

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 825

93RD GENERAL ASSEMBLY
2006

4113L.07T

AN ACT

To amend chapter 70, RSMo, by adding thereto seven new sections relating to the Kansas and Missouri Regional Investment District Compact.

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

Section A. Chapter 70, RSMo, is amended by adding thereto seven new sections, to be known as sections 70.515, 70.520, 70.525, 70.530, 70.535, 70.540, and 70.545, to read as follows:

70.515. The Regional Investment District Compact is hereby enacted into law and entered into by the state of Missouri with the state of Kansas legally joining therein, in the form substantially as follows:

KANSAS AND MISSOURI REGIONAL INVESTMENT DISTRICT COMPACT

I. AGREEMENT AND PLEDGE

The states of Kansas and Missouri agree to and pledge, each to the other, faithful cooperation in the support of regional programs and initiatives to benefit and serve the Kansas City metropolitan area, holding in high trust for the benefit of the people and of the nation, the special blessings and natural advantages thereof.

II. POLICY AND PURPOSE

The states of Kansas and Missouri desire, by common action, to provide support for regional programs and initiatives that will produce significant benefit to the Kansas City metropolitan area, with the goal of making more efficient use of resources through inter-jurisdictional

18 cooperation on strategic regional programs and initiatives involving
19 public transit.

20 **III. DEFINITIONS**

21 A. "Commission" means the governing body of the Kansas and
22 Missouri Regional Investment District.

23 B. "District" means the Kansas and Missouri Regional Investment
24 District.

25 C. "Kansas and Missouri Regional Investment District" or
26 "District" means a political subdivision of the states of Kansas and
27 Missouri, which is created by this Compact and which is composed of
28 those Kansas and Missouri counties, cities and other political
29 subdivisions that are now or hereafter shall become parties to the
30 Articles of Agreement executed on January 1, 1972, and thereafter
31 amended, which geographic area covered by those political
32 subdivisions is therein designated as the Mid-America Regional
33 Planning Area.

34 D. "Mid-America Regional Council or MARC" means the body
35 corporate and politic created by the Articles of Agreement, originally
36 executed on January 1, 1972, and as thereafter amended, which therein
37 assumed all the rights, duties and obligations of the Mid-America
38 Council of Governments and the Metropolitan Planning Commission –
39 Kansas City Region.

40 E. "Oversight Committee or Committee" means a body or bodies
41 appointed by the Commission for a Regional Program that shall be
42 constituted as set forth in Article IX of this Compact and that shall
43 have the powers set forth in Article X of this Compact.

44 F. "Program Plan" means a plan developed for a proposed ballot
45 question by the Commission, as required by Article VI, Section C of this
46 Compact, that describes a Regional Program and provides for the
47 appropriation and use of moneys derived from the sales tax authorized
48 by this Compact in support of that Regional Program.

49 G. "Public Transit System" or "Transit System" means, without
50 limitation, a regional system of public transit, consisting of property,
51 structures, improvements, vehicles, potentially including, but not
52 limited to, vans, buses, bus rapid transit, commuter rail, and other
53 fixed guideways, equipment, software, telecommunications networks,
54 plants, parking or other facilities, transit centers, stops, park-n-ride

55 lots, transit related surface transportation improvements and
56 rights-of-way used or useful for the purposes of public transit, which
57 provides significant regional benefit, and the acquisition, construction,
58 reconstruction, repair, maintenance, administration and operations
59 thereof and similar activities related thereto, whether operated by one
60 or multiple entities.

61 H. "Regional Program" means a program involving a Public
62 Transit System.

63 IV. DISTRICT

64 A. Upon this Compact being entered into law by the Legislatures
65 of the respective states, the Regional Investment District is created and
66 shall include Buchanan County, Missouri, and all the geographic area
67 within the jurisdictional limits of those Kansas and Missouri counties
68 that are parties to the Articles of Agreement executed on January 1,
69 1972, and thereafter amended, which area is designated as the
70 Mid-America Regional Planning Area, and currently includes the
71 following counties:

72 Clay County, Missouri	Wyandotte County, Kansas
73 Platte County, Missouri	Johnson County, Kansas
74 Jackson County, Missouri	Leavenworth County, Kansas
75 Cass County, Missouri	
76 Ray County, Missouri	

77 B. The District automatically shall be expanded to include
78 Kansas and Missouri cities, counties and other political subdivisions
79 that hereafter shall become parties to the Articles of Agreement
80 executed on January 1, 1972, and thereafter amended, upon the
81 execution of the Articles of Agreement by the governing body of such
82 political subdivisions.

