

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 464

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR VOGEL.

Read 1st time February 28, 2005, and ordered printed.

Read 2nd time March 2, 2005, and referred to the Committee on Ways and Means.

Reported from the Committee March 15, 2005, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 31, 2005. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

1894S.01P

AN ACT

To repeal section 217.905, RSMo, and to enact in lieu thereof one new section relating to the Missouri state penitentiary redevelopment commission.

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

Section A. Section 217.905, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 217.905, to read as follows:

217.905. 1. The commission shall have the following powers:

(1) To acquire title to the property historically utilized as the Missouri state penitentiary and to acquire by gift or bequest from public or private sources property adjacent thereto and necessary or appropriate to the successful redevelopment of the Missouri state penitentiary property;

(2) To lease or sell real property to developers who will utilize the property consistent with the master plan for the property **and to hold proceeds from such transactions outside the state treasury**;

(3) To adopt bylaws for the regulation of its affairs and the conduct of its business;

(4) To hire employees necessary to perform the commission's work;

(5) To contract and to be contracted with, including, but without limitation, the authority to enter into contracts with cities, counties and other political subdivisions, agencies of the state of Missouri and public agencies pursuant to sections 70.210 to 70.325,

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

RSMo, and otherwise, and to enter into contracts with other entities, in connection with the acquisition by gift or bequest and in connection with the planning, construction, financing, leasing, subleasing, operation and maintenance of any real property or facility and for any other lawful purpose, and to sue and to be sued;

(6) To receive for its lawful activities [any rentals, proceeds from the sale of real estate,] contributions or moneys appropriated or otherwise designated for payment to the authority by municipalities, counties, state or other political subdivisions or public agencies or by the federal government or any agency or officer thereof or from any other sources and to apply for grants and other funding **and deposit those funds in the Missouri state penitentiary redevelopment fund;**

(7) To disburse funds for its lawful activities and fix salaries and wages of its employees;

(8) To invest any of the commission's funds in such types of investments as shall be determined by a resolution adopted by the commission;

(9) To borrow money for the acquisition, construction, equipping, operation, maintenance, repair, remediation or improvement of any facility or real property to which the commission holds title and for any other proper purpose, and to issue negotiable notes, bonds and other instruments in writing as evidence of sums borrowed;

(10) To perform all other necessary and incidental functions, and to exercise such additional powers as shall be conferred by the general assembly; and

(11) To purchase insurance, including self-insurance, of any property or operations of the commission or its members, directors, officers and employees, against any risk or hazard, and to indemnify its members, agents, independent contractors, directors, officers and employees against any risk or hazard. **The commission is specifically authorized to purchase insurance from the Missouri public entity risk management fund and is hereby determined to be a "public entity" as defined in section 537.700, RSMo.**

2. In no event shall the state be liable for any deficiency or indebtedness incurred by the commission.

3. The Missouri state penitentiary redevelopment commission is a state commission for purposes of section 105.711, RSMo, and all members of the commission shall be entitled to coverage under the state legal expense fund.

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