

HOUSE SUBSTITUTE  
FOR  
SENATE BILL NO. 1344  
AN ACT

2 To repeal sections 64.930, 64.940, and  
3 620.602, RSMo, and to enact in lieu thereof  
4 four new sections relating to the joint  
5 committee on economic development policy and  
6 planning.

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

9 Section A. Sections 64.930, 64.940, and 620.602, RSMo, are  
10 repealed and four new sections enacted in lieu thereof, to be  
11 known as sections 64.930, 64.940, 64.952, and 620.602, to read as  
12 follows:

13 64.930. 1. The county sports complex authority shall  
14 consist of five commissioners who shall be qualified voters of  
15 the state of Missouri, and residents of such county. The  
16 commissioners of the county commission by a majority vote thereof  
17 shall submit a panel of nine names to the governor who shall  
18 select with the advice and consent of the senate five  
19 commissioners from such panel, no more than three of which shall  
20 be of any one political party, who shall constitute the members  
21 of such authority; provided, however, that no elective or  
22 appointed official of any political subdivision of the state of

1 Missouri shall be a member of the county sports complex  
2 authority.

3 2. The authority shall elect from its number a chairman and  
4 may appoint such officers and employees as it may require for the  
5 performance of its duties and fix and determine their  
6 qualifications, duties and compensation. No action of the  
7 authority shall be binding unless taken at a meeting at which at  
8 least three members are present and unless a majority of the  
9 members present at such meeting shall vote in favor thereof.

10 3. Such sports complex commissioners shall serve in the  
11 following manner: One for two years, one for three years, one  
12 for four years, one for five years, and one for six years.  
13 Successors shall hold office for terms of five years, or for the  
14 unexpired terms of their predecessors. Each sports complex  
15 commissioner shall hold office until his successor has been  
16 appointed and qualified.

17 4. In the event a vacancy exists a new panel of three names  
18 shall be submitted by majority vote of the county commission to  
19 the governor for appointment. All such vacancies shall be filled  
20 within thirty days from the date thereof. If the county  
21 commission has not submitted a panel of three names to the  
22 governor within thirty days of the expiration of a commissioner's  
23 term, the governor shall immediately make an appointment to the  
24 commission with the advice and consent of the senate. In the  
25 event the governor does not appoint a replacement, no

1 commissioner shall continue to serve beyond the expiration of  
2 that commissioner's term.

3 5. The compensation of the sports complex commissioners to  
4 be paid by the authority shall be determined by the sports  
5 complex commissioners, but in no event shall exceed the sum of  
6 three thousand dollars per annum. In addition, the sports  
7 complex commissioners shall be reimbursed by the authority for  
8 the actual and necessary expenses incurred in the performance of  
9 their duties. No commissioner shall continue to serve beyond the  
10 expiration of that commissioner's term.

11 64.940. 1. The authority shall have the following powers:

12 (1) To acquire by gift, bequest, purchase or lease from  
13 public or private sources and to plan, construct, operate and  
14 maintain, or to lease to others for construction, operation and  
15 maintenance a sports stadium, field house, indoor and outdoor  
16 recreational facilities, centers, playing fields, parking  
17 facilities and other suitable concessions, and all things  
18 incidental or necessary to a complex suitable for all types of  
19 sports and recreation, either professional or amateur, commercial  
20 or private, either upon, above or below the ground;

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

23 (3) To adopt a common seal, to contract and to be  
24 contracted with, including, but without limitation, the authority  
25 to enter into contracts with counties and other political

1 subdivisions under sections 70.210 to 70.320, RSMo, and to sue  
2 and to be sued;

3 (4) To receive for its lawful activities any contributions  
4 or moneys appropriated by municipalities, counties, state or  
5 other political subdivisions or agencies or by the federal  
6 government or any agency or officer thereof or from any other  
7 source;

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

10 (6) To borrow money for the acquisition, planning,  
11 construction, equipping, operation, maintenance, repair,  
12 extension and improvement of any facility, or any part or parts  
13 thereof, which it has the power to own or to operate, and to  
14 issue negotiable notes, bonds, or other instruments in writing as  
15 evidence of sums borrowed, as hereinafter provided in this  
16 section:

17 (a) Bonds or notes issued hereunder shall be issued  
18 pursuant to a resolution adopted by the commissioners of the  
19 authority which shall set out the estimated cost to the authority  
20 of the proposed facility or facilities, and shall further set out  
21 the amount of bonds or notes to be issued, their purpose or  
22 purposes, their date or dates, denomination or denominations,  
23 rate or rates of interest, time or times of payment, both of  
24 principal and of interest, place or places of payment and all  
25 other details in connection therewith. Any such bonds or notes

1 may be subject to such provision for redemption prior to  
2 maturity, with or without premium, and at such times and upon  
3 such conditions as may be provided by the resolution.