83 V. THE COMMISSION

84 A. The District shall be governed by the Commission, which shall
85 be a body corporate and politic and shall be composed of voting
86 members of MARC, as that Council is constituted from time to time and
87 which is also known as the Board of Directors and may include an
88 elected chief official from Buchanan County appointed by its chief
89 official. All of the members of the Commission shall be elected officials
90 from the jurisdiction that appointed them as voting members of MARC's
91 Board of Directors.

92 **B. The terms of the members of the Commission shall expire**
93 **concurrently with the member's tenure as an elected official of a**
94 **jurisdiction that is a party to MARC's Articles of Agreement. If a**
95 **jurisdiction that is a party to MARC's Articles of Agreement appoints**
96 **a different member of its governing body to MARC, that newly**
97 **appointed individual shall assume the position of the member**
98 **replaced. Each member shall serve until that member's replacement**
99 **has been sworn in as an elected official.**

100 **C. The Commission shall begin functioning immediately upon**
101 **creation of the District, as provided for in Article IV, Section A hereof.**

102 **D. The Commission shall select annually, from its membership,**
103 **a chairperson, a vice chairperson, and a treasurer. The treasurer shall**
104 **be bonded in the amounts the Commission may require.**

105 **E. The Commission may appoint the officers, agents, and**
106 **employees, as it may require for the performance of the Commission's**
107 **duties, and shall determine the qualifications and duties and fix the**
108 **compensation of those officers, agents and employees.**

109 **F. The Commission shall fix the time and place at which its**
110 **meetings shall be held. Meetings shall be held within the District and**
111 **shall be open to the public. Public notice shall be given of all meetings**
112 **of the Commission.**

113 **G. A majority of the Commissioners from each state shall**
114 **constitute, in the aggregate, a quorum for the transaction of business.**
115 **No action of the Commission shall be binding unless taken at a meeting**
116 **at which at least a quorum is present, and unless a majority of the**
117 **Commissioners from each state, present at the meeting, shall vote in**
118 **favor thereof. No action of the Commission taken at a meeting thereof**
119 **shall be binding unless the subject of the action is included in a written**
120 **agenda for the meeting, the agenda and notice of meeting having been**
121 **provided to each Commissioner at least seven calendar days prior to**
122 **the meeting.**

123 **H. The Commissioners from each state shall each be subject to**
124 **the provisions of the laws of either the State of Kansas or the State of**
125 **Missouri (depending upon the Commissioner's state of residence)**
126 **relating to conflicts of interest of public officers and employees. If any**
127 **Commissioner has a direct or indirect financial interest in any facility,**
128 **service provider, organization or activity supported by the District or**

129 Commission or in any other business transaction of the District or
130 Commission, the Commissioner shall disclose that interest in writing
131 to the other Commissioners and shall abstain from voting on any matter
132 in relation to that facility, organization or activity or to that business
133 transaction.

134 I. If any action at law or equity, or other legal proceeding, shall
135 be brought against any Commissioner for any act or omission arising
136 out of the performance of their duties as a Commissioner, the
137 Commissioner shall be indemnified in whole and held harmless by the
138 Commission for any judgment or decree entered against the
139 Commissioner and, further, shall be defended at the cost and expense
140 of the Commission in any resulting proceeding.

141 J. Each member of the Commission shall serve as a member of
142 the Commission without compensation for that service, except for
143 payment of their actual and reasonably necessary expenses, as provided
144 by Article VIII, Section A, 1.

145 VI. POWERS AND DUTIES OF THE COMMISSION

146 A. The Commission, formally the governing body of the District,
147 shall primarily function as the planning and administrative arm for the
148 District. The Commission shall: undertake community planning to
149 identify regional programs and initiatives that will produce significant
150 benefit to the Kansas City metropolitan area; fully develop the specifics
151 regarding existing regional programs and initiatives and those newly
152 identified regional programs and initiatives; prepare a Program Plan
153 for regional programs and initiatives in consultation with local officials
154 and the public; prepare ballot questions for programs and initiatives
155 that the Commission determines could appropriately be supported by
156 the sales tax authorized by this Compact; and assist an appointed
157 Oversight Committee when requested by the Oversight Committee in
158 the implementation of any Regional Program approved by District
159 qualified electors in accordance with the terms of this Compact.

160 B. The Commission shall adopt a seal and suitable bylaws
161 governing its management, procedure and effective operation.

