

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 542

AN ACT

To repeal sections 64.196, 178.550, 196.311, 267.655, 323.100, 348.521, and 413.225, RSMo, and to enact in lieu thereof eight new sections relating to agriculture.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1           Section A. Sections 64.196, 178.550, 196.311, 267.655,  
2           323.100, 348.521, and 413.225, RSMo, are repealed and eight new  
3           sections enacted in lieu thereof, to be known as sections 64.196,  
4           178.550, 196.311, 262.900, 267.655, 323.100, 348.521, and  
5           413.225, to read as follows:

6           64.196. 1. After August 28, 2001, any county seeking to  
7           adopt a building code in a manner set forth in section 64.180  
8           shall, in creating or amending such code, adopt a current,  
9           calendar year 1999 or later edition, nationally recognized  
10          building code, as amended.

11          2. No county building ordinance so adopted shall conflict  
12          with liquefied petroleum gas installations governed by section  
13          323.020.

14          178.550. [The president of the state board of education  
15          shall annually appoint a committee of five members to be known as  
16          the "State Advisory Committee for Vocational Education". The

1 state advisory committee shall consist of one person of  
2 experience in agriculture; one employer; one representative of  
3 labor; one person of experience in home economics; one person of  
4 experience in commerce. The state commissioner of education is  
5 ex officio a member and the chairman of the advisory committee.  
6 The state board of education shall formulate general principles  
7 and policies for the administration of sections 178.420 to  
8 178.580, which, when they have been approved by the state  
9 advisory committee, shall be put into effect. Joint conferences  
10 between the state board of education and advisory committee shall  
11 be held at least four times each year. All members of the state  
12 advisory committee shall be reimbursed for their actual expenses  
13 in attending the conferences.]

14 1. This section shall be known  
15 and may be cited as the career and technical education student  
16 protection act. There is hereby established the "Career and  
17 Technical Education Advisory Council" within the department of  
18 elementary and secondary education.

19 2. The advisory council shall be composed of eleven members  
20 who shall be Missouri residents, appointed by the governor with  
21 the advice and consent of the senate:

22 (1) A director or administrator of a career and technical  
23 education center;

24 (2) An individual from the business community with a  
25 background in commerce;

26 (3) A representative from Linn State Technical College;

27 (4) Three current or retired career and technical education  
28 teachers who also serve or served as an advisor to any of the  
nationally-recognized career and technical education student

1 organizations of:

2 (a) DECA;

3 (b) Future Business Leaders of America (FBLA);

4 (c) FFA;

5 (d) Family, Career and Community Leaders of America  
6 (FCCLA);

7 (e) Health Occupations Students of America (HOSA);

8 (f) SkillsUSA; or

9 (g) Technology Student Association (TSA);

10 (5) A representative from a business organization,  
11 association of businesses, or a business coalition;

12 (6) A representative from a Missouri community college;

13 (7) A representative from Southeast Missouri State  
14 University or the University of Central Missouri;

15 (8) An individual participating in an apprenticeship  
16 recognized by the department of labor and industrial relations or  
17 approved by the United States Department of Labor's Office of  
18 Apprenticeship;

19 (9) A school administrator or school superintendent of a  
20 school that offers career and technical education.

21 3. Members shall serve a term of five years except for the  
22 initial appointments, which shall be for the following lengths:

23 (1) One member shall be appointed for a term of one year;

24 (2) Two members shall be appointed for a term of two years;

25 (3) Two members shall be appointed for a term of three  
26 years;

27 (4) Three members shall be appointed for a term of four  
28 years;

1 (5) Three members shall be appointed for a term of five  
2 years.

3 4. The advisory council shall have three nonvoting ex-  
4 officio members:

5 (1) A director of guidance and counseling services at the  
6 department of elementary and secondary education, or a similar  
7 position if such position ceases to exist;

8 (2) The director of the division of workforce development;  
9 and

10 (3) A member of the coordinating board for higher  
11 education, as selected by the coordinating board.

12 5. The assistant commissioner for the office of college and  
13 career readiness of the department of elementary and secondary  
14 education shall provide staff assistance to the advisory council.

