

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

**SESSION LAW 2015-39
HOUSE BILL 147**

AN ACT TO UPDATE THE MEMBERSHIP OF THE FIRE AND RESCUE COMMISSION TO REFLECT THE MERGER OF TWO ORGANIZATIONS, TO ADD REPRESENTATION FROM THE STATE CHAPTER OF THE INTERNATIONAL ASSOCIATION OF ARSON INVESTIGATORS, AND TO CLARIFY THE POWERS OF THE 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 15 voting members to be appointed as follows:

- (1) The Commissioner shall appoint 12 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 Firefighters 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 from nominations submitted by the North Carolina Chapter of the International Association of Arson Investigators, one mayor or other elected city official nominated by the President of the League of Municipalities, one county commissioner nominated by the President of the Association of County Commissioners, and one from the public ~~at large; at-large.~~
- (2) The Governor shall appoint one member from the public ~~at large; and at large.~~
- (3) The General Assembly shall appoint two members from the public at large, one upon the recommendation of the Speaker of the House of Representatives pursuant to G.S. 120-121, and one upon the recommendation of the President Pro Tempore of the Senate pursuant to G.S. 120-121.

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

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

...."



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

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

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

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

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

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

In the General Assembly read three times and ratified this the 21st day of May, 2015.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 5:30 p.m. this 29th day of May, 2015