SECOND REGULAR SESSION

SENATE BILL NO. 757

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHATZ.

Pre-filed December 1, 2017, and ordered printed.

4675S.01I

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal section 70.370, RSMo, and to enact in lieu thereof one new section relating to the bi-state metropolitan development district.

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

Section A. Section 70.370, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 70.370, to read as follows:

in lieu thereof, to be known as section 70.370, to read as follows:

70.370. Within sixty days after this section becomes effective, the governor

- 2 by and with the advice and consent of the senate shall appoint three
- 3 commissioners to enter into a compact on behalf of the state of Missouri with the
- 4 state of Illinois. If the senate is not in session at the time for making any
- 5 appointment, the governor shall make a temporary appointment as in case of a
- 6 vacancy. Any two of the commissioners so appointed together with the attorney
- 7 general of the state of Missouri may act to enter into the following compact:
- 8 COMPACT BETWEEN MISSOURI AND ILLINOIS
- 9 CREATING THE BI-STATE DEVELOPMENT AGENCY
- 10 AND THE BI-STATE METROPOLITAN DISTRICT
- 11 The states of Missouri and Illinois enter into the following agreement:
- 12 ARTICLE I
- They agree to and pledge each to the other faithful cooperation in the
- 14 future planning and development of the bi-state metropolitan district, holding in
- 15 high trust for the benefit of its people and of the nation the special blessings and
- 16 natural advantages thereof.
- 17 ARTICLE II
- To that end the two states create a district to be known as the "Bi-State
- 19 Metropolitan Development District" (herein referred to as "The District") which

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

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20 shall embrace the following territory: The City of St. Louis and the counties of

St. Louis and St. Charles [and], Jefferson, and Franklin in Missouri, and the

22 counties of Madison, St. Clair, and Monroe in Illinois.

23 ARTICLE III

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

- (1) To plan, construct, maintain, own and operate bridges, tunnels, airports and terminal facilities and to plan and establish policies for sewage and drainage facilities;
- (2) To make plans for submission to the communities involved for coordination of streets, highways, parkways, parking areas, terminals, water supply and sewage and disposal works, recreational and conservation facilities and projects, land use pattern and other matters in which joint or coordinated action of the communities within the areas will be generally beneficial;
- 36 (3) To charge and collect fees for use of the facilities owned and 37 operated by it;
 - (4) To issue bonds upon the security of the revenues to be derived from such facilities; and, or upon any property held or to be held by it;
 - (5) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state or other political subdivisions or agencies; or by the federal government or any agency or officer thereof;
- 43 (6) To disburse funds for its lawful activities, and fix salaries and 44 wages of its officers and employees;
 - (7) To perform all other necessary and incidental functions; and
- 46 (8) To exercise such additional powers as shall be conferred on it by 47 the legislature of either state concurred in by the legislature of the other or by 48 act of congress.

No property now or hereafter vested in or held by either state, or by any county, city, borough, village, township or other political subdivision, shall be taken by the bi-state agency without the authority or consent of such state, county, city, borough, village, township or other political subdivision, nor shall anything herein impair or invalidate in any way any bonded indebtedness of such state, county, city, borough, village, township or other political subdivision, nor impair the provisions of law regulating the payment into sinking funds of revenues derived from municipal property, or dedicating the

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and duties.

3 57 revenues derived from any municipal property to a specific purpose. 58 Unless and until otherwise provided, it shall make an annual report to the governor of each state, setting forth in detail the operations and 59 60 transactions conducted by it pursuant to this agreement and any legislation 61 thereunder. 62 Nothing contained in this compact shall impair the powers of any municipality to develop or improve terminal or other facilities. 63 64 The bi-state agency shall from time to time make plans for the 65 development of the district; and when such plans are duly approved by the legislatures of the two states, they shall be binding upon both states with the 66 67 same force and effect as if incorporated in this compact. 68 The bi-state agency may from time to time make recommendations to the legislatures of the two states or to the Congress of the United States, 69 70 based upon study and analysis, for the improvement of transportation, 71 terminal, and other facilities in the district. 72 The bi-state agency may petition any interstate commerce commission (or like body), public service commission, public utilities commission (or like 73 body), or any other federal, municipal, state or local authority, administrative, 74judicial or legislative, having jurisdiction in the premises, for the adoption and 75 76 execution of any physical improvements, change in method, rate of 77transportation, system of handling freight, warehousing, docking, lightering, or transfer of freight, which, in the opinion of the bi-state agency, may be 79 designed to improve or better the handling of commerce in and through the 80 district, or improve terminal and transportation facilities therein. It may 81 intervene in any proceeding affecting the commerce of the district. 82 ARTICLE IV 83 The bi-state agency shall consist of ten commissioners, five of whom shall be resident voters of the state of Missouri and five of whom shall be 84 resident voters of the state of Illinois. All commissioners shall reside within 85 the bi-state district, the Missouri members to be chosen by the state of 86 Missouri and the Illinois members by the state of Illinois in the manner and 87 88 for the terms fixed by the legislature of each state except as herein provided. 89 ARTICLE V 90 The bi-state agency shall elect from its number a chairman, a vice chairman, and may appoint such officers and employees as it may require for 91

the performance of its duties, and shall fix and determine their qualifications

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

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

The bi-state agency is hereby authorized to make suitable rules and regulations not inconsistent with the constitution or laws of the United States or of either state, or of any political subdivision thereof, and subject to the exercise of the power of congress, for the improvement of the district, which when concurred in or authorized by the legislatures of both states, shall be binding and effective upon all persons and corporations affected thereby.

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

113 ARTICLE VI

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

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

123 ARTICLE VII

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

126 (Signed)

127 In the presence of:

128 (Signed)

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