

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 2352**  
**102ND GENERAL ASSEMBLY**

5101H.02C

DANA RADEMAN MILLER, Chief Clerk

---

**AN ACT**

To repeal section 68.080, RSMo, and to enact in lieu thereof one new section relating to the waterways and ports trust fund.

---

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

Section A. Section 68.080, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 68.080, to read as follows:

68.080. 1. There is hereby established in the state treasury the "Waterways and Ports Trust Fund". The fund shall consist of revenues appropriated to it by the general assembly.

2. The fund may also receive any gifts, contributions, grants, or bequests received from federal, private, or other sources.

3. The fund shall be a revolving trust fund exempt from the provisions of section 33.080 relating to the transfer of unexpended balances by the state treasurer to the general revenue fund of the state. All interest earned upon the balance in the fund shall be deposited to the credit of the fund.

4. Moneys in the fund shall be withdrawn only **at the request of a Missouri port authority for statutorily permitted port purposes and** upon appropriation by the general assembly, to be administered by the state highways and transportation commission and the department of transportation, in consultation with Missouri public ports~~], for the purposes in subsection 2 of section 68.035 and for no other purpose].~~ To be eligible to receive an appropriation from the fund, a project shall be:

(1) A capital improvement project implementing physical improvements designed to improve commerce or terminal and transportation facilities ~~on or adjacent to the navigable rivers of this state];~~

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 (2) Located on land owned or held in long-term lease by a Missouri port authority, **or**  
19 **on land owned by a city not within a county and managed by a Missouri port authority,**  
20 or within a navigable river adjacent to such land, and within the boundaries of a port  
21 authority;

22 (3) ~~[Funded by alternate sources so that moneys from the fund comprise no more than~~  
23 ~~eighty percent of the cost of the project;~~

24 (4) ~~Selected and approved by the highways and transportation commission, in~~  
25 ~~consultation with Missouri public ports, to support a statewide plan for waterborne~~  
26 ~~commerce, in accordance with subdivision (1) of section 68.065; and~~

27 (5) Capable of completion within two years of ~~[approval by the highways and~~  
28 ~~transportation commission]~~ **appropriation of the funds by the general assembly. Any**  
29 **unspent funds remaining after two years may be reallocated in accordance with this**  
30 **subsection.**

31 5. Appropriations made from the fund established in this section may be used as a  
32 local share in applying for other grant programs.

33 6. The provisions of this section shall terminate on August 28, 2033, pending the  
34 discharge of all warrants. On December 31, 2033, the fund shall be dissolved and the  
35 unencumbered balance shall be transferred to the general revenue fund.

✓