

**KANSAS AND MISSOURI
REGIONAL INVESTMENT DISTRICT COMPACT**

70.515 Compact between Kansas and Missouri – creation and powers of district – effective, when –

The Regional Investment District Compact is hereby enacted into law and entered into by the state of Missouri with the state of Kansas legally joining therein, in the form substantially as follows:

**KANSAS AND MISSOURI
REGIONAL INVESTMENT DISTRICT COMPACT**

I. AGREEMENT AND PLEDGE

The states of Kansas and Missouri agree to and pledge, each to the other, faithful cooperation in the support of regional programs and initiatives to benefit and serve the Kansas City metropolitan area, holding in high trust for the benefit of the people and of the nation, the special blessings and natural advantages thereof.

II. POLICY AND PURPOSE

The states of Kansas and Missouri desire, by common action, to provide support for regional programs and initiatives that will produce significant benefit to the Kansas City metropolitan area, with the goal of making more efficient use of resources through inter-jurisdictional cooperation on strategic regional initiatives; promoting regionally interconnected infrastructure and programs, including public transit; improving the metropolitan area quality of life; providing for a cleaner and more healthy regional environment, and enhancing the economic development efforts of counties and cities within the Kansas City metropolitan area and region.

Accordingly, the states of Kansas and Missouri hereby declare that it is the policy of each state to realize these desires on a basis of cooperation with one another and that the purpose of this Compact is to provide a mechanism to secure and coordinate support for regional programs and initiatives that will produce significant benefit to the Kansas City metropolitan area.

III. DEFINITIONS

- A. "Commission" means the governing body of the Kansas and Missouri Regional Investment District.
- B. "District" means the Kansas and Missouri Regional Investment District.
- C. "Kansas and Missouri Regional Investment District" or "District" means a political subdivision of the states of Kansas and Missouri, which is created by this Compact and which is composed of those Kansas and Missouri counties, cities

and other political subdivisions that are now or hereafter shall become parties to the Articles of Agreement executed on January 1, 1972, and thereafter amended, which geographic area covered by those political subdivisions is therein designated as the Mid-America Regional Planning Area.

- D. "Mid-America Regional Council or MARC" means the body corporate and politic created by the Articles of Agreement, originally executed on January 1, 1972, and as thereafter amended, which therein assumed all the rights, duties and obligations of the Mid-America Council of Governments and the Metropolitan Planning Commission – Kansas City Region.
- E. "Oversight Committee or Committee" means a body or bodies appointed by the Commission for each Regional Program that shall be constituted as set forth in Article IX of this Compact and that shall have the powers set forth in Article X of this Compact.
- F. "Program Plan" means a plan developed for a proposed ballot question by the Commission, as required by Article VI, Section C of this Compact, that describes a Regional Program and provides for the appropriation and use of moneys derived from the sales tax authorized by this Compact in support of that Regional Program.
- G. "Public Transit System" or "Transit System" means, without limitation, a regional system of public transit, consisting of property, structures, improvements, vehicles, potentially including, but not limited to, vans, buses, bus rapid transit, commuter rail, and other fixed guideways, equipment, software, telecommunications networks, plants, parking or other facilities, transit centers, stops, park-n-ride lots, transit related surface transportation improvements and rights-of-way used or useful for the purposes of public transit, which provides significant regional benefit, and the acquisition, construction, reconstruction, repair, maintenance, administration and operations thereof and similar activities related thereto, whether operated by one or multiple entities.
- H. "Regional Program" means a program involving a Public Transit System.

IV. DISTRICT

- A. Upon this Compact being entered into law by the Legislatures of the respective states, the Regional Investment District is created and shall include all the geographic area within the jurisdictional limits of those Kansas and Missouri counties that are parties to the Articles of Agreement executed on January 1, 1972, and thereafter amended, which area is designated as the Mid-America Regional Planning Area, and currently includes the following counties:

Clay County, Missouri	Wyandotte County, Kansas
Platte County, Missouri	Johnson County, Kansas
Jackson County, Missouri	Leavenworth County, Kansas
Cass County, Missouri	

Ray, County, Missouri

- B. The District automatically shall be expanded to include Kansas and Missouri cities, counties and other political subdivisions that hereafter shall become parties to the Articles of Agreement executed on January 1, 1972, and thereafter amended, upon the execution of the Articles of Agreement by the governing body of such political subdivisions.