15 6. The advisory council shall meet at least four times  
16 annually. The advisory council may make all rules it deems  
17 necessary to enable it to conduct its meetings, elect its  
18 officers, and set the terms and duties of its officers. The  
19 advisory council shall elect from among its members a  
20 chairperson, vice chairperson, a secretary-reporter, and such  
21 other officers as it deems necessary. Members of the advisory  
22 council shall serve without compensation but may be reimbursed  
23 for actual expenses necessary to the performance of their  
24 official duties for the advisory council.

25 7. Any business to come before the advisory council shall  
26 be available on the advisory council's internet website at least  
27 seven business days prior to the start of each meeting. All  
28 records of any decisions, votes, exhibits, or outcomes shall be

1 available on the advisory council's internet website within  
2 forty-eight hours following the conclusion of every meeting. Any  
3 materials prepared for the members shall be delivered to the  
4 members at least five days before the meeting, and to the extent  
5 such materials are public records as defined in section 610.010  
6 and are not permitted to be closed under section 610.021, shall  
7 be made available on the advisory council's internet website at  
8 least five business days in advance of the meeting.

9 8. The advisory council shall make an annual written report  
10 to the state board of education and the commissioner of education  
11 regarding the development, implementation, and administration of  
12 the state budget for career and technical education.

13 9. The advisory council shall annually submit written  
14 recommendations to the state board of education and the  
15 commissioner of education regarding the oversight and procedures  
16 for the handling of funds for student career and technical  
17 education organizations.

18 10. The advisory council shall:

19 (1) Develop a comprehensive statewide short- and long-range  
20 strategic plan for career and technical education;

21 (2) Identify service gaps and provide advice on methods to  
22 close such gaps as they relate to youth and adult employees,  
23 workforce development, and employers on training needs;

24 (3) Confer with public and private entities for the purpose  
25 of promoting and improving career and technical education;

26 (4) Identify legislative recommendations to improve career  
27 and technical education;

28 (5) Promote coordination of existing career and technical

1 education programs;

2 (6) Adopt, alter, or repeal by its own bylaws, rules, and  
3 regulations governing the manner in which its business may be  
4 transacted.

5 11. For purposes of this section, the department of  
6 elementary and secondary education shall provide such  
7 documentation and information as to allow the advisory council to  
8 be effective.

9 12. For purposes of this section, "advisory council" shall  
10 mean the career and technical education advisory council.

11 196.311. Unless otherwise indicated by the context, when  
12 used in sections 196.311 to 196.361:

13 (1) "Consumer" means any person who purchases eggs for his  
14 or her own family use or consumption; or any restaurant, hotel,  
15 boardinghouse, bakery, or other institution or concern which  
16 purchases eggs for serving to guests or patrons thereof, or for  
17 its own use in cooking, baking, or manufacturing their products;

18 (2) "Container" means any box, case, basket, carton, sack,  
19 bag, or other receptacle. "Subcontainer" means any container  
20 when being used within another container;

21 (3) "Dealer" means any person who purchases eggs from the  
22 producers thereof, or another dealer, for the purpose of selling  
23 such eggs to another dealer, a processor, or retailer;

24 (4) "Denatured" means eggs (a) made unfit for human food by  
25 treatment or the addition of a foreign substance, or (b) with  
26 one-half or more of the shell's surface covered by a permanent  
27 black, dark purple or dark blue dye;

28 (5) "Director" means the director of the department of

1 agriculture;

2 (6) "Eggs" means [eggs in the shell from chickens] the  
3 shell eggs of a domesticated chicken, turkey, duck, goose, or  
4 guinea that are intended for human consumption;

5 (7) "Inedible eggs" means eggs which are defined as such in  
6 the rules and regulations of the director adopted under sections  
7 196.311 to 196.361, which definition shall conform to the  
8 specifications adopted therefor by the United States Department  
9 of Agriculture;

10 (8) "Person" means and includes any individual, firm,  
11 partnership, exchange, association, trustee, receiver,  
12 corporation or any other business organization, and any member,  
13 officer or employee thereof;

14 (9) "Processor" means any person engaged in breaking eggs  
15 or manufacturing or processing egg liquids, whole egg meats,  
16 yolks, whites, or any mixture of yolks and whites, with or  
17 without the addition of other ingredients, whether chilled,  
18 frozen, condensed, concentrated, dried, powdered or desiccated;

19 (10) "Retailer" means any person who sells eggs to a  
20 consumer;

21 (11) "Sell" means offer for sale, expose for sale, have in  
22 possession for sale, exchange, barter, or trade.

