

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117, Page 18, Section 67.1303, Line 124, by inserting after all of said section and line the following:

"67.4500. As used in sections 67.4500 to 67.4520, the following terms shall mean:

(1) "Authority", any county drinking water supply lake authority created by sections 67.4500 to 67.4520;

(2) "Conservation storage level", the target elevation established for a drinking water supply lake at the time of design and construction of such lake;

(3) "Costs", the sum total of all reasonable or necessary expenses incidental to the acquisition, construction, expansion, repair, alteration, and improvement of the project, including without limitation the following: the expense of studies and surveys; the cost of all lands, properties, rights, easements, and franchises acquired; land title and mortgage guaranty policies; architectural and engineering services; legal, organizational marketing, or other special services; provisions for working capital; reserves for principal and interest; and all other necessary and incidental expenses, including interest during construction on bonds issued to finance the project and for a period subsequent to the estimated date of completion of the project;

(4) "Project", recreation and tourist facilities and services, including, but not limited to, lakes, parks, recreation centers, restaurants, hunting and fishing reserves, historic sites and attractions, and any other facilities that the authority may desire to undertake, including the related infrastructure buildings and the usual and convenient facilities appertaining to any undertakings,

1 and any extensions or improvements of any facilities, and the acquisition of any property
2 necessary therefore, all as may be related to the development of a water supply source,
3 recreational and tourist accommodations, and facilities;

4 (5) "Water commission", a water commission owning a reservoir formed under sections
5 393.700 to 393.770;

6 (6) "Watershed", the area that contributes or may contribute to the surface water of any
7 lake as determined by the authority.

8 67.4505. 1. Any county of the third classification with a township form of government
9 and with more than seven thousand two hundred but fewer than seven thousand three hundred
10 inhabitants or any county of the second classification with more than fifty-four thousand two
11 hundred but fewer than fifty-four thousand three hundred inhabitants may establish a county
12 drinking water supply lake authority, which shall be a body corporate and politic and a political
13 subdivision of this state.

14 2. The authority may exercise the powers provided to it under section 67.4520 over the
15 reservoir area encompassing any drinking water supply lake of one thousand five hundred acres or
16 more, as measured at its conservation storage level, and within the lake's watershed.

17 3. It shall be the purpose of each authority to promote the general welfare and a safe
18 drinking water supply through the construction, operation, and maintenance of a drinking water
19 supply lake.

20 4. The income of the authority and all property at any time owned by the authority shall be
21 exempt from all taxation or any assessments whatsoever to the state or of any political
22 subdivision, municipality, or other governmental agency thereof.

23 5. No county in which an authority is organized shall be held liable in connection with the
24 construction, operation, or maintenance of any project or program undertaken under sections
25 67.4500 to 67.4520, including any actions taken by the authority in connection with such project
26 or program.

1 67.4510. A county drinking water supply lake authority shall consist of at least six but not
2 more than thirty members, appointed as follows:

3 (1) Members of the water commission shall appoint all members to the authority,
4 one-third of the initial members for a six-year term, one-third for a four-year term, and the
5 remaining one-third for a two-year term, until a successor is appointed; provided that, if there is
6 an odd number of members, the last person appointed shall serve a two-year term. Upon the
7 expiration of each term, a successor shall be appointed for a six-year term;

8 (2) No person shall be appointed to serve on the authority unless he or she is a registered
9 voter in the state for more than five years, a resident in the county where the water commission is
10 located for more than five years, and over the age of twenty-five years. If any member moves
11 outside such county, the seat shall be deemed vacant and a new member shall be appointed by the
12 county commission to complete the unexpired term.

13 67.4515. 1. The water commission shall by resolution establish a date and time for the
14 initial meeting of the authority.

15 2. At the initial meeting, and annually thereafter, the authority shall elect one of its
16 members as chairman and one as vice chairman, and appoint a secretary and a treasurer who may
17 be a member of the authority. If not a member of the authority, the secretary or treasurer shall
18 receive compensation that shall be fixed from time to time by action of the authority. The
19 authority may appoint an executive director who shall not be a member of the authority and who
20 shall serve at its pleasure. If an executive director is appointed, he or she shall receive such
21 compensation as shall be fixed from time to time by action of the authority. The authority may
22 designate the secretary to act in lieu of the executive director. The secretary shall keep a record of
23 the proceedings of the authority and shall be the custodian of all books, documents, and papers
24 filed with the authority, the minute books or journal thereof, and its official seal. The secretary
25 may cause copies to be made of all minutes and other records and documents of the authority and
26 may give certificates under the official seal of the authority to the effect that the copies are true

1 and correct copies, and all persons dealing with the authority may rely on such certificates. The
2 authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it
3 may from time to time deem proper and necessary.

