

SECOND REGULAR SESSION

HOUSE BILL NO. 2634

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BERRY.

6519H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 393.170, RSMo, and to enact in lieu thereof two new sections relating to wind energy.

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

Section A. Section 393.170, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 393.170 and 393.1800, to read as follows:

393.170. 1. No gas corporation, electrical corporation, water corporation or sewer corporation shall begin construction of a gas plant, electric plant, water system or sewer system without first having obtained the permission and approval of the commission.

2. No such corporation shall exercise any right or privilege under any franchise hereafter granted, or under any franchise heretofore granted but not heretofore actually exercised, or the exercise of which shall have been suspended for more than one year, without first having obtained the permission and approval of the commission. Before such certificate shall be issued a certified copy of the charter of such corporation shall be filed in the office of the commission, together with a verified statement of the president and secretary of the corporation, showing that it has received the required consent of the proper municipal authorities.

3. The commission shall have the power to grant the permission and approval herein specified whenever it shall after due hearing determine that such construction or such exercise of the right, privilege or franchise is necessary or convenient for the public service. The commission may by its order impose such condition or conditions as it may deem reasonable and necessary. Unless exercised within a period of two years from the grant thereof, authority conferred by such certificate of convenience and necessity issued by the commission shall be null and void.

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.

18 **4. The commission shall not grant permission and approval for the construction of**
19 **wind energy generation facilities until the Missouri wind energy task force established**
20 **under section 393.1800 has issued its report to the general assembly.**

393.1800. 1. There is hereby established the "Missouri Wind Energy Task Force".

2 **2. The task force's primary purpose shall be to study both the positive and negative**
3 **effects that wind energy has on this state, its people, and its resources.**

4 **3. The task force shall consist of the following members:**

5 **(1) Five members of the house of representatives, with three members to be**
6 **appointed by the speaker of the house of representatives, one of whom is a member of the**
7 **utilities committee, one of whom is a member of the agriculture policy committee, and one**
8 **of whom is a member of the conservation and natural resources committee, and two**
9 **members to be appointed by the minority leader of the house of representatives, both of**
10 **whom are members of the utilities committee, the agriculture policy committee, or the**
11 **conservation and natural resources committee;**

12 **(2) Five members of the senate, with three members to be appointed by the**
13 **president pro tempore of the senate, at least one of whom is a member of the agriculture,**
14 **food production and outdoor resources committee; and two members to be appointed by**
15 **the minority leader of the senate, at least one of whom is a member of the agriculture, food**
16 **production and outdoor resources committee;**

17 **(3) The governor or his or her designee;**

18 **(4) The director of the department of natural resources or his or her designee;**

19 **(5) The director of the department of economic development or his or her designee;**

20 **and**

21 **(6) The director of the department of agriculture or his or her designee.**

22 **4. The speaker of the house of representatives shall appoint a chair of the task force**
23 **and the president pro tempore of the senate shall appoint a vice chair.**

24 **5. The staffs of house research, senate research, and the joint committee on**
25 **legislative research shall provide such legal, research, clerical, technical, and bill drafting**
26 **services as the task force may require in the performance of its duties.**

27 **6. The task force, its members, and any staff assigned to the task force shall receive**
28 **reimbursement for actual and necessary expenses incurred in attending meetings of the**
29 **task force or any subcommittee thereof.**

30 **7. The task force shall meet within two months from adoption of this resolution.**

31 **8. The task force shall report a summary of its activities and any recommendations**
32 **for legislation to the General Assembly by January 1, 2019.**

33 **9. The task force is authorized to function during the legislative interim of both the**
34 **second regular session of the Ninety-ninth General Assembly and the first regular session**
35 **of the One Hundredth General Assembly.**

36 **10. The task force shall terminate on January 1, 2020.**

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