

SUPPLEMENT
MESSAGES FROM THE GOVERNOR
(Received after May 30, 2010)

EXECUTIVE OFFICE
State of Missouri
Room 216
State Capitol
Jefferson City 65101

July 12, 2010

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 578 entitled:

AN ACT

To repeal sections 68.025, 68.035, 68.040, and 68.070, RSMo, and to enact in lieu thereof nineteen new sections relating to port authorities.

On July 12, 2010, I approved Senate Substitute for Senate Bill No. 578.

Senate Substitute for Senate Bill No. 578 allows a port authority to establish a port improvement district within its boundaries for the purpose of funding qualified project costs associated with an approved port improvement project.

Funding for a qualified project would come from either a district wide sales and use tax or a property tax levied upon real property located within the district – and only with voter approval. Senate Substitute for Senate Bill No. 578 contains an inaccurate statutory reference that is relevant to the real property provision. Section 68.235.1, RSMo, provides that a property tax resolution shall not be "final nor shall it take effect until the qualified voters approve, by mail-in ballot election conducted in accordance with section 68.255..."(emphasis added). The underlined reference should have been to section 68.250, RSMo. This incorrect reference is of sufficient substantive significance that a port authority will be unable to pursue a property tax resolution until the provision is corrected. Nevertheless, I am approving Senate Substitute for Senate Bill No. 578 because it will allow port authorities to establish port improvement districts and seek voter approval to fund qualified projects through the sales and use tax provision. That provides port authorities sufficient opportunity – subject to voter approval – to spur economic development and warrants the approval of this legislation.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor