

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2372, Page 5, Section 167.630, Line
2 23, by inserting after said section and line the following:
3

4 "190.050. 1. After the ambulance district has been declared organized, the declaring
5 county commission~~], except in counties of the second class having more than one hundred five~~
6 ~~thousand inhabitants located adjacent to a county of the first class having a charter form of~~
7 ~~government which has a population of over nine hundred thousand inhabitants,]~~ shall divide the
8 district into six election districts as equal in population as possible~~], and] or provide for the~~
9 election of six directors elected at large from within the district.

10 (1) If the county commission divides the district into election districts, the commission
11 shall by lot number the districts from one to six inclusive. The county commission shall cause
12 an election to be held in the ambulance district [within ninety days] on the next regularly
13 scheduled election date after the order establishing the ambulance district to elect ambulance
14 district directors. Each voter shall vote for one director from the ambulance election district in
15 which the voter resides. The directors elected from districts one and four shall serve for a term
16 of one year, the directors elected from districts two and five shall serve for a term of two years,
17 and the directors from districts three and six shall serve for a term of three years; thereafter, the
18 terms of all directors shall be three years. All directors shall serve the term to which they were
19 elected or appointed, and until their successors are elected and qualified, except in cases of
20 resignation or disqualification. The county commission shall reapportion the ambulance districts
21 within sixty days after the population of the county is reported to the governor for each decennial
22 census of the United States. Notwithstanding any other provision of law, if the number of
23 candidates for the office of director is no greater than the number of directors to be elected, no
24 election shall be held, and the candidates shall assume the responsibilities of their offices at the
25 same time and in the same manner as if they have been elected.

26 ~~[2. In all counties of the second class having more than one hundred five thousand~~
27 ~~inhabitants located adjacent to a county of the first class having a charter form of government~~
28 ~~which has a population of over nine hundred thousand inhabitants,]~~ (2) If the county
29 commission provides for an at large board of directors, it shall order an election be held on the
30 next regularly scheduled election date and the voters shall vote for six directors elected at large

Action Taken _____ Date _____

1 from within the district for a term of three years. ~~[Those directors holding office in any district~~
2 ~~in such a county on August 13, 1976, shall continue to hold office until the expiration of their~~
3 ~~terms, and their successors shall be elected from the district at large for a term of three years. In~~
4 ~~any district formed in such counties after August 13, 1976, the governing body of the county~~
5 ~~shall cause an election to be held in that district within ninety days after the order establishing~~
6 ~~the ambulance district to elect ambulance district directors.]~~ Each voter shall vote for six
7 directors. The two candidates receiving the highest number of votes at such election shall be
8 elected for a term of three years, the two candidates receiving the third and fourth highest
9 number of votes shall be elected for a term of two years, the two candidates receiving the fifth
10 and sixth highest number of votes shall be elected for a term of one year; thereafter, the term of
11 all directors shall be three years. A director holding office as of August 28, 2026, shall continue
12 as an at-large director for the remainder of such director's existing term.

13 ~~[3-]~~ 2. A candidate for director of the ambulance district shall, at the time of filing, be a
14 citizen of the United States, ~~[a qualified voter of the election district as provided in subsection 1~~
15 ~~of this section,]~~ a resident of the district for two years next preceding the election, and shall be at
16 least twenty-four years of age. In an established district which is located within the jurisdiction
17 of more than one election authority, the candidate shall file his or her declaration of candidacy
18 with the secretary of the board. In all other districts, a candidate shall file a declaration of
19 candidacy with the county clerk of the county in which he or she resides. A candidate shall file a
20 statement under oath that he or she possesses the required qualifications. No candidate's name
21 shall be printed on any official ballot unless the candidate has filed a written declaration of
22 candidacy pursuant to subsection 5 of section 115.127. If the time between the county
23 commission's call for a special election and the date of the election is not sufficient to allow
24 compliance with subsection 5 of section 115.127, the county commission shall, at the time it
25 calls the special election, set the closing date for filing declarations of candidacy.

26 3. An ambulance district may, following a public hearing subject to the provisions of
27 chapter 610, by an ordinance adopted by an affirmative vote of two-thirds of the members of the
28 board of directors, abolish the boundaries of any existing election subdistricts if the board is
29 unable to find a qualified candidate to fill the director position of each such subdistrict. Such
30 ordinance may eliminate the subdistricts entirely and provide for the election of directors at
31 large. A copy of the ordinance shall be filed with the county clerk. Upon the abolition of such
32 election subdistricts, all current directors shall serve as directors at large for the remainder of
33 their existing terms.

