

FIRST REGULAR SESSION

SENATE BILL NO. 519

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EMERY.

Read 1st time March 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2221S.011

AN ACT

To repeal sections 12.010, 12.025, 12.027, 12.030, 12.050, 95.525, and 95.527, RSMo, and to enact in lieu thereof five 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, 12.050, 95.525, and
2 95.527, RSMo, are repealed and five new sections enacted in lieu thereof, to be
3 known as sections 12.010, 12.025, 12.030, 12.050, and 95.527, to read as follows:

12.010. [The] **Any** consent of the state of Missouri [is] given in
2 accordance with the seventeenth clause, eighth Section of the first Article of the
3 Constitution of the United States to the acquisition by the United States by
4 purchase or grant of any land in this state acquired for the purpose of
5 [establishing and maintaining post offices, internal revenue and other
6 government offices, hospitals, sanatoriums, fish hatcheries, and land for
7 reforestation, recreational and agricultural uses; but land acquired by eminent
8 domain or condemnation for the purpose of reforestation, Native American/Indian
9 gaming, recreational or agricultural uses shall only be acquired with] **erection**
10 **of forts, magazines, arsenals, dock-yards, and other needful buildings**
11 **shall only be by** statutory authorization of the general assembly. Land used
12 exclusively for the erection of hospitals by the United States may also be acquired
13 by condemnation, **but only by statutory authorization of the general**
14 **assembly. The state of Missouri saves and reserves the right of taxation**
15 **to the same extent and in the same manner as if any acquisition had**
16 **not been made.**

12.025. 1. Jurisdiction concurrent with that of the state of Missouri in

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

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

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

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

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

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

12.050. [Consent of the state of Missouri is given to the acquisition] **Land**
2 **or water acquired** by the United States by purchase, gift, devise or lease of
3 such areas of land or water, or of land and water in Missouri [as the United
4 States deems necessary] **prior to August 28, 2017** for the establishment of
5 migratory-bird reservations in accordance with the act of Congress approved
6 February 18, 1929, entitled "An Act to more effectively meet the obligations of the
7 United States under the migratory-bird treaty with Great Britain by lessening
8 the dangers threatening migratory game birds from drainage and other causes by
9 the acquisition of areas of land and of water to furnish in perpetuity reservations
10 for the adequate protection of such birds; and authorizing appropriations for the
11 establishment of such areas, their maintenance and improvement and for other
12 purposes", (16 U.S.C.A. § 715 et seq.) [reserving, however, to] **shall be subject**
13 **to the state of Missouri's right of taxation to the same extent and in the**
14 **same manner as if this acquisition had not been made; and further**
15 **saving and reserving to the state of Missouri the right to serve thereon**
16 **any civil or criminal process issued under the authority of the state, in**
17 **any action on account of rights acquired, obligations incurred, or**

18 **crimes committed in this state.** The state of Missouri[,] **reserves** full and
19 complete jurisdiction and authority over all such areas not incompatible with the
20 administration, maintenance, protection and control thereof by the United States
21 under the terms of the act of Congress[; but acquisition and the operation of any
22 such areas are subject to the approval of the state conservation commission].

95.527. 1. Any city having a population of four hundred thousand
2 inhabitants or more may borrow money and issue bonds in an amount not to
3 exceed one million five hundred thousand dollars for the purpose of providing
4 funds to supplement the funds authorized by sections 95.510 to [95.525]
5 **95.520.** Any additional funds authorized hereunder shall be expended as
6 provided by ordinance, and the ordinance shall provide the extent, if any, to
7 which any expenditure shall be conditioned upon the expenditures of additional
8 funds for improvements to be made by the United States.

2. The submission of the question may be ordered by ordinance without
10 a petition therefor, and all bonds issued under the provisions of this section are
11 subject to all limitations, terms and provisions of law applicable to the issuance
12 and sale of general obligation bonds of the city.

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

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

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

3. The governor is hereby authorized and empowered to
17 execute all proper conveyances in the cession herein granted, upon
18 request of the United States by and through its appropriate
19 officials.

20 4. The state of Missouri retains concurrent jurisdiction,
21 both civil and criminal, with the United States over all lands
22 affected by the provisions of this section.]

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

Unofficial



Bill

Copy