23 262.900. 1. As used in this section, the following terms  
24 mean:

25 (1) "Agricultural products", an agricultural,  
26 horticultural, viticultural, or vegetable product, growing of  
27 grapes that will be processed into wine, bees, honey, fish or  
28 other aquacultural product, planting seed, livestock, a livestock

1 product, a forestry product, poultry or a poultry product, either  
2 in its natural or processed state, that has been produced,  
3 processed, or otherwise had value added to it in this state;

4 (2) "Blighted area", that portion of the city within which  
5 the legislative authority of such city determines that by reason  
6 of age, obsolescence, inadequate, or outmoded design or physical  
7 deterioration have become economic and social liabilities, and  
8 that such conditions are conducive to ill health, transmission of  
9 disease, crime or inability to pay reasonable taxes;

10 (3) "Department", the department of agriculture;

11 (4) "Domesticated animal", cattle, calves, sheep, swine,  
12 ratite birds including but not limited to ostrich and emu,  
13 llamas, alpaca, buffalo, elk documented as obtained from a legal  
14 source and not from the wild, goats, or horses, other equines, or  
15 rabbits raised in confinement for human consumption;

16 (5) "Grower UAZ", a type of UAZ:

17 (a) That can either grow produce, raise livestock, or  
18 produce other value added agricultural products;

19 (b) That does not exceed fifty laying hens, six hundred  
20 fifty broiler chickens, or thirty domesticated animals;

21 (6) "Livestock", cattle, calves, sheep, swine, ratite birds  
22 including but not limited to ostrich and emu, aquatic products as  
23 defined in section 277.024, llamas, alpaca, buffalo, elk  
24 documented as obtained from a legal source and not from the wild,  
25 goats, or horses, other equines, or rabbits raised in confinement  
26 for human consumption;

27 (7) "Locally grown", a product that was grown or raised in  
28 the same county or city not within a county in which the UAZ is

1 located or in an adjoining county or city not within a county.  
2 For a product raised or sold in a city not within a county,  
3 locally grown also includes an adjoining county with a charter  
4 form of government with more than nine hundred fifty thousand  
5 inhabitants and those adjoining said county;

6 (8) "Processing UAZ", a type of UAZ:

7 (a) That processes livestock or poultry for human  
8 consumption;

9 (b) That meets federal and state processing laws and  
10 standards;

11 (c) Is a qualifying small business approved by the  
12 department;

13 (9) "Meat", any edible portion of livestock or poultry  
14 carcass or part thereof;

15 (10) "Meat product", anything containing meat intended for  
16 or capable of use for human consumption, which is derived, in  
17 whole or in part, from livestock or poultry;

18 (11) "Poultry", any domesticated bird intended for human  
19 consumption;

20 (12) "Qualifying small business", those enterprises which  
21 are established within an Urban Agricultural Zone subsequent to  
22 its creation, and which meet the definition established for the  
23 Small Business Administration and set forth in Section 121.301 of  
24 Part 121 of Title 13 of the Code of Federal Regulations;

25 (13) "Value added agricultural products", any product or  
26 products that are the result of:

27 (a) Using an agricultural product grown in this state to  
28 produce a meat or dairy product in this state;

1 (b) A change in the physical state or form of the original  
2 agricultural product;

3 (c) An agricultural product grown in this state which has  
4 had its value enhanced by special production methods such as  
5 organically grown products; or

6 (d) A physical segregation of a commodity or agricultural  
7 product grown in this state that enhances its value such as  
8 identity preserved marketing systems;

9 (14) "Urban agricultural zone" or "UAZ", a zone within a  
10 metropolitan statistical area as defined by the United States  
11 Office of Budget and Management that has one or more of the  
12 following entities that is a qualifying small businesses, and  
13 approved by the department, as follows:

14 (a) Any organization or person who grows produce or other  
15 agricultural products;

16 (b) Any organization or person that raises livestock or  
17 poultry;

18 (c) Any organization or person who processes livestock or  
19 poultry;

20 (d) Any organization that sells at a minimum seventy-five  
21 percent locally grown food;

22 (15) "Vending UAZ", a type of UAZ:

23 (a) That sells produce, meat, or value added locally grown  
24 agricultural goods;

25 (b) That is able to accept food stamps under the provisions  
26 of the Supplemental Nutrition Assistance Program as a form of  
27 payment; and

28 (c) Is a qualifying small business that is approved by the

1 department for an UAZ vendor license.

