

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1302

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES COOPER (155) (Sponsor), MOORE, SCHAAF, DAY, CUNNINGHAM (86), LEMBKE, KINGERY, RUPP, DETHROW, SCHLOTTACH, BIVINS, LOWE (44), WOOD, THRELKELD, KRATKY, COOPER (120), WASSON, BEAN, EMERY, DUSENBERG, DIXON, YOUNG, MAY, HUNTER, RUESTMAN, McGHEE, DEEKEN, JONES, MYERS, BRUNS, LIPKE, SANDER, PHILLIPS, KELLY, SMITH (118), SCHAD, NOLTE, GUEST, TILLEY, POLLOCK, DENISON, CHINN, YAEGER, FRANZ, WETER, SATER, DEMPSEY, HARRIS (110), JACKSON, FAITH, ROBB, WILSON (119), KUESSNER, CASEY, ROORDA, OXFORD, SCHOEMEHL, WILDBERGER, AULL, ROBINSON, SWINGER, LAMPE, PEARCE, WALLACE, WILSON (130), BLACK, CUNNINGHAM (145), STEVENSON, DAVIS, BOWMAN, SUTHERLAND, LOW (39), HAYWOOD, BRINGER, SELF, WITTE, PORTWOOD, FLOOK, VIEBROCK, SMITH (150), NANCE, AVERY, CURLS, PARKER, FISHER, BEARDEN, RICHARD, WRIGHT (159), PARSON, HOBBS, BURNETT, SMITH (14), EL-AMIN, BROWN (50), WAGNER, PAGE, STORCH, DONNELLY, FRASER, HUBBARD, HOSKINS, BLAND, CORCORAN, DARROUGH, VILLA, BAKER (25), SCHNEIDER, LIESE, WALSH, BOGETTO, SKAGGS, DOUGHERTY, JOLLY, WRIGHT-JONES, ZWEIFEL AND VOGT (Co-sponsors).

Read 1st time January 10, 2006 and copies ordered printed.

Read 2nd time January 11, 2006 and referred to the Committee on Ways and Means February 2, 2006.

Reported from the Committee on Ways and Means February 16, 2006 with recommendation that the bill Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

Reported from the Committee on Rules February 23, 2006 with recommendation that the bill Do Pass.

Taken up for Perfection March 28, 2006. Bill ordered Perfected and printed, as amended.

STEPHEN S. DAVIS, Chief Clerk

3980L.01P

AN ACT

To repeal section 306.030, RSMo, and to enact in lieu thereof two new sections relating to the state water patrol.

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

Section A. Section 306.030, RSMo, is repealed and two new sections enacted in lieu
2 thereof, to be known as sections 306.030 and 306.185, to read as follows:

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.

306.030. 1. The owner of each vessel requiring numbering by this state shall file an application for number with the department of revenue on forms provided by it. The application shall contain a full description of the vessel, factory number or serial number, together with a statement of the applicant's source of title and of any liens or encumbrances on the vessel. For good cause shown the director of revenue may extend the period of time for making such application. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true, and, if satisfied that the applicant is the lawful owner of such vessel, or otherwise entitled to have the same registered in his **or her** name, shall thereupon issue an appropriate certificate of title over [his] **the director's** signature and sealed with the seal of [his] **the director's** office, procured and used for such purpose, and a certificate of number stating the number awarded to the vessel. The application shall include a provision stating that the applicant will consent to any inspection necessary to determine compliance with the provisions of this chapter and shall be signed by the owner of the vessel and shall be accompanied by the fee specified in subsection 8 of this section. The owner shall paint on or attach to each side of the bow of the vessel the identification number in a manner as may be prescribed by rules and regulations of the division of water safety in order that it may be clearly visible. The number shall be maintained in legible condition. The certificate of number shall be pocket size and shall be available at all times for inspection on the vessel for which issued, whenever the vessel is in operation. The operator of a vessel in which such certificate of number is not available for inspection by the state water patrol or, if the operator cannot be determined, the person who is the registered owner of the vessel shall be subject to the penalties provided in section 306.210. Vessels owned by the state or a political subdivision shall be registered but no fee shall be assessed for such registration.

2. Each new vessel sold in this state after January 1, 1970, shall have die stamped on or within three feet of the transom or stern a factory number or serial number.

