

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 948 & 915
102ND GENERAL ASSEMBLY

1920H.03C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 12.070 and 163.024, RSMo, and to enact in lieu thereof two new sections relating to moneys received from mineral products, with an emergency clause for a certain section.

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

Section A. Sections 12.070 and 163.024, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 12.070 and 163.024, to read as follows:

12.070. **1.** All sums of money received from the United States under an act of
2 Congress, approved May 23, 1908, being an act providing for the payment to the states of
3 twenty-five percent of all money received from the national forest reserves in the states **for**
4 **forest timber and other forest products** to be expended as the legislature may prescribe for
5 the benefit of the public schools and public roads of the county or counties in which the forest
6 reserve is situated (16 U.S.C.A. § 500) shall be expended as follows: Seventy-five percent for
7 the public schools and twenty-five percent for roads in the counties in which national forests
8 are situated. The funds shall be used to aid in maintaining the schools and roads of those
9 school districts that lie or are situated partly or wholly within or adjacent to the national forest
10 in the county. The distribution to each county from the proceeds received on account of a
11 national forest within its boundaries shall be in the proportion that the area of the national
12 forest in the county bears to the total area of the forest in the state, as of June thirtieth of the
13 fiscal year for which the money is received.

14 **2.** All sums of moneys received from the United States under 16 U.S.C. Section
15 **500 and 16 U.S.C. Section 520 providing for the payment to the states of all moneys**
16 **received from the national forest reserves in the states for mineral products to be**
17 **expended as the legislature may prescribe for the benefit of the public schools and**

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.

18 **public roads of the county or counties in which the forest reserve is situated shall be**
19 **expended as follows: fifty percent for the public schools and fifty percent for roads in**
20 **the counties in which the national forests are situated. The distribution to each county**
21 **from the proceeds received on account of a national forest within its boundaries shall be**
22 **as follows: eighty-five percent of all proceeds shall be split in proportional shares based**
23 **on the amount of minerals extracted per year in each county where mining occurs and**
24 **fifteen percent of all proceeds shall be split equally between counties where there is no**
25 **mining.**

163.024. 1. All moneys received in the Iron County school fund, Reynolds County
2 school fund, Jefferson County school fund, and Washington County school fund from the
3 payment of a civil penalty pursuant to a consent decree filed in the United States district court
4 for the eastern district of Missouri in December, 2011, in the case of United States of America
5 and State of Missouri v. the Doe Run Resources Corporation d/b/a "The Doe Run Company,"
6 and the Buick Resource Recycling Facility, LLC, because of environmental violations shall
7 not be included in any district's local effort figure, as such term is defined in section 163.011.
8 The provisions of this ~~section~~ **subsection** shall terminate on July 1, 2016.

9 **2. (1) No moneys received in the Iron County school fund from the payment of**
10 **any penalty, whether to resolve violations or as payment of any stipulated penalty, under**
11 **Administrative Order on Consent No. APCP-2019-001 ("Order") issued by the**
12 **department of natural resources and effective on August 30, 2019, shall be included**
13 **as part of such school district's local effort for the calculation of local effort under**
14 **section 163.011.**

15 **(2) The department of elementary and secondary education shall reimburse such**
16 **school district for the amount of any moneys described in subdivision (1) of this**
17 **subsection that are or have been included in such school district's local effort contrary**
18 **to subdivision (1) of this subsection.**

19 **(3) The department of natural resources shall notify the revisor of statutes when**
20 **the Order is terminated as provided in the Order, and this subsection shall expire on the**
21 **last day of the fiscal year in which the revisor receives such notification from the**
22 **department.**

Section B. Because immediate action is necessary to exclude moneys received from
2 payments of penalties from local effort school district funding calculations, section 163.024
3 of section A of this act is deemed necessary for the immediate preservation of the public
4 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the

5 meaning of the constitution, and section 163.024 of section A of this act shall be in full force
6 and effect upon its passage and approval.

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