2 2. (1) A person or organization shall submit to any  
3 incorporated municipality an application to develop an UAZ on a  
4 blighted area of land. Such application shall demonstrate or  
5 identify on the application:

6 (a) If the person or organization is a grower UAZ,  
7 processing UAZ, vending UAZ, or a combination of all three types  
8 of UAZs provided in this paragraph, in which case the person or  
9 organization shall meet the requirements of each type of UAZ in  
10 order to qualify;

11 (b) The number of jobs to be created;

12 (c) The types of products to be produced; and

13 (d) If applying for a vending UAZ, the ability to accept  
14 food stamps under the provisions of the Supplemental Nutrition  
15 Assistance Program if selling products to consumers.

16 (2) A municipality shall review and modify the application  
17 as necessary before either approving or denying the request to  
18 establish an UAZ.

19 (3) Approval of the UAZ by such municipality shall be  
20 reviewed five and ten years after the development of the UAZ.  
21 After twenty-five years, the UAZ shall dissolve. If the  
22 municipality finds during its review that the UAZ is not meeting  
23 the requirements set out in this section, the municipality may  
24 dissolve the UAZ.

25 3. The governing body of any municipality planning to seek  
26 designation of an urban agricultural zone shall establish an  
27 urban agricultural zone board. The number of members on the  
28 board shall be seven. One member of the board shall be appointed

1 by the school district or districts located within the area  
2 proposed for designation of an urban agricultural zone. Two  
3 members of the board shall be appointed by other affected taxing  
4 districts. The remaining four members shall be chosen by the  
5 chief elected officer of the municipality. The four members  
6 chosen by the chief elected officer of the municipality shall all  
7 be residents of the county or city not within a county in which  
8 the UAZ is to be located, and at least one of such four members  
9 shall have experience in or represent organizations associated  
10 with sustainable agriculture, urban farming, community gardening,  
11 or any of the activities or products authorized by this section  
12 for UAZs.

13 4. The school district member and the two affected taxing  
14 district members shall each have initial terms of five years. Of  
15 the four members appointed by the chief elected official, two  
16 shall have initial terms of four years, and two shall have  
17 initial terms of three years. Thereafter, members shall serve  
18 terms of five years. Each member shall hold office until a  
19 successor has been appointed. All vacancies shall be filled in  
20 the same manner as the original appointment. For inefficiency or  
21 neglect of duty or misconduct in office, a member of the board  
22 may be removed by the applicable appointing authority.

23 5. A majority of the members shall constitute a quorum of  
24 such board for the purpose of conducting business and exercising  
25 the powers of the board and for all other purposes. Action may  
26 be taken by the board upon a vote of a majority of the members  
27 present.

28 6. The members of the board annually shall elect a chair

1 from among the members.

2 7. The role of the board shall be to conduct the activities  
3 necessary to advise the governing body on the designation of an  
4 urban agricultural zone and any other advisory duties as  
5 determined by the governing body. The role of the board after  
6 the designation of an urban agricultural zone shall be review and  
7 assessment of zone activities.

8 8. Prior to the adoption of an ordinance proposing the  
9 designation of an urban agricultural zone, the urban agricultural  
10 board shall fix a time and place for a public hearing and notify  
11 each taxing district located wholly or partially within the  
12 boundaries of the proposed urban agricultural zone. The board  
13 shall send, by certified mail, a notice of such hearing to all  
14 taxing districts and political subdivisions in the area to be  
15 affected and shall publish notice of such hearing in a newspaper  
16 of general circulation in the area to be affected by the  
17 designation at least twenty days prior to the hearing but not  
18 more than thirty days prior to the hearing. Such notice shall  
19 state the time, location, date, and purpose of the hearing. At  
20 the public hearing any interested person or affected taxing  
21 district may file with the board written objections to, or  
22 comments on, and may be heard orally in respect to, any issues  
23 embodied in the notice. The board shall hear and consider all  
24 protests, objections, comments, and other evidence presented at  
25 the hearing. The hearing may be continued to another date  
26 without further notice other than a motion to be entered upon the  
27 minutes fixing the time and place of the subsequent hearing.

