

Senate Bill No. 319

(By Senator McCabe)

[Introduced January 10, 2014; referred to the Committee on
Government Organization; and then to the Committee on Finance.]

A BILL to amend and reenact §29-3-3 of the Code of West Virginia,
1931, as amended, relating to adding an electrician and a
sprinkler fitter to the State Fire Commission.

Be it enacted by the Legislature of West Virginia:

That §29-3-3 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 3. FIRE PREVENTION AND CONTROL ACT.

**§29-3-3. State Fire Commission created; composition;
qualifications; appointment; terms of office;
removal; vacancies; compensation and expenses.**

(a) There is hereby created a State Fire Commission, which
~~shall consist~~ consists of ~~thirteen~~ fifteen members, qualified by
experience and training to deal with the matters which are the
responsibilities of the commission. The officers of the West

1 Virginia Fire Chiefs Association, the West Virginia Firemen's
2 Association, the West Virginia Professional Fire Fighters
3 Association, the West Virginia Professional Fire Chiefs
4 Association, the West Virginia Manufacturers Association, the
5 Professional Independent Insurance Agents of West Virginia and the
6 West Virginia Society of Architects shall submit a list of names of
7 persons recommended by each of these associations to the Governor
8 for consideration in appointing the State Fire Commission. The West
9 Virginia Professional Fire Fighters Association and the West
10 Virginia Professional Fire Chiefs Association shall recommend the
11 names of two persons from full-time paid fire departments. The West
12 Virginia Fire Chiefs Association and the West Virginia Firemen's
13 Association shall each recommend the names of three persons from
14 volunteer fire departments. The West Virginia Manufacturers
15 Association shall recommend the names of three persons to represent
16 business and industry. The Professional Independent Insurance
17 Agents of West Virginia shall recommend the names of two persons to
18 represent the fire insurance industry. The West Virginia Society of
19 Architects shall recommend the names of two persons to represent
20 registered architects. Appointments to the commission shall be made
21 by the Governor, by and with the advice and consent of the Senate,
22 from the lists of qualified persons recommended by the
23 organizations. Three members shall be appointed to represent full-
24 time paid fire departments, one member shall be appointed to

1 represent the full-time paid fire chiefs, three members shall be
2 appointed to represent volunteer fire departments and two members
3 shall be appointed to represent the volunteer fire chiefs. Two
4 members shall be appointed to represent business and industry and
5 one member shall be appointed to represent the fire insurance
6 industry. One member shall be appointed to represent registered
7 architects. The West Virginia State Electrical Workers Association
8 shall recommend the name of a master or journeyman electrician. The
9 West Virginia State Pipe Trades Association shall recommend the
10 name of a journeyman sprinkler fitter. The term of office of the
11 members shall be staggered five-year terms. The terms of members
12 first appointed shall expire as designated by the Governor at the
13 time of appointment, two at the end of one year, two at the end of
14 two years, three at the end of three years, two at the end of four
15 years and two at the end of five years. Vacancies shall be filled
16 in the same manner as the original appointment but only for the
17 remainder of a term. Any member is subject to removal by the
18 Governor at any time for neglect of his or her duties or other
19 conduct unbecoming his or her office. The Governor shall make the
20 appointments within ninety days after this section takes effect.

21 (b) ~~The~~ Members of the State Fire Commission shall serve
22 without compensation but shall be reimbursed for their reasonable
23 and necessary expenses actually incurred in the performance of
24 their duties.

NOTE: The purpose of this bill is to increase the State Fire Commission from thirteen members to fifteen members by adding an electrician and a sprinkler fitter.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.