

# **WEST VIRGINIA LEGISLATURE**

**2017 REGULAR SESSION**

**Introduced**

## **Senate Bill 613**

BY SENATORS SYPOLT AND SMITH

[Introduced March 15, 2017; Referred  
to the Committee on Government Organization]

1 A BILL to amend and reenact §29-3-3 of the Code of West Virginia, 1931, as amended, relating  
2 to the composition of the State Fire Commission; increasing the members that represent  
3 volunteer fire departments by one; and decreasing the members that represent full-time  
4 paid fire departments by one.

*Be it enacted by the Legislature of West Virginia:*

1 That §29-3-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
2 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.**

1 (a) ~~There is hereby created a~~ The State Fire Commission ~~which shall consist~~ is continued.  
2 It consists of thirteen members, qualified by experience and training to deal with the matters which  
3 are the responsibilities of the commission. The officers of the West Virginia Fire Chiefs  
4 Association, the West Virginia Firemen's Association, the West Virginia Professional Fire Fighters  
5 Association, the West Virginia Professional Fire Chiefs Association, the West Virginia  
6 Manufacturers Association, the Professional Independent Insurance Agents of West Virginia and  
7 the West Virginia Society of Architects shall submit a list of names of persons recommended by  
8 each of these associations to the Governor for consideration in appointing the State Fire  
9 Commission. The West Virginia Professional Fire Fighters Association and the West Virginia  
10 Professional Fire Chiefs Association shall recommend the names of two persons from full-time  
11 paid fire departments. The West Virginia Fire Chiefs Association and the West Virginia Firemen's  
12 Association shall each recommend the names of three persons from volunteer fire departments.  
13 The West Virginia Manufacturers Association shall recommend the names of three persons to  
14 represent business and industry. The Professional Independent Insurance Agents of West  
15 Virginia shall recommend the names of two persons to represent the fire insurance industry. The  
16 West Virginia Society of Architects shall recommend the names of two persons to represent

17 registered architects. Appointments to the commission shall be made by the Governor, by and  
18 with the advice and consent of the Senate, from the lists of qualified persons recommended by  
19 the organizations. ~~Three~~ Two members shall be appointed to represent full-time paid fire  
20 departments, one member shall be appointed to represent the full-time paid fire chiefs, ~~three~~ four  
21 members shall be appointed to represent volunteer fire departments and two members shall be  
22 appointed to represent the volunteer fire chiefs. Two members shall be appointed to represent  
23 business and industry and one member shall be appointed to represent the fire insurance  
24 industry. One member shall be appointed to represent registered architects. The term of office of  
25 the members shall be staggered five-year terms. The terms of members first appointed shall  
26 expire as designated by the Governor at the time of appointment, two at the end of one year, two  
27 at the end of two years, three at the end of three years, two at the end of four years and two at  
28 the end of five years. Vacancies shall be filled in the same manner as the original appointment  
29 but only for the remainder of a term. Any member is subject to removal by the Governor at any  
30 time for neglect of his or her duties or other conduct unbecoming his or her office. The Governor  
31 shall make the appointments within ninety days after this section takes effect. The first vacancy  
32 that occurs after June 30, 2017, by a member that represents full-time paid fire departments shall  
33 be filled with an individual that represents volunteer fire departments.

34 (b) The members of the State Fire Commission shall serve without compensation but shall  
35 be reimbursed for their reasonable and necessary expenses actually incurred in the performance  
36 of their duties.

NOTE: The purpose of this bill is to change the composition of the State Fire Commission by increasing the members that represent volunteer fire departments by one and decreasing the members that represent full-time paid fire departments by one.

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