

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Bill No. 820, Page 1, Section A, Line 3, by  
2 inserting after all of said section and line:

3  
4 "44.032. 1. (1) As used in this section, the term "rural electric cooperative" means any rural  
5 electric cooperative organized or operating under the provisions of chapter 394, any corporation  
6 organized on a nonprofit or a cooperative basis as described in subsection 1 of section 394.200, or  
7 any electrical corporation operating under a cooperative business plan as described in subsection 2  
8 of section 393.110.

9 (2) The general assembly recognizes the necessity for anticipating and making advance  
10 provisions to care for the unusual and extraordinary burdens imposed by disasters or emergencies on  
11 this state ~~[and]~~, its political subdivisions ~~[by disasters or emergencies]~~, and rural electric  
12 cooperatives. To meet such situations, it is the intention of the general assembly to confer  
13 emergency powers on the governor, acting through the director, and vesting the governor with  
14 adequate power and authority within the limitation of available funds in the Missouri disaster fund  
15 to meet any such emergency or disaster.

16 2. There is hereby established a fund to be known as the "Missouri Disaster Fund", to which  
17 the general assembly may appropriate funds and from which funds may be appropriated annually to  
18 the state emergency management agency. The funds appropriated shall be expended during a state  
19 emergency at the direction of the governor and upon the issuance of an emergency declaration  
20 which shall set forth the emergency and shall state that it requires the expenditure of public funds to  
21 furnish immediate aid and relief. The director of the state emergency management agency shall  
22 administer the fund.

23 3. Expenditures may be made upon direction of the governor for emergency management, as  
24 defined in section 44.010, or to implement the state disaster plans. Expenditures may also be made  
25 to meet the matching requirements of state and federal agencies for any applicable assistance  
26 programs.

27 4. Assistance may be provided from the Missouri disaster fund to political subdivisions of  
28 this state ~~[which]~~ and rural electric cooperatives that have suffered from a disaster to such an extent  
29 as to impose a severe financial burden exceeding the ordinary reserve capacity of the subdivision or  
30 rural electric cooperative affected. Applications for aid under this section shall be made to the state  
31 emergency management agency on such forms as may be prescribed and furnished by the agency,  
32 which forms shall require the furnishing of sufficient information to determine eligibility for aid and  
33 the extent of the financial burden incurred. The agency may call upon other agencies of the state in  
34 evaluating such applications. The director of the state emergency management agency shall review  
35 each application for aid under the provisions of this section and recommend its approval or  
36 disapproval, in whole or in part, to the governor. If approved, the governor shall determine and

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 certify to the director of the state emergency management agency the amount of aid to be furnished.  
 2 The director of the state emergency management agency shall thereupon issue ~~[his]~~ the director's  
 3 voucher to the commissioner of administration, who shall issue ~~[his]~~ the commissioner's warrants  
 4 therefor to the applicant.

5 5. When a disaster or emergency has been proclaimed by the governor or there is a national  
 6 emergency, the director of the state emergency management agency, upon order of the governor,  
 7 shall have authority to expend funds for the following:

8 (1) The purposes of sections 44.010 to 44.130 and the responsibilities of the governor and  
 9 the state emergency management agency as outlined in sections 44.010 to 44.130;

10 (2) Employing, for the duration of the response and recovery to emergency, additional  
 11 personnel and contracting or otherwise procuring necessary appliances, supplies, equipment, and  
 12 transport;

13 (3) Performing services for and furnishing materials and supplies to state government  
 14 agencies, counties, ~~[and]~~ municipalities, and rural electric cooperatives with respect to performance  
 15 of any duties enjoined by law upon such agencies, counties, ~~[and]~~ municipalities, and rural electric  
 16 cooperatives which they are unable to perform because of extreme natural or man-made phenomena,  
 17 and receiving reimbursement in whole or in part from such agencies, counties, ~~[and]~~ municipalities,  
 18 and rural electric cooperatives able to pay therefor under such terms and conditions as may be  
 19 agreed upon by the director of the state emergency management agency and any such agency,  
 20 county, ~~[or]~~ municipality, or rural electric cooperative;

21 (4) Performing services for and furnishing materials to any individual in connection with  
 22 alleviating hardship and distress growing out of extreme natural or man-made phenomena, and  
 23 receiving reimbursement in whole or in part from such individual under such terms as may be  
 24 agreed upon by the director of the state emergency management agency and such individual;

25 (5) Providing services to counties and municipalities with respect to quelling riots and civil  
 26 disturbances;

27 (6) Repairing and restoring public infrastructure;

28 (7) Furnishing transportation for supplies to alleviate suffering and distress;

29 (8) Furnishing medical services and supplies to prevent the spread of disease and epidemics;

30 (9) Quelling riots and civil disturbances;

31 (10) Training individuals or governmental agencies for the purpose of perfecting the  
 32 performance of emergency assistance duties as defined in the state disaster plans;

33 (11) Procurement, storage, and transport of special emergency supplies or equipment  
 34 determined by the director to be necessary to provide rapid response by state government to assist  
 35 counties and municipalities in impending or actual emergencies;

36 (12) Clearing or removing from publicly or privately owned land or water, debris and  
 37 wreckage which may threaten public health or safety;

38 (13) Reimbursement to any urban search and rescue task force for any reasonable and  
 39 necessary expenditures incurred in the course of responding to any declared emergency under this  
 40 section; and

41 (14) Such other measures as are customarily necessary to furnish adequate relief in cases of  
 42 catastrophe or disaster.

43 6. The governor may receive such voluntary contributions as may be made from any source  
 44 to aid in carrying out the purposes of this section and shall credit the same to the Missouri disaster  
 45 fund.

46 7. All obligations and expenses incurred by the governor in the exercise of the powers and  
 47 duties vested by the provisions of this section shall be paid by the state treasurer out of available  
 48 funds in the Missouri disaster fund, and the commissioner of administration shall draw warrants  
 49 upon the state treasurer for the payment of such sum, or so much thereof as may be required, upon

1 receipt of proper vouchers provided by the director of the state emergency management agency.

2 8. The provisions of this section shall be liberally construed in order to accomplish the  
3 purposes of sections 44.010 to 44.130 and to permit the governor to cope adequately with any  
4 emergency which may arise, and the powers vested in the governor by this section shall be  
5 construed as being in addition to all other powers presently vested in the governor and not in  
6 derogation of any existing powers.

7 9. Such funds as may be made available by the government of the United States for the  
8 purpose of alleviating distress from disasters may be accepted by the state treasurer and shall be  
9 credited to the Missouri disaster fund, unless otherwise specifically provided in the act of Congress  
10 making such funds available.

11 10. The foregoing provisions of this section notwithstanding, any expenditure or proposed  
12 series of expenditures which total in excess of one thousand dollars per project shall be approved by  
13 the governor prior to the expenditure."; and

14  
15 Further amend said bill by amending the title, enacting clause, and intersectional references  
16 accordingly.