

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1054

Short Title: State Fire and Rescue Commission.

(Public)

Sponsors: Representative Buchanan.

Referred to: Appropriations.

May 8, 1995

A BILL TO BE ENTITLED

AN ACT TO AFFECT THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-78-1 reads as rewritten:

"§ 58-78-1. State Fire and Rescue Commission created; membership.

(a) There is created the State Fire and Rescue Commission of the Department, which shall be composed of 14 voting members to be appointed as follows:

- (1) The Commissioner shall appoint ~~eleven~~ twelve members, two from nominations submitted by the North Carolina State Firemen's Association, one from nominations submitted by the North Carolina Association of Fire Chiefs, one from nominations submitted by the Professional Fire Fighters of North Carolina Association, one from nominations submitted by the North Carolina Society of Fire Service Instructors, one from nominations submitted by the North Carolina Association of County Fire Marshals, one from nominations submitted by the North Carolina Fire Marshal's Association, two from nominations submitted by the North Carolina Association of Rescue and Emergency Medical Services, Inc., one mayor or other elected city official nominated by the President of the League of Municipalities, one county

1 commissioner nominated by the President of the Association of County  
2 Commissioners, and one from the public at large;

3 (2) The Governor shall appoint one member from the public at large; and

4 (3) The General Assembly shall appoint two members from the public at  
5 large, one upon the recommendation of the Speaker of the House of  
6 Representatives pursuant to G.S. 120-121, and one upon the  
7 recommendation of the President of the Senate pursuant to G.S. 120-  
8 121.

9 Public members may not be employed in State government and may not be directly  
10 involved in fire fighting or rescue services.

11 (b) Of the members initially appointed by the Commissioner, the nominees of the  
12 North Carolina State Firemen's Association and the nominees of the North Carolina  
13 Association of Fire Chiefs and the nominees of the Professional Fire Fighters of North  
14 Carolina Association and of the North Carolina Association of Rescue and Emergency  
15 Medical Services, Inc., shall serve three-year terms; the nominees from the North  
16 Carolina Society of Fire Service Instructors, the North Carolina Association of County  
17 Fire Marshals, and the North Carolina Fire Marshal's Association shall serve two-year  
18 terms; and the mayor or other elected city official, the county commissioner, and the  
19 member from the public at large shall serve one-year terms. The Governor's initial  
20 appointee shall serve a three-year term. The General Assembly's initial appointees shall  
21 serve two-year terms. Thereafter all terms shall be for three years.

22 (c) Vacancies shall be filled by the original appointer in the same manner as the  
23 original appointment was made, except that vacancies in the appointments made by the  
24 General Assembly shall be filled in accordance with G.S. 120-122.

25 (d) Appointed members shall serve until their successors are appointed and  
26 qualified.

27 (e) The following State officials, or their designees, shall serve by virtue of their  
28 offices as nonvoting members of the Commission: the Commissioner of Insurance, the  
29 Commissioner of Labor, the Attorney General, the Secretary of Crime Control and Public  
30 Safety, the Secretary of Environment, Health, and Natural Resources, and the President  
31 of the Department of Community Colleges.

32 (f) Members of the Commission shall receive per diem and necessary travel and  
33 subsistence allowances in accordance with the provisions of G.S. 138-5 or G.S. 138-6, as  
34 appropriate."

35 Sec. 2. There is appropriated from the General Fund to the Department of  
36 Insurance for fiscal year 1995-96 the sum of one thousand dollars (\$1,000) and for fiscal  
37 year 1996-97 the sum of one thousand dollars (\$1,000) to implement this act.

38 Sec. 3. This act is effective upon ratification.