

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/House Bill No. 1446, Page 1, Section A, Line 4,

2 by inserting after all of said line the following:

3 "88.770. 1. The board of aldermen may provide for and

4 regulate the lighting of streets and the erection of lamp posts,

5 poles and lights therefor, and may make contracts with any

6 person, association or corporation, either private or municipal,

7 for the lighting of the streets and other public places of the

8 city with gas, electricity or otherwise, except that each initial

9 contract shall be ratified by a majority of the voters of the

10 city voting on the question and any renewal contract or extension

11 shall be subject to voter approval of the majority of the voters

12 voting on the question, pursuant to the provisions of section

13 88.251. The board of aldermen may erect, maintain and operate

14 gas works, electric light works, or light works of any other kind

15 or name, and to erect lamp posts, electric light poles, or any

16 other apparatus or appliances necessary to light the streets,

17 avenues, alleys or other public places, and to supply private

18 lights for the use of the inhabitants of the city and its

19 suburbs, and may regulate the same, and may prescribe and

20 regulate the rates to be paid by the consumers thereof, and may

21 acquire by purchase, donation or condemnation suitable grounds

1 within or without the city upon which to erect such works and the
2 right-of-way to and from such works, and also the right-of-way
3 for laying gas pipes, electric wires under or above the grounds,
4 and erecting posts and poles and such other apparatus and
5 appliances as may be necessary for the efficient operation of
6 such works. The board of aldermen may, in its discretion, grant
7 the right to any person, persons or corporation, to erect such
8 works and lay the pipe, wires, and erect the posts, poles and
9 other necessary apparatus and appliances therefor, upon such
10 terms as may be prescribed by ordinance. Such rights shall not
11 extend for a longer time than twenty years, but may be renewed
12 for another period or periods not to exceed twenty years per
13 period. Every initial grant shall be approved by a majority of
14 the voters of the municipality voting on the question, and each
15 renewal or extension of such rights shall be subject to voter
16 approval of the majority of the voters voting on the question,
17 pursuant to the provisions of section 88.251. Nothing herein
18 contained shall be so construed as to prevent the board of
19 aldermen from contracting with any person, persons or corporation
20 for furnishing the city with gas or electric lights in cities
21 where franchises have already been granted, and where gas or
22 electric light plants already exist, without a vote of the
23 people, except that the board of aldermen may sell, convey,
24 encumber, lease, abolish or otherwise dispose of any public
25 utilities owned by the city including electric light systems,
26 electric distribution systems or transmission lines, or any part
27 of the electric light systems, electric or other heat systems,
28 electric or other power systems, electric or other railways, gas
29 plants, telephone systems, telegraph systems, transportation

1 systems of any kind, waterworks, equipments and all public
2 utilities not herein enumerated and everything acquired therefor,
3 after first having passed an ordinance setting forth the terms of
4 the sale, conveyance or encumbrance and when ratified by
5 two-thirds of the voters voting on the question.

6 2. In advance of putting a proposed water or wastewater
7 system sale, or the sale of a gas plant, before voters, the board
8 of aldermen may seek an appraisal from a professional engineering
9 or certified public accounting firm with experience in utility
10 appraisals to inform voters of the system's fair market value.
11 The board may seek and provide additional reasonable analyses to
12 inform voters of such sale, including but not limited to, the
13 impact of such sale on all city funds and revenues, other city
14 services, and annexation.

15 3. The ballots shall be substantially in the following form
16 and shall indicate the property, or portion thereof, and whether
17 the same is to be sold, leased or encumbered:

18 Shall _____ (Indicate the property by stating whether
19 electric distribution system, electric transmission lines or
20 waterworks, etc.) be _____ (Indicate whether sold, leased or
21 encumbered.)?"; and

22 Further amend the title and enacting clause accordingly.