

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 5,
2 Section 135.090, Line 39, by inserting the following after all of said section and line:

3
4 "173.260. 1. As used in this section, unless the context clearly requires otherwise, the
5 following terms mean:

6 (1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance with
7 sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by
8 the department of health and senior services;

9 (2) "Air ambulance registered professional nurse", a person licensed as a registered
10 professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations
11 adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional
12 nursing services as a flight nurse in conjunction with an air ambulance program that is certified in
13 accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such
14 programs;

15 (3) "Air ambulance registered respiratory therapist", a person licensed as a registered
16 respiratory therapist in accordance with sections 334.800 to 334.930 and corresponding regulations
17 adopted by the state board for respiratory care, who provides respiratory therapy services in
18 conjunction with an air ambulance program that is certified in accordance with sections 190.001 to
19 190.245 and corresponding regulations applicable to such programs;

20 (4) "Board", the coordinating board for higher education;

21 [(2)] (5) "Eligible child", the natural, adopted or stepchild of a public safety officer or
22 employee, as defined in this section, who is less than twenty-four years of age and who is a
23 dependent of a public safety officer or employee or was a dependent at the time of death or
24 permanent and total disability of a public safety officer or employee;

25 (6) "Emergency medical technician", a person licensed in emergency medical care in
26 accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the
27 department of health and senior services under sections 190.001 to 190.245;

28 [(3)] (7) "Employee", any full-time employee of the department of transportation engaged
29 in the construction or maintenance of the state's highways, roads and bridges;

30 (8) "Flight crew member", an individual engaged in flight responsibilities with an air

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1 ambulance licensed in accordance with sections 190.001 to 190.245 and corresponding regulations
 2 applicable to such programs;

3 ~~[(4)]~~ (9) "Grant", the public safety officer or employee survivor grant as established by this
 4 section;

5 ~~[(5)]~~ (10) "Institution of postsecondary education", any approved public or private
 6 institution as defined in section 173.205;

7 ~~[(6)]~~ (11) "Line of duty", any action of a public safety officer, whose primary function is
 8 crime control or reduction, enforcement of the criminal law, or suppression of fires, is authorized or
 9 obligated by law, rule, regulation or condition of employment or service to perform;

10 ~~[(7)]~~ (12) "Public safety officer", any firefighter, uniformed employee of the office of the
 11 state fire marshal, emergency medical technician, police officer, capitol police officer, parole officer,
 12 probation officer, state correctional employee, water safety officer, park ranger, conservation officer
 13 or highway patrolman employed by the state of Missouri or a political subdivision thereof who is
 14 killed or permanently and totally disabled in the line of duty or any emergency medical technician,
 15 air ambulance pilot, air ambulance registered professional nurse, air ambulance registered
 16 respiratory therapist, or flight crew member who is killed or permanently and totally disabled in the
 17 line of duty;

18 ~~[(8)]~~ (13) "Permanent and total disability", a disability which renders a person unable to
 19 engage in any gainful work;

20 ~~[(9)]~~ (14) "Spouse", the husband, wife, widow or widower of a public safety officer or
 21 employee at the time of death or permanent and total disability of such public safety officer;

22 ~~[(10)]~~ (15) "Tuition", any tuition or incidental fee or both charged by an institution of
 23 postsecondary education, as defined in this section, for attendance at that institution by a student as
 24 a resident of this state.

25 2. Within the limits of the amounts appropriated therefor, the coordinating board for higher
 26 education shall provide, as defined in this section, a grant for either of the following to attend an
 27 institution of postsecondary education:

28 (1) An eligible child of a public safety officer or employee killed or permanently and totally
 29 disabled in the line of duty; or

30 (2) A spouse of a public safety officer killed or permanently and totally disabled in the line
 31 of duty.

32 3. An eligible child or spouse may receive a grant under this section only so long as the
 33 child or spouse is enrolled in a program leading to a certificate, or an associate or baccalaureate
 34 degree. In no event shall a child or spouse receive a grant beyond the completion of the first
 35 baccalaureate degree or, in the case of a child, age twenty-four years, except that the child may
 36 receive a grant through the completion of the semester or similar grading period in which the child
 37 reaches his twenty-fourth year. No child or spouse shall receive more than one hundred percent of
 38 tuition when combined with similar funds made available to such child or spouse.

