

FIRST REGULAR SESSION

SENATE BILL NO. 394

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

1128S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 12.010, 12.025, 12.027, 12.030, 12.050, and 95.525, RSMo, and to enact in lieu thereof four new sections relating to the acquisition of land by the United States government.

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

Section A. Sections 12.010, 12.025, 12.027, 12.030,
2 12.050, and 95.525, RSMo, are repealed and four new sections
3 enacted in lieu thereof, to be known as sections 12.010, 12.025,
4 12.030, and 12.050, to read as follows:

12.010. [The] **Any** consent of the state of Missouri
2 [is] given in accordance with the seventeenth clause, eighth
3 Section of the first Article of the Constitution of the
4 United States to the acquisition by the United States by
5 purchase or grant of any land **or other real estate** in this
6 state acquired for the purpose of [establishing and
7 maintaining post offices, internal revenue and other
8 government offices, hospitals, sanatoriums, fish hatcheries,
9 and land for reforestation, recreational and agricultural
10 uses; but land acquired by eminent domain or condemnation
11 for the purpose of reforestation, Native American/Indian
12 gaming, recreational or agricultural uses shall only be
13 acquired with] **erection of forts, magazines, arsenals, dock**
14 **yards, and other needful buildings shall only be by**
15 **statutory authorization of the general assembly on a case-by-**
16 **case basis.** Land used exclusively for the erection of

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

17 hospitals by the United States may also be acquired by
18 condemnation, **but only upon case-by-case statutory**
19 **authorization of the general assembly. Whether acquired by**
20 **cession or condemnation, the state of Missouri saves and**
21 **reserves the right of taxation to the same extent and in the**
22 **same manner as if this cession had not been made.**

12.025. 1. Jurisdiction concurrent with that of the
2 state of Missouri in and over land which is now, or may
3 hereafter be, owned and used by the United States as an
4 honor farm in connection with the operation of a federal
5 penitentiary is hereby ceded to the United States for so
6 long as the United States shall own and so use the land.

7 2. **Management** jurisdiction concurrent with that of the
8 state of Missouri is hereby ceded to the United States
9 within the area comprising the "Ozark National Scenic
10 Riverways" for so long as this area is administered and
11 maintained by the United States.

12 3. Provided that no part of this section shall apply
13 to the White River watershed.

14 4. Provided further that no part of this section shall
15 apply to the Osage and St. Francois River watersheds.

12.030. **[The] Any** consent of the state of Missouri
2 **[is] given[,]** in accordance with the seventeenth clause,
3 eighth Section of the first Article of the Constitution of
4 the United States, to the acquisition by the United States
5 by purchase, condemnation, or otherwise, of any land in this
6 state as sites for customhouses, courthouses, post offices,
7 arsenals, forts and other needful buildings required for
8 military purposes **shall be by case-by-case statutory**
9 **authorization of the general assembly.**

12.050. **[Consent of the state of Missouri is given to**
2 **the acquisition] Land or water acquired** by the United States

3 by purchase, gift, devise or lease of such areas of land or
4 water, or of land and water in Missouri [as the United
5 States deems necessary] **prior to August 28, 2021**, for the
6 establishment of migratory-bird reservations in accordance
7 with the act of Congress approved February 18, 1929,
8 entitled "An Act to more effectively meet the obligations of
9 the United States under the migratory-bird treaty with Great
10 Britain by lessening the dangers threatening migratory game
11 birds from drainage and other causes by the acquisition of
12 areas of land and of water to furnish in perpetuity
13 reservations for the adequate protection of such birds; and
14 authorizing appropriations for the establishment of such
15 areas, their maintenance and improvement and for other
16 purposes", (16 U.S.C.A. § 715 et seq.) [reserving, however,
17 to] **shall be subject to the state of Missouri's right of**
18 **taxation to the same extent and in the same manner as if**
19 **this cession had not been made; and further saving and**
20 **reserving to the state of Missouri the right to serve**
21 **thereon any civil or criminal process issued under the**
22 **authority of the state, in any action on account of rights**
23 **acquired, obligations incurred, or crimes committed in this**
24 **state.** The state of Missouri[,] **reserves** full and complete
25 jurisdiction and authority over all such areas not
26 incompatible with the administration, maintenance,
27 protection and control thereof by the United States under
28 the terms of the act of Congress[; but acquisition and the
29 operation of any such areas are subject to the approval of
30 the state conservation commission].

2 [12.027. 1. Concurrent legislative
3 jurisdiction over crimes and offenses under the
4 laws of the state is ceded to the United States
5 over and within all the lands and lands acquired
6 after August 28, 1996, dedicated to national
park purposes in the following tracts:

- 7 (1) The George Washington Carver National
8 Monument;
9 (2) The Jefferson National Expansion
10 Memorial National Historic Site;
11 (3) The Wilson's Creek National
12 Battlefield;
13 (4) The Harry S Truman National Historic
14 Site; and
15 (5) The Ulysses S. Grant National Historic
16 Site.

17 2. The concurrent jurisdiction ceded by
18 subsection 1 of this section is vested upon
19 acceptance by the United States by and through
20 its appropriate officials and shall continue so
21 long as the lands within the designated areas
22 are dedicated to park purposes.

23 3. The governor is hereby authorized and
24 empowered to execute all proper conveyances in
25 the cession herein granted, upon request of the
26 United States by and through its appropriate
27 officials.

28 4. The state of Missouri retains
29 concurrent jurisdiction, both civil and
30 criminal, with the United States over all lands
31 affected by the provisions of this section.]

 [95.525. The consent of the state of
2 Missouri is hereby fully given to the
3 acquisition by the United States or any
4 qualified authority thereof, by purchase, grant
5 or condemnation, of any lands or improvements
6 thereon, in any of the cities to which sections
7 95.510 to 95.525 are applicable, for the purpose
8 of establishing, improving in any manner, and
9 maintaining any national park or plaza of the
10 character described.]

✓