

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1715*

Short Title: VFD/EMS Defribillator Funds.

(Public)

Sponsors: Representatives Cole; Alexander, Bonner, Davis, Dedmon, Hardy, Hurley, Insko, Jeffus, Mercer, Mosley, Russell, Shubert, Tolson, Wainwright, Warwick, and Watson.

Referred to: Appropriations.

June 1, 1998

A BILL TO BE ENTITLED

1 AN ACT TO APPROPRIATE FUNDS TO THE VOLUNTEER FIRE DEPARTMENT
2 AND VOLUNTEER RESCUE/EMS FUNDS AND TO MAKE CONFORMING
3 CHANGES TO THE GENERAL STATUTES.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. (a) There is appropriated from the General Fund to the Department
7 of Insurance the sum of three million seven hundred ninety-five thousand dollars
8 (\$3,795,000) for the 1998-99 fiscal year to be allocated to the Volunteer Fire Department
9 Fund, created under G.S. 58-87-1, to provide grants to volunteer fire departments for the
10 purchase of, or reimbursement of, a defibrillator. All funds not expended for this purpose
11 by April 1, 1999, shall revert to the General Fund.

12 (b) There is appropriated from the General Fund to the Department of
13 Insurance the sum of one million three hundred eighty thousand dollars (\$1,380,000) for
14 the 1998-99 fiscal year to be allocated to the Volunteer Rescue/EMS Fund, created under
15 G.S. 58-87-5, to provide grants to volunteer rescue units for the purchase of, or
16 reimbursement of, a defibrillator. All funds not expended for this purpose by April 1,
17 1999, shall revert to the General Fund.

18 Section 2. G.S. 58-87-1 reads as rewritten:

1 **"§ 58-87-1. Volunteer Fire Department Fund.**

2 (a) There is created the Volunteer Fire Department Fund to provide matching
3 grants to volunteer fire departments to purchase equipment and make capital
4 improvements. The Fund shall be set up in the Department of Insurance. The State
5 Treasurer shall invest its assets according to law, and the earnings shall remain in the
6 Fund. The Fund shall be distributed under the direction of the Commissioner of
7 Insurance. Beginning January 1, 1988, an eligible fire department may apply to the
8 Commissioner of Insurance for a grant under this section. Beginning May 1, 1988, and on
9 each May 15, thereafter, the Commissioner shall make grants to eligible fire departments
10 subject to the following limitations:

- 11 (1) The size of a grant may not exceed twenty thousand dollars (\$20,000);
- 12 (2) The applicant shall match the grant on a dollar-for-dollar basis;
- 13 (3) The grant may be used only for equipment purchases or capital
14 expenditures necessary to provide fire protection services; and
- 15 (4) An applicant may receive no more than one grant per fiscal year.

16 In awarding grants under this section, the Commissioner shall to the extent possible select
17 applicants from all parts of the State based upon need. Up to two percent (2%) of the
18 Fund may be used for additional staff and resources to administer the Fund in each fiscal
19 year.

20 No fire department may be declared ineligible for a grant under this section solely
21 because it is classified as a municipal fire department.

22 (a1) Notwithstanding the provisions of subsection (a) of this section, an eligible fire
23 department may apply to the Commissioner of Insurance for a grant under this section for
24 the purchase or reimbursement of a defibrillator.

- 25 (1) The size of a grant may not exceed three thousand four hundred fifty
26 dollars (\$3,450);
- 27 (2) The grant may be used only to purchase a defibrillator or to reimburse
28 the applicant for the purchase of a defibrillator; and
- 29 (3) An applicant may receive no more than one grant per fiscal year.

30 Monies in the Fund for the purposes of this subsection do not require a local match.

31 Fire departments providing rescue or EMS services are ineligible for grants under this
32 subsection.

33 (b) A fire department is eligible for a grant under this section if it meets all of the
34 following conditions:

- 35 (1) It serves a response area of 6,000 or less in population.
- 36 (2) It has no more than two paid members and otherwise consists of
37 volunteer members.
- 38 (3) It has been certified by the Department of Insurance.

