

SECOND REGULAR SESSION

HOUSE BILL NO. 1843

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROBB (Sponsor) AND PARKER (Co-sponsor).

Read 1st time February 22, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5273L.01I

AN ACT

To repeal section 321.200, RSMo, and to enact in lieu thereof one new section relating to vacancies on fire protection district boards, with an emergency clause.

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Section A. Section 321.200, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 321.200, to read as follows: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

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.

16 district may be employed or discharged only by a board which includes at least two directors; but
17 any board of directors may suspend from duty any such person or staff member who willfully
18 and deliberately neglects or refuses to perform his or her regular functions.

19 2. Any vacancy on the board shall be filled by the remaining elected members of the
20 board, **unless the remaining members of the board cannot agree or** except when less than two
21 elected members remain on the board, **in which cases** any vacancy shall be filled by the circuit
22 court of the county in which all or a majority of the district lies. The appointee or appointees
23 shall act until the next biennial election at which a director or directors are elected to serve the
24 remainder of the unexpired term.

Section B. Because immediate action is necessary to fill a vacancy on a county fire
2 protection district board, section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and section A of this act shall be in full
5 force and effect upon its passage and approval.

✓