

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 698

99TH GENERAL ASSEMBLY

1480H.03P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 253.040, RSMo, and to enact in lieu thereof two new sections relating to maintaining Missouri state parks.

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

Section A. Section 253.040, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 253.040 and 253.148, to read as follows:

253.040. 1. The department of natural resources is hereby authorized to accept or acquire by purchase, lease, donation, agreement or eminent domain, any lands, or rights in lands, sites, objects or facilities which in its opinion should be held, preserved, improved and maintained for park or parkway purposes; **provided that, prior to establishing a new state park or expanding any existing state park by more than ten percent of its current acreage, except for lands acquired by donation or gift, all current state parks shall be properly maintained, brought up-to-date, and in good working order, including that no current state park shall have deferred maintenance. The department shall update existing park facilities in order to comply with current standards for such facilities or shall construct new facilities if the cost of such updates are deemed unreasonably expensive.** The department of natural resources is authorized to improve, maintain, operate and regulate any such lands, sites, objects or facilities when such action would promote the park program and the general welfare. The department of natural resources is further authorized to accept gifts, bequests or contributions of money or other real or personal property to be expended for any of the purposes of sections 253.010 to 253.100; except that any contributions of money to the department of natural resources shall be deposited with the state treasurer to the credit of the state park earnings

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.

17 fund and expended upon authorization of the department of natural resources for the purposes
18 of sections 253.010 to 253.100 and for no other purposes.

19 2. In the event the right of eminent domain be exercised, it shall be exercised in the same
20 manner as now or hereafter provided for the exercise of eminent domain by the state highways
21 and transportation commission.

22 **3. Any land, or right in lands, sites, objects, or facilities accepted or acquired by the**
23 **department by donation or gift shall not be modified, improved, or added on to using state**
24 **or department funds prior to all current state parks meeting the requirements of**
25 **subsection 1 of this section unless the department must repair or modify the lands, sites,**
26 **objects, or facilities to protect public health, safety, or welfare.**

27 **4. For the purposes of this section, “deferred maintenance” means maintenance and**
28 **repairs that were not performed when necessary or when scheduled and were delayed due**
29 **to cost or budget constraints.**

253.148. The department of natural resources shall submit a report to the general
2 **assembly by January 1, 2018, and annually thereafter regarding maintenance and**
3 **construction at state parks and historic sites including, but not limited to, a detailed list of**
4 **all maintenance and construction projects that have been completed at all state parks and**
5 **historic sites in the previous twelve months, the amount and source of funding for each**
6 **individual completed project, an aggregate total for all completed projects, and a detailed**
7 **list of planned maintenance and construction projects for the upcoming twelve months.**
8 **The report shall also list in detail any planned project that was listed in any prior report**
9 **that was not completed and provide an explanation for failure to complete the project, the**
10 **amount of revenue generated by each state park and historic site averaged over the two**
11 **previous fiscal years, the amount of revenue generated by all state parks and historic sites**
12 **averaged over the two previous fiscal years, and the operating expenditures at each state**
13 **park and historic site averaged over the two previous fiscal years.**

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