162 C. The Commission shall develop a Program Plan for a Regional
163 Program that it determines could appropriately be supported by the
164 sales tax authorized by the Compact, which Program Plan shall
165 generally describe the Regional Program and provide for the

166 appropriation and use of moneys in support of that Regional Program
167 only for the Eligible Uses set forth in Article VIII of this Compact. A
168 Program Plan shall also designate:

169 1. the counties or county in which a majority of the qualified
170 electors voting on the ballot question must cast an affirmative vote
171 before the sales tax may be imposed by any individual county for uses
172 in accordance with the Program Plan;

173 2. the duration of the sales tax imposed in support of the
174 Regional Program, which may be described in terms of the number of
175 years the tax shall be imposed, a maximum number of dollars that may
176 be raised by the sales tax imposed or any other reasonable means of
177 establishing the duration of the sales tax; provided that the sales tax
178 shall not extend beyond the fifteen (15) years following the date of the
179 first receipt by the county treasurer of revenue from the sales tax
180 imposed to support the Regional Program unless renewed by the
181 qualified electors of that county prior to its expiration; and

182 3. the composition of the Oversight Committee to be appointed
183 by the Commission for that Regional Program, which composition shall
184 be consistent with Article IX, Section A of this Compact.

185 D. The Commission, subject to the requirements of Article VII,
186 Section C, shall set the date or dates by which the election shall be held
187 pursuant to this Compact and shall recommend those counties or
188 county which shall hold a vote on the ballot question prepared by the
189 Commission for that Regional Program.

190 E. For each election to be held pursuant to this Compact, the
191 Commission shall prepare and submit a ballot question to the
192 governing body of each county within the District. Each such question
193 shall be in the form set forth in Article VII, Section D of this Compact.

194 F. The Commission may prepare additional ballot language
195 generally describing a Regional Program and the use and allocation of
196 the sales tax proposed to be imposed for the support of a Regional
197 Program, and shall submit that additional language to each county
198 within the District. If additional ballot language is so submitted by the
199 Commission, and a county governing body decides to place the ballot
200 question before the qualified electors of that county, the additional
201 ballot language shall be placed on the subject ballot by that governing
202 body.

203 **G. When a majority of the qualified electors in the county or**
204 **counties designated in the Program Plan for that Regional Program as**
205 **one of those counties that must cast an affirmative vote on the ballot**
206 **question before the sales tax may be imposed, have cast an affirmative**
207 **vote, the Commission shall, in accordance with Article IX, Section A of**
208 **this Compact, appoint an Oversight Committee for that Program Plan.**

209 **H. The Commission shall have the power to contract and to be**
210 **contracted with and to sue and to be sued.**

211 **I. The Commission, when it deems it necessary and when**
212 **requested to do so by an Oversight Committee, shall interpret and/or**
213 **provide guidance and further details on a Program Plan to assist in the**
214 **oversight of the appropriation and use of moneys by the Oversight**
215 **Committee for that Program Plan.**

216 **J. In accordance with written guidelines adopted by the**
217 **Commission, which guidelines shall be consistent with the Program**
218 **Plans required by Article VI, Section C, the Commission may receive or**
219 **provide donations, contributions, and grants or other support, financial**
220 **or otherwise, from public or private entities, for Program Plans and the**
221 **Eligible Uses set forth in Article VIII of this Compact.**

222 **K. The Commission shall execute those contracts and agreements**
223 **as an Oversight Committee shall direct to implement the Program Plan**
224 **developed for an approved Regional Program, provided that, the**
225 **Commission determines each contract is consistent with the Program**
226 **Plan.**

227 **L. The Commission may appoint advisory committees to provide**
228 **input, consultation, guidance and assistance to the Commission on**
229 **matters and issues related to any purposes for which the District and**
230 **the Commission are hereby created.**

231 **M. The Commission may form whatever partnerships,**
232 **associations, joint ventures or other affiliations, formal or otherwise,**
233 **as it deems appropriate and that are in furtherance of the purposes for**
234 **which the District and the Commission are created.**

235 **N. The Commission may utilize assistance from any**
236 **governmental or non-governmental entity, as it shall determine**
237 **appropriate, in the form of personnel, technical expertise or other**
238 **resources, to further the policies, purposes and goals of the District, as**
239 **stated in Article II of this Compact.**

240 **O. The Commission shall cause to be prepared annually a report**
241 **on the operations and transactions conducted by the Commission**
242 **during the preceding year. The report shall be an open record**
243 **submitted to the legislatures and governors of the compacting states**
244 **and to the governing bodies of the jurisdictions that are then a party**
245 **to MARC's Articles of Agreement and of Buchanan County, Missouri, on**
246 **or before March 15th of each calendar year, commencing on March 15th**
247 **of the year following the year in which the certification described in**
248 **Article IV, Section B hereof occurs. The Commission shall take those**
249 **actions as are reasonably required to make this report readily available**
250 **to the public.**

