

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 43, Page 2, Section 9.236, Line 7, by inserting after all of said section and line the
3 following:
4

5 "27.010. The attorney general for the state of Missouri shall be elected at each general
6 election at which a governor and other state officers are elected, and his term shall begin at 12:00
7 noon on the second Monday in January next succeeding his election, and shall continue for four
8 years, or until his successor is elected and qualified. The attorney general shall ~~[reside at the seat of~~
9 ~~government and]~~ keep his office in the supreme court building, and receive an annual salary of
10 sixty-five thousand dollars plus any salary adjustment provided pursuant to section 105.005, payable
11 out of the state treasury. The salary shall constitute the total compensation for all duties to be
12 performed by him or her and there shall be no further payments made to or accepted by him or her
13 for the performance of any duty now required of him or her under any existing law. The attorney
14 general shall devote his or her full time to ~~[his]~~ the office, and, except in the performance of his or
15 her official duties, shall not engage in the practice of law.

16 51.050. No person shall be elected or appointed clerk of the county commission unless such
17 person be a citizen of the United States, ~~[over the age of twenty-one years]~~ twenty-one years of age
18 or older, and shall have resided within the state one whole year, and within the county for which the
19 person is elected one year just prior to such person's election; and every clerk shall after the election
20 continue to reside within the county for which such person is clerk.

21 55.060. No person shall be elected or appointed county auditor of a county of the first class
22 not having a charter form of government or of a county of the second class unless he or she is a
23 citizen of the United States ~~[above the age of twenty-one years]~~, twenty-one years of age or older,
24 and has resided within the state for one whole year and within the county for which he or she is
25 elected or appointed for three months immediately preceding the election or his or her appointment.
26 He or she shall also be a person familiar with the theory and practice of accounting by education,
27 training, and experience and able to perform the duties imposed upon the county auditor by the
28 provisions of this chapter. The county auditor shall, after his or her appointment or election, reside
29 in the county for which he or she is auditor.

30 58.030. No person shall be elected or appointed to the office of coroner unless he or she be a
31 citizen of the United States, ~~[over the age of twenty-one years]~~ twenty-one years of age or older, and
32 shall have resided within the state one whole year, and within the county for which he or she is
33 elected, six months next preceding the election.

34 60.010. 1. At the regular general election in the year 1948, and every four years thereafter,
35 the voters of each county of this state in counties of the second, third, and fourth classification shall
36 elect a registered land surveyor as county surveyor, who shall hold office for four years and until a

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1 successor is duly elected, commissioned and qualified. The person elected shall be commissioned
2 by the governor.

3 2. No person shall be elected or appointed surveyor unless such person is a citizen of the
4 United States, ~~[over the age of twenty-one years]~~ twenty-one years of age or older, a registered land
5 surveyor, and shall have resided within the state one whole year. An elected surveyor shall have
6 resided within the county for which the person is elected six months immediately prior to election
7 and shall after election continue to reside within the county for which the person is surveyor. An
8 appointed surveyor need not reside within the county for which the person is surveyor.

9 3. Notwithstanding the provisions of subsection 1 of this section, or any other law to the
10 contrary, the county commission of any county of the third or fourth classification may appoint a
11 surveyor following the deadline for filing for the office of surveyor, if no qualified candidate files
12 for the office in the general election in which the office would have been on the ballot, provided that
13 the notice required by section 115.345 has been published in at least one newspaper of general
14 circulation in the county. The appointed surveyor shall serve at the pleasure of the county
15 commission, however, an appointed surveyor shall forfeit said office once a qualified individual,
16 who has been duly elected at a regularly scheduled general election where the office of surveyor is
17 on the ballot and who has been commissioned by the governor, takes office. The county
18 commission shall fix appropriate compensation, which need not be equal to that of an elected
19 surveyor.

20 77.230. No person shall be mayor unless he or she be at least ~~[thirty]~~ twenty-one years of
21 age, a citizen of the United States and a resident of such city at the time of and for two years next
22 preceding his or her election. When two or more persons shall have an equal number of votes for
23 the office of mayor, the matter shall be determined by the council.

24 79.080. No person shall be mayor unless he or she be at least ~~[twenty-five]~~ twenty-one years
25 of age, a citizen of the United States and a resident of the city at the time of and for at least one year
26 next preceding his or her election.

27 105.035. No person shall be appointed to an elected public office in the state of Missouri
28 who is delinquent in the payment of state income tax, personal property tax, municipal tax, or real
29 property tax on the person's place of residence. A candidate for such appointed public office shall
30 provide the appointing authority thereof with a signed and notarized affidavit stating that all state
31 income taxes and property taxes, both personal property and real property, have been paid or the fact
32 that no taxes were owed for the two fiscal years immediately prior to the filing deadline for the
33 requisite elective public office.

