



**House Urban and Rural Development Reported
Substitute for HB455**

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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 "§9-3-13
86 The ~~steering~~ advisory committee shall make
87 recommendations to the State Forester regarding ~~how to improve~~
88 ~~the rural community fire program and how to solve immediate~~
89 ~~problems including parts exchange, training and financial~~
90 ~~assistance through federal grants~~ the development and
91 improvement of rural and community fire protection throughout
92 this state. The advisory committee shall also make
93 recommendations to the Alabama Forestry Commission regarding
94 rural and community fire protection grants awarded pursuant to
95 Section 9-3-21."

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

98 §9-3-21

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

104 (b) There is established the Rural and Community Fire
105 Protection Development and Improvement Fund in the State
106 Treasury. The fund shall be subject to appropriations by the
107 Legislature and any gifts, grants, or other donations received
108 by the commission on behalf of the fund. This fund shall be
109 administered by the commission and all monies disbursed from
110 the fund shall be under the supervision of the State Forester.
111 To defray costs of administering the fund, the commission may
112 retain five percent of all monies appropriated to the fund



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113 each fiscal year to be used for any purpose. Any unexpended or
114 unencumbered funds remaining in the fund at the end of the
115 fiscal year shall not revert but shall be retained for
116 continued use in accordance with this section.

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

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

130 (1) To increase volunteer fire service recruitment and
131 encourage existing firefighters to remain in the volunteer
132 fire service.

133 (2) To provide compensation or other benefits to
134 increase staffing by departments.

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

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

140 (5) To enable or improve communication capabilities for



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141 certified volunteer fire departments, including creating or
142 expanding broadband Internet access, erecting or maintaining
143 communication towers and equipment, and acquiring real
144 property upon which to place communication towers having the
145 primary purpose of serving a department.

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

148 (7) To provide firefighting apparatus and equipment for
149 certified volunteer fire departments.

150 (8) To provide training of all types to certified
151 volunteer fire departments.

152 (9) To increase the availability of water supplies for
153 certified volunteer fire departments, including installing wet
154 or dry fire hydrants.

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

162 (f) Proposals may be fully funded as submitted or
163 awarded in a different amount than proposed, as determined by
164 the commission. When awarding funding pursuant to this
165 section, the commission shall consider both the geographic and
166 racial diversity of the state.

167 (g) The commission may also directly expend a portion
168 of the funds in the Rural and Community Fire Protection



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169 Development and Improvement Fund in furtherance of any of the
170 goals stated in subsection (d).

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

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

183 (3) All agencies of the state are hereby authorized and
184 directed to extend their cooperation and give assistance to
185 the commission in providing training required by this
186 subsection.

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

192 (j) The Alabama Forestry Commission may adopt rules as
193 necessary to implement and administer this section.

194 (k) Notwithstanding any other provision of law to the
195 contrary, the powers, authority, and jurisdiction of the
196 Division of Construction Management within the Department of



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197 Finance shall not extend to any property or construction
198 project purchased or funded, in whole or in part, with monies
199 derived from the Rural and Community Fire Protection
200 Development and Improvement Fund; provided, that the Division
201 of Construction Management shall retain its authority to adopt
202 a uniform minimum building standards code that will apply to
203 such properties and construction projects.

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