28 9. Following the conclusion of the public hearing required

1 under subsection 8 of this section, the governing authority of  
2 the municipality may adopt an ordinance designating an urban  
3 agricultural zone.

4 10. The real property of the UAZ shall not be subject to  
5 assessment or payment of ad valorem taxes on real property  
6 imposed by the cities affected by this section, or by the state  
7 or any political subdivision thereof, for a period of up to  
8 twenty-five years as specified by ordinance under subsection 9 of  
9 this section, except to such extent and in such amount as may be  
10 imposed upon such real property during such period, as was  
11 determined by the assessor of the county in which such real  
12 property is locate, or, if not located within a county, then by  
13 the assessor of such city, in an amount not greater than the  
14 amount of taxes due and payable thereon during the calendar year  
15 preceding the calendar year during which the urban agricultural  
16 zone was designated. The amounts of such tax assessments shall  
17 not be increased during such period so long as the real property  
18 is used in furtherance of the activities provided under the  
19 provisions of subdivision (13) of subsection 1 of this section.  
20 At the conclusion of the period of abatement provided by the  
21 ordinance, the property shall then be reassessed. If only a  
22 portion of real property is used as an UAZ, then only that  
23 portion of real property shall be exempt from assessment or  
24 payment of ad valorem taxes on such property, as provided by this  
25 section.

26 11. If the water services for the UAZ are provided by the  
27 municipality, the municipality may authorize a grower UAZ to pay  
28 wholesale water rates. If available, for the cost of water

1 consumed on the UAZ and pay fifty percent of the standard cost to  
2 hook onto the water source.

3 12. (1) Any local sales tax revenues received from the  
4 sale of agricultural products sold in the UAZ shall be deposited  
5 in the urban agricultural zone fund established in subdivision  
6 (2) of this subsection. An amount equal to one percent shall be  
7 retained by the director of revenue for deposit in the general  
8 revenue fund to offset the costs of collection.

9 (2) There is hereby created in the state treasury the  
10 "Urban Agricultural Zone Fund", which shall consist of money  
11 collected under subdivision (1) of this subsection. The state  
12 treasurer shall be custodian of the fund. In accordance with  
13 sections 30.170 and 30.180, the state treasurer may approve  
14 disbursements. The fund shall be a dedicated fund and, upon  
15 appropriation, shall be used for the purposes authorized by this  
16 section. Notwithstanding the provisions of section 33.080 to the  
17 contrary, any moneys remaining in the fund at the end of the  
18 biennium shall not revert to the credit of the general revenue  
19 fund. The state treasurer shall invest moneys in the fund in the  
20 same manner as other funds are invested. Any interest and moneys  
21 earned on such investments shall be credited to the fund. School  
22 districts may apply to the department for money in the fund to be  
23 used for the development of curriculum on or the implementation  
24 of urban farming practices under the guidance of the University  
25 of Missouri extension service and a certified vocational  
26 agricultural instructor. The funds are to be distributed on a  
27 competitive basis within the school district or districts in  
28 which the UAZ is located pursuant to rules to be promulgated by

1 the department, with special consideration given to the relative  
2 number of students eligible for free and reduced-price lunches  
3 attending the schools within such district or districts.

4 13. Any rule or portion of a rule, as that term is defined  
5 in section 536.010 that is created under the authority delegated  
6 in this section shall become effective only if it complies with  
7 and is subject to all of the provisions of chapter 536, and, if  
8 applicable, section 536.028. This section and chapter 536 are  
9 nonseverable and if any of the powers vested with the general  
10 assembly pursuant to chapter 536, to review, to delay the  
11 effective date, or to disapprove and annul a rule are  
12 subsequently held unconstitutional, then the grant of rulemaking  
13 authority and any rule proposed or adopted after August 28, 2013,  
14 shall be invalid and void.

