

SECOND REGULAR SESSION
[P E R F E C T E D]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1040
94TH GENERAL ASSEMBLY

Reported from the Committee on Agriculture, Conservation, Parks and Natural Resources, March 27, 2008, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 1040, adopted April 21, 2008.

Taken up for Perfection April 21, 2008. Bill declared Perfected and Ordered Printed.

4435S.04P

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 644.570, as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, and section 644.570, as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 160 & 82, ninetieth general assembly, first regular session, and to enact in lieu thereof one new section relating to storm water control assistance, with a contingent effective date.

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

Section A. Section 644.570, as enacted by conference committee substitute
2 for senate substitute for senate committee substitute for house substitute for
3 house bill no. 450, ninetieth general assembly, first regular session, and section
4 644.570, as enacted by house substitute for house committee substitute for senate
5 substitute for senate committee substitute for senate bills nos. 160 & 82,
6 ninetieth general assembly, first regular session, are repealed and one new
7 section enacted in lieu thereof, to be known as section 644.570, to read as follows:

644.570. 1. The board of fund commissioners of the state of Missouri, as
2 authorized by section 37(h) of article III of the Constitution of the state of
3 Missouri, may borrow on the credit of this state the sum of twenty million dollars
4 for the purposes of financing and constructing storm water control plans, studies
5 and projects as set out in this chapter. The department shall allocate these funds
6 through grants [and] **or** loans to municipalities, **public** sewer districts, sewer

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

7 districts established pursuant to article VI, section 30(a) of the Missouri
8 Constitution, **public** water districts, or any combination of the same located in
9 a county of the first classification or in any city not within a county or by any
10 county of the first classification.

11 2. [Of the funds allocated in subsection 1 of this section, fifty percent shall
12 be allocated to grants and fifty percent shall be allocated to loans. Grant
13 amounts so awarded shall be] **Grants awarded under this section shall be**
14 **no more than** fifty percent of the cost of the plan, study or project.

15 3. Grants [and] **or** loans [awarded pursuant to] **allocated under** this
16 section shall be [disbursed] **initially offered** to eligible recipients in counties
17 of the first classification and in a city not within a county in an amount equal to
18 the percentage ratio that the population of the recipient county or city bears to
19 the total population of all counties of the first classification and cities not within
20 a county as determined by the last decennial census.

21 4. Grants [and] **or** loans [awarded pursuant to] **offered to a city or**
22 **county under subsection 3 of** this section shall be [disbursed directly]
23 **further allocated and initially offered** to eligible recipients in any city with
24 a population of at least twenty-five thousand inhabitants located in a county of
25 the first classification in an amount equal to the percentage ratio that the
26 recipient's population bears to the total population of the county.

27 5. **After the initial offer of grants or loans has been made to**
28 **eligible recipients under subsections 3 and 4 of this section, any**
29 **remaining funds may be reallocated to recipients of the initial offer**
30 **who have eligible projects for such funds until no such funds**
31 **remain. The reallocation of funds shall be made to eligible recipients**
32 **with remaining eligible projects in an amount equal to the percentage**
33 **ratio that the population of the eligible recipient bears to the total**
34 **population of all other eligible recipients with remaining eligible**
35 **projects under this subsection.**

36 6. Other provisions of this section notwithstanding, in those cities or
37 counties served by a sewer district established pursuant to article VI, section
38 30(a) of the Constitution of the state of Missouri, any grants or loans awarded
39 shall be disbursed directly to such district.

40 7. **Repayments of storm water loans and any interest payments**
41 **on such loans shall be deposited in the storm water loan revolving**
42 **fund, which is hereby created. The fund shall be used for the purposes**

43 of financing and constructing storm water control plans, studies, and
44 projects. The state treasurer shall be custodian of the fund and may
45 approve disbursements from the fund in accordance with sections
46 30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall
47 be used solely for the administration of this section. Any moneys
48 remaining in the fund at the end of the biennium shall not revert to the
49 credit of the general revenue fund. The state treasurer shall invest
50 moneys in the fund in the same manner as other funds are
51 invested. Any interest and moneys earned on such investments shall be
52 credited to the fund.

[644.570. 1. The board of fund commissioners of the state
2 of Missouri, as authorized by section 37(h) of article III of the
3 Constitution of the state of Missouri, may borrow on the credit of
4 this state the sum of twenty million dollars for the purposes of
5 financing and constructing storm water control plans, studies and
6 projects as set out in this chapter. The department shall allocate
7 these funds through grants and loans to municipalities, sewer
8 districts, sewer districts established pursuant to article VI, section
9 30(a) of the Missouri Constitution, water districts, or any
10 combination of the same located in a county of the first
11 classification or in any city not within a county or by any county of
12 the first classification.

13 2. Of the funds allocated in subsection 1 of this section, fifty
14 percent shall be allocated to grants and fifty percent shall be
15 allocated to loans. Grant amounts so awarded shall be fifty percent
16 of the cost of the plan, study or project.

17 3. Grants and loans awarded pursuant to this section shall
18 be disbursed to eligible recipients in counties of the first
19 classification and in a city not within a county in an amount equal
20 to the percentage ratio that the recipient's population bears to the
21 total population of all counties of the first classification and cities
22 not within a county as determined by the last decennial census.

23 4. Grants and loans awarded pursuant to this section shall
24 be disbursed directly to eligible recipients in any city with a
25 population of at least twenty-five thousand inhabitants located in
26 a county of the first classification in an amount equal to the

27 percentage ratio that the recipient's population bears to the total
28 population of the county.

29 5. Other provisions of this section notwithstanding, in those
30 cities or counties served by a sewer district established pursuant
31 to article VI, section 30(a) of the Constitution of the state of
32 Missouri, any grants or loans awarded shall be disbursed directly
33 to such district.]

Section B. This act shall become effective only upon approval by the voters
2 of a constitutional amendment submitted to them by the 94th general assembly,
3 amending article III, section 37(h), regarding financing and constructing storm
4 water control plans, studies, and projects.

✓

Bill

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