



WRAP-UP

THE OFFICIAL NEWSLETTER OF THE WEST VIRGINIA LEGISLATURE

For information about your State Legislature, visit our Web site: www.legis.state.wv.us

Volume XXIV, Issue 6

April 5, 2013



MARTIN VALENT, WEST VIRGINIA LEGISLATURE

STATE RIFLE NAMED

Legislature Names Flintlock Model 1819 West Virginia's Official Firearm

BY **CARISSA JANCZEWSKI**

Many may wonder how a symbol receives its official state title. The process, similar to the creation of a bill, starts with an idea. Next, research and consideration must be given to this idea, usually by citizens, school children or organizations. If the idea sparks interest among citizens and legislators, a request for the formal introduction of a resolution to create an official state symbol is made and the resolution is drafted.

- See **RIFLE**, pg 4

HUNGER & POVERTY, A NATIONAL CRISIS AT HOME

The Senate Select Committee on Children & Poverty to Host a Screening on a Documentary Taking a Closer Look at Hunger and Poverty in America

BY **ERIN CLARK**

Currently, 1 in every 4 children in the United States worries about where their next meal will come from. Most Americans might consider hunger only to exist in remote, third-world countries; but, the reality is, hunger is a problem 50 million Americans face every day. "A Place at the Table," a documentary providing a picture of hunger in America, is aiming toward bringing attention to the hunger crisis in the United States. The West Virginia Legislature will be hosting a screening of the documentary on Monday at 6:00 p.m. in the Capitol Complex Culture Center.

The United States of America is one of the most wealthy, powerful countries in the world, so why are there people struggling to put food on their table every day? According to the documentary, the problem isn't a

shortage of food; the problem is poverty. The hunger crisis in America has gone unnoticed - largely due to the shame those struggling feel and their unwillingness to discuss the hardships of poverty due to the stigma attached to hunger.

In West Virginia alone, 14.1 percent of people are food insecure and around 25 percent of children live in poverty, similar to the national average. While the documentary focuses on a national level, it addresses and helps find solutions to problems West Virginians are far too familiar with. Senate President Jeff Kessler and House Speaker Rick Thompson both agree that poverty is a huge concern for the state and are dedicated to finding solutions.

The documentary focuses not only on the issues of hunger and poverty, but also the cor-

relations these two evils have on other aspects of life including professional and academic progress, malnutrition, and obesity. When families can barely afford to eat, they purchase the least expensive foods - processed foods. Additionally, when people are hungry or distracted thinking about where they'll get their next meal, they are less likely to focus on work and therefore underperform in the workplace and the classroom.

These problems, and the adverse attitudes that are associated, are addressed through three Americans who struggle to find meals on an almost daily basis. Two of these Americans are elementary school students who struggle in school and face health problems due to their malnutrition while the third is a single mother who finds it hard to keep food on the table for her two children.

- See **DOCUMENTARY**, pg 4



THE LEGISLATIVE RECORD – IN THE SENATE

As of 4:00 p.m. Wednesday April 3, 2013, 664 bills have been introduced in the Senate and 169 bills have been passed. A sample of the bills passed by the Senate this week:

Senate Bill 21 would require all health care providers to wear identification badges. The bill would define terms and appropriate rules to the Secretary of the Department of Health and Human Resources.

Senate Bill 90 would make it a felony for any person to drive a vehicle while under the influence of alcohol or controlled substance and cause serious injury to another person. The bill also defines the term “serious bodily injury.”

Senate Bill 117 would make it a criminal offense to be in the possession of burglars’ tools and establish penalties for the crime.

Senate Bill 354 would require the Commissioner of Highways to conduct a study

on different methods of revenue for the development and maintenance of state roads and highways.

Senate Bill 355 would require employers to pay a discharged employee within four business days or no later than the next payday, whichever comes first. For this section of code, “business day” would be defined as a day state offices are open for regular business.