15 267.655. In addition to the remedies provided for in  
16 sections 267.560 to 267.660 by law, the following civil penalties  
17 may be imposed:

18 (1) If the department director determines, after inquiry  
19 and opportunity for a hearing, that any individual is in  
20 violation of any provision of sections 267.560 to 267.660, or any  
21 regulations issued thereunder, the director shall have the  
22 authority to assess a civil penalty of not more than one thousand  
23 dollars per incident. In the event that a person penalized or  
24 ordered to pay restitution under this section fails to pay the  
25 penalty or restitution, the director may apply to the circuit  
26 court of Cole County for, and the court is authorized to enter,  
27 an order enforcing the assessed penalty or restitution;

28 (2) The prosecuting attorney of any county in which a

1 violation of any provisions of sections 267.560 to 267.660 occurs  
2 or the attorney general of the state, is hereby authorized to  
3 apply to any court of competent jurisdiction for, and such court  
4 shall have jurisdiction upon hearing and for cause shown to grant  
5 a temporary or permanent injunction to restrain any person from  
6 violating any provisions of sections 267.560 to 267.660.

7 323.100. 1. The director of the department of agriculture  
8 shall annually inspect and test all liquid meters used for the  
9 measurement and retail sale of liquefied petroleum gas and shall  
10 condemn all meters which are found to be inaccurate. All meters  
11 shall meet the tolerances and specifications of the National  
12 Institute of Standards and Technology Handbook 44, 1994 edition  
13 and supplements thereto. It is unlawful to use a meter for  
14 retail measurement and sale which has been condemned. All  
15 condemned meters shall be conspicuously marked "inaccurate", and  
16 the mark shall not be removed or defaced except upon  
17 authorization of the director of the department of agriculture or  
18 his authorized representative. It is the duty of each person  
19 owning or in possession of a meter to pay to the director of the  
20 department of agriculture at the time of each test a testing fee  
21 of ten dollars[, except that the testing fee herein provided for  
22 shall not be applied more than once in a calendar year to each  
23 meter tested]. On January 1, 2014, the testing fee shall be  
24 twenty-five dollars. On January 1, 2015, the testing fee shall  
25 be set at fifty dollars. On January 1, 2016, and annually  
26 thereafter, the director shall ascertain the total expenses for  
27 administering this section and shall set the testing fee at a  
28 rate to cover the expenses for the ensuing year but not to exceed

1 seventy-five dollars.

2 2. On the first day of October 2014, and each year  
3 thereafter, the director of the department of agriculture shall  
4 submit a report to the general assembly that states the current  
5 testing fee, the expenses for administering this section for the  
6 previous calendar year, any proposed change to the testing fee,  
7 and estimated expenses for administering this section during the  
8 ensuing year. The proposed change to the testing fee shall not  
9 yield revenue greater than the total cost of administering this  
10 section during the ensuing year.

11 3. Beginning August 28, 2013, and each year thereafter, the  
12 director of the department of agriculture shall publish the  
13 testing fee schedule on the departmental website. The website  
14 shall be updated within thirty days of a change in the testing  
15 fee schedule set forth in this section.

16 348.521. 1. The authority may issue certificates of  
17 guaranty covering a first loss guarantee up to but not more than  
18 fifty percent of the loan on a declining principal basis for  
19 loans to individuals executing a note or other evidence of a loan  
20 made for livestock feed and crop input, but not to exceed the  
21 amount of ~~[forty]~~ one hundred thousand dollars for any one  
22 individual and to pay from the livestock feed and crop input loan  
23 guarantee fund to an eligible lender up to fifty percent of the  
24 amount on a declining principal basis of any loss on any  
25 guaranteed loan made under the provisions of sections 348.515 to  
26 348.533, in the event of default on the loan. Upon payment of  
27 the loan, the authority shall be subrogated to all the rights of  
28 the eligible lender.

1           2. As used in sections 348.515 to 348.533, the term  
2 "eligible lender" means those entities defined as lenders under  
3 subdivision (8) of section 348.015.

4           3. The authority shall charge for each guaranteed loan a  
5 one-time participation fee of fifty dollars which shall be  
6 collected by the lender at the time of closing and paid to the  
7 authority. In addition, the authority may charge a special loan  
8 guarantee fee of up to one percent per annum of the outstanding  
9 principal which shall be collected from the borrower by the  
10 lender and paid to the authority. Amounts so collected shall be  
11 deposited in the livestock feed and crop input loan program fund  
12 and used, upon appropriation, to pay the costs of administering  
13 the program.

