

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 931

By: Sparks

4
5
6 AS INTRODUCED

7 An Act relating to counties and county officers;
8 amending 19 O.S. 2001, Sections 1201, 1202, 1203,
9 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212,
10 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220 and
11 1221, which relate to the Rural Ambulance Service
12 Districts Act; modifying name of act; expanding scope
13 of act; modifying definitions; specifying certain
14 governing body in certain circumstance; providing for
15 certain plan; specifying content of plan; relieving
16 certain duty upon noncompliance; removing certain
17 geographic limitation; modifying certain required
18 content of petition; deleting certain limitation of
19 certain payment; authorizing a county or incorporated
20 town or city to raise revenue and levy certain
21 assessments on property to cover certain costs;
22 providing for certain duty to act; requiring certain
23 response; providing certain exception; providing
24 certain exemption; providing for codification; and
providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 19 O.S. 2001, Section 1201, is
amended to read as follows:

Section 1201. This act may be cited as the "~~Rural~~ Ambulance
Service Districts Act".

1 SECTION 2. AMENDATORY 19 O.S. 2001, Section 1202, is
2 amended to read as follows:

3 Section 1202. As used in ~~this act~~ the Ambulance Service
4 Districts Act unless the context clearly requires otherwise:

5 1. "District" means a public ambulance service district created
6 pursuant to ~~this act~~ the Ambulance Service Districts Act;

7 2. "Board" means the governing body of a district;

8 3. ~~The terms board~~ "Board of county commissioners" and "county
9 clerk" shall mean, respectively, the board of county commissioners
10 and county clerk of the county in which the greatest portion of the
11 territory of any proposed district is located;

12 4. ~~"Rural resident" means any natural person, including persons~~
13 ~~residing in a municipality of eight thousand five hundred (8,500)~~
14 ~~persons or less, residing in the rural area located within the~~
15 ~~boundaries of the district; and~~

16 5. ~~"Rural area" means any area lying outside the corporate~~
17 ~~limits of any municipal corporation and includes any areas of open~~
18 ~~country, unincorporated communities and, with the consent of the~~
19 ~~governing body thereof by ordinance duly adopted, may include the~~
20 ~~area within the corporate limits of any municipality having a~~
21 ~~population of less than eight thousand five hundred (8,500) persons~~
22 ~~according to the latest Federal Decennial Census, when said~~
23 ~~municipality is one of the petitioners for creation of a district or~~
24 ~~for the annexation of additional area as provided by Section 13 of~~

1 ~~this act, provided, further, that when a district is totally within~~
2 ~~the municipal city limits of a city with eight thousand five hundred~~
3 ~~(8,500) population or less, the board of directors of the district~~
4 ~~shall be the governing body of the town. Provided, further, that~~
5 ~~when the city or town with a population of eight thousand five~~
6 ~~hundred (8,500) or less is a party to a district, at least one~~
7 ~~member of the board of directors shall be a resident of such~~
8 ~~participating city or town.~~

9 SECTION 3. AMENDATORY 19 O.S. 2001, Section 1203, is
10 amended to read as follows:

11 Section 1203. A. When a district is totally within the
12 municipal limits of a city, the board of directors of the district
13 shall be the governing body of the city or town.

14 B. Public rural ambulance service districts may be organized
15 under ~~this act~~ the Ambulance Service Districts Act for the purpose
16 of developing and providing adequate rural ambulance services to
17 meet the needs of ~~rural~~ residents within the territory of the
18 district. The board of county commissioners of each county in this
19 state shall have power and it shall be their duty, upon a proper
20 petition being presented, to incorporate and order the creation of
21 such district in the manner provided for in this act.

22 C. 1. By November 1, 2010, each county of this state shall
23 present to the Legislature and Governor an emergency medical
24 services coverage plan. This plan shall:

- a. address funding issues and any gaps in emergency medical service,
- b. address county boundaries to ensure 9-1-1 operators are able to provide quick responses, and
- c. have been presented to county citizens for public comment.

