

HOUSE SUBSTITUTE  
FOR  
SENATE BILL NO. 1007  
AN ACT

2 To repeal sections 64.930 and 64.940, RSMo,  
3 and to enact in lieu thereof four new  
4 sections relating to gubernatorial  
5 appointments.

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

8 Section A. Sections 64.930 and 64.940, RSMo, are repealed  
9 and four new sections enacted in lieu thereof, to be known as  
10 sections 26.229, 64.930, 64.940, and 64.952, to read as follows:

11 26.229. The appointment of a member of an administrative  
12 board or commission and of a department and division head that is  
13 created by law which is required to be made by the governor,  
14 pursuant to Article IV, Section 51 of the Missouri Constitution,  
15 shall be made with the advice and consent of the senate. The  
16 provisions of this section shall apply to all gubernatorial  
17 appointments, regardless of whether the law creating the  
18 administrative board or commission, or the department or division  
19 head, contains a requirement that the appointment be subject to  
20 the advice and consent of the senate.

21 64.930. 1. The county sports complex authority shall  
22 consist of five commissioners who shall be qualified voters of

1 the state of Missouri, and residents of such county. The  
2 commissioners of the county commission by a majority vote thereof  
3 shall submit a panel of nine names to the governor who shall  
4 select with the advice and consent of the senate five  
5 commissioners from such panel, no more than three of which shall  
6 be of any one political party, who shall constitute the members  
7 of such authority; provided, however, that no elective or  
8 appointed official of any political subdivision of the state of  
9 Missouri shall be a member of the county sports complex  
10 authority.

11 2. The authority shall elect from its number a chairman and  
12 may appoint such officers and employees as it may require for the  
13 performance of its duties and fix and determine their  
14 qualifications, duties and compensation. No action of the  
15 authority shall be binding unless taken at a meeting at which at  
16 least three members are present and unless a majority of the  
17 members present at such meeting shall vote in favor thereof.

18 3. Such sports complex commissioners shall serve in the  
19 following manner: One for two years, one for three years, one  
20 for four years, one for five years, and one for six years.  
21 Successors shall hold office for terms of five years, or for the  
22 unexpired terms of their predecessors. Each sports complex  
23 commissioner shall hold office until his successor has been  
24 appointed and qualified.

1           4. In the event a vacancy exists a new panel of three names  
2 shall be submitted by majority vote of the county commission to  
3 the governor for appointment. All such vacancies shall be filled  
4 within thirty days from the date thereof. If the county  
5 commission has not submitted a panel of three names to the  
6 governor within thirty days of the expiration of a commissioner's  
7 term, the governor shall immediately make an appointment to the  
8 commission with the advice and consent of the senate. In the  
9 event the governor does not appoint a replacement, no  
10 commissioner shall continue to serve beyond the expiration of  
11 that commissioner's term.

12           5. The compensation of the sports complex commissioners to  
13 be paid by the authority shall be determined by the sports  
14 complex commissioners, but in no event shall exceed the sum of  
15 three thousand dollars per annum. In addition, the sports  
16 complex commissioners shall be reimbursed by the authority for  
17 the actual and necessary expenses incurred in the performance of  
18 their duties. No commissioner shall continue to serve beyond the  
19 expiration of that commissioner's term.

20           64.940. 1. The authority shall have the following powers:

21           (1) To acquire by gift, bequest, purchase or lease from  
22 public or private sources and to plan, construct, operate and  
23 maintain, or to lease to others for construction, operation and  
24 maintenance a sports stadium, field house, indoor and outdoor

1 recreational facilities, centers, playing fields, parking  
2 facilities and other suitable concessions, and all things  
3 incidental or necessary to a complex suitable for all types of  
4 sports and recreation, either professional or amateur, commercial  
5 or private, either upon, above or below the ground;

6 (2) To charge and collect fees and rents for use of the  
7 facilities owned or operated by it or leased from or to others;

8 (3) To adopt a common seal, to contract and to be  
9 contracted with, including, but without limitation, the authority  
10 to enter into contracts with counties and other political  
11 subdivisions under sections 70.210 to 70.320, RSMo, and to sue  
12 and to be sued;

