

SECOND REGULAR SESSION

# HOUSE BILL NO. 1596

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE RECTOR.

Read 1st time January 31, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4274L.01I

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### AN ACT

To repeal section 393.705, RSMo, and to enact in lieu thereof one new section relating to joint municipal utility commissions.

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

Section A. Section 393.705, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 393.705, to read as follows:

393.705. As used in sections 393.700 to 393.770, the following terms shall, unless the context clearly indicates otherwise, have the following meanings:

- (1) "Bond" or "bonds", any bonds, interim certificates, notes, debentures, or other obligations of a commission issued pursuant to sections 393.700 to 393.770;
- (2) "Commission", any joint municipal utility commission established by a joint contract pursuant to sections 393.700 to 393.770;
- (3) "Contracting municipality", each municipality which is a party to a joint contract establishing a commission pursuant to sections 393.700 to 393.770, a water supply district formed pursuant to the provisions of chapter 247, RSMo, or a sewer district formed pursuant to the provisions of chapter 204, RSMo, or chapter 249, RSMo;
- (4) "Joint contract", the contract entered into among or by and between two or more of the following contracting entities for the purpose of establishing a commission:
  - (a) Municipalities;
  - (b) Public water supply districts;
  - (c) Sewer districts;

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.

16 (d) Nonprofit water companies; or

17 (e) Nonprofit sewer companies;

18 (5) "Participating municipality", a municipality, public water supply district, or sewer  
19 district acting in concert with a commission in the development of a project but providing  
20 separate financing to acquire an individual interest in the project;

21 (6) "Person", a natural person, cooperative or private corporation, association, firm,  
22 partnership, or business trust of any nature whatsoever, organized and existing pursuant to the  
23 laws of any state or of the United States and any municipality or other municipal corporation,  
24 governmental unit, or public corporation created under the laws of [this] **any** state or the United  
25 States, and any person, board, or other body declared by the laws of any state or the United States  
26 to be a department, agency or instrumentality thereof;

27 (7) "Project", the purchasing, construction, extending or improving of any utility facility  
28 or property including without limitation revenue-producing water, sewage, gas or electric light  
29 works, heating or power plants, transmission and distribution systems, and all other types of  
30 utilities and revenue-producing facilities as deemed appropriate by the governing bodies of the  
31 contracting or participating municipalities, including all real and personal property of any nature  
32 whatsoever to be used in connection therewith, together with all parts thereof and appurtenances  
33 thereto, or any interest therein or right to capacity thereof and the acquisition of fuel of any kind  
34 for any such purposes.

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