251 **P. The Commission shall have the power to apply to the Congress**
252 **of the United States for its consent and approval of this Compact, if it**
253 **is determined by the Commission that this consent is appropriate. In**
254 **the absence of the consent of the Congress and until consent is secured,**
255 **if that consent is determined appropriate, this Compact is binding upon**
256 **the states of Missouri and Kansas in all respects permitted by law of**
257 **the two states.**

258 **Q. The Commission shall have the power to perform all other**
259 **necessary and incidental functions and duties and to exercise all other**
260 **necessary and appropriate powers, not inconsistent with other**
261 **provisions of this Compact or the constitution or laws of the United**
262 **States or of either of the states of Kansas or Missouri, that it deems**
263 **appropriate to effectuate the purposes for which this District and the**
264 **Commission are created.**

265 **VII. BALLOT QUESTIONS**

266 **A. The Commission, as required by Article VI, Section C, shall**
267 **develop Program Plans for Regional Programs to be submitted to the**
268 **qualified electors within the District. A Program Plan developed by the**
269 **Commission shall be available to the public for review and comment in**
270 **advance of dates set by the Commission for submission of a ballot**
271 **question to the electors in the District.**

272 **B. The governing body of each county in the District shall**
273 **determine whether the provision of financial support for a Regional**
274 **Program is in the best interests of the citizens of the county and**
275 **whether the levy of a sales tax to provide, on a cooperative basis with**
276 **another county or other counties, for financial support of the Regional**

277 Program would be economically practicable and cost beneficial to the
 278 citizens of the county and the District. Each governing body that
 279 makes an affirmative determination with respect hereto shall adopt a
 280 resolution evidencing that determination and authorizing a vote of its
 281 citizens on the ballot question for the Regional Program, by a
 282 two-thirds (2/3) majority vote of the members elect of the governing
 283 body.

284 C. Upon adoption of a resolution pursuant to Section B of this
 285 Article, the governing body of that county, promptly after adoption of
 286 the resolution, shall request the county election commissioner to
 287 submit the ballot question for that Regional Program to the qualified
 288 electors of that county. Each such ballot question shall be printed on
 289 the ballot and in the notice of election. Each ballot question shall be
 290 submitted to the qualified electors of that county at the primary or
 291 general election next following the date the request was filed with the
 292 county election officer.

293 D. The ballot for the proposition in each county shall be in
 294 substantially the following form:

295 Shall a sales tax (insert amount, not to exceed one-half
 296 cent) be levied and collected in County for the
 297 support of a Regional Program that will produce significant benefit
 298 within the Kansas and Missouri Regional Investment District, with such
 299 tax to extend no longer than(insert years not to exceed
 300 fifteen) years following the first receipt by the county treasurer of
 301 revenue from such tax?

302 YES NO

303 E. The governing body of each of the counties that requested
 304 their county election commissioner submit the ballot question to its
 305 qualified electors also shall provide their respective county election
 306 officers with copies of any additional language prepared by the
 307 Commission, pursuant to Article VI, Section F, which additional
 308 language shall be included by each such county on the ballot.

309 F. The question of whether a sales tax for the support of a
 310 Regional Program involving a Public Transit System shall be imposed
 311 shall be submitted to qualified electors at the first election to be held
 312 on Regional Programs, pursuant to this Compact.

313 **G. The governing body of any county in the District that does not**
314 **pass the resolution contemplated by Section B of this Article in time to**
315 **cause the placement of the ballot question before the qualified electors**
316 **of that county at the first election or any subsequent election to be held**
317 **on Regional Programs, pursuant to this Compact, may adopt that**
318 **resolution at any time thereafter, and that ballot question shall be**
319 **provided to the election commissioner of that county and submitted to**
320 **the qualified electors of the county at the next primary or general**
321 **election, in accordance with Section C of this Article.**

322 **H. In each county where a majority of the qualified electors**
323 **voting in an election shall have cast an affirmative vote on a ballot**
324 **question, that ballot question shall be approved.**

325 **I. If a ballot question is submitted to the qualified electors of a**
326 **county in the District, and the ballot question is not approved in that**
327 **county, following defeat of the ballot question, the governing body of**
328 **that county or counties may renew procedures to levy the sales tax in**
329 **support of that Regional Program. A defeat of a ballot question in any**
330 **county shall not affect the approval of that ballot question in any other**
331 **county, which approval shall continue to have effect.**