39 4. The coordinating board for higher education shall:

40 (1) Promulgate all necessary rules and regulations for the implementation of this section;

41 (2) Determine minimum standards of performance in order for a child or spouse to remain

1 eligible to receive a grant under this program;

2 (3) Make available on behalf of an eligible child or spouse an amount toward the child's or
3 spouse's tuition which is equal to the grant to which the child or spouse is entitled under the
4 provisions of this section;

5 (4) Provide the forms and determine the procedures necessary for an eligible child or spouse
6 to apply for and receive a grant under this program.

7 5. An eligible child or spouse who is enrolled or has been accepted for enrollment as an
8 undergraduate postsecondary student at an approved institution of postsecondary education shall
9 receive a grant in an amount not to exceed the least of the following:

10 (1) The actual tuition, as defined in this section, charged at an approved institution where
11 the child or spouse is enrolled or accepted for enrollment; or

12 (2) The amount of tuition charged a Missouri resident at the University of Missouri for
13 attendance as a full-time student, as defined in section 173.205.

14 6. An eligible child or spouse who is a recipient of a grant may transfer from one approved
15 public or private institution of postsecondary education to another without losing his entitlement
16 under this section. The board shall make necessary adjustments in the amount of the grant. If a
17 grant recipient at anytime withdraws from the institution of postsecondary education so that under
18 the rules and regulations of that institution he is entitled to a refund of any tuition, fees, or other
19 charges, the institution shall pay the portion of the refund to which he is entitled attributable to the
20 grant for that semester or similar grading period to the board.

21 7. If an eligible child or spouse is granted financial assistance under any other student aid
22 program, public or private, the full amount of such aid shall be reported to the board by the
23 institution and the eligible child or spouse.

24 8. Nothing in this section shall be construed as a promise or guarantee that a person will be
25 admitted to an institution of postsecondary education or to a particular institution of postsecondary
26 education, will be allowed to continue to attend an institution of postsecondary education after
27 having been admitted, or will be graduated from an institution of postsecondary education.

28 9. A public safety officer who is permanently and totally disabled shall be eligible for a
29 grant pursuant to the provisions of this section.

30 10. An eligible child of a public safety officer or employee, spouse of a public safety officer
31 or public safety officer shall cease to be eligible for a grant pursuant to this section when such
32 public safety officer or employee is no longer permanently and totally disabled.

33 190.053. 1. All members of the board of directors of an ambulance district first elected on or after
34 January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on
35 the role and duties of a board member of an ambulance district. The training required under this section shall
36 be offered by a statewide association organized for the benefit of ambulance districts or be approved by the
37 state advisory council on emergency medical services. Such training shall include, at a minimum:

38 (1) Information relating to the roles and duties of an ambulance district director;

39 (2) A review of all state statutes and regulations relevant to ambulance districts;

40 (3) State ethics laws;

41 (4) State sunshine laws, chapter 610;

42 (5) Financial and fiduciary responsibility;

43 (6) State laws relating to the setting of tax rates; and

(7) State laws relating to revenue limitations.

2. If any ambulance district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. If any ambulance district board member fails to attend a training session within twenty-four months after taking office, the board member shall forfeit his or her position as a board member and the remaining board members shall appoint an interim board member to hold the position for the remainder of the term of the forfeited member; provided, however, the board shall not appoint the forfeited member."; and

Further amend said bill, Page 7, Section 190.100, Lines 65-68, by deleting said lines and inserting in lieu thereof the following:

~~"[(15) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department pursuant to sections 190.001 to 190.245;~~

~~(16) "Emergency medical technician-basic" or "EMT-B", a person who has]~~

~~(17) "Emergency medical technician" or "EMT", a person who has"; and~~

Further amend said bill, section, Page 8, Line 73, by deleting "(19)", inserting in lieu thereof "(18)", and renumbering the remaining subdivisions accordingly; and

Further amend said bill and section, Page 9, Line 128, by deleting all of said line and inserting in lieu thereof the following:

"representing volunteers, labor, management, firefighters, ~~[EMT-B's,]~~ EMT's, nurses, ~~[EMT-P's,]~~ physicians,"; and

Further amend said bill, Page 12, Section 190.103, Lines 46-48, by deleting all of said lines and inserting in lieu thereof the following:

"medical direction to ~~[EMT-Bs, EMT-Is, EMT-Ps,]~~ EMTs, AEMTs, and community paramedics and provide offline medical direction per standardized treatment, triage, and transport protocols when EMS personnel, including ~~[EMT-Bs, EMT-Is, EMT-Ps,]~~ EMTs, AEMTs, and community paramedics,"; and

Further amend said bill and section, Pages 12-13, Lines 66-67, by deleting all of said lines and inserting in lieu thereof the following:

