

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 2339

99TH GENERAL ASSEMBLY

6095H.02P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 41.1010, RSMo, and to enact in lieu thereof two new sections relating to the Missouri military community reinvestment act.

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

Section A. Section 41.1010, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 41.1010 and 620.3300, to read as follows:

41.1010. 1. There is hereby established the "Missouri Military Preparedness and Enhancement Commission". The commission shall have as its purpose the design and implementation of measures intended to protect, retain, and enhance the present and future mission capabilities at the military posts or bases within the state. The commission shall consist of nine members:

(1) Five members to be appointed by the governor;

(2) Two members of the house of representatives, one appointed by the speaker of the house of representatives, and one appointed by the minority floor leader;

(3) Two members of the senate, one appointed by the president pro tempore, and one appointed by the minority floor leader;

(4) The director of the department of economic development or the director's designee, ex officio;

(5) The chairman of the Missouri veterans' commission or the chairman's designee, ex officio.

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No more than three of the five members appointed by the governor shall be of the same political party. To be eligible for appointment by the governor, a person shall have demonstrated

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 experience in economic development, the defense industry, military installation operation,
19 environmental issues, finance, local government, or the use of air space for future military
20 missions. Appointed members of the commission shall serve three-year terms, except that of the
21 initial appointments made by the governor, two shall be for one-year terms, two shall be for
22 two-year terms, and one shall be for a three-year term. No appointed member of the commission
23 shall serve more than six years total. A vacancy occurs if a legislative member leaves office for
24 any reason. Any vacancy on the commission shall be filled in the same manner as the original
25 appointment.

26 2. Members of the commission shall be reimbursed for the actual and necessary expenses
27 incurred in the discharge of the member's official duties.

28 3. A chair of the commission shall be selected by the members of the commission.

29 4. The commission shall meet at least quarterly and at such other times as the chair
30 deems necessary.

31 5. The commission shall be funded by an appropriation limited to that purpose. Any
32 expenditure constituting more than ten percent of the commission's annual appropriation shall
33 be based on a competitive bid process.

34 6. The commission shall:

35 (1) Advise the governor and the general assembly on military issues and economic and
36 industrial development related to military issues;

37 (2) Make recommendations regarding:

38 (a) Developing policies and plans to support the long-term viability and prosperity of the
39 military, active and retiree, and civilian military employees, in this state, including promoting
40 strategic regional alliances that may extend over state lines;

41 (b) Developing methods to improve private and public employment opportunities for
42 former members of the military and their families residing in this state; and

43 (c) Developing methods to assist defense-dependent communities in the design and
44 execution of programs that enhance a community's relationship with military installations and
45 defense-related businesses;

46 (3) Provide information to communities, the general assembly, the state's congressional
47 delegation, and state agencies regarding federal actions affecting military installations and
48 missions;

49 (4) Serve as a clearinghouse for:

50 (a) Defense economic adjustment and transition information and activities; and

51 (b) Information concerning the following:

52 a. Issues related to the operating costs, missions, and strategic value of federal military
53 installations located in the state;

54 b. Employment issues for communities that depend on defense bases and in
55 defense-related businesses; and

56 c. Defense strategies and incentive programs that other states are using to maintain,
57 expand, and attract new defense contractors;

58 (5) Provide assistance to communities that have experienced a defense-related closure
59 or realignment;

60 (6) Assist communities in the design and execution of programs that enhance a
61 community's relationship with military installations and defense-related businesses, including
62 regional alliances that may extend over state lines;

63 (7) Assist communities in the retention and recruiting of defense-related businesses,
64 including fostering strategic regional alliances that may extend over state lines;

65 (8) Prepare a biennial strategic plan that:

66 (a) Fosters the enhancement of military value of the contributions of Missouri military
67 installations to national defense strategies;

68 (b) Considers all current and anticipated base realignment and closure criteria; and

69 (c) Develops strategies to protect the state's existing military missions and positions the
70 state to be competitive for new and expanded military missions;

71 (9) Encourage economic development in this state by fostering the development of
72 industries related to defense affairs.

73 **7. The commission shall evaluate and approve or reject, as it deems necessary, all**
74 **applications presented to it for grants of funding through the department of economic**
75 **development's Missouri military community reinvestment grant program, as authorized**
76 **in section 620.3300. The commission shall develop procedures with the department of**
77 **economic development that will govern its consideration of all applications.**

78 **8.** The commission shall prepare and present an annual report to the governor and the
79 general assembly by December thirty-first of each year.

80 ~~[8-]~~ **9.** The department of economic development shall furnish administrative support
81 and staff for the effective operation of the commission.