V. THE COMMISSION

- A. The District shall be governed by the Commission, which shall be a body corporate and politic and shall be composed of voting members of MARC, as that Council is constituted from time to time, and which is also known as the Board of Directors. All of the members of the Commission shall be elected officials from the jurisdiction that appointed them as voting members of MARC's Board of Directors.
- B. The terms of the members of the Commission shall expire concurrently with the member's tenure as an elected official of a jurisdiction that is a party to MARC's Articles of Agreement. If a jurisdiction that is a party to MARC's Articles of Agreement appoints a different member of its governing body to MARC, that newly appointed individual shall assume the position of the member replaced. Each member shall serve until that member's replacement has been sworn in as an elected official.
- C. The Commission shall begin functioning immediately upon creation of the District, as provided for in Article IV, Section A. hereof.
- D. The Commission shall select annually, from its membership, a chairperson, a vice chairperson, and a treasurer. The treasurer shall be bonded in the amounts the Commission may require.
- E. The Commission may appoint the officers, agents, and employees, as it may require for the performance of the Commission's duties, and shall determine the qualifications and duties and fix the compensation of those officers, agents and employees.
- F. The Commission shall fix the time and place at which its meetings shall be held. Meetings shall be held within the District and shall be open to the public. Public notice shall be given of all meetings of the Commission.
- G. A majority of the Commissioners from each state shall constitute, in the aggregate, a quorum for the transaction of business. No action of the Commission shall be binding unless taken at a meeting at which at least a quorum is present, and unless a majority of the Commissioners from each state, present at the meeting, shall vote in favor thereof. No action of the Commission taken at a meeting thereof shall be binding unless the subject of the action is included in a written agenda for the meeting, the agenda and notice of meeting having been

provided to each Commissioner at least seven (7) calendar days prior to the meeting.

- H. The Commissioners from each state shall each be subject to the provisions of the laws of either the State of Kansas or the State of Missouri (depending upon the Commissioner's state of residence) relating to conflicts of interest of public officers and employees. If any Commissioner has a direct or indirect financial interest in any facility, service provider, organization or activity supported by the District or Commission or in any other business transaction of the District or Commission, the Commissioner shall disclose that interest in writing to the other Commissioners and shall abstain from voting on any matter in relation to that facility, organization or activity or to that business transaction.
- I. If any action at law or equity, or other legal proceeding, shall be brought against any Commissioner for any act or omission arising out of the performance of their duties as a Commissioner, the Commissioner shall be indemnified in whole and held harmless by the Commission for any judgment or decree entered against the Commissioner and, further, shall be defended at the cost and expense of the Commission in any resulting proceeding.
- J. Each member of the Commission shall serve as a member of the Commission without compensation for that service, except for payment of their actual and reasonably necessary expenses, as provided by Article VIII, Section A, 1.

VI. POWERS AND DUTIES OF THE COMMISSION

- A. The Commission, formally the governing body of the District, shall primarily function as the planning and administrative arm for the District. The Commission shall: undertake community planning to identify regional programs and initiatives that will produce significant benefit to the Kansas City metropolitan area; fully develop the specifics regarding existing regional programs and initiatives and those newly identified regional programs and initiatives; prepare Program Plans for certain regional programs and initiatives in consultation with local officials and the public; prepare ballot questions for programs and initiatives that the Commission determines could appropriately be supported by the sales tax authorized by this Compact; and carry out the directives of each appointed Oversight Committee in the implementation of Regional Programs approved by District qualified electors in accordance with the terms of this Compact.
- B. The Commission shall adopt a seal and suitable bylaws governing its management, procedure and effective operation.
- C. The Commission shall develop one Program Plan for each Regional Program, which Program Plans shall generally describe the Regional Program and provide for the appropriation and use of moneys in support of that Regional Program only for the purposes set forth in Article II and the Eligible Uses set forth in Article VIII of this Compact. Each Program Plan shall also designate:

