

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 756, Page 1, Section 34.045, Line 16,

2 by inserting after all of said line the following:

3 "44.032. 1. (1) As used in this section, the term
 4 "rural electric cooperative" means any rural electric
 5 cooperative organized or operating under the provisions of
 6 chapter 394, any corporation organized on a nonprofit or a
 7 cooperative basis as described in subsection 1 of section
 8 394.200, or any electrical corporation operating under a
 9 cooperative business plan as described in subsection 2 of
 10 section 393.110.

11 (2) The general assembly recognizes the necessity for
 12 anticipating and making advance provisions to care for the
 13 unusual and extraordinary burdens imposed by disasters or
 14 emergencies on this state [and], its political subdivisions
 15 [by disasters or emergencies], and rural electric
 16 cooperatives. To meet such situations, it is the intention
 17 of the general assembly to confer emergency powers on the
 18 governor, acting through the director, and vesting the
 19 governor with adequate power and authority within the
 20 limitation of available funds in the Missouri disaster fund
 21 to meet any such emergency or disaster.

22 2. There is hereby established a fund to be known as
 23 the "Missouri Disaster Fund", to which the general assembly
 24 may appropriate funds and from which funds may be
 25 appropriated annually to the state emergency management
 26 agency. The funds appropriated shall be expended during a

27 state emergency at the direction of the governor and upon
28 the issuance of an emergency declaration which shall set
29 forth the emergency and shall state that it requires the
30 expenditure of public funds to furnish immediate aid and
31 relief. The director of the state emergency management
32 agency shall administer the fund.

33 3. Expenditures may be made upon direction of the
34 governor for emergency management, as defined in section
35 44.010, or to implement the state disaster plans.
36 Expenditures may also be made to meet the matching
37 requirements of state and federal agencies for any
38 applicable assistance programs.

39 4. Assistance may be provided from the Missouri
40 disaster fund to political subdivisions of this state
41 [which] and rural electric cooperatives that have suffered
42 from a disaster to such an extent as to impose a severe
43 financial burden exceeding the ordinary reserve capacity of
44 the subdivision or rural electric cooperative affected.
45 Applications for aid under this section shall be made to the
46 state emergency management agency on such forms as may be
47 prescribed and furnished by the agency, which forms shall
48 require the furnishing of sufficient information to
49 determine eligibility for aid and the extent of the
50 financial burden incurred. The agency may call upon other
51 agencies of the state in evaluating such applications. The
52 director of the state emergency management agency shall
53 review each application for aid under the provisions of this
54 section and recommend its approval or disapproval, in whole
55 or in part, to the governor. If approved, the governor
56 shall determine and certify to the director of the state
57 emergency management agency the amount of aid to be
58 furnished. The director of the state emergency management
59 agency shall thereupon issue [his] the director's voucher to

60 the commissioner of administration, who shall issue [his]
61 the commissioner's warrants therefor to the applicant.

62 5. When a disaster or emergency has been proclaimed by
63 the governor or there is a national emergency, the director
64 of the state emergency management agency, upon order of the
65 governor, shall have authority to expend funds for the
66 following:

67 (1) The purposes of sections 44.010 to 44.130 and the
68 responsibilities of the governor and the state emergency
69 management agency as outlined in sections 44.010 to 44.130;

70 (2) Employing, for the duration of the response and
71 recovery to emergency, additional personnel and contracting
72 or otherwise procuring necessary appliances, supplies,
73 equipment, and transport;

74 (3) Performing services for and furnishing materials
75 and supplies to state government agencies, counties, [and]
76 municipalities, and rural electric cooperatives with respect
77 to performance of any duties enjoined by law upon such
78 agencies, counties, [and] municipalities, and rural electric
79 cooperatives which they are unable to perform because of
80 extreme natural or man-made phenomena, and receiving
81 reimbursement in whole or in part from such agencies,
82 counties, [and] municipalities, and rural electric
83 cooperatives able to pay therefor under such terms and
84 conditions as may be agreed upon by the director of the
85 state emergency management agency and any such agency,
86 county, [or] municipality, or rural electric cooperative;

87 (4) Performing services for and furnishing materials
88 to any individual in connection with alleviating hardship
89 and distress growing out of extreme natural or man-made
90 phenomena, and receiving reimbursement in whole or in part
91 from such individual under such terms as may be agreed upon

92 by the director of the state emergency management agency and
93 such individual;

94 (5) Providing services to counties and municipalities
95 with respect to quelling riots and civil disturbances;

96 (6) Repairing and restoring public infrastructure;

97 (7) Furnishing transportation for supplies to
98 alleviate suffering and distress;

99 (8) Furnishing medical services and supplies to
100 prevent the spread of disease and epidemics;

101 (9) Quelling riots and civil disturbances;

102 (10) Training individuals or governmental agencies for
103 the purpose of perfecting the performance of emergency
104 assistance duties as defined in the state disaster plans;

105 (11) Procurement, storage, and transport of special
106 emergency supplies or equipment determined by the director
107 to be necessary to provide rapid response by state
108 government to assist counties and municipalities in
109 impending or actual emergencies;

110 (12) Clearing or removing from publicly or privately
111 owned land or water, debris and wreckage which may threaten
112 public health or safety;

113 (13) Reimbursement to any urban search and rescue task
114 force for any reasonable and necessary expenditures incurred
115 in the course of responding to any declared emergency under
116 this section; and

117 (14) Such other measures as are customarily necessary
118 to furnish adequate relief in cases of catastrophe or
119 disaster.

120 6. The governor may receive such voluntary
121 contributions as may be made from any source to aid in
122 carrying out the purposes of this section and shall credit
123 the same to the Missouri disaster fund.

124 7. All obligations and expenses incurred by the
125 governor in the exercise of the powers and duties vested by
126 the provisions of this section shall be paid by the state
127 treasurer out of available funds in the Missouri disaster
128 fund, and the commissioner of administration shall draw
129 warrants upon the state treasurer for the payment of such
130 sum, or so much thereof as may be required, upon receipt of
131 proper vouchers provided by the director of the state
132 emergency management agency.

133 8. The provisions of this section shall be liberally
134 construed in order to accomplish the purposes of sections
135 44.010 to 44.130 and to permit the governor to cope
136 adequately with any emergency which may arise, and the
137 powers vested in the governor by this section shall be
138 construed as being in addition to all other powers presently
139 vested in the governor and not in derogation of any existing
140 powers.

141 9. Such funds as may be made available by the
142 government of the United States for the purpose of
143 alleviating distress from disasters may be accepted by the
144 state treasurer and shall be credited to the Missouri
145 disaster fund, unless otherwise specifically provided in the
146 act of Congress making such funds available.

147 10. The foregoing provisions of this section
148 notwithstanding, any expenditure or proposed series of
149 expenditures which total in excess of one thousand dollars
150 per project shall be approved by the governor prior to the
151 expenditure."; and

152 Further amend the title and enacting clause accordingly.