3. The owner of any vessel already covered by a number in full force and effect which has been awarded to it pursuant to then operative federal law or a federally approved numbering system of another state shall record the number prior to operating the vessel on the waters of this state in excess of the sixty-day reciprocity period provided for in section 306.080. The recordation and payment of registration fee shall be in the manner and pursuant to the procedure required for the award of a number under subsection 1 of this section. No additional or substitute number shall be issued unless the number is a duplicate of an existing Missouri number.

4. In the event that an agency of the United States government shall have in force an overall system of identification numbering for vessels within the United States, the numbering system employed pursuant to this chapter by the department of revenue shall be in conformity therewith.

37 5. All records of the department of revenue made and kept pursuant to this section shall
38 be public records.

39 6. Every certificate of number awarded pursuant to this chapter shall continue in force
40 and effect for a period of three years unless sooner terminated or discontinued in accordance with
41 the provisions of this chapter. Certificates of number may be renewed by the owner in the same
42 manner provided for in the initial securing of the same or in accordance with the provisions of
43 sections 306.010 to 306.030.

44 7. The department of revenue shall fix the days and months of the year on which
45 certificates of number due to expire during the calendar year shall lapse and no longer be of any
46 force and effect unless renewed pursuant to this chapter and may stagger such dates in order to
47 distribute the workload.

48 **8. When applying for or renewing a vessel's certificate of number, the owner shall**
49 **submit a paid personal property tax receipt for the tax year which immediately precedes**
50 **the year in which the application is made or the year in which the renewal is due and which**
51 **reflects that the vessel being renewed is listed as personal property and that all personal**
52 **property taxes, including delinquent taxes from prior years, have been paid, or a statement**
53 **certified by the county or township in which the owner's property was assessed showing**
54 **that the state and county tangible personal property taxes for such previous tax year and**
55 **all delinquent taxes due have been paid by the applicant or that no such taxes were due.**

56 **9. When applying for or renewing a certificate of registration for a vessel**
57 **documented with the United States Coast Guard under section 306.016, owners of vessels**
58 **shall submit a paid personal property tax receipt for the tax year which immediately**
59 **precedes the year in which the application is made or the renewal is due and which reflects**
60 **that the vessel is listed as personal property and that all personal property taxes, including**
61 **delinquent taxes from prior years, have been paid, or a statement certified by the county**
62 **or township in which the owner's property was assessed showing that the state and county**
63 **tangible personal property taxes for such previous tax year and all delinquent taxes due**
64 **have been paid by the applicant or that no such taxes were due.**

65 **10.** The fee to accompany each application for a certificate of number is:

66 For vessels under 16 feet in length	[\$10.00] \$25.00
67 For vessels at least 16 feet in length but less than 26 feet in length	[20.00] \$55.00
68 For vessels at least 26 feet in length but less than 40 feet in length	[30.00] \$100.00
69 For vessels at least 40 feet and over	[40.00] \$150.00

70 **[9.] 11.** The certificate of title and certificate of number issued by the director of revenue
71 shall be manufactured in a manner to prohibit as nearly as possible the ability to alter,
72 counterfeit, duplicate, or forge such certificate without ready detection.

73 **12. The first two million dollars collected annually under the provisions of this**
74 **section shall be deposited into the state general revenue fund. All fees collected under the**
75 **provisions of this section in excess of two million dollars annually shall be deposited in the**
76 **Missouri state water patrol fund and shall be used exclusively for the Missouri state water**
77 **patrol.**

306.185. 1. There is hereby created in the state treasury the "Missouri State Water
2 **Patrol Fund", which shall consist of money collected under section 306.030. The state**
3 **treasurer shall be custodian of the fund and shall approve disbursements from the fund**
4 **in accordance with sections 30.170 and 30.180, RSMo. Upon appropriation, money in the**
5 **fund shall be used solely for the expenses of the Missouri state water patrol, including but**
6 **not limited to personnel expense, training expense, and equipment expense, and shall not**
7 **be used as a substitute for general revenue already appropriated for the operation of the**
8 **Missouri state water patrol.**

9 **2. Notwithstanding the provisions of section 33.080, RSMo, any moneys remaining**
10 **in the fund at the end of the biennium shall not revert to the credit of the general revenue**
11 **fund.**

12 **3. The state treasurer shall invest moneys in the fund in the same manner as other**
13 **funds are invested. Any interest and moneys earned on such investments shall be credited**
14 **to the fund.**

15 **4. Within available appropriations in this section, the commissioner of the water**
16 **patrol shall establish with the advice of the director of personnel, an equitable pay plan for**
17 **the members of the water patrol and radio personnel taking into consideration ranks and**
18 **length of service.**

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