

SECOND REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 78

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BAKER (25) (Sponsor), LAMPE, LOW (39),  
McCLANAHAN AND HAYWOOD (Co-sponsors).

Read 1st time April 1, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3913L.02I

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### JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to the Constitution of Missouri relating to bonding for higher education projects.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next  
2 following the first Monday in November, 2008, or at a special election to be called by the  
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for  
4 adoption or rejection, the following amendment to article III of the Constitution of the state of  
5 Missouri:

Section A. Article III, Constitution of Missouri, is amended by adding one new section,  
2 to be known as section 37(i), to read as follows:

**Section 37(i). 1. The general assembly may authorize the contracting of an  
2 indebtedness on behalf of the state of Missouri and the issuance of bonds or other evidences  
3 of indebtedness not exceeding in the aggregate the sum of five hundred thirty million five  
4 hundred forty-five thousand three dollars for the purpose of providing funds for planning,  
5 design, construction, renovation, furnishing, equipping, maintenance, repair, and  
6 improvements to buildings of institutions of higher education, including public community  
7 colleges. All proceeds in the fifth state building bond fund shall be and stand appropriated  
8 without legislative action provided that no more than the following amounts shall be  
9 provided cumulatively for the following:**

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.

10			<b>Total Project Cost</b>
11	University of Central Missouri	W.C. Morris Science	<b>\$40,311,576</b>
12	Harris-Stowe State University	Business Admin./classroom	<b>\$17,348,753</b>
13	Lincoln University	Jason Hall Phase II	<b>\$15,380,510</b>
14	Missouri Southern State University	McCune Brooks	<b>\$30,649,625</b>
15	Missouri State University	Ozarks Health & Life Science	<b>\$75,608,968</b>
16	Missouri Western State University	Potter Hall	<b>\$26,014,100</b>
17	Northwest Missouri State University	Olive Deluce	<b>\$22,345,861</b>
18	Southeast Missouri University	Applied Science Complex	<b>\$39,000,000</b>
19	Truman	Ballwin Hall/McClain Hall	<b>\$38,675,769</b>
20	University of Missouri-Columbia	Laffere Hall	<b>\$59,755,000</b>
21	University of Missouri Kansas City	Miller Nichols Library/Interactive	<b>\$79,007,000</b>
22		Learning Center	
23	Missouri University of Science	Schrenk Hall	<b>\$75,528,000</b>
24	and Technology		
25	University of Missouri St. Louis	Campus Development Phase I	<b>\$27,000,000</b>
26	Linn State Technical College	Vehicle and Power Center	<b>\$18,982,169</b>
27	Crowder	MARET Center	<b>\$ 9,500,000</b>
28	East Central	Library, Learning Center,	<b>\$ 8,240,000</b>
29		Student Services	
30	Jefferson	Science/Public Health Center	<b>\$10,200,000</b>
31	Metropolitan	Health Science Institute	<b>\$51,074,165</b>
32	Mineral Area	Learning Resource Center	<b>\$ 4,500,000</b>
33	Moberly	Columbia Higher Education Center	<b>\$ 8,915,000</b>
34	North Central	Center for Performing Arts	<b>\$ 4,350,000</b>
35	Ozarks Technical	Center for Bus Admin	<b>\$13,500,000</b>
36		& Adv Tech	
37	St. Charles	Life Sciences Facility	<b>\$ 8,850,000</b>
38	St. Louis	Harrison Educational Center	<b>\$10,000,000</b>
39	State Fair	Classroom/Administration Building	<b>\$ 6,935,030</b>
40	Three Rivers	Center for Life Sciences	<b>\$ 5,721,812</b>

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 42 **Any funds remaining in the fifth state building bond fund after full distribution to the**  
 43 **projects listed above shall be transferred to the fifth state building bond and interest fund**  
 44 **for use as described in subsection 3 of this section.**

45 **2. The bonds shall be issued by the state board of fund commissioners from time**  
 46 **to time and in such amounts as may be necessary to ensure timely completion of the**  
 47 **projects, provided that the institution shall provide at least twenty-five percent of the total**  
 48 **project cost. The board of fund commissioners shall offer such bonds at public sale, and**  
 49 **shall provide such method as it may deem necessary for the advertisement of the sale of**  
 50 **each issue of bonds before such bonds are sold. The proceeds of the sale or sales of any**  
 51 **bonds issued under this section shall be paid into the state treasury and be credited to a**

52 fund to be designated the fifth state building fund. The bonds shall be retired serially and  
53 by installments within a period not to exceed twenty-five years from their date of issue and  
54 shall bear interest at a rate or rates not exceeding the rate permitted by law. The proceeds  
55 of the sale of the bonds authorized in this section shall be expended for the purposes for  
56 which the bonds are authorized to be issued.