Senate Bill 369 would allow residents of certain states to carry a concealed deadly weapon as long as they have a concealed weapons license in that state. Only those residents of states that accept a West Virginia concealed weapons will be allowed to carry a concealed weapon in this state with a valid permit.

Senate Bill 394 would provide dependent children of state troopers who have died in the line of duty with a scholarship. The scholarship would not exceed more than \$7,500 per year.

Senate Bill 444 would increase the amounts West Virginia University and Marshall University can have invested in their respective foundations.

Senate Bill 451 would clarify when a carbon monoxide detector is required in a structure. The bill would include all structures that have fuel burning appliances or equipment that emits carbon monoxide by-products.

Senate Bill 460 would exempt state residents who are on active military duty for over thirty day from paying state income tax. To qualify, participants must be on active duty in the National Guard, the United States armed forces or the armed forces reserve.

Senate Bill 466 would create the Dangerous Wild Animal Act. This act would create the Dangerous Wild Animal Board, whose

purpose would be to create a list of dangerous wild animals, issuing permits to those who own dangerous wild animals prior to the effective date, and other duties.

Senate Bill 533 would change the definition of the terms “battery” and “domestic battery.” These new definitions would bring West Virginia up to date with federal definitions.

Senate Bill 569 would amend give the Governor the responsibility of appointing a State Fire Marshall. The Senate would have to approve the nomination.

Senate Bill 586 would transfer the authority to license cosmetology, barber, and massage schools to the West Virginia Council for Community and Technical College Education. The code currently gives this power to the West Virginia Higher Education Policy Commission.

Senate Bill 615 would temporarily decrease the table game renewal license fees for pari-mutuel racetracks for one year.

Senate Bill 624 would sentence those who are willfully not paying child support to be sentenced to home confinement while working or looking for a job. This bill would also create harsher sanctions for the next offenses.

Senate Bill 652 would require home inspector applicants to get a criminal background check. This bill would also give the State Fire Commission the rule-making authority over home inspector applicants.

Senate Bill 663 would create the “West Virginia Feed to Achieve Act.” The act would ensure all students would have access for a nutritious breakfast and lunch. The act details where these funds would come from and provide funds to schools to establish nutrition programs.

The West Virginia Legislature's Reference and Information Center

Building 1, Room MB 27
State Capitol Complex
Charleston, WV 25305
(304) 347-4836

Drew Ross
Director

Jaelyn Jett
Chris Marshall
Public Information Officers

Dennis Loudermilk
Web Engineer

Dave Martin
Web Administrator

Dee Spelock
Resource Manager

John Tice
Graphic Designer

Martin Valent
Photographer

Billy Hinamon
Per Diem Photographer

Carissa Janczewski
Malak Khader
Interns - Marshall University

Erin Clark
Lane Horter
Interns - West Virginia University



THE LEGISLATIVE RECORD – IN THE HOUSE

As of 4:00 p.m. Wednesday April 3, 2013, 3164 bills have been introduced in the House and 143 bills have been passed. A sample of the bills passed by the House this week:

House Bill 2108 would make failure to wear a safety belt a primary offense. Any person in violation of this bill would be fined \$25.

House Bill 2513 would improve enforcement of drugged driving offenses. Anyone who drives a motor vehicle in this state, by doing so, implies consent to a “preliminary breath analysis and a secondary chemical test of either his or her blood, breath, or urine for the purposes of determining the controlled substance and drug content of his or her blood”.

House Bill 2521 relates to the West Virginia Contraband Forfeiture Act. This bill would create an alternative method for forfeiture of “moneys, securities, negotiable instruments, conveyances and other personal property” through an quicker process.

House Bill 2357 relates to sexting by minors. This bill would establish an educational diversion program to be put in place of prosecuting a minor for sexting. Minors engaged in transferring sexually explicit photos of themselves or others through the use of computers or interactive wireless communication devices would be required to attend this program.

House Bill 2548 would increase criminal penalties for assault and battery against athletic officials. If a person recommit a battery offense the penalty would be a jail confinement of between 10 days and 12 months, increased from 24 hours to 30 days. A fine of \$100-\$500 would also be due.

