

SECOND REGULAR SESSION

SENATE BILL NO. 1170

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAYER.

Read 1st time February 21, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4809S.02I

AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to the rebuild Missouri schools program.

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be known as section 160.459, to read as follows:

160.459. 1. There is hereby established the "Rebuild Missouri Schools Program", under which the state board of education shall distribute no-interest loans with a twenty-year repayment agreement to eligible school districts from moneys appropriated by the general assembly to the rebuild Missouri schools program fund for the purposes of this section to assist in emergency projects. Any assistance under this section shall be used to pay the cost of only the portion of an emergency project that is not covered by insurance or other public or private emergency assistance received by or payable to the school district. Any damage to school facilities caused by age of the facilities or by lack of timely maintenance to the facilities shall not constitute damage that is subject to assistance under this section.

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

(1) "Eligible school district", any school district that has school facilities that have experienced at least fifty percent damage or destruction, as calculated or determined by the Federal Emergency Management Agency, due to an act of God or extreme weather events, including but not limited to tornado, flood, or hail;

(2) "Emergency project", reconstruction or renovation of, or repair to, any school facilities, located in an area declared a disaster area by the governor or President of the United States, made necessary

22 because of damage due to an act of God or extreme weather events,
23 including but not limited to tornado, flood, or hail.

24 3. The state board of education shall establish procedures,
25 criteria, and deadlines for eligible school districts to follow in applying
26 for assistance under this section. The state board of education shall
27 promulgate rules and regulations necessary to implement this
28 section. Any rule or portion of a rule, as that term is defined in section
29 536.010, RSMo, that is created under the authority delegated in this
30 section shall become effective only if it complies with and is subject to
31 all of the provisions of chapter 536, RSMo, and, if applicable, section
32 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
33 and if any of the powers vested with the general assembly pursuant to
34 chapter 536, RSMo, to review, to delay the effective date, or to
35 disapprove and annul a rule are subsequently held unconstitutional,
36 then the grant of rulemaking authority and any rule proposed or
37 adopted after August 28, 2008, shall be invalid and void.

38 4. There is hereby created in the state treasury the "Rebuild
39 Missouri Schools Program Fund", which shall consist of money collected
40 under this section. The state treasurer shall be custodian of the fund
41 and may approve disbursements from the fund in accordance with
42 sections 30.170 and 30.180, RSMo. Upon appropriation, money in the
43 fund shall be used solely for the administration of this section. Any
44 moneys remaining in the fund at the end of the biennium shall revert
45 to the credit of the general revenue fund. The state treasurer shall
46 invest moneys in the fund in the same manner as other funds are
47 invested. Any interest and moneys earned on such investments shall be
48 credited to the fund.

49 5. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

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

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

56 (3) This section shall terminate on September first of the
57 calendar year immediately following the calendar year in which the
58 program authorized under this section is sunset.

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