

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-29-82

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982

— ● —

# ENROLLED

HOUSE BILL No. 2018

(By Mr. Wootton & Mr. Hutchinson)

— ● —

Passed March 11, 1982

In Effect From Passage

**ENROLLED**

**H. B. 2018**

(By MR. WOOTON and MR. HUTCHINSON)

[Passed March 11, 1982; in effect from passage.]

AN ACT to establish the emergency service authority for Raleigh County, to provide such authority with power to plan and coordinate all emergency operations for Raleigh County, to provide for appointment and compensation of members of the authority, and to provide for the support, maintenance and operation of such emergency services.

*Be it enacted by the Legislature of West Virginia:*

**EMERGENCY SERVICE AUTHORITY FOR RALEIGH COUNTY.**

**§1. Emergency service authority for Raleigh County created; functions.**

1     There is hereby created an emergency service authority  
2     for Raleigh County, which shall plan and coordinate all  
3     emergency operations for Raleigh County in accordance with  
4     article five, chapter fifteen of the code of West Virginia,  
5     one thousand nine hundred thirty-one, as amended, and with  
6     other provisions of general law relating to emergency services.

**§2. Members; appointment, powers and duties generally; officers; bylaws, rules and regulations; compensation.**

1     The authority shall consist of five members to be appointed  
2     before the first day of July, one thousand nine hundred  
3     eighty-two. Three members shall be appointed by the Raleigh  
4     county commission, one member for a term of one year,

5 one member for a term of two years, and one member for  
6 a term of three years. No more than two of the members  
7 appointed by the county commission may be from the same  
8 political party. Two members shall be appointed by the  
9 governing body of Beckley, one member for a term of two  
10 years, and one member for a term of three years. The two  
11 members appointed by the governing body of Beckley shall  
12 be from different political parties. The initial terms of office  
13 shall commence on the first day of July, one thousand nine  
14 hundred eighty-two. Each successor member shall be ap-  
15 pointed for a term of two years, except that any person ap-  
16 pointed to fill a vacancy occurring before the expiration  
17 of the term shall serve only for the unexpired portion thereof.  
18 Any member of the authority shall be eligible for reappoint-  
19 ment and the county commission may remove any member  
20 for cause. There shall be an annual meeting of the authority  
21 on the second Monday in July in each year and a monthly  
22 meeting on the day in each month which the authority may  
23 designate in its bylaws. A special meeting may be called  
24 by the president, the secretary or any two members of the  
25 authority and shall be held only after all of the members  
26 are given notice thereof in writing. At all meetings three  
27 members shall constitute a quorum and at each annual  
28 meeting of the authority it shall elect a president, a vice  
29 president, a secretary and a treasurer. The authority shall  
30 adopt such bylaws, rules and regulations as are necessary  
31 for its own guidance and for the operation and management  
32 of Raleigh County emergency operations. The authority shall  
33 have all the powers necessary, convenient and advisable for  
34 the proper operation, equipment and management of emer-  
35 gency operations in Raleigh County; and except as otherwise  
36 especially provided in this act, shall have the powers and be  
37 subject to the duties which are conferred and imposed, re-  
38 spectively, upon local organizations for emergency services  
39 by article five, chapter fifteen of the code of West Virginia,  
40 one thousand nine hundred thirty-one, as amended, and by  
41 other provisions of general law relating to emergency services.  
42 Each member of the authority shall be compensated month-  
43 ly by the governing body which appointed such member in an  
44 amount to be fixed by such governing body.

**§3. A body corporate.**

1 The authority hereby created shall be a corporation. As  
2 such it may contract and be contracted with, sue and be  
3 sued, plead and be impleaded, and shall have and use a  
4 common seal.

**§4. Support, maintenance and operation.**

1 The governing bodies of Raleigh County and Beckley may  
2 provide for the support, maintenance and operations of  
3 emergency operations by the levying of taxes and by the ap-  
4 propriation and expenditure of public funds in accordance  
5 with article five, chapter fifteen of the code of West Virginia,  
6 one thousand nine hundred thirty-one, as amended, and with  
7 other provisions of general law.


**§5. Effect of future amendments of general law.**

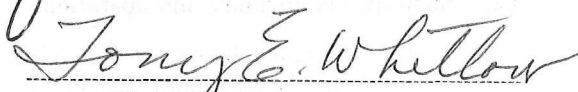
1 Amendments to article five, chapter fifteen of the code  
2 of West Virginia, one thousand nine hundred thirty-one, as  
3 amended, and other general laws shall control this act only  
4 to the extent that they do not conflict with the special  
5 features hereof, or unless the intent to amend this act is clear  
6 and unmistakable.

**§6. Severability.**

1 If any provision hereof is held invalid, such invalidity shall  
2 not affect other provisions hereof which can be given effect  
3 without the invalid provision, and to this end the provisions  
4 of this act are declared to be severable.

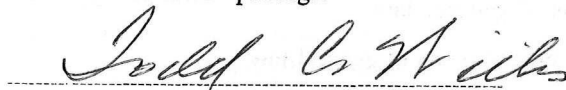
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

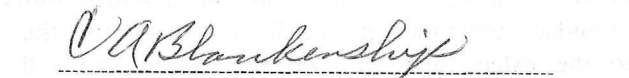

  
Chairman Senate Committee

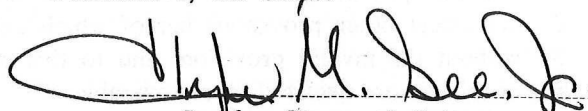
  
Chairman House Committee

Originating in the House.

Takes effect from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates  
  
President of the Senate

  
Speaker House of Delegates

The within is approved this the 29  
day of March, 1982.

  
Governor

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