

**REPORT OF THE
VIRGINIA ADVISORY LEGISLATIVE COUNCIL
ON
FIRE PREVENTION AND PROTECTION
TO
THE GOVERNOR
AND
THE GENERAL ASSEMBLY OF VIRGINIA**



SENATE DOCUMENT NO. 14

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PURCHASES AND SUPPLY
RICHMOND**

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**Report of the
Virginia Advisory Legislative Council**

On

Fire Prevention and Protection

To

The Governor and the General Assembly of Virginia

Richmond, Virginia

December, 1977

To: Honorable Mills E. Godwin, Jr., Governor of Virginia

and

The General Assembly of Virginia

The General Assembly requested in its 1977 session that the Virginia Advisory Legislative Council study the question of establishing a mechanism for coordinating the state's various fire prevention and protection activities. It expressed its concern in Senate Joint Resolution No. 97, as follows:

SENATE JOINT RESOLUTION NO. 97

Requesting the Virginia Advisory Legislative Council to study the feasibility and desirability of creating a means for coordinating all matters concerning fire prevention and protection.

WHEREAS, it is recognized that a serious fire loss problem exists within the Commonwealth; and

WHEREAS, procedures for and an agency charged with responsibility for the collection, dissemination, and reporting of fire loss data are non-existent within the Commonwealth; and

WHEREAS, there are no orderly plans for the development of priorities towards reducing fire losses within the Commonwealth; and

WHEREAS, a number of State agencies have responsibility for fire prevention and fire protection activities; and

WHEREAS, the Commission on State Governmental Management has made recommendations for the purpose of improving the effectiveness of State efforts related to fire prevention and protection in buildings and structures and the investigation of arson and bomb-related incidents; and

WHEREAS, it is not feasible to consolidate other State activities related to fire prevention and protection because some are integral parts of existing State efforts; and

WHEREAS, there exists a need to improve coordination among and between all State programs concerned with fire prevention and protection and develop a coordinated fire-related information system; and

WHEREAS, it is recognized that a need exists for coordination and communication between the National Fire Administration and the Commonwealth concerning problems of mutual interest; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegates concurring, That the Virginia Advisory Legislative Council is hereby requested to study the feasibility and desirability of creating a means for coordinating all matters concerning fire prevention and protection and for coordinating State efforts with those of the National Fire Administration. The Virginia Advisory Legislative Council shall appoint an Advisory Committee to assist it in the conduct of the study, such advisory Committee to include the Director of Fire Service Training of the State Department of Education, the State Forester, the Chief Fire Marshal, the Secretary of Public Safety, one member of the Virginia State Firemen's Association, one member of the Virginia Professional Firefighters' Association, one member of the Virginia Fire Chiefs Association, one member of the Virginia Housing Study Commission and one member who has knowledge of and experience in the insurance industry. The Virginia Advisory Legislative Council may also appoint as members of such Committee such additional persons as it shall see fit not to exceed five. The Virginia Advisory Legislative Council shall complete its study and report to the General Assembly on or before October one, nineteen hundred seventy-seven; and, be it

RESOLVED FURTHER, That nothing in this resolution shall be deemed to constitute a basis for deferring consideration of reorganization proposals pending in this General Assembly.

The Council appointed Senator Willard J. Moody of Portsmouth chairman of the committee that was to conduct the study. The following persons were appointed as members of the committee: George Alexander of Fairfax (Virginia Fire Service Council); R. J. Bartholomew of Charlottesville (Deputy State Forester); Robert E. Carter of Richmond (Supervisor, Fire Services Training, Department of Education); Richard Cronin of Fairfax (Professional Firefighters Association); Delegate Alan A.

