

Robert Jones

From: Etheridge, Earl <Earl_Etheridge@co.jackson.ms.us>
Sent: Wednesday, April 20, 2016 9:29 AM
To: Beesley, Wade D (HII-Ingalls); Darryl Sudduth (Darryl.sudduth@cityofmosspoint.org); darryl.theisen@hii-ingalls.com; dmccoy@gautier-ms.gov; Donald Carlson (dcarlson@cityofpascagoula.com); Donnie Lowery (evfd1221@yahoo.com); Doug Winters (doug.winters401@gmail.com); FIRE STATION # 6 (gulfparkstatesfd@cableone.net); Frank Duke (fduke@acadian.com); Jeff Ponson (jponson@oceansprings-ms.gov); Kaleb Kirkwood (kalebkirkwood@ymail.com); Mike Belton (beltonm900@yahoo.com); Mike Stubbs (Mstubbs7044@yahoo.com); Nate Wilson (nwilson@oceansprings-ms.gov); rjones@gautier-ms.gov; Tommy Posey (Tommy.Posey@cityofmosspoint.org); Bell, Jeremy; Boulter, Justin; Huffstatler, Anne; Jackson, Terry; Johnson, Anthony; Mattison, Jeff; McMillian, Justin
Cc: Frank Duke (fduke@acadian.com); Hamilton, Jack; Hare Mark (ftbyu@bellsouth.net); Jackson, Terry; Jerry Cook (smnwac@bellsouth.net); Loper, Butch; Ryan Frederic
Subject: FW: URGENT - Fire Legislation
Importance: High

Below is an email I received this morning from the State Fire Coordinator (see below). It seems that the State Legislature in its wisdom has decided to remove the RFTAAP Funds and the State Fire Rebate Funds from the Dept. of Insurance and place these funds in the State's General Funds. I think everyone knows what will happen then to these funds. They will not be sending out the Rebate Funds this year unless things change. I am asking everyone to take the time, read the email below, inform your boards and contact our State Legislators and the Governor's Office and stop this madness.

From: Brad Smith [mailto:Brad.Smith@mid.ms.gov]
Sent: Wednesday, April 20, 2016 7:00 AM
To: agreeer@marioncountymms.com; Adam Patton <hondaman702@hotmail.com>; Allan Dover <adover@lauderdalecounty.org>; Allen Pratt <pratallan@netscape.net>; Alvin Seaney <alvin@scottcountymms.gov>; Annette Thornton <ema@co.smith.ms.us>; BJ McClenton <bjmccclenton@gmail.com>; Barry Rushing <blr_605@yahoo.com>; Ben Grant (bgrant@sunflowerms.net) <bgrant@sunflowerms.net>; Bobby Norwood (mobilecommllc@yahoo.com) <mobilecommllc@yahoo.com>; Bobby Storey <bstorey@desotocountymms.gov>; Brad Smith <Brad.Smith@mid.ms.gov>; Brett Ishee <bishee@rankincounty.org>; Brian Adam <hcema1@att.net>; Buddy King (buddy.king@winstoncounty.org) <buddy.king@winstoncounty.org>; Chip Brown <chip@forresteoc.com>; sharkeycountyfirecoordinator@gmail.com; Chris Coleman <chriscoleman@dctweb.net>; Chris Williams <donald.williams@weyerhaeuser.com>; Clifford Galey <blcd@cableone.net>; Dale Carnahan <rdc506@yahoo.com>; Dan McKena <fire@joneseoc.com>; Daniel Cole <dcole@panolacoms.com>; Danny Kelly <sdkelly1559@windstream.net>; Danny Manley <pfddmanley@bellsouth.net>; Danny Townsend (attalacountyfire@gmail.com) <attalacountyfire@gmail.com>; Darryl Smith (fireservices@adamscountymms.gov) <fireservices@adamscountymms.gov>; David Burford <dburford@co.washington.ms.us>; Douglas Hutto <dmhutto@hughes.net>; Etheridge, Earl <Earl_Etheridge@co.jackson.ms.us>; Eddie Ivy (cfire@clarkecountymms.gov) <cfire@clarkecountymms.gov>; Frank Hyde (yal.eoc@maxxsouth.net) <yal.eoc@maxxsouth.net>; Gary Fulgham (leflorecounty01@yahoo.com) <leflorecounty01@yahoo.com>; George Stevens <gstevens@lamarcounty.com>; Gerry Burns (perryemd@co.perry.ms.us) <perryemd@co.perry.ms.us>; Grant McCurley (gmccurley@amitecountymms.gov) <gmccurley@amitecountymms.gov>; Gyrone Granderson <hcemae911@bellsouth.net>; Hugh Hollowell <mcema@marshallcoms.org>; Jack Willingham (yazoocoema@yazoocountymms.gov) <yazoocoema@yazoocountymms.gov>; Jared Evans <jaredevans22@gmail.com>; Jeff Mayo <mayo_jeff@hotmail.com>; Jennifer Taylor <Jennifer.Taylor@madison-co.com>; Jerry Briggs (fireco@co.warren.ms.us) <fireco@co.warren.ms.us>; Jerry Davis <jerrydavis@ccmsgov.us>; Jerry Johnson (jerryjohnson@maxxsouth.net) <jerryjohnson@maxxsouth.net>;