57       3. The bonds and the interest thereon shall be paid out of the "Fifth State Building  
58 Bond and Interest Fund", which is hereby created, and the payment of such bonds and the  
59 interest thereon shall be secured by a pledge of the full faith, credit, and resources of the  
60 state of Missouri. Upon the issuance of such bonds, or any portion thereof, the state board  
61 of fund commissioners shall notify the commissioner of administration of the amount of  
62 money required, in the remaining portion of the fiscal year during which such bonds shall  
63 have been issued, for the payment of interest on the bonds, and of the amount of money  
64 required for the payment of interest on the bonds in the following fiscal year, and to pay  
65 such bonds as they mature. Thereafter, within thirty days after the beginning of each fiscal  
66 year, the state board of fund commissioners shall notify the commissioner of  
67 administration of the amount of money required for the payment of interest on the bonds  
68 in the following fiscal year and to pay such bonds maturing in the following fiscal year.

69       4. It shall be the duty of the commissioner of administration to transfer at least  
70 monthly, from the state general revenue fund or from any other fund established by law  
71 for this purpose, after deducting therefrom the proportionate part thereof appropriated  
72 for the support of the free public schools, and to credit to the fifth state building bond and  
73 interest fund such sum as may be necessary from time to time until there shall have been  
74 transferred to such fund the amount so certified to the commissioner of administration by  
75 the state board of fund commissioners, as provided in this section.

76       5. If at any time after the issuance of any of the bonds, it shall become apparent to  
77 the commissioner of administration that the funds available in the state general revenue  
78 fund will not be sufficient for the payment of the sinking fund and interest on outstanding  
79 obligations of the state and for the purpose of public education and the principal and  
80 interest maturing and accruing on the bonds during the following fiscal year, a direct tax  
81 shall be levied upon all taxable tangible property in the state for the payment of such bonds  
82 and the interest that will accrue thereon. In such event, it shall be the duty of the  
83 commissioner of administration annually, on or before the first day of July, to determine  
84 the rate of taxation necessary to be levied upon all taxable tangible property within the  
85 state to raise the amount of money needed to pay the principal of and interest on such  
86 bonds maturing and accruing in the following fiscal year, taking into consideration  
87 available funds, delinquencies, and costs of collection. The commissioner of administration

88 shall annually certify the rate of taxation so determined to the county clerk of each county  
89 and to the comptroller or other officer in the City of St. Louis whose duty it shall be to  
90 make up and certify the tax books wherein are extended the ad valorem state taxes. It shall  
91 be the duty of such clerks and the comptroller or other proper officer in the City of St.  
92 Louis to extend upon the tax books the taxes to be collected and to certify the same to the  
93 collectors of the revenue of their respective counties and of the City of St. Louis, who shall  
94 collect such taxes at the same time and in the same manner and by the means as are now  
95 or may hereafter be provided by law for the collection of state and county taxes, and to pay  
96 the same into the state treasury for the credit of the fifth state building bond and interest  
97 fund.

98       6. All funds paid into the fifth state building bond and interest fund shall be and  
99 stand appropriated without legislative action to the payment of principal and interest of  
100 the bonds, there to remain until paid out in discharge of the principal of such bonds and  
101 the interest accruing thereon, and no part of such fund shall be used for any other purpose  
102 so long as any of the principal of such bonds and the interest thereon shall be repaid. The  
103 general assembly may enact such laws as may be necessary to implement the provisions of  
104 this section. The additional revenue provided by this section shall not be part of "total  
105 state revenue" in sections 17 and 18 of article X of this constitution. The expenditure of  
106 such additional revenue shall not be an "expense of state government" under section 20  
107 of article X of this constitution.

Section B. Pursuant to chapter 116, RSMo, and other applicable constitutional provisions  
2 and laws of this state allowing the General Assembly to adopt ballot language for the submission  
3 of a Joint Resolution for submission to the voters of this state, the official ballot title of the  
4 amendment proposed in section A of this Joint Resolution shall be as follows:

5       "Shall the Missouri Constitution be amended to allow  
6       the sale of \$530.55 million in bonds for planning,  
7       design, construction, renovation, furnishing,  
8       equipping, maintenance, repair, and improvements  
9       to buildings of public institutions of higher  
10       education, including public community colleges?".

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