WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1995

ENROLLED

SENATE BILL NO. 565

(By Senator WOOTEN, ET AL.)

PASSED March 6, 1995
In Effect 90 days from Passage
ENROLLED

Senate Bill No. 565

(BY SENATORS WOOTON, SCOTT, ANDERSON, YODER, DITTMAR AND BOWMAN)

[Passed March 6, 1995; in effect ninety days from passage.]

AN ACT to amend and reenact sections three and three-cc, article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to emergency communications systems; authorizing counties to establish a uniform system for the naming or renaming of roadways; increasing local telephone service fees to implement the uniform system; adopting minimum standards for emergency communications systems; and establishing standards for alarm systems.

Be it enacted by the Legislature of West Virginia:

That sections three and three-cc, article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-3. Jurisdiction, powers and duties.
The county commissions, through their clerks, shall have the custody of all deeds and other papers presented for record in their counties and the same shall be preserved therein, or otherwise disposed of as now is, or may be prescribed by law. They shall have jurisdiction in all matters of probate, the appointment and qualification of personal representatives, guardians, committees, curators and the settlement of their accounts and in all matters relating to apprentices. They shall also, under such regulations as now are or may be prescribed by law, have the superintendence and administration of the internal police and fiscal affairs of their counties, including the establishment and regulation of roads, ways, streets, avenues, drives and the like, and the naming or renaming thereof, in cooperation with local postal authorities, the division of highways and the directors of county emergency communications centers, to assure uniform, nonduplicative conversion of all rural routes to city-type addressing on a permanent basis, bridges, public landings, ferries and mills, with authority to lay and disburse the county levies. They shall, in all cases of contest, judge of the election, qualification and returns of their own members, and of all county and district officers, subject to appeal as prescribed by law. Such tribunals as have been heretofore established by the Legislature under and by virtue of section thirty-four, article VIII of the constitution of one thousand eight hundred seventy-two, for police and fiscal purposes, shall, until otherwise provided by law, remain and continue as at present constituted in the counties in which they have been respectively established, and shall be and act as to police and fiscal matters in lieu of the county commission herein mentioned, until otherwise provided by law. And until otherwise provided by law, such clerk as is mentioned in section twenty-six, article VIII of the constitution, as amended, shall exercise any powers and discharge any duties heretofore conferred on, or required of, any court or tribunal established for judicial purposes under the said section of the constitution of one thousand eight hundred seventy-two, or the
clerk of such court or tribunal respectively, respecting
the recording and preservation of deeds and other papers
presented for record, matters of probate, the appoint-
ment and qualification of personal representatives,
guardians, committees, curators and the settlement of
their accounts and in all matters relating to apprentices.

§7-1-3cc. Authority of county commissions to establish en­
hanced emergency telephone systems, technical
and operational standards for emergency commu­
ications centers, and standards for education
and training of emergency communications
systems personnel; standards for alarm systems;
fee upon consumers of telephone service for such
systems and for roadway conversion systems;
authority to contract with the telephone compa­
nies for billing of such fee.

(a) In addition to possessing the authority to establish
an emergency telephone system pursuant to section four,
article six, chapter twenty-four of this code, a county
commission or the county commissions of two or more
counties may, instead, establish an enhanced emergency
telephone system or convert an existing system to an
enhanced emergency system. The establishment of such
a system shall be subject to the provisions of said article.
The county commission may adopt rules after receiving
recommendations from the West Virginia enhanced 911
council concerning the operation of all county emergency
communications centers or emergency telephone systems
centers in the state, including, but not limited to, recom­
mendations for:

(1) Minimum standards for emergency telephone
systems and emergency communications centers;

(2) Minimum standards for equipment used in any
center receiving telephone calls of an emergency nature
and dispatching emergency service providers in response
to that call and which receives 911 moneys or has basic
911 service funded through its county commission; and
(3) Minimum standards for education and training of all personnel in emergency communications centers.

(b) A county commission may impose a fee upon consumers of local exchange service within that county for an enhanced emergency telephone system and associated electronic equipment and for the conversion of all rural routes to city-type addressing, as provided in section three of this article. Such fee shall be utilized for the capital, installation and maintenance costs of the enhanced emergency telephone system and of the conversion to city-type addressing. The county shall reduce such fee when the capital and installation costs have been fully recovered to the level necessary to offset recurring maintenance and dispatcher costs only. No such fee may be used for the costs associated with establishing, equipping, furnishing, operating or maintaining a county answering point.

(c) A county commission may contract with the telephone company or companies providing local exchange service within the county for such telephone company or companies to act as the billing agent or agents of the county commission for the billing of the fee imposed pursuant to subsection (b) of this section. The cost for such billing agent services may be included as a recurring maintenance cost of the enhanced emergency telephone system.

(d) A county commission of any county with an emergency communications center or emergency telephone system may establish standards for alarm systems, including security, fire and medical alarms.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Randy Schoesler
Chairman Senate Committee

Ernest E. Moore
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Barrett Fielder
Clerk of the Senate

Donald L. Wagger
Clerk of the House of Delegates

Dale Keaton
President of the Senate

Speaker House of Delegates

The within is approved this the 15th day of March, 1995.

Jayson Cavanaugh
Governor