332 **J. No county in the District shall levy a sales tax specified herein**
333 **until the qualified electors in all the counties designated by the**
334 **Commission in the Program Plan for the subject Regional Program, as**
335 **those that must approve the sales tax, have approved the levy of the**
336 **sales tax to support the Program Plan for that Regional Program.**

337 **K. With respect to the first election to be held on Regional**
338 **Programs pursuant to this Compact, no sales tax shall be levied by any**
339 **county which has adopted the resolution contemplated by Section B**
340 **and has submitted the ballot question to the qualified voters of that**
341 **county pursuant to Section C of this Article, unless and until a majority**
342 **of the qualified electors of at least Johnson and Wyandotte Counties,**
343 **Kansas, and Jackson County, Missouri, has approved the levy of a sales**
344 **tax for the Regional Program involving a Public Transit System.**

345 **L. When, but only when, the electors in all of the counties**
346 **designated by the Commission in the Program Plan for the Regional**
347 **Program, as those that must approve the sales tax, have approved that**
348 **ballot question, the governing body of each county that has approved**
349 **that ballot question, at the first available opportunity, shall take all**

350 required actions to begin levying this tax.

351 M. Any of the counties that have elected by a vote of its electors
352 to levy a sales tax authorized by this Compact may cease to levy this
353 sales tax upon the majority vote of the qualified electors of the county
354 on a ballot question submitted to qualified electors asking if that
355 county should cease to levy this sales tax. This vote shall take place in
356 the same manner provided in this section for levying this sales tax;
357 provided that, no vote to cease to levy this sales tax shall take place in
358 any county on a date earlier than a date that is five years from the date
359 that county approved this sales tax. Provided further, in no event shall
360 any county cease to levy this sales tax until that county has entered
361 into a written agreement with the Commission, which agreement shall
362 provide for the terms of cessation, and shall specifically provide: (1) a
363 means to ensure that the county pays a fair share of the outstanding
364 obligations incurred by the District in furtherance of its established
365 purposes; and (2) for the ongoing operations and maintenance or the
366 termination of any facilities or services established in the county with
367 support provided by the Commission. The governing body of a county
368 that has decided by this vote to cease to levy this sales tax shall send
369 formal written notice thereof to each of the other counties comprising
370 the District. In no event, shall the county cease to levy the sales tax
371 earlier than ninety days after this notice has been sent. If any county
372 in the District decides to cease levying the sales tax, the status of the
373 District as a political subdivision of the states of Kansas and Missouri
374 shall be unaltered and that county shall continue to have the
375 representation on the Commission, as set forth in Article V of this
376 Compact.

377 VIII. ELIGIBLE USES OF FUNDS

378 A. The Commission shall only budget and authorize the
379 appropriation of monies for the following eligible purposes:

380 1. the actual and reasonably necessary expenses of the
381 Commission and Oversight Committee, including, but not limited to,
382 staff personnel, auditors, budget and financial consultation, legal
383 assistance, administrative, operational, planning and engineering
384 consultation and marketing, as well as for the actual and reasonably
385 necessary expenses of individual Commission and Committee members
386 that are incurred in the performance of their official duties; provided

387 that, the Commission, in each fiscal year, shall not appropriate, for this
388 purpose, any monies in excess of an amount that is equal to one percent
389 of the funds appropriated to the Commission in that fiscal year by all
390 of the counties imposing this sales tax; and

391 2. the support of voter approved Regional Programs within the
392 District;

393 3. only pursuant to a contract with bodies corporate and politic,
394 political subdivisions of the states of Missouri or Kansas and/or local
395 units of government in the states of Missouri or Kansas, provided,
396 however, the Commission may, in its discretion, require that entities
397 contracted with shall procure a set percentage of Public Transit System
398 services from third party contractors on a competitive basis; and

399 4. only in support of a Regional Program in counties that have
400 voted affirmatively to impose a sales tax in support of that Regional
401 Program.

402 B. The aggregate amount of sales taxes imposed by any county
403 within the District, pursuant to the authority granted in this Compact,
404 shall not exceed one-half cent.