Diamonstein of Newport News (Virginia Housing Study Commission); James Epperly of Christiansburg (Virginia Fireman's Association); J. Lloyd Gregory of Martinsville (State Fire Chiefs Association); Ken L. Johnson, Sr., of Virginia Beach; Delegate George W. Jones of Bon Air; Frank B. Kaye of Arlington (Virginia Fire Prevention Association); T. E. Masters, Jr., of Portsmouth; C. S. Mullen, Jr., of Richmond (Chief Fire Marshal); Leo V. Schocklin of Portsmouth (insurance salesman); H. Selwyn Smith of Richmond (Secretary of Public Safety); Claude J. Staylor of Norfolk; and Lawrence W. Wuensch of Halifax. Mr. Staylor and Mr. Wuensch served as representatives of the Virginia Municipal League and the Virginia Association of Counties, respectively.

The Committee met several times and held public hearings in Roanoke, Norfolk, Fairfax and Richmond, as well. The many firefighters and local government officials who attended these meetings and hearings expressed a great deal of interest in the work of the Committee and concern that steps be taken to improve the general position of the fire services. The Committee had specifically requested comments regarding the need for a State-level agency for fire services and the duties of such an agency. Both the oral and written testimony indicated the existence of a strong consensus that such an agency be created.

FINDINGS

One of the major problems facing the Council in assessing this question was the dearth of information about fires and the fire services in Virginia. That which does exist indicates the problem is serious. For example, the Bureau of Insurance reports that a total of \$ 29,243,049 in fire and allied lines insurance losses were paid in 1975.¹ However, the State Fire Marshal's office estimates that the property loss resulting from the more than 1,500 arson cases investigated in 1976 totaled \$33.5 million.² Furthermore, none of these property loss estimates includes damage caused by forest fires. To compound this lack of information, neither the number of fires occurring in the Commonwealth in any given year nor their nature is known. In human terms, 169 deaths were directly attributed to fire in 1975.³ Data concerning the number and extent of injuries is not available.

Local governments reported spending more than \$ 68.5 million in 1975-76 on fire control and prevention.⁴ This amount is only part of the resources expended in combatting fires, however, because the majority of the firefighters are volunteers in departments supported only minimally by local governments. Of 587 fire departments in the State, 536, or about 91 %, are composed of all volunteers. Of the remaining 51, only 10 are fully paid and the rest consist of both volunteers and paid firefighters. Looking at it in another way, there are approximately 22,500 firefighters in Virginia and 18,500 of them are volunteers.⁵

To aid in preventing large fire loss and to assist local fire departments, the State has established two agencies with limited responsibilities—the office of the State Fire Marshal in the State Corporation Commission and Fire Services Training in the Department of Education. The State Fire

Marshal has a professional staff of 51 and an annual budget of about \$1.5 million; Fire Services Training consists of a professional staff of five and a budget of \$260,000. In addition, the Office of Housing has the responsibility for administering the Statewide Building Code, which has a direct relationship to fire control. That office has a staff of five and a budget of \$90,000 for administering the building code. There are also building inspectors in each locality. However, fire prevention measures are only part of the building code and do not occupy the full attention of building and housing officials.⁶

There are several factors which prevent an adequate State response to fire prevention and protection problems and needs. The first is the fragmentation of State-level efforts. The State Fire Marshal is primarily responsible for the regulation of the design and construction of domestic and imported manufactured buildings and mobile homes, the regulation of existing public buildings in regard to protection of life and property from fire, and the investigation of arson and bombing incidents. The office also engages in other activities such as assisting in school fire inspection programs. Another agency, Fire Services Training, conducts, or assists in conducting, training schools around the State for both volunteers and professional firefighters. This latter agency is in the Vocational Education Division of the Department of Education. The State Fire Marshal is presently a part of the State Corporation Commission.

This splitting of State functions is a result of separate responses to the needs of fire services as they arose. To compound the fragmentation, the General Assembly has passed legislation, effective July, 1978, which will move the State Fire Marshal's office from the State Corporation Commission and split its duties as well. The Department of State Police will assume the arson investigation function while the Fire Marshal's office will retain the responsibility of inspection and become a part of the newly created Department of Housing and Community Development. It is the Council's feeling that the fire services in Virginia would be better served if all the State efforts were concentrated in one agency, or at least under one of the Governor's Secretaries, rather than under three Secretaries as will be the case next summer. There would be less duplication, more coordination, and a more complete fulfilling of the needs of the State's fire services.

