 EMERGENCY RULE

11 CSR 90-1.040 Board Meetings

PURPOSE: This rule establishes the procedures for meetings of the board.

EMERGENCY RULE: This emergency rule informs the public of the board’s procedures for meetings. This rule is necessary to comply with sections 650.325 to 650.335, RSMo and sections 190.400 to 190.460, RSMo which charge the board with taking immediate steps toward improving access to 911 emergency services to protect Missouri residents in emergency situations, particularly in underserved areas of the state. The board is required to set percentage rates of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 service trust fund to reimburse 911 services authority for costs incurred to implement and operate Missouri 911 systems and for answering and dispatching emergency calls. The board also is required to establish and administer a grant and loan program to provide financing from the Missouri 911 service trust fund to county 911 services authorities for costs incurred in implementing 911 communications service projects. It is necessary to promulgate rules establishing the board’s procedures for meetings. Without such rules, the board will be unable to effectively discharge its duties and protect Missouri residents by immediately taking steps that will improve access to 911 emergency services, particularly those in underserved areas of the state. As a result, the board finds a compelling governmental interest in promoting the health and safety of Missouri residents in emergency situations, requiring this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The board believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed May 6, 2020, becomes effective May 21, 2020, and expires February 25, 2021.

(1) The chair or the chair’s designee shall preside over each meeting of the board. The board shall elect officers from its membership as it determines, including a chair, vice-chair, secretary and treasurer and form committees as it deems appropriate to handle designated functions of the board.

(2) Minutes of each meeting, open or closed, including special meetings, shall be prepared in written form and shall be subject to the approval of the board.

(3) The board may vote to delegate to its chair limited authority to take certain actions without a prior vote of the board. Any action taken by the chair pursuant to such delegation of authority shall have the full force and effect of a majority vote of the board, but must be ratified by a subsequent majority vote of the board at the next public meeting. If such action is not ratified by the board as provided herein, such action shall be cancelled, withdrawn or rescinded as of the date of the public board meeting at which the ratification failed. Such delegation of board authority to the chair shall expire twelve (12) months after its adoption by a majority of the board, unless rescinded or renewed by the board prior to its expiration.