

FIRST REGULAR SESSION

HOUSE BILL NO. 280

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROORDA (Sponsor) AND MEADOWS (Co-sponsor).

Read 1st time January 9, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0813L.01I

AN ACT

To repeal section 190.327, RSMo, and to enact in lieu thereof one new section relating to the board of directors of a central dispatching service for emergency services.

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

Section A. Section 190.327, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 190.327, to read as follows:

190.327. 1. Immediately upon the decision by the commission to utilize a portion of the emergency telephone tax for central dispatching and an affirmative vote of the telephone tax, the commission shall appoint the initial members of a board which shall administer the funds and oversee the provision of central dispatching for emergency services in the county and in municipalities and other political subdivisions which have contracted for such service. Beginning with the general election in 1992, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency telephone service and in chapter 321, RSMo, with regard to the provision of central dispatching service, and such duties shall be exercised by the board.

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.

12 2. Elections for board members may be held on general municipal election day, as
13 defined in subsection 3 of section 115.121, RSMo, after approval by a simple majority of the
14 county commission.

15 3. For the purpose of providing the services described in this section, the board shall
16 have the following powers, authority and privileges:

17 (1) To have and use a corporate seal;

18 (2) To sue and be sued, and be a party to suits, actions and proceedings;

19 (3) To enter into contracts, franchises and agreements with any person, partnership,
20 association or corporation, public or private, affecting the affairs of the board;

21 (4) To acquire, construct, purchase, maintain, dispose of and encumber real and personal
22 property, including leases and easements;

23 (5) To have the management, control and supervision of all the business affairs of the
24 board and the construction, installation, operation and maintenance of any improvements;

25 (6) To hire and retain agents and employees and to provide for their compensation
26 including health and pension benefits;

27 (7) To adopt and amend bylaws and any other rules and regulations;

28 (8) To fix, charge and collect the taxes and fees authorized by law for the purpose of
29 implementing and operating the services described in this section;

30 (9) To pay all expenses connected with the first election and all subsequent elections;
31 [and]

32 **(10) To submit ballot issues to the voters of the counties within their jurisdiction;**

33 **(11) To have and exercise all rights and powers necessary or incidental to or implied**
34 **from the specific powers granted in this subsection. Such specific powers shall not be**
35 **considered as a limitation upon any power necessary or appropriate to carry out the purposes and**
36 **intent of sections 190.300 to 190.329[.] ; and**

37 **(12) To impose a surcharge of up to fifty cents per month on any cellular phone**
38 **registered to an address within the service area of the central dispatching service for**
39 **emergency services subject to voter approval.**

40 **4. The provisions of subdivision (12) of subsection 3 of this section shall become**
41 **effective only in those counties in which the board submits to the voters of the county, at**
42 **a regularly scheduled countywide election, a proposal to implement the provisions of**
43 **subdivision (12) of subsection 3 of this section. The board shall give notice of the election**
44 **by publication in a newspaper of general circulation in the county for two consecutive**
45 **weeks, the last insert of which shall be within ten days of the election. The question for the**
46 **surcharge shall be in substantially the following form:**

47 **Shall the county of (County's name) enforce the provisions of subdivision (12)**
48 **of subsection 3 of section 190.327, RSMo, the surcharge on cellular phones for central**
49 **dispatching service for emergency services law?**

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51 **If a majority of the votes cast on the proposal by the qualified voters voting thereon in the**
52 **county are in favor of the proposal, the provisions of subdivision (12) of subsection 3 of this**
53 **section shall become effective in that county. If a majority of the votes cast on the proposal**
54 **by the qualified voters voting thereon in the county are opposed to such proposal, the**
55 **provisions of subdivision (12) of subsection 3 of this section shall not become effective in**
56 **that county.**

57 **5. No less than twenty-five percent of the funds generated from the cellular phone**
58 **surcharge authorized under subdivision (12) of subsection 3 of this section and approved**
59 **by the voters of any county shall be utilized for the construction and maintenance of**
60 **emergency warning sirens to be operated by the central dispatching service for emergency**
61 **services.**

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