

CCS HCS SB 342 -- AGRICULTURE

(Vetoed by the Governor)

This bill changes the laws regarding agriculture.

LIQUEFIED PETROLEUM GAS INSTALLATIONS (Section 64.196, RSMo)

The bill prohibits a county building ordinance adopted by a first or second classification county commission from conflicting with liquefied gas installations governed under Section 323.020.

TAX CREDIT FOR WOOD ENERGY PRODUCERS (Section 135.305)

The bill extends the tax credit for a Missouri wood energy producer from June 30, 2013, to June 30, 2019, and limits the total amount of tax credits allowed in any fiscal year to \$3 million.

MOTOR FUEL TAX DEFINITIONS (Section 142.800)

"Additive" is defined as a substance designed to increase engine power or performance but not capable of propelling the vehicle without the primary fuel. The bill specifies that the use of an additive does not require compliance with the provisions regarding the alternative fuel decal fee under Section 142.869.

UNIVERSITY OF MISSOURI EXTENSION DISTRICTS (Section 262.598)

A University of Missouri extension council, except a council located in St. Louis County, is authorized to form an extension district made up of cooperating counties for the purpose of funding extension programming. An extension district can be a single-council district or a consolidated district consisting of two or more extension councils. A majority vote of each participating council is required to form an extension district.

In a single-council district, the existing University of Missouri extension council will serve as the extension district's governing body. In a consolidated district, the governing board will consist of at least three but no more than five representatives appointed by each participating council. The powers and duties of a district's governing body are specified in the bill.

The governing body of a district may submit a question to the voters of the district to institute a property tax levy in the district's counties. A property tax levy cannot exceed 30 cents per \$100 of assessed valuation. The costs of submitting the question to the voters at the general municipal election must be paid by the district. In a single-county district, the property

tax levy will be imposed if a majority of the voters in the county approve it. In a consolidated district, the property tax levy will be imposed if a majority of the voters in each county in the district approve it. If one of the counties in a consolidated district does not approve it, that county's council may withdraw from the district. Upon the withdrawal, the district will be made up of the remaining counties and the tax will be imposed in those counties. However, if the county that did not approve the tax levy does not withdraw, the tax cannot be imposed.

A single-council district for which a tax has not been levied may be dissolved in the same manner in which it was formed. A county may withdraw from a consolidated district at any time by filing a petition signed by at least 10% of the voters in the county who voted in the most recent presidential election with the circuit court having jurisdiction over the district. The court must hear evidence on the petition, and if it determines that it is in the best interest of the county inhabitants, it must submit the question to the voters at the next general municipal election. If two-thirds of the voters vote in favor of withdrawing from the district, the court must issue an order withdrawing the county from the district. The costs of the election are to be paid by the district. The withdrawal will not become effective until the following January 1, and the district will remain intact for the purposes of paying all outstanding and lawful obligations and disposing of the district's property.

The governing body of any district may seek voter approval to increase its current tax rate if the increase will not cause the total tax to exceed 30 cents per \$100 of assessed valuation. The governing body must submit the question to the voters at the next general municipal election. The costs of submitting the question to the voters must be paid by the district. If a majority of the voters in the county in a single-council district approve the question, the tax will be imposed. In a consolidated district, a majority of the voters in the district is required.

MISSOURI INTERNATIONAL AGRICULTURE EXCHANGE (Section 262.975)

The Department of Agriculture is allowed to contract with an Internet website development company to build and maintain the Missouri International Agricultural Exchange website. The website must contain content approved by the department to promote Missouri agricultural products and services to international agricultural buyers. The bill:

(1) Requires the exchange to allow Missouri-based agricultural sellers to post their products produced in Missouri on the website at no charge to assist in marketing them to international buyers.

A seller must register through the website, show proof of Missouri residency, and provide any additional information required by the department;

(2) Specifies that the state will have exclusive ownership rights of content on the exchange, but the website developer may use informational content provided by the department, add to the content, and apply search engine optimization to the website's content to achieve a high search engine ranking;

(3) Allows the website developer to sell advertising on the website to any entity that will benefit from marketing to international agricultural producers or buyers. The developer will be responsible for all costs associated with the development, marketing, and maintenance of the website and will retain all advertising revenues obtained from the website. The developer is prohibited from selling advertising to any entity that is not related to agriculture or furthers the interest of specified content types;

(4) Requires the website developer to have proven experience and expertise in search engine optimization as determined by the Department of Agriculture or the Department of Economic Development and to provide evidence of website development projects that increased search engine rankings for the client;

(5) Requires the Department of Agriculture, in conjunction with the Department of Economic Development, to review all applications and award an annual contract for the development, design, marketing, and maintenance of the website with annual contract renewals for continuing upgrades, marketing, and maintenance of the website; and

(6) Authorizes the Department of Agriculture to terminate a contract at its discretion. A developer may have his or her contract terminated for failure to operate under the department's guidelines for the website. If the contract is terminated, the department will assume ownership of all site-related domain names and must award a new contract in accordance with the procedures for awarding the initial contract.

LIVESTOCK FEED AND CROP LOANS (Section 348.521)

The maximum amount of certificates of guaranty that the Missouri Agricultural and Small Business Development Authority within the Department of Agriculture may issue on a loan for livestock feed and crop input is increased from \$40,000 to \$100,000.

FOREIGN OWNERSHIP OF AGRICULTURAL LAND (Sections 442.571 and

442.576)

Currently, an alien or foreign business may not purchase agricultural land in Missouri. The bill prohibits the purchase if the total aggregate alien and foreign ownership of agricultural acreage in the state exceeds 1% of the total aggregate agricultural acreage in this state. The Director of the Department of Agriculture must approve any sale, transfer, or acquisition of any agricultural land, and the department must establish the requirements for the submission and approval of requests to purchase, transfer, or acquire agricultural land under these provisions.

CLEAN WATER PERMITS (Section 644.029)

The bill requires the Department of Natural Resources to allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. The department must incorporate new water quality requirements into an existing permit at the time of renewal unless there is a compelling reason to implement the requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the Clean Water Commission within the department.

MINING PERMITS (Section 1)

The bill exempts any business entity located in Cape Girardeau County from Section 444.771 that prohibits the Department of Natural Resources from issuing a mining permit to any person whose mine plan boundary is within 1,000 feet of an accredited school.