The second problem the Council perceives is the difficulty of the State or any of its localities in obtaining grants from the National Fire Prevention and Control Administration (NFPCA) of the U. S. Department of Commerce. Because the Administration is a relatively new agency and does not have a large appropriation, its current grants are small, but it is anticipated that appropriations will increase as soon as the agency is better established and able to administer larger grants. Presently, the NFPCA provides assistance to states and localities for education and training, public fire safety education, establishment of data reporting systems, and some other activities. The Director of the NFPCA, at the Fairfax hearing, described to the Committee the criteria his agency will use in awarding grants. The primary consideration will be whether the fire services effort of an applicant state is a coordinated one, particularly whether there is a

single focal point at the state level through which federal funds can flow. At least twenty-two states have a state-level fire commission or a similar entity and at least two are considering the establishment of one. At this time, Virginia does not have an agency with the authority NFPCA requires before it will consider an application for funds.

In addition to NFPCA, numerous other federal agencies have programs whereby states and localities obtain funds for fire-related purposes. At this time, there is no coordination in Virginia of these grants to ensure that they are channeled to the best possible recipient and that they do not duplicate work which may be taking place elsewhere. In short, no overall planning is done and funds are not put to their best use. For example, one college in Virginia received two three-year grants totaling \$ 378,000 from the U. S. Department of Agriculture to study fire hazards in Southside Virginia homes and fire safety/fire survival education in Southside Virginia. Neither the State Fire Marshal nor the Supervisor of Fire Services Training was aware of the awarding of the grants nor of the studies being conducted, nor was the Committee, upon inquiry, made aware of any fire department or other fire-related organization that knew of this study.

Another problem identified by the Council is the lack of data available on the fire problem in Virginia. Reliable data on the number of fires, the kinds of fires, the amount of damage caused by fires, the locations of fires, the number of deaths and injuries, the causes of fires and the kinds of equipment in use, are lacking. Without this kind of data, it is impossible to plan adequately either on the State or local level. Beginning in 1906, such reporting of fires by local departments was required by statute until repealed by the General Assembly in 1948. "Realistic priorities must be established for commitment of the always limited funds and staff. To do so requires detailed fire loss information on a continuing basis."

Some local fire departments have begun to collect data on fire incidents and analyses of that data have enabled them, for example, to determine the need for, and logical locations of, new fire stations; the effectiveness of certain kinds of apparatus and equipment currently in use; the need for adequate water supply; the specific fire hazards in a particular area; and the pattern of instances of arson. At the very least, data gathering can allow officials to assess whether certain preventative measures have been effective. At the State level, accurate data can help officials pinpoint problems relating to training, equipment, arson and inadequate fire protection generally. The most effective way to gather this information is through reports by local fire departments of each fire incident, with each report including details concerning the fire. The National Fire Prevention and Control Administration has developed a form for reporting fires and this form can be adapted to a particular state's needs.

Probably the most pressing need found by the Council is the lack of assistance available to local fire service organizations for helping solve certain problems. One of their most common needs is that for advice and technical assistance on such matters as organizing a fire department, equipment needs, and equipment capabilities. Many localities do not know

what is legally required and practically needed to start a department and most fire departments are dependent upon the advice of manufacturer's representatives in the matter of purchasing apparatus and equipment.

Presently, no agency at the State level has the specific responsibility to provide this type of assistance and advice. The office of Fire Services Training furnishes this help when called upon, within the constraints of its budget and demands of its other duties. In its public hearings, the Committee consistently heard requests for a designated place at the State level to which fire departments and local governments could turn for advice and assistance.

