

HCS SCS SB 754 -- EXHIBITION CENTER AND RECREATIONAL FACILITY DISTRICTS

SPONSOR: Vogel (Luetkemeyer)

COMMITTEE ACTION: Voted "do pass" by the Committee on Tourism and Cultural Affairs by a vote of 18 to 0.

This substitute creates the Exhibition Center and Recreational Facility District Act which allows residents of Buchanan, Camden, Cole, Jasper, Jefferson, Miller, Morgan, Newton, and Wright counties to request, by petition, that an exhibition center and recreational facility district be created. The substitute requires that at least 50 property owners sign the petition. The petition must include the name and address of each petitioner and the location of their property; a specific description of the boundaries of the proposed district, including a map; and the name of the proposed district.

The substitute states that the governing body of each county included in the district can approve the creation of the district by resolution.

The substitute creates a board of trustees to administer the district and all revenue received by the district. The board will consist of four individuals from each county approving the district. The substitute explains how the trustees will be selected and the powers of the board.

The substitute allows the district to submit to voters within the district a sales tax of up to one-quarter of 1%. The revenue from this tax will be deposited into the Exhibition Center and Recreational Facility District Sales Tax Trust Fund, established by the substitute, and will fund the exhibition center and recreational facilities. Extensions of the sales tax cannot be for more than 25 years.

The substitute also authorizes St. Charles County to establish a theater, cultural arts, and entertainment district to be funded by a sales tax of up to one-half of 1%. It establishes minimum criteria for the formation of the district, including land area and petition requirements.

The district will be controlled by a board of directors, the number of which must be specified in the petition. The board has various powers, including the power to issue bonds.

Public meetings regarding the formation of the district must be held before the governing body of the county can put the proposal to a vote of the people. If the governing body of the county

approves a resolution to establish the district, a vote is authorized. After it is approved, the district will be formalized by an ordinance from the governing body.

The substitute allows for subdistricts within the district that can oppose the creation of the district and be excluded from the sales tax. The substitute establishes a procedure for forming a governing body for a subdistrict.

If there are no registered voters in a subdistrict, one or more property owners who collectively own one or more parcels of real estate comprising at least a majority of the land situated in the proposed subdistrict can file a petition with the circuit court requesting the creation of a theater, cultural arts, and entertainment district. The circuit clerk of the county in which the petition is filed will present the petition to the judge, who will set the petition for hearing. The substitute contains ballot language for the formation and possible dissolution of the subdistrict. In the event that a subdistrict is dissolved, the substitute contains provisions to govern the dissolution.

The sales tax will be collected by the municipality and placed into a special trust fund for the purposes of the district.

FISCAL NOTE: Estimated Effect on General Revenue Fund of a cost of \$0 or Unknown in FY 2005, an income of \$0 or Unknown in FY 2006, and an income of \$0 or Unknown in FY 2007. This proposal is permissive and requires voter approval. No impact on Other State Funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say the bill is needed because of the economic benefits and the improved quality of life it will bring to their community.

Testifying for the bill were Senator Vogel; Don Welch; Whittaker Builders Association; Tri-County Lodging Association; and Lake of the Ozarks Convention and Business Bureau.

OPPOSERS: There was no opposition voiced to the committee.

Robert Triplett, Legislative Analyst