

FIRST REGULAR SESSION

HOUSE BILL NO. 490

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DAUS (Sponsor), HENKE, BOWMAN, SMITH (14), YOUNG, KUESSNER, MEADOWS, SCHLOTTACH, MUNZLINGER, BLACK AND THRELKELD (Co-sponsors).

Read 1st time February 9, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1433L.011

AN ACT

To amend chapter 227, RSMo, by adding thereto one new section relating to memorial highway designations.

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

Section A. Chapter 227, RSMo, is amended by adding thereto one new section, to be
2 known as section 227.365, to read as follows:

**227.365. 1. An organization that seeks a memorial highway designation to honor
2 an event, place, or person who has been deceased for more than two years shall petition the
3 department of revenue by submitting the following:**

4 **(1) An application in a form prescribed by the director, describing the segment of
5 highway for which designation is sought and the proposed name of the relevant portion of
6 highway. The application shall include the name of at least one current member of the
7 general assembly who will sponsor the highway designation. The application may contain
8 written testimony for support of the memorial highway designation;**

9 **(2) Each application submitted under this section shall be accompanied by a list of
10 at least two hundred signatures of individuals who support the naming of the highway for
11 each mile of highway designation requested;**

12 **(3) A deposit of four hundred dollars per sign proposed to designate the memorial
13 highway, with the funds to be used for construction of each sign;**

14 **(4) A deposit of one thousand dollars per sign proposed, with the funds to be used**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 to maintain each sign; and

16 (5) All moneys received by the department of revenue, for the construction and
17 maintenance of memorial highway signs shall be deposited in the state treasury to the
18 credit of the "Department of Revenue Memorial Highway Sign Fund" which is hereby
19 created. The state treasurer shall be custodian of the fund and shall make disbursements
20 from the fund requested by the Missouri director of revenue for personal services,
21 expenses, and equipment required to construct and maintain signs erected in accordance
22 with the provisions of this section.

23 2. At the end of each state fiscal year, the director of revenue shall:

24 (1) Determine the amount of all moneys deposited into the department of revenue
25 memorial highway sign fund;

26 (2) Determine the amount of disbursements from the department of revenue
27 memorial highway sign fund which were made to construct and maintain the signs; and

28 (3) Subtract the amount of disbursements from the income figure referred to in
29 subdivision (1) of this subsection and deliver this figure to the state treasurer.

30 3. The state treasurer shall transfer an amount of money equal to the figure
31 provided by the director of revenue from the department of revenue memorial highway
32 sign fund to the state highway department fund. An unexpended balance in the
33 department of revenue memorial highway sign fund at the end of the biennium not
34 exceeding twenty-five thousand dollars shall be exempt from the provisions of section
35 33.080, RSMo, relating to transfer of unexpended balances to the general revenue fund.

36 4. The documents and fees required under this section shall be submitted to the
37 department of revenue by July first prior to the next regular session of the general
38 assembly to be approved or denied by the joint committee on transportation oversight
39 during that legislative session.

40 5. The department of revenue shall give notice of any proposed memorial highway
41 designation in a manner reasonably calculated to advise the public of such proposal.
42 Reasonable notice shall include posting the proposal for the highway designation on the
43 department's official public web site, and making available copies of the highway sign
44 designation application to any representative of the news media or public upon request and
45 posting the application on a bulletin board or other prominent public place which is easily
46 accessible to the public and clearly designated for that purpose at the principal office.

47 6. Adequate notice conforming with all the requirements of subsection 5 of this
48 section shall be given not less than four weeks, exclusive of weekends and holidays when
49 the facility is closed, after the submission of the application by the organization to the
50 department of revenue. Written or electronic testimony in support or opposition of the

51 **proposed highway designation shall be submitted to the department of revenue by**
52 **November thirtieth of the year of filing of the original proposal. All written testimony shall**
53 **contain the printed name, signature, address, phone number, and e-mail address, if**
54 **applicable, of the individual giving the testimony.**

55 **7. The department of revenue shall submit for approval all applications for**
56 **memorial highway designation to the joint committee on transportation oversight during**
57 **a regular session of the general assembly for approval.**

58 **8. If the memorial highway designation requested by the organization is not**
59 **approved by the joint committee on transportation oversight, ninety-seven percent of the**
60 **application fee shall be refunded to the requesting organization.**

61 **9. If the memorial designation requested by the organization is approved by the**
62 **joint committee on transportation oversight, the department shall begin construction on**
63 **the memorial highway designation sign or signs within one year after approval of the**
64 **designation by the joint committee.**

65 **10. All memorial highway designations made under the provisions of this section**
66 **shall sunset ten years from the date the highway designation is approved by the joint**
67 **committee on transportation oversight.**