

HCS HB 2187 -- LANDS ACQUIRED THROUGH SETTLEMENTS

SPONSOR: Ross

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Conservation and Natural Resources by a vote of 10 to 2. Voted "Do Pass with HCS" by the Select Committee on Agriculture by a vote of 9 to 2.

This substitute requires the Department of Natural Resources and all other state departments, agencies, or entities to sell at public auction any property interest to land in Oregon County purchased on or before August 28, 2016 through legal settlement funds administered by the Department of Natural Resources. If there is no purchaser, the property will revert to the ownership of Oregon county government. Any condition, restrictions, dedication, covenant, or other encumbrance conveyed with the property is null and void and a new covenant appurtenant is included in the land conveyance stating that the land can not be sold to, leased, or otherwise controlled by a state or federal agency. The substitute also specifies how the proceeds of the sale must be used.

After August 28, 2016, the bill also prohibits the department and all other state departments, agencies, or entities from purchasing property interest in Oregon County. Any taxpayer in the state has standing to enforce these requirements and will be entitled to reasonable attorney's fees.

This section expires on August 28, 2017.

The state or any of its departments, agencies or entities is prohibited from acquiring or receiving property with restrictions, covenants, or encumbrances, which have not been approved by the General Assembly.

This bill is the same as HB 1782 (2016).

PROPOSERS: Supporters say that the Department of Natural Resources used legal settlement funds to purchase land for a state park miles away from the region affected by the environmental damage that lead to the settlement. Supporters also say that the department was not forth coming with its intentions regarding purchasing land in the area and did not hold a reasonable public comment period. Residents of Oregon County do not want a state park built in the area and believe that the land should stay as productive farm land.

Testifying for the bill were Representative Ross; Congressman Jason Smith; Missouri Cattlemens Association; Patrick Ledgerwood; Mike

Dethrow; and Steve Cookson.

OPPONENTS: Those who oppose the bill say that the land the department purchased in Oregon County has natural resource value for the purpose of compensating Missourians for the resources lost due to lead mining. The state park will also draw people from across the country due to the natural beauty of the Eleven Point River.

Testifying against the bill were Susan Flader, Missouri Parks Association, and Carolyn Amparan, Sierra Club Of Missouri.

OTHERS: Others testifying on the bill say that in the legal settlement, the Natural Resources Trustees were awarded \$40 million for restoration and EPA was awarded \$80 million for remediation. The trustee council is currently waiting on EPA to finalize its remediation plan before the council can begin primary restoration projects in the affected area.

Testifying on the bill was the Department Of Natural Resources.