

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Bill No. 1504, Page 1, Section A, Line 2, by inserting after all of said line the
2 following:

3 "67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the
4 following terms mean:

5 (1) "Board", any board, commission, committee or council appointed or designated to
6 carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

7 (2) "County", any county or any city not within a county;

8 (3) "District", any regional recreational district proposed or created pursuant to sections
9 67.750 to 67.799 and sections 67.1700 to 67.1769;

10 (4) "Executive", any mayor, county executive, presiding commissioner, or other chief
11 executive of a county;

12 (5) "Gateway Arch grounds", the Jefferson National Expansion Memorial National
13 Historic Site as defined by the United States Department of the Interior, and related public
14 property and improvements;

15 (6) "Governing body", any city council, county commission, board of aldermen, county
16 council, board of education or township board;

17 [(6)] (7) "Metropolitan district", any metropolitan park and recreation district established
18 pursuant to sections 67.1700 to 67.1769;

19 [(7)] (8) "Political subdivision", any county, township, city, incorporated town or village
20 in the state of Missouri, and any school district in any county of the first classification without a
21 charter form of government with a population of one hundred thousand or more inhabitants which
22 contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

23 [(8)] (9) "Regional recreation fund" or "metropolitan park and recreation fund", the fund
24 held in the treasury of the county providing the largest financial contribution to the district or
25 metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys
26 raised by or for the regional recreation district or metropolitan park and recreation district
27 pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

28 67.1706. The metropolitan district shall have as its duty the development, operation and

1 maintenance of a public system of interconnecting trails and parks throughout the counties
2 comprising the district, including any areas under concurrent jurisdiction with an agency of the
3 United States government. Nothing in this section shall restrict the district's entering into and
4 initiating projects dealing with parks not necessarily connected to trails. The metropolitan district
5 shall supplement but shall not substitute for the powers and responsibilities of the other parks and
6 recreation systems within the metropolitan district or other conservation and environmental
7 regulatory agencies and shall have the power to contract with other parks and recreation systems
8 as well as with other public and private entities. Nothing in this section shall give the
9 metropolitan district authority to regulate water quality, watershed or land use issues in the
10 counties comprising the district.

11 67.1712. 1. The governing body of any county located within the proposed metropolitan
12 district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail
13 sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the
14 creation, operation and maintenance of a metropolitan park and recreation district.

15 2. In addition to the tax authorized in subsection 1 of this section, the governing body of
16 any county located within the metropolitan district as of January 1, 2012, is authorized to impose
17 by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales
18 subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and
19 maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not
20 be implemented unless approved by the voters of the county with the largest population within the
21 district and at least one other such county under subsection 2 of section 67.1715.

22 3. The [tax] taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all
23 other sales taxes allowed by law. The governing body of any county within the [proposed]
24 metropolitan district enacting such an ordinance shall submit to the voters of such county a
25 proposal to approve its ordinance imposing or increasing the tax. Such ordinance shall become
26 effective only after the majority of the voters voting on such ordinance approve such ordinance.
27 The provisions of sections 32.085 and 32.087 shall apply to any tax and increase in tax approved
28 pursuant to this section and sections 67.1715 to 67.1721.

29 67.1715. 1. For the original sales tax of up to one-tenth of one cent authorized in
30 subsection 1 of section 67.1712, the question shall be submitted to the voters in each county of the
31 proposed metropolitan district in substantially the following form:

32 Shall there be organized in the County of , state of Missouri, a metropolitan park and
33 recreation district for the purposes of improving water quality, increasing park safety, providing
34 neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded
35 public access to recreational areas, preserving natural lands for wildlife and maintaining other
36 recreational grounds within the boundaries of such proposed metropolitan district, and shall

1 County join such other of (insert all counties within proposed district) Counties that
2 approve the formation of such a district in their respective counties to form one metropolitan
3 district to be known as ". Metropolitan Park and Recreation District", with funding
4 authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual
5 audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being
6 returned to County for local park improvements, all as authorized by the (insert
7 name of governing body) of County pursuant to (insert ordinance number), on the
8 day of (insert month), (insert year)?

