



WRAP-UP

The Newsletter of the West Virginia Legislature

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Capitol Press Corps Delivers Essential Statehouse News to Citizens

BY AMANDA WHITE

Democracy requires citizen involvement. By spreading information across the state, West Virginia media plays a crucial role in the state's political process.

Located in the basement of the Capitol's main building, the press room is filled with the sounds of typing fingers and computer editing as reporters strive to deliver the most recent events of the legislature to their respective media outlets, through which they keep the citizenry informed about state government.

"Transparency is always important in democracy," said Alison Knezevich, reporter for the *Charleston Gazette*. "The media's role is to let citizens know what's going on and to question why people make the decisions they do."

Reporters bring information to citizens using newspapers, radio and television, which allow citizens to take in information in whichever way is most convenient. The legislature also helps to maintain transparency by streaming the House of Delegates audio live online, allowing constituents to listen to sessions and committee meetings from the comfort of their homes.

Unlike live streaming, the media simply does not recite the events happening around them; it works to distinguish the most important issues before presenting them in an understandable way.



MARTIN VALENT & MAX HUNT WEST VIRGINIA LEGISLATURE

Radio, Print and Television

Constituents can rely on a variety of news outlets to catch up on the latest legislative actions.

"We pick out the best, most important things and take them to the largest audience possible," said Tom Breen, reporter for the *Associated Press*.

Reporters process information and ask themselves three questions: how many people the information affects, how much people care, and are there any

consequences to the public. The answers to these questions determine what information gets reported and what information is passed over.

"What we try to do is make the process so people can understand it," said Jeff Jenkins, reporter for *MetroNews*. "We cut through everything to see how it affects the person."

Other than simply informing citizens, the media focuses on keeping government officials accountable for their actions.

"Sunlight sterilizes," said Hoppy Kercheval, reporter for the *Metro News*. "It's important to shine a light on the people doing the public's business."

The Legislature cooperates with the media by answering questions and reserving them space in both the House and Senate Chambers. Reporters sit at tables in the front of the House and in back of the Senate, and room is provided to set up cameras along the walls. Breen, who has previously reported from the Connecticut's Legislature, said

“It's important to shine a light on the people doing the public's business.”

– Hoppy Kercheval, *MetroNews*

West Virginia representatives are both cooperative and kind to reporters.



Completed Legislation

As of 4:00 p.m., Wednesday, March 10, 2010, the 57th day of the 79th Legislature's 2nd Regular Session, 1,378 bills have been introduced in the House, 139 of which have been passed by the House. Seven hundred and one bills have been introduced in the Senate, 186 of which have been passed by the Senate. Below is a sampling of the 46 bills that have completed legislative action:

Senate Bill 89 will allow all police chiefs and deputy chiefs to be reinstated to their previously held positions in the police department after they have finished their term as chief or deputy chief. It also allows a deputy police chief to be appointed if the respective city council approves the appointment.

Senate Bill 215 will extend the crimes of malicious assault, unlawful assault, battery, and assault on government representatives and health care providers

to include volunteer firefighters, emergency medical technicians, and those employed by or under contract to emergency medical services providers. It also increases the penalties for such assault crimes.

Senate Bill 336 authorizes the Division of Wildlife Resources to recover possession or restitution value of certain animals. Specifically, this bill would increase the penalties for the illegal taking of certain deer, based on antler spread, over and above the current \$200 forfeiture. The additional penalty is based on the inside measurement of the main beams at the widest point

Senate Bill 339 corrects an invalid reference in state law relating to voter registration lists.

Senate Bill 345 will require the Tax Commissioner to complete a study of the telecommunications industry for the purpose of making recommendations of possible amendments to the state telecommunications tax.

Senate Bill 349 will require licensed or registered childcare services to have a written evacuation plan in case of emergencies. The plan must include a relocation site, procedures for notifying families, procedures to address children with special needs, staff instructions and training, coordination with local emergency management officials, and a program to familiarize appropriate staff with the plan. It also requires that the plan be provided to the Office of Emergency Services in each county and that it is reviewed when inspections occur.

Senate Bill 354 will update the terms and procedures for notification after traffic crashes and completion of the required reports by investigating law-enforcement officers. Crash reports will now be sent to the Division of Highways, instead of the Division of Motor

Vehicles. The bill also replaces the word "accident" with the word "crash." Research in highway safety reflects that "crash" is the term to describe motor vehicle collisions used in most states and encompasses a wider range of potential causes for motor vehicle crashes than does the term "accident."

Senate Bill 381 prohibits Division of Banking employees from obtaining a loan or a line of credit from an entity that he or she is actively engaged in regulating as a part of his or her regular job duties.

Senate Bill 387 requires mortgage loan originators employed by regulated consumer lenders either be licensed or registered with the Nationwide Mortgage Licensing System.

Senate Bill 388 specifies the number of members on municipal planning commissions and zoning boards. Specifically, Planning Commissions in Class I, II and III cities can have five to 15 members while Planning Commissions in Class IV towns or villages can have three to nine members. Boards of Zoning Appeals in Class I, II and III cities can have five members and Zoning Boards in Class IV towns or villages can have only three members.

