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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2007

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ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 2525**

(By Delegates Swartzmiller, Beach, Hrutkay, Klempa, Pethtel,
Ennis, Iaquina, Hutchins, Perry, Shook and DeLong)

—●—
Passed March 10, 2007

In Effect from Passage

FILED

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COMMITTEE SUBSTITUTE

OFFICE WEST VIRGINIA
SECRETARY OF STATE

FOR

H. B. 2525

(BY DELEGATES SWARTZMILLER, BEACH, HRUTKAY, KLEMPA,
PETHTEL, ENNIS, IAQUINTA, HUTCHINS, PERRY, SHOOK
AND DELONG)

[Passed March 10, 2007; in effect from passage.]

AN ACT to amend and reenact §24E-1-3 and §24E-1-11 of the Code of West Virginia, 1931, as amended, all relating to the statewide addressing and mapping board; clarifying board composition; extending board members' terms; establishing powers and duties; providing for legal counsel; providing the division with rule-making and emergency rule-making authority; requiring the board to share information; extending the termination of the board; providing for the transfer of the powers and duties of the board to the division of homeland security and emergency management.

Be it enacted by the Legislature of West Virginia:

That §24E-1-3 and §24E-1-11 of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

**ARTICLE 1. WEST VIRGINIA STATEWIDE
ADDRESSING AND MAPPING BOARD.**

§24E-1-3. West Virginia statewide addressing and mapping board; term of office; compensation and expenses of board members; transfer of data; legal counsel.

1 (a) The West Virginia statewide addressing and mapping
2 board is hereby continued.

3 (b) Commencing on the first day of July, two thousand
4 seven, the board is to be composed of eleven members
5 appointed by the Governor as follows:

6 (1) The Secretary of the Department of Military Affairs
7 and Public Safety or his or her designee, shall serve as
8 chairperson of the board;

9 (2) A Commissioner of the Public Service Commission
10 or his or her designee;

11 (3) An official or employee of the State Geological and
12 Economic Survey, qualified in the field of geographic
13 information systems;

14 (4) An official or employee of the Division of Highways;

15 (5) A county commissioner;

16 (6) A county assessor;

17 (7) A mayor of a municipality or a municipal official;

18 (8) A director of an enhanced emergency telephone
19 system from a county with a population of thirty thousand or
20 less as shown by the last federal census;

21 (9) A director of an enhanced emergency telephone
22 system from a county with a population of greater than thirty
23 thousand as shown by the last federal census;

24 (10) A representative of a local exchange telephone
25 company; and

26 (11) A member of the public at-large that may be
27 affiliated with any of the above entities.

28 (c) In making appointments to the board, the
29 Governor shall, to the extent possible, ensure representation
30 on the board, by one or more members, of any entity
31 providing twenty-five percent or more of funding to the
32 statewide addressing and mapping fund created and
33 continued under the provisions of this article.

34 (d) Any member serving on the board on the first day
35 of January, two thousand seven, shall continue to serve until
36 the first day of July, two thousand ten, or until replaced by
37 the Governor.

38 (e) Members of the board are entitled to the same
39 expense reimbursement paid to members of the Legislature
40 for their interim duties as recommended by the citizens
41 legislative compensation commission and authorized by law
42 for each day or substantial portion thereof engaged in the
43 performance of official duties. Their expense reimbursement
44 is to be paid from the West Virginia statewide addressing and
45 mapping fund.

46 (f) On or before the first day of July, two thousand
47 seven, the board, or a subcommittee of the board, will
48 commence meetings to develop a plan to transfer a backup
49 copy of the aerial map database, and to periodically transfer
50 updated entries to the database to the Rahall Appalachian
51 Transportation Institute, it shall make all nonsensitive data
52 available to state agencies on request.

53 (g) On or before the first day of December, two
54 thousand seven, and each year thereafter until its final
55 termination and transfer to the Division of Homeland
56 Security and Emergency Management, the board shall report
57 to the Division of Homeland Security and Emergency
58 Management as to its transfer of data to the Rahall
59 Appalachian Transportation Institute.