2. If a county does not provide a plan in accordance with this section, then a licensed ambulance service shall no longer have a duty to act as required by Section 22 of this act.

SECTION 4. AMENDATORY 19 O.S. 2001, Section 1204, is amended to read as follows:

Section 1204. A. Any two (2) or more rural residents may file with the county clerk a petition addressed to the board of county commissioners praying for the incorporation of a district under the provisions of ~~this act~~ the Ambulance Service Districts Act. The petition shall give a legal description of the area which the petitioners propose to be incorporated into the proposed district and shall state:

1. That the rural residents within such territory are without adequate ambulance service to meet their needs;

2. That the installation, maintenance and operation of an ambulance service is necessary to serve rural residents of the district; and

1 3. That ~~such~~ service will be conducive to and will promote the
2 public health, safety, and welfare.

3 B. Attached to ~~said petitions~~ the petition shall be an accurate
4 map or plat of the proposed area to be embraced within the district
5 showing the location of ~~said~~ the area by reference to sections or
6 portions thereof and the township and range wherein the same are
7 located.

8 SECTION 5. AMENDATORY 19 O.S. 2001, Section 1205, is
9 amended to read as follows:

10 Section 1205. A. Whenever a petition, as provided in ~~the~~
11 ~~preceding section~~ Section 1204 of this title, is filed with the
12 county clerk, ~~he~~ the clerk shall thereupon give notice to the county
13 commissioners of the filing and pendency of ~~said~~ the petition,
14 whereupon the county commissioners shall ~~forthwith~~ enter ~~their~~ an
15 order setting a public hearing upon ~~said~~ the petition for a day
16 certain and directing the county clerk to give notice of ~~said~~ the
17 hearing by legal publication for two (2) consecutive weeks in a
18 newspaper published in each county containing any area embraced
19 within the boundaries of the proposed district. Such newspapers
20 shall have a general circulation in the county of publication.
21 Provided, however, if there is a county in which there is no
22 newspaper of general circulation published, notice of ~~such~~ the
23 hearing shall be given by posting in five (5) public places within
24 ~~said~~ the county, one of which shall be the county courthouse.

1 B. ~~Such notice~~ Notice shall contain: a

2 1. A brief and concise statement describing the purpose of ~~such~~
3 the hearing, ~~a~~;

4 2. A description of the area to be embraced within ~~said~~ the
5 district; a

6 3. A notice to all persons residing, and incorporated
7 municipalities, within the proposed district that they may appear
8 upon the date and at the time and place of ~~said~~ the hearing to show
9 cause, if any ~~there be~~, why ~~said~~ the petition should not be granted;
10 and a

11 4. A notice to all ~~rural~~ residents of the proposed district
12 that, if ~~said~~ the district shall be ordered created, immediately
13 following the entry of the order creating ~~said~~ the district an
14 organizational meeting to elect a board of directors and officers
15 and to adopt bylaws will be held.

16 ~~In addition, the~~

17 C. The county clerk shall, at least ten (10) days before the
18 date fixed for ~~said~~ the hearing, give or send by registered or
19 certified mail notice thereof to each of the petitioners.

20 SECTION 6. AMENDATORY 19 O.S. 2001, Section 1206, is
21 amended to read as follows:

22 Section 1206. A. At the time and place set for the hearing and
23 consideration of the petition, it shall be the duty of the board of
24 county commissioners to determine:

1 1. Whether proper notice of the hearing has been given as
2 required by Section ~~5~~ 1205 of this ~~act~~ title;

3 2. Whether the ~~rural~~ residents of the area described in the
4 petition are without adequate ambulance service to meet their needs;

5 3. Whether the installation, maintenance and operation of such
6 ambulance service is necessary to serve ~~rural~~ residents of the
7 district;

8 4. Whether such ambulance service will be conducive to and will
9 tend to promote the public health, safety and welfare; and

10 5. The area which should be included in the district.

