

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1044

## 100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WOOD.

2202H.01P

DANA RADEMAN MILLER, ChiefClerk

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### AN ACT

To amend chapters 67 and 253, RSMo, by adding thereto two new sections relating to creation of parks.

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

Section A. Chapters 67 and 253, RSMo, are amended by adding thereto two new sections, to be known as sections 67.920 and 253.177, to read as follows:

**67.920. Notwithstanding any other law to the contrary, no political subdivision shall use eminent domain or condemnation proceedings to acquire property for a recreational use including, but not limited to, a park or trail.**

**253.177. 1. There is hereby created in the state treasury the "Rock Island Trail State Park Endowment Fund". The fund shall be administered by the department of natural resources. Any grant, gift, donation, devise, or bequest of moneys, funds, real or personal property, or other assets to the department of natural resources for the operation, maintenance, development, or security of any portion of the former Chicago, Rock Island, and Pacific Railroad corridor located east of milepost 215.325 shall be deposited with the state treasurer to the credit of the fund. All income, interest, rights, or rent earned through the operation of the fund shall also be credited to the fund.**

**2. The Rock Island Trail State Park endowment fund shall be used by the department of natural resources for the purpose of operating, maintaining, developing, and securing any portion of the former Chicago, Rock Island, and Pacific Railroad corridor located east of milepost 215.325 that is owned, leased, or operated by the department of**

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.

13 natural resources and for no other purpose. Any funds previously deposited into the state  
14 park earnings fund created in section 253.090 for such purpose are hereby transferred into  
15 the Rock Island Trail State Park endowment fund.

16 3. The state treasurer shall be the custodian of all moneys, bonds, securities,  
17 interests, and rights therein deposited in the state treasury to the credit of the Rock Island  
18 Trail State Park endowment fund and shall invest the moneys in the fund in a manner as  
19 provided by law.

20 4. Funds from the Rock Island Trail State Park endowment fund shall be expended,  
21 refunded, or transferred only upon appropriation by the general assembly.  
22 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining  
23 in the fund at the end of the biennium shall not revert to the credit of the general revenue  
24 fund.

25 5. If the United States Surface Transportation Board vacates the Notice of Interim  
26 Trail Use (NITU) issued in a decision served on February 26, 2015, in docket number AB-  
27 1068 (Sub-No. 3X), any moneys in the fund may be refunded to the individuals or entities  
28 that have made contributions to the fund or may be transferred to a new trail sponsor or  
29 other entity that has accepted responsibility for management of any portion of the former  
30 Chicago, Rock Island, and Pacific Railroad corridor located east of milepost 215.325 as a  
31 public recreational trail under a new NITU subject to the National Trails System Act, 16  
32 U.S.C. Section 1241, et seq.

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