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

11 (c) Such bonds or notes may be payable to bearer, may be  
12 registered or coupon bonds or notes and if payable to bearer, may  
13 contain such registration provisions as to either principal and  
14 interest, or principal only, as may be provided in the resolution  
15 authorizing the same which resolution may also provide for the  
16 exchange of registered and coupon bonds or notes. Such bonds or  
17 notes and any coupons attached thereto shall be signed in such  
18 manner and by such officers of the authority as may be provided  
19 for by the resolution authorizing the same. The authority may  
20 provide for the replacement of any bond or note which shall  
21 become mutilated, destroyed or lost.

22 (d) Bonds or notes issued by an authority shall be payable  
23 as to principal, interest and redemption premium, if any, out of  
24 the general funds of the authority, including any contributed  
25 funds and any rents, revenues, receipts and income derived and to

1 be derived for the use of any facility or combination of  
2 facilities, or any part or parts thereof, acquired, constructed,  
3 improved or extended in whole or in part from the proceeds of  
4 such bonds or notes, including but not limited to stadium  
5 rentals, concessions, parking facilities and from funds derived  
6 from any other facilities or part or parts thereof, owned or  
7 operated by the authority, all or any part of which contributed  
8 funds, rents, revenues, receipts and income the authority is  
9 authorized to pledge for the payment of said principal, interest,  
10 and redemption premium, if any. Bonds or notes issued pursuant  
11 to this section shall not constitute an indebtedness of the  
12 authority within the meaning of any constitutional or statutory  
13 restriction, limitation or provision, and such bonds or notes  
14 shall not be payable out of any funds raised or to be raised by  
15 taxation by the authority. Bonds or notes issued pursuant to  
16 this section may be further secured by a mortgage or deed of  
17 trust upon the rents, revenues, receipts and income herein  
18 referred to or any part thereof or upon any leasehold interest or  
19 other property owned by the authority, or any part thereof,  
20 whether then owned or thereafter acquired. The proceeds of such  
21 bonds or notes shall be disbursed in such manner and under such  
22 restrictions as the authority may provide in the resolution  
23 authorizing the issuance of such bonds or notes or in any such  
24 mortgage or deed of trust.

25 (e) It shall be the duty of the authority to fix and

1 maintain rates and make and collect charges for the use and  
2 services of its interest in the facility or facilities or any  
3 part thereof operated by the authority which shall be sufficient  
4 to pay the cost of operation and maintenance thereof, to pay the  
5 principal of and interest on any such bonds or notes and to  
6 provide funds sufficient to meet all requirements of the  
7 resolution by which such bonds or notes have been issued.

8 (f) The resolution authorizing the issuance of any such  
9 bonds or notes may provide for the allocation of contributions  
10 and of rents, revenues, receipts and income derived and to be  
11 derived by the authority from the use of any facility or part  
12 thereof into such separate accounts as shall be deemed to be  
13 advisable to assure the proper operation and maintenance of any  
14 facility or part thereof and the prompt payment of any bonds or  
15 notes issued to finance all or any part of the costs thereof.  
16 Such accounts may include reserve accounts necessary for the  
17 proper operation and maintenance of any such facility or any part  
18 thereof, and for the payment of any such bonds or notes. Such  
19 resolution may include such other covenants and agreements by the  
20 authority as in its judgment are advisable or necessary properly  
21 to secure the payment of such bonds or notes.

22 (g) The authority may issue negotiable refunding bonds or  
23 notes for the purpose of refunding, extending or unifying the  
24 whole or any part of such bonds or notes then outstanding, which  
25 bonds or notes shall not exceed the principal of the outstanding

1 bonds or notes to be refunded and the accrued interest thereon to  
2 the date of such refunding, including any redemption premium.  
3 The authority may provide for the payment of interest on such  
4 refunding bonds or notes at a rate in excess of the bonds or  
5 notes to be refunded but such interest rate shall not exceed the  
6 maximum rate of interest hereinbefore provided.

