



HOUSE BILL 19: Modify Definition of Firefighter.

2016-2017 General Assembly

Committee:	Senate Judiciary I	Date:	June 8, 2016
Introduced by:	Rep. C. Graham	Prepared by:	Brad Krehely
Analysis of:	PCS to Second Edition H19-CSTG-57		Committee Co-Counsel

SUMMARY: *The Proposed Committee Substitute for House Bill 19 would change the name of the North Carolina State Fireman's Association to the North Carolina State Firefighters' Association, amend the definition of "Firefighter" to include firefighters employed by county fire marshal offices, modify the appointment process for the board of trustees of local Firefighters' Relief funds, provide that that the board of trustees of local Firefighters' Relief funds may disburse funds to cover necessary management and investment costs, and would clarify that fire alarms that are unintentional and result in no damage would not be considered in calculating minimum response requirements for initial rating or classification under G.S. 58-36-10(3). The PCS rewrites the bill.*

BILL ANALYSIS:

Section 1 amends the definition of "Firefighter" in Article 84 to include firefighters employed by county fire marshal offices.

Section 2 changes the words "firemen's relief fund" to "local Firefighters' Relief Fund" to make it consistent with references to this fund used elsewhere in the General Statutes.

Section 3 changes the appointment process for trustees of local Firefighters' Relief Fund. Under current law, each local government that receives benefits under Article 84 must appoint a local board of trustees of the Local Firefighters' Relief Fund. Currently, there are 5 members. Two members are elected by the members of the local fire department each January and have staggered terms of two years. Two members are appointed by the mayor and board of aldermen each January and have staggered terms. The Commissioner of Insurance appoints one representative who serves at the pleasure of the Commissioner.

Section 3 would change the appointment process so that (1) the members of the fire department would elect two representatives to serve at the pleasure of the department and (2) the mayor and other local governing board would appoint two members to serve at the pleasure of the governing body.

Section 4 corrects a misplaced apostrophe in "Firefighters' Relief Fund."

Section 5 provides that the board of trustees of local Firefighters' Relief funds may disburse funds to cover necessary management and investment costs that are reasonable and appropriate.

Section 6 changes the name of the North Carolina State Firemen's Association to the North Carolina State Firefighters' Association. It authorizes the association to amend its corporate documents to correct the association's name by making the appropriate filing with the Secretary of State. It also authorizes the Revisor of Statutes to correct references to the Association's former name in the General Statutes.

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Section 7 amends the statute governing standards which apply to rate making in Article 36 of Chapter 58. Currently, for property insurance rates, consideration may be given to the experience of property insurance business during the most recent five year period. For property insurance rates, consideration must be given to the insurance public protection classifications of fire districts established by the Commissioner of Insurance. The Commissioner must establish and modify insurance public protection districts for all rural areas of the State and for cities with populations of 100,000 or fewer. In establishing and modifying these districts, the Commissioner must use standards at least equivalent to those used by the Insurance Services Office, Inc., or any successor organization. Section 7 would provide that fire alarms that are unintentional and result in no damage would not be considered in calculating minimum response requirements for initial rating or classification.

EFFECTIVE DATE: The act becomes effective July 1, 2016.