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Subject: URGENT - Fire Legislation

Importance: High

To All:
Please see the below letter from Commissioner Chaney. In addition to his comments I would ask that each of you contact the coordinators in your region to make sure they have read this. Also, please make sure your state and local elected officials are contacted as well as your fire departments. This cannot wait until later and MUST be done immediately.

TO THE FIRE SERVICES COMMUNITY

April 20, 2016

Two of the programs that I as the Commissioner of Insurance am most proud of are the Fire Protection Rebate Fund monies that fund the County Volunteer Fire Department Fund and the Municipal Fire Protection Fund (collectively "Fire Rebate Funds"), and the Rural Fire Truck Assistance Acquisition Program ("RFTAAP"). These programs save lives and property and provide tangible savings to citizens in the form of insurance premium discounts. However, I am concerned that recent action taken by the Legislature will do irreparable damage to these programs and the fire services community in this State.

Senate Bill 2362 removes the Mississippi Insurance Department ("MID") from a Special Fund Agency to a General Fund Agency. The language in the bill states that any fees, assessments or other revenues collected under the special funds held by the agency that go to support the agency will now go to the General Fund. The Fire Rebate Funds and RFTAAP program are Special Funds that are held by MID; however, they are not

designed to provide support the agency. Therefore, MID has made the argument that these funds are not subject to the provisions of SB 2362.

However, MID has reason to believe that the Legislature intends to include these Special Funds within the list of funds that will be terminated on July 1, 2016. During debate over the Conference Report to SB 2362, Chairman Frierson stated that the Fire Rebate Funds would be appropriated through a General Appropriation in the future which suggests that as they would need to be appropriated, the monies would be in the General Fund and not a Special Fund. Also, House Bill 878 was passed by Legislature yesterday. That bill requires MID to transfer monies from certain Special Funds on or before June 30, 2016. The Special Funds for the Fire Rebate Funds and RFTAAP program were included in that transfer bill.

As a result of these conflicting legislative actions, MID is uncertain whether or not it can disburse the Fire Rebate Funds to counties and municipalities. Therefore, it is the intention of MID to not disburse these monies in June but instead to hold these monies for an additional time so MID can determine whether or not it has the legal authority to disburse the monies to the counties and municipalities so they may be used for their intended purpose.

Also, please note that the Legislature declined to fund a twelfth RFTAAP round and has only reappropriated monies that had been previously appropriated for the RFTAAP program. In actuality, the Legislature has not truly funded the RFTAAP program since 2013. For the last three years, I have been able to find the necessary monies within MID's Special Funds to fund the program and have requested the Legislature to appropriate the use of those monies for the program, which it did. As MID will no longer be a Special Fund Agency with access to these monies, and based on the Legislature's past and present actions, I have no confidence that this program will be funded in the future. I feel it is imperative that the fire services community be aware of this situation and plan accordingly.

If you have concerns regarding the impact SB 2362 and HB 878 will have on the Fire Rebate Funds, the RFTAAP program and the fire services community, I urge you to contact Governor Bryant immediately and express your concerns as he considers signing these bills into law.

Mike Chaney
Commissioner of Insurance and State Fire Marshal

Brad Smith
State Fire Coordinator
Mississippi Insurance Department
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