

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 131,
2 Page 7, Section 142.029, Line 1, by inserting after all of said section and line the following:

3
4 "142.041. 1. As used in this section the following terms shall mean:

5 (3) "BTU of gaseous biofuel", British thermal unit of measurement to express the energy
6 content of fuels. BTU is the expression of 1 BTU and use a conversion formula, as appropriate, that
7 it publishes in the Federal Register as conversion factor for gaseous biofuel;

8 (1) "Gaseous biofuel", derived from bio-waste material, including animal waste, animal
9 processing waste, pre and post-consumer food waste, vegetative waste material, cardboard, and
10 paper waste material through an anaerobic digester process and injected into the natural gas pipeline
11 grid;

12 (2) "Gaseous biofuel certification", biofuel that meets commercially-acceptable natural gas
13 pipeline quality standards of the local market, that the flow meters used to determine the quantity of
14 gaseous biofuel produced are industry standard and properly calibrated by a third-party professional,
15 and the readings have been taken by a qualified individual;

16 (3) "MMBTU of gaseous biofuel", British thermal unit of measurement to express the energy
17 content of fuels. MMBTU is the expression of 1 million BTU and use a conversion formula, as
18 appropriate, that it publishes in the Federal Register as conversion factor for gaseous biofuel;

19 (4) "Missouri qualified gaseous biofuel producer", any producer of gaseous biofuel whose
20 principal place of business and facility for the anaerobic digester and biofuel upgrading is located
21 within the state of Missouri and is registered with the United States Environmental Protection
22 Agency according to the requirements of 40 CFR 79 and which has made formal application, and
23 conformed to the requirements of this section, and:

24 (a) Has registered with the department of agriculture by March 31, 2016;

25 (b) Has begun construction of the facility before July 31, 2016; and

26 (c) Has begun production of gaseous biofuel before December 31, 2016.

27 2. There is hereby created the "Missouri Qualified Gaseous Biofuel Producer Incentive
28 Fund" that shall be used to provide economic subsidies to Missouri qualified gaseous biofuel
29 producers. Upon appropriation, the director of the department of agriculture shall administer the
30 fund. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the
31 fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state
32 treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any
33 interest and moneys earned on such investments shall be credited to the fund.

34 3. A Missouri qualified gaseous biofuel shall be eligible for a monthly grant from the fund
35 provided that one hundred percent of the feedstock originates in the United States. However, the
36 director may waive the feedstock requirements on a month-to-month basis if the facility provides

Action Taken _____ Date _____

Action Taken _____ Date _____

1 verification that adequate feedstock is not available. A Missouri qualified gaseous biofuel producer
 2 shall only be eligible for the grant for a total of sixty months unless such producers during the sixty
 3 months fail, due to a lack of appropriations, to receive the full amount from the fund for which the
 4 producers were eligible, in which case such producers shall continue to be eligible until they have
 5 received the maximum amount of funding for which such producers were eligible during the original
 6 sixty-month time period. The amount of the grant is determined by calculating the estimated BTU of
 7 qualified gaseous biofuel produced during the preceding month from feedstock, as certified by the
 8 department of agriculture, and applying such figure to the per-BTU incentive credit established in
 9 this subsection. Each Missouri qualified gaseous biofuel producer shall be eligible for a total grant
 10 in any fiscal year equal to two thousand three hundred forty-four millionths cents per BTU for the
 11 first five million MMBTU of qualified gaseous biofuel produced from feedstock in the fiscal year
 12 plus seven hundred eighty-one millionths cents per BTU for the next five million MMBTU of
 13 qualified biodiesel produced from feedstock in the fiscal year. All such qualified gaseous biofuel
 14 produced by a Missouri qualified gaseous biofuel producer in excess of ten million MMBTU shall
 15 not be applied to the computation of a grant pursuant to this subsection. The department of
 16 agriculture shall pay all grants for a particular month by the fifteenth day after receipt and approval
 17 of the application described in subsection 7 of this section.

18 7. In order for a Missouri qualified gaseous biofuel producer to obtain a grant from the fund,
 19 an application for such funds shall be received no later than fifteen days following the last day of the
 20 month for which the grant is sought. The application shall include:

- 21 (1) The location of the Missouri qualified gaseous biofuel producer;
- 22 (2) The average number of citizens of Missouri employed by the Missouri qualified gaseous
 23 biofuel producer in the preceding month, if applicable;
- 24 (3) The number of ton equivalents of Missouri feedstock and out-of-state feedstock used by
 25 the Missouri qualified gaseous biofuel producer in the production of gaseous biofuel in the preceding
 26 month;
- 27 (4) The number of BTU of qualified gaseous biofuel the producer manufactures during the
 28 month for which the grant is applied;
- 29 (5) Any other information deemed necessary by the department of agriculture to adequately
 30 ensure that such grants shall be made only to Missouri qualified gaseous biofuel producers.

31 8. The director of the department of agriculture, in consultation with the department of
 32 revenue, shall promulgate rules and regulations necessary for the administration of the provisions of
 33 this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created
 34 under the authority delegated in this section shall become effective only if it complies with and is
 35 subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and
 36 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
 37 chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently
 38 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 39 August 28, 2015, shall be invalid and void.

40 9. This section shall expire on December 31, 2016. However, Missouri qualified gaseous
 41 biofuel producers receiving any grants awarded prior to December 31, 2016, shall continue to be
 42 eligible for the remainder of the original sixty-month time period under the same terms and
 43 conditions of this section unless such producer during such sixty months failed, due to a lack of
 44 appropriations, to receive the full amount from the fund for which he or she was eligible. In such
 45 case, such producers shall continue to be eligible until they have received the maximum amount of
 46 funding for which they were eligible during the original sixty-month time period."; and

47
 48 Further amend said bill by amending the title, enacting clause, and intersectional references

1 accordingly.