34 162.291. The voters of each seven-director district other than urban districts shall, at
35 municipal elections, elect two directors who are citizens of the United States and resident taxpayers
36 of the district, who have resided in this state for one year next preceding their election or
37 appointment, and who are ~~[at least twenty-four years of age]~~ twenty-one years of age or older."; and
38

39 Further amend said bill, Page 5, Section 190.001, Line 2, by inserting after all of said section and
40 line the following:

41
42 "190.050. 1. After the ambulance district has been declared organized, the declaring county
43 commission, except in counties of the second class having more than one hundred five thousand
44 inhabitants located adjacent to a county of the first class having a charter form of government which
45 has a population of over nine hundred thousand inhabitants, shall divide the district into six election
46 districts as equal in population as possible, and shall by lot number the districts from one to six
47 inclusive. The county commission shall cause an election to be held in the ambulance district within
48 ninety days after the order establishing the ambulance district to elect ambulance district directors.
49 Each voter shall vote for one director from the ambulance election district in which the voter

1 resides. The directors elected from districts one and four shall serve for a term of one year, the
 2 directors elected from districts two and five shall serve for a term of two years, and the directors
 3 from districts three and six shall serve for a term of three years; thereafter, the terms of all directors
 4 shall be three years. All directors shall serve the term to which they were elected or appointed, and
 5 until their successors are elected and qualified, except in cases of resignation or disqualification.
 6 The county commission shall reapportion the ambulance districts within sixty days after the
 7 population of the county is reported to the governor for each decennial census of the United States.
 8 Notwithstanding any other provision of law, if the number of candidates for the office of director is
 9 no greater than the number of directors to be elected, no election shall be held, and the candidates
 10 shall assume the responsibilities of their offices at the same time and in the same manner as if they
 11 have been elected.

12 2. In all counties of the second class having more than one hundred five thousand
 13 inhabitants located adjacent to a county of the first class having a charter form of government which
 14 has a population of over nine hundred thousand inhabitants, the voters shall vote for six directors
 15 elected at large from within the district for a term of three years. Those directors holding office in
 16 any district in such a county on August 13, 1976, shall continue to hold office until the expiration of
 17 their terms, and their successors shall be elected from the district at large for a term of three years.
 18 In any district formed in such counties after August 13, 1976, the governing body of the county shall
 19 cause an election to be held in that district within ninety days after the order establishing the
 20 ambulance district to elect ambulance district directors. Each voter shall vote for six directors. The
 21 two candidates receiving the highest number of votes at such election shall be elected for a term of
 22 three years, the two candidates receiving the third and fourth highest number of votes shall be
 23 elected for a term of two years, the two candidates receiving the fifth and sixth highest number of
 24 votes shall be elected for a term of one year; thereafter, the term of all directors shall be three years.

25 3. A candidate for director of the ambulance district shall, at the time of filing, be a citizen
 26 of the United States, a qualified voter of the election district as provided in subsection 1 of this
 27 section, a resident of the district for two years next preceding the election, and shall be ~~[at least~~
 28 ~~twenty-four years of age]~~ twenty-one years of age or older. In an established district which is
 29 located within the jurisdiction of more than one election authority, the candidate shall file his or her
 30 declaration of candidacy with the secretary of the board. In all other districts, a candidate shall file a
 31 declaration of candidacy with the county clerk of the county in which he or she resides. A candidate
 32 shall file a statement under oath that he or she possesses the required qualifications. No candidate's
 33 name shall be printed on any official ballot unless the candidate has filed a written declaration of
 34 candidacy pursuant to subsection 5 of section 115.127. If the time between the county commission's
 35 call for a special election and the date of the election is not sufficient to allow compliance with
 36 subsection 5 of section 115.127, the county commission shall, at the time it calls the special election,
 37 set the closing date for filing declarations of candidacy."; and
 38

39 Further amend said bill, Page 46, Section 197.135, Line 47, by inserting after all of said section and
 40 line the following:
 41

42 "204.610. 1. There shall be five trustees, appointed or elected as provided for in the circuit
 43 court decree or amended decree of incorporation for a reorganized common sewer district, who shall
 44 reside within the boundaries of the district. Each trustee shall be a voter of the district and shall
 45 have resided in said district for twelve months immediately prior to the trustee's election or
 46 appointment. A trustee shall be ~~[at least twenty-five years of age]~~ twenty-one years of age or older
 47 and shall not be delinquent in the payment of taxes at the time of the trustee's election or
 48 appointment. Regardless of whether or not the trustees are elected or appointed, in the event the
 49 district extends into any county bordering the county in which the greater portion of the district lies,

1 the presiding commissioner or other chief executive officer of the adjoining county shall be an
 2 additional member of the board of trustees, or the governing body of such bordering county may
 3 appoint a citizen from such county to serve as an additional member of the board of trustees. Said
 4 additional trustee shall meet the qualifications set forth in this section for a trustee.