405 IX. THE OVERSIGHT COMMITTEE

406 A. An Oversight Committee shall be appointed by the
407 Commission for a Regional Program, as provided for in Article VI,
408 Section G hereof. An Oversight Committee shall be composed of elected
409 officials of jurisdictions that are within a county where a majority of
410 the qualified electors voting on the ballot question have cast an
411 affirmative vote on the imposition of a sales tax to support the subject
412 Regional Program. An Oversight Committee shall be composed of the
413 elected officials designated in the Program Plan for the Regional
414 Program. An Oversight Committee shall include a minimum of one
415 elected representative from each county that approves that ballot
416 question and elected representatives from both cities and counties and
417 each representative shall be approved by the chief elected official of
418 the county or city from which they are elected. If the Program Plan
419 describes a Regional Program that serves both Missouri and Kansas,
420 the Oversight Committee shall be composed of an equal number of
421 elected representatives from each state. In such instances, no action
422 of the Commission shall be binding unless taken at a meeting at which
423 at least a quorum is present, and unless a majority of the

424 Commissioners from each state, present at the meeting, shall vote in
425 favor thereof. The number of individuals comprising the Oversight
426 Committee shall be in the sole discretion of the Commission.

427 B. An Oversight Committee shall be appointed within forty-five
428 days of certification that the ballot question has been approved by the
429 last of the counties designated by the Commission in the Program Plan
430 for the Regional Plan, pursuant to Article VI, Section C,1 hereof, to so
431 certify and shall begin functioning immediately upon its appointment
432 by the Commission. If, pursuant to Article VII, Section K, additional
433 counties within the District shall approve the ballot question, the
434 Commission shall appoint a minimum of one additional representative
435 from each such county to the Oversight Committee.

436 C. An appointed Oversight Committee shall fix the time and
437 place at which its meetings shall be held. Meetings shall be held at a
438 location in a county that has approved the imposition of the sales tax
439 to support the Program Plan for the subject Regional Program and
440 shall be open to the public. Public notice shall be given of all meetings
441 of the Committee.

442 D. The Committee members shall each be subject to the
443 provisions of the laws of either the State of Kansas or the State of
444 Missouri (depending upon the Committee member's state of residence)
445 that relate to conflicts of interest of public officers and employees. If
446 any Committee member has a direct or indirect financial interest in
447 any facility, service provider, organization or activity supported by the
448 District or Commission or in any other business transaction of the
449 District or Commission, the Committee member shall disclose that
450 interest in writing to the members of the Commission and to the other
451 members of the Committee and shall abstain from voting on any matter
452 in relation to that facility, organization or activity or to that business
453 transaction with respect to which that Committee member has the
454 interest.

455 E. If any action at law or equity, or other legal proceeding, shall
456 be brought against any Committee member for any act or omission
457 arising out of the performance of duties as a Committee member, the
458 Committee member shall be indemnified in whole and held harmless by
459 the Commission for any judgment or decree entered against the
460 Committee member and, further, shall be defended at the cost and

461 **expense of the Commission in any resulting proceeding.**

462 **F. The Oversight Committee for a Regional Program shall**
463 **terminate on the date when all of the moneys derived from the sales tax**
464 **imposed by any or all counties in the District to support the Program**
465 **Plan for that Regional Program and which have been credited to the**
466 **Regional Investment Fund have been expended.**

467 **X. POWERS AND DUTIES OF THE OVERSIGHT COMMITTEE**

468 **A. The Oversight Committee for an approved Regional Program**
469 **is charged with the oversight of the appropriation and use of moneys**
470 **generated from the sales taxes and credited to the Regional Investment**
471 **Fund. These moneys shall be appropriated only for the Eligible Uses**
472 **set forth in Article VIII of this Compact.**

473 **B. An Oversight Committee shall only provide support for and**
474 **allocate and appropriate monies for programs, services and facilities**
475 **that are consistent with the voter approved Program Plan developed by**
476 **the Commission and only for programs, services and facilities in**
477 **counties that have approved the imposition of a sales tax in support of**
478 **the Regional Program. If the Committee is uncertain or has any**
479 **question about whether a specific appropriation of moneys or support**
480 **activity is consistent with the Program Plan developed by the**
481 **Commission, it shall seek a determination on that question from the**
482 **Commission.**

483 **C. An Oversight Committee, as appropriate, shall direct that the**
484 **Commission execute those contracts and agreements necessary or**
485 **desirable to implement the Program Plan developed by the Commission.**

486 **D. An Oversight Committee shall adopt suitable bylaws**
487 **governing its management, procedure and its effective operations.**

488 **E. An Oversight Committee shall provide the information that**
489 **the Commission shall require to allow the Commission to prepare**
490 **annually a report on the operations and transactions conducted by the**
491 **Commission during the preceding year relating to the approved**
492 **Regional Programs. This information shall include an annual financial**
493 **statement prepared in accordance with General Accepted Accounting**
494 **Principles (GAAP). The Oversight Committee for a Public Transit**
495 **Service Regional Program shall also provide a report on operational**
496 **statistics, including statistics on the ridership of the Public Transit**
497 **System funded with sales tax revenues resulting from the authority**

498 granted by this Compact, comparing ridership in the then current fiscal
499 year to ridership in the three fiscal years next preceding.