39 In making the population determination under subdivision (1), the Department shall use
40 the most recent annual population estimates certified by the State Planning Officer.

41 (c) The Commissioner of Insurance shall submit a written report to the General
42 Assembly within 60 days after the grants have been made. This report shall contain the
43 amount of the grant and the name of the recipient."

1 Section 3. G.S. 58-87-5 reads as rewritten:

2 **"§ 58-87-5. Volunteer Rescue/EMS Fund.**

3 (a) There is created in the Department of Insurance the Volunteer Rescue/EMS
4 Fund to provide grants to volunteer rescue units providing rescue or rescue and
5 emergency medical services to purchase equipment and make capital improvements. An
6 eligible rescue or rescue/EMS unit may apply to the Department of Insurance for a grant
7 under this section. The application form and criteria for grants shall be established by the
8 Department. The Department of Health and Human Services shall provide the
9 Department with an advisory priority listing of EMS equipment eligible for funding. The
10 State Treasurer shall invest the Fund's assets according to law, and the earnings shall
11 remain in the Fund. On December 15 of each year, the Department shall make grants to
12 eligible rescue or rescue/EMS units subject to all of the following limitations:

13 (1) A grant to an applicant who is required to match the grant with non-
14 State funds may not exceed fifteen thousand dollars (\$15,000), and a
15 grant to an applicant who is not required to match the grant with non-
16 State funds may not exceed three thousand dollars (\$3,000).

17 (2) An applicant whose liquid assets, when combined with the liquid assets
18 of any corporate affiliate or subsidiary of the applicant, are more than
19 one thousand dollars (\$1,000) shall match the grant on a dollar-for-
20 dollar basis with non-State funds.

21 (3) The grant may be used only for equipment purchases or capital
22 expenditures.

23 (4) An applicant may receive no more than one grant per fiscal year.

24 In awarding grants under this section, the Department shall to the extent possible select
25 applicants from all parts of the State based upon need. Up to two percent (2%) of the
26 Fund may be used for additional staff and resources to administer the Fund in each fiscal
27 year. In addition, notwithstanding G.S. 58-78-20, up to four percent (4%) of the Fund
28 may be used for additional staff and resources for the North Carolina Fire and Rescue
29 Commission.

30 (a1) Notwithstanding the provisions of subsection (a) of this section, an eligible
31 rescue or rescue/EMS unit may apply to the Department of Insurance for a grant under
32 this section for the purchase or reimbursement of a defibrillator.

33 (1) The size of a grant may not exceed three thousand four hundred fifty
34 dollars (\$3,450);

35 (2) The grant may be used only to purchase a defibrillator or to reimburse
36 the applicant for the purchase of a defibrillator; and

37 (3) An applicant may receive no more than one grant per fiscal year.

38 Monies in the Fund for the purposes of this subsection do not require a local match.

39 (b) A rescue or rescue/EMS unit is eligible for a grant under this section if it meets
40 all of the following conditions:

41 (1) Repealed by Session Laws 1989 (Regular Session, 1990), c. 1066, s.
42 33(a).

1 (2) It has no more than two paid members and otherwise consists of
2 volunteer members.

3 (3) It has been recognized by the Department as an organization that
4 provides rescue or rescue and emergency medical services.

5 (4) It satisfies the eligibility criteria established by the Department under
6 subsection (a) of this section.

7 (c) For the purpose of this section and Article 88 of this Chapter, 'rescue' means
8 the removal of individuals facing external, nonmedical, and nonpatient related peril to
9 areas of relative safety. A 'rescue unit' or 'rescue squad' means a group of individuals
10 who are not necessarily trained in emergency medical services, fire fighting, or law
11 enforcement, but who expose themselves to an external, nonmedical, and nonpatient
12 related peril to effect the removal of individuals facing the same type of peril to areas of
13 relative safety. The unit or squad must comply with existing State statutes and with
14 eligibility criteria established by the North Carolina Association of Rescue and
15 Emergency Medical Services, Inc."

16 Section 4. This act becomes effective July 1, 1998. Sections 2 and 3 expire on
17 April 1, 1999.