13 (4) To receive for its lawful activities any contributions  
14 or moneys appropriated by municipalities, counties, state or  
15 other political subdivisions or agencies or by the federal  
16 government or any agency or officer thereof or from any other  
17 source;

18 (5) To disburse funds for its lawful activities and fix  
19 salaries and wages of its officers and employees;

20 (6) To borrow money for the acquisition, planning,  
21 construction, equipping, operation, maintenance, repair,  
22 extension and improvement of any facility, or any part or parts  
23 thereof, which it has the power to own or to operate, and to  
24 issue negotiable notes, bonds, or other instruments in writing as

1 evidence of sums borrowed, as hereinafter provided in this  
2 section:

3 (a) Bonds or notes issued hereunder shall be issued  
4 pursuant to a resolution adopted by the commissioners of the  
5 authority which shall set out the estimated cost to the authority  
6 of the proposed facility or facilities, and shall further set out  
7 the amount of bonds or notes to be issued, their purpose or  
8 purposes, their date or dates, denomination or denominations,  
9 rate or rates of interest, time or times of payment, both of  
10 principal and of interest, place or places of payment and all  
11 other details in connection therewith. Any such bonds or notes  
12 may be subject to such provision for redemption prior to  
13 maturity, with or without premium, and at such times and upon  
14 such conditions as may be provided by the resolution.

15 (b) Such bonds or notes shall bear interest at a rate not  
16 exceeding eight percent per annum and shall mature within a  
17 period not exceeding fifty years and may be sold at public or  
18 private sale for not less than ninety-five percent of the  
19 principal amount thereof. Bonds or notes issued by an authority  
20 shall possess all of the qualities of negotiable instruments  
21 under the laws of this state.

22 (c) Such bonds or notes may be payable to bearer, may be  
23 registered or coupon bonds or notes and if payable to bearer, may  
24 contain such registration provisions as to either principal and

1 interest, or principal only, as may be provided in the resolution  
2 authorizing the same which resolution may also provide for the  
3 exchange of registered and coupon bonds or notes. Such bonds or  
4 notes and any coupons attached thereto shall be signed in such  
5 manner and by such officers of the authority as may be provided  
6 for by the resolution authorizing the same. The authority may  
7 provide for the replacement of any bond or note which shall  
8 become mutilated, destroyed or lost.

9 (d) Bonds or notes issued by an authority shall be payable  
10 as to principal, interest and redemption premium, if any, out of  
11 the general funds of the authority, including any contributed  
12 funds and any rents, revenues, receipts and income derived and to  
13 be derived for the use of any facility or combination of  
14 facilities, or any part or parts thereof, acquired, constructed,  
15 improved or extended in whole or in part from the proceeds of  
16 such bonds or notes, including but not limited to stadium  
17 rentals, concessions, parking facilities and from funds derived  
18 from any other facilities or part or parts thereof, owned or  
19 operated by the authority, all or any part of which contributed  
20 funds, rents, revenues, receipts and income the authority is  
21 authorized to pledge for the payment of said principal, interest,  
22 and redemption premium, if any. Bonds or notes issued pursuant  
23 to this section shall not constitute an indebtedness of the  
24 authority within the meaning of any constitutional or statutory

1 restriction, limitation or provision, and such bonds or notes  
2 shall not be payable out of any funds raised or to be raised by  
3 taxation by the authority. Bonds or notes issued pursuant to  
4 this section may be further secured by a mortgage or deed of  
5 trust upon the rents, revenues, receipts and income herein  
6 referred to or any part thereof or upon any leasehold interest or  
7 other property owned by the authority, or any part thereof,  
8 whether then owned or thereafter acquired. The proceeds of such  
9 bonds or notes shall be disbursed in such manner and under such  
10 restrictions as the authority may provide in the resolution  
11 authorizing the issuance of such bonds or notes or in any such  
12 mortgage or deed of trust.

13 (e) It shall be the duty of the authority to fix and  
14 maintain rates and make and collect charges for the use and  
15 services of its interest in the facility or facilities or any  
16 part thereof operated by the authority which shall be sufficient  
17 to pay the cost of operation and maintenance thereof, to pay the  
18 principal of and interest on any such bonds or notes and to  
19 provide funds sufficient to meet all requirements of the  
20 resolution by which such bonds or notes have been issued.