500 **XI. FINANCE**

501 **A. The moneys necessary to finance the operation of the District,**
502 **implement the voter approved Program Plans and execute the powers,**
503 **duties and responsibilities of the Commission shall be appropriated to**
504 **the Commission by the counties comprising the District, which, in**
505 **accordance with Article VII, Section J of the Compact, have approved**
506 **the ballot question for the subject Regional Program. The moneys to**
507 **be appropriated to the Commission, in addition to the sales tax**
508 **authorized by this Compact, may be raised by the governing bodies of**
509 **the respective counties by the levy of taxes, fees, charges or any other**
510 **revenue, as authorized by those counties or cities in those counties or**
511 **by the legislatures of the respective party states, provided nothing**
512 **herein shall require either state to make appropriations for any**
513 **purpose.**

514 **B. Neither the Commission nor any Oversight Committee shall**
515 **incur any indebtedness of any kind; nor shall they pledge the credit of**
516 **MARC or any jurisdiction that is party to MARC's Articles of Agreement**
517 **or either of the states party to this Compact, except as specifically**
518 **authorized by this Compact. The budget of the District shall be**
519 **prepared, adopted and published, as provided by law, for other political**
520 **subdivisions of the party states.**

521 **C. The Commission and an Oversight Committee shall keep**
522 **accurate accounts of all receipts and disbursements. The receipts and**
523 **disbursements of the Commission shall be audited yearly by a certified**
524 **or licensed public accountant and the report of the audit shall be**
525 **included in and become a part of the annual report of the Commission.**

526 **D. The accounts of the Commission shall be open at any**
527 **reasonable time for inspection by duly authorized representatives of**
528 **the compacting states, the counties comprising the District, and other**
529 **persons authorized by the Commission.**

530 **XII. ENTRY INTO FORCE**

531 **A. This Compact shall enter into force and become effective and**
532 **binding upon the states of Kansas and Missouri when it has been**
533 **entered into law by the legislatures of the respective states.**

534 **B. Amendments to the Compact shall become effective upon**

535 enactment by the legislatures of the respective states.

536 **XIII. TERMINATION**

537 **A. The Compact shall continue in force and remain binding upon**
538 **a party state until its legislature shall have enacted a statute repealing**
539 **the same and providing for the sending of formal written notice of**
540 **enactment of that statute to the legislature of the other party**
541 **state. Upon enactment of that statute by the legislature of either party**
542 **state, the sending of notice thereof to the other party and payment of**
543 **any obligations that the Commission may have incurred prior to the**
544 **effective date of that statute, the agreement of the party states**
545 **embodied in the Compact shall be deemed fully executed, the Compact**
546 **shall be null and void and of no further force or effect, the District**
547 **shall be dissolved, and the Commission shall be abolished. If any**
548 **monies remain in the Regional Investment Fund upon dissolution of**
549 **this Compact, the Commission may distribute these monies to an entity**
550 **or organization selected by the Commission to be used to support**
551 **purposes for which the District is hereby created, as stated in Article**
552 **II of this Compact.**

553 **XIV. CONSTRUCTION AND SEVERABILITY**

554 **A. The provisions of this Compact shall be liberally construed**
555 **and shall be severable. If any phrase, clause, sentence or provision of**
556 **this Compact is declared to be contrary to the constitutions of either**
557 **of the party states or of the United States or the applicability thereof**
558 **to any government, agency, person or circumstance is held invalid, the**
559 **validity of the remainder of this Compact and the applicability thereof**
560 **to any government, agency, person or circumstance shall not be**
561 **affected thereby. If this Compact shall be held contrary to the**
562 **constitution of either party state hereto, the Compact shall thereby be**
563 **nullified and voided and of no further force or effect.**

70.520. The regional investment district created under section
2 **70.515 shall be considered to be a special district under the provisions**
3 **of sections 115.001 to 115.641, RSMo.**

70.525. The provisions of sections 537.600 to 537.650, RSMo, shall
2 **apply to the regional investment district and to the Missouri members**
3 **of the regional investment district commission established in section**
4 **70.515.**

70.530. Missouri members of the regional investment district

2 commission, appointed under section 70.515, shall be reimbursed for
3 actual and necessary expenses incurred in the performance of their
4 official duties.