620.3300. 1. This section shall be known and may be cited as the "Missouri
2 **Military Community Reinvestment Program Act".**

3 **2. As used in this section, the following terms shall mean:**

4 **(1) "Commission", the Missouri military preparedness and enhancement**
5 **commission authorized under section 41.1010;**

6 **(2) "Community-based organization", a Missouri corporation in good standing**
7 **with the state that is organized under chapter 355 and which has as its primary or**
8 **substantial purposes the support and sustainment of a military installation or installations;**

9 (3) **"Department"**, the department of economic development;

10 (4) **"Eligible applicant"**, any community-based organization or local government
11 **located in a military community;**

12 (5) **"Grantee"**, the recipient of a Missouri military community reinvestment
13 **program grant;**

14 (6) **"Local government"**, any Missouri county, city, town, or village;

15 (7) **"Military community"**, any county, city, town, or village or defined combination
16 **thereof that is heavily dependent on military employment and economic activity provided**
17 **by a military installation;**

18 (8) **"Military installation"**, a facility subject to the custody, jurisdiction, or
19 **administration of any United States Department of Defense component. This term**
20 **includes, but is not limited to, military reservations, installations, bases, posts, camps,**
21 **stations, arsenals, vessels or ships, or laboratories where the Department of Defense or a**
22 **component thereof has operation responsibility for facility security and defense;**

23 (9) **"Program"**, the Missouri military community reinvestment program created
24 **by this section.**

25 **3. There is hereby established the Missouri military community reinvestment**
26 **program in the department of economic development. Its purpose shall be to assist**
27 **military communities in supporting and sustaining their installations, to encourage the**
28 **communities to initiate coordinated response programs and action plans in advance of**
29 **future federal government realignment and closure decisions, and to support community**
30 **efforts to attract new or expanded military missions.**

31 **4. (1) There is hereby created in the state treasury the "Missouri Military**
32 **Community Reinvestment Grant Program Fund", which shall consist of moneys collected**
33 **under this section. The state treasurer shall be custodian of the fund. In accordance with**
34 **sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall**
35 **be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for**
36 **the administration of this section. The amount in such fund shall not exceed three hundred**
37 **thousand dollars. Moneys in the fund in excess of three hundred thousand dollars shall**
38 **be invested by the state treasurer and any income therefrom shall be deposited to the credit**
39 **of the general revenue fund.**

40 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
41 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
42 **general revenue fund.**

43 **(3) The state treasurer shall invest moneys in the fund in the same manner as other**
44 **funds are invested. Any interest and moneys earned on such investments shall be credited**
45 **to the fund.**

46 **5. The department shall implement the program as provided in this section. The**
47 **department and the commission shall invite public comments on how the program should**
48 **be administered and shall jointly develop and establish procedures for the solicitation,**
49 **evaluation, and approval of grant applications received from eligible applicants.**

50 **6. The department shall evaluate each application and make recommendations to**
51 **the commission, which shall have the authority to approve or reject any application so**
52 **recommended. Upon approval by the commission, the department shall administer grant**
53 **awards, including the tracking and monitoring of grantee administration of the grant**
54 **funds and whether grantees have achieved the goals set forth in their grant applications.**

55 **7. Grants provided by this program shall not exceed three hundred thousand**
56 **dollars per year. The eligible amount for grants shall include the following match**
57 **requirements:**

58 **(1) For an eligible applicant in operation for five or more years, one dollar of state**
59 **grant funds may be provided for every one dollar of funds provided or raised by the**
60 **eligible applicant, including the value of in-kind services, supplies, or equipment; or**

61 **(2) For an eligible applicant in operation for fewer than five years, two dollars of**
62 **state grant funds may be provided for every one dollar of funds provided or raised by the**
63 **eligible applicant, including the value of in-kind services, supplies, or equipment.**

64 **8. Applications for grants under this section shall include a coordinated program**
65 **of work or a plan of action delineating how the project shall be administered and**
66 **accomplished, which shall include a plan for ensuring close cooperation between civilian**
67 **and military authorities in the conduct of the funded activities and a plan for public**
68 **involvement. Uses for the grants may include, but are not limited to, the following**
69 **activities:**

70 **(1) Developing and implementing public-to-public partnerships with military**
71 **installations, including agreements that reduce installation costs and increase funding**
72 **available for mission performance;**

73 **(2) Developing local or regional marketing plans, techniques, and activities,**
74 **including those that communicate the nature and value of military installations and**
75 **military service;**

76 **(3) Implementing programs to assist with diversification of the economy of the**
77 **military installation community by increasing nondefense economic development and**
78 **employment;**

79 **(4) Performing in-depth research and analysis regarding local or regional**
80 **employment, housing, infrastructure, education, healthcare, and other factors that affect**
81 **the attractiveness of the community for future military investments;**

82 **(5) Leading or participating in programs or activities to develop or improve the**
83 **quality of life in military communities, including the areas of education, transportation,**
84 **health care, and infrastructure development and transportation; and**

85 **(6) Developing plans for the reuse of closed or realigned military installations or**
86 **facilities, including any plans necessary for infrastructure improvements needed to**
87 **facilitate related marketing activities.**

88 **9. The department may promulgate rules to assist in the implementation of the**
89 **provisions of this section, including rules on behalf of the commission, if necessary. Any**
90 **rule or portion of a rule, as that term is defined in section 536.010, that is created under**
91 **the authority delegated in this section shall become effective only if it complies with and**
92 **is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**
93 **section and chapter 536 are nonseverable, and if any of the powers vested with the general**
94 **assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove**
95 **and annul a rule are subsequently held unconstitutional, then the grant of rulemaking**
96 **authority and any rule proposed or adopted after August 28, 2018, shall be invalid and**
97 **void.**

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