

By: Senator(s) Rayborn, Hamilton, Lee, Dickerson, Posey, Dearing, Smith, Gordon, Woodfield, Tollison, Browning, White (5th), Carter, Jackson, Stogner, Moffatt, Harvey, Frazier, Jordan (24th), Farris, Harden, Ferris, Huggins, Johnson (19th), Burton, Horhn, Hawks, Cuevas, Minor, Scoper, Furniss, Mettetal

To: Insurance; Appropriations

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 2226

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO
2 ALLOW CERTAIN COUNTIES TO APPLY FOR THE FOURTH ROUND OF FIRE
3 TRUCKS UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM;
4 TO PROVIDE FOR AN ADDITIONAL APPROPRIATION OF MONIES TO THE RURAL
5 FIRE TRUCK FUND DURING THE 1999 REGULAR SESSION; AND FOR RELATED
6 PURPOSES.

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

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

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

14 (2) There is created in the State Treasury a special fund to
15 be designated as the "Rural Fire Truck Fund." The Legislature may
16 appropriate during the 1999 Regular Session an amount not to
17 exceed Two Million Three Hundred Thousand Dollars (\$2,300,000.00),
18 or that amount obligated by the Department of Insurance, from the
19 State General Fund to such special fund, which sum shall be added
20 to the remainder of the money transferred on July 1, 1995, and
21 appropriated during the 1996 and 1998 Regular Sessions to the
22 Rural Fire Truck Fund. * * * Such monies as are deposited into
23 the fund under the provisions of this section may be available
24 after the 1999 Regular Session and such monies must be obligated
25 by December 31, 2000, upon legislative appropriation, and upon
26 requisition therefor by the Commissioner of Insurance, in
27 accordance with the provisions of this section. Unexpended
28 amounts remaining in the fund at the end of a fiscal year shall
29 not lapse into the State General Fund, and any interest earned on

30 amounts in the fund shall be deposited to the credit of the fund.

31 It is the intent of the Legislature that the Department of
32 Insurance continue to accept applications from the counties for
33 fire trucks from the additional funds authorized by this
34 subsection. The Department of Insurance shall include these funds
35 in the fiscal years 2000 and 2001 budget requests.

36 (3) (a) A county that meets the requirements provided
37 herein may receive an amount not to exceed Two Hundred Thousand
38 Dollars (\$200,000.00) as provided in subparagraphs (i), (ii),
39 (iii) and (iv) of this paragraph, and such amount shall be divided
40 equally with not more than Fifty Thousand Dollars (\$50,000.00) per
41 fire truck. Monies distributed under this chapter shall be
42 expended only for the purchase of new fire trucks and such trucks
43 must meet the National Fire Protection Association (NFPA)
44 standards in the 1900 series.

45 (i) Any county that has not applied for a fire
46 truck under this section is eligible to submit applications for
47 four (4) fire trucks at not more than Fifty Thousand Dollars
48 (\$50,000.00) per truck or a total of Two Hundred Thousand Dollars
49 (\$200,000.00).

50 (ii) Any county that has received one (1) fire
51 truck under this section is eligible to submit applications for
52 three (3) fire trucks at not more than Fifty Thousand Dollars
53 (\$50,000.00) per truck or a total of One Hundred Fifty Thousand
54 Dollars (\$150,000.00).

55 (iii) Any county that has received two (2) fire
56 trucks under this section is eligible to submit an application for
57 two (2) fire trucks or a total of not more than One Hundred
58 Thousand Dollars (\$100,000.00).

59 (iv) Any county that has received three (3) fire
60 trucks under this section is eligible to submit an application for
61 one (1) fire truck or a total of not more than Fifty Thousand
62 Dollars (\$50,000.00).

63 (b) The board of supervisors of the county shall submit
64 its request for the receipt of monies to the Department of
65 Insurance. A committee composed of the Commissioner of Insurance,
66 the State Fire Coordinator, the Director of the Rating Bureau and
67 the Director of the State Fire Academy shall review the requests

68 by the boards of supervisors and shall determine whether the
69 county or municipality for which the board of supervisors has
70 requested a truck meets the requirements of eligibility under this
71 chapter.

72 (c) To be eligible to receive monies under this
73 chapter:

74 (i) A county or municipality must pledge to set
75 aside or dedicate each year as matching funds, for a period not to
76 extend over ten (10) years, local funds in an amount equal to or
77 not less than one-tenth (1/10) of the amount of monies for which
78 it is requesting distribution from the Rural Fire Truck Fund,
79 which pledged monies may be derived from local ad valorem tax
80 authorized by law or from any other funds available to the county
81 or municipality, except for those funds received by municipalities
82 or counties from the Municipal Fire Protection Fund or the County
83 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
84 83-1-39.

85 (ii) A municipality must provide adequate
86 documentation of its contract with the county that requires the
87 municipality to provide fire protection in rural areas. The term
88 "rural areas" means any area within the county located outside the
89 boundaries of an incorporated municipality or any incorporated
90 municipality with a population of two thousand five hundred
91 (2,500) or less.

92 (d) The Department of Insurance shall maintain an
93 accurate record of all monies distributed to counties and
94 municipalities and the number of fire trucks purchased and the
95 cost for each fire truck, such records to be kept separate from
96 other records of the Department of Insurance; notify counties and
97 municipalities of the rural fire truck acquisition assistance
98 program and the requirements for them to become eligible to
99 participate; adopt and promulgate such rules and regulations as
100 may be necessary and desirable to implement the provisions of this
101 chapter; and file with the Legislature on or before January 2,

102 1999, and July 1, 1999, a report detailing how monies made
103 available under this chapter were distributed and spent during the
104 preceding portion of the fiscal year in each county and
105 municipality, the number of fire trucks purchased, the counties
106 and municipalities making such purchases and the cost of each fire
107 truck purchased.

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