60 (h) Commencing on the first day of July, two
61 thousand seven, the board will utilize legal counsel approved

62 by the Secretary of the Department of Military Affairs and
63 Public Safety and the board shall pay any costs associated
64 with legal counsel.

**§24E-1-11. Termination of board; transfer of duties and title;
legislative and emergency rules; advisory board.**

1 (a) The board shall terminate on the first day of July, two
2 thousand nine, after which it shall have one year to wind up
3 its affairs pursuant to the provisions of article ten, chapter
4 four of this code. Upon final termination, the board shall
5 transfer all its right, title and interest to any maps,
6 compilations or other works that it created as a result of the
7 statewide addressing and mapping to the respective county
8 commissions.

9 (b) Upon final termination of the board, county
10 commissions shall maintain and update the addressing and
11 mapping systems within their respective jurisdictions under
12 the standards established by the board, as updated thereafter
13 by the Division of Homeland Security and Emergency
14 Management of the Department of Military Affairs and
15 Public Safety under this section, and shall supply the updated
16 information to the division in the format it establishes
17 through its rule making authority.

18 (c) Except as provided in subsection (b) of this section,
19 upon final termination of the board, the powers and duties of
20 the board shall be transferred to the Division of Homeland
21 Security and Emergency Management.

22 (d) Prior to the final termination of the board, the division
23 may propose rules for legislative approval in accordance with
24 the provisions of article three, chapter twenty-nine-a of this
25 code which shall become effective only upon the final
26 termination of the board. The rules shall:

27 (1) Maintain and update the standards for statewide
28 addressing and mapping;

29 (2) Establish standard reasonable fees, based on cost, to
30 be charged by county commissions for copies or use of any
31 maps, compilations or other works created as a result of the
32 statewide addressing and mapping, subject to the exemptions
33 provided under section nine of this article;

34 (3) Govern centralization and interoperability of the
35 county systems within the integrated statewide addressing
36 and mapping system; and

37 (4) Ensure the public safety in any manner the division
38 considers advisable.

39 (e) Upon final termination of the board, the division may
40 propose rules for legislative approval in accordance with the
41 provisions of article three, chapter twenty-nine-a of this code
42 for the purposes set forth in this article.

43 (f) Upon final termination of the board, the division may
44 promulgate emergency rules pursuant to the provisions of
45 section fifteen, article three, chapter twenty-nine-a of this
46 code.

47 (g) Rules in effect as of the reenactment of this article
48 during the two thousand seven regular session will remain in
49 effect until amended, modified, repealed or replaced pursuant
50 to this article.

51 (h) Effective the first day of July, two thousand ten, the
52 statewide addressing and mapping board shall become an
53 advisory board within the Division of Homeland Security and
54 Emergency Management and will continue to be composed
55 as set forth in this article and the members will serve at the
56 will and pleasure of the Governor.

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



Chairman Senate Committee



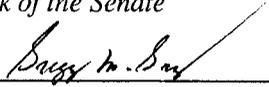
Chairman House Committee

Originating in the House.

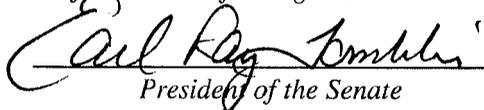
In effect from passage.



Clerk of the Senate



Clerk of the House of Delegates

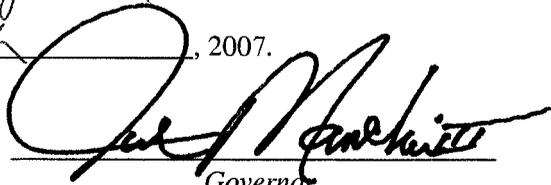


President of the Senate



Speaker of the House of Delegates

The within enrolled this the 28th
day of March, 2007.



Governor

PRESENTED TO THE
GOVERNOR

MAR 21 2007

Time 3:55 p