There is also a need for assistance in solving problems caused either by overlapping jurisdictions or unclearly defined jurisdictions. Such a situation occurs in the Tidewater area in the cases of fires on the docks or on vessels in the water. It is unclear whether such fires are the chief responsibility of local fire departments or the Coast Guard.

Local fire services agencies also need training. The office of Fire Services Training currently conducts fire schools, but there is only a limited staff and a severely limited budget to serve the training needs of the State's almost 600 fire departments. There have been legislative studies in the past which documented these training needs.⁸

An almost universal need of all departments, especially volunteers, is money. Most depend on fund-raising drives of some sort, with appropriations from local governments available in some instances. These local departments lack the expertise and time necessary to apply for grants from whatever source they may be available.

RECOMMENDATIONS

The Council recommends that the General Assembly establish, within the Office of the Secretary of Public Safety, a Virginia State Fire Services Commission, which would have the general responsibilities of serving as the contact point with the National Fire Prevention and Control Administration, coordinating fire-related activities at the State level, and assisting local governments and fire departments. The Commission would include representatives of appropriate Statewide fire services organizations and State officials, among others, and would have an executive director with staff to assist it in carrying out its duties.

In addition, the Council recommends that the office of Fire Services Training be moved out of the Department of Education and established as a separate office under the Secretary of Public Safety. The Council makes this recommendation for two reasons. First, it is logical from an administrative perspective to have it under the Secretary of Public Safety. Its function, aiding in the training of persons who protect the public, is clearly analogous to that of the Criminal Justice Services Commission, which has as one of its responsibilities the training of police officers, and is in the office of the Secretary of Public Safety. Secondly, if this move were

made and the Commission established as recommended, all of the fire-related State agencies, except two, would be under one Secretary, making for better management and coordination.

The two exceptions would be the Division of Forestry, which has major responsibility for preventing and fighting forest fires, and the State Fire Marshal. Because fire prevention and control is only one aspect of the operations of the Division of Forestry and it is an integral part of the Department of Conservation and Economic Development, the Council feels that no organizational change regarding this agency should be made. (The same rationale does not apply to the situation of Fire Services Training because it has only one primary function and it is not as integral a part of the Department of Education.)

The situation in regard to the State Fire Marshal being put in the Department of Housing and Community Development is entirely different. Because of this arrangement, a major component of the fire services effort at the State level will be separated administratively from the rest of the components. At each hearing of the Committee, there was considerable testimony opposing such an administrative move. The Council concurs with this testimony and feels that the State Fire Marshal should not be placed in the Department of Housing and Community Development. Furthermore, the Council strongly urges that the matter be reconsidered by the General Assembly.

The Council also has serious concern about the wisdom of separating the investigation of arson from the State Fire Marshal and placing it in the Department of State Police. This is a highly specialized type of investigation and should not be confused with general police work. The Council is fearful that the assistance available to local authorities in arson cases will suffer if this change takes place as presently passed. As in the case of the State Fire Marshal, it strongly urges reconsideration of the matter.

The State Fire Services Commission would have the following functions and duties:

1. Grant administration.—The Commission would be the specific agency designated to receive and administer any grant monies available to the State from the agency administering the Federal Fire Prevention and Control Act, currently the National Fire Prevention and Control Administration, and could apply for grants from other sources. It would establish criteria to be used for the disbursement of all grant funds received.

2. Plan approval.—The Commission would be responsible for reviewing and approving a Statewide plan for fire prevention and control, which would be developed by the State Fire Marshal. It would also review and approve a five-year Statewide plan for fire education and training, which would be developed by the office of Fire Services Training.

3. Technical assistance.—The Commission would provide technical

assistance, advice or any other aid to local fire departments and other appropriate fire services organizations and to local governments concerning fire-related problems.

4. Personnel standards.—The Commission would adopt and recommend performance standards for fire services personnel which would be developed by the office of Fire Services Training, but which would not be mandatory on the part of the local departments.