70.535. 1. The governing body of any county that has been
2 authorized by a majority of the electors of the county to levy and
3 collect a tax for the purpose of contributing to the financial support of
4 the district, authorized by article IV of the compact enacted in section
5 70.515, shall adopt a resolution imposing a countywide sales tax and
6 pledging the revenues received therefrom for the purpose of
7 contributing to the financial support of the district, with respect to a
8 countywide sales tax authorized by the compact enacted by section
9 70.515. The rate of this tax shall be fixed at an amount of not more
10 than one-half percent in the aggregate. Any county levying a
11 countywide sales tax under the authority of this section is hereby
12 prohibited from administering or collecting the tax locally, but shall
13 utilize the services of the state department of revenue to administer,
14 enforce and collect the tax. The sales tax shall be administered,
15 enforced and collected in the same manner and by the same procedure
16 as other countywide sales taxes are levied and collected and shall be in
17 addition to any other sales tax authorized by law. Except as modified
18 in this section, all provisions of sections 32.085 and 32.087, RSMo, shall
19 apply to the tax imposed under this section. Upon receipt of a certified
20 copy of a resolution authorizing the levy of a countywide sales tax
21 under this section, the director of the department of revenue shall
22 cause this tax to be collected at the same time and in the same manner
23 provided for the collection of the state sales tax. All moneys derived
24 from the countywide sales tax imposed under the authority of the
25 compact enacted in section 70.515 and collected under the provisions
26 of this section by the director of revenue shall be credited to the
27 "Regional Investment Fund", which is hereby established in the state
28 treasury. Any refund due on any countywide sales tax collected under
29 this section shall be paid out of the sales tax refund fund and
30 reimbursed by the director of revenue from the sales tax revenue
31 collected under this section. All countywide sales tax revenue derived
32 from the authority granted by the compact enacted in section 70.515
33 and collected within any county, under this section, shall be remitted
34 at least quarterly by the director of revenue to the treasurer of that

35 county.

36 2. All revenue received by any county treasurer from a
37 countywide sales tax imposed under the authority of the compact
38 enacted in section 70.515 and under this section shall be appropriated
39 by the county to the Kansas and Missouri regional investment district
40 commission within sixty days of receipt of the funds by the county for
41 expenditure by the commission pursuant to, and in accordance with,
42 the provisions of the Kansas and Missouri regional investment district
43 compact, enacted in section 70.515. Any countywide sales tax imposed
44 under this section shall expire upon the date determined in accordance
45 with the program plan for the regional program that is the subject of
46 the ballot question approved by the qualified electors of such county
47 for that subject regional program; provided that, no sales tax shall be
48 levied for a period of more than fifteen years from the date of the first
49 receipt by the county treasurer of revenue from that sales tax unless
50 renewed by the qualified electors of that county prior to its expiration,
51 or on the date of actual withdrawal of the county from the district or
52 upon compliance by the county with the provisions of Article IV,
53 Section J, or at any time the Kansas and Missouri regional investment
54 district compact becomes null and void and of no further force or
55 effect. If any revenue remains upon nullification and avoidance of the
56 Kansas and Missouri regional investment district compact, under
57 section 70.515, the director of revenue shall authorize the state
58 treasurer to remit the balance in the account to the county and close
59 the account of that county.

60 3. Notwithstanding the provisions of section 33.080, RSMo, to the
61 contrary, money in the Kansas and Missouri regional investment
62 district sales tax fund shall not be transferred and placed to the credit
63 of general revenue at the end of the biennium.

64 4. Notwithstanding the provisions of section 99.845, RSMo, to the
65 contrary, the revenues from the countywide sales taxes imposed by
66 counties under the authority of the compact enacted in section 70.515
67 and pursuant hereto shall not be allocated to and paid by the state
68 department of revenue to any special allocation fund established by any
69 municipality under sections 99.800 to 99.865, RSMo, the real property
70 tax increment oversight redevelopment statutes.

70.540. The provisions of sections 70.515 to 70.540 shall expire

2 upon nullification and voidance of the regional investment district
3 compact, under the compact enacted in section 70.515.

70.545. If the state of Kansas has not authorized the compact as
2 outlined in section 70.515 by July 1, 2007, any Missouri county in the
3 district and the district, commission, and an oversight committee shall
4 have all the powers and duties and may operate as set forth in sections
5 70.515 to 70.545.

✓
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