WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985

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ENROLLED

House Bill No. 1104

(BY MR. DEL. LOVE & DEL. T. NAIMAN)

Passed ____________________________ April 13, 1985

In Effect ____________________________ 90 Days From Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 1104
(By Delegate Love and Delegate Flanigan)

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

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 I. COUNTY COMMISSION GENERALLY.

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

In addition to all other powers and duties now conferred by law upon county commissions, county commissions are hereby authorized and empowered to create a hazardous material accident response program. The program may include the establishment of a hazardous materials response team. Such a team shall be comprised of the members of the fire departments recognized and approved by the West Virginia fire commission in the county and designated by the county commission and those emergency medical services personnel certified pursuant to article four-c, chapter sixteen of this code who are acting in their official capacity providing ambulance or emergency medical services within the county as designated by the county. Such a team may also be comprised of members of the community who are recognized as having expertise with hazardous materials and/or hazardous materials incidents. The purpose of the team is to respond to hazardous material incidents. The affairs of the team shall be conducted at the will and pleasure of the county commission. The team shall operate in cooperation with the county office of emergency services and other approved fire departments. The commission is authorized to receive donated funds and to expend those funds and to expend its own funds for the acquisition of equipment and materials for the use of the team and for the provision of training for the members of the team. The county commission is hereby authorized to enter into agreements with other counties to combine or coordinate hazardous material response team training and the purchase or lease and use of 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 _______ is approved this _______ day of _______, 1985.

Governor