5. Data collection.—One of the prime functions of the Commission would be to review and approve a statewide plan for collection, analysis and reporting of data relating to fires in the State. The plan would be developed and operated by the State Fire Marshal and would be able to utilize the resources of the office of Fire Services Training and other State agencies where appropriate.

6. Legislative analysis and recommendations.—The Commission would make recommendations concerning legislation affecting fire prevention and protection and fire services organizations to the Governor and the General Assembly.

7. Program evaluation and recommendation.—The Commission would evaluate all State programs and activities which have a bearing on fire prevention and control in order to determine whether they were fostering the best possible level of fire protection to the citizens of the Commonwealth. Using these evaluations, the Commission would recommend to the appropriate State official those steps it deemed necessary for improving the level of fire protection.

8. Minimum fire prevention code.—The Fire Commission would develop a model minimum fire prevention code which would be recommended to the local governments for adoption.

9. Alternative means of funding.—The Commission would study and develop alternatives of providing financial support for volunteer fire departments and would make appropriate recommendations for the implementation of those alternatives.

The Council would like to emphasize that it is not recommending that the State Fire Services Commission be given the power to impose mandatory standards upon localities or fire departments. The Commission would only have authority to recommend personnel and equipment standards and to assist localities when they requested it.

CONCLUSION

The time is past due that Virginia show concern for its fire problem and its fire services organizations. The situation is such that the extent and nature of the problem is largely unknown, although there are sufficient indications that it is a serious one. In order that the problem may be addressed properly and sufficiently, the Commonwealth must assume a role

of leadership and coordination, rendering assistance to the localities where possible. In addition to providing the needed overall planning capability, an integrated approach to fire prevention and control will enable the Commonwealth to take advantage of the resources available at the federal level.

The Council believes that the recommendations contained in this report, if adopted, will give Virginia the means to assess adequately the nature of its fire problem. They can also provide a mechanism whereby fire protection can be improved to the benefit of all the citizens of the Commonwealth.

Following this report is the suggested legislation for implementing the recommendations of the Committee. The Committee respectfully submits this report to the Governor and General Assembly of Virginia and urges passage of its recommendations.

Respectfully submitted,

Edward E. Lane, Chairman

Lawrence Douglas Wilder, Vice-chairman

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FOOTNOTES

1. Bureau of Insurance, State Corporation Commission. Figure does not cover uninsured losses.
2. State Fire Marshal, State Corporation Commission.
3. Bureau of Vital Records and Health Statistics, Department of Health.
4. Auditor of Public Accounts, Comparative Cost of County Government, 1975-76 and Comparative Cost of City Government, 1975-76 (forthcoming).
5. Office of Fire Services Training, Department of Education.
6. Office of Housing.
7. "Fire Losses and Fire Statistics from the Virginia Point of View," paper prepared by the State Fire Marshal, dated November 15, 1977.
8. See House Document No. 15, Virginia General Assembly, 1977.

A BILL to amend and reenact §§ 2.1-51.18 and 27-67 of the Code of Virginia and to amend the Code of Virginia by adding in Title 9 a chapter numbered 24, containing sections numbered 9-149 through 9-152, relating to the creation of the Virginia State Fire Services Commission; composition, powers and duties thereof; duties of Chief Fire Marshal.

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-51.18 and 27-67 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 9 a chapter numbered 24, containing sections numbered 9-149 through 9-152, as follows:

§ 2.1-51.18. Agencies for which responsible.—The Secretary of Public Safety shall be responsible to the Governor for the following agencies: Alcoholic Beverage Control Board, Department of Corrections, Rehabilitative School Authority, Criminal Justice ~~Officers Training Standards Services~~ Commission, Division of Justice and Crime Prevention, Department of State Police, Division of Motor Vehicles, Highway Safety Division, Office of Emergency Services , *Virginia State Fire Services Commission* and the Department of Military Affairs. The Governor may, by executive order, assign any other State executive agency to the Secretary of Public Safety, or reassign any agency listed above to another secretary.