5 2. The trustees shall receive no compensation for their services but may be compensated for
 6 reasonable expenses normally incurred in the performance of their duties. The board of trustees
 7 may employ and fix the compensation of such staff as may be necessary to discharge the business
 8 and purposes of the district, including clerks, attorneys, administrative assistants, and any other
 9 necessary personnel. The board of trustees may employ and fix the duties and compensation of an
 10 administrator for the district. The administrator shall be the chief executive officer of the district
 11 subject to the supervision and direction of the board of trustees. The administrator of the district
 12 may, with the approval of the board of trustees, retain consulting engineers for the district under
 13 such terms and conditions as may be necessary to discharge the business and purposes of the district.

14 3. Except as provided in subsection 1 of this section, the term of office of a trustee shall be
 15 five years. The remaining trustees shall appoint a person qualified under this section to fill any
 16 vacancy on the board. The initial trustees appointed by the circuit court shall serve until the first
 17 Tuesday after the first Monday in June or until the first Tuesday after the first Monday in April,
 18 depending upon the resolution of the trustees. In the event that the trustees are elected, said
 19 elections shall be conducted by the appropriate election authority under chapter 115. Otherwise,
 20 trustees shall be appointed by the county commission in accordance with the qualifications set forth
 21 in subsection 1 of this section.

22 4. Notwithstanding any other provision of law, if there is only one candidate for the post of
 23 trustee, then no election shall be held, and the candidate shall assume the responsibilities of office at
 24 the same time and in the same manner as if elected. If there is no candidate for the post of trustee,
 25 then no election shall be held for that post and it shall be considered vacant, to be filled under the
 26 provisions of subsection 3 of this section."; and

27
 28 Further amend said bill, Page 47, Section 221.065, Line 12, by inserting after all of said section and
 29 line the following:

30
 31 "247.060. 1. The management of the business and affairs of the district is hereby vested in a
 32 board of directors, who shall have all the powers conferred upon the district except as herein
 33 otherwise provided. It shall be composed of five members, each of whom shall be a voter of the
 34 district and shall have resided in said district one whole year immediately prior to his or her
 35 election. A member shall be ~~[at least twenty-five years of age]~~ twenty-one years of age or older and
 36 shall not be delinquent in the payment of taxes at the time of his or her election. Except as provided
 37 in subsection 2 of this section, the term of office of a member of the board shall be three years. The
 38 remaining members of the board shall appoint a qualified person to fill any vacancy on the board. If
 39 no qualified person who lives in the subdistrict for which there is a vacancy is willing to serve on
 40 the board, the board may appoint an otherwise qualified person who lives in the district but not in
 41 the subdistrict in which the vacancy exists to fill such vacancy.

42 2. After notification by certified mail that he or she has two consecutive unexcused
 43 absences, any member of the board failing to attend the meetings of the board for three consecutive
 44 regular meetings, unless excused by the board for reasons satisfactory to the board, shall be deemed
 45 to have vacated the seat, and the secretary of the board shall certify that fact to the board. The
 46 vacancy shall be filled as other vacancies occurring in the board.

47 3. The initial members of the board shall be appointed by the circuit court and one shall
 48 serve until the immediately following first Tuesday after the first Monday in April, two shall serve
 49 until the first Tuesday after the first Monday in April on the second year following their

1 appointment and the remaining appointees shall serve until the first Tuesday after the first Monday
 2 in April on the third year following their appointment. On the expiration of such terms and on the
 3 expiration of any subsequent term, elections shall be held as otherwise provided by law, and such
 4 elections shall be held in April pursuant to section 247.180.

5 4. In 2008, 2009, and 2010, directors elected in such years shall serve from the first Tuesday
 6 after the first Monday in June until the first Tuesday in April of the third year following the year of
 7 their election. All directors elected thereafter shall serve from the first Tuesday in April until the
 8 first Tuesday in April of the third year following the year of their election.

9 5. Each member of the board may receive an attendance fee not to exceed one hundred
 10 dollars for attending each regularly called board meeting, or special meeting, but shall not be paid
 11 for attending more than two meetings in any calendar month, except that in a county of the first
 12 classification, a member shall not be paid for attending more than four meetings in any calendar
 13 month. However, no board member shall be paid more than one attendance fee if such member
 14 attends more than one board meeting in a calendar week. In addition, the president of the board of
 15 directors may receive fifty dollars for attending each regularly or specially called board meeting, but
 16 shall not be paid the additional fee for attending more than two meetings in any calendar month.
 17 Each member of the board shall be reimbursed for his or her actual expenditures in the performance
 18 of his or her duties on behalf of the district.

