

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 840
93RD GENERAL ASSEMBLY

Reported from the Committee on Transportation April 13, 2006 with recommendation that House Committee Substitute for Senate Bill No. 840 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

3085L.06C

AN ACT

To repeal sections 227.290 and 227.299 RSMo, and to enact in lieu thereof two new sections relating highways and bridges.

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

Section A. Sections 227.290 and 227.299, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 227.290 and 227.299, to read as follows:

227.290. **1.** Whenever in the opinion of the state highways and transportation
2 commission the advantageous use of any interest in land or any leasehold which has heretofore
3 or may hereafter be acquired by the commission has ceased, **or for any other lawful reason the**
4 **commission wishes to dispose of the property**, the [state highways and transportation]
5 commission shall have authority to convey [the same for the best available cash price] **or**
6 **exchange such interest in land or leasehold for its approximate fair market value pursuant**
7 **to any administrative procedure or process as determined by the commission**, by deed
8 signed by its [chairman] **chair** or vice [chairman] **chair** and attested by its secretary[; provided,
9 however, that] . Before any sale shall be consummated under this section, the [grantor to the
10 state of] **original owner of the property which is now** offered for sale[, if real estate,] **by the**
11 **commission** and if such [grantor] **owner** shall at the time **of sale** be in possession of the
12 adjoining land, shall be notified by written notice [of] **by** the [state transportation] department[
13 .] **of transportation** of such contemplated sale[; provided, that] . All moneys received from the
14 disposal of any such interest in land or leasehold shall be deposited **by the commission** in the

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.

15 state treasury to the credit of the state road fund[; provided further, that when] . Any land or
16 leasehold herein described **that** has been donated without charge [whatsoever,] by the owner
17 [and grantor of said property] to the purpose of state highway construction or maintenance and
18 such [grantor] **owner** is still in possession of contiguous property, the same shall revert to such
19 original owner without cost to [him] **the owner** if and when relinquished by the [state]
20 **commission**.

21 **2. The commission may also, in its discretion, convey at no cost, or exchange its**
22 **interest in any land or leasehold that is no longer necessary to be used for the construction,**
23 **maintenance, or operation of the state highway system, or for any other lawful reason, to**
24 **any federal, state, or local governmental entity.**

227.299. 1. Except as provided in subsection [8] **7** of this section, an organization **or**
2 **person** that seeks a bridge or highway designation **on the state highway system** to honor an
3 event, place, organization, or person who has been deceased for more than two years shall
4 petition the department of transportation by submitting the following:

5 (1) An application in a form prescribed by the director, describing the bridge or segment
6 of highway for which designation is sought and the proposed name of the bridge or relevant
7 portion of highway. The application shall include the name of at least one current member of
8 the general assembly who will sponsor the bridge or highway designation. The application may
9 contain written testimony for support of the bridge or highway designation;

10 (2) [Each application submitted under this section shall be accompanied by] A list of at
11 least one hundred signatures of individuals who support the naming of the bridge or highway;
12 **and**

13 (3) [A deposit of four hundred dollars per sign proposed to designate the bridge or
14 highway, with the funds to be used for construction of each sign;

15 (4) A deposit of six hundred dollars per sign proposed, with the funds to be used to
16 maintain each sign; and

17 (5) **A fee, to be determined by the commission to cover the costs of constructing and**
18 **maintaining the proposed signs. The fee shall not exceed the cost of constructing and**
19 **maintaining each sign.**

20 **2.** All moneys received by the department of transportation for the construction and
21 maintenance of bridge or highway signs **on the state highway system** shall be deposited in the
22 state treasury to the credit of the ["Department of Transportation Bridge and Highway Sign
23 Fund" which is hereby created. The state treasurer shall be custodian of the fund and shall make
24 disbursements from the fund requested by the Missouri director of the department of
25 transportation for personal services, expenses, and equipment required to construct and maintain
26 signs erected in accordance with the provisions of this section.

27 2. At the end of each state fiscal year, the director of the department of transportation
28 shall:

29 (1) Determine the amount of all moneys deposited into the department of transportation
30 bridge and highway sign fund;

31 (2) Determine the amount of disbursements from the department of transportation bridge
32 and highway sign fund which were made to construct and maintain the signs; and

33 (3) Subtract the amount of disbursements from the income figure referred to in
34 subdivision (1) of this subsection and deliver this figure to the state treasurer.

35 3. The state treasurer shall transfer an amount of money equal to the figure provided by
36 the director of the department of transportation from the department of transportation bridge and
37 highway sign fund to the state highways and transportation department fund. An unexpended
38 balance in the department of transportation bridge and highway sign fund at the end of the
39 biennium not exceeding twenty-five thousand dollars shall be exempt from the provisions of
40 section 33.080, RSMo, relating to transfer of unexpended balances to the general revenue fund.

41 4.] **state road fund.**

42 **3.** The documents and fees required under this section shall be submitted to the
43 department of transportation [thirty days before any approval or denial by the house and senate
44 committees on transportation during that legislative session] **no later than November 1 prior**
45 **to the next regular session of the general assembly to be approved or denied by the joint**
46 **committee on transportation oversight during such legislative session.**

47 [5.] **4.** The department of transportation shall give notice of any proposed bridge or
48 highway designation **on the state highway system** in a manner reasonably calculated to advise
49 the public of such proposal. Reasonable notice shall include posting the proposal for the
50 designation on the department's official public web site, and making available copies of the sign
51 designation application to any representative of the news media or public upon request and
52 posting the application on a bulletin board or other prominent public place which is easily
53 accessible to the public and clearly designated for that purpose at the principal office.

54 [6.] **5.** If the memorial highway designation requested by the organization is not
55 approved by the [house and senate committees] **joint committee** on transportation **oversight**,
56 ninety-seven percent of the application fee shall be refunded to the requesting organization.

57 [7.] **6.** Two highway signs shall be erected for each bridge and highway designation[,
58 except] **on the state highway system processed under this section.** When a named section of
59 a highway crosses two or more county lines, consideration shall be given by the department of
60 transportation to allow additional signage at the county lines or major intersections.

61 [8.] **7.** Highway or bridge designations **on the state highway system** honoring law
62 enforcement officers or members of the armed forces killed in the line of duty shall not be
63 subject to the provisions of this section.

64 [9. Upon approval of a bridge or highway designation, the department of transportation
65 shall provide five miniature signs, free of charge, to persons or organizations sponsoring signs
66 under this section.]

67 **8. No bridge or portion of a highway on the state highway system may be named**
68 **or designated after more than one event, place, organization, or person. Each event, place,**
69 **organization, or person shall only be eligible for one bridge or highway designation.**

70 **9. Any highway signs erected for any bridge or highway designation on the state**
71 **highway system under the provisions of this section shall be erected and maintained for a**
72 **twenty-year period. After such period, the signs shall be subject to removal by the**
73 **department of transportation and the bridge or highway may be designated to honor**
74 **events, places, organizations, or persons other than the current designee. An existing**
75 **highway or bridge designation processed under the provisions of this section may be**
76 **retained for additional twenty-year increments if, at least one year before the designation's**
77 **expiration, an application to the department of transportation is made to retain the**
78 **designation along with the required documents and all applicable fees required under this**
79 **section.**

80 10. The provisions of this section shall apply to bridge or highway designations sought
81 after August 28, [2005] **2006.**

✓