

SECOND REGULAR SESSION

HOUSE BILL NO. 1492

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HENKE (Sponsor), DOUGHERTY, HAMPTON, SELBY, KUESSNER, SWINGER, HARRIS (110), WITTE, RANSBALL, SEIGFREID, DAVIS (122), LAWSON, SHOEMYER, BRINGER, WARD AND BARNITZ (Co-sponsors).

Read 1st time February 16, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4448L.011

AN ACT

To amend chapter 196, RSMo, by adding thereto one new section relating to tobacco settlement moneys.

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

Section A. Chapter 196, RSMo, is amended by adding thereto one new section, to be known as section 196.1050, to read as follows:

196.1050. 1. Twenty-five percent of all moneys received by this state from the master settlement agreement, as defined in section 196.1000, shall be appropriated and used for the following:

(1) In addition to the moneys appropriated under sections 142.028 and 142.031, RSMo, and before any tobacco settlement moneys are appropriated under subdivisions (2) and (3) of this subsection, a sufficient amount of the twenty-five percent of tobacco settlement moneys appropriated under this section shall be appropriated to fund the ethanol and biodiesel incentive programs so that all producers receive the full amount for which they are eligible under the grant program funded by the Missouri qualified fuel ethanol producer incentive fund established in section 142.028, RSMo, and the grant program funded by the Missouri qualified biodiesel producer incentive fund established in section 142.031, RSMo;

(2) One-half of the remaining moneys shall be administered by the department of health and senior services to expand the primary care resource initiative for Missouri (PRIMO) loan program and the health access incentive fund established in section 191.411, RSMo, for the sole purpose of providing incentives for physicians, nurses, and dentists to practice in rural areas of Missouri; and

18 **(3) One-half of the remaining moneys shall be administered by the Missouri**
19 **development finance board to issue grants and low- or no-interest rural loans for family**
20 **farms, as defined in section 350.010, RSMo, or small businesses, as defined in section**
21 **105.687, RSMo, and rural economic development organizations. There is hereby**
22 **established the "Rural Economic Development Revolving Fund" in the state treasury to**
23 **be administered by the Missouri development finance board. Moneys in the fund shall be**
24 **used for, but shall not be limited to, vocational/technical school training, building or**
25 **expanding health clinics and long-term care facilities, building communications and**
26 **technology infrastructure so broadband technology will be available in rural Missouri, and**
27 **for the division of tourism and the department of conservation to work together to create**
28 **more economic development activity in rural Missouri, such as organizing and advertising**
29 **farmers' markets, fairs, and festivals. All moneys received for repayment of loans and any**
30 **interest thereon shall be deposited in the rural economic development revolving fund.**

31 **2. Any moneys appropriated under subsection 1 of this section in excess of the**
32 **amount needed for the purpose appropriated may be reallocated for any other authorized**
33 **use under subsection 1 of this section.**

34 **3. The departments of agriculture, health and senior services, and Missouri**
35 **development finance board shall promulgate rules to implement the provisions of this**
36 **section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
37 **that is created under the authority delegated in this section shall become effective only if**
38 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
39 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
40 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
41 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
42 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
43 **adopted after August 28, 2004, shall be invalid and void.**