1. the counties or county in which a majority of the qualified electors voting on the ballot question must cast an affirmative vote before the sales tax may be imposed by any individual county for uses in accordance with the Program Plan;
 2. the duration of the sales tax imposed in support of the Regional Program, which may be described in terms of the number of years the tax shall be imposed, a maximum number of dollars that may be raised by the sales tax imposed or any other reasonable means of establishing the duration of the sales tax; provided that the sales tax shall not extend beyond the fifteen (15) years following the date of the first receipt by the county treasurer of revenue from the sales tax imposed to support the Regional Program; and
 3. the composition of the Oversight Committee to be appointed by the Commission for that Regional Program, which composition shall be consistent with Article IX, A of this Compact.
- D. The Commission shall set the date or dates by which the first election and any subsequent election shall be held pursuant to this Compact and shall recommend those counties or county which shall hold a vote on the ballot question prepared by the Commission for that Regional Program.
- E. For each election to be held pursuant to this Compact, the Commission shall prepare and submit a ballot question to the governing body of each county within the District. Each such question shall be in the form set forth in Article VII, Section D of this Compact.
- F. The Commission may prepare additional ballot language generally describing each Regional Program and the use and allocation of the sales tax proposed to be imposed for the support of that Regional Program, and shall submit that additional language to each county within the District. If additional ballot language is so submitted by the Commission, and a county governing body decides to place the ballot question before the qualified electors of that county, the additional ballot language shall be placed on the subject ballot by that governing body.
- G. When a majority of the qualified electors in the county or counties designated in the Program Plan for that Regional Program, as one of those counties that must cast an affirmative vote on the ballot question before the sales tax may be imposed, have cast an affirmative vote, the Commission shall, in accordance with Article IX, Section A of this Compact, appoint one Oversight Committee for that Program Plan.
- H. The Commission shall have the power to contract and to be contracted with and to sue and to be sued.
- I. The Commission, when it deems it necessary and when requested to do so by an Oversight Committee, shall interpret and/or provide guidance and further details

on a Program Plan to assist in the oversight of the appropriation and use of moneys by the Oversight Committee for that Program Plan.

- J. In accordance with written guidelines adopted by the Commission, which guidelines shall be consistent with the goals stated in Article II hereof and the Program Plans required by Article VI, C, the Commission may provide donations, contributions, and grants or other support, financial or otherwise, for Program Plans and the Eligible Uses set forth in Article VIII of this Compact.
- K. The Commission shall execute those contracts and agreements as each Oversight Committee shall direct to implement the Program Plan developed for that approved Regional Program, provided that, the Commission determines each contract is consistent with that Program Plan.
- L. The Commission may appoint advisory committees to provide input, consultation, guidance and assistance to the Commission on matters and issues related to any purposes for which the District and the Commission are hereby created.
- M. The Commission may form whatever partnerships, associations, joint ventures or other affiliations, formal or otherwise, as it deems appropriate and that are in furtherance of the purposes for which the District and the Commission are created.
- N. The Commission may utilize assistance from any governmental or non-governmental entity, as it shall determine appropriate, in the form of personnel, technical expertise or other resources, to further the policies, purposes and goals of the District, as stated in Article II of this Compact.
- O. The Commission shall cause to be prepared annually a report on the operations and transactions conducted by the Commission during the preceding year. The report shall be an open record submitted to the legislatures and governors of the compacting states and to the governing bodies of the jurisdictions that are then a party to MARC's Articles of Agreement on or before March 15th of each calendar year, commencing on March 15th of the year following the year in which the certification described in Article IV, Section B hereof occurs. The Commission shall take those actions as are reasonably required to make this report readily available to the public.
- P. The Commission shall have the power to apply to the Congress of the United States for its consent and approval of this Compact, if it is determined by the Commission that this consent is appropriate. In the absence of the consent of the Congress and until consent is secured, if that consent is determined appropriate, this Compact is binding upon the states of Missouri and Kansas in all respects permitted by law of the two states.
- Q. The Commission shall have the power to perform all other necessary and incidental functions and duties and to exercise all other necessary and appropriate powers, not inconsistent with other provisions of this Compact or the constitution

or laws of the United States or of either of the states of Kansas or Missouri, that it deems appropriate to effectuate the purposes for which this District and the Commission are created.

