

HCS SB 978 -- EMERGENCY SERVICES BOARDS

SPONSOR: Griesheimer (Pollock)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Elections by a vote of 6 to 0.

This substitute establishes a procedure by which an ambulance district board member may be recalled from office by the registered voters of the member's election district. No board member can be recalled during the first or last 180 days of the member's current term or if a previous recall election was decided in the member's favor during the current term.

A notice of intention to circulate a recall petition, including a short statement of the reasons for the proposed recall, must be served on the particular board member either personally or by certified mail; and a copy of the notice must be filed with the election authority. If the member chooses to file a short answer with the election authority, the member has seven days to do so, and must serve a copy of the answer to the petitioner either personally or by certified mail.

The person circulating the recall petition must sign an affidavit attesting to the information in the petition, and the petition must be filed with the election authority within 180 days after the filing of the notice of intention. The number of qualified signatures needed to recall a board member must be equal to at least 25% of the number of voters who voted in the most recent gubernatorial election in the election district.

The election authority has 20 days to certify or reject the petition signatures. If the petition is rejected, it may be supplemented by filing additional qualified signatures within 10 days of the certification. If the election authority certifies the petition and any supplements as sufficient, the certificate is filed with the ambulance district board of directors. The election authority must order a recall election on a statutory election day, not less than 45 days but not more than 120 days from the date the ambulance board receives the certified petition.

If the ambulance district board member being recalled resigns at any time prior to 42 days before the election, the recall question will be removed from the ballot and the vacant seat will be filled as specified by law. The resigning member cannot fill the vacancy.

The substitute also authorizes fire protection district boards to delegate certain powers and responsibilities to the fire chief

and to rescind that delegation upon a majority vote of the board. The powers and responsibilities that can be delegated include the power to enter into contracts; hire personnel; purchase, maintain, receive, and dispose of real and personal property; and manage, control, and supervise all the business and affairs of the district.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.

PROPOSERS: Supporters say that the bill provides a needed mechanism to remove directors in ambulance districts similar to the procedure being used in fire districts.

Testifying for the bill were Senator Griesheimer; and Missouri Ambulance Association.

OPPOSERS: There was no opposition voiced to the committee.