

SECOND REGULAR SESSION

# HOUSE BILL NO. 981

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES MYERS (Sponsor), WHORTON AND QUINN (Co-sponsors).

Read 1<sup>st</sup> time January 8, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2817L.011

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### AN ACT

To repeal section 261.105, RSMo, and to enact in lieu thereof one new section relating to agricultural demonstration awards.

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

Section A. Section 261.105, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 261.105, to read as follows:

261.105. 1. The department of agriculture shall make demonstration awards, out of appropriations made for that purpose, to the center for sustainable agricultural systems of the University of Missouri college of agriculture for the development and coordination of demonstration projects on the lands of individual farmers in this state which identify, develop and demonstrate agricultural technologies and farm management strategies in food and fiber production carried out under actual farming conditions that will reduce the dependency of food and fiber production on nonrenewable inputs. **Through 2006, at least fifty percent of such demonstration awards shall be allocated to projects for environmentally sound agricultural practices that directly improve water quality or animal waste management. Any unused portion of demonstration award allocations to projects for environmentally sound agricultural practices shall be reallocated to other demonstration awards authorized under this section.** In any one fiscal year, no more than thirty such demonstration project awards shall be made and no award shall exceed four thousand five hundred dollars for any one demonstration project. The department of agriculture, in cooperation with the University of Missouri college of agriculture and the University of Missouri extension service, shall promulgate rules and regulations necessary to carry out the provisions of this section and for the identification of demonstration projects and award areas. The demonstration projects shall be selected on a broad geographical basis so that each agricultural area of the state is represented as nearly as

19 practicable. The demonstration projects shall be selected on the basis of innovative practices  
20 based on competitive applications received. Each demonstration project shall be monitored by  
21 the University of Missouri extension service and a report of the project shall be made to the  
22 department of agriculture.

23         2. No rule or portion of a rule promulgated pursuant to the authority of this section shall  
24 become effective unless it has been promulgated pursuant to the provisions of chapter 536,  
25 RSMo. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is  
26 promulgated under the authority delegated in this section shall become effective only if it has  
27 been promulgated pursuant to the provisions of chapter 536, RSMo. Nothing in this section shall  
28 be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28,  
29 1999, if it fully complied with the provisions of chapter 536, RSMo. This section and chapter  
30 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant  
31 to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are  
32 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed  
33 or adopted after August 28, 1999, shall be invalid and void.