7 (7) To condemn any and all rights or property, of any kind  
8 or character, necessary for the purposes of the authority,  
9 subject, however, to the provisions of sections 64.920 to 64.950  
10 and in the manner provided in chapter 523, RSMo; provided,  
11 however, that no property now or hereafter vested in or held by  
12 the state or by any county, city, village, township or other  
13 political subdivisions shall be taken by the authority without  
14 the authority or consent of such political subdivisions;

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

18 2. The authority is authorized and directed to proceed to  
19 carry out its duties, functions and powers in accordance with  
20 sections 64.920 to 64.950 as rapidly as may be economically  
21 practicable and is vested with all necessary and appropriate  
22 powers not inconsistent with the constitution or the laws of the  
23 United States to effectuate the same, except the power to levy  
24 taxes or assessments.

25 64.952. The Kansas and Missouri Metropolitan Kansas City



1 Sports Complex Authority Compact is hereby enacted into law and  
2 entered into by the state of Missouri with the state of Kansas  
3 legally joining therein, in the form substantially as follows:

4 KANSAS AND MISSOURI

5 METROPOLITAN KANSAS CITY

6 SPORTS COMPLEX AUTHORITY COMPACT

7 ARTICLE I. AGREEMENT AND PLEDGE

8 The states of Kansas and Missouri agree to and pledge, each to  
9 the other, faithful cooperation in the conversion of the Jackson  
10 County Sports Complex Authority into the Metropolitan Kansas City  
11 Sports Complex Authority should the former become a recipient of  
12 contributions from a bistate retail sales tax levied by the  
13 Metropolitan Culture District heretofore established pursuant to  
14 a compact of said states.

15 ARTICLE II. PURPOSE

16 The party states, having heretofore entered into a compact  
17 authorizing the creation of a Metropolitan Culture District that  
18 may make contributions from a bistate retail sales tax levied by  
19 the District for or in aid of cultural facilities, including  
20 those operated or used for sports, in counties which are part of  
21 the District, and desiring to provide Kansas counties in which  
22 such tax is levied a governance and oversight role should  
23 contributions from such tax be made for or in aid of the sports  
24 stadium facilities owned and operated by the Jackson County  
25 Sports Complex Authority, the purpose of this compact is to

1 provide such a governance and oversight role.

2 ARTICLE III. CONVERSION

3 If the Jackson County Sports Complex Authority becomes a  
4 recipient of contributions to be made by the Kansas and Missouri  
5 Metropolitan Culture District created pursuant to section 70.500,  
6 RSMo, from a bistate retail sales tax levied by such District in  
7 at least Johnson County, Kansas and Jackson County, Missouri for  
8 the purposes of planning, constructing, equipping, repairing,  
9 extending or improving sports stadium facilities then owned and  
10 operated by the Authority or for the payment of principal of or  
11 interest on bonds or notes to be issued by the Authority for such  
12 purposes, the Authority shall, effective upon the later of (i)  
13 the first day of the calendar quarter following the authorization  
14 of the levy of such tax in both Johnson County, Kansas and  
15 Jackson County, Missouri or (ii) the effective date of this  
16 compact pursuant to Article VI, become the Metropolitan Kansas  
17 City Sports Complex Authority, and the Jackson County Legislature  
18 and Executive shall issue such orders and make such filings in  
19 the offices of the governor of Missouri, the secretary of state  
20 of Missouri and elsewhere as may be necessary or appropriate to  
21 evidence such name change and the other changes made by this  
22 compact.

23 ARTICLE IV. THE AUTHORITY; POWERS; COMMISSIONERS

24 The Metropolitan Kansas City Sports Complex Authority shall  
25 continue to be a body corporate and politic and a political

