

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 1734, 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.