

SECOND REGULAR SESSION

# HOUSE BILL NO. 2842

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WEST.

6163H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 67.652, RSMo, and to enact in lieu thereof one new section relating to the regional convention and sports complex authority.

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

Section A. Section 67.652, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.652, to read as follows:

67.652. 1. The authority shall consist of up to eleven commissioners who shall be qualified voters of the state of Missouri and residents of either the city or the county. The commissioners first appointed shall be appointed as follows:

(1) Up to ~~three~~ **two** commissioners who shall be residents of the city may be appointed by the chief executive of the city with the advice and consent of the ~~board of aldermen~~ **governor**;

(2) Up to ~~three~~ **five** commissioners who shall be residents of the county may be appointed by the chief executive of the county with the advice and consent of the ~~county council~~ **governor**; and

(3) Up to five commissioners one of whom shall be the chairman, two of whom shall be a resident of the city, two of whom shall be a resident of the county and one of whom shall be a resident of the city, the county or a county contiguous to the county, ~~may~~ **shall** be appointed by the governor with the advice and consent of the senate. The governor shall appoint one of the commissioners to be the chairman of the authority. Of the commissioners appointed by the chief executive of the city, no more than two shall be of the same political party, of the commissioners appointed by the chief executive of the county, no more than two shall be of the same political party and of the commissioners appointed by the governor, no

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 more than three shall be of the same political party. In addition, no elective or appointed  
19 official of the state of Missouri or of any political subdivision thereof shall be a commissioner  
20 of the authority. Upon the appointment of eight commissioners as above provided, the  
21 authority shall be deemed to be duly constituted and shall be authorized to commence  
22 operations as provided in sections 67.650 to 67.658; but, after the authority is duly constituted  
23 nothing herein shall prohibit the appointment of additional commissioners up to the limits and  
24 in the manner provided in this section.

25         2. The commissioners shall serve for terms of six years, except that of the first such  
26 commissioners appointed, the first person, if any, appointed by the governor, the chief  
27 executive of the city and the chief executive of the county, respectively, shall serve for terms  
28 of two years, the next two persons, if any, appointed by the governor, and the next person, if  
29 any, appointed by the chief executive of the city and the chief executive of the county,  
30 respectively, shall serve for terms of four years, and the final persons, if any, appointed by the  
31 governor, the chief executive of the city and the chief executive of the county, respectively,  
32 shall serve for terms of six years. Each commissioner shall hold office until his successor has  
33 been appointed and qualified. No more than six commissioners of the authority shall be of  
34 the same political party.

35         3. In the event a vacancy exists or in the event a commissioner's term expires, a  
36 successor commissioner shall be appointed by whomever appointed the commissioner who  
37 initially held the vacant position and if no person is so selected within sixty days of the  
38 creation of the vacancy, the unexpired term of such commissioner may be filled by a majority  
39 vote of the remainder of the commissioners, provided that such successor commissioner shall  
40 meet the requirements set forth in subdivision (3) of subsection 1 above. Commissioners  
41 appointed to fill unexpired terms shall only serve until such unexpired term expires. Pending  
42 any such appointment to fill any vacancy, the remaining commissioners may conduct  
43 authority business.

44         4. The authority shall elect from its number a chairman and may appoint such officers  
45 and employ such employees as it may require for the performance of its duties, and may fix  
46 and determine their qualifications, duties and compensation. No action of the authority shall  
47 be binding unless taken at a meeting at which at least a majority of the commissioners then  
48 appointed vote in favor of such action. The commissioners shall be reimbursed by the  
49 authority for the actual and necessary expenses incurred in the performance of their duties.

50         5. In the event any of the state of Missouri, the city or the county fails to make any  
51 appropriation or to pay any rents, fees or charges provided in any contract, agreement lease or  
52 sublease between the authority and one or more of the state of Missouri, the city and the  
53 county, the commissioners, if any, appointed by the governor, if the state of Missouri has  
54 failed to make such appropriation or to pay such rents, fees or charges, and the

55 commissioners, if any, appointed by the chief executive of the city or county, if the city or  
56 county, as applicable, has failed to make such appropriation or to pay such rents, fees or  
57 charges, shall be disqualified from voting on any matter, action or resolution to come before  
58 the authority, and from participating in any of the business of the authority, so long as any  
59 such failure continues. If less than a majority of the commissioners then appointed are  
60 thereby qualified to vote, the commissioners that remain qualified to vote shall constitute a  
61 quorum and any action of the authority which is approved by a majority of such qualified  
62 commissioners, shall be binding upon the authority.

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