

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 530
98TH GENERAL ASSEMBLY

1383H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 190.055, 321.017, 321.130, and 321.210, RSMo, and to enact in lieu thereof four new sections relating to emergency services board of directors.

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

Section A. Sections 190.055, 321.017, 321.130, and 321.210, RSMo, are repealed and
2 four new sections enacted in lieu thereof, to be known as sections 190.055, 321.017, 321.130,
3 and 321.210, to read as follows:

190.055. 1. The board of directors of a district shall possess and exercise all of its
2 legislative and executive powers. Within thirty days after the election of the initial directors, the
3 board shall meet. The time and place of the first meeting of the board shall be designated by the
4 county commission. At its first meeting and after each election of new board members the board
5 shall elect a chairman from its members and select a secretary, treasurer and such officers or
6 employees as it deems expedient or necessary for the accomplishment of its corporate objectives.
7 The secretary and treasurer need not be members of the board. At the meeting the board, by
8 ordinance, shall define the first and subsequent fiscal years of the district, and shall adopt a
9 corporate seal and bylaws, which shall determine the times for the annual election of officers and
10 of other regular and special meetings of the board and shall contain the rules for the transaction
11 of other business of the district and for amending the bylaws.

12 2. Each board member of any district shall devote such time to the duties of the office
13 as the faithful discharge thereof may require, including educational programs provided by the
14 state and each board member may be reimbursed for actual expenditures in the performance of
15 his or her duties on behalf of the district.

16 3. The secretary and treasurer, if members of the board of directors, may each receive
17 additional compensation for the performance of their duties as secretary or treasurer as 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.

18 shall deem reasonable and necessary; provided that, such additional compensation shall not
19 exceed one thousand dollars per year.

20 4. Each board member may receive an attendance fee not to exceed one hundred dollars
21 for attending each regularly or specially called board meeting. Such member shall not be paid
22 for attending more than two meetings in any calendar month, except that in a county of the first
23 classification having a charter form of government, such member shall not be paid for attending
24 more than four such meetings in any calendar month. In addition, the chairman of the board may
25 receive fifty dollars for attending each regularly or specially called board meeting, but such
26 chairman shall not be paid the additional fee for attending more than two meetings in any
27 calendar month.

28 5. The compensation authorized by subsections 3 and 4 of this section shall only apply:

29 (1) If such compensation is approved by the board of such district; and

30 (2) To any elected term of any board member beginning after August 28, 2000.

31 **6. Notwithstanding any other provision of law to the contrary, individual board**
32 **members shall not be eligible for employment by the board within twelve months of**
33 **termination of service as a member of the board unless such employment is on a volunteer**
34 **basis or without compensation.**

321.017. 1. Notwithstanding the provisions of section 321.015, no employee of any fire
2 protection district or ambulance district shall serve as a member of any fire district or ambulance
3 district board while such person is employed by any fire district or ambulance district, except that
4 an employee of a fire protection district or an ambulance district may serve as a member of a
5 voluntary fire protection district board or a voluntary ambulance district board.

6 **2. Notwithstanding any other provision of law to the contrary, individual board**
7 **members shall not be eligible for employment by the board within twelve months of**
8 **termination of service as a member of the board unless such employment is on a volunteer**
9 **basis or without compensation.**

321.130. [1.] A person, to be qualified to serve as a director, shall be a **resident and**
2 voter of the district **for** at least one year before the election or appointment and be over the age
3 of twenty-five years[; except as provided in subsections 2 and 3 of this section. The person shall
4 also be a resident of such fire protection district]. In the event the person is no longer a resident
5 of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in
6 section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters
7 of the fire protection district by paying a [ten dollar] filing fee **equal to the amount of a**
8 **candidate for county office as set forth under section 115.357**, and filing a statement under
9 oath that such person possesses the required qualifications.

10 [2. In any fire protection district located in more than one county one of which is a first
11 class county without a charter form of government having a population of more than one hundred
12 ninety-eight thousand and not adjoining any other first class county or located wholly within a
13 first class county as described herein, a resident shall have been a resident of the district for more
14 than one year to be qualified to serve as a director.

15 3. In any fire protection district located in a county of the third or fourth classification,
16 a person to be qualified to serve as a director shall be over the age of twenty-five years and shall
17 be a voter of the district for more than one year before the election or appointment, except that
18 for the first board of directors in such district, a person need only be a voter of the district for one
19 year before the election or appointment.

20 4. A person desiring to become a candidate for the first board of directors of the
21 proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and
22 shall file with the election authority a statement under oath that such person possesses all of the
23 qualifications set out in this chapter for a director of a fire protection district.] Thereafter, such
24 candidate shall have the candidate's name placed on the ballot as a candidate for director.

321.210. On the first Tuesday in April after the expiration of at least two full calendar
2 years from the date of the election of the first board of directors, and on the first Tuesday in April
3 every two years thereafter, an election for members of the board of directors shall be held in the
4 district. Nominations shall be filed at the headquarters of the fire protection district in which a
5 majority of the district is located by paying a filing fee [up] **equal** to the amount of a candidate
6 for [state representative] **county office** as set forth under section 115.357 and filing a statement
7 under oath that [he] **the candidate** possesses the required qualifications. The candidate
8 receiving the most votes shall be elected. Any new member of the board shall qualify in the
9 same manner as the members of the first board qualify.

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