

By: Representative Manning

To: Insurance;
Appropriations

HOUSE BILL NO. 252

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE MONIES IN THE RURAL FIRE TRUCK FUND FOR CONTINUATION
3 OF THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR
4 RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 17-23-1, Mississippi Code of 1972, is
7 amended as follows:

8 17-23-1. (1) There is established a rural fire truck
9 acquisition assistance program to be administered by the
10 Department of Insurance for the purpose of assisting counties and
11 municipalities in the acquisition of fire trucks.

12 (2) There is created in the State Treasury a special fund to
13 be designated as the "Rural Fire Truck Fund." The Legislature
14 shall appropriate an amount not to exceed Four Million Dollars
15 (\$4,000,000.00) from the State General Fund to such special fund,
16 which sum shall be added to the remainder of the money transferred
17 on July 1, 1995, and during the 1996 Regular Session to the Rural
18 Fire Truck Fund. The appropriation shall be made during the 1999
19 Regular Session. Such monies as are deposited into the fund under
20 the provisions of this section shall be available after the 1999
21 Regular Session and such monies must be obligated by December 31,
22 2000, upon legislative appropriation, and upon requisition
23 therefor by the Commissioner of Insurance, in accordance with the
24 provisions of this section. Unexpended amounts remaining in the
25 fund at the end of a fiscal year shall not lapse into the State
26 General Fund, and any interest earned on amounts in the fund shall
27 be deposited to the credit of the fund. It is the intent of the
28 Legislature that the Department of Insurance continue to accept

29 applications from the counties for fire trucks from the additional
30 funds authorized by this subsection. * * *

31 (3) (a) A county that meets the requirements provided
32 herein may receive an amount not to exceed One Hundred Fifty
33 Thousand Dollars (\$150,000.00) as provided in subparagraphs (i),
34 (ii) and (iii) of this paragraph, and such amount shall be divided
35 equally with not more than Fifty Thousand Dollars (\$50,000.00) per
36 fire truck. Monies distributed under this chapter shall be
37 expended only for the purchase of new fire trucks and such trucks
38 must meet the National Fire Protection Association (NFPA)
39 standards in the 1900 series.

40 (i) Any county that has not applied for a fire
41 truck under this section is eligible to submit applications for
42 three (3) fire trucks at not more than Fifty Thousand Dollars
43 (\$50,000.00) per truck or a total of One Hundred Fifty Thousand
44 Dollars (\$150,000.00).

45 (ii) Any county that has received one (1) fire
46 truck under this section is eligible to submit applications for
47 two (2) fire trucks at not more than Fifty Thousand Dollars
48 (\$50,000.00) per truck or a total of One Hundred Thousand Dollars
49 (\$100,000.00).

50 (iii) Any county that has received two (2) fire
51 trucks under this section is eligible to submit an application for
52 one (1) fire truck or a total of not more than Fifty Thousand
53 Dollars (\$50,000.00).

54 (b) The board of supervisors of the county shall submit
55 its request for the receipt of monies to the Department of
56 Insurance. A committee composed of the Commissioner of Insurance,
57 the State Fire Coordinator, the Director of the Rating Bureau and
58 the Director of the State Fire Academy shall review the requests
59 by the boards of supervisors and shall determine whether the
60 county or municipality for which the board of supervisors has
61 requested a truck meets the requirements of eligibility under this
62 chapter.

63 (c) To be eligible to receive monies under this
64 chapter:

65 (i) A county or municipality must pledge to set
66 aside or dedicate each year as matching funds, for a period not to

67 extend over ten (10) years, local funds in an amount equal to or
68 not less than one-tenth (1/10) of the amount of monies for which
69 it is requesting distribution from the Rural Fire Truck Fund,
70 which pledged monies may be derived from local ad valorem tax
71 authorized by law or from any other funds available to the county
72 or municipality, except for those funds received by municipalities
73 or counties from the Municipal Fire Protection Fund or the County
74 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
75 83-1-39.

76 (ii) A municipality must provide adequate
77 documentation of its contract with the county that requires the
78 municipality to provide fire protection in rural areas. The term
79 "rural areas" means any area within the county located outside the
80 boundaries of an incorporated municipality or any incorporated
81 municipality with a population of two thousand five hundred
82 (2,500) or less.

83 (d) The Department of Insurance shall maintain an
84 accurate record of all monies distributed to counties and
85 municipalities and the number of fire trucks purchased and the
86 cost for each fire truck, such records to be kept separate from
87 other records of the Department of Insurance; notify counties and
88 municipalities of the rural fire truck acquisition assistance
89 program and the requirements for them to become eligible to
90 participate; adopt and promulgate such rules and regulations as
91 may be necessary and desirable to implement the provisions of this
92 chapter; and file with the Legislature on or before January 2,
93 1999, and July 1, 1999, a report detailing how monies made
94 available under this chapter were distributed and spent during the
95 preceding portion of the fiscal year in each county and
96 municipality, the number of fire trucks purchased, the counties
97 and municipalities making such purchases and the cost of each fire
98 truck purchased.

99 SECTION 2. This act shall take effect and be in force from
100 and after July 1, 1999.