21 (f) The resolution authorizing the issuance of any such  
22 bonds or notes may provide for the allocation of contributions  
23 and of rents, revenues, receipts and income derived and to be  
24 derived by the authority from the use of any facility or part

1       thereof into such separate accounts as shall be deemed to be  
2       advisable to assure the proper operation and maintenance of any  
3       facility or part thereof and the prompt payment of any bonds or  
4       notes issued to finance all or any part of the costs thereof.  
5       Such accounts may include reserve accounts necessary for the  
6       proper operation and maintenance of any such facility or any part  
7       thereof, and for the payment of any such bonds or notes. Such  
8       resolution may include such other covenants and agreements by the  
9       authority as in its judgment are advisable or necessary properly  
10      to secure the payment of such bonds or notes.

11       (g) The authority may issue negotiable refunding bonds or  
12      notes for the purpose of refunding, extending or unifying the  
13      whole or any part of such bonds or notes then outstanding, which  
14      bonds or notes shall not exceed the principal of the outstanding  
15      bonds or notes to be refunded and the accrued interest thereon to  
16      the date of such refunding, including any redemption premium.  
17      The authority may provide for the payment of interest on such  
18      refunding bonds or notes at a rate in excess of the bonds or  
19      notes to be refunded but such interest rate shall not exceed the  
20      maximum rate of interest hereinbefore provided.

21       (7) To condemn any and all rights or property, of any kind  
22      or character, necessary for the purposes of the authority,  
23      subject, however, to the provisions of sections 64.920 to 64.950  
24      and in the manner provided in chapter 523, RSMo; provided,



1 however, that no property now or hereafter vested in or held by  
2 the state or by any county, city, village, township or other  
3 political subdivisions shall be taken by the authority without  
4 the authority or consent of such political subdivisions;

5 (8) To perform all other necessary and incidental  
6 functions; and to exercise such additional powers as shall be  
7 conferred by the general assembly or by act of congress.

8 2. The authority is authorized and directed to proceed to  
9 carry out its duties, functions and powers in accordance with  
10 sections 64.920 to 64.950 as rapidly as may be economically  
11 practicable and is vested with all necessary and appropriate  
12 powers not inconsistent with the constitution or the laws of the  
13 United States to effectuate the same, except the power to levy  
14 taxes or assessments.

15 64.952. The Kansas and Missouri Metropolitan Kansas City  
16 Sports Complex Authority Compact is hereby enacted into law and  
17 entered into by the state of Missouri with the state of Kansas  
18 legally joining therein, in the form substantially as follows:

19 KANSAS AND MISSOURI

20 METROPOLITAN KANSAS CITY

21 SPORTS COMPLEX AUTHORITY COMPACT

22 ARTICLE I. AGREEMENT AND PLEDGE

23 The states of Kansas and Missouri agree to and pledge, each to  
24 the other, faithful cooperation in the conversion of the Jackson

1 County Sports Complex Authority into the Metropolitan Kansas City  
2 Sports Complex Authority should the former become a recipient of  
3 contributions from a bistate retail sales tax levied by the  
4 Metropolitan Culture District heretofore established pursuant to  
5 a compact of said states.

## 6 ARTICLE II. PURPOSE

7 The party states, having heretofore entered into a compact  
8 authorizing the creation of a Metropolitan Culture District that  
9 may make contributions from a bistate retail sales tax levied by  
10 the District for or in aid of cultural facilities, including  
11 those operated or used for sports, in counties which are part of  
12 the District, and desiring to provide Kansas counties in which  
13 such tax is levied a governance and oversight role should  
14 contributions from such tax be made for or in aid of the sports  
15 stadium facilities owned and operated by the Jackson County  
16 Sports Complex Authority, the purpose of this compact is to  
17 provide such a governance and oversight role.