"medical directors are providing either online telecommunication medical direction to ~~[EMT-Bs, EMT-Is, EMT-Ps,]~~ EMTs, AEMTs, and community paramedics, or offline medical direction per"; and

Further amend said bill, Page 15, Section 190.131, Line 2, by deleting the word "and"; and

Further amend said bill, section, page, Line 4, by inserting the words "and paramedics," after the word "technicians"; and

Further amend said bill, Page 17, Section 190.142, Lines 32-39, by deleting all of said lines and inserting in lieu thereof the following:

"(3) [~~Initial licensure testing requirements. Initial EMT-P licensure testing shall be through the national registry of EMTs or examinations developed and administered by the department of health and senior services~~] Paramedic accreditation requirements. Paramedic training programs shall be accredited by the Commission on Accreditation of Allied Health Education Program (CAAHEP) or hold a CAAHEP letter of review;

(4) Continuing education and licensure requirements; and

(5) Ability to speak, read and write the English language."; and

Further amend said bill, Page 18, Section 190.143, Line 20, by inserting the word "paramedic" after the word "technician"; and

Further amend said bill and page, Section 190.147, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"190.147. 1. Paramedics"; and

Further amend said section and page, Line 13, by deleting "EMT-P" and inserting in lieu thereof "paramedic"; and

Further amend said section, Page 19, Lines 19 and 28, by deleting "EMT-P" and "EMT-Ps" respectively, and inserting in lieu thereof "paramedic" and "Paramedics" respectively; and

Further amend said bill, Page 23, Section 190.196, Line 8, by inserting the word "paramedic" after the word "technician"; and

Further amend said bill, Page 24, Section 190.246, Line 4, by deleting "~~technical-basic~~ or" and inserting in lieu thereof "~~technical-basic or~~"; and

Further amend said bill, section, and page, Line 5, by inserting ", or a paramedic" after the word "technician"; and

Further amend said bill, Page 40, Section 191.630, Line 27, by inserting the word "paramedic" after "190.100"; and

Further amend said bill, Pages 43, Sections 221.520, Line 46, by inserting the following after all of said section and line:

"287.243. 1. This section shall be known and may be cited as the "Line of Duty Compensation Act".

2. As used in this section, unless otherwise provided, the following words shall mean:

(1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services~~[- division of regulation and licensure, 19 CSR 30-40.005, et seq.]~~;

(2) "Air ambulance registered professional nurse", a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;

(3) "Air ambulance registered respiratory therapist", a person licensed as a registered respiratory therapist in accordance with sections 334.800 to 334.930 and corresponding regulations adopted by the state board for respiratory care, who provides respiratory therapy services in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to such programs;

~~[(3)]~~ (4) "Child", any natural, illegitimate, adopted, or posthumous child or stepchild of a deceased ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer who, at the time of the ~~[law enforcement officer's, emergency medical technician's, air ambulance pilot's, air ambulance registered professional nurse's, or firefighter's]~~ public safety officer's fatality is:

(a) Eighteen years of age or under;

(b) Over eighteen years of age and a student, as defined in 5 U.S.C. Section 8101; or

(c) Over eighteen years of age and incapable of self-support because of physical or mental disability;

~~[(4)]~~ (5) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;

~~[(5)]~~ (6) "Firefighter", any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

(7) "Flight crew member", an individual engaged in flight responsibilities with an air ambulance licensed in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to such programs;

~~[(6)]~~ (8) "Killed in the line of duty", when any person defined in this section loses his or her life when:

(a) Death is caused by an accident or the willful act of violence of another;

(b) The ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer is in the active performance of his or her duties in his or her respective profession and there is a relationship between the accident or commission of the act of violence and the performance of the duty, even if the individual is off duty; the ~~[law enforcement officer, emergency medical technician, air~~

~~ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer is traveling to or from employment; or the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer is taking any meal break or other break which takes place while that individual is on duty;

(c) Death is the natural and probable consequence of the injury; and

(d) Death occurs within three hundred weeks from the date the injury was received.

