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To: Insurance;
 Appropriations

SENATE BILL NO. 2226
 (As Passed the Senate)

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; TO AUTHORIZE A
 6 CERTAIN PORTION OF SUCH FUNDS FOR THE PURCHASE AND OPERATION OF
 7 DEFIBRILLATORS BY VOLUNTEER FIRE DEPARTMENTS; AND FOR RELATED
 8 PURPOSES.

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

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

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

16 (2) There is created in the State Treasury a special fund to
 17 be designated as the "Rural Fire Truck Fund." The Legislature may
 18 appropriate during the 1999 Regular Session an amount not to
 19 exceed Three Million Dollars (\$3,000,000.00), or that amount
 20 obligated by the Department of Insurance, from the State General
 21 Fund to such special fund, which sum shall be added to the
 22 remainder of the money transferred on July 1, 1995, and
 23 appropriated during the 1996 and 1998 Regular Sessions to the
 24 Rural Fire Truck Fund. * * * Such monies as are deposited into
 25 the fund under the provisions of this section may be available
 26 after the 1999 Regular Session and such monies must be obligated
 27 by December 31, 2000, upon legislative appropriation, and upon
 28 requisition therefor by the Commissioner of Insurance, in
 29 accordance with the provisions of this section. Unexpended
 30 amounts remaining in the fund at the end of a fiscal year shall

31 not lapse into the State General Fund, and any interest earned on
32 amounts in the fund shall be deposited to the credit of the fund.

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

38 (3) (a) A county that meets the requirements provided
39 herein may receive an amount not to exceed Two Hundred Ten
40 Thousand Dollars (\$210,000.00) as provided in subparagraphs (i),
41 (ii), (iii) and (iv) of this paragraph, and such amount shall be
42 divided equally with not more than Fifty Thousand Dollars
43 (\$50,000.00) per fire truck. Monies distributed under this
44 chapter shall be expended only for the purchase of new fire trucks
45 and such trucks must meet the National Fire Protection Association
46 (NFPA) standards in the 1900 series. Provided, however, that not
47 more than Ten Thousand Dollars (\$10,000.00) per county from the
48 monies distributed under this chapter shall be made available by
49 the Mississippi Department of Insurance exclusively for the
50 purchase, operation, upkeep and training of personnel necessary
51 for the operation of defibrillators by the volunteer fire
52 departments in the State of Mississippi.

53 (i) Any county that has not applied for a fire
54 truck under this section is eligible to submit applications for
55 four (4) fire trucks at not more than Fifty Thousand Dollars
56 (\$50,000.00) per truck or a total of Two Hundred Thousand Dollars
57 (\$200,000.00).

58 (ii) Any county that has received one (1) fire
59 truck under this section is eligible to submit applications for
60 three (3) fire trucks at not more than Fifty Thousand Dollars
61 (\$50,000.00) per truck or a total of One Hundred Fifty Thousand
62 Dollars (\$150,000.00).

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

67 (iv) Any county that has received three (3) fire
68 trucks under this section is eligible to submit an application for

69 one (1) fire truck or a total of not more than Fifty Thousand
70 Dollars (\$50,000.00).

71 (b) The board of supervisors of the county shall submit
72 its request for the receipt of monies to the Department of
73 Insurance. A committee composed of the Commissioner of Insurance,
74 the State Fire Coordinator, the Director of the Rating Bureau and
75 the Director of the State Fire Academy shall review the requests
76 by the boards of supervisors and shall determine whether the
77 county or municipality for which the board of supervisors has
78 requested a truck meets the requirements of eligibility under this
79 chapter.

80 (c) To be eligible to receive monies under this
81 chapter:

82 (i) A county or municipality must pledge to set
83 aside or dedicate each year as matching funds, for a period not to
84 extend over ten (10) years, local funds in an amount equal to or
85 not less than one-tenth (1/10) of the amount of monies for which
86 it is requesting distribution from the Rural Fire Truck Fund,
87 which pledged monies may be derived from local ad valorem tax
88 authorized by law or from any other funds available to the county
89 or municipality, except for those funds received by municipalities
90 or counties from the Municipal Fire Protection Fund or the County
91 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
92 83-1-39.

93 (ii) A municipality must provide adequate
94 documentation of its contract with the county that requires the
95 municipality to provide fire protection in rural areas. The term
96 "rural areas" means any area within the county located outside the
97 boundaries of an incorporated municipality or any incorporated
98 municipality with a population of two thousand five hundred
99 (2,500) or less.

100 (d) The Department of Insurance shall maintain an
101 accurate record of all monies distributed to counties and
102 municipalities and the number of fire trucks purchased and the

103 cost for each fire truck, such records to be kept separate from
104 other records of the Department of Insurance; notify counties and
105 municipalities of the rural fire truck acquisition assistance
106 program and the requirements for them to become eligible to
107 participate; adopt and promulgate such rules and regulations as
108 may be necessary and desirable to implement the provisions of this
109 chapter; and file with the Legislature on or before January 2,
110 1999, and July 1, 1999, a report detailing how monies made
111 available under this chapter were distributed and spent during the
112 preceding portion of the fiscal year in each county and
113 municipality, the number of fire trucks purchased, the counties
114 and municipalities making such purchases and the cost of each fire
115 truck purchased.

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