

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 72, Page 3, Section 393.1070, Line 33, by inserting
2 after all of said section and line the following:
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4 "523.262. 1. Except as set forth in subsection 2 of this section, the power of eminent domain shall
5 only be vested in governmental bodies or agencies whose governing body is elected or whose governing body
6 is appointed by elected officials or in an urban redevelopment corporation operating pursuant to a
7 redevelopment agreement with the municipality for a particular redevelopment area, which agreement was
8 executed prior to or on December 31, 2006.

9 2. A private utility company, public utility, rural electric cooperative, municipally owned utility,
10 pipeline, railroad or common carrier shall have the power of eminent domain as may be granted pursuant to
11 the provisions of other sections of the revised statutes of Missouri. For the purposes of this section, the term
12 "common carrier" shall not include motor carriers, contract carriers, or express companies. Where a
13 condemnation by such an entity results in a displaced person, as defined in section 523.200, the provisions of
14 subsections 3 and 6 to 10 of section 523.205 shall apply unless the condemning entity is subject to the
15 relocation assistance provisions of the federal Uniform Relocation Assistance Act.

16 3. Any entity with the power of eminent domain and pursuing the acquisition of property for the
17 purpose of constructing a power generation facility after December 31, 2006, after providing notice in a
18 newspaper of general circulation in the county where the facility is to be constructed, shall conduct a public
19 meeting disclosing the purpose of the proposed facility prior to making any offer to purchase property in
20 pursuit thereof or, alternatively, shall provide the property owner with notification of the identity of the
21 condemning authority and the proposed purpose for which the condemned property shall be used at the time
22 of making the initial offer.

23 4. (1) Private entities shall not have the power of eminent domain under the provisions of this section
24 for the purposes of constructing above-ground merchant lines.

25 (2) For the purpose of this subsection, the following terms mean:

26 (a) "Merchant line", a high-voltage direct current electric transmission line that does not provide for
27 the erection of electric substations at intervals of less than fifty miles, which substations are necessary to
28 accommodate both the purchase and sale to persons located in this state of electricity generated or transmitted
29 by the private entity; and

30 (b) "Private entity", a utility company that does not provide service to end-use customers, provide
31 retail service in Missouri, or collect its costs to provide service under a regional transmission organization
32 tariff, regardless of whether it has received a certificate of convenience and necessity from the public service
33 commission under section 393.170."; and

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35 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.
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Action Taken _____ Date _____