

HOUSE AMENDMENT NO. _____
TO
HOUSE AMENDMENT NO. _____

Offered By

1 AMEND House Amendment No. _____ to Senate Substitute for Senate Bill No. 1298, Page 1, Line
2 1, by inserting after the phrase "No. 1298," the following:

3
4 "Page 1, Section A, Line 3, by inserting after all of said section and line the following:

5
6 "71.340. 1. The mayor and city council of any city or the chairman and board of trustees of
7 any incorporated town or village shall have the power to annually appropriate and pay out of the
8 treasury of such city or incorporated town or village a sum of money, not to exceed ten percent of
9 the annual general revenue thereof, for the purpose of constructing, building, repairing, working,
10 grading or macadamizing any public road, street and highway and any bridge thereon leading to and
11 from such city or incorporated town or village; and such appropriation shall be made by ordinance
12 and the money so appropriated shall be applied under the supervision and direction of the engineers
13 of such city or incorporated town or village, and of the county highway engineer of the county in
14 which such city, town or village is located, or of some competent person selected by such city, town
15 or village and approved by the county highway engineer, who shall make a report thereof, in
16 writing, to the mayor and city council of such city, or to the chairman and board of trustees of such
17 incorporated town or village; but this privilege shall not extend to a greater distance than five miles
18 from the corporate limits of such city, town or village, and shall not be construed so as to allow any
19 obstruction to or interference with the free use of any such public road, street or highway by the
20 public, except so far as may be necessary while such work is being done, and further shall not be
21 construed to affect the liability of such city, town or village, which liability shall be the same as if
22 such roads, streets and highways were inside the city limits.

23 2. The mayor and city council of any city or the chairman and board of trustees of any
24 incorporated town or village shall pay out of the treasury of such city or incorporated town or
25 village reimbursement for facility relocation that is required due to road maintenance or construction
26 to any nonrate regulated utility provider.

27 3. For the purposes of this section and sections 226.220 and 226.224, "nonrate regulated
28 utility provider" shall mean:

Action Taken _____ Date _____

1 (1) A telecommunications company as defined in subdivision (52) of section 386.020 whose
 2 telecommunications services are not subject to regulation by the public service commission;

3 (2) A provider of broadband and other internet-protocol-enabled services as defined in
 4 subsection 2 of section 392.611;

5 (3) A video service provider as defined in subdivision (17) of subsection 1 of section
 6 37.2677;

7 (4) A cable operator as defined in subdivision (1) of subsection 1 of section 67.2677; or

8 (5) A rural electric cooperative, but only for the purposes of expansion and implementation
 9 of broadband and telecommunication services.

10 226.220. 1. There is hereby created and set up the "State Road Fund" which shall receive
 11 all moneys and credits from

12 (1) The sale of state road bonds;

13 (2) The United States government and intended for highway purposes;

14 (3) The state road bond and interest sinking fund as provided in section 226.210; and

15 (4) Any other source if they are held for expenditure by or under the department of
 16 transportation or the state highways and transportation commission and if they are not required by
 17 section 226.200 to be transferred to the state highway department fund.

18 2. The costs and expenses withdrawn from the state treasury

19 (1) For locating, relocating, establishing, acquiring, reimbursing for, constructing,
 20 improving and maintaining state highways in the systems specified in Article IV, Section 30(b), of
 21 the Constitution;

22 (2) For reimbursing nonrate regulated utility providers, as defined in subsection 3 of section
 23 71.340, for any costs incurred in facility relocation that is required due to road maintenance or
 24 construction;

25 (3) For acquiring materials, equipment and buildings; and

26 ~~(3)~~ (4) For other purposes and contingencies relating and appertaining to the construction
 27 and maintenance of said highways shall be paid from the state road fund upon warrants drawn by
 28 the state auditor, based upon bills of particulars and vouchers preapproved and certified for payment
 29 by the commissioner of administration and by the state highways and transportation commission
 30 acting through such of their employees as may be designated by them.

31 3. No payments or transfers shall ever be made from the state road fund except for an
 32 expenditure made

33 (1) Under the supervision and direction of the state highways and transportation
 34 commission; and

35 (2) For a purpose set out in Subparagraph (1), (2), (3), (4), or (5) of Section 30(b), Article
 36 IV, of the Constitution.

37 226.224. The department shall reimburse nonrate regulated utility providers, as defined in
 38 subsection 3 of section 71.340, for any costs incurred in facility relocation that is required due to
 39 road maintenance or construction."; and

40

1 Further amend said bill,"; and

2

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

5

6 THIS AMENDS AMENDMENT 4984S02.16H.