

FIRST REGULAR SESSION

HOUSE BILL NO. 542

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HENKE (Sponsor), KUESSNER, HARRIS (110), ROBINSON, SWINGER, ROORDA, WILDBERGER, WITTE, BARNITZ, SHOEMYER, AULL, SALVA, DOUGHERTY, BROWN (50), CASEY AND RUCKER (Co-sponsors).

Read 1st time February 15, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1489L.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 (3) and (4) 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) Before any tobacco settlement moneys are appropriated under subdivisions (3) and (4) of this subsection, five million dollars of the tobacco settlement moneys

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 appropriated under this section shall be appropriated for smoking cessation programs in
16 rural areas;

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

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

35 2. Any moneys appropriated under subsection 1 of this section in excess of the
36 amount needed for the purpose appropriated may be reallocated for any other authorized
37 use under subsection 1 of this section.

38 3. The departments of agriculture, health and senior services, and Missouri
39 development finance board shall promulgate rules to implement the provisions of this
40 section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
41 that is created under the authority delegated in this section shall become effective only if
42 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
43 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
44 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
45 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
46 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
47 adopted after August 28, 2005, shall be invalid and void.