VII. BALLOT QUESTIONS

- A. The Commission, as required by Article VI, Section C, shall develop Program Plans for Regional Programs to be submitted to the qualified electors within the District. Each Program Plan developed by the Commission shall be available to the public no later than one hundred twenty (120) days before the date or dates set by the Commission for submission of a ballot question to the electors in the District.
- B. The governing body of each county in the District shall determine whether the provision of financial support for each Regional Program is in the best interests of the citizens of the county and whether the levy of a sales tax to provide, on a cooperative basis with another county or other counties, for financial support of that Regional Program would be economically practicable and cost beneficial to the citizens of the county and the district. Each governing body that makes an affirmative determination with respect hereto shall adopt a resolution evidencing that determination and authorizing a vote of its citizens on the ballot question for that Regional Program, by a two-thirds (2/3) majority vote of the members elect of the governing body.
- C. Upon adoption of a resolution pursuant to Section B of this Article, the governing body of that county, promptly after adoption of the resolution, shall request the county election commissioner to submit the ballot question for that Regional Program to the qualified electors of that county. Each such ballot question shall be printed on the ballot and in the notice of election. Each ballot question shall be submitted to the qualified electors of that county at the primary or general election next following the date the request was filed with the county election officer.
- D. The ballot for the proposition in each county shall be in substantially the following form:

Shall a sales tax _____ (insert amount, not to exceed ½ cent) be levied and collected in _____ County for the support of Regional Programs that will produce significant benefit within the Kansas and Missouri Regional Investment District?

YES NO

- E. The governing body of each of the counties that requested their county election commissioner submit the ballot question to its qualified electors also shall provide their respective county election officers with copies of the additional language prepared by the Commission, pursuant to Article VI, Section F, which additional language shall be included by each such county on the ballot.

- F. The question of whether a sales tax for the support of a Regional Program involving a Public Transit System shall be imposed shall be submitted to qualified electors at the first election to be held on Regional Programs, pursuant to this Compact.
- G. The governing body of any county in the District that does not pass the resolution contemplated by Section B of this Article in time to cause the placement of the ballot question before the qualified electors of that county at the first election or any subsequent election to be held on Regional Programs, pursuant to this Compact, may adopt that resolution at any time thereafter, and that ballot question shall be provided to the election commissioner of that county and submitted to the qualified electors of the county at the next primary or general election, in accordance with Section C of this Article.
- H. In each county where a majority of the qualified electors voting in an election shall have cast an affirmative vote on a ballot question, that ballot question shall be approved
- I. If a ballot question is submitted to the qualified electors of a county in the District, and the ballot question is not approved in that county, following defeat of the ballot question, the governing body of that county or counties may renew procedures to levy the sales tax in support of that Regional Program. A defeat of a ballot question in any county shall not affect the approval of that ballot question in any other county, which approval shall continue to have effect.
- J. No county in the District shall levy a sales tax specified herein until the qualified electors in all the counties designated by the Commission in the Program Plan for the subject Regional Program, as those that must approve the sales tax have approved the levy of the sales tax to support the Program Plan for that Regional Program.
- K. With respect to the first election to be held on Regional Programs pursuant to this Compact, no sales tax shall be levied by any county which has adopted the resolution contemplated by Section B and submitted the ballot question to the qualified voters of that county pursuant to Section C, both of this Article, unless and until a majority of the qualified electors of at least Johnson and Wyandotte Counties, Kansas, and Jackson County, Missouri, has approved the levy of a sales tax for that Regional Program involving a Public Transit System.
- L. When, but only when, the electors in all of the counties designated by the Commission in the Program Plan for the subject Regional Program, as those that must approve the sales tax, have approved this ballot question, the governing body of each such county, at the first available opportunity, shall take all required actions to begin levying this tax.
- M. Any of the counties that have elected by a vote of its electors to levy a sales tax authorized by this section may cease to levy this sales tax upon the majority vote

