

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend _____ SCS/House Bill No. 1553, Page 4, Section 67.281, Line 20,

2 by inserting after all of said line the following:

3 "72.401. 1. If a commission has been established pursuant
4 to section 72.400 in any county with a charter form of government
5 where fifty or more cities, towns and villages have been
6 established, any boundary change within the county shall proceed
7 solely and exclusively in the manner provided for by sections
8 72.400 to 72.423, notwithstanding any statutory provisions to the
9 contrary concerning such boundary changes.

10 2. In any county with a charter form of government where
11 fifty or more cities, towns and villages have been established,
12 if the governing body of such county has by ordinance established
13 a boundary commission, as provided in sections 72.400 to 72.423,
14 then boundary changes in such county shall proceed only as
15 provided in sections 72.400 to 72.423.

16 3. The commission shall be composed of eleven members as
17 provided in this subsection. No member, employee or contractor
18 of the commission shall be an elective official, employee or
19 contractor of the county or of any political subdivision within
20 the county or of any organization representing political
21 subdivisions or officers or employees of political subdivisions.

1 Each of the appointing authorities described in subdivisions (1)
2 to (3) of this subsection shall appoint persons who shall be
3 residents of their respective locality so described. The
4 appointing authority making the appointments shall be:

5 (1) The chief elected officials of all municipalities
6 wholly within the county which have a population of more than
7 twenty thousand persons, who shall name two members to the
8 commission as prescribed in this subsection each of whom is a
9 resident of a municipality within the county of more than twenty
10 thousand persons;

11 (2) The chief elected officials of all municipalities
12 wholly within the county which have a population of twenty
13 thousand or less but more than ten thousand persons, who shall
14 name one member to the commission as prescribed in this
15 subsection who is a resident of a municipality within the county
16 with a population of twenty thousand or less but more than ten
17 thousand persons;

18 (3) The chief elected officials of all municipalities
19 wholly within the county which have a population of ten thousand
20 persons or less, who shall name one member to the commission as
21 prescribed in this subsection who is a resident of a municipality
22 within the county with a population of ten thousand persons or
23 less;

24 (4) An appointive body consisting of the director of the
25 county department of planning, the president of the municipal
26 league of the county, one additional person designated by the
27 county executive, and one additional person named by the board of
28 the municipal league of the county, which appointive body, acting
29 by a majority of all of its members, shall name three members of

1 the commission who are residents of the county; and

2 (5) The county executive of the county, who shall name four
3 members of the commission, three of whom shall be from the
4 unincorporated area of the county and one of whom shall be from
5 the incorporated area of the county. The seat of a commissioner
6 shall be automatically vacated when the commissioner changes his
7 or her residence so as to no longer conform to the terms of the
8 requirements of the commissioner's appointment. The commission
9 shall promptly notify the appointing authority of such change of
10 residence.

11 4. Upon the passage of an ordinance by the governing body
12 of the county establishing a boundary commission, the governing
13 body of the county shall, within ten days, send by United States
14 mail written notice of the passage of the ordinance to the chief
15 elected official of each municipality wholly or partly in the
16 county.

17 5. Each of the appointing authorities described in
18 subdivisions (1) to (4) of subsection 3 of this section shall
19 meet within thirty days of the passage of the ordinance
20 establishing the commission to compile its list of appointees.
21 Each list shall be delivered to the county executive within
22 forty-one days of the passage of such ordinance. The county
23 executive shall appoint members within forty-five days of the
24 passage of the ordinance. If a list is not submitted by the time
25 specified, the county executive shall appoint the members using
26 the criteria of subsection 3 of this section before the sixtieth
27 day from the passage of the ordinance. At the first meeting of
28 the commission appointed after the effective date of the
29 ordinance, the commissioners shall choose by lot the length of

1 their terms. Three shall serve for one year, two for two years,
2 two for three years, two for four years, and two for five years.
3 All succeeding commissioners shall serve for five years. Terms
4 shall end on December thirty-first of the respective year. No
5 commissioner shall serve more than two consecutive full terms.
6 Full terms shall include any term longer than two years.

7 6. When a member's term expires, or if a member is for any
8 reason unable to complete his term, the respective appointing
9 authority shall appoint such member's successor. Each appointing
10 authority shall act to ensure that each appointee is secured
11 accurately and in a timely manner, when a member's term expires
12 or as soon as possible when a member is unable to complete his
13 term. A member whose term has expired shall continue to serve
14 until his successor is appointed and qualified.

15 7. The commission, its employees and subcontractors shall
16 be subject to the regulation of conflicts of interest as defined
17 in sections 105.450 to 105.498 and to the requirements for open
18 meetings and records under chapter 610.

19 8. Notwithstanding any provisions of law to the contrary,
20 any boundary adjustment approved by the residential property
21 owners and the governing bodies of the affected municipalities or
22 the county, if involved, and any voluntary annexation approved by
23 municipal ordinance provided that the municipality owns the area
24 to be annexed, that the area is contiguous with the municipality,
25 and that the area is utilized only for parks and recreation
26 purposes, shall not be subject to commission review. Such a
27 boundary adjustment or annexation is not prohibited by the
28 existence of an established unincorporated area.

29 9. Any annexation of property or defined areas of

1 properties approved by a majority of property owners residing
2 thereon and by ordinance of any municipality that is a service
3 provider for both the water and sanitary sewer within the
4 municipality shall be effective as provided in the annexation
5 ordinance and shall not be subject to commission review. Such
6 annexation shall not be prohibited by the existence of an
7 established unincorporated area."; and

8 Further amend the title and enacting clause accordingly.