

FIRST REGULAR SESSION

SENATE BILL NO. 139

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS PARSON AND KEHOE.

Pre-filed December 8, 2014, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0226S.01I

AN ACT

To amend chapter 261, RSMo, by adding thereto six new sections relating to the dairy industry.

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

Section A. Chapter 261, RSMo, is amended by adding thereto six new
2 sections, to be known as sections 261.270, 261.275, 261.280, 261.285, 261.290, and
3 261.295, to read as follows:

**261.270. The provisions of sections 261.270 to 261.295 shall be
2 known and may be cited as the "Missouri Dairy Revitalization Act of
3 2015".**

**261.275. 1. There is hereby created in the state treasury the
2 "Missouri Dairy Industry Revitalization Fund", which shall consist of
3 moneys appropriated to the fund. The state treasurer shall be
4 custodian of the fund. In accordance with sections 30.170 and 30.180,
5 the state treasurer may approve disbursements of the fund. Upon
6 appropriation by the general assembly, moneys in the fund shall be
7 used solely to enhance and improve Missouri's dairy and dairy
8 processing industries in the manner provided for in sections 261.270 to
9 261.295. Notwithstanding the provisions of section 33.080 to the
10 contrary, any moneys remaining in the fund at the end of the biennium
11 shall not revert to the credit of the general revenue fund. The state
12 treasurer shall invest moneys in the fund in the same manner as other
13 funds are invested. Any interest and moneys earned on such
14 investments shall be credited to the fund.**

**15 2. Moneys appropriated from the general revenue fund to the
16 Missouri dairy industry revitalization fund shall not exceed forty
17 percent of the estimated sales tax revenue generated in the state from**

18 the sale of dairy products during the preceding fiscal year, calculated
19 under subsection 3 of this section, and shall be expended in the
20 following order of priority:

21 (1) First, to the dairy producer margin insurance premium
22 assistance program created under section 261.280;

23 (2) Second, to the Missouri dairy scholars program created under
24 section 261.285; and

25 (3) Third, to the commercial agriculture program created under
26 section 261.290.

27 3. Each fiscal year the University of Missouri shall conduct
28 research, or contract with an independent research company to
29 conduct research, to determine the estimated sales tax revenue
30 generated in the state from the sale of dairy products. The cost for
31 such calculation shall be paid out of the Missouri dairy industry
32 revitalization fund. The estimated sales tax revenue generated in the
33 state from the sale of dairy products shall be provided to the
34 department of agriculture by October first of each year.

261.280. 1. The department of agriculture shall establish and
2 administer, through the Missouri agricultural and small business
3 development authority, a dairy producer margin insurance premium
4 assistance program for the purpose of assisting dairy producers who
5 participate in the federal margin protection program for dairy
6 producers as contained in the federal Agricultural Act of 2014.

7 2. All dairy producers in the state who participate in the federal
8 margin protection program for dairy producers shall be eligible to
9 apply and participate in the dairy producer margin insurance premium
10 assistance program. Dairy producers who wish to be considered for the
11 program shall apply with the Missouri agricultural and small business
12 development authority by January first of each year, and shall provide
13 proof of participation in the federal margin protection program for
14 dairy producers as contained in the federal Agricultural Act of 2014 by
15 submitting a receipt of their paid annual federal premium
16 payment. Eligible program participants shall receive reimbursement
17 of seventy percent of their federal premium payment up to a maximum
18 premium reimbursement rate of thirty-four cents per hundredweight
19 of milk.

20 3. The University of Missouri and the Missouri agricultural and

21 small business development authority shall provide risk management
22 training for Missouri dairy producers on an annual basis.

261.285. 1. There is hereby established the "Missouri Dairy
2 Scholars Program", which shall be administered by the department of
3 agriculture. The program shall, upon appropriation, provide
4 scholarships, subject to the eligibility criteria enumerated in this
5 section, for eligible students in an agriculture-related degree program
6 who make a commitment to work in the agriculture industry in
7 Missouri as a condition of receiving such scholarship.

8 2. Subject to appropriation, each year the department of
9 agriculture shall make available to eligible students up to eighty
10 scholarships in the amount of five thousand dollars each to assist with
11 the cost of eligible students' tuition and fees at a two-year or four-year
12 college or university in Missouri. Such amount shall be paid out of the
13 Missouri dairy industry revitalization fund created in section 261.275.

14 3. As used in this section, the term "eligible student" shall mean
15 an individual who:

16 (1) Is a United States citizen and a Missouri resident who has
17 graduated from a Missouri high school with a cumulative grade point
18 average of at least two and one-half on a four-point scale or equivalent;

19 (2) Is pursuing or has attained an agriculture-related degree
20 approved by the department of agriculture and offered by a two-year
21 or four-year college or university in Missouri;

22 (3) Signs an agreement with the department of agriculture in
23 which the recipient agrees to work in the agriculture industry in
24 Missouri for at least two years for every one year the recipient received
25 the Missouri dairy scholars scholarship;

26 (4) Maintains a cumulative grade point average of at least two
27 and one-half on a four-point scale or equivalent while enrolled in the
28 college or university program; and

29 (5) Works on a dairy farm or has a dairy-related internship for
30 at least three months of each year the recipient receives the Missouri
31 dairy scholars scholarship.

261.290. The University of Missouri's commercial agriculture
2 program shall conduct an annual study of the dairy industry and shall
3 develop a dairy-specific plan for how to grow and enhance the dairy
4 and dairy processing industries in Missouri. The results of such study

5 shall be reported to the department of agriculture and all agriculture-
6 related legislative committee chairpersons by January first of each
7 year. The costs for such study shall be subject to appropriations and
8 shall be paid out of the Missouri dairy industry revitalization fund
9 created under section 261.275.

261.295. The department of agriculture shall promulgate rules
2 and regulations for the implementation of sections 261.270 to
3 261.295. Any rule or portion of a rule, as that term is defined in section
4 536.010 that is created under the authority delegated in this section
5 and section 348.273 shall become effective only if it complies with and
6 is subject to all of the provisions of chapter 536, and, if applicable,
7 section 536.028. This section and chapter 536 are nonseverable and if
8 any of the powers vested with the general assembly pursuant to chapter
9 536, to review, to delay the effective date, or to disapprove and annul
10 a rule are subsequently held unconstitutional, then the grant of
11 rulemaking authority and any rule proposed or adopted after August
12 28, 2015, shall be invalid and void.

Bill ✓

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