

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

HOUSE BILL NO. 250

95TH GENERAL ASSEMBLY

0210S.06T

2009

AN ACT

To repeal section 278.070, RSMo, and to enact in lieu thereof two new sections relating to use of land, with an emergency clause for a certain section.

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

Section A. Section 278.070, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 8.890 and 278.070, to read as follows:

8.890. Access to public land owned, managed, or funded by the state of Missouri for horse and mule use shall not be denied on trails and roads that are currently designated by the state as land upon which horses or mules can be ridden, except that access can be denied where conditions are not suitable because of public safety concerns, necessary maintenance, or for reasons related to the mission of the agency that owns or manages the land so long as a written statement is posted at the trailhead stating the cause and estimated duration of the closure. Nothing in this section shall cause horses or mules to be excluded from inclusion in the development of new trails on Missouri public lands.

278.070. As used in sections 278.060 to 278.300, the following words and terms mean:

(1) "Board of soil and water district supervisors" or "soil and water supervisors", the local governing body of a soil and water district, elected or appointed in accordance with the provisions of this law;

(2) "Land representative", the owner or representative authorized by power of attorney of any farm lying within any area proposed to be established, and subsequently established, as

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.

7 a soil and water district under the provisions of this law, and for the purposes of [this law]
8 **sections 278.060 to 278.155** each such farm shall be entitled to representation by a land
9 representative; provided, however, that any land representative must be a taxpayer of the county
10 within which the soil and water district is located;

11 (3) "Landowner", any person, firm or corporation who holds title to any lands lying
12 within a district organized or to be organized under the provisions of this chapter. Any
13 landowner may be represented by notarized proxy not more than one year old;

14 (4) "Soil and water conservation cost-share program", a state-funded incentive program
15 designed for the purpose of saving the soil **and protecting the water resources** of the state
16 [through erosion control and abatement] **to preserve the productive power of Missouri**
17 **agricultural land**;

18 (5) "Soil and water conservation district" or "soil and water district", a county or one or
19 more of its townships wherein a project for saving the soil and water has been established with
20 the authority and duty and subject to the restrictions herein set forth; and in establishing a soil
21 and water district, if the proposed area is less than the area of the county which contains it, but
22 greater than the area of one township, the additional township or townships to be included in
23 such soil and water district need not be contiguous with the first township or with one another,
24 but there shall be only one soil and water district within the boundaries of the same county; and
25 any farm intersected by a soil and water district boundary shall be considered as lying within that
26 district for purposes of soil and water conservation by that district, except that the soil and water
27 conservation of a farm which lies partly within one soil and water district and partly within
28 another shall be considered the duty of the soil and water district in which the home buildings
29 of such farm are located;

30 (6) "State soil and water districts commission" or "soil and water commission", the
31 agency created by section 278.080 for the administration of the soil and water conservation
32 districts provided for by [this law] **sections 278.060 to 278.155**;

33 (7) "Subdistrict", "watershed", or "watershed district", as used in sections 278.160 to
34 278.300, a watershed district, with the exception of section 278.160, whereby subdistrict is
35 specifically used to describe the relationship to an established soil and water conservation district
36 or districts that may be established as a watershed district;

37 (8) "Township", municipal township and not congressional or survey township.

Section B. Because of the need to preserve the productive power of Missouri agricultural
2 land, the repeal and reenactment of section 278.070 of this act is deemed necessary for the
3 immediate preservation of the public health, welfare, peace and safety, and is hereby declared

4 to be an emergency act within the meaning of the constitution, and the repeal and reenactment
5 of section 278.070 of this act shall be in full force and effect upon its passage and approval.

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