The term excludes death resulting from the willful misconduct or intoxication of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer. The division of workers' compensation shall have the burden of proving such willful misconduct or intoxication;

~~[(7)] (9)~~ "Law enforcement officer", any person employed by the state or a local governmental entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary police officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life;

~~[(8)] (10)~~ "Local governmental entity", includes counties, municipalities, townships, board or other political subdivision, cities under special charter, or under the commission form of government, fire protection districts, ambulance districts, and municipal corporations;

~~(11)~~ "Public safety officer", any law enforcement officer, firefighter, uniformed employee of the office of the state fire marshal, emergency medical technician, police officer, capitol police officer, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed in the line of duty or any emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, air ambulance registered respiratory therapist, or flight crew member who is killed in the line of duty;

~~[(9)] (12)~~ "State", the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

~~[(10)] (13)~~ "Volunteer firefighter", a person having principal employment other than as a firefighter, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed by survivors of the deceased with the division of workers' compensation not later than one year from the date of death of a ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer. If a claim is made within one year of the date of death of a ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

(2) The amount of compensation paid to the claimant shall be twenty-five thousand dollars, subject to appropriation, for death occurring on or after June 19, 2009.

4. Any compensation awarded under the provisions of this section shall be distributed as follows:

(1) To the surviving spouse of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer if there is no child who survived the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer;

(2) Fifty percent to the surviving child, or children, in equal shares, and fifty percent to the surviving spouse if there is at least one child who survived the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer, and a surviving spouse of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer;

(3) To the surviving child, or children, in equal shares, if there is no surviving spouse of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer;

(4) If there is no surviving spouse of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer and no surviving child:

(a) To the surviving individual, or individuals, in shares per the designation or, otherwise, in equal shares, designated by the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer to receive benefits under this subsection in the most recently executed designation of beneficiary of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer on file at the time of death with the public safety agency, organization, or unit; or

(b) To the surviving individual, or individuals, in equal shares, designated by the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer to receive benefits under the most recently executed life insurance policy of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer on file at the time of death with the public safety agency, organization, or unit if there is no individual qualifying under paragraph (a);

(5) To the surviving parent, or parents, in equal shares, of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer if there is no individual qualifying under subdivision (1), (2), (3), or (4) of this subsection; or

(6) To the surviving individual, or individuals, in equal shares, who would qualify under the definition of the term "child" but for age if there is no individual qualifying under subdivision (1), (2), (3), (4), or (5) of this subsection.

5. Notwithstanding subsection 3 of this section, no compensation is payable under this section unless a claim is filed within the time specified under this section setting forth:

(1) The name, address, and title or designation of the position in which the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ public safety officer was serving at the time of his or her death;

(2) The name and address of the claimant;

(3) A full, factual account of the circumstances resulting in or the course of events causing the death at issue; and

(4) Such other information that is reasonably required by the division.

When a claim is filed, the division of workers' compensation shall make an investigation for substantiation of matters set forth in the application.

6. The compensation provided for under this section is in addition to, and not exclusive of, any pension rights, death benefits, or other compensation the claimant may otherwise be entitled to by law.

1 7. Neither employers nor workers' compensation insurers shall have subrogation rights
 2 against any compensation awarded for claims under this section. Such compensation shall not be
 3 assignable, shall be exempt from attachment, garnishment, and execution, and shall not be subject to
 4 setoff or counterclaim, or be in any way liable for any debt, except that the division or commission
 5 may allow as lien on the compensation, reasonable attorney's fees for services in connection with
 6 the proceedings for compensation if the services are found to be necessary. Such fees are subject to
 7 regulation as set forth in section 287.260.

8 8. Any person seeking compensation under this section who is aggrieved by the decision of
 9 the division of workers' compensation regarding his or her compensation claim, may make
 10 application for a hearing as provided in section 287.450. The procedures applicable to the
 11 processing of such hearings and determinations shall be those established by this chapter. Decisions
 12 of the administrative law judge under this section shall be binding, subject to review by either party
 13 under the provisions of section 287.480.

14 9. Pursuant to section 23.253 of the Missouri sunset act:

15 (1) The provisions of the new program authorized under this section shall automatically
 16 sunset six years after June 19, 2019, unless reauthorized by an act of the general assembly; and

17 (2) If such program is reauthorized, the program authorized under this section shall
 18 automatically sunset twelve years after the effective date of the reauthorization of this section; and

19 (3) This section shall terminate on September first of the calendar year immediately
 20 following the calendar year in which the program authorized under this section is sunset.

21 10. The provisions of this section, unless specified, shall not be subject to other provisions
 22 of this chapter.

23 11. There is hereby created in the state treasury the "Line of Duty Compensation Fund",
 24 which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts, or
 25 bequests to the fund. The state treasurer shall be custodian of the fund and shall approve
 26 disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation,
 27 money in the fund shall be used solely for paying claims under this section. Notwithstanding the
 28 provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the
 29 biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest
 30 moneys in the fund in the same manner as other funds are invested. Any interest and moneys
 31 earned on such investments shall be credited to the fund.

