

1 COMMITTEE SUBSTITUTE

2 FOR

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4 FOR

5 **Senate Bill No. 343**

6 (By Senators Laird, Kessler (Mr. President), Unger, Klempa, Nohe,
7 Browning, Plymale, Yost, Jenkins and Beach)

8 _____
9 [Originating in the Committee on Finance;
10 reported February 9, 2012.]

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12
13 A BILL to amend and reenact §8-15-8a of the Code of West Virginia,
14 1931, as amended, relating to the eligibility of volunteer or
15 part-volunteer fire companies or departments to allocation
16 from Municipal Pensions and Protection Fund and the Fire
17 Protection Fund; providing a ninety-day grace period for
18 volunteer fire companies or departments to comply with
19 submission of data; requiring the State Fire Marshal to notify
20 those volunteer fire companies or departments of the dates and
21 grace period; and providing a ninety-day exemption to
22 volunteer fire companies or departments whose records were
23 destroyed from requirements to submit data.

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

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

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

3 **§8-15-8a. Eligibility for allocation from Municipal Pensions and**
4 **Protection Fund and the Fire Protection Fund.**

5 (a) In order to be eligible to receive revenues allocated from
6 the Municipal Pensions and Protection Fund or the Fire Protection
7 Fund, each volunteer or part-volunteer fire company or department
8 must meet the following requirements: ~~listed in subdivisions (a)~~
9 ~~through (c) of this section.~~

10 ~~Each volunteer or part volunteer fire company or department~~
11 ~~must:~~

12 ~~(a) (1) Submit and maintain current submission of fire loss~~
13 ~~data to the State Fire Marshal; including verification, by notarized~~
14 ~~statement, if no fire loss has occurred~~

15 ~~(b) (2) Complete or be in the process of receiving firefighters~~
16 ~~training, including section one of the West Virginia University fire~~
17 ~~service extension or its equivalent. ~~Such~~ The fire company or~~
18 ~~department must have at least ten members certified as having~~
19 ~~completed ~~such~~ the training or if a volunteer fire company or~~
20 ~~department has twenty or fewer members, fifty percent of the active~~
21 ~~volunteer members must have completed ~~such~~ the training; and~~

22 ~~(c) (3) Comply with all applicable federal and state laws.~~

23 (b) Each volunteer or part-volunteer fire company or department
24 shall have a grace period of ninety days beyond the allocation date
25 in which to comply with submission requirements to the State Fire

1 Marshal. The State Fire Marshal shall notify each volunteer or
2 part-volunteer fire company or department of the due date for
3 submitting the information required by this section and the grace
4 period. The Fire Marshal shall notify each volunteer or part-
5 volunteer fire company or department in order to ensure timely
6 compliance with this section.

7 (c) When the records of a volunteer or part-volunteer fire
8 company or department are destroyed by fire or other natural
9 disaster, then the affected volunteer or part-volunteer fire company
10 or department is exempt from the provisions of subdivision (1),
11 subsection (a) of this section, for the ninety-day period
12 immediately following the destruction of the records.