11 B. If, upon such consideration, it shall be found that such
12 petition is in conformity with the requirements of ~~this act~~ the
13 Ambulance Service Districts Act, and that such a district should be
14 created the board of county commissioners shall thereupon
15 immediately declare the area described in the petition or any part
16 thereof to be incorporated as a district under the name of "Rural
17 Ambulance Service District No. _____, _____ County,
18 Oklahoma", inserting number in order of incorporation and name of
19 county, and thereupon the district shall be a body politic and
20 corporate and an agency and legally constituted authority of the
21 State of Oklahoma for the public purposes set forth in ~~this act~~ the
22 Ambulance Service Districts Act.

23 C. The board of county commissioners shall thereupon enter upon
24 its records full minutes of such hearing, together with its order

1 creating the rural district under ~~said~~ the corporate name for the
2 purposes of ~~this act~~ the Ambulance Service Districts Act. Such
3 districts shall not be political corporations or subdivisions of the
4 state within the meaning of any constitutional debt limitations, nor
5 shall ~~said~~ the districts have any power or authority to levy any
6 taxes whatsoever or make any assessments on property, real or
7 personal.

8 SECTION 7. AMENDATORY 19 O.S. 2001, Section 1207, is
9 amended to read as follows:

10 Section 1207. A. Immediately following the incorporation of
11 the districts by the board of county commissioners, there shall be a
12 special meeting of the residents within any such district to select
13 from their number a board of directors and to adopt bylaws for
14 governing and administering the affairs of the district. The number
15 of members of ~~said~~ the board, not to exceed nine (9), shall be
16 determined by a majority vote of those residents present.

17 B. Those residents present at such special meeting may adopt
18 and amend any of such proposed bylaws and may propose or adopt
19 additional or other bylaws. Such bylaws may be amended at any
20 annual or special meeting of the participating members of the
21 district.

22 SECTION 8. AMENDATORY 19 O.S. 2001, Section 1208, is
23 amended to read as follows:

24

1 Section 1208. The board shall be the governing body of the
2 district and shall meet annually on a date prescribed by the bylaws
3 and at such other times as may be determined by the board or upon
4 call by the ~~chairman~~ chair or any two ~~(2)~~ members of the board.
5 Vacancies on the board shall be filled for the unexpired term, and
6 until such appointee's successor is elected and has qualified, by
7 appointment by the remaining members of the board. The board shall
8 adopt such rules and regulations in conformity with the provisions
9 of ~~this act~~ the Ambulance Service Districts Act and the bylaws of
10 the district as are deemed necessary for the conduct of the business
11 of the district. It shall be the duty of the secretary to cause an
12 entry to be made upon its records showing all of its minutes,
13 decisions and orders made pursuant to the provisions of ~~this act~~ the
14 Ambulance Service Districts Act.

15 SECTION 9. AMENDATORY 19 O.S. 2001, Section 1209, is
16 amended to read as follows:

17 Section 1209. A. Every district incorporated hereunder shall
18 have perpetual existence, subject to dissolution as provided by ~~this~~
19 ~~act~~ the Ambulance Service Districts Act, and shall have power:

20 1. To sue and be sued, complain and defend, in its corporate
21 name;

22 2. To adopt a seal which may be altered at pleasure, and to use
23 it, or a facsimile thereof, as required by law;

24

1 3. To acquire by purchase, lease, gift or in any other manner,
2 and to maintain, use and operate any and all property of any kind,
3 real, personal or mixed, or any interest therein; and to construct,
4 erect, purchase, lease as lessee and in any manner acquire, own,
5 hold, maintain, operate, sell, dispose of, lease as lessor, exchange
6 and mortgage buildings, equipment, apparatus and facilities
7 necessary to serve the residents of the district;

8 4. To borrow money and otherwise contract indebtedness for the
9 purposes set forth in ~~this act~~ the Ambulance Service Districts Act,
10 and, without limitation of the generality of the foregoing, to
11 borrow money and accept grants from the federal government or from
12 any corporation or agency created or designated by the federal
13 government and, in connection with such loan or grant, to enter into
14 such agreements as the federal government or such corporation or
15 agency may require; and to issue its notes or obligations therefor,
16 and to secure the payment thereof by mortgage, pledge, or deed of
17 trust on all or any property, assets, franchises, rights,
18 privileges, licenses, rights-of-way, easements or revenues of the
19 said district;