Chapter 24.

Virginia State Fire Services Commission.

§ 9-149. *Virginia State Fire Services Commission created; membership; terms.—There is hereby created the Virginia State Fire Services Commission in the Office of the Secretary of Public Safety. The Commission shall consist of fourteen members. Subject to confirmation by the General Assembly, the Governor shall appoint to the Commission the following persons: a representative of the insurance industry, a member of the general public with no connection to the fire services, and a representative from each of the following organizations: the Virginia Fire Chiefs Association, the Virginia Firemen's Association, the Virginia Association of Professional Firefighters, the Virginia Fire Service Council, the Virginia Fire Prevention Association, the State Chapter of the International Association of Arson Investigators, the Virginia Municipal League, and the Virginia Association of Counties. Of these appointees, at least one shall be a volunteer firefighter. In addition to the gubernatorial appointees, the following persons shall be members of the Commission: the State Fire Marshal, the director of the Division of Engineering and Buildings, the State Forester, and the director of the Office of Fire Services Training.*

Each of the organizations represented shall submit names for the Governor's consideration in making these appointments.

The members of the Commission appointed by the Governor shall

serve for terms of four years, except those who are initially appointed, who shall serve as follows: three for two-year terms, three for three-year terms, and four for four-year terms. An appointment to fill a vacancy shall be for the unexpired term. No appointee shall serve more than two successive four-year terms but neither shall any person serve beyond the time he holds the office or organizational membership by reason of which he was initially eligible for appointment. The members of the Commission shall receive no compensation for their services but shall be paid their necessary expenses incurred in the discharge of their duties.

The Commission annually shall elect its chairman and vice-chairman from among its membership and shall adopt rules of procedure.

§ 9-150. Executive Director; powers.—A. The Governor shall appoint an executive director of the Commission, subject to confirmation by the General Assembly. The executive director shall hold his position at the pleasure of the Governor and shall receive such compensation as the Governor may fix.

B. The executive director shall have the following powers:

1. To employ such staff as is necessary to carry out the powers and duties of this chapter, within the limits of available appropriations;

2. To accept on behalf of the Commission grants from the United States government and agencies and instrumentalities thereof and any other sources. To these ends, the director shall have the power to execute such agreements in accordance with the policies of the Commission; and

3. To do all acts necessary or convenient to carry out the purpose of this chapter and to assist the Commission in carrying out its responsibilities and duties.

§ 9-151. Powers of Commission.—The Virginia State Fire Services Commission shall have the responsibility for promoting the coordination of the efforts of fire service organizations at the State and local levels. It shall be the designated State agency to receive and disburse any funds available to the State under the Federal Fire Prevention and Control Act (P. L. 93-498). To these ends, it shall have the following powers and duties:

1. To approve a Statewide plan for fire prevention and control, to be developed by the State Fire Marshal's office;

2. To approve a five-year Statewide plan for fire education and training, to be developed by the Office of Fire Services Training;

3. To establish criteria for the disbursement of any grant funds received from the federal government and any agencies thereof and any other source and to disburse such funds in accordance therewith;

4. To provide technical assistance and advice to local fire departments, other fire services organizations, and local governments;

5. To adopt recommended personnel standards for fire services personnel, developed by the Office of Fire Services Training;

6. To approve a Statewide plan for the collection, analysis and reporting of data relating to fires in the Commonwealth, to be developed and implemented by the State Fire Marshal's office, utilizing appropriate resources of the Office of Fire Services Training and other State agencies when deemed proper by the Commission;

7. To make recommendations to the Governor and General Assembly concerning legislation affecting fire prevention and protection and fire services organizations in Virginia;

8. To evaluate all State programs or functions which have a bearing on fire prevention and protection and to make to the appropriate government officials any recommendations deemed necessary to improve the level of fire prevention and protection in the Commonwealth;

9. To develop a model minimum fire prevention code which would be recommended to the local governments for adoption;

10. To study and develop alternative means of providing financial support for volunteer fire departments and to make appropriate recommendations regarding the implementation of such alternatives;

11. To enter into contracts or do such things as may be necessary and incidental to the administration of its authority pursuant to this chapter; and

12. To report annually to the Governor and the General Assembly on its activities, and to make such other reports it deems advisable.