Senate Bill 390 will clarify that, in the case of conviction, penalties for violating private investigative and security service regulations are assessed by the court.

Senate Bill 436 will remove the Latin phrase "haec verba viz" and replace it with the translated English phrase "these words verbatim" to allow the reader to better understand the State Code requirements.

Senate Bill 461 is an annual update to the Streamlined Sales and Use Tax Agreement. The bill will strike unnecessary and outdated terms, and clar-

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Completed Legislation

ify that the "Agreement" refers to all amendments adopted by the governing board of the Streamlined Sales and Use Tax Agreement through January 31, 2010. It will also create a classification of registration of sellers making no sales for those sellers that did not make a sale in West Virginia in the previous 12 months.

Senate Bill 514 will correct a reference in the State Code that pertains to the Controlled Substance Monitoring Act. It modifies and clarifies the controlled substances that must be reported when a prescription is filled or the substance is dispensed by a medical service provider.

Senate Bill 553 will extend the time certain members of the Teachers Retirement System can purchase full credit for service in the Teachers Defined Contribution System. This bill applies to members who transferred and provided a signed verification of cost for service credit purchase form by June 30, 2009 to the Consolidated Public Retirement Board, but were unable to complete the purchase of the one and one-half percent contribution or the paperwork involved.

Senate Bill 584 will detail the West Virginia Center for Nursing's data collection responsibilities and establish that data submitted to the Center is confidential. It also amends the section by deleting a statutory provision relating to the establishment of a loan repayment program.

Senate Bill 631 updates the process for the adoption of textbooks and other instructional material and technologies to enable county boards more flexibility in adopting vendor updated print and electronic instructional resources.

Senate Bill 656 will provide for special rates for energy intensive industrial consumers of electric power authorized by the Public Service Commission. It

also sets standards that the Public Service Commission may take into consideration in establishing special rates for energy intensive industrial consumers of electric power.

House Bill 3301 amends the Division of Labor rule verifying employees' legal status. The bill would also authorize the commissioner to issue an order terminating undocumented employees. Each day the undocumented worker continues employment constitutes a separate violation.

House Bill 4035 sets a consistent threshold of \$10,000 tax liability to require taxpayers to file all taxes electronically and to require certain taxpayers to pay by electronic funds transfer. Additionally, it would require a tax return preparer who prepares at least 25 returns to file electronically and an employer with 50 or more employees to file withholding returns electronically.

House Bill 4133 clarifies the requirements to practice marriage and family therapy.

House Bill 4171 encourages the use of criminogenic risk and need

assessments for all persons sentenced to the custody of the state Division of Corrections. Additionally, the bill would require the Parole Board to review available criminogenic risk and need assessments when making parole determinations.

House Bill 4187 continues the current hazardous waste management fee until 2015. This fee is used to fund the Hazardous Waste Management Program. The fee has been in existence since 2001.

House Bill 4291 eliminates duplicate criminal background investigations currently required of persons seeking bank charters or agencies with both the West Virginia State Police and the Federal Bureau of Investigation.

House Bill 4312 amends and reenacts a section of the West Virginia code relating to the Tax Procedure and Administration Act.

House Bill 4361 repeals a state law prohibiting West Virginia from sharing domestic violence information with oth-

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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

On the **Bill History** page, sponsors, subjects and code affected are now all hyperlinked to related bills. It is now possible to sort bills by date, step, status or committee, and direct links to the history and text of the bills is now available. The effective date of bills that have become law has also been added. http://www.legis.state.wv.us/Bill_Status/bill_status.cfm

The new 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>

“They are very accessible,” he said. “It’s much easier to get a hold of people and talk to them, and they’re much more willing to explain things.”

The media also provides a resource for senators and delegates who want to inform their constituents of what they are doing while at the Capitol or answer criticism about particular decisions. Several legislators print weekly columns in their hometown newspapers and many send out press releases to their respective news outlets, through which they notify citizens of decision and key issues.

Without the work of the media, thousands of citizens across West Virginia would

be unable to participate in the political process. While some citizens take an active role by contacting their legislators about particular bills, some use the record provided by the media to determine how they will vote in state government elections. By providing a source through which people can judge the actions of their legislators, the media fulfills its “watch dog” role within state government. ■

Editor’s Note: This is the last printed version of Wrap-Up for 2010. *Final Wrap-Up*, which will include summaries of **all bills passed** during the Regular Session, will be posted on the Legislature’s Web site in the coming weeks.

er government agencies, including the federal government.

House Bill 4374 will establish the Caregiver’s Consent Act. This act will allow caregivers, or those who are not a parent or legal guardian, to consent to medical treatment of a minor provided the caregiver can present an affidavit.

House Bill 4407 updates the law regarding the rabies vaccinations of dogs and cats. Specifically, this bill would require a dog or cat to receive a rabies vaccination capable of providing immunity for three years instead of two years under the current law. Also, booster shots will be given the year after vaccination and every three years thereafter.