14           4. All moneys paid to satisfy a defaulted guaranteed loan  
15 shall only be paid out of the livestock feed and crop input loan  
16 guarantee fund established by sections 348.515 to 348.533.

17           5. The total outstanding guaranteed loans shall at no time  
18 exceed an amount which, according to sound actuarial judgment,  
19 would allow immediate redemption of twenty percent of the  
20 outstanding loans guaranteed by the fund at any one time.

21           413.225. 1. There is established a fee for registration,  
22 inspection and calibration services performed by the division of  
23 weights and measures. The fees are due at the time the service  
24 is rendered and shall be paid to the director by the person  
25 receiving the service. The director shall collect fees according  
26 to the following schedule and shall deposit them with the state  
27 treasurer into [general revenue for the use of the state of  
28 Missouri] the agriculture protection fund as set forth in section

1 261.200:

2 (1) From August 28, [1994] 2013, until the next January  
3 first, laboratory fees for metrology calibrations shall be at the  
4 rate of [twenty-five] sixty dollars per hour for tolerance  
5 testing [and thirty-five dollars per hour for] or precision  
6 calibration. Time periods over one hour shall be computed to the  
7 nearest one quarter hour. On the first day of January, [1995]  
8 2014, and each year thereafter, the director of agriculture shall  
9 ascertain the total receipts and expenses for the metrology  
10 calibrations during the preceding year and shall fix a fee  
11 schedule for the ensuing year at a rate per hour [which shall not  
12 exceed sixty dollars per hour for either method but shall not be  
13 less than twenty-five dollars per hour for tolerance testing and  
14 thirty-five dollars per hour for precision calibration,] as will  
15 yield revenue not more than the total cost of operating the  
16 metrology laboratory during the ensuing year, but not to exceed  
17 one hundred and twenty-five dollars;

18 (2) [From August 28, 1994, until the next January first,]  
19 All [scale] device test fees [shall be] charged [as follows]  
20 shall include, but not be limited to, the following devices:

21 (a) Small scales [shall be five dollars for each counter  
22 scale, ten dollars for platform scales up to one thousand-pound  
23 capacity, and twenty dollars for each platform scale over one  
24 thousand-pound capacity];

25 (b) Vehicle scales [shall be fifty dollars each for the  
26 initial test and seventy-five dollars for each subsequent test  
27 within the same calendar year];

28 (c) Livestock scales [shall be seventy-five dollars each

1 for the initial test, and one hundred dollars for each subsequent  
2 test within the same calendar year];

3 (d) Hopper scales [with a capacity of one thousand pounds  
4 or less shall be ten dollars each; for each hopper scale with a  
5 capacity of more than one thousand pounds up to and including two  
6 thousand pounds, the fee shall be twenty dollars; for each hopper  
7 scale with a capacity of more than two thousand pounds up to and  
8 including ten thousand pounds, the fee shall be fifty dollars;  
9 and for those hopper scales with a capacity of more than ten  
10 thousand pounds, the test fee shall be seventy-five dollars  
11 each];

12 (e) Railroad scales [shall be fifty dollars each];

13 (f) Monorail scales [shall be twenty-five dollars each for  
14 the initial test and fifty dollars for each subsequent test in  
15 the same calendar year];

16 (g) [Participation in on-site field evaluations of devices  
17 for National Type Evaluation Program certification and all tests  
18 of] In-motion scales including but not limited to vehicle,  
19 railroad and belt conveyor scales [will be charged at the rate of  
20 thirty dollars per hour, plus mileage from the inspector's  
21 official domicile to and from the inspection site. The time  
22 shall begin when the state inspector performing the inspection  
23 arrives at the site to be inspected and shall end when the final  
24 report is signed by the owner/operator and the inspector  
25 departs];

26 [(3) From August 28, 1994, until the next January first,  
27 certification of]

28 (h) Taximeters [shall be five dollars per meter];

1        (i) Timing devices[, five dollars per device];

2        (j) Fabric-measuring devices[, ] i

3        (k) Wire- and cordage-measuring devices[, five dollars per  
4 device];