9 YES

NO

10 2. For the additional sales tax of up to three-sixteenths of one cent authorized in
11 subsection 2 of section 67.1712, the question shall be submitted to the voters in each county of the
12 proposed metropolitan district in substantially the following form:

13 "SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

14 For the purpose of increasing safety, security, and public accessibility for the Gateway
15 Arch grounds and local, county, and regional parks and trails for families and disabled and elderly
16 visitors, and for providing expanded activities and improvements of such areas, shall (insert
17 county name) County join such other of (insert names of all counties within the metropolitan
18 district considering the increase in sales tax for the metropolitan district) to impose a (insert
19 rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such
20 purposes, with sixty percent of the revenues derived from the added tax allocated to the
21 Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and
22 trail improvements, and the remaining forty percent allocated to (insert county name) County
23 for local and county park improvements as authorized by the (insert governing body name) of
24 (insert county name) County under (insert ordinance number), on the (insert day) day
25 of (insert month), (insert year), with such tax not to include the sale of food and
26 prescription drugs and to be subject to an independent annual public audit?".

27 67.1721. In the event that the proposed metropolitan district consists of more than one
28 county, if a majority of the votes cast on the proposal by the qualified voters voting in a county
29 proposed for inclusion in the metropolitan district are in favor of the proposal, then the
30 metropolitan district shall be deemed organized and that county shall be included in the
31 metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters
32 voting in the county proposed for inclusion are opposed to the proposal, then the county shall not
33 be included in the metropolitan district. After the metropolitan district has been created, counties
34 eligible for inclusion in the metropolitan district and not already included in the metropolitan
35 district may join the metropolitan district after such a proposal is submitted to the voters of the

1 county proposed for subsequent inclusion and such proposal is approved by a majority of the
2 qualified voters voting thereon in the county proposed for inclusion in the manner described in
3 this section and [sections] subsection 1 of section 67.1715 and in section 67.1718.

4 67.1742. A metropolitan park and recreation district shall have the power to:

5 (1) Issue bonds, notes or other obligations for any of the purposes of the district, and to
6 refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769. No bonds,
7 notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph
8 b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of
9 section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax
10 revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of
11 subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to
12 fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of
13 subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated
14 under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of
15 subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754;

16 (2) Contract with public and private entities or individuals both within and without the
17 state and shall have the power to contract with the United States or any agency thereof in
18 furtherance of any of the purposes of the district. Any contract for capital improvement or
19 maintenance activities in the area to be improved with tax revenues allocated under subparagraph
20 a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of
21 section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity
22 owning or controlling the real property being improved or maintained, and the public or not-for-
23 profit entities directly providing supplemental funding for such contract, and all such capital
24 improvements or maintenance activities shall be constructed and performed in accordance with a
25 comprehensive capital improvements program agreement approved by the metropolitan district
26 before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712;

27 (3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all
28 rights in land, buildings, improvements, and any and all other real, personal or mixed property,
29 provided that real property within a county may only be purchased by the metropolitan district if a
30 majority of the board members from the county in which such real property is located consent to
31 such acquisition;

32 (4) Receive property, both real and personal, or money which has been granted, donated,
33 devised or bequeathed to the district;

34 (5) Establish and collect reasonable charges for the use of the facilities of the district; and

35 (6) Maintain an office and staff at such place or places in this state as it may designate and
36 conduct such business and operations as is necessary to fulfill the district's duties pursuant to

1 sections 67.1700 to 67.1769.