20 5. To make bylaws for the management and regulation of its
21 affairs;

22 6. To appoint officers and employees, to prescribe their duties
23 and to fix their compensation; and to employ such common and skilled
24

1 labor and professional and other services as may be necessary to
2 carry out the purpose of the district;

3 7. To sell or otherwise dispose of any property of any kind,
4 real, personal, or mixed, or any interest therein, which shall not
5 be necessary to the carrying on of the business of the district;

6 8. To make any and all contracts necessary or convenient for
7 the exercise of the powers of the district;

8 9. To do and perform all acts and things, and to have and
9 exercise any and all powers as may be necessary, convenient, or
10 appropriate to effectuate the purposes for which the district is
11 created;

12 10. To enter into contracts with the federal government, or any
13 agency thereof, or the State of Oklahoma, or any political
14 subdivision or agency thereof, for the construction, operation, and
15 maintenance of needs and demands of the district;

16 11. To enter into contracts jointly with any other district,
17 municipality, city or town, the State of Oklahoma, the federal
18 government, or any other governmental agency, or any of them, for
19 the purpose of purchasing, constructing, acquiring, and operating
20 ambulance facilities or services;

21 12. To determine and collect charges for services performed by
22 the district.

23 B. The board of directors shall, on or before July 1 of each
24 year, file with the county clerk of each county in which any part of

1 ~~said~~ the district is located, an annual report for the preceding
2 calendar year. ~~Such~~ The report shall list all monies received and
3 all monies disbursed during said calendar year. Said report shall
4 also specify any and all indebtedness outstanding at the end of the
5 calendar year.

6 SECTION 10. AMENDATORY 19 O.S. 2001, Section 1210, is
7 amended to read as follows:

8 Section 1210. A. Each county in which any of the area of a
9 district is located shall pay its proportionate share of the cost of
10 the district, based on the ratio which that part of the population
11 of such district residing in the county bears to the total
12 population of the district. Such cost shall be paid from the county
13 treasury, ~~but shall not exceed the equivalent of one (1) mill on~~
14 ~~each dollar of valuation in the district.~~ The county shall have the
15 power or authority to raise revenue in any manner allowed by federal
16 and state law including a levy of taxes, fees, or assessments on
17 property, real or personal, to cover the cost of the district.

18 B. Any incorporated town or city that is a party to the
19 district shall pay a proportionate share of the cost of the
20 district~~7~~. The share shall be based on the ratio which that part of
21 the population of such district residing in the town or city, bears
22 to the total population of the district. Any incorporated town or
23 city shall have the power or authority to raise revenue in any
24 manner allowed under federal and state law including a levy of

1 taxes, fees, or assessments on property, real or personal, to cover
2 the cost of the district.

3 C. Such cost shall include so much of the following as is not
4 paid from revenues of the district:

5 1. All operating and maintenance expenses necessary or
6 desirable for the prudent conduct of affairs of the district and the
7 principal of and interest on the obligations issued or assumed by
8 the district in the performance of the purposes for which it was
9 organized; and

10 2. Adequate reserves for the retirement of indebtedness,
11 maintenance and other purposes necessary and expedient to meeting
12 all obligations of the district.

13 D. Any revenue received by the district shall be devoted,
14 first, to the payment of operating and maintenance expenses and the
15 principal and interest on outstanding obligations and, thereafter,
16 to such reserves for improvements, retirement of indebtedness, new
17 construction, depreciation and contingencies as the board of
18 directors may from time to time prescribe.