34 4. Any ambulance district may, by an ordinance adopted by an affirmative vote of two
35 thirds of the members of the board of directors, establish election subdistricts. Each election
36 subdistrict shall consist of contiguous territory and shall be as compact and nearly equal in
37 population as practicable. The boundaries of such subdistricts shall be established by the county
38 commission. Each board member shall be a resident of the election subdistrict that he or she

1 represents at the time of election and shall remain a resident of such subdistrict for the duration
 2 of the member's term.

3 5. Notwithstanding any other provision of law to the contrary, if the number of
 4 candidates for the office of director is less than the number of directors to be elected, no election
 5 shall be held, and the candidates shall assume the responsibilities of their offices at the same
 6 time and in the same manner as if they were elected.

7 190.051. 1. Notwithstanding the provisions of sections 190.050 and 190.052 to the
 8 contrary, upon a ~~[motion]~~ resolution adopted by the board of directors in districts where there are
 9 six-member boards, and upon approval by the voters in the district, the number of directors may
 10 be increased to seven ~~[with one board member running district wide,]~~ or decreased to five or
 11 three board members. The resolution shall state the names of the existing directors who will fill
 12 the positions on the board if such measure is approved by the voters, as well as any vacancies to
 13 be filled by subsequent election, and shall state the dates on which those terms shall conclude.

14 2. The ballot to be used for the approval of the voters to increase or decrease the number
 15 of members on the board of directors of the ambulance district shall be substantially in the
 16 following form:

Shall the number of members of the board of directors of the _____
 (Insert name of district) Ambulance District be (increased to seven
 members/decreased to five members/decreased to three members)?

YES

NO

17 ~~[2-]~~ 3. If a majority of the voters voting on a proposition to increase the number of board
 18 members ~~[to seven]~~ vote in favor of the proposition, then at the next election of board members
 19 after the voters vote to increase the number of directors, the voters shall select ~~[one person to~~
 20 ~~serve in addition to the existing six directors as the member who shall run district wide]~~
 21 additional persons to fill any such vacancies.

22 ~~[3-]~~ 4. If a majority of the voters voting on a proposition to decrease the number of board
 23 members vote in favor of the proposition, then the county clerk shall redraw the district into the
 24 resulting number of subdistricts with equal population bases and hold elections by subdistricts
 25 pursuant to section 190.050. Thereafter, members of the board shall be elected to serve terms of
 26 three years and until their successors are duly elected and qualified.

27 ~~[4. Members of the board of directors in office on the date of an election pursuant to this~~
 28 ~~section to increase or decrease the number of members of the board of directors shall serve the~~
 29 ~~term to which they were elected or appointed and until their successors are elected and qualified.~~
 30]

31 190.052. Any member of the board of directors who moves residency from the district
 32 ~~[from which the member was elected]~~ shall be disqualified as a member of the board. If one or
 33 two vacancies occur in the membership of the board as a result of death, resignation, or

1 disqualification, the remaining members shall appoint one or two qualified persons, as provided
 2 in section 190.050, to fill the vacancies until the end of the unexpired term. Such appointment
 3 shall be made with the consent of a majority of the remaining members of the board. If the
 4 board is unable to agree in filling a vacancy [~~within sixty days or if there are more than two~~
 5 ~~vacancies at any one time~~], the county commission, upon [~~notice from the board of failure to~~
 6 ~~agree in filling the vacancies~~] the written request of a majority of the remaining board members
 7 or the ambulance service administrator, as described in section 190.112, shall within [~~ten~~] thirty
 8 calendar days fill them by appointment of qualified persons, as provided in section 190.050, and
 9 shall notify the persons in writing of their appointment. The persons appointed shall serve for
 10 the unexpired term.

11 190.070. 1. A petition for annexation of land to an ambulance district shall be signed by
 12 not less than ten percent or fifty voters, whichever is fewer, residing within the territory therein
 13 described proposed for annexation and shall be filed with the county clerk of the county in which
 14 the district or the greater portion thereof is situated, and shall be addressed to the commissioners
 15 of the county commission. A hearing shall be held thereon [~~as nearly as possible as in the case~~
 16 ~~of a formation petition~~] within thirty days of the filing of such petition. If upon the hearing the
 17 commissioners of the county commission find that the petition is in compliance with the
 18 provisions of sections 190.005 to 190.085, they shall order the question to be submitted to the
 19 voters within the territory and within the district.

20 2. The question shall be submitted in substantially the following form to all of the voters
 21 in the existing ambulance district and the area proposed to be annexed:

22 Shall _____ (description of territory) be annexed to the _____ ambulance district, and
 23 a tax imposed within such annexed area equal to the existing rate of the _____ ambulance
 24 district?