of the qualified electors of the county on a ballot question submitted to qualified electors asking if that county should cease to levy this sales tax. This vote shall take place in the same manner provided in this section for levying this sales tax; provided that, no vote to cease to levy this sales tax shall take place in any county on a date earlier than a date that is 5 years from the date that county approved this sales tax. Provided further, in no event shall any county cease to levy this sales tax until that county has entered into a written agreement with the Commission, which agreement shall provide for the terms of cessation, and shall specifically provide: (1) a means to ensure that the county pays a fair share of the outstanding obligations incurred by the District in furtherance of its established purposes; and (2) for the ongoing operations and maintenance or the termination of any facilities or services established in the county with support provided by the Commission. The governing body of a county that has decided by this vote to cease to levy this sales tax shall send formal written notice thereof to each of the other counties comprising the District. In no event, shall the county cease to levy the sales tax earlier than 90 days after this notice has been sent. If any county in the District decides to cease levying the sales tax, the status of the District as a political subdivision of the states of Kansas and Missouri shall be unaltered and that county shall continue to have the representation on the Commission, as set forth in Article V of this Compact.

VIII. ELIGIBLE USES OF FUNDS

- A. The Commission shall only budget and authorize the appropriation of monies for the following eligible purposes:

1. the actual and reasonably necessary expenses of the Commission and Oversight Committee, including, but not limited to, staff personnel, auditors, budget and financial consultation, legal assistance, administrative, operational, planning and engineering consultation and marketing, as well as for the actual and reasonably necessary expenses of individual Commission and Committee members that are incurred in the performance of their official duties; provided that, the Commission, in each fiscal year, shall not appropriate, for this purpose, any monies in excess of an amount that is equal to one percent (1%) of the funds appropriated to the Commission in that fiscal year by all of the counties imposing this sales tax; and
 2. the support of voter approved Regional Programs within the District;
 3. if in support of a Public Transit System, only pursuant to a contract with bodies corporate and politic, political subdivisions of the states of Missouri and/or Kansas or local units of government in the states of Missouri or Kansas, provided, however, the Commission may, in its discretion, require that entities contracted with shall procure a set percentage of Public Transit System services from third party contractors on a competitive basis; and
 4. only in support of a Regional Program in counties that have voted affirmatively to impose a sales tax in support of that Regional Program.
- B. The aggregate amount of sales taxes imposed by any county within the District, pursuant to the authority granted in this Compact, shall not exceed one-half cent.

IX. THE OVERSIGHT COMMITTEE

- A. An Oversight Committee shall be appointed by the Commission for each Regional Program, as provided for in Article VI, Section G hereof. Each Committee shall be composed of elected officials of jurisdictions that are within a county where a majority of the qualified electors voting on the ballot question have cast an affirmative vote on the imposition of a sales tax to support the subject Regional Program. Each Oversight Committee shall be composed of the elected officials designated in the Program Plan for that Regional Program. Each Oversight Committee shall include a minimum of one elected representative from each county that approves that ballot question and elected representatives from both cities and counties and each representative shall be approved by the chief elected official of the county or city from which they are elected. If the Program Plan describes a Regional Program that serves both Missouri and Kansas, the Oversight Committee shall be composed of an equal number of elected representatives from each state. In such instances, no action of the Commission shall be binding unless taken at a meeting at which at least a quorum is present, and unless a majority of the Commissioners from each state, present at the

meeting, shall vote in favor thereof. The number of individuals comprising the Oversight Committee shall be in the sole discretion of the Commission.

- B. Each Oversight Committee shall be appointed within forty-five (45) days of certification that the ballot question has been approved by the last of the counties designated by the Commission in the Program Plan for the subject Regional Plan, pursuant to Article VI, Section C,1 hereof, to so certify and shall begin functioning immediately upon its appointment by the Commission. If, pursuant to Article VII, Section K, additional counties within the District shall approve the ballot question, the Commission shall appoint a minimum of one additional representative from each such county to the Oversight Committee.
 - C. Each appointed Oversight Committee shall fix the time and place at which its meetings shall be held. Meetings shall be held at a location in a county that has approved the imposition of the sales tax to support the Program Plan for the subject Regional Program and shall be open to the public. Public notice shall be given of all meetings of the Committee.
 - D. The Committee members shall each be subject to the provisions of the laws of either the State of Kansas or the State of Missouri (depending upon the Committee member's state of residence) that relate to conflicts of interest of public officers and employees. If any Committee member has a direct or indirect financial interest in any facility, service provider, organization or activity supported by the District or Commission or in any other business transaction of the District or Commission, the Committee member shall disclose that interest in writing to the members of the Commissioners and to the other members of the Committee and shall abstain from voting on any matter in relation to that facility, organization or activity or to that business transaction with respect to which that Committee member has the interest.
 - E. If any action at law or equity, or other legal proceeding, shall be brought against any Committee member for any act or omission arising out of the performance of duties as a Committee member, the Committee member shall be indemnified in whole and held harmless by the Commission for any judgment or decree entered against the Committee member and, further, shall be defended at the cost and expense of the Commission in any resulting proceeding.
 - F. The Oversight Committee for each Program Plan shall terminate on the date when all of the moneys derived from the sales tax imposed by any or all counties in the District to support the Program Plan for that Regional Program and which have been credited to the Regional Investment Fund have been expended.
- X. POWERS AND DUTIES OF THE OVERSIGHT COMMITTEE
- A. The Oversight Committee for each approved Regional Program is charged with the oversight of the appropriation and use of moneys generated from the sales

