

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

**H.B. 147**  
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**HOUSE PRINCIPAL CLERK**

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HOUSE DRH30049-MH-27 (01/20)

Short Title: Update Fire and Rescue Comm'n. Membership. (Public)

Sponsors: Representatives Ross, Saine, Boles, and J. Bell (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO UPDATE THE MEMBERSHIP OF THE FIRE AND RESCUE COMMISSION  
3 TO REFLECT THE MERGER OF TWO ORGANIZATIONS, TO ADD  
4 REPRESENTATION FROM THE STATE CHAPTER OF THE INTERNATIONAL  
5 ASSOCIATION OF ARSON INVESTIGATORS, AND TO CLARIFY THE POWERS OF  
6 THE COMMISSION.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 58-78-1 reads as rewritten:

9 **"§ 58-78-1. State Fire and Rescue Commission created; membership.**

10 (a) There is created the State Fire and Rescue Commission of the Department, which  
11 shall be composed of 15 voting members to be appointed as follows:

12 (1) The Commissioner shall appoint 12 members, two from nominations  
13 submitted by the North Carolina State Firemen's Association, one from  
14 nominations submitted by the North Carolina Association of Fire Chiefs, one  
15 from nominations submitted by the Professional Firefighters of North  
16 Carolina Association, one from nominations submitted by the North  
17 Carolina Society of Fire Service Instructors, ~~one from nominations~~  
18 ~~submitted by the North Carolina Association of County Fire Marshals~~, one  
19 from nominations submitted by the North Carolina Fire Marshal's  
20 Association, two from nominations submitted by the North Carolina  
21 Association of Rescue and Emergency Medical Services, Inc., one from  
22 nominations submitted by the North Carolina Chapter of the International  
23 Association of Arson Investigators, one mayor or other elected city official  
24 nominated by the President of the League of Municipalities, one county  
25 commissioner nominated by the President of the Association of County  
26 Commissioners, and one from the public ~~at large; at large.~~

27 (2) The Governor shall appoint one member from the public ~~at large; and at~~  
28 large.

29 (3) The General Assembly shall appoint two members from the public at large,  
30 one upon the recommendation of the Speaker of the House of  
31 Representatives pursuant to G.S. 120-121, and one upon the  
32 recommendation of the President Pro Tempore of the Senate pursuant to  
33 G.S. 120-121.

34 Public members may not be employed in State ~~government and may not be directly~~  
35 ~~involved in fire fighting or rescue services.~~ government.



1 (b) Of the members initially appointed by the Commissioner, the nominees of the North  
2 Carolina State Firemen's Association and the nominees of the North Carolina Association of  
3 Fire Chiefs and the nominees of the Professional Firefighters of North Carolina Association  
4 and of the North Carolina Association of Rescue and Emergency Medical Services, Inc., shall  
5 serve three-year terms; the nominees from the North Carolina Society of Fire Service  
6 Instructors, ~~the North Carolina Association of County Fire Marshals, the North Carolina~~  
7 Chapter of the International Association of Arson Investigators and the North Carolina Fire  
8 Marshal's Association shall serve two-year terms; and the mayor or other elected city official,  
9 the county commissioner, and the member from the public at large shall serve one-year terms.  
10 The Governor's initial appointee shall serve a three-year term. The General Assembly's initial  
11 appointees shall serve two-year terms. Thereafter all terms shall be for three years.

12 ...."

13 **SECTION 2.** G.S. 58-78-5(a)(14b) reads as rewritten:

14 "(14b) To establish voluntary minimum professional qualifications for all levels of  
15 fire service and rescue service ~~personnel; personnel, and to issue, deny,~~  
16 suspend, revoke or take similar actions with respect to certifications issued  
17 by the Commission of minimum professional qualifications established  
18 under this subdivision."

19 **SECTION 3.** G.S. 58-78-10 reads as rewritten:

20 "**§ 58-78-10. State Fire and Rescue Commission – Organization; rules and regulations;**  
21 **meetings.**

22 (a) Organization. – The Commission shall elect from its voting members a ~~chairman~~  
23 chair and ~~vice-chairman~~vice-chair to serve as provided by the rules adopted by the  
24 Commission.

25 ...."

26 **SECTION 4.** Section 1 of this act becomes effective July 1, 2015, and applies to  
27 State Fire and Rescue Commission appointments made on or after that date. The remainder of  
28 this act is effective July 1, 2015.