

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 918, Page 1, Section A, Line 3, by inserting after all of said section and line the  
3 following:  
4

5 "88.770. 1. The board of aldermen may provide for and regulate the lighting of streets and  
6 the erection of lamp posts, poles and lights therefor, and may make contracts with any person,  
7 association or corporation, either private or municipal, for the lighting of the streets and other public  
8 places of the city with gas, electricity or otherwise, except that each initial contract shall be ratified  
9 by a majority of the voters of the city voting on the question and any renewal contract or extension  
10 shall be subject to voter approval of the majority of the voters voting on the question, pursuant to  
11 the provisions of section 88.251. The board of aldermen may erect, maintain and operate gas  
12 works, electric light works, or light works of any other kind or name, and to erect lamp posts,  
13 electric light poles, or any other apparatus or appliances necessary to light the streets, avenues,  
14 alleys or other public places, and to supply private lights for the use of the inhabitants of the city  
15 and its suburbs, and may regulate the same, and may prescribe and regulate the rates to be paid by  
16 the consumers thereof, and may acquire by purchase, donation or condemnation suitable grounds  
17 within or without the city upon which to erect such works and the right-of-way to and from such  
18 works, and also the right-of-way for laying gas pipes, electric wires under or above the grounds, and  
19 erecting posts and poles and such other apparatus and appliances as may be necessary for the  
20 efficient operation of such works. The board of aldermen may, in its discretion, grant the right to  
21 any person, persons or corporation, to erect such works and lay the pipe, wires, and erect the posts,  
22 poles and other necessary apparatus and appliances therefor, upon such terms as may be prescribed  
23 by ordinance. Such rights shall not extend for a longer time than twenty years, but may be renewed  
24 for another period or periods not to exceed twenty years per period. Every initial grant shall be  
25 approved by a majority of the voters of the municipality voting on the question, and each renewal or  
26 extension of such rights shall be subject to voter approval of the majority of the voters voting on the  
27 question, pursuant to the provisions of section 88.251. Nothing herein contained shall be so  
28 construed as to prevent the board of aldermen from contracting with any person, persons or  
29 corporation for furnishing the city with gas or electric lights in cities where franchises have already  
30 been granted, and where gas or electric light plants already exist, without a vote of the people,  
31 except that the board of aldermen may sell, convey, encumber, lease, abolish or otherwise dispose of  
32 any public utilities owned by the city including electric light systems, electric distribution systems  
33 or transmission lines, or any part of the electric light systems, electric or other heat systems, electric  
34 or other power systems, electric or other railways, gas plants, telephone systems, telegraph systems,  
35 transportation systems of any kind, waterworks, equipments and all public utilities not herein  
36 enumerated and everything acquired therefor, after first having passed an ordinance setting forth the

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1 terms of the sale, conveyance or encumbrance and when ratified by two-thirds of the voters voting  
2 on the question, except for the sale of a water or wastewater system, or the sale of a gas plant, which  
3 shall be authorized by a simple majority vote of the voters voting on the question. In the event the  
4 board of aldermen determines the proposed sale of a water or wastewater system shall be placed  
5 before voters, a public informational meeting shall be held at least thirty days prior to any vote on  
6 the matter. The municipality in question shall notify its customers of the informational meeting via  
7 radio, television, newspaper, regular mail, electronic mail, or any combination of notification  
8 methods to most effectively notify customers at least fifteen days prior to the informational meeting.

9 2. The ballots shall be substantially in the following form and shall indicate the property, or  
10 portion thereof, and whether the same is to be sold, leased or encumbered:

11 Shall \_\_\_\_\_ (Indicate the property by stating whether electric distribution system, electric  
12 transmission lines or waterworks, etc.) be \_\_\_\_\_ (Indicate whether sold, leased or encumbered.)?";  
13 and  
14

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