32 12. The division shall promulgate rules to administer this section, including but not limited
 33 to the appointment of claims to multiple claimants, record retention, and procedures for information
 34 requests. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
 35 under the authority delegated in this section shall become effective only if it complies with and is
 36 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
 37 chapter 536 are nonseverable and if any of the powers vested with the general assembly under
 38 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
 39 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 40 June 19, 2009, shall be invalid and void."; and

41
 42 Further amend said bill, Page 45, Section 320.094, Line 68, by inserting the following after all of
 43 said section and line:

44
 45 "320.097. 1. As used in this section, "fire department" means any agency or organization
 46 that provides fire suppression and related activities, including but not limited to fire prevention,

1 rescue, emergency medical services, hazardous material response, dispatching, or special operations
2 to a population within a fixed and legally recorded geographical area.

3 2. No employee of a fire department who has worked for seven years for such department
4 shall, as a condition of employment, be required to reside within a fixed and legally recorded
5 geographical area of the fire department if the only public school district available to the employee
6 within such fire department's geographical area is a public school district that is or has been
7 unaccredited or provisionally accredited in the last five years of such employee's employment.
8 Employees who have satisfied the seven-year requirement in this subsection and who choose to
9 reside outside the geographical boundaries of the department shall reside within a one-hour response
10 time. No charter school shall be deemed a public school for purposes of this section.

11 3. No employee of a fire department who has not resided in such fire department's fixed and
12 legally recorded geographical area, or who has changed such employee's residency because of
13 conditions described in subsection 2 of this section, shall as a condition of employment be required
14 to reside within the fixed and legally recorded geographical area of the fire department if such
15 school district subsequently becomes fully accredited.

16 4. No hourly employee of a fire department shall be required to live in a fire department's
17 fixed and legally recorded geographical area.

18 320.098. No county shall require attendance at a specific training academy by any candidate
19 for a firefighter position but may require a specific certification from any training academy."; and
20

21 Further amend said bill, Page 46, Section 320.202, Line 33, by inserting the following after all of
22 said section and line:
23

24 "321.017. 1. Notwithstanding the provisions of section 321.015, no employee of any fire
25 protection district or ambulance district shall serve as a member of any fire district or ambulance
26 district board while such person is employed by any fire district or ambulance district, except that an
27 employee of a fire protection district or an ambulance district may serve as a member of a voluntary
28 fire protection district board or a voluntary ambulance district board.

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

32 3. Notwithstanding any provision of law to the contrary, no fire protection district or
33 ambulance district shall require an hourly employee to live within the district.

34 321.162. 1. All members of the board of directors of a fire protection district first elected on or after
35 January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on
36 the role and duties of a board member of a fire protection district. The training required under this section
37 shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire
38 marshal shall determine the content of the training to fulfill the requirements of this section. Such training
39 shall include, at a minimum:

- 40 (1) Information relating to the roles and duties of a fire protection district director;
- 41 (2) A review of all state statutes and regulations relevant to fire protection districts;
- 42 (3) State ethics laws;
- 43 (4) State sunshine laws, chapter 610;
- 44 (5) Financial and fiduciary responsibility;
- 45 (6) State laws relating to the setting of tax rates; and
- 46 (7) State laws relating to revenue limitations.

47 2. If any fire protection district board member fails to attend a training session within twelve months
48 after taking office, the board member shall not be compensated for attendance at meetings thereafter until the
49 board member has completed such training session. If any fire protection district board member fails to

1 attend a training session within twenty-four months after taking office, the board member shall forfeit his or
 2 her position as a board member and the remaining board members shall appoint an interim board member to
 3 hold the position for the remainder of the term of the forfeited member, provided, however, the board shall
 4 not appoint the forfeited member."; and

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

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

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

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

40 5. Members of a fire district or ambulance district board of directors shall only receive
 41 compensation for meetings the member attended. If multiple meetings occur on the same day,
 42 members shall not receive compensation for more than one meeting."; and

43
 44 Further amend said bill, Page 49, Section 353.110, Line 88, by inserting immediately after said
 45 section and line the following:

46
 47 "590.025. No law enforcement agency shall require an hourly employee who has been
 48 employed by the law enforcement agency for seven years or more to live within a fixed and legally

1 recorded geographical area."; and

2

3 Further amend said bill by amending the title, enacting clause, and intersectional references
4 accordingly.