



WRAP-UP

THE OFFICIAL NEWSLETTER OF THE WEST VIRGINIA LEGISLATURE

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CHILD POVERTY

Select Committee on Children and Poverty takes on financial distress in the Mountain State

On the first day of the regular session, the Senate adopted Senate Resolution 6, creating the Select Committee on Children and Poverty.

During the regular session, Children and Poverty has met once a week to hear from various speakers regarding the many issues impacting West Virginians living below the poverty line. On this committee are Chairs and Vice-Chairs of major Senate committees, - See **POVERTY**, page 4



MARTIN VALENT, WEST VIRGINIA LEGISLATURE

JOB CREATION TASK FORCE LEGISLATION

House Speaker Rick Thompson and Senate President Jeff Kessler's appointed legislative workgroups would focus on attracting quality jobs to West Virginia

One of the top priorities for West Virginia lawmakers this session has been examining ways to increase economic opportunities for West Virginians and attract jobs to the state.

House Speaker Rick Thompson and other members of the House leadership have introduced legislation in collaboration with Senate President Jeffrey Kessler that would create monthly House and Senate workgroups dedicated to learning how West Virginia can be more aggressive in attracting jobs.

House Bill 3013 would authorize the Senate President and House Speaker to appoint job creation workgroups that would work independently or in cooperation with the

Department of Commerce, the West Virginia Development Office or other executive offices or agencies of the state in order to obtain information to assist the Legislature's efforts to take action toward increasing and attracting jobs in West Virginia.

Their activities could include, among provisions listed in the bill, meeting with existing businesses and organizations to discuss and further develop resources currently available to businesses in West Virginia which then could be expanded upon to grow job opportunities within the state.

The House of Delegates took up and approved this measure on the House floor during the past week. If the legislation passes both bodies, the Speaker and President

will have the ability to appoint a group of different House and Senate members each month to spend a day visiting a particular company, city or region to learn about how certain businesses prosper and expand and about various tactics local and state governments have used to attract businesses. Each of the appointed workgroups would serve as a resource for other members of their body of the Legislature on these subject matters.

It is important for the Legislature to recognize the economic development challenges facing the many different areas of the state. This information will be invaluable when it comes to assisting lawmakers in shaping the policies, which will in turn, create the economic environments to best attract quality jobs to West Virginia. ■



THE LEGISLATIVE RECORD – IN THE SENATE

As of 4:00 p.m., Thursday, March 28th, 2013, the 44th day of the 1st session of the 81st Legislature, 663 bills have been introduced in the Senate. Of those, 78 passed and have been sent to the House of Delegates for consideration.

Senate Bill 11 would limit the prescription size patients can receive at one time for controlled substances such as hydrocodone. Doctors would still have the ability to refill patients' prescriptions at their discretion.

Senate Bill 80 would require certain central office administrators and supervisors to substitute teach on at least three instructional days each school year. Superintendents and those who have never held a valid teaching certificate or administrative certificate are exempt from the requirement.

Senate Bill 158 would create the Complete Streets Act. The act would ensure the safety of all travelers including

pedestrians, bicyclists, motorists and transit riders through policies, design guidance, planning, development, construction and maintenance of roads in this state.

Senate Bill 187 would require the West Virginia Development Office to create a jobs impact statement for any proposed legislation that may have an economic impact at request of the Governor, Senate President, or House Speaker.

Senate Bill 201 would allow a healthcare provider to prescribe an antibiotic to a sexual partner(s) of a person who has been diagnosed with a sexually transmitted disease without first having to conduct an examination of the partner(s).

Senate Bill 336 would establish protocols and protections to help limit injuries to youth athletes and students and improve the treatment when injuries do occur. The bill would concentrate on protocols for removal and return to play following concussions in interscholastic sports.

Senate Bill 341 would require that livestock be enclosed by a fence, gate, or grate that is built to reasonably prevent livestock from escaping.

Senate Bill 371 would address the state's prison overcrowding problem by reforming aspects of the criminal justice system. The bill seeks to address the issue of overcrowding is by reducing recidivism and expanding community sentencing options.

Senate Bill 414 would clarify who will be authorized agents for the sale of hunting and fishing licenses and provides a choice for whether county clerks will be such authorized agents.

Senate Bill 445 would enhance state revenues by allowing the State Tax Commissioner to use lottery prizes to pay

the unpaid tax liabilities of lottery prize winners.

Senate Bill 461 would address children witnesses in domestic relations cases, abuse and neglect cases, and criminal cases. The bill would allow the courts to accommodate a child witness by adjusting the timing of the testimony, allowing the witness to have a toy while testifying, allowing the witness to have a support person nearby while testifying when the court finds it is needed for reliable testimony or the parties agree, and permits the court to relax formalities.

Senate Bill 496 would provide certain people who provided commodities and/or services to the state, but were not paid because the agency involved overspent its budget.

Senate Bill 534 would correct an internal reference in the code regarding insurance information disclosure. The bill would make clear that providing certain required information is not a violation of the insurer's responsibility to maintain the confidentiality of consumer financial and health information.

Senate Bill 538 removes the requirement that state, county, and local law enforcement agencies maintain a confidential file of domestic violence orders. This change is due to a new statewide database.

Senate Bill 584 would authorize the establishment of pretrial release programs as part of community corrections in any county, court or combination thereof for the purpose of reviewing pretrial criminal defendants in regional jails and making recommendations for release of those awaiting trial based on their low risk of flight and risk of danger to the community.

