

2020 Regular Session

HOUSE BILL NO. 425

BY REPRESENTATIVE SCHEXNAYDER

BOARDS/COMMISSIONS: Revises membership and provides relative to powers and duties of the Louisiana Fire and Emergency Training Commission

1 AN ACT

2 To amend and reenact R.S. 40:1541 and 1547(C), relative to firemen training; to provide for
3 the firemen training program at Louisiana State University; to provide relative to
4 participation in the program; to increase the membership of the Louisiana Fire and
5 Emergency Training Commission; to revise the commission's powers and duties; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1541 and 1547(C) are hereby amended and reenacted to read as
9 follows:

10 §1541. Louisiana State University; official agency for training

11 A. Louisiana State University is hereby officially designated as the agency
12 of this state to conduct at its Baton Rouge campus training for in-service firemen on
13 a statewide basis in which firemen from any and all duly constituted fire departments
14 and private or commercial industrial and allied emergency services may participate,
15 and to coordinate and conduct other firemen training programs at other training
16 locations as provided in this Part. This Part shall not be construed as affecting the
17 authority of any fire department to conduct training for its own personnel.

18 B. Louisiana State University shall conduct training programs and perform
19 its functions as provided in this Part with the advice and guidance of the Louisiana
20 Fire and Emergency Training Commission created by this Section.

1 C.(1) The Louisiana Fire and Emergency Training Commission, referred to
2 in this Part as the "commission", is hereby created.

3 (2) The commission shall be composed of ~~nine~~ eleven members as follows:

4 (a) One member shall be the state fire marshal or his designee.

5 (b) One member shall be the Louisiana State University-Baton Rouge
6 chancellor or his designee. Such member shall not vote except in the event of a tie
7 vote of the members present and voting.

8 (c) Two members shall be selected by the Louisiana State Firemen's
9 Association.

10 (d) Two members shall be selected by the Louisiana State Fire Chiefs
11 Association.

12 (e) Two members shall be selected by the Professional Firefighters'
13 Association of Louisiana.

14 (f) One member shall be a Louisiana citizen with knowledge and experience
15 in the field of fire and emergency services appointed by the governor.

16 (g) One member shall be a person who is currently in active service with a
17 Louisiana fire department and has been active for at least ten years, appointed by the
18 governor upon recommendation of the commission.

19 (h) One member shall be a person with knowledge and experience and active
20 in the field of industrial fire and emergency services, appointed by the governor upon
21 recommendation of the commission.

22 (3) Members shall serve at the pleasure of the appointing authority. A
23 vacancy shall be filled in the manner of the original appointment.

24 (4) Members shall serve without compensation or reimbursement for
25 expenses.

26 (5) The commission annually, at the first meeting of the calendar year, shall
27 elect from its members a chairman and vice chairman. The chairman and vice
28 chairman shall serve as such for a period of one year from the date of election.

1 (6) Commission members shall be considered state officers for purposes of
2 R.S. 9:2798.1 and Chapter 16-A of Subtitle III of Title 39 of the Louisiana Revised
3 Statutes of 1950.

4 (7) The commission shall meet at least once each month. Other meetings
5 may be called by the chairman on his own initiative and shall be called by him at the
6 request of three or more members of the commission within fourteen days of such
7 request. Each member shall be notified by the chairman in writing of the time and
8 place of a meeting at least seven days before the meeting.

9 (8) The commission shall adopt rules for the conduct of commission
10 functions. Any decision of the commission may be made only by the favorable vote
11 of at least two-thirds of those members in attendance at the meeting provided that a
12 quorum is established prior to the vote. A majority of members of the commission
13 shall constitute a quorum.

14 ~~D.(1) The Louisiana Fire and Emergency Training Commission shall advise~~
15 ~~and provide guidance to Louisiana State University relative to the conduct of training~~
16 ~~programs and performance of the university's functions pursuant to this Part.~~

17 ~~(2)~~ The commission shall provide advice and guidance to the university
18 relative to and retain final authority to approve matters including but not limited to
19 the following:

20 ~~(a)~~(1) Hiring a qualified person to serve as executive director, including
21 review of candidates for the position, ~~and~~ fixing the salary ~~of~~ and defining the duties,
22 ~~of the executive director~~ and final selection of a candidate.

23 ~~(b)~~(2) Employment of management, other directors, and clerical, technical,
24 legal, and other assistance for the conduct of the university's functions pursuant to
25 this Part, including the defining of duties.

26 ~~(c)~~(3) All aspects of the conduct of fire and emergency training and training
27 programs, including curricula and performance of the university's functions pursuant
28 to this Part.

29 ~~(d)~~(4) Prioritization of training throughout the state.

- (3) Two members selected by La. State Firemen's Assoc.
- (4) Two members selected by La. State Fire Chief's Assoc.
- (5) Two members selected by Professional Firefighters' Assoc. of La.
- (6) One member who is a La. citizen with knowledge and experience in the field of fire and emergency services appointed by the governor.

Proposed law increases membership from 9 to 11 by adding the following two members who shall be appointed by the governor upon recommendation of the commission:

- (1) One member who is currently in active service with a La. fire department and has been active for at least 10 years.
- (2) One member who has knowledge and experience and is active in the field of industrial fire and emergency services.

Present law requires LSU to conduct training programs and perform its functions as provided in present law with the advice and guidance of the commission. Proposed law retains present law.

Present law requires the commission to advise and provide guidance to LSU relative to the conduct of training programs and performance of LSU's functions pursuant to present law. Proposed law deletes this requirement.

Present law requires the commission to provide advice and guidance to LSU relative to specific matters. Proposed law adds that the commission shall retain final authority to approve such matters. Proposed law makes the following changes relative to these matters:

- (1) Present law provides for hiring an executive director, including review of candidates for the position and fixing the salary of and defining the duties of the executive director. Proposed law adds final selection of a candidate.
- (2) Present law provides for employment of clerical, technical, legal, and other assistance for the conduct of LSU's functions pursuant to present law. Proposed law adds the employment of management and other directors and the defining of LSU's duties.
- (3) Present law provides for all aspects of the conduct of fire and emergency training, including curricula. Proposed law adds training programs and performance of LSU's functions.
- (4) Present law provides for prioritization of training throughout the state. Proposed law retains present law.
- (5) Present law provides for the annual budget for the conduct of LSU's functions, including management of funds and recovery of the cost of classes. Proposed law retains present law.
- (6) Present law provides for recommendations to be made by LSU to the legislature relative to LSU's functions. Proposed law retains present law.
- (7) Proposed law adds the acceptance of any and all appropriate donations and grants of money, equipment, supplies, materials, and services and their receipt, use, and disposal.

Present law provides for the establishment of a library of training films to be used by fire departments and brigades. Provides for the library to be operated by and under the jurisdiction of the firemen training program of LSU. Proposed law instead provides for the library to be operated by and under the jurisdiction of the commission.

(Amends R.S. 40:1541 and 1547(C))