5        (l) Milk for quantity determination[, twenty-five dollars  
6 per plant inspected]; and

7        [(4) From August 28, 1994, until the next January first,  
8 certification of]

9        (m) Vehicle tank meters [shall be twenty-five dollars each  
10 for the initial test and fifty dollars for each subsequent test  
11 in the same calendar year];

12        (3) Devices that require participation in on-site field  
13 evaluations for National Type Evaluation Program Certification  
14 and all tests of in-motion scales shall be charged a fee, plus  
15 mileage from the inspector's official domicile to and from the  
16 inspection site. The time shall begin when the state inspector  
17 performing the inspection arrives at the site to be inspected and  
18 shall end when the final report is signed by the owner/operator  
19 and the inspector departs;

20        [(5)] (4) Every person shall register each location of such  
21 person's place of business where devices or instruments are used  
22 to ascertain the moisture content of grains and seeds offered for  
23 sale, processing or storage in this state with the director and  
24 shall pay a registration fee [of ten dollars] for each location  
25 so registered and a fee [of five dollars] for each additional  
26 device or instrument at such location. Thereafter, by January  
27 thirty-first of each year, each person who is required to  
28 register pursuant to this subdivision shall pay an annual fee [of

1 ten dollars] for each location so registered and an additional  
2 [five dollars] fee for each additional machine at each location.  
3 The fee on newly purchased devices shall be paid within thirty  
4 days after the date of purchase. Application for registration of  
5 a place of business shall be made on forms provided by the  
6 director and shall require information concerning the make, model  
7 and serial number of the device and such other information as the  
8 director shall deem necessary. Provided, however, this  
9 subsection shall not apply to moisture-measuring devices used  
10 exclusively for the purpose of obtaining information necessary to  
11 manufacturing processes involving plant products. In addition to  
12 fees required by this subdivision, a fee [of ten dollars] shall  
13 be charged for each device subject to retest.

14 2. On the first day of January, 1995, and each year  
15 thereafter, the director of agriculture shall ascertain the total  
16 receipts and expenses for the testing of weighing and measuring  
17 devices referred to in subdivisions (2), (3), and (4) [and (5)]  
18 of subsection 1 of this section and shall fix the fees or rate  
19 per hour for such weighing and measuring devices to derive  
20 revenue not more than the total cost of the operation[, but such  
21 fees shall not be fixed in amounts less than the amounts  
22 contained in subdivisions (2), (3), (4) and (5) of subsection 1  
23 of this section].

24 3. [Except as indicated in paragraphs (b), (c), and (f) of  
25 subdivision (2) and subdivisions (4) and (5) of subsection 1,]  
26 On the first day of October 2014, and each year thereafter, the  
27 director of the department of agriculture shall submit a report  
28 to the general assembly that states the current laboratory fees

1 for metrology calibration, the expenses for administering this  
2 section for the previous calendar year, any proposed change to  
3 the laboratory fee structure, and estimated expenses for  
4 administering this section during the ensuing year. The proposed  
5 change to the laboratory fee structure shall not yield revenue  
6 greater than the total cost of administering this section during  
7 the ensuing year.

8 4. Beginning August 28, 2013, and each year thereafter, the  
9 director of the department of agriculture shall publish the  
10 laboratory fee schedule on the departmental website. The website  
11 shall be updated within thirty days of a change in the laboratory  
12 fee schedule set forth in this section.

13 5. Retests for any device within the same calendar year  
14 will be charged at the same rate as the initial test. Devices  
15 being retested in the same calendar year as a result of rejection  
16 and repair are exempt from the requirements of this subsection.

17 [4.] 6. All device inspection fees shall be paid within  
18 thirty days of the issuance of the original invoice. Any fee not  
19 paid within ninety days after the date of the original invoice  
20 will be cause for the director to deem the device as incorrect  
21 and it may be condemned and taken out of service, and may be  
22 seized by the director until all fees are paid.

23 [5.] 7. No fee provided for by this section shall be  
24 required of any person owning or operating a moisture-measuring  
25 device or instrument who uses such device or instrument solely in  
26 agricultural or horticultural operations on such person's own  
27 land, and not in performing services, whether with or without  
28 compensation, for another person.