

SECOND REGULAR SESSION

HOUSE BILL NO. 2135

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BIVINS.

Read 1st time February 14, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5064L.01I

AN ACT

To repeal section 644.570, as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, and section 644.570, as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 160 & 82, ninetieth general assembly, first regular session, and to enact in lieu thereof one new section relating to storm water control assistance, with a contingent effective date.

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

Section A. Section 644.570, as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, and section 644.570, as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 160 & 82, ninetieth general assembly, first regular session, are repealed and one new section enacted in lieu thereof, to be known as section 644.570, to read as follows:

644.570. 1. The board of fund commissioners of the state of Missouri, as authorized by section 37(h) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of twenty million dollars for the purposes of financing and constructing storm water control plans, studies and projects as set out in this chapter. The department shall allocate these funds through grants [and] **or** loans to municipalities, **public** sewer districts, sewer districts established pursuant to article VI, section 30(a) of the Missouri Constitution, **public**

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.

7 water districts, or any combination of the same located in a county of the first classification or
8 in any city not within a county or by any county of the first classification.

9 2. [Of the funds allocated in subsection 1 of this section, fifty percent shall be allocated
10 to grants and fifty percent shall be allocated to loans. Grant amounts so awarded shall be]
11 **Grants awarded under this section shall be no more than** fifty percent of the cost of the plan,
12 study or project.

13 3. Grants [and] **or** loans [awarded pursuant to] **allocated under** this section shall be
14 [disbursed] **initially offered** to eligible recipients in counties of the first classification and in a
15 city not within a county in an amount equal to the percentage ratio that the population of the
16 recipient county or city bears to the total population of all counties of the first classification and
17 cities not within a county as determined by the last decennial census.

18 4. Grants [and] **or** loans [awarded pursuant to] **offered to a city or county under**
19 **subsection 3 of** this section shall be [disbursed directly] **further allocated and initially offered**
20 to eligible recipients in any city with a population of at least twenty-five thousand inhabitants
21 located in a county of the first classification in an amount equal to the percentage ratio that the
22 recipient's population bears to the total population of the county.

23 5. **After the initial offer of grants or loans has been made to eligible recipients**
24 **under subsections 3 and 4 of this section, any remaining funds may be reallocated to**
25 **recipients of the initial offer who have eligible projects for such funds until no such funds**
26 **remain. The reallocation of funds shall be made to eligible recipients with remaining**
27 **eligible projects in an amount equal to the percentage ratio that the population of the**
28 **eligible recipient bears to the total population of all other eligible recipients with remaining**
29 **eligible projects under this subsection.**

30 6. Other provisions of this section notwithstanding, in those cities or counties served by
31 a sewer district established pursuant to article VI, section 30(a) of the Constitution of the state
32 of Missouri, any grants or loans awarded shall be disbursed directly to such district.

33 7. **Repayments of storm water loans and any interest payments on such loans shall**
34 **be deposited in the storm water loan revolving fund, which is hereby created. The fund**
35 **shall be used for the purposes of financing and constructing storm water control plans,**
36 **studies, and projects. The state treasurer shall be custodian of the fund and shall approve**
37 **disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Upon**
38 **appropriation, money in the fund shall be used solely for the administration of this section.**
39 **Any moneys remaining in the fund at the end of the biennium shall not revert to the credit**
40 **of the general revenue fund. The state treasurer shall invest moneys in the fund in the**
41 **same manner as other funds are invested. Any interest and moneys earned on such**
42 **investments shall be credited to the fund.**

2 [644.570. 1. The board of fund commissioners of the state of Missouri,
3 as authorized by section 37(h) of article III of the Constitution of the state of
4 Missouri, may borrow on the credit of this state the sum of twenty million dollars
5 for the purposes of financing and constructing storm water control plans, studies
6 and projects as set out in this chapter. The department shall allocate these funds
7 through grants and loans to municipalities, sewer districts, sewer districts
8 established pursuant to article VI, section 30(a) of the Missouri Constitution,
9 water districts, or any combination of the same located in a county of the first
10 classification or in any city not within a county or by any county of the first
11 classification.

12 2. Of the funds allocated in subsection 1 of this section, fifty percent shall
13 be allocated to grants and fifty percent shall be allocated to loans. Grant amounts
14 so awarded shall be fifty percent of the cost of the plan, study or project.

15 3. Grants and loans awarded pursuant to this section shall be disbursed
16 to eligible recipients in counties of the first classification and in a city not within
17 a county in an amount equal to the percentage ratio that the recipient's population
18 bears to the total population of all counties of the first classification and cities not
19 within a county as determined by the last decennial census.

20 4. Grants and loans awarded pursuant to this section shall be disbursed
21 directly to eligible recipients in any city with a population of at least twenty-five
22 thousand inhabitants located in a county of the first classification in an amount
23 equal to the percentage ratio that the recipient's population bears to the total
24 population of the county.

25 5. Other provisions of this section notwithstanding, in those cities or
26 counties served by a sewer district established pursuant to article VI, section
27 30(a) of the Constitution of the state of Missouri, any grants or loans awarded
shall be disbursed directly to such district.]

2 Section B. This act shall become effective only upon approval by the voters of a
3 constitutional amendment submitted to them by the 94th general assembly, amending article III,
4 section 37(h), regarding financing and constructing storm water control plans, studies, and
projects.

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