

No. 1104

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SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985



# ENROLLED

Com. Sub. for  
HOUSE BILL No. 1104

(By ~~Mr.~~ Del. Love + Del. Filanigan)



Passed April 13, 1985

In Effect 90 Days From Passage



**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 1104**  
(By DELEGATE LOVE and DELEGATE FLANIGAN)

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[Passed April 13, 1985; in effect ninety days from passage.]

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AN ACT to amend article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section three-aa, relating to permitting county commissions to create a hazardous material response program for the purpose of responding to hazardous material incidents; to designate current fire fighters, emergency medical services personnel, and persons with expertise with hazardous materials to serve on any team established pursuant to program; to conduct affairs of the team; to receive and expend donated funds; to expend its own funds to acquire equipment and materials for the team; to provide training for the entire team; to enter into agreements with other counties to combine or coordinate teams; to combine, share or coordinate team training; and the purchase or lease and use of equipment or materials.

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

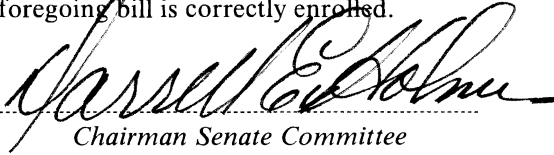
That article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section three-aa, to read as follows:

**ARTICLE 1. COUNTY COMMISSION GENERALLY.**

**§7-1-3aa. Authority of county commissions to create and fund a hazardous material accident response program.**

1 In addition to all other powers and duties now conferred  
2 by law upon county commissions, county commissions are  
3 hereby authorized and empowered to create a hazardous  
4 material accident response program. The program may include  
5 the establishment of a hazardous materials response team.  
6 Such a team shall be comprised of the members of the fire  
7 departments recognized and approved by the West Virginia  
8 fire commission in the county and designated by the county  
9 commission and those emergency medical services personnel  
10 certified pursuant to article four-c, chapter sixteen of this code  
11 who are acting in their official capacity providing ambulance  
12 or emergency medical services within the county as designated  
13 by the county. Such a team may also be comprised of members  
14 of the community who are recognized as having expertise with  
15 hazardous materials and/or hazardous materials incidents. The  
16 purpose of the team is to respond to hazardous material  
17 incidents. The affairs of the team shall be conducted at the  
18 will and pleasure of the county commission. The team shall  
19 operate in cooperation with the county office of emergency  
20 services and other approved fire departments. The commission  
21 is authorized to receive donated funds and to expend those  
22 funds and to expend its own funds for the acquisition of  
23 equipment and materials for the use of the team and for the  
24 provision of training for the members of the team. The county  
25 commission is hereby authorized to enter into agreements with  
26 other counties to combine or coordinate hazardous material  
27 response team training and the purchase or lease and use of  
28 equipment or materials.

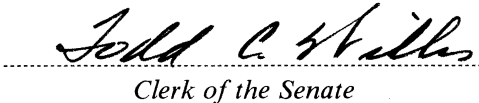
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

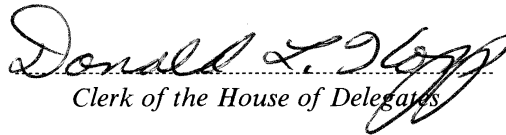
  
Chairman Senate Committee

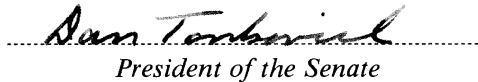
  
Chairman House Committee

Originating in the House.

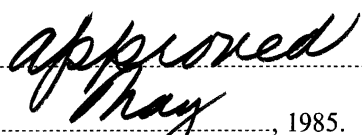
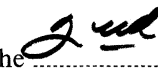

Takes effect ninety days from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within  this the   
day of , 1985.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/14/55

Time 7:18 p.m.