

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 1603, Page 1, Section 43.535, Lines 8-  
2 12, by deleting all of said lines and inserting in lieu thereof the following:

3  
4 "2.] Municipalities and counties may, by local or county ordinance, require the  
5 fingerprinting of applicants or licensees in specified occupations for the purpose of receiving  
6 criminal history record information by local or county officials. A copy of the ordinance must be  
7 forwarded for approval to the Missouri";and

8  
9 Further amend said bill and section, Page 2, Line 21, by deleting all of said line and inserting in lieu  
10 thereof the following:

11  
12 "shall be accessible and available to the municipal or county officials"; and

13  
14 Further amend said bill and page, Section 43.543, Lines 1- 27, by deleting all of said section and  
15 lines from the bill and inserting in lieu thereof the following:

16  
17 "190.060. 1. An ambulance district shall have the following governmental powers, and all  
18 other powers incidental, necessary, convenient or desirable to carry out and effectuate the express  
19 powers:

20 (1) To establish and maintain an ambulance service within its corporate limits, and to  
21 acquire for, develop, expand, extend and improve such service;

22 (2) To acquire land in fee simple, rights in land and easements upon, over or across land and  
23 leasehold interests in land and tangible and intangible personal property used or useful for the  
24 location, establishment, maintenance, development, expansion, extension or improvement of an  
25 ambulance service. The acquisition may be by dedication, purchase, gift, agreement, lease, use or  
26 adverse possession;

27 (3) To operate, maintain and manage the ambulance service, and to make and enter into  
28 contracts for the use, operation or management of and to provide rules and regulations for the  
29 operation, management or use of the ambulance service;

30 (4) To fix, charge and collect reasonable fees and compensation for the use of the  
31 ambulance service according to the rules and regulations prescribed by the board from time to time;

32 (5) To borrow money and to issue bonds, notes, certificates, or other evidences of  
33 indebtedness for the purpose of accomplishing any of its corporate purposes, subject to compliance  
34 with any condition or limitation set forth in sections 190.001 to 190.090 or otherwise provided by  
35 the Constitution of the state of Missouri;

36 (6) To employ or enter into contracts for the employment of any person, firm, or

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1 corporation, and for professional services, necessary or desirable for the accomplishment of the  
2 objects of the district or the proper administration, management, protection or control of its  
3 property;

4 (7) To maintain the ambulance service for the benefit of the inhabitants of the area  
5 comprising the district regardless of race, creed or color, and to adopt such reasonable rules and  
6 regulations as may be necessary to render the highest quality of emergency medical care; to exclude  
7 from the use of the ambulance service all persons who willfully disregard any of the rules and  
8 regulations so established; to extend the privileges and use of the ambulance service to persons  
9 residing outside the area of the district upon such terms and conditions as the board of directors  
10 prescribes by its rules and regulations;

11 (8) To provide for health, accident, disability and pension benefits for the salaried members  
12 of its organized ambulance district and such other benefits for the members' spouses and minor  
13 children, through either, or both, a contributory or noncontributory plan. The type and amount of  
14 such benefits shall be determined by the board of directors of the ambulance district within the level  
15 of available revenue of the pension program and other available revenue of the district. If an  
16 employee contributory plan is adopted, then at least one voting member of the board of trustees  
17 shall be a member of the ambulance district elected by the contributing members. The board of  
18 trustees shall not be the same as the board of directors;

19 (9) To purchase insurance indemnifying the district and its employees, officers, volunteers  
20 and directors against liability in rendering services incidental to the furnishing of ambulance  
21 services. Purchase of insurance pursuant to this section is not intended to waive sovereign  
22 immunity, official immunity or the Missouri public duty doctrine defenses; and

23 (10) To provide for life insurance, accident, sickness, health, disability, annuity, length of  
24 service, pension, retirement and other employee-type fringe benefits, subject to the provisions of  
25 section 70.615, for the volunteer members of any organized ambulance district and such other  
26 benefits for their spouses and eligible unemancipated children, either through a contributory or  
27 noncontributory plan, or both. For purposes of this section, "eligible unemancipated child" means a  
28 natural or adopted child of an insured, or a stepchild of an insured who is domiciled with the  
29 insured, who is less than twenty-three years of age, who is not married, not employed on a full-time  
30 basis, not maintaining a separate residence except for full-time students in an accredited school or  
31 institution of higher learning, and who is dependent on parents or guardians for at least fifty percent  
32 of his or her support. The type and amount of such benefits shall be determined by the board of  
33 directors of the ambulance district within available revenues of the district, including the pension  
34 program of the district. The provision and receipt of such benefits shall not make the recipient an  
35 employee of the district. Directors who are also volunteer members may receive such benefits while  
36 serving as a director of the district.

37 2. The use of any ambulance service of a district shall be subject to the reasonable  
38 regulation and control of the district and upon such reasonable terms and conditions as shall be  
39 established by its board of directors.

40 3. A regulatory ordinance of a district adopted pursuant to any provision of this section may  
41 provide for a suspension or revocation of any rights or privileges within the control of the district  
42 for a violation of any regulatory ordinance.

43 4. Nothing in this section or in other provisions of sections 190.001 to 190.245 shall be  
44 construed to authorize the district or board to establish or enforce any regulation or rule in respect to  
45 the operation or maintenance of the ambulance service within its jurisdiction which is in conflict  
46 with any federal or state law or regulation applicable to the same subject matter.

47 5. After August 28, 1998, the board of directors of an ambulance district that proposes to  
48 contract for the total management and operation of the ambulance service, when that ambulance

1 district has not previously contracted out for said service, shall hold a public hearing within a thirty-  
2 day period and shall make a finding that the proposed contract to manage and operate the ambulance  
3 service will:

- 4 (1) Provide benefits to the public health that outweigh the associated costs;
- 5 (2) Maintain or enhance public access to ambulance service;
- 6 (3) Maintain or improve the public health and promote the continued development of the  
7 regional emergency medical services system.

8 6. (1) Upon a satisfactory finding following the public hearing in subsection 5 of this  
9 section and after a sixty-day period, the ambulance district may enter into the proposed contract,  
10 however said contract shall not be implemented for at least thirty days.

11 (2) The provisions of subsection 5 of this section shall not apply to contracts which were  
12 executed prior to August 28, 1998, or to the renewal or modification of such contracts or to the  
13 signing of a new contract with an ambulance service provider for services that were previously  
14 contracted out.

15 7. All ambulance districts authorized to adopt laws, ordinances, or regulations regarding  
16 basic life support ambulances shall require such ambulances to be equipped with an automated  
17 external defibrillator and be staffed by at least one individual trained in the use of an automated  
18 external defibrillator.

19 8. The ambulance district may adopt procedures for conducting fingerprint background  
20 checks on current and prospective employees and volunteers. The ambulance district may submit  
21 applicant fingerprints to the Missouri state highway patrol, Missouri criminal records repository, for  
22 the purpose of checking the person's criminal history. The fingerprints shall be used to search the  
23 Missouri criminal records repository and shall be submitted to the Federal Bureau of Investigation  
24 to be used for searching the federal criminal history files. The fingerprints shall be submitted on  
25 forms and in the manner prescribed by the Missouri state highway patrol. Fees shall be pursuant to  
26 section 43.530. "; and

27  
28 Further amend said bill by amending the title, enacting clause, and intersectional references  
29 accordingly.