House Bill 2550 would add a criminal offense for receiving materials portraying

minors in sexually explicit conduct. It would increase the fines and penalties upon first conviction, enforce penalties for second or subsequent sentences or if a first offender had been previously convicted for an early sexual offense.

House Bill 2563 would reduce the daily administrative time required of school counselors and increase the time spent counseling at-risk students. It would increase their time with at-risk students from 75% to at least 90%. It would also require that at-risk students be included in this direct counseling in addition to other pupils.

House Bill 2571 would revise the qualifications to serve on the Environmental Quality Board. It would authorize those who have received a substantial portion of income from state departments and agencies that are NPDES permit holders or applicants to serve on the board.

House Bill 2727 relates to the school aid formula. This bill would restrict school bus systems to use either compressed natural gas or propane as an alternative fuel.

House Bill 2759 relates to the standards for emergency medical service personnel. It states no fee can be charged for EMT certification or re-certification. It also states an applicant whose certification has lapsed for more than 6 months may be required to complete a cognitive and skills examination prior to renewing their certificate.

House Bill 2766 would create the “West Virginia Winner” program. This program would help promote healthy and active lifestyles for West Virginians. It would be composed of athletic competitions and cultural events around the state.

House Bill 2787 would allow for family court judges and magistrates to carry concealed handguns without a permit.

House Bill 3145 would take away the existing maximum quantities of beer that a retailer may sell for consumption off premises.

House Bill 3163 would require all debt obligations of the West Virginia parkways authority to be satisfied by February 1, 2020. It would remove tolls on turnpikes when the bonds obtained by those tolls are fulfilled.

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

Visit the **Legislature’s Homepage**: <http://www.legis.state.wv.us>

Find us on Facebook:
<http://www.facebook.com/wvlegislature>

Follow us on Twitter:
<http://twitter.com/wvlegislature>

This session the West Virginia Legislature has named the Flintlock Model 1819 rifle the official state firearm. This is the most recent addition to the wide collection of state symbols that have been made official since 2008 when the state Tartan, the “West Virginia Shawl,” was adopted in recognition of the states’ historic Celtic roots. The Timber Rattlesnake, the state’s official reptile, along with Jefferson’s Ground Sloth, the official fossil, were also named official symbols during the 2008 session.

Much like all other official state symbols, the Flintlock Model 1819 also has great history here in West Virginia and through the adoption of Senate Concurrent Resolution 7, was named the state’s official firearm this week. It was originally manufactured in Harpers Ferry, WV by John H. Hall and was adopted into the United States Army in 1819, the

first breech-loading rifle to be adopted by any nation’s military.

Characterized by a block breech that has the ability to be lifted out so the operator can insert the powder and bullet, it created a faster and simpler way to handle a gun. It was also the first entirely machine-made weapon ever manufactured with interchangeable parts. The Flintlock Model continued to be used during the U.S. Civil War. This alone makes it significant to West Virginia because the state was created out of that armed conflict.

As demonstrated through resolutions adopted in past years, West Virginia is a state rich with historical gems that hold great meaning to its citizens. The Flintlock Model 1819 will undoubtedly be a great addition to the state’s menagerie of symbols representing West Virginia today. 

The West Virginia Legislature’s screening is an extension of the focus the Legislature has taken on children and poverty in the state. The Senate Select Committee on Children and Poverty has been taking initiative during the legislative session to address the poverty crisis West Virginia is facing. Most recently, the committee presented a bill that will provide free breakfast and lunch to all public school students in the state. The bill passed the Senate unanimously and is now being considered in the House.

Monday’s screening will be followed by a panel discussion featuring Documentary Director Lori Silverbush and Food Expert Dr. Janet Poppendieck. “A Place at the Table” was released in theaters, on iTunes, and On Demand on March 1, 2013. The public is welcome and encouraged to attend. There is no charge for admission. 