25 3. If a majority of the votes cast on the question [~~in the district and in the territory~~
 26 ~~described in the petition, respectively,~~] are in favor of the annexation, the commissioners of the
 27 county commission shall, within thirty days of the certification of the election results, by order
 28 declare the territory annexed and shall describe the altered boundaries of the district. A copy of
 29 the same shall be filed with the county clerk.

30 190.089. Upon voter approval of an ambulance district consolidation at an election, the
 31 department shall prioritize and expedite any activities necessary to facilitate the consolidation.

32 190.090. 1. Two or more organized ambulance districts may consolidate into one
 33 ambulance district by following the procedures set forth in this section.

34 2. If the consolidation of existing ambulance districts is desired, a number of voters
 35 residing in an existing ambulance district equal to ten percent of the vote cast for governor in the
 36 existing district in the next preceding gubernatorial election may file with the county clerk in

1 which the territory or greater part of the proposed consolidated district is situated a petition
2 requesting the consolidation of two or more existing ambulance districts.

3 3. The petition shall be in the following form:

4 We, the undersigned voters of the _____ ambulance district do hereby petition that
5 _____ existing ambulance districts be consolidated into one consolidated ambulance
6 district to be known as the _____ Ambulance District, subject to the attached
7 consolidation plan.

8 4. An alternative procedure of consolidation may be followed, if the board of directors of
9 the existing ambulance districts pass a resolution in the following form:

10 Be it resolved by the board of directors of the ambulance district that the _____
11 ambulance districts be consolidated into one consolidated ambulance district to be known
12 as the _____ Ambulance District, subject to the attached consolidation plan.

13 5. Every petition or resolution shall be accompanied by a consolidation plan outlining
14 the process for the proposed consolidation. At a minimum, the consolidation plan shall include
15 the following:

16 (1) The name of the proposed consolidated district, a legal description of the boundaries
17 of such consolidated district, and the proposed tax levy to be imposed by the consolidated
18 district. In the event that the proposed plan is for the consolidation into an existing district, the
19 consolidation plan shall clearly state that the existing district shall continue as the legal entity
20 into which the other districts are consolidated;

21 (2) The names of the districts to be consolidated, accompanied by a list of all real
22 property owned and financial assets currently held by the district, all outstanding bonds or debts
23 of each of said districts, and the current tax levies imposed by each of said districts;

24 (3) The name of the district which shall be responsible for maintaining ambulance
25 service during the consolidation, including continuing operations, administration, and
26 governance of the consolidated district, provided that there shall be a presumption that the
27 district with the largest operating budget in the preceding fiscal year shall assume such
28 responsibility;

29 (4) The proposed number of board members and specific individuals who will serve as
30 the initial directors, provided that such directors shall be chosen from among the existing board
31 members of the districts to be consolidated such that there is at least one director from each of
32 the districts to be consolidated; and

33 (5) A proposed time line for consolidation, which shall not exceed one hundred eighty
34 days, provided that such time line shall be subject to modification by the board of the
35 consolidated district for good cause.

36 6. Upon the filing of a petition, or a resolution, and a consolidation plan with the county
37 clerk from each of the ambulance districts proposed to be consolidated, the county clerk shall

1 present the petition or resolution and consolidation plan to the commissioners of the county
 2 commission [~~having jurisdiction who shall thereupon order the submission of the question to the~~
 3 ~~voters of the districts. The filing of each of the petitions in the ambulance districts shall have~~
 4 ~~occurred within a continuous twelve month period.~~

5 ~~6. The notice shall set forth the names of the existing ambulance districts to be included~~
 6 ~~in the consolidated district.~~

7 ~~7. The question shall be submitted in substantially the following form:~~

8 ~~Shall the existing _____ ambulance districts be consolidated into one ambulance~~
 9 ~~district?~~

10 ~~8. If the county commission having jurisdiction finds that the question to consolidate the~~
 11 ~~districts received a majority of the votes cast, the commission shall make and enter its order~~
 12 ~~declaring that the proposition passed.~~

13 ~~9. Within thirty days after the district has been declared consolidated, the county~~
 14 ~~commission shall divide the district into six election districts and shall order an election to be~~
 15 ~~held and conducted as provided in section 190.050 for the election of directors.~~

16 ~~10. Within thirty days after the election of the initial board of directors of the district, the~~
 17 ~~directors shall meet and the time and place of the first meeting of the board shall be designated~~
 18 ~~by the county commission. At the first meeting the newly elected board of directors shall choose~~
 19 ~~a name for the consolidated district and shall notify the clerk of the county commission of each~~
 20 ~~county within which the consolidated district is located of the name of the consolidated district.~~