4 3. Each member of the authority shall execute a surety bond in the penal sum of fifty
5 thousand dollars or, in lieu thereof, the chairman of the authority shall execute a blanket bond
6 covering each member and the employees or other officers of the authority, each surety bond to be
7 conditioned upon the faithful performance of the duties of the office or offices covered, to be
8 executed by a surety company authorized to transact business in the state as surety, and to be
9 approved by the attorney general and filed in the office of the secretary of state. The cost of each
10 such bond shall be paid by the authority.

11 4. No authority member shall participate in any deliberations or decisions concerning
12 issues where the authority member has a direct financial interest in contracts, property, supplies,
13 services, facilities, or equipment purchased, sold, or leased by the authority. Authority members
14 shall additionally be subject to the limitations regarding the conduct of public officials as provided
15 in chapter 105.

16 67.4520. 1. The authority may:

17 (1) Acquire, own, construct, lease, and maintain recreational or water quality projects;

18 (2) Acquire, own, lease, sell, or otherwise dispose of interests in and to real property and
19 improvements situated thereon and in personal property necessary to fulfill the purposes of the
20 authority;

21 (3) Contract and be contracted with, and to sue and be sued;

22 (4) Accept gifts, grants, loans, or contributions from the federal government, the state of
23 Missouri, political subdivisions, municipalities, foundations, other public or private agencies,
24 individuals, partnerships, or corporations;

25 (5) Employ such managerial, engineering, legal, technical, clerical, accounting,
26 advertising, stenographic, and other assistance as it may deem advisable. The authority may also

1 contract with independent contractors for any of the foregoing assistance;

2 (6) Disburse funds for its lawful activities and fix salaries and wages of its employees;

3 (7) Fix rates, fees, and charges for the use of any projects and property owned, leased,
4 operated, or managed by the authority;

5 (8) Adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in
6 which its business may be transacted; however, said bylaws, rules, and regulations shall not
7 exceed the powers granted to the authority by sections 67.4500 to 67.4520;

8 (9) Either jointly with a similar body, or separately, recommend to the proper departments
9 of the government of the United States, or any state or subdivision thereof, or to any other body,
10 the carrying out of any public improvement;

11 (10) Provide for membership in any official, industrial, commercial, or trade association,
12 or any other organization concerned with such purposes, for receptions of officials or others as
13 may contribute to the advancement of the authority and development therein, and for such other
14 public relations activities as will promote the same, and such activities shall be considered a
15 public purpose;

16 (11) Cooperate with municipalities and other political subdivisions as provided in chapter
17 70;

18 (12) Enter into any agreement with any other state, agency, authority, commission,
19 municipality, person, corporation, or the United States, to effect any of the provisions contained in
20 sections 67.4500 to 67.4520;

21 (13) Sell and supply water and construct, own, and operate infrastructure projects in areas
22 within its jurisdiction, including but not limited to roads, bridges, water and sewer systems, and
23 other infrastructure improvements;

24 (14) Issue revenue bonds in the same manner as provided under section 67.789; and

25 (15) Adopt tax increment financing within its boundaries in the same manner as provided
26 under section 67.790.

1 2. The state or any political subdivision or municipal corporation thereof may in its
2 discretion, with or without consideration, transfer or cause to be transferred to the authority or
3 may place in its possession or control, by deed, lease, or other contract or agreement, either for a
4 limited period or in fee, any property wherever situated.

5 3. The state or any political subdivision may appropriate, allocate, and expend such funds
6 of the state or political subdivision for the benefit of the authority as are reasonable and necessary
7 to carry out the provisions of sections 67.4500 to 67.4520.

8 4. The authority shall have the authority to exercise all zoning and planning powers that
9 are granted to cities, towns, and villages under chapter 89, except that the authority shall not
10 exercise such powers inside the corporate limits of any city, town, or village which has adopted a
11 city plan under the laws of this state before August 28, 2011.”; and

12
13 Further amend said bill, Page 40, Section 205.205, Line 67, by inserting after all of said section
14 and line the following:

15
16 “226.224. Notwithstanding any provision of the law to the contrary, the state highways
17 and transportation commission may enter into binding highway infrastructure agreements to
18 reimburse or repay, in an amount and in such terms agreed upon by the parties, any funds
19 advanced by or for the benefit of a county, political subdivision, or private entity to expedite state
20 road construction or improvement. Such highway infrastructure improvement agreements may
21 provide for the assignment of the state highways and transportation commission's reimbursement
22 or repayment obligations in order to facilitate the funding of such improvements. The funds
23 advanced by or for the benefit of the county, political subdivision, or private entity for the
24 construction or improvement of state highway infrastructure shall be repaid by the state highways
25 and transportation commission from funds from the state road fund in a manner, time period, and
26 interest rate agreed to upon by the respective parties. The state highways and transportation

1 commission may condition the reimbursement or repayment of such advanced funds upon
2 projected highway revenues and may delay repayment of the advanced funds if highway revenues
3 fall below the projections used to determine the repayment schedule or if repayment would
4 jeopardize the receipt of federal highway moneys.”; and

5
6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.