

SECOND REGULAR SESSION

SENATE BILL NO. 787

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS CHILDERS, RUSSELL AND MATHEWSON.

Read 1st time January 6, 2000, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

2749S.02I

AN ACT

To repeal section 320.094, RSMo Supp. 1999, relating to emergency services, and to enact in lieu thereof two new sections relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 320.094, RSMo Supp. 1999, is repealed and two new sections enacted in lieu thereof, to be known as sections 190.083 and 320.094, to read as follows:

190.083. 1. The state treasurer shall annually transfer an amount prescribed in subsection 2 of this section out of the state revenues derived from premium taxes levied on insurance companies pursuant to sections 148.310 to 148.461, RSMo, which are deposited by the director of revenue in the general revenue fund pursuant to section 148.330, RSMo, in a fund hereby created in the state treasury, to be known as the "Ambulance District Fund". Any interest earned from investment of moneys in the fund shall be credited to the fund. The state treasurer shall administer the fund, and the moneys in such fund shall be used solely as prescribed in this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the ambulance district fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

2. Beginning July 1, 2001, one and one-half percent of the amount of premium taxes collected shall be transferred from the general revenue fund to the credit of the ambulance district fund. The transfer in any fiscal year shall not exceed one million five hundred thousand dollars.

3. There is hereby established a special trust fund, to be known as the "Missouri Ambulance District Trust Fund", which shall consist of all moneys transferred to the

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

fund from the ambulance district fund pursuant to this subsection and any earnings resulting from the investment of moneys in the fund. Each fiscal year, an amount equal to forty percent of the moneys transferred to the ambulance district fund shall be transferred by the state treasurer to the credit of the Missouri ambulance district trust fund. The fund shall be administered by a board of trustees, consisting of the state treasurer, two members of the senate appointed by the president pro tem of the senate, two members of the house of representatives appointed by the speaker of the house, and two members appointed by the governor with the advice and consent of the senate. Any member appointed due to such person's membership in the senate or house of representatives shall serve only as long as such person holds the office referenced in this section. The state treasurer shall invest moneys in the fund in a manner as provided by law. Subject to appropriations, moneys in the fund shall be used solely for the purposes described in this section, but such appropriations shall be made only if the board recommends to the general assembly that such moneys are needed in that fiscal year to adequately fund the activities described in this section. Moneys shall accumulate in the trust fund until the earnings from investment of moneys in the fund can adequately support the activities described in this section, as determined by the board. At such time, the board may recommend that the general assembly adjust or eliminate the funding mechanism described in this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the Missouri ambulance district trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

4. The moneys in the ambulance district fund, after any distribution pursuant to subsection 3 of this section, shall be distributed to the individual ambulance districts located within this state. Training, equipment requests and other operational expenses funded pursuant to this subsection must be approved by the Missouri ambulance district commission established in subsection 5 of this section. These funds shall primarily be used to provide ambulance attendant training, equipment and to defray other operational costs of ambulance districts throughout the state. No more than two percent of funds distributed pursuant to this subsection shall be expended on administrative costs.

5. There is established the "Missouri Ambulance District Commission", to be domiciled in the department of health. The commission shall be composed of five members appointed by the governor with the advice and consent of the senate, consisting of one ambulance district director from the northern part of the state, one ambulance district director from the southern part of the state, one ambulance district director from the eastern part of the state, one ambulance district director from the western part of the state and one ambulance district director from the central region

of the state. No more than three members appointed by the governor shall be of the same political party. The terms of office for the members appointed by the governor shall be four years and until their successors are selected and qualified, except that, of those first appointed, two shall have a term of four years, two shall have a term of three years and one shall have a term of two years. There is no limitation on the number of terms an appointed member may serve. The governor may appoint a member for the remaining portion of the unexpired term created by a vacancy. The governor may remove any appointed member for cause. The members shall at their initial meeting select a chairman. All members of the commission shall serve without compensation for their duties, but shall be reimbursed for necessary travel and other expenses incurred in the performance of their official duties. The commission shall meet at least quarterly at the call of the chairman and shall review and determine appropriate programs and activities for which funds may be expended pursuant to subsection 4 of this section.