21 ~~11. On the thirtieth day following the election of the board of directors, the existing~~
 22 ~~ambulance districts shall cease to exist and the consolidated district shall assume all of the~~
 23 ~~powers and duties exercised by those districts. All assets and obligations of the existing~~
 24 ~~ambulance districts shall become assets and obligations of the consolidated district], who shall~~
 25 ~~record such documents in the records of the county. A petition or resolution for a proposed~~
 26 ~~consolidation shall be received from all ambulance districts within the same calendar year or~~
 27 ~~shall be considered null and void.~~

28 7. Each of the ambulance districts seeking to consolidate shall post the notice of the
 29 intent to consolidate in the same manner as district public meetings are posted. In addition,
 30 publication of such notice of intent shall be made in a newspaper of general circulation in every
 31 county in which the proposed consolidated ambulance district shall be located, with publication
 32 to be made once per week for two consecutive weeks. A public hearing shall be held jointly by
 33 all ambulance districts seeking to consolidate at a location within the boundaries of the proposed
 34 consolidated ambulance district, provided that such hearing shall be no more than thirty days
 35 after the date of the second publication. The notice of intent shall be in substantially the
 36 following form:

NOTICE OF THE FILING OF A PETITION/RESOLUTION FOR

CONSOLIDATION OF THE _____ AMBULANCE DISTRICTS

To all voters, residents, and interested persons within the boundaries of the above described ambulance districts: You are hereby notified that a petition/resolution has been filed for the consolidation of the above named ambulance districts into one consolidated ambulance district to be known as _____ Ambulance District. A proposed consolidation plan is available for inspection at the office of the County Clerk of _____ County.

A public hearing will be held on _____ (date) at _____ (time) at the following location: _____. The purpose of this public hearing shall be to explain the reasons for the consolidation and answer questions from the public.

Objections to this consolidation may be filed with the County Clerk of _____ County, provided such objections are filed in writing not less than thirty days after the public hearing. Any such objection must be signed by a number of voters residing in the proposed consolidated district that is not less than five percent of the votes cast for governor in the district in the most recent gubernatorial election.

1 8. If no objections are filed with the county clerk within thirty days after the public
 2 hearing, then within forty-five days following the date of the public hearing, the county
 3 commission shall order the districts consolidated pursuant to the terms of the consolidation plan
 4 and shall further appoint as directors those individuals identified in the consolidation plan. The
 5 county commission shall further set a date, time, and location for the first meeting of the
 6 directors of the newly consolidated district.

7 9. Upon receipt of any objections filed, the county clerk shall verify that such objections
 8 are signed by the necessary number of voters of the district. If said objections are signed by an
 9 appropriate number of voters, the county commission of each county in which the proposed
 10 consolidated district is to be located shall thereupon order the submission of the question to the
 11 voters of the districts. The question shall be submitted in substantially the following form:

Shall the existing _____ ambulance districts be consolidated into one
ambulance district to be known as the _____ Ambulance District,
with such consolidated district authorized to levy a property tax not to
exceed the annual rate of _____ cents on the hundred dollars assessed
valuation or a sales tax in an amount not to exceed _____ percent, or a
combination of both?

12
 13 If the county commission having jurisdiction finds that the question to consolidate the districts
 14 received a majority of the votes cast, the commission shall make and enter its order declaring
 15 that the proposition passed. The county commission shall further order the districts consolidated

1 pursuant to the terms of the consolidation plan and shall further appoint as directors those
2 individuals identified in the consolidation plan. The county commission shall further set a date,
3 time, and location for the first meeting of the directors of the newly consolidated district.

4 10. Notwithstanding any other provision of law to the contrary, the consolidated district
5 may impose an initial tax levy up to the highest tax levy of the consolidating districts, provided
6 such tax levy is specifically set forth in the ballot language submitted to and approved by the
7 voters of the consolidating district.

8 11. Without a vote of the residents of the consolidated district as provided in this section,
9 no consolidated ambulance district shall be permitted to impose a property tax greater than the
10 lowest of any existing property tax rate of the districts to be consolidated, nor shall the
11 consolidated ambulance district be permitted to impose any sales tax greater than the lowest of
12 any existing sales tax rate of the districts to be consolidated.

13 12. Upon written certification by the board of directors of the consolidated district to the
14 prior district that the consolidated district has obtained the necessary licenses and permits to
15 operate an ambulance service and all directors of such consolidated district have completed the
16 training required by section 190.053, the existing ambulance districts shall cease to exist and the
17 consolidated district shall assume all of the powers and duties exercised by those districts. All
18 assets and obligations of the existing ambulance districts shall become assets and obligations of
19 the consolidated district."; and

20
21 Further amend said bill by amending the title, enacting clause, and intersectional references
22 accordingly.