

HB455 ENGROSSED



1 508NM3-2
2 By Representatives Standridge, Lovvorn, Shedd, Harbison,
3 Shaver, Smith, Sorrells, Hammett, Robertson, Crawford,
4 Chestnut, Travis, Pringle, Reynolds, Hill
5 RFD: Urban and Rural Development
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A BILL
TO BE ENTITLED
AN ACT

Relating to volunteer fire departments; to amend Sections 9-3-11, 9-3-12, and 9-3-13, Code of Alabama 1975, to create and provide duties and procedures for the Rural and Community Fire Protection Advisory Committee; and to add Section 9-3-21 to the Code of Alabama 1975, to create and provide procedures for administration of the Rural and Community Fire Protection Development and Improvement Grant Program.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 9-3-11, 9-3-12, and 9-3-13, Code of Alabama 1975, are amended to read as follows:

"§9-3-11

The State Forester ~~is hereby authorized and required to~~ shall create ~~a steering committee~~ the Rural and Community Fire Protection Advisory Committee to represent ~~rural~~ community-certified volunteer fire departments and to support the development and improvement of rural and community fire protection throughout the state."

"§9-3-12

~~Said steering committee shall be composed of 13~~



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29 ~~members; one from each of the 10 administrative districts of~~
30 ~~the Alabama Forestry Commission, one member from the Alabama~~
31 ~~Association of Volunteer Fire Departments, one member from the~~
32 ~~Alabama Association of Fire Chiefs and one member from the~~
33 ~~Alabama Firemen's Association. The President of the Alabama~~
34 ~~Association of Fire Chiefs shall appoint one member of his~~
35 ~~association to serve on the committee, the President of the~~
36 ~~Alabama Association of Volunteer Fire Departments shall~~
37 ~~appoint one member of his association to serve on the~~
38 ~~committee, and the President of the Alabama Firemen's~~
39 ~~Association shall appoint a member of his association to serve~~
40 ~~on the committee. The State Forester shall appoint the~~
41 ~~remaining committee members from each administrative district~~
42 ~~of the Alabama Forestry Commission, with each such member~~
43 ~~being a volunteer fireman. All members shall serve at the~~
44 ~~pleasure of their appointing authority. Vacancies on the~~
45 ~~committee shall be filled by the same appointing authority who~~
46 ~~appointed the vacating member.~~

47 (a) The Rural and Community Fire Protection Advisory
48 Committee shall be composed of 13 members, all of whom must be
49 volunteer firefighters, to be appointed as follows:

50 (1) One member of the Alabama Association of Fire
51 Chiefs, who is an active chief of a volunteer fire department,
52 shall be appointed by the president of that association.

53 (2) One member of the Alabama Association of Volunteer
54 Fire Departments shall be appointed by the president of that
55 association.

56 (3) One member of the Alabama Firefighter's Association



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57 shall be appointed by the president of that association.

58 (4) One member from each of the following districts,
59 all of whom must ~~be volunteer firefighters and~~ reside in the
60 district they represent, shall be appointed by the State
61 Forester:

62 a. District 1: Calhoun, Cherokee, DeKalb, Etowah,
63 Jackson, Madison, and Marshall counties.

64 b. District 2: Blount, Cullman, Jefferson, Shelby, St.
65 Clair, Walker, and Winston counties.

66 c. District 3: Fayette, Greene, Hale, Lamar, Pickens,
67 Sumter, and Tuscaloosa counties.

68 d. District 4: Chambers, Clay, Cleburne, Coosa,
69 Randolph, Talladega, and Tallapoosa counties.

70 e. District 5: Autauga, Bibb, Chilton, Dallas, Marengo,
71 Perry, and Wilcox counties.

72 f. District 6: Barbour, Coffee, Dale, Geneva, Henry,
73 Houston, and Pike counties.

74 g. District 7: Butler, Conecuh, Covington, Crenshaw,
75 Escambia, and Monroe counties.

76 h. District 8: Baldwin, Choctaw, Clarke, Mobile, and
77 Washington counties.

78 i. District 9: Colbert, Franklin, Lauderdale, Lawrence,
79 Limestone, Marion, and Morgan counties.

80 j. District 10: Bullock, Elmore, Lee, Lowndes, Macon,
81 Montgomery, and Russell counties.

82 (b) All members shall serve at the pleasure of their
83 appointing authority. Any vacancy on the committee shall be
84 appointed by the appointing authority of the vacating member.



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85 All appointing authorities shall coordinate their appointments
86 to assure the committee's membership is inclusive and reflects
87 the racial, gender, geographic, urban and rural, and economic
88 diversity of the state."

89 "§9-3-13

90 The ~~steering~~ advisory committee shall make
91 recommendations to the State Forester regarding ~~how to improve~~
92 ~~the rural community fire program and how to solve immediate~~
93 ~~problems including parts exchange, training and financial~~
94 ~~assistance through federal grants~~ the development and
95 improvement of rural and community fire protection throughout
96 this state. The advisory committee shall also make
97 recommendations to the Alabama Forestry Commission regarding
98 rural and community fire protection grants awarded pursuant to
99 Section 9-3-21."

