

**\*\*\*Pending\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 333**

**By Senator(s) Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

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

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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.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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.