1 subdivision of the state of Missouri and shall be governed by,  
2 have all the powers provided in, and be subject to all of the  
3 provisions of sections 64.920 to 64.950, and other applicable  
4 Missouri law in effect upon the effective date of this compact  
5 that are not inconsistent with this compact. Those individuals  
6 currently serving unexpired terms as a commissioner of the County  
7 Sports Complex Authority at the enactment of this compact shall  
8 serve as a Missouri commissioner of the Kansas and Missouri  
9 Metropolitan Kansas City Sports Complex Authority for the full  
10 duration of his or her term as established by 64.930, RSMo.  
11 Thereafter, the five Missouri commissioners to the authority  
12 pursuant to 64.930, RSMo, shall be chosen as provided therein.  
13 In addition, however, to those commissioners, there shall be  
14 appointed to the Metropolitan Kansas City Sports Complex  
15 Authority one commissioner from each county in which such bistate  
16 retail sales tax is levied having a population less than three  
17 hundred thousand and two commissioners from each such county  
18 (other than Jackson County, Missouri) having a population greater  
19 than three hundred thousand, provided that there shall be three  
20 commissioners from Johnson County, Kansas if such bistate retail  
21 sales tax is not levied in any other county in Kansas. Each  
22 additional commissioner shall be appointed by the governing body  
23 of the county for which such commissioner is appointed, shall be  
24 a qualified voter and a resident of such county, shall not be an  
25 elected or appointed official of such county, any political

1 subdivision or state, shall hold office for a term of five years  
2 or the unexpired term of any predecessor, and shall be  
3 compensated and reimbursed as provided in subsection 5 of section  
4 64.930. No commissioner shall continue to serve beyond the  
5 expiration of that commissioner's term. Any vacancy that exists  
6 with respect to an additional commissioner shall be filled in the  
7 same manner and within thirty days from the date thereof. No  
8 action of the Metropolitan Kansas City Sports Complex Authority  
9 shall be binding unless taken at a meeting of which at least a  
10 majority of commissioners are present and unless a majority of  
11 the commissioners present at such meeting shall vote in favor  
12 thereof.

#### 13 ARTICLE V. EXISTENCE

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

#### 21 ARTICLE VI. EFFECTIVE DATE; AMENDMENT; TERMINATION

22 This compact shall enter into force and become effective and  
23 binding upon the states of Kansas and Missouri upon its enactment  
24 by the legislatures of the respective states. Amendments to this  
25 compact shall become effective upon enactment by the legislatures

1 of the respective states. This compact shall continue in force  
2 and remain binding upon each of the party states until a  
3 legislature of a party state shall have entered a statute  
4 repealing it and sent formal written notice of such enactment to  
5 the legislature of the other party state.

6 620.602. 1. There is established a permanent joint  
7 committee of the general assembly to be known as the "Joint  
8 Committee on Economic Development Policy and Planning" to be  
9 composed of five members of the senate, appointed by the  
10 president pro tem of the senate, and five members of the house,  
11 appointed by the speaker of the house. No more than three  
12 members of the senate and three members of the house shall be  
13 from the same political party. The appointment of members shall  
14 continue during their terms of office as members of the general  
15 assembly or until successors have been duly appointed to fill  
16 their places when their terms of office as members of the general  
17 assembly have expired. Members of the joint committee shall  
18 receive no compensation in addition to their salary as members of  
19 the general assembly, but may receive their necessary expenses  
20 for attending the meetings of the committee, to be paid out of  
21 the committee's appropriations or the joint contingent fund.

22 2. The joint committee on economic development policy and  
23 planning shall meet within ten days after its establishment and  
24 organize by selecting a chairman and a vice chairman, one of whom  
25 shall be a member of the senate and the other a member of the

1 house of representatives. These positions shall rotate  
2 [annually] biennially between a member of the senate and a member  
3 of the house of representatives. At the outset of each biennial  
4 rotation the presiding officer of the appropriate house of the  
5 general assembly charged with providing a chairman shall appoint  
6 the chairman and the presiding officer of the other house shall  
7 appoint the vice chairman. For the purpose of this subsection  
8 "presiding officer" shall mean either the president pro tem of  
9 the senate or the speaker of the house of representatives. The  
10 committee shall regularly meet at least quarterly. A majority of  
11 the members of the committee shall constitute a quorum. The  
12 committee may, within the limits of its appropriations, employ  
13 such persons as it deems necessary to carry out its duties. The  
14 compensation of such personnel shall be paid from the committee's  
15 appropriations or the joint contingent fund.

16 3. The joint committee on economic development policy and  
17 planning shall, at its regular meetings, confer with  
18 representatives from the governor's office, the department of  
19 economic development, the University of Missouri extension  
20 service, and other interested parties from the private and public  
21 sectors. The joint committee shall review the annual report  
22 produced by the department of economic development, as required  
23 by section 620.607, and plan, develop and evaluate a long-term  
24 economic development policy for the state of Missouri to ensure  
25 the state's competitive status with other states.

1           4. The provisions of this section shall expire on July 1,  
2           2010.