100 Section 2. Section 9-3-21 is added to the Code of
101 Alabama 1975 to read as follows:

102 §9-3-21

103 (a) The Alabama Forestry Commission shall establish and
104 administer the Rural and Community Fire Protection Development
105 and Improvement grant program to aid volunteer fire
106 departments in providing rural and community fire protection
107 in this state.

108 (b) There is established the Rural and Community Fire
109 Protection Development and Improvement Fund in the State
110 Treasury. The fund shall be subject to appropriations by the
111 Legislature and any gifts, grants, or other donations received
112 by the commission on behalf of the fund. This fund shall be



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113 administered by the commission and all monies disbursed from
114 the fund shall be under the supervision of the State Forester.
115 To defray costs of administering the fund, the commission may
116 retain five percent of all monies appropriated to the fund
117 each fiscal year to be used for any purpose. Any unexpended or
118 unencumbered funds remaining in the fund at the end of the
119 fiscal year shall not revert but shall be retained for
120 continued use in accordance with this section.

121 (c) Grants awarded from the fund shall only be to
122 volunteer fire departments certified in accordance with
123 Section 9-3-17, including nonprofit corporations,
124 municipalities, and fire districts which have formed or have
125 otherwise authorized such certified volunteer fire
126 departments, county volunteer fire associations organized and
127 incorporated in this state, or other nonprofit entities
128 established for the provision or support of rural and
129 community fire protection in this state.

130 (d) Each fiscal year in which funds are appropriated or
131 otherwise made available for the grant program, the commission
132 shall only award grants that address one or more of the
133 following goals:

134 (1) To increase volunteer fire service recruitment and
135 encourage existing firefighters to remain in the volunteer
136 fire service.

137 (2) To provide compensation or other benefits to
138 increase staffing by departments.

139 (3) To form new volunteer fire departments in areas of
140 this state without sufficient fire protection.



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141 (4) To build, expand, or maintain structures having the
142 primary purpose of housing certified volunteer fire
143 departments and their equipment.

144 (5) To enable or improve communication capabilities for
145 certified volunteer fire departments, including creating or
146 expanding broadband Internet access, erecting or maintaining
147 communication towers and equipment, and acquiring real
148 property upon which to place communication towers having the
149 primary purpose of serving a department.

150 (6) To acquire real property to be used as sites for
151 fire stations for certified volunteer fire departments.

152 (7) To provide firefighting apparatus and equipment for
153 certified volunteer fire departments.

154 (8) To provide training of all types to certified
155 volunteer fire departments.

156 (9) To increase the availability of water supplies for
157 certified volunteer fire departments, including installing wet
158 or dry fire hydrants.

159 (e) All grant proposals shall first be reviewed by the
160 Rural and Community Fire Protection Advisory Committee who
161 shall then recommend to the commission which proposals should
162 be given priority for funding. The commission shall give
163 consideration to the advisory committee's recommendations but
164 shall retain full discretion in determining which proposals
165 are funded.

166 (f) Proposals may be fully funded as submitted or
167 awarded in a different amount than proposed, as determined by
168 the commission. When awarding funding pursuant to this



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169 section, the commission shall consider both the geographic and
170 racial diversity of the state.

171 (g) The commission may also directly expend a portion
172 of the funds in the Rural and Community Fire Protection
173 Development and Improvement Fund in furtherance of any of the
174 goals stated in subsection (d).

175 (h) (1) The commission shall coordinate and implement a
176 statewide training program for the entities eligible to
177 receive a grant. The program shall provide basic instruction
178 concerning fiscal policies and procedures and any other legal
179 requirements regarding receiving, accounting for, and
180 disbursing grant funds. The costs of administering this
181 program shall be paid from the Rural and Community Fire
182 Protection Development and Improvement Fund.

183 (2) No entity shall receive any funding pursuant to
184 this section unless at least two of its current officers,
185 including its chief fiscal officer, have received training in
186 accordance with this subsection.

187 (3) All agencies of the state are hereby authorized and
188 directed to extend their cooperation and give assistance to
189 the commission in providing training required by this
190 subsection.

191 (i) No compensation or benefits paid or provided to
192 volunteer firefighters in furtherance of this section shall
193 affect the minimum percentage of unsalaried membership of a
194 certified volunteer fire department as required by Section
195 9-3-17(a)(2).

196 (j) The Alabama Forestry Commission may adopt rules as



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197 necessary to implement and administer this section.

198 (k) Notwithstanding any other provision of law to the
199 contrary, the powers, authority, and jurisdiction of the
200 Division of Construction Management within the Department of
201 Finance shall not extend to any property or construction
202 project purchased or funded, in whole or in part, with monies
203 derived from the Rural and Community Fire Protection
204 Development and Improvement Fund; provided, that the Division
205 of Construction Management shall retain its authority to adopt
206 a uniform minimum building standards code that will apply to
207 such properties and construction projects.

208 Section 3. This act shall become effective on the first
209 day of the third month following its passage and approval by
210 the Governor, or its otherwise becoming law.