taxes and credited to the Regional Investment Fund. These moneys shall be appropriated only for the Eligible Uses set forth in Article VIII of this Compact.

- B. Each Oversight Committee shall only provide support for and allocate and appropriate monies for programs, services and facilities that are consistent with the voter approved Program Plan developed by the Commission and only for programs, services and facilities in counties that have approved the imposition of a sales tax in support of that Regional Program. If the Committee is uncertain or has any question about whether a specific appropriation of moneys or support activity is consistent with the Program Plan developed by the Commission, it shall seek a determination on that question from the Commission.
- C. Each Oversight Committee, as appropriate, shall request that the Commission execute those contracts and agreements necessary or desirable to implement the Program Plan developed by the Commission.
- D. Each Oversight Committee shall adopt suitable bylaws governing its management, procedure and its effective operations.
- E. Each Oversight Committee shall provide the information that the Commission shall require to allow the Commission to prepare annually a report on the operations and transactions conducted by the Commission during the preceding year relating to the approved Regional Programs. This information shall include an annual financial statement prepared in accordance with General Accepted Accounting Principles (GAAP). The Oversight Committee for a Public Transit Service Regional Program shall also provide a report on operational statistics, including statistics on the ridership of the Public Transit System funded with sales tax revenues resulting from the authority granted by this Compact, comparing ridership in the then current fiscal year to ridership in the three fiscal years next preceding.

XI. FINANCE

- A. The moneys necessary to finance the operation of the District, implement the voter approved Program Plans and execute the powers, duties and responsibilities of the Commission shall be appropriated to the Commission by the counties comprising the District, which, in accordance with Article VII, Section H of the Compact, have approved the ballot question for the subject Regional Program. The moneys to be appropriated to the Commission shall be raised by the governing bodies of the respective counties by the levy of taxes, fees, charges or any other revenue, as authorized by the legislatures of the respective party states.
- B. Neither the Commission nor any Oversight Committee shall incur any indebtedness of any kind; nor shall they pledge the credit of MARC or any jurisdiction that is party to MARC's Articles of Agreement or either of the states party to this Compact, except as specifically authorized by this Compact. The

budget of the District shall be prepared, adopted and published, as provided by law, for other political subdivisions of the party states.

- C. The Commission and each Oversight Committee shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.
- D. The accounts of the Commission shall be open at any reasonable time for inspection by duly authorized representatives of the compacting states, the counties comprising the District, and other persons authorized by the Commission.

XII. ENTRY INTO FORCE

- A. This Compact shall enter into force and become effective and binding upon the states of Kansas and Missouri when it has been entered into law by the legislatures of the respective states.
- B. Amendments to the Compact shall become effective upon enactment by the legislatures of the respective states.

XIII. TERMINATION

- A. The Compact shall continue in force and remain binding upon a party state until its legislature shall have enacted a statute repealing the same and providing for the sending of formal written notice of enactment of that statute to the legislature of the other party state. Upon enactment of that statute by the legislature of either party state, the sending of notice thereof to the other party and payment of any obligations that the Commission may have incurred prior to the effective date of that statute, the agreement of the party states embodied in the Compact shall be deemed fully executed, the Compact shall be null and void and of no further force or effect, the District shall be dissolved, and the Commission shall be abolished. If any monies remain in the Regional Investment Fund upon dissolution of this Compact, the Commission may distribute these monies to an entity or organization selected by the Commission to be used to support purposes for which the District is hereby created, as stated in Article II of this Compact

XIV. CONSTRUCTION AND SEVERABILITY

- A. The provisions of this Compact shall be liberally construed and shall be severable. If any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitutions of either of the party states or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of either party

state hereto, the Compact shall thereby be nullified and voided and of no further force or effect.

