

SECOND REGULAR SESSION

# HOUSE BILL NO. 1622

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES FITZPATRICK (Sponsor) AND LANT (Co-sponsor).

5611H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 386, RSMo, by adding thereto one new section relating to the public service commission, with an emergency clause.

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

Section A. Chapter 386, RSMo, is amended by adding thereto one new section, to be known as section 386.910, to read as follows:

**386.910. 1. Notwithstanding the provisions of this chapter and any other provision of law to the contrary, the Missouri public service commission shall lack jurisdiction to approve the construction of any electric facilities to be built in accordance with Arkansas public service commission order 33, docket number 13-041-U, authorizing route 109 as a “reasonable route” for the construction of new three hundred forty-five kilovolt electric transmission lines.**

**2. The commission also shall lack jurisdiction over any electric transmission line that originates and terminates in a single state other than Missouri while traversing any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat or county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the fourth classification with more than seven hundred but fewer than eight hundred inhabitants as the county seat.**

**3. Because the Arkansas public service commission has designated route 109 as reasonable because of its “lesser impact on residential areas and lesser aesthetic impact”**

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.

18 with regard to Arkansas residents, the general assembly of this state declares that it shall  
19 have sole jurisdiction to approve or disapprove the construction of any electric  
20 transmission line that originates and terminates in a single state other than Missouri while  
21 traversing any county of the third classification without a township form of government  
22 and with more than thirty-three thousand but fewer than thirty-seven thousand  
23 inhabitants and with a city of the fourth classification with more than three thousand but  
24 fewer than three thousand seven hundred inhabitants as the county seat or county of the  
25 third classification without a township form of government and with more than  
26 twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of  
27 the fourth classification with more than seven hundred but fewer than eight hundred  
28 inhabitants as the county seat. The general assembly assumes sole jurisdiction over the  
29 subject matter of this section for purposes of preserving the health, safety, and welfare of  
30 the residents of Missouri and ensuring that electric facility construction is undertaken for  
31 a legitimate public purpose.

32 4. Any entity seeking the construction of electric facilities under this section may  
33 petition the general assembly for an interstate agreement or other enactment of legislation  
34 with the force and effect of law authorizing such construction.

35 5. The provisions of this section are severable. If any part of this section is declared  
36 invalid or held unconstitutional, such decision shall not invalidate any of the remaining  
37 provisions of this section.

Section B. Because ensuring construction projects are conducted for a legitimate public  
2 purpose, this act is deemed necessary for the immediate preservation of the public health,  
3 welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of  
4 the constitution, and this act shall be in full force and effect upon its passage and approval.

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