

SENATE SUBSTITUTE
FOR
HOUSE BILL NO. 1809

AN ACT

To repeal section 70.370, RSMo, and to enact in lieu thereof two new sections relating to infrastructure projects.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Section 70.370, RSMo, is repealed and two new
2 sections enacted in lieu thereof, to be known as section 70.370
3 and 226.145, to read as follows:

4 70.370. Within sixty days after this section becomes
5 effective, the governor by and with the advice and consent of the
6 senate shall appoint three commissioners to enter into a compact
7 on behalf of the state of Missouri with the state of Illinois.
8 If the senate is not in session at the time for making any
9 appointment, the governor shall make a temporary appointment as
10 in case of a vacancy. Any two of the commissioners so appointed
11 together with the attorney general of the state of Missouri may
12 act to enter into the following compact:

13 COMPACT BETWEEN MISSOURI AND ILLINOIS
14 CREATING THE BI-STATE DEVELOPMENT AGENCY
15 AND THE BI-STATE METROPOLITAN DISTRICT

16 The states of Missouri and Illinois enter into the following
17 agreement:

18 ARTICLE I

1 They agree to and pledge each to the other faithful
2 cooperation in the future planning and development of the
3 bi-state metropolitan district, holding in high trust for the
4 benefit of its people and of the nation the special blessings and
5 natural advantages thereof.

6 ARTICLE II

7 To that end the two states create a district to be known as
8 the "Bi-State Metropolitan Development District" (herein referred
9 to as "The District") which shall embrace the following
10 territory: The City of St. Louis and the counties of St. Louis
11 [and], St. Charles [and], Jefferson, and Franklin in Missouri[,]
12 and the counties of Madison, St. Clair, and Monroe in Illinois.

13 ARTICLE III

14 There is created "The Bi-State Development Agency of the
15 Missouri-Illinois Metropolitan District" (herein referred to as
16 "The Bi-State Agency") which shall be a body corporate and
17 politic. The bi-state agency shall have the following powers:

18 (1) To plan, construct, maintain, own and operate bridges,
19 tunnels, airports and terminal facilities and to plan and
20 establish policies for sewage and drainage facilities;

21 (2) To make plans for submission to the communities
22 involved for coordination of streets, highways, parkways, parking
23 areas, terminals, water supply and sewage and disposal works,
24 recreational and conservation facilities and projects, land use
25 pattern and other matters in which joint or coordinated action of
26 the communities within the areas will be generally beneficial;

27 (3) To charge and collect fees for use of the facilities
28 owned and operated by it;

1 (4) To issue bonds upon the security of the revenues to be
2 derived from such facilities; and, or upon any property held or
3 to be held by it;

4 (5) To receive for its lawful activities any contributions
5 or moneys appropriated by municipalities, counties, state or
6 other political subdivisions or agencies; or by the federal
7 government or any agency or officer thereof;

8 (6) To disburse funds for its lawful activities, and fix
9 salaries and wages of its officers and employees;

10 (7) To perform all other necessary and incidental
11 functions; and

12 (8) To exercise such additional powers as shall be
13 conferred on it by the legislature of either state concurred in
14 by the legislature of the other or by act of Congress.

15 No property now or hereafter vested in or held by either
16 state, or by any county, city, borough, village, township or
17 other political subdivision, shall be taken by the bi-state
18 agency without the authority or consent of such state, county,
19 city, borough, village, township or other political subdivision,
20 nor shall anything herein impair or invalidate in any way any
21 bonded indebtedness of such state, county, city, borough,
22 village, township or other political subdivision, nor impair the
23 provisions of law regulating the payment into sinking funds of
24 revenues derived from municipal property, or dedicating the
25 revenues derived from any municipal property to a specific
26 purpose.

27 Unless and until otherwise provided, it shall make an annual
28 report to the governor of each state, setting forth in detail the

1 operations and transactions conducted by it pursuant to this
2 agreement and any legislation thereunder.

3 Nothing contained in this compact shall impair the powers of
4 any municipality to develop or improve terminal or other
5 facilities.

6 The bi-state agency shall from time to time make plans for
7 the development of the district; and when such plans are duly
8 approved by the legislatures of the two states, they shall be
9 binding upon both states with the same force and effect as if
10 incorporated in this compact.

11 The bi-state agency may from time to time make
12 recommendations to the legislatures of the two states or to the
13 Congress of the United States, based upon study and analysis, for
14 the improvement of transportation, terminal, and other facilities
15 in the district.