2 67.1754. 1. The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and
3 allocated as follows:

4 (1) Fifty percent of the sales taxes collected from each county shall be deposited in the
5 metropolitan park and recreational fund to be administered by the board of directors of the district
6 to pay costs associated with the establishment, administration, operation and maintenance of
7 public recreational facilities, parks, and public recreational grounds associated with the district.
8 Costs for office administration beginning in the second fiscal year of district operations may be up
9 to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

10 (2) Fifty percent of the sales taxes collected from each county shall be returned to the
11 source county for park purposes, except that forty percent of such fifty percent amount shall be
12 reserved for distribution to municipalities within the county in the form of grant revenue-sharing
13 funds. Each county in the district shall establish its own process for awarding the grant proceeds
14 to its municipalities for park purposes provided the purposes of such grants are consistent with the
15 purpose of the district. In the case of a county of the first classification with a charter form of
16 government having a population of at least nine hundred thousand inhabitants, such grant
17 proceeds shall be awarded to municipalities by a municipal grant commission as described in
18 section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant
19 proceeds may be used to fund any recreation program or park improvement serving municipal
20 residents and for such other purposes as set forth in section 67.1757.

21 2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and
22 allocated as follows:

23 (1) Sixty percent of the sales taxes collected from all counties shall be deposited in a
24 separate metropolitan park and recreational fund to be administered by the board of directors of
25 the metropolitan district to pay costs associated with the administration, operation, and
26 maintenance of public recreational facilities, parks, and public recreational grounds associated
27 with the metropolitan district. Of this amount:

28 (a) For a period ending twenty years after the issuance of any bonds issued for the purpose
29 of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years
30 after the effective date of the incremental sales tax as approved by voter initiative under
31 subsection 2 of section 67.1715:

32 a. Fifty percent shall be apportioned to accessibility, safety, improvement, and
33 maintenance of the Gateway Arch grounds; and

34 b. Fifty percent shall be apportioned to accessibility, safety, improvement, and
35 maintenance of park projects other than the Gateway Arch grounds;

36 (b) After the period described in paragraph (a) of this subdivision:

1 a. Twenty percent shall be apportioned to accessibility, safety, improvement, and
2 maintenance of the Gateway Arch grounds; and

3 b. Eighty percent shall be apportioned to accessibility, safety, improvement, and
4 maintenance of park projects other than the Gateway Arch grounds;

5 (c) Costs for office administration beginning in the second fiscal year of collection and
6 allocation may be up to but shall not exceed fifteen percent of the amount deposited under this
7 subdivision;

8 (2) Forty percent of the sales taxes collected from each county shall be returned to the
9 source county for park purposes, except that forty percent of the amount allocated to each source
10 county shall be reserved for distribution to municipalities within the county in the form of grant-
11 sharing funds. Each county in the metropolitan district shall establish its own process for
12 awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such
13 grants are consistent with the purpose of the metropolitan district. In the case of any county with
14 a charter form of government and with more than nine hundred fifty thousand inhabitants, such
15 grant proceeds shall be awarded to municipalities by a municipal grant commission as described
16 in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary,
17 such grant proceeds may be used to fund any recreation program or park improvement serving
18 municipal residents and for such other purposes as set forth in section 67.1757.

19 3. At a general election occurring not less than six months before the expiration of twenty
20 years after issuance of any bonds issued for the purpose of improving and maintaining the
21 Gateway Arch grounds, but no later than twenty-three years after the effective date of the
22 incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the
23 governing body of any county within the metropolitan district whose voters approved such
24 incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of
25 such period. The form of the question shall be determined by the metropolitan district. Such
26 reauthorization shall become effective only after a majority of the voters of each such county who
27 vote on such reauthorization approve the reauthorization."; and

28
29 Further amend said bill, Page 3, Section 182.802, Line 56, by inserting after all of said line the
30 following:

31 "Section B. Because of the immediate need to provide public safety in the state, the repeal
32 and reenactment of sections 67.750, 67.1706, , 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754
33 of section A of this act is deemed necessary for the immediate preservation of the public health,
34 welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the
35 constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715,
36 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its

1 passage and approval.”; and

2

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