

HB 4155

2010 MAR 29 PM 3:07

CLERK OF COURTS
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2010



ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 4155**

(By Delegates Varner, Kominar, Cann, Campbell, White,
M. Poling, Mahan, Ferro, Perdue, Boggs and Pethtel)



Passed March 13, 2010

In Effect Ninety Days From Passage

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(BY DELEGATES VARNER, KOMINAR, CANN, CAMPBELL,
WHITE, M. POLING, MAHAN, FERRO, PERDUE, BOGGS AND
PETHTEL)

[Passed March 13, 2010; in effect ninety days from passage.]

AN ACT to amend and reenact §8-15-8b of the Code of West Virginia, 1931, as amended, relating to permitting revenues allocated to volunteer and part time fire departments to be used for Workers' Compensation premiums, certain life insurance premiums, educational training supplies and fire prevention promotional materials; and revising references.

Be it enacted by the Legislature of West Virginia:

That §8-15-8b of the Code of West Virginia, 1931, as amended, be amended and reenacted, to read as follows:

ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL SERVICE FOR PAID FIRE DEPARTMENTS.

§8-15-8b. Authorized expenditures of revenues from the municipal pensions and protection fund and the fire protection fund.

1 Revenues allocated to volunteer and part volunteer fire
2 companies and departments may be expended only for the
3 items listed in subdivisions (1) through (15) of this section.

4 Funds received from the state for volunteer and part
5 volunteer fire companies and departments, pursuant to
6 sections fourteen-d and thirty-three, article three, and section
7 seven, article twelve-c, all of chapter thirty-three of this code,
8 may not be commingled with funds received from any other
9 source. Expenditures may be made for the following:

10 (1) Personal protective equipment, including protective
11 head gear, bunker coats, pants, boots, combination of bunker
12 pants and boots, coats and gloves;

13 (2) Equipment for compliance with the national fire
14 protection standard or automotive fire apparatus, NFPA-1901;

15 (3) Compliance with insurance service office
16 recommendations relating to fire departments;

17 (4) Rescue equipment, communications equipment and
18 ambulance equipment: *Provided*, That no moneys received
19 from the municipal pensions and protection fund or the fire
20 protection fund may be used for equipment for personal
21 vehicles owned or operated by volunteer fire company or
22 department members;

23 (5) Capital improvements reasonably required for
24 effective and efficient fire protection service and maintenance
25 of the capital improvements;

26 (6) Retirement of debts;

27 (7) Payment of utility bills;

28 (8) Payment of the cost of immunizations, including any
29 laboratory work incident to the immunizations, for

30 firefighters against hepatitis-b and other blood borne
31 pathogens: *Provided*, That the vaccine shall be purchased
32 through the state immunization program or from the lowest
33 cost vendor available: *Provided, however*, That volunteer and
34 part volunteer fire companies and departments shall seek to
35 obtain no cost administration of the vaccinations through
36 local boards of health: *Provided further*, That in the event
37 any volunteer or part volunteer fire company or department
38 is unable to obtain no cost administration of the vaccinations
39 through a local board of health, the company or department
40 shall seek to obtain the lowest cost available for the
41 administration of the vaccinations from a licensed health care
42 provider;

43 (9) Any filing fee required to be paid to the Legislative
44 Auditor's Office under section fourteen, article four, chapter
45 twelve of this code relating to sworn statements of annual
46 expenditures submitted by volunteer or part volunteer fire
47 companies or departments that receive state funds or grants;

48 (10) Property/casualty insurance premiums for protection
49 and indemnification against loss or damage or liability;

50 (11) Operating expenses reasonably required in the
51 normal course of providing effective and efficient fire
52 protection service, which include, but are not limited to,
53 gasoline, bank fees, postage and accounting costs;

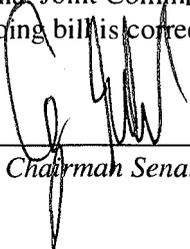
54 (12) Dues paid to national, state and county associations;

55 (13) Workers' Compensation premiums;

56 (14) Life insurance premiums to provide a benefit not to
57 exceed \$20,000 for firefighters; and

58 (15) Educational and training supplies and fire prevention
59 promotional materials, not to exceed \$500 per year.

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



Chairman Senate Committee



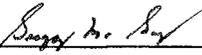
Chairman House Committee

Originating in the House.

In effect ninety days from passage.



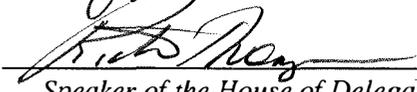
Clerk of the Senate



Clerk of the House of Delegates

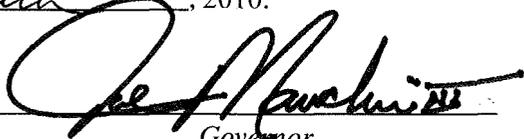


President of the Senate



Speaker of the House of Delegates

The within is approved this the 26th
day of March, 2010.



Governor

PRESENTED TO THE
GOVERNOR

MAR 2 5 2010

Time 10:00am