19 6. In no event, however, shall a board member receive any attendance fees or additional
 20 compensation authorized in subsection 5 of this section until after such board member has
 21 completed a minimum of six hours training regarding the responsibilities of the board and its
 22 members concerning the basics of water treatment and distribution, budgeting and rates, water
 23 utility planning, the funding of capital improvements, the understanding of water utility financial
 24 statements, the Missouri sunshine law, and this chapter.

25 7. The circuit court of the county having jurisdiction over the district shall have jurisdiction
 26 over the members of the board of directors to suspend any member from exercising his or her office,
 27 whensoever it appears that he or she has abused his or her trust or become disqualified; to remove
 28 any member upon proof or conviction of gross misconduct or disqualification for his or her office;
 29 or to restrain and prevent any alienation of property of the district by members, in cases where it is
 30 threatened, or there is good reason to apprehend that it is intended to be made in fraud of the rights
 31 and interests of the district.

32 8. The jurisdiction conferred by this section shall be exercised as in ordinary cases upon
 33 petition, filed by or at the instance of any member of the board, or at the instance of any ten voters
 34 residing in the district who join in the petition, verified by the affidavit of at least one of them. The
 35 petition shall be heard in a summary manner after ten days' notice in writing to the member or
 36 officer complained of. An appeal shall lie from the judgment of the circuit court as in other causes,
 37 and shall be speedily determined; but an appeal does not operate under any condition as a
 38 supersedeas of a judgment of suspension or removal from office.

39 249.140. 1. Any candidate for the office of trustee in the district shall be an American
 40 citizen ~~[over the age of twenty-five years]~~ twenty-one years of age or older and shall have been a
 41 resident within the county within which the district is situated for more than four whole years next
 42 before the date of the election at which he or she is a candidate and shall be a voter of the district.
 43 Any person desiring to become a candidate for the office of trustee at the election held on the
 44 original incorporation of the district, as provided in section 249.070, shall file with the county
 45 commission or with the election commissioners a statement, under oath, that he or she possesses the
 46 qualifications required by sections 249.010 to 249.420 for trustee and shall pay a filing fee of five
 47 dollars, whereupon his or her name shall be placed on the ballot as candidate for trustee. Any
 48 person desiring to become a candidate for the office of trustee in any subsequent election shall file
 49 such statement, under oath, with and pay such filing fee to the secretary of the board of trustees,

1 whereupon his or her name shall be placed on the ballot as candidate for the office of trustee.

2 2. At such initial election the candidate who receives the highest number of votes shall be
3 elected for a six-year term as trustee; the candidate who receives the second highest number of votes
4 shall be elected for a four-year term as trustee; the candidate who receives the third highest number
5 of votes shall be elected for a two-year term as trustee.

6 3. After his or her election each trustee shall take and subscribe ~~[his]~~ an oath or affirmation
7 before the clerk of the circuit court to the effect that he or she is qualified to act as trustee under the
8 provisions of sections 249.010 to 249.420 and that he or she will perform his or her duties as such
9 trustee to the best of his or her ability and impartially in the interest of the whole district."; and

10
11 Further amend said bill, Page 51, Section 287.243, Line 157, by inserting after all of said section
12 and line the following:

13
14 "321.130. A person, to be qualified to serve as a director, shall be a resident and voter of the
15 district for at least one year before the election or appointment and ~~[be over the age of twenty-four~~
16 ~~years]~~ shall be twenty-one years of age or older. In the event the person is no longer a resident of
17 the district, the person's office shall be vacated, and the vacancy shall be filled as provided in
18 section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the
19 fire protection district by paying a filing fee equal to the amount of a candidate for county office as
20 set forth under section 115.357, and filing a statement under oath that such person possesses the
21 required qualifications. Thereafter, such candidate shall have the candidate's name placed on the
22 ballot as a candidate for director."; and

23
24 Further amend said bill, Page 57, Section 376.1575, Line 22, by inserting after all of said section
25 and line the following:

26
27 "483.010. No person shall be appointed or elected clerk of any court, unless he ~~[be]~~ or she is
28 a citizen of the United States, ~~[above the age of twenty-one years]~~ twenty-one years of age or older,
29 and shall have resided within the state one whole year, and within the geographical area over which
30 the court has jurisdiction or, in the case of circuit clerks, within the county from which elected, three
31 months before the appointment or election; and every clerk shall, after his or her appointment or
32 election, reside in the geographical area over which the court he or she serves has jurisdiction or, in
33 the case of circuit clerks, in the county for which he or she is clerk."; and

34
35 Further amend said bill by amending the title, enacting clause, and intersectional references
36 accordingly.