

FIRST REGULAR SESSION

HOUSE BILL NO. 424

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PARKER (Sponsor) AND BOWMAN (Co-sponsor).

Read 1st time February 2, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1319L.011

AN ACT

To amend chapter 26, RSMo, by adding thereto four new sections relating to urban conservation.

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

Section A. Chapter 26, RSMo, is amended by adding thereto four new sections, to be known as sections 26.800, 26.802, 26.804, and 26.806, to read as follows:

26.800. 1. There is hereby created within the office of the governor an "Urban Conservation Commission". The governor may, by executive order, assign this commission to the office of any executive department or statewide elected official.

2. The commission is established to promote and effect the conservation, restoration, redevelopment, and revitalization of the urban resources of the state, including the acquisition of property used for such purposes. The commission shall devise a comprehensive plan for alleviation of problems associated with distressed urban areas in this state. The plan shall cover a period of at least ten years after the publication of the plan, and shall address the needs as listed in subsection 2 of section 26.804. The commission shall have authority over state programs, as provided by law, which are designed to remedy blight and deterioration of urban areas, and to facilitate the revitalization of, and reverse, declining property values in distressed urban areas.

26.802. The commission shall consist of nine members, seven of whom shall be appointed by the governor, with the advice and consent of the senate, not more than four of whom shall be of the same political party. At least two appointed members of the commission shall be residents of the largest municipality in the state, at least two appointed members shall be residents of the second largest municipality in the state, and at least one

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.

6 member shall be a resident of the third largest municipality in the state. All appointed
7 members shall have knowledge of and interest in the conservation, restoration,
8 redevelopment, and revitalization of urban areas. The appointed members shall hold office
9 for terms of six years beginning on the first day of July of consecutive odd years; provided
10 that for the original seven appointed members, the governor shall designate three members
11 for terms expiring June 30, 2004, two members for terms expiring June 30, 2006, and two
12 members for terms expiring June 30, 2008. If the governor fails to fill a vacancy caused
13 by the death, resignation, or removal from office of any appointed member of the
14 commission, or to replace an appointed member whose term has expired within thirty days
15 of the occurrence of the vacancy or term expiration, the remaining members of the
16 commission shall fill the vacancy for the unexpired term or replace the member whose term
17 has expired for a six-year term. In addition to the members of the commission appointed
18 by the governor, the state treasurer and state auditor shall serve as members of the
19 commission. The members shall receive no salary or other compensation for their services
20 as members, but shall receive reimbursement for actual and necessary expenses incurred
21 in the performance of their duties. The members of the commission shall elect one of their
22 members to serve as chairperson of the commission, and may elect other officers as deemed
23 necessary.

26.804. 1. The commission shall have the following powers and duties:

- 2 (1) To accept, from any source, moneys and property paid, offered, or granted to
3 the commission to be expended and used by the commission for the purposes specified in
4 this section;
- 5 (2) To designate specific distressed urban areas in the state wherein the commission
6 shall direct a program of concentrated revitalization based on an assessment of
7 extraordinary need;
- 8 (3) To develop a plan to effectuate such targeted concentrated revitalization in
9 cooperation with federal, state, and local governments and agencies. Such plan may
10 include the formation of nonprofit public development corporations or the activities of
11 existing nonprofit corporations and entities, the redirection of existing programs and
12 resources for the benefit of such areas, and proposals for the creation of new or expanded
13 programs in such areas;
- 14 (4) To acquire, through purchase, donation, gift, or eminent domain, land in
15 distressed urban areas, to remove obsolete, inefficient, dilapidated, or outdated structures
16 and assemble suitable sites for building and development of industrial, business, and
17 residential facilities to attract and house new industries and business and allow expansion
18 and improvement of existing industrial, business, and residential operations. The

19 commission shall exercise the right of eminent domain in the manner provided by law for
20 the highways and transportation commission, and may sell, lease, or otherwise transfer or
21 convey, on terms it deems appropriate, any interest it has in lands owned by the
22 commission;