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THE LEGISLATIVE RECORD – IN THE HOUSE

As of 4:00 p.m., Thursday, March 28th, 2013, the 44th day of the first session of the 81st Legislature 1159 bills have been introduced in the House of Delegates. Bills passed by the House this week include:

House Bill 2237 would require physicians and other licensed prescribers to offer the drug Naloxone to their patients who are prescribed opiates for chronic pain. This bill was created to give alternative pain medication options in an effort to crack down on opiate abuse.

House Bill 2453, also known as “Skylar’s Law”, would expand the coverage under the Amber Alert Plan which currently applies only to children believed to have been abducted. This would allow the Amber Alert system to be activated when children are reported to law-enforcement as “missing”, regardless of the circumstance.

House Bill 2463 would repeal the article of the West Virginia Code that permits the sterilization of persons deemed to be mentally incompetent.

House Bill 2508 would increase certain investment amounts necessary for a county or city to create a sales Tax Increment Financing (TIF) district.

House Bill 2514 would decrease the total amount of tax credits under the Film Industry Investment Act from \$10 million to \$5 million annually.

House Bill 2534 would require that pawn brokers be regulated at the state level and that they maintain accurate pawn transaction forms with penalties for failure to comply with new regulations. Currently pawn brokers are only regulated at the local level.

House Bill 2583 would establish a regulatory system for sexual assault for forensic examinations. The bill is created in an effort to

create a uniform examination system with better efficiency.

House Bill 2590 would authorize the creation of a public nonprofit corporation and governmental instrumentality to collectively manage the transition of contaminated properties to new use. The bill would allow many old commercial and industrial sites to be restored back to useable properties.

House Bill 2717 would require that Deputy Sheriffs be issued ballistic vests upon law enforcement certification.

House Bill 2780 would require multi-disciplinary teams be convened quarterly to discuss children in the custody of the Division of Juvenile Services. It also provides that in cases where a child has been detained for more than 60 days without an active service plan, the director of the facility may call a multi-disciplinary team meeting to discuss the child.

House Bill 2809 would authorize the Division of Corrections to implement a 12 month pilot project to establish a responsible parenting program designed to improve

child and family well being and to empower men and women with skills to succeed as caretakers.

House Bill 2814 would authorize and require certain assistance to victims of human trafficking. It seeks to achieve this by authorizing the forfeiture of certain assets used in human trafficking, authorizing a civil cause of action for victims of human trafficking, requiring classification of victims of human trafficking and immigration assistance under specified circumstances and specifying that a victim of human trafficking is a victim under the West Virginia Crime Victims Compensation Act, among other provisions.

House Bill 2933 would make it necessary to provide notification to a prosecuting attorney of an offender’s parole hearing and release.

House Bill 2992 would eliminate duplicate reporting requirements for imported cigarettes which are imposed on distributors of tobacco products. It was introduced at the request of the West Virginia Tax Department.

West Virginia Legislature’s Web site

The online **West Virginia Code** has been enhanced to show bills that have become law (under the chapter of the code affected) but have yet to be incorporated in the online version. <http://www.legis.state.wv.us/WVCODE/Code.cfm>

Bill Tracking has been improved to allow users the ability to prioritize bills and add personal notes. Users can also now sort and view their bills by multiple criteria. http://www.legis.state.wv.us/billstatus_personalized/persbills_login.cfm

The legislative blog **Today in the Legislature** is a daily synopsis of legislative floor activities, complete with photos and daily committee meeting schedules. http://www.legis.state.wv.us/daily_sum/today.cfm

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the Majority Leader and Majority Whip, and also the Minority Leader and Minority Whip.

According to a recently released report by the West Virginia Center on Budget and Policy and the West Virginia Healthy Kids and Families Coalition, child poverty in our state has increased significantly in the last 40 years - growing from 19.1 percent in 1969 to more than 23 percent today. One in three West Virginia children under age 6 currently live in poverty.

The study shows children with parents who didn't graduate high school, those with single mothers, African Americans and those with unemployed parents are more likely to live in poverty. About half of families with single mothers in the state live below the

federal poverty line and more than 30 percent of single-father families live in poverty.

Children most harmed by poverty are those who live in "deep poverty," defined as family incomes less than 50 percent of the federal poverty level. In West Virginia, 46 percent of the children below the poverty threshold are living in deep poverty. More than one in every 10 West Virginia children live in deep poverty, living on less than \$11,406 a year for a family of four.

The Senate Select Committee on Children and Poverty has plans to tackle the various aspects of poverty in West Virginia including the impact poverty has on a child's education. For 2010-2011 the rate of low-income students graduating from high school was only 67.9 percent. In elementary schools

we find that only 35 percent of the state's 3rd graders scored at or above mastery on the WESTTEST 2 Reading/Language Arts Test, which is considered a passing test score. About 16 percent of children not reading proficiently by the end of the third grade do not graduate from high school on time.

The Senate Select Committee will meet throughout the year during the monthly interim meetings that will begin once the regular session ends in April to continue discussions and travel throughout the state, visiting each of the 17 Senate Districts to see firsthand how poverty is affecting West Virginians and their children. Thus far the committee has visited Oak Hill and Beckley in the 9th and 10th Districts respectively with more visits around the state expected in the future. ■