## 18 ARTICLE III. CONVERSION

19 If the Jackson County Sports Complex Authority becomes a  
20 recipient of contributions to be made by the Kansas and Missouri  
21 Metropolitan Culture District created pursuant to section 70.500,  
22 RSMo, from a bistate retail sales tax levied by such District in  
23 at least Johnson County, Kansas and Jackson County, Missouri for  
24 the purposes of planning, constructing, equipping, repairing,

1 extending or improving sports stadium facilities then owned and  
2 operated by the Authority or for the payment of principal of or  
3 interest on bonds or notes to be issued by the Authority for such  
4 purposes, the Authority shall, effective upon the later of (i)  
5 the first day of the calendar quarter following the authorization  
6 of the levy of such tax in both Johnson County, Kansas and  
7 Jackson County, Missouri or (ii) the effective date of this  
8 compact pursuant to Article VI, become the Metropolitan Kansas  
9 City Sports Complex Authority, and the Jackson County Legislature  
10 and Executive shall issue such orders and make such filings in  
11 the offices of the governor of Missouri, the secretary of state  
12 of Missouri and elsewhere as may be necessary or appropriate to  
13 evidence such name change and the other changes made by this  
14 compact.

15 ARTICLE IV. THE AUTHORITY; POWERS; COMMISSIONERS

16 The Metropolitan Kansas City Sports Complex Authority shall  
17 continue to be a body corporate and politic and a political  
18 subdivision of the state of Missouri and shall be governed by,  
19 have all the powers provided in, and be subject to all of the  
20 provisions of sections 64.920 to 64.950, and other applicable  
21 Missouri law in effect upon the effective date of this compact  
22 that are not inconsistent with this compact. Those individuals  
23 currently serving unexpired terms as a commissioner of the County  
24 Sports Complex Authority at the enactment of this compact shall

1 serve as a Missouri commissioner of the Kansas and Missouri  
2 Metropolitan Kansas City Sports Complex Authority for the full  
3 duration of his or her term as established by 64.930, RSMo.  
4 Thereafter, the five Missouri commissioners to the authority  
5 pursuant to 64.930, RSMo, shall be chosen as provided therein.  
6 In addition, however, to those commissioners, there shall be  
7 appointed to the Metropolitan Kansas City Sports Complex  
8 Authority one commissioner from each county in which such bistate  
9 retail sales tax is levied having a population less than three  
10 hundred thousand and two commissioners from each such county  
11 (other than Jackson County, Missouri) having a population greater  
12 than three hundred thousand, provided that there shall be three  
13 commissioners from Johnson County, Kansas if such bistate retail  
14 sales tax is not levied in any other county in Kansas. Each  
15 additional commissioner shall be appointed by the governing body  
16 of the county for which such commissioner is appointed, shall be  
17 a qualified voter and a resident of such county, shall not be an  
18 elected or appointed official of such county, any political  
19 subdivision or state, shall hold office for a term of five years  
20 or the unexpired term of any predecessor, and shall be  
21 compensated and reimbursed as provided in subsection 5 of section  
22 64.930. No commissioner shall continue to serve beyond the  
23 expiration of that commissioner's term. Any vacancy that exists  
24 with respect to an additional commissioner shall be filled in the

1 same manner and within thirty days from the date thereof. No  
2 action of the Metropolitan Kansas City Sports Complex Authority  
3 shall be binding unless taken at a meeting of which at least a  
4 majority of commissioners are present and unless a majority of  
5 the commissioners present at such meeting shall vote in favor  
6 thereof.

7 ARTICLE V. EXISTENCE

8 A Metropolitan Kansas City Sports Complex Authority created  
9 pursuant to this compact shall exist for as long as any sports  
10 stadium facilities constructed, equipped, repaired, extended or  
11 improved with contributions from the bistate retail sales tax are  
12 owned by it or any bonds or notes issued by it, the principal of  
13 or interest on which is paid from such contributions, are  
14 outstanding.

15 ARTICLE VI. EFFECTIVE DATE; AMENDMENT; TERMINATION

16 This compact shall enter into force and become effective and  
17 binding upon the states of Kansas and Missouri upon its enactment  
18 by the legislatures of the respective states. Amendments to this  
19 compact shall become effective upon enactment by the legislatures  
20 of the respective states. This compact shall continue in force  
21 and remain binding upon each of the party states until a  
22 legislature of a party state shall have entered a statute  
23 repealing it and sent formal written notice of such enactment to  
24 the legislature of the other party state.