23 (5) To appoint an advisory commission from a distressed urban area, whose
24 members shall include residents of the distressed urban area and representatives of
25 business and industry in the distressed urban area. The advisory commission shall advise
26 the commission regarding the creation of a program of concentrated revitalization for the
27 distressed urban area based upon the commission's assessment of extraordinary need. The
28 advisory commission may advise the commission concerning how the revitalization plan
29 will be integrated with available community and governmental resources. The members
30 of the advisory commission shall receive no compensation for their service as members of
31 the advisory commission, but shall receive their necessary traveling and other expenses
32 incurred while actually engaged in the discharge of their official duties;

33 (6) To apply for and receive grants, gifts, donations, and financial assistance from
34 federal agencies or private individuals or entities to complete its duties;

35 (7) To provide relocation assistance, under sections 523.200 to 523.215, RSMo, to
36 displaced persons who relocate permanently and voluntarily from real property as a direct
37 result of the acquisition, rehabilitation, or demolition of, or the written notice of intent to
38 acquire such real property, in whole or in part, by the commission;

39 (8) To provide assistance to municipalities and community organizations engaging
40 in the improvement of economic opportunities, housing, and industrial and commercial
41 revitalization of urban areas;

42 (9) To provide comprehensive information on existing federal, state, and local
43 urban development and revitalization programs upon request to municipalities and
44 community organizations;

45 (10) To coordinate the programs of state agencies and public benefit nonprofit
46 corporations to remedy problems in distressed urban areas;

47 (11) To provide information and assistance to the governor and general assembly
48 in the coordination, consolidation, and improvement of state policy regarding urban areas;
49 and

50 (12) To represent the governor before federal agencies on matters of importance
51 to coordinate policy for the revitalization of urban areas.

52 2. The plan adopted by the commission shall address the following needs in
53 distressed urban areas of the state:

54 (1) Promoting a vigorous and growing economy;

- 55 (2) Preventing economic stagnation and encouraging of the creation of new job
56 opportunities to ameliorate the hazards of unemployment and underemployment;
57 (3) Reducing the level of public assistance;
58 (4) Reducing the rate of crime and delinquency;
59 (5) Increasing the level of education;
60 (6) Reversing declining property values in urban areas;
61 (7) Increasing revenues to the state and municipalities; and
62 (8) Achieving a diversified economy.

63 3. The comprehensive plan shall contain initial proposals for addressing
64 revitalization of each identified distressed urban area and state a proposed timeline for
65 revitalization of each such area. The commission shall not be required to allocate resources
66 in a particular geographic pattern or to all distressed urban areas simultaneously, and may
67 concentrate all of its efforts in a particular distressed urban area or several distressed
68 urban areas to the exclusion of other distressed urban areas until revitalization of such
69 area is complete. The comprehensive plan shall be periodically updated by the
70 commission, but at no time after eighteen months after the effective date of this section
71 shall the commission not have published and operate under a current comprehensive plan.

72 4. For purposes of this section, "distressed urban area" means that portion of a
73 municipality or municipalities which, by reason of structural age, obsolescence, inadequate
74 or outmoded design, or physical deterioration, has become an economic or social liability;
75 that such conditions are conducive to ill health, transmission of disease, crime, or the
76 ability to pay reasonable taxes; and that conservation, restoration, redevelopment, and
77 revitalization is necessary to correct such conditions.

78 5. The commission shall compile a full report of its findings for submission to the
79 general assembly. The report shall be submitted not later than the fifteenth of January of
80 each year in which the general assembly convenes in regular session. The commission shall
81 also submit a report to the general assembly before undertaking any project, in which it
82 identifies the nature and plan of the proposed project.

26.806. 1. There is hereby created in the state treasury the "Urban Conservation
2 Commission Fund", which shall consist of money collected under this section. Upon
3 appropriation, money in the fund shall be used solely for the administration of sections
4 26.800 to 26.806. The state treasurer shall deposit to the credit of the fund all moneys
5 which may be appropriated to it by the general assembly and also any gifts, contributions,
6 grants, bequests, or other aid received from federal, private, or other sources.

7 2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any
8 moneys remaining in the fund at the end of the biennium shall not revert to the credit of

9 **the general revenue fund.**

10 **3. The state auditor shall periodically cause an audit to be made of the books,**
11 **accounts, and records of the commission with respect to its receipts, disbursements,**
12 **contracts, mortgages, leases, assignments, loans, and all other matters relating to its**
13 **financial operations. Copies of the audit shall be furnished to the governor, the speaker**
14 **of the house of representatives, and the president pro tem of the senate.**