§ 9-152. Cooperation of other agencies.—All agencies of the State shall provide such information, assistance and cooperation as requested by the executive director to enable him properly to exercise his duties under this chapter.

§ 27-67. Appointment, powers and duties of Chief Fire Marshal.—The Director shall appoint a Chief Fire Marshal whose powers and duties shall be such as are prescribed by this law and by rules and regulations adopted by the Board , and as set forth in § 9-151 .

A BILL to amend and reenact § 2.1-51.18 of the Code of Virginia, to amend the Code of Virginia by adding in Title 27 a chapter numbered 8 containing sections numbered 27-91 through 27-93, and to repeal §§ 22-330.12 through 22-330.16:1 of the Code of Virginia, all relating to fire services training.

Be it enacted by the General Assembly of Virginia:

1. That § 2.1-51.18 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Title 27 a chapter numbered 8 containing sections numbered 27-91 through 27-93 as follows:

§ 2.1-51.18. Agencies for which responsible.—The Secretary of Public Safety shall be responsible to the Governor for the following agencies: Alcoholic Beverage Control Board, Department of Corrections, Rehabilitative School Authority, Criminal Justice ~~Officers Training Standards Services~~ Commission, Division of Justice and Crime Prevention, Department of State Police, Division of Motor Vehicles, Highway Safety Division, Office of Emergency Services , *Office of Fire Services Training* and the Department of Military Affairs. The Governor may, by executive order, assign any other State executive agency to the Secretary of Public Safety, or reassign any agency listed above to another secretary.

Chapter 8.

Fire Services Training.

§ 27-91. *Office created; appointment of director.—There is hereby created an Office of Fire Services Training which shall be in the office of the Secretary of Public Safety. The Governor shall appoint a director of the Office who shall hold his position at the pleasure of the Governor and shall be paid such compensation as the Governor may fix.*

§ 27-92. *Powers and duties.—The Office shall have the following powers and duties:*

1. *To employ such personnel as is necessary to carry out the powers and duties of this chapter, within the limits of available appropriations;*

2. *To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter, including, but not limited to, contracts with the United States, other states, agencies and governmental subdivisions of the Commonwealth;*

3. *To accept grants from the United States government and agencies and instrumentalities thereof and any other source. To these ends, the office shall have the power to comply with such conditions and execute such agreements as may be necessary, convenient or desirable;*

4. *To develop, for approval by the Virginia State Fire Services Commission, a five-year Statewide plan for fire education and training;*

5. *To develop, for adoption by the Virginia State Fire Services Commission, recommended personnel standards for fire services personnel;*

6. *To conduct training schools for fire services personnel in various areas of the State;*

7. *To render assistance to local fire departments in training firefighters; and*

8. *To do all acts necessary or convenient to carry out the purposes of this chapter.*

§ 27-93. Fire service training facilities; allocation of funds therefor.—A. At the beginning of each fiscal year, the Office may allocate available funds to counties, cities and towns within the Commonwealth for the purpose of assisting such counties, cities, towns and volunteer fire departments in the construction, improvement or expansion of fire service training facilities.

B. Available funds shall be allocated at the discretion of the Office, based upon the following:

1. The total amount of funds available for distribution;

2. Financial participation by counties, cities, towns and volunteer fire departments; and

3. Anticipated use of such facilities by the State.

C. Such funds shall be distributed to the counties, cities and towns pursuant to contracts prepared by the office of the Attorney General.

2. That §§ 22-330.12 through 22-330.16:1 of the Code of Virginia are repealed.