70.520 Regional Investment District to be special district.—

The Regional Investment District created pursuant to section 70.515 shall be considered to be a special district under the provisions of sections 115.001 to 115.641, RSMo.

70.525 Sovereign Immunity to apply.—

The provisions of sections 537.600 to 537.650, RSMo, shall apply to the Regional Investment District and to the Missouri members of the Regional Investment District Commission established in Section 70.515.

70.530 Expenses reimbursed

Missouri members of the Regional Investment District Commission, appointed pursuant to section 70.515, shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

70.535 Countywide sales tax for District – rate -- administration and collection – fund created.—

(a) The governing body of any county that has been authorized by a majority of the electors of the county to levy and collect a tax for the purpose of contributing to the financial support of the District, authorized by Article IV of the Compact enacted in section 70.515, shall adopt a resolution imposing a countywide sales tax and pledging the revenues received therefrom for the purpose of contributing to the financial support of the District, with respect to a countywide sales tax authorized by the Compact enacted by section 70.515. The rate of this tax shall be fixed at an amount of not more than one-half percent (0.50%) in the aggregate. Any county levying a countywide sales tax under the authority of this section is hereby prohibited from administering or collecting the tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect the tax. The sales tax shall be administered, enforced and collected in the same manner and by the same procedure as other countywide sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this Section, all provisions of Sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section. Upon receipt of a certified copy of a resolution authorizing the levy of a countywide sales tax pursuant to this section, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from the countywide sales tax imposed under the authority of the Compact enacted in section 70.515 and collected pursuant to the provisions of this Section by the director of revenue shall be credited to the "Regional Investment Fund," which is hereby established in the state treasury. Any refund due on any countywide sales tax collected pursuant to this Section shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected pursuant to this Section. All countywide sales tax revenue derived from the authority granted by the Compact enacted in section 70.515 and collected within any county,

pursuant to this section, shall be remitted at least quarterly by the director of revenue to the treasurer of that county.

(b) All revenue received by any county treasurer from a countywide sales tax imposed under the authority of the Compact enacted in section 70.515 and pursuant to this Section shall be appropriated by the county to the Kansas and Missouri Regional Investment District Commission within sixty (60) days of receipt of the funds by the county for expenditure by the Commission pursuant to, and in accordance with, the provisions of the Kansas and Missouri Regional Investment District Compact, enacted in Section 70.515. Any countywide sales tax imposed pursuant to this section shall expire upon the date determined in accordance with the Program Plan for the Regional Program that is the subject of the ballot question approved by the qualified electors of such county for that subject Regional Program; provided that, no sales tax shall be levied for a period of more than 15 years from the date of the first receipt by the county treasurer of revenue from that sales tax unless renewed by the qualified electors of that county prior to its expiration, or as determined by the last ballot question or renewal approved by such electors or on the date of actual withdrawal of the county from the district or upon compliance by the county with the provisions of Article IV, Section J, or at any time the Kansas and Missouri regional investment district compact becomes null and void and of no further force or effect. If any revenue remains upon nullification and voidance of the Kansas and Missouri Regional Investment District Compact, pursuant to Section 70.515, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county.

(c) Notwithstanding the provisions of section 33.080, RSMo, to the contrary, money in the Kansas and Missouri Regional Investment District sales tax fund shall not be transferred and placed to the credit of general revenue at the end of the biennium.

(d) Notwithstanding the provisions of section 99.845.2, RSMo, to the contrary, the revenues from the countywide sales taxes imposed by counties under the authority of the Compact enacted in section 70.515 and pursuant hereto shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality pursuant to sections 99.800 to 99.865 RSMo, the Real Property Tax Increment Oversight Redevelopment statutes.

70.540 Expiration of compact, when –

The provisions of sections 70.515 to 70.540 shall expire upon nullification and voidance of the Regional Investment District Compact, pursuant to either the Compact, enacted in section 70.515.