division shall work with the  
10 department of higher education and workforce  
11 development, the department of elementary and  
12 secondary education, all colleges, universities  
13 and lending institutions throughout the state to  
14 develop a system of academic credit, tuition  
15 grants and deferred loan repayment incentives  
16 for young adults who enroll and complete  
17 participation in corps programs. The division  
18 shall adopt rules under chapter 536 designed to  
19 implement any such incentive programs.

20 3. The division of workforce development  
21 of the department of economic development shall  
22 establish and promote the recruitment of "Show-  
23 Me Employers" which shall consist of Missouri-  
24 based corporations and businesses agreeing to  
25 interview, for entry-level jobs, participants  
26 successfully completing a youth corps program.

27           4. The division of workforce development  
28 of the department of economic development shall  
29 recognize and promote within the labor exchange  
30 system the youth service corps and the potential  
31 benefits of hiring participants who have  
32 successfully completed any of the corps'  
33 programs.]

          [620.572. The directors of the departments  
2 of conservation, economic development, social  
3 services, elementary and secondary education,  
4 labor and industrial relations, and natural  
5 resources and the director of the University of  
6 Missouri extension system shall meet regularly  
7 to establish appropriate allocations from their  
8 respective budgets to be made for the operation  
9 of the Missouri youth service and conservation  
10 corps. Funding for the operation of the corps  
11 may come from, but not be limited to, moneys  
12 available through the federal Carl Perkins Act,  
13 the federal Workforce Investment Act, the  
14 federal Wagner-Peyser Act, the one-eighth of one  
15 cent sales tax as authorized by Sections 43(a)  
16 and 43(b) of Article IV of the Missouri  
17 Constitution, and other discretionary funds  
18 which may be available to the various  
19 departments and to the governor's office.]

          [620.574. There is hereby created in the  
2 state treasury the "Youth Service and  
3 Conservation Corps Fund". The state treasurer  
4 shall deposit to the credit of the fund all  
5 moneys which may be appropriated to it by the  
6 general assembly and any gifts, contributions,  
7 grants or bequests received from federal,  
8 private or other sources. The general assembly  
9 shall appropriate moneys in the youth service  
10 and conservation corps fund for the support of  
11 the corps.]

✓