

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1300

97TH GENERAL ASSEMBLY

4748H.03P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 321.200, RSMo, and to enact in lieu thereof one new section relating to fire protection district board meetings.

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

Section A. Section 321.200, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 321.200, to read as follows:

321.200. 1. **Except as otherwise provided in subsection 3**, the board shall meet regularly, not less than once each month, at a time and at some building in the district to be designated by the board. Notice of the time and place of future regular meetings shall be posted continuously at the firehouse or firehouses of the district. Additional meetings may be held, when the needs of the district so require, at a place regular meetings are held, and notice of the time and place shall be given to each member of the board. Meetings of the board shall be held and conducted in the manner required by the provisions of chapter 610. All minutes of meetings of the board and all other records of the fire protection district shall be available for public inspection at the main firehouse within the district by appointment with the secretary of the board within one week after a written request is made between the hours of 8:00 a.m. and 5:00 p.m. every day except Sunday. A majority of the members of the board shall constitute a quorum at any meeting and no business shall be transacted unless a quorum is present. The board, acting as a board, shall exercise all powers of the board, without delegation thereof to any other governmental or other body or entity or association, and without delegation thereof to less than a quorum of the board. Agents, employees, engineers, auditors, attorneys, firemen and any other member of the staff of the district may be employed or discharged only by a board which includes at least two directors; but any board of directors may suspend from duty any such person

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 or staff member who willfully and deliberately neglects or refuses to perform his or her regular
19 functions.

20 2. Any vacancy on the board shall be filled by the remaining elected members of the
21 board, except when less than two elected members remain on the board any vacancy shall be
22 filled by the circuit court of the county in which all or a majority of the district lies. The
23 appointee or appointees shall act until the next biennial election at which a director or directors
24 are elected to serve the remainder of the unexpired term.

25 **3. Notwithstanding any provision of sections 610.015 and 610.020 to the contrary,**
26 **when Missouri Task Force One or any Urban Search and Rescue Task Force is activated**
27 **for deployment by the federal emergency management agency, state emergency**
28 **management agency, or statewide mutual aid, a quorum of the board of directors of the**
29 **affiliated fire protection district may meet in person, via telephone, facsimile, internet, or**
30 **any other voice or electronic means, without public notice, in order to authorize by roll call**
31 **vote the disbursement of funds necessary for the deployment.**

32 **4. In the event action is necessary under subsection 3 of this section, the board of**
33 **directors of the affiliated fire protection district shall keep minutes of the emergency**
34 **meeting and disclose during the next regularly scheduled meeting of the board that the**
35 **emergency meeting was held, the action that precipitated calling the emergency meeting**
36 **without notice, and that the minutes of the emergency meeting are available as a public**
37 **record of the board.**

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