19 SECTION 11. AMENDATORY 19 O.S. 2001, Section 1211, is
20 amended to read as follows:

21 Section 1211. Area outside the boundaries of any district which
22 can be served by the facilities of the district may be annexed to
23 such district. Any two ~~(2)~~ or more residents of such area shall
24 file a petition for annexation with the county clerk addressed to

1 the board of county commissioners, which shall give the legal
2 description of the area which the petitioners propose to be annexed
3 to such district, and shall state:

- 4 1. The name of the district to which annexation is desired;
- 5 2. That such area is without an adequate system; and
- 6 3. That annexation to ~~said~~ the district will be conducive to
7 and will promote the public health, safety and welfare of ~~rural~~
8 residents in the area.

9 SECTION 12. AMENDATORY 19 O.S. 2001, Section 1212, is
10 amended to read as follows:

11 Section 1212. Notice shall be given, as provided in Section ~~5~~
12 1205 of this title, of the filing of a petition for annexation
13 fixing the time and place of hearing.

14 SECTION 13. AMENDATORY 19 O.S. 2001, Section 1213, is
15 amended to read as follows:

16 Section 1213. At the time and place set for the hearing and
17 consideration of the petition, the board of county commissioners
18 shall ascertain whether proper notice has been given and whether the
19 statements contained in the petition are true. If true, and if a
20 majority of the members of the board of the district to which
21 annexation is desired do not object to such statement, the board of
22 county commissioners shall enter into its minutes such findings and
23 shall set forth in ~~said~~ the minutes a description of the new
24

1 boundaries of such district. Thereafter, residents within the
2 annexed territory shall be entitled to ambulance service.

3 SECTION 14. AMENDATORY 19 O.S. 2001, Section 1214, is
4 amended to read as follows:

5 Section 1214. A. The term of office of every member elected to
6 an original board shall be until the date of annual meeting of the
7 residents of the district of either the first, second, or third year
8 following the year of the incorporation of the district and until
9 their successors are elected and have qualified, and as nearly as
10 possible the terms of an equal number of directors on any such board
11 shall expire on each of said dates.

12 B. At each annual meeting after the year of the election of the
13 original board members, elections shall be held to elect directors
14 to fill any position on the board, the term of office of which has
15 expired, and any director so elected shall hold office for a term of
16 three (3) years and until ~~his~~ a successor is elected and has
17 qualified. For the purpose of election of board members and for
18 such other purposes as the bylaws may prescribe, annual meetings of
19 residents shall be held by each district between January 1 and March
20 1 of each year following the year of incorporation of such district.
21 The board of directors shall cause notice of the time and place of
22 each annual meeting and the purpose thereof to be given to each of
23 its participating members. Each resident present shall be entitled
24 to a single vote.

1 SECTION 15. AMENDATORY 19 O.S. 2001, Section 1215, is
2 amended to read as follows:

3 Section 1215. The board of directors shall annually elect a
4 ~~chairman~~ chair, ~~vice-chairman~~ vice-chair, secretary, and treasurer
5 for a term of one (1) year and until a successor is elected and has
6 qualified.

7 SECTION 16. AMENDATORY 19 O.S. 2001, Section 1216, is
8 amended to read as follows:

9 Section 1216. It shall be the duty of the ~~chairman~~ chair of the
10 board of directors to keep in repair equipment, apparatus, and other
11 property of the district and to operate the same as directed by ~~said~~
12 the board. The ~~chairman~~ chair and all persons who may perform any
13 service or labor as provided herein shall be paid such just and
14 reasonable compensation as may be allowed by the board of directors
15 and ~~said~~ the board shall annually prepare an estimated budget for
16 the coming year and submit such budget to the board of county
17 commissioners for their approval. The board of directors shall
18 cause an annual audit of the district's records and accounts to be
19 made, and shall make a report on ~~said~~ the matters at each annual
20 meeting.

