

FIRST REGULAR SESSION

# HOUSE BILL NO. 295

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE FROELKER.

Read 1<sup>st</sup> time January 9, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1067L.011

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### AN ACT

To repeal sections 190.050 and 321.130, RSMo 2000, relating to qualifications for board members of certain political subdivisions, and to enact in lieu thereof two new sections relating to the same subject.

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

Section A. Sections 190.050 and 321.130, RSMo 2000, are repealed and two new  
2 sections enacted in lieu thereof, to be known as sections 190.050 and 321.130, to read as follows:  
190.050. 1. After the ambulance district has been declared organized, the declaring  
2 county commission, except in counties of the second class having more than one hundred five  
3 thousand inhabitants located adjacent to a county of the first class having a charter form of  
4 government which has a population of over nine hundred thousand inhabitants, shall divide the  
5 district into six election districts as equal in population as possible, and shall by lot number the  
6 districts from one to six inclusive. The county commission shall cause an election to be held in  
7 the ambulance district within ninety days after the order establishing the ambulance district to  
8 elect ambulance district directors. Each voter shall vote for one director from the ambulance  
9 election district in which the voter resides. The directors elected from districts one and four shall  
10 serve for a term of one year, the directors elected from districts two and five shall serve for a  
11 term of two years, and the directors from districts three and six shall serve for a term of three  
12 years; thereafter, the terms of all directors shall be three years. All directors shall serve the term  
13 to which they were elected or appointed, and until their successors are elected and qualified,  
14 except in cases of resignation or disqualification. The county commission shall reapportion the  
15 ambulance districts within sixty days after the population of the county is reported to the

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

16 governor for each decennial census of the United States. Notwithstanding any other provision  
17 of law, if the number of candidates for the office of director is no greater than the number of  
18 directors to be elected, no election shall be held, and the candidates shall assume the  
19 responsibilities of their offices at the same time and in the same manner as if they have been  
20 elected.

21       2. In all counties of the second class having more than one hundred five thousand  
22 inhabitants located adjacent to a county of the first class having a charter form of government  
23 which has a population of over nine hundred thousand inhabitants, the voters shall vote for six  
24 directors elected at large from within the district for a term of three years. Those directors  
25 holding office in any district in such a county on August 13, 1976, shall continue to hold office  
26 until the expiration of their terms, and their successors shall be elected from the district at large  
27 for a term of three years. In any district formed in such counties after August 13, 1976, the  
28 governing body of the county shall cause an election to be held in that district within ninety days  
29 after the order establishing the ambulance district to elect ambulance district directors. Each  
30 voter shall vote for six directors. The two candidates receiving the highest number of votes at  
31 such election shall be elected for a term of three years, the two candidates receiving the third and  
32 fourth highest number of votes shall be elected for a term of two years, the two candidates  
33 receiving the fifth and sixth highest number of votes shall be elected for a term of one year;  
34 thereafter, the term of all directors shall be three years.

35       3. A candidate for director of the ambulance district shall, at the time of filing, be a  
36 citizen of the United States, a qualified voter of the election district as provided in subsection 1  
37 of this section, a resident of the [state for one year] **district for five years** next preceding the  
38 election, and shall be at least [twenty-one] **twenty-four** years of age. In an established district  
39 which is located within the jurisdiction of more than one election authority, the candidate shall  
40 file his **or her** declaration of candidacy with the secretary of the board. In all other districts, a  
41 candidate shall file [his] **a** declaration of candidacy with the county clerk of the county in which  
42 he **or she** resides. A candidate shall file a statement under oath that he **or she** possesses the  
43 required qualifications. No candidate's name shall be printed on any official ballot unless the  
44 candidate has filed a written declaration of candidacy pursuant to subsection 5 of section  
45 115.127, RSMo. If the time between the county commission's call for a special election and the  
46 date of the election is not sufficient to allow compliance with subsection 5 of section 115.127,  
47 RSMo, the county commission shall, at the time it calls the special election, set the closing date  
48 for filing declarations of candidacy.

321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district  
2 at least [two] **five** years prior to his **or her** election or appointment and be over the age of  
3 [twenty-five] **twenty-four** years; except as provided in subsections 2 and 3 of this section.

4 Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection  
5 district by paying a ten dollar filing fee and filing a statement under oath that such person  
6 possesses the required qualifications.

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

12         3. In any fire protection district located in a county of the third or fourth classification,  
13 a person to be qualified to serve as a director shall be over the age of [twenty-five] **twenty-four**  
14 years and shall be a voter of the county in which the district is located for more than [two] **five**  
15 years prior to his **or her** election or appointment, except that for the first board of directors in  
16 such district, a person need only be a voter of the county in which the district is located for one  
17 year prior to his **or her** election or appointment.

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