

HOUSE AMENDMENT NO. _____
TO
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Offered By

1 AMEND House Amendment No. _____ to House Committee Substitute for Senate Substitute for Senate
2 Committee Substitute for Senate Bill No. 291, Page 1, Line 2, by inserting after the number "291," the
3 following:

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5 "Page 3, Section 57.280, Line 52, by inserting after said section and line the following:
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7 "88.770. 1. The board of aldermen may provide for and regulate the lighting of streets and the
8 erection of lamp posts, poles and lights therefor, and may make contracts with any person, association or
9 corporation, either private or municipal, for the lighting of the streets and other public places of the city with
10 gas, electricity or otherwise, except that each initial contract shall be ratified by a majority of the voters of the
11 city voting on the question and any renewal contract or extension shall be subject to voter approval of the
12 majority of the voters voting on the question, pursuant to the provisions of section 88.251. The board of
13 aldermen may erect, maintain and operate gas works, electric light works, or light works of any other kind or
14 name, and to erect lamp posts, electric light poles, or any other apparatus or appliances necessary to light the
15 streets, avenues, alleys or other public places, and to supply private lights for the use of the inhabitants of the
16 city and its suburbs, and may regulate the same, and may prescribe and regulate the rates to be paid by the
17 consumers thereof, and may acquire by purchase, donation or condemnation suitable grounds within or
18 without the city upon which to erect such works and the right-of-way to and from such works, and also the
19 right-of-way for laying gas pipes, electric wires under or above the grounds, and erecting posts and poles and
20 such other apparatus and appliances as may be necessary for the efficient operation of such works. The board
21 of aldermen may, in its discretion, grant the right to any person, persons or corporation, to erect such works
22 and lay the pipe, wires, and erect the posts, poles and other necessary apparatus and appliances therefor, upon
23 such terms as may be prescribed by ordinance. Such rights shall not extend for a longer time than twenty
24 years, but may be renewed for another period or periods not to exceed twenty years per period. Every initial
25 grant shall be approved by a majority of the voters of the municipality voting on the question, and each
26 renewal or extension of such rights shall be subject to voter approval of the majority of the voters voting on
27 the question, pursuant to the provisions of section 88.251. Nothing herein contained shall be so construed as
28 to prevent the board of aldermen from contracting with any person, persons or corporation for furnishing the
29 city with gas or electric lights in cities where franchises have already been granted, and where gas or electric
30 light plants already exist, without a vote of the people, except that the board of aldermen may sell, convey,
31 encumber, lease, abolish or otherwise dispose of any public utilities owned by the city including electric light
32 systems, electric distribution systems or transmission lines, or any part of the electric light systems, electric or
33 other heat systems, electric or other power systems, electric or other railways, gas plants, telephone systems,
34 telegraph systems, transportation systems of any kind, waterworks, equipments and all public utilities not
35 herein enumerated and everything acquired therefor, after first having passed an ordinance setting forth the
36 terms of the sale, conveyance or encumbrance and when ratified by two-thirds of the voters voting on the
37 question, except for the sale of a water or wastewater system, or the sale of a gas plant, which shall be
38 authorized by a simple majority vote of the voters voting on the question. In the event of the proposed sale of

Action Taken _____ Date _____

1 a water or wastewater system, or a gas plant, the board of alderman shall hold a public meeting on such
 2 proposed sale at least thirty days prior to the vote. The municipality in question shall notify its customers of
 3 the informational meeting through radio, television, newspaper, regular mail, electronic mail, or any
 4 combination of notification methods to most effectively notify customers at least fifteen days prior to the
 5 informational meeting. In advance of putting a proposed sale of a water or wastewater system, or a gas plant
 6 before the voters, the board of aldermen may seek an appraisal as set forth in subsections 3 and 4 of section
 7 393.320. The board may also seek and provide additional reasonable analyses to inform voters of such sale,
 8 including but not limited to, the impact of such sale on all city funds and revenues, other city services, and
 9 annexation. Nothing in this section shall be so construed as to discourage the board of aldermen from
 10 seeking multiple bids when considering the disposal of a water or wastewater system or a gas plant by sale.

11 2. The board of aldermen's determination of the fair market value of a water or wastewater system or
 12 a gas plant for the purposes of this section shall not be dispositive of the price of a water or wastewater
 13 system, or a gas plant, which may be subject to negotiation by the board of aldermen.

14 3. The board of aldermen may consider alternatives to disposing of a water or wastewater system, or
 15 a gas plant by sale, including entering into a finance agreement, purchase agreement, management agreement,
 16 or lease agreement with another entity.

17 4. The board of aldermen may make available on its internet site, if such internet site exists, at least
 18 forty-five days prior to submitting a proposal for election pursuant to this section, a copy of the appraisal or
 19 additional reasonable analyses under subsection 1 of this section and the fair market value of a water or
 20 wastewater system or a gas plant. Such information may also be posted in the building where the board of
 21 aldermen has its monthly meetings.

22 5. The board of aldermen may make a good-faith effort to notify each property owner of the city and
 23 each ratepayer of a water or wastewater system or a gas plant of the proposal to dispose of the water or
 24 wastewater system, or a gas plant, by sale through radio, television, newspaper, regular mail, electronic mail,
 25 or any combination of such notification methods. Such notice may also include instructions for locating a
 26 summary of the proposal and a summary of any appraisal and analyses as under subsection 1 of this section
 27 on the board of aldermen's internet site, if such internet site exists. In the event the board of aldermen does
 28 not have an internet site, the notice may inform the recipient that written copies of such information may be
 29 made available at the building where the board of aldermen has its monthly meetings.

30 6. Nothing in this section shall be construed as a violation of section 115.646, relating to the use of
 31 public funds to advocate, support, or oppose the ballot measure prescribed in subsection 7 of this section.

32 7. The ballots shall be substantially in the following form and shall indicate the property, or portion
 33 thereof, and whether the same is to be sold, leased or encumbered:

34 Shall _____ (Indicate the property by stating whether electric distribution system, electric
 35 transmission lines or waterworks, etc.) be _____ (Indicate whether sold, leased or encumbered.)?"; and

36
 37 Further amend said bill,"; and"; and

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 39 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

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 41 THIS AMENDS AMENDMENT 1139H10.52H.