21 SECTION 17. AMENDATORY 19 O.S. 2001, Section 1217, is
22 amended to read as follows:

23 Section 1217. Whenever a petition signed by three-fourths (3/4)
24 of the residents in any district organized under provisions of this

1 act or a petition signed by all of the directors of such district is
2 presented to the board of county commissioners and it shall appear
3 from ~~said~~ the petition that: ~~that said~~

4 1. The district owns no property of any kind exclusive of
5 records and files; ~~that all~~

6 2. All of its debts and obligations have been fully paid; ~~that~~
7 ~~the~~ and

8 3. The district is not functioning, and will probably continue
9 to be inoperative because the board of directors is unable to obtain
10 the necessary financing or for any other reason; the board of county
11 commissioners shall, after such finding, issue a certificate stating
12 the allegations in ~~said~~ the petition as true and declaring ~~said~~ the
13 district dissolved, and shall make full minutes of such hearing in
14 its journal and deliver ~~said~~ the certificate to the secretary of
15 ~~said~~ the district. The secretary of ~~said~~ the district shall, within
16 thirty (30) days thereafter, deliver all records and files to the
17 county clerk, and thereupon ~~said~~ the district shall be dissolved.

18 SECTION 18. AMENDATORY 19 O.S. 2001, Section 1218, is
19 amended to read as follows:

20 Section 1218. A. Whenever a district owning facilities and
21 property desires to sell such facilities and property and ~~become~~
22 ~~dissolved~~ dissolve, the board of directors may adopt a resolution
23 setting forth the proposed plan and, upon such plan being approved
24 by three-fourths (3/4) of the residents of such district present at

1 a meeting called for that purpose, such resolution and plan may be
2 submitted to the board of county commissioners.

3 B. If approved by the commissioners, the commissioners shall
4 thereupon authorize the board of directors to carry through ~~said~~ the
5 plan of sale and shall further authorize the board of directors to
6 wind up the affairs of the district, pay all debts and expenses, and
7 distribute any excess funds to the members on an equal basis.
8 Thereupon the district shall be dissolved as herein provided.

9 SECTION 19. AMENDATORY 19 O.S. 2001, Section 1219, is
10 amended to read as follows:

11 Section 1219. A. If it becomes apparent that a certain area
12 included within a district cannot be economically or adequately
13 served by the services and facilities of the district, or no longer
14 needs such services or facilities, the residents of such area may
15 petition the county commissioners to release the area from the
16 district. The petition shall describe by section or fraction
17 thereof and by township and range the area affected and be signed by
18 all three-fourths (3/4) of the residents of such area and be
19 endorsed by the board of directors of the district.

20 B. After a finding that the granting of the petition is to the
21 best interests of the affected residents and the district, the board
22 of county commissioners shall issue a certificate stating that the
23 area involved is released and separated from the district. Full
24 minutes of the hearing shall be entered in the journal of the board

1 of county commissioners and the certificate shall be delivered to
2 the secretary of the district who shall, within thirty (30) days,
3 cause the records of the district to be amended to exclude the area
4 affected.

5 SECTION 20. AMENDATORY 19 O.S. 2001, Section 1220, is
6 amended to read as follows:

7 Section 1220. Districts formed hereunder shall be exempt from
8 all excise taxes ~~of whatsoever kind or nature~~ and, further, shall be
9 exempt from payment of assessments in any general or special taxing
10 district levied upon the property of ~~said~~ the district, whether
11 real, personal, or mixed. Any and all securities and evidences of
12 indebtedness issued by a district created pursuant to ~~this act~~ the
13 Ambulance Service Districts Act and the income interest and capital
14 gains thereon shall not be subject to the income tax laws of this
15 state and persons owning or holding ~~said~~ the securities and
16 evidences of indebtedness or their heirs, devisees, successors or
17 assigns shall not be required to pay to the State of Oklahoma income
18 tax upon the profits and capital gains upon ~~said~~ the securities and
19 evidences of indebtedness.

20 SECTION 21. AMENDATORY 19 O.S. 2001, Section 1221, is
21 amended to read as follows:

22 Section 1221. A. Two ~~(2)~~ or more districts organized under
23 ~~this act~~ the Ambulance Service Districts Act may be consolidated
24

1 into a single district by complying with the procedures prescribed
2 in this section.

