

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53
2 by inserting after all of said section and line the following:

3
4 “67.4500. As used in sections 67.4500 to 67.4520, the following terms shall mean:

5 (1) "Authority", any county drinking water supply lake authority created by sections
6 67.4500 to 67.4520;

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

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

17 (4) "Project", recreation and tourist facilities and services, including, but not limited to,
18 lakes, parks, recreation centers, restaurants, hunting and fishing reserves, historic sites and
19 attractions, and any other facilities that the authority may desire to undertake, including the related
20 infrastructure buildings and the usual and convenient facilities appertaining to any undertakings,
21 and any extensions or improvements of any facilities, and the acquisition of any property
22 necessary therefore, all as may be related to the development of a water supply source,
23 recreational and tourist accommodations, and facilities;

24 (5) "Water commission", a water commission owning a reservoir formed under sections
25 393.700 to 393.770;

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

28 67.4505. 1. Any county of the third classification with a township form of government
29 and with more than seven thousand two hundred but fewer than seven thousand three hundred
30 inhabitants or any county of the second classification with more than fifty-four thousand two
31 hundred but fewer than fifty-four thousand three hundred inhabitants may establish a county
32 drinking water supply lake authority, which shall be a body corporate and politic and a political
33 subdivision of this state.

34 2. The authority may exercise the powers provided to it under section 67.4520 over the
35 reservoir area encompassing any drinking water supply lake of one thousand five hundred acres or

1 more, as measured at its conservation storage level, and within the lake's watershed.

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

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

8 5. No county in which an authority is organized shall be held liable in connection with the
9 construction, operation, or maintenance of any project or program undertaken under sections
10 67.4500 to 67.4520, including any actions taken by the authority in connection with such project
11 or program.

12 67.4510. A county drinking water supply lake authority shall consist of at least six but not
13 more than thirty members, appointed as follows:

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

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

24 67.4515. 1. The water commission shall by resolution establish a date and time for the
25 initial meeting of the authority.

26 2. At the initial meeting, and annually thereafter, the authority shall elect one of its
27 members as chairman and one as vice chairman, and appoint a secretary and a treasurer who may
28 be a member of the authority. If not a member of the authority, the secretary or treasurer shall
29 receive compensation that shall be fixed from time to time by action of the authority. The
30 authority may appoint an executive director who shall not be a member of the authority and who
31 shall serve at its pleasure. If an executive director is appointed, he or she shall receive such
32 compensation as shall be fixed from time to time by action of the authority. The authority may
33 designate the secretary to act in lieu of the executive director. The secretary shall keep a record of
34 the proceedings of the authority and shall be the custodian of all books, documents, and papers
35 filed with the authority, the minute books or journal thereof, and its official seal. The secretary
36 may cause copies to be made of all minutes and other records and documents of the authority and
37 may give certificates under the official seal of the authority to the effect that the copies are true
38 and correct copies, and all persons dealing with the authority may rely on such certificates. The
39 authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it
40 may from time to time deem proper and necessary.

41 3. Each member of the authority shall execute a surety bond in the penal sum of fifty
42 thousand dollars or, in lieu thereof, the chairman of the authority shall execute a blanket bond
43 covering each member and the employees or other officers of the authority, each surety bond to be
44 conditioned upon the faithful performance of the duties of the office or offices covered, to be
45 executed by a surety company authorized to transact business in the state as surety, and to be
46 approved by the attorney general and filed in the office of the secretary of state. The cost of each

1 such bond shall be paid by the authority.

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

7 67.4520. 1. The authority may:

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

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

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

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

16 (5) Employ such managerial, engineering, legal, technical, clerical, accounting,
17 advertising, stenographic, and other assistance as it may deem advisable. The authority may also
18 contract with independent contractors for any of the foregoing assistance;

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

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

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

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

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

33 (11) Cooperate with municipalities and other political subdivisions as provided in chapter
34 70;

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

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

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

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

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

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

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

8 226.224. Notwithstanding any provision of the law to the contrary, the state highways and
9 transportation commission may enter into binding highway infrastructure agreements to reimburse
10 or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for
11 the benefit of a county, political subdivision, or private entity to expedite state road construction
12 or improvement. Such highway infrastructure improvement agreements may provide for the
13 assignment of the state highways and transportation commission's reimbursement or repayment
14 obligations in order to facilitate the funding of such improvements. The funds advanced by or for
15 the benefit of the county, political subdivision, or private entity for the construction or
16 improvement of state highway infrastructure shall be repaid by the state highways and
17 transportation commission from funds from the state road fund in a manner, time period, and
18 interest rate agreed to upon by the respective parties. The state highways and transportation
19 commission may condition the reimbursement or repayment of such advanced funds upon
20 projected highway revenues, only if terms of the contract explicitly state such a condition and the
21 contract shall further provide for a date or dates certain for repayment of funds and may delay
22 repayment of the advanced funds if highway revenues fall below the projections used to determine
23 the repayment schedule or if repayment would jeopardize the receipt of federal highway moneys
24 only if terms of the contract explicitly state such a condition and the contract shall further provide
25 for a date or dates certain for repayment of funds.”; and

26 Further amend said bill by amending the title, enacting clause, and intersectional references
27 accordingly.
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