

- SUBJECT:** Wildfire prevention pilot grant program for volunteer fire departments
- COMMITTEE:** Agriculture and Livestock — committee substitute recommended
- VOTE:** 8 ayes — Gonzalez Toureilles, Anderson, B. Brown, Crabb, Hardcastle, Heflin, Rios Ybarra, Swinford
- 0 nays
- 1 absent — Kleinschmidt
- WITNESSES:** For — Bob Turner, Rural Fire Advisory Council; (*Registered, but did not testify*: Ronald Hufford, Texas Forestry Association)
- Against — None
- On — (*Registered, but did not testify*: Tom Boggus, Texas Forest Service)
- BACKGROUND:** Education Code, ch. 88, subch. B establishes the Texas Forest Service (TFS), which is part of the Texas A&M University System.
- The 77th Legislature in 2001 enacted HB 3667, which established the Rural Volunteer Fire Department Insurance Fund administered by TFS. The Rural Volunteer Fire Department Insurance Program provides payment of workers' compensation insurance for volunteer firefighters.
- The insurance program includes a five-member advisory committee appointed from geographic regions across the state by the TFS director. Funds for the program are derived from a 2 percent tax on the retail sale of fireworks, as specified by Tax Code, sec. 161.002.
- DIGEST:** CSHB 2914 would amend Education Code, ch. 88 to allow TFS, with the advice of the Rural Volunteer Fire Department Insurance Fund's Advisory Committee, to establish and administer a two-year pilot program to provide grants to fire departments to assist with the costs of fuel mitigation. TFS would adopt necessary rules that would establish:
- reasonable criteria and qualifications for the distribution of grant money under the pilot program; and

- a procedure for reporting and processing requests for grant money under the pilot program.

CSHB 2914 would allow TFS to solicit and accept gifts, grants, and donations from any public or private source for the pilot program. Additionally, TFS could use money in the Rural Volunteer Fire Department Insurance Fund to support the effort.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

**SUPPORTERS  
SAY:**

CSHB 2914 would be an initial step to combat the increasing threat of wildfires across the state. As the state's population grows and its land use changes, formerly wild land or rural areas now are abutting the expanded borders of towns and cities. The proximity of homes to vegetation such as brush and trees creates potential hazards for homeowners and for firefighters who may be called upon to combat future fires. The two-year pilot program authorized by CSHB 2914 would represent a prudent and proactive approach to help mitigate this growing threat.

The intent of the pilot program is for TFS to provide grants to volunteer fire departments to enable them to work with their communities to decrease the fire potential of area vegetation. Supported efforts could include demonstration programs, controlled burns, or education outreach efforts to increase awareness about the problem. This collaborative approach would ensure that grants would be tailored to address the specific needs of local communities.

There is no risk that the pilot program would, even for a short period, unnecessarily compete with the Rural Volunteer Fire Department Insurance Fund's primary purpose of providing workers' compensation payments. Any dedicated appropriation from the fund for this purpose would have to be approved by the Legislature. The fund has taken in an average of \$1.3 million per year, but has been authorized to distribute only up to \$750,000 per year. Additionally, the advisory committee for the insurance fund represents those volunteer firefighters who benefit from the fund and would have a stake in how the fund would be used for the pilot program.

**OPPONENTS  
SAY:**

The current language in the bill is too open-ended and could allow for a wide interpretation of what fuel mitigation projects might be funded. For the pilot program to be effective in combating sources of wildfires, CSHB 2941 should contain more proscriptive language about the use of the grants.

**NOTES:**

The committee substitute of HB 2941 added that the TFS be allowed to establish the pilot program and that it submit a report to the Legislature on the pilot program only if the program was established.