320.094. 1. The state treasurer shall annually transfer an amount prescribed in subsection 2 of this section out of the state revenues derived from premium taxes levied on insurance companies pursuant to sections 148.310 to 148.461, RSMo, which are deposited by the director of revenue in the general revenue fund pursuant to section 148.330, RSMo, in a fund hereby created in the state treasury, to be known as the "Fire Education Fund". Any interest earned from investment of moneys in the fund shall be credited to the fund. The state treasurer shall administer the fund, and the moneys in such fund shall be used solely as prescribed in this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fire education fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

2. Beginning July 1, [1998, three] **2001, one and one-half** percent of the amount of premium taxes collected [in the immediately preceding fiscal year] pursuant to sections 148.310 to 148.461, RSMo, which are deposited in the general revenue fund [that exceeds the amount of premium taxes which were deposited in the general revenue fund in the 1997 fiscal year] shall be transferred from the general revenue fund to the credit of the fire education fund. At the end of each fiscal year, the commissioner of administration shall determine the amount transferred to the credit of the fire education fund [in each fiscal year by computing the premium taxes deposited in the general revenue fund in the prior fiscal year and comparing such amount to the amount of premium taxes deposited in the general revenue fund in the 1997 fiscal year]. An amount equal to [three] **one and one-half** percent [of the increase computed pursuant to this section] shall be transferred by the state treasurer to the credit of the fire education fund; however, such transfer in any fiscal year shall not exceed one million five hundred thousand dollars.

3. There is hereby established a special trust fund, to be known as the "Missouri Fire

Education Trust Fund", which shall consist of all moneys transferred to the fund from the fire education fund pursuant to this subsection and any earnings resulting from the investment of moneys in the fund. Each fiscal year, an amount equal to forty percent of the moneys transferred to the fire education fund shall be transferred by the state treasurer to the credit of the Missouri fire education trust fund. The fund shall be administered by a board of trustees, consisting of the state treasurer, two members of the senate appointed by the president pro tem of the senate, two members of the house of representatives appointed by the speaker of the house, and two members appointed by the governor with the advice and consent of the senate. Any member appointed due to such person's membership in the senate or house of representatives shall serve only as long as such person holds the office referenced in this section. The state treasurer shall invest moneys in the fund in a manner as provided by law. Subject to appropriations, moneys in the fund shall be used solely for the purposes described in this section, but such appropriations shall be made only if the board recommends to the general assembly that such moneys are needed in that fiscal year to adequately fund the activities described in this section. Moneys shall accumulate in the trust fund until the earnings from investment of moneys in the fund can adequately support the activities described in this section, as determined by the board. At such time, the board may recommend that the general assembly adjust or eliminate the funding mechanism described in this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the Missouri fire education trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

4. The moneys in the fire education fund, after any distribution pursuant to subsection 3 of this section, shall be distributed to the University of Missouri Fire & Rescue Training Institute and the institute shall use the moneys received under this subsection to coordinate education needs in cooperation with community colleges, colleges, regional training facilities, and universities of this state and shall provide training and continuing education to firefighters in this state relating to fire department operations and the personal safety of firefighters while performing fire department activities. Programs and activities funded under this subsection must be approved by the Missouri fire education commission established in subsection 5 of this section. These funds shall primarily be used to provide field education throughout the state, with not more than two percent of funds under this subsection expended on administrative costs.

5. There is established the "Missouri Fire Education Commission", to be domiciled in the division of fire safety within the department of public safety. The commission shall be composed of five members appointed by the governor with the advice and consent of the senate, consisting of one firefighter serving as a volunteer of a volunteer fire protection association, one full-time firefighter employed by a recognized fire department or fire protection district, one firefighter training officer, one person serving as the chief of a volunteer fire protection association, and one chief fire officer from a recognized fire department or fire protection district. No more than three

members appointed by the governor shall be of the same political party. The terms of office for the members appointed by the governor shall be four years and until their successors are selected and qualified, except that, of those first appointed, two shall have a term of four years, two shall have a term of three years and one shall have a term of two years. There is no limitation on the number of terms an appointed member may serve. The governor may appoint a member for the remaining portion of the unexpired term created by a vacancy. The governor may remove any appointed member for cause. The members shall at their initial meeting select a chairman. All members of the commission shall serve without compensation for their duties, but shall be reimbursed for necessary travel and other expenses incurred in the performance of their official duties. The commission shall meet at least quarterly at the call of the chairman and shall review and determine appropriate programs and activities for which funds may be expended under subsection 4 of this section.

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