3 B. The proposal for consolidation shall be prepared in written
4 form and shall set forth in detail the reasons for consolidation and
5 the advantages which would accrue to each district from the
6 proposal. The written proposal shall be considered and acted upon
7 by the board of directors from each district affected at a duly
8 called meeting. If the board of directors of each district approves
9 the proposal by resolution, the proposal shall then be submitted to
10 a vote of the residents of each district present at a regular or
11 special meeting. If the consolidation proposal is not approved by
12 such residents of each district affected such districts may not be
13 consolidated.

14 C. If the proposal is approved by such residents of each
15 district, the boards of directors of the districts desiring to be
16 consolidated shall join in filing a petition, addressed to the board
17 of county commissioners having jurisdiction as provided by this
18 section, for a hearing to consolidate such districts into a single
19 district. ~~Said~~ The petition shall set forth the necessity for such
20 consolidation of two ~~(2)~~ or more districts, and that the
21 consolidation of ~~said~~ the districts shall be conducive to the public
22 health, safety, and welfare, and the purposes for which the
23 districts were organized. The consolidation proposal as approved by

24

1 the residents and the boards of directors of each district shall be
2 attached to the petition as exhibits.

3 D. If the districts seeking consolidation are situated in one
4 county, the petition shall be filed with the county clerk of ~~said~~
5 the county, and the board of county commissioners of ~~said~~ the county
6 shall have jurisdiction to hear and determine the petition.

7 E. If the districts seeking consolidation are situated in
8 different counties the petition shall be filed with the county clerk
9 of the county in which the greatest portion of the area of the
10 proposed consolidated district is located, and the board to
11 determine the question of consolidation shall consist of the board
12 of county commissioners from each of the counties, and a majority of
13 the combined boards shall be necessary to render a decision.

14 F. Upon receipt of ~~said~~ the petition, the county clerk shall
15 thereupon give notice to the board or boards of county commissioners
16 of the filing and pendency of ~~said~~ the petition, whereupon the
17 county commissioners of the county wherein the petition is filed
18 shall enter its order setting hearing, and giving notice of the
19 hearing, all in accordance with the provisions of this act for the
20 creation of districts in the first instance. After the hearing,
21 should the board find that the averments of the petition are true
22 and that ~~said~~ the districts, or any of them, should be consolidated,
23 the board shall enter its order directing the consolidation of the
24 districts. The order shall set forth the corporate name of the

1 consolidated district under the name of "Consolidated Rural
2 Ambulance Service District No. _____, _____ County(ies),
3 Oklahoma." The order shall further provide that the consolidated
4 district shall assume and become legally liable for all of the
5 obligations of the districts consolidated into the single district.

6 G. Following the entry of ~~said~~ the order, an organizational
7 meeting of the combined residents of each of the districts shall be
8 held for the purpose of electing directors and officers and adopting
9 bylaws. This organizational meeting shall be held in accordance
10 with the provisions pertaining to the creation and organization of
11 districts.

12 H. From any order of the board, an appeal may be taken in the
13 manner as provided for appeals from decision of the board of county
14 commissioners. All legal proceedings already instituted by or
15 against any district involved in a consolidation proceeding may be
16 revived and continued by or against the consolidated district by an
17 order of the court substituting the name of such consolidated
18 district.

19 SECTION 22. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1-2504.1 of Title 63, unless
21 there is created a duplication in numbering, reads as follows:

22 A. There is a required duty to act upon the acceptance of an
23 ambulance service license. All licensed ambulance services shall
24 respond when called for an emergency within the primary service area

1 of the ambulance, as defined by the description and map submitted
2 with the most recent license application or renewal. The ambulance
3 service shall respond regardless of the ability to pay of the
4 patient.

5 B. If the ambulance service cannot physically respond within
6 the limits of the Ambulance Service Districts Act, then the
7 ambulance service called shall immediately call for mutual aid from
8 a neighboring licensed ambulance service.

9 C. Nonemergency, interfacility transfers are exempt from the
10 requirements of the subsection.

11 SECTION 23. This act shall become effective November 1, 2009.

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13 52-1-1233 JT 3/6/2009 7:42:53 AM

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