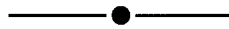


HB 2744

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WEST VIRGINIA LEGISLATURE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1999



ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2744

(By Delegates Trump and Faircloth)



Passed March 12, 1999

In Effect Ninety Days from Passage

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OFFICE OF THE CLERK
OF THE HOUSE OF DELEGATES

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2744

(BY DELEGATES TRUMP AND FAIRCLOTH)

[Passed March 12, 1999; in effect ninety days from passage.]

AN ACT to amend and reenact sections ten and seventeen, article fifteen, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to the powers and duties of emergency ambulance service authorities; and special emergency ambulance service fees imposed by county commissions and the ability of ambulance authorities and companies to transport nonemergency users.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 15. EMERGENCY AMBULANCE SERVICE ACT OF 1975.

§7-15-10. Powers and duties of authorities generally.

- 1 Each authority is hereby given the power:
- 2 (a) To sue and be sued, implead and be impleaded;

3 (b) To have and use a seal and alter the same at pleasure;

4 (c) To make and adopt all rules and regulations and bylaws
5 as may be necessary or desirable to enable it to exercise the
6 powers and perform the duties conferred or imposed upon it by
7 the provisions of this article;

8 (d) To provide emergency ambulance service, maintain and
9 operate such service, and employ, in its discretion, planning
10 consultants, attorneys, accountants, superintendents, managers
11 and such other employees and agents as may be necessary in its
12 judgment and fix their compensation;

13 (e) To acquire by grant, purchase, gift, devise or lease and
14 to hold, use, sell, lease or otherwise dispose of real and personal
15 property of every kind and nature whatsoever, licenses,
16 franchises, rights and interests necessary for the full exercise of
17 its powers pursuant to the provisions of this article or which
18 may be convenient or useful for the carrying out of such
19 powers;

20 (f) To enter into contracts and agreements which are
21 necessary, convenient or useful to carry out the purposes of this
22 article with any person, public corporation, state or any agency
23 or political subdivision thereof and the federal government and
24 any department or agency thereof, including, without limitation,
25 contracts and agreements for the joint use of any property and
26 rights by the authority and any person or authority operating
27 any system, whether within or without the service area of the
28 authority, and contracts and agreements with any person or
29 authority for the maintenance, servicing, storage, operation or
30 use of any system or part thereof, facility or equipment on such
31 basis as shall seem proper to its board;

32 (g) To enter into contracts and agreements for superinten-
33 dence and management services with any person, who has
34 executive personnel with experience and skill applicable to the
35 superintendence and management of any system, for the
36 furnishing of its services and the services of experienced and
37 qualified personnel for the superintendence and management of
38 any system or any part thereof, including, without limitation,

39 superintendence over personnel, purchases, properties and
40 operations and all matters relating thereto, and any revenue
41 bond trust indenture may require such contract or agreement,
42 but the personnel whose services are to be so furnished under
43 any such contract or agreement shall not include any member
44 of the board, any member of the immediate family of a member
45 of the board or any agents or employees of the authority;

46 (h) To execute security agreements, contracts, leases,
47 equipment trust certificates and any other forms of contract or
48 agreement, granting or creating a lien, security interest,
49 encumbrance or other security in, on or to facilities and
50 equipment, containing such terms and provisions as the board
51 considers necessary;

52 (i) To apply for, receive and use grants, grants-in-aid,
53 donations and contributions from any source or sources,
54 including, but not limited to, the federal government and any
55 agency or department thereof, and a state government whose
56 constitution does not prohibit such grants, grants-in-aid,
57 donations and contributions, and any agency or department
58 thereof, and to accept and use bequests, devises, gifts and
59 donations from any person;

60 (j) To encumber or mortgage all or any part of its facilities
61 and equipment; and

62 (k) To render all services permitted pursuant to article four-
63 c, chapter sixteen of this code, including, but not limited to,
64 emergency and nonemergency transportation.

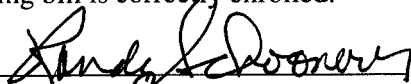
65 (l) To do any and all things necessary or convenient to carry
66 out the powers given in this article unless otherwise forbidden
67 by law.

**§7-15-17. Imposition and collection of special emergency
ambulance service fee by county commission.**

1 A county commission may, by ordinance, impose upon and
2 collect from the users of emergency ambulance service within
3 the county a special service fee, which shall be known as the
4 “special emergency ambulance service fee.” The proceeds from

5 the imposition and collection of any special service fee shall be
6 deposited in a special fund and used only to pay reasonable and
7 necessary expenses actually incurred and the cost of buildings
8 and equipment used in providing emergency ambulance service
9 to residents of the county. The proceeds may be used to pay for,
10 in whole or in part, the establishment, maintenance and
11 operation of an authority, as provided for in this article:
12 *Provided*, That an ambulance company or authority receiving
13 funds from the special emergency ambulance fees collected
14 pursuant to this section may not be precluded from making
15 nonemergency transports.

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



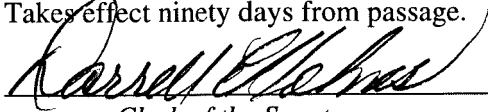
Chairman Senate Committee



Chairman House Committee

Originating in the House.

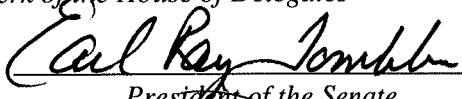
Takes effect ninety days from passage.



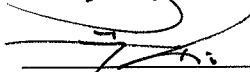
Clerk of the Senate



Clerk of the House of Delegates

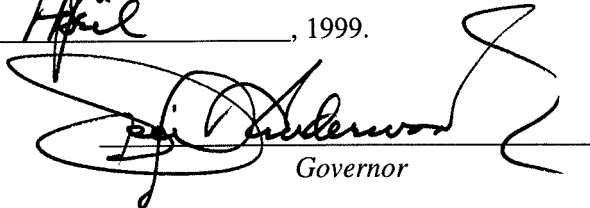


President of the Senate



Speaker of the House of Delegates

The within _____ approved _____ this the 7th _____
day of April _____, 1999.



Governor

PRESENTED TO THE

GOVERNOR

Date 4/6/99

Time 2:38 pm