16 The bi-state agency may petition any interstate commerce
17 commission (or like body), public service commission, public
18 utilities commission (or like body), or any other federal,
19 municipal, state or local authority, administrative, judicial or
20 legislative, having jurisdiction in the premises, for the
21 adoption and execution of any physical improvements, change in
22 method, rate of transportation, system of handling freight,
23 warehousing, docking, lightering, or transfer of freight, which,
24 in the opinion of the bi-state agency, may be designed to improve
25 or better the handling of commerce in and through the district,
26 or improve terminal and transportation facilities therein. It
27 may intervene in any proceeding affecting the commerce of the
28 district.

1 ARTICLE IV

2 The bi-state agency shall consist of ten commissioners, five
3 of whom shall be resident voters of the state of Missouri and
4 five of whom shall be resident voters of the state of Illinois.
5 All commissioners shall reside within the bi-state district, the
6 Missouri members to be chosen by the state of Missouri and the
7 Illinois members by the state of Illinois in the manner and for
8 the terms fixed by the legislature of each state except as herein
9 provided.

10 ARTICLE V

11 The bi-state agency shall elect from its number a chairman,
12 a vice chairman, and may appoint such officers and employees as
13 it may require for the performance of its duties, and shall fix
14 and determine their qualifications and duties.

15 Until otherwise determined by the legislatures of the two
16 states no action of the bi-state agency shall be binding unless
17 taken at a meeting at which at least three members from each
18 state are present, and unless a majority of the members from each
19 state present at such meeting shall vote in favor thereof. Each
20 state reserves the right hereafter to provide by law for the
21 exercise of the veto power by the governor thereof over any
22 action of any commissioner appointed therefrom.

23 Until otherwise determined by the action of the legislature
24 of the two states, the bi-state agency shall not incur any
25 obligations for salaries, office or other administrative
26 expenses, prior to the making of appropriations adequate to meet
27 the same.

28 The bi-state agency is hereby authorized to make suitable

1 rules and regulations not inconsistent with the constitution or
2 laws of the United States or of either state, or of any political
3 subdivision thereof, and subject to the exercise of the power of
4 Congress, for the improvement of the district, which when
5 concurred in or authorized by the legislatures of both states,
6 shall be binding and effective upon all persons and corporations
7 affected thereby.

8 The two states shall provide penalties for violations of any
9 order, rule or regulation of the bi-state agency, and for the
10 manner of enforcing same.

11 ARTICLE VI

12 The bi-state agency is authorized and directed to proceed
13 with the development of the district in accordance with the
14 articles of this compact as rapidly as may be economically
15 practicable and is vested with all necessary and appropriate
16 powers not inconsistent with the constitution or the laws of the
17 United States or of either state, to effectuate the same, except
18 the power to levy taxes or assessments.

19 It shall render such advice, suggestion and assistance to
20 all municipal officials as will permit all local and municipal
21 improvements, so far as practicable, to fit in with the plan.

22 ARTICLE VII

23 In witness thereof, we have hereunto set our hands and seals
24 under authority vested in us by law.

25 (Signed)

26 In the presence of:

27 (Signed)

28 226.145. 1. The highways and transportation commission may

1 issue bonds or other evidence of indebtedness in an amount not to
2 exceed sixty-five million dollars from fiscal year 2019 to fiscal
3 year 2022. Proceeds from the issuance of the bonds shall be
4 provided to the department of transportation to pay for the cost
5 of the engineering and construction of projects meeting the
6 requirements of subsection 2 of this section. The proceeds from
7 the bonds shall not be used to pay for administrative expenses.

8 2. Projects eligible for financing under this section
9 shall:

10 (1) Be a major road improvement with an estimated
11 construction cost of fifty million dollars or more;

12 (2) Be an improvement needed to eliminate a bottleneck, a
13 twenty minute delay or more during peak hours, that impacts the
14 distribution of goods and on-time delivery of freight;

15 (3) Be an improvement needed to reduce fatal and disabling
16 motor vehicle crashes within an area designated as a safe travel
17 zone by the department of transportation;

18 (4) Be an improvement on a Tier 1 freight corridor, as
19 designated by the department of transportation; and

20 (5) Be slated to receive not less than thirty-five percent
21 of the funds required for project completion from sources other
22 than the state road fund or general revenue.

23 3. The highways and transportation commission shall offer
24 such bonds at public sale or negotiated sale. The bonds shall be
25 for a period of not less than ten years and not more than twenty
26 years from their date of issue and shall bear interest at a rate
27 or rates not exceeding the rate permitted by law.

28 4. The proceeds of the sale or sales of any bonds issued

1 under this section shall be paid into the state road fund to be
2 expended for the purpose specified in section 226.220.