



WRAP-UP

The Newsletter of the West Virginia Legislature

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Legislative Offices Reflect History and Culture of the Mountain State

By Chris Marshall

Maya Angelou once wrote, "I long, as does every human being, to be at home wherever I find myself." That sentiment is especially true in the halls of our State Capitol where 134 lawmakers currently find themselves in the middle of the annual 60-day legislative session.

With our lawmakers being required to spend so much time in Charleston, it's only natural that their offices contain many personal and symbolic icons representing their home districts. A quick look inside just a few of these offices reveals an eclectic mix of items representing many different cultures, industries and universities from throughout West Virginia.

So come along through the halls with me and let's see what we can find. As we walk through the offices of the House in the East Wing, and the Senate in the West Wing, we see many of the items from home that you would expect. We can see that most lawmakers have pictures of their families, relatives from years gone by, and even pictures of themselves with various figures from both state and national politics.

We quickly notice that homemade quilts are another typical decorative theme in the halls of the Capitol. They represent the hand-made craftsmanship that is so important to all of West Virginia and they can be found in many lawmakers' offices and various committee rooms throughout the building.



While some lawmakers have family heirlooms hanging in their offices, members attending meetings in 460M enjoy a variety of quilts, which are on loan from the Division of Culture and History.

Photo: Martin Valent

However, as routine as those items might be, a little bit of exploring reveals some things that are interesting and extremely out of the ordinary. For instance, would you ever expect to open the door to one of your state lawmaker's offices and come face to face with a stuffed bison head sporting a Marshall University hat?

Well, that's precisely what happens when we walk into the delegate's office from the 15th District. While the bison does, in part, represent the delegate's affection for the major university in her district, it also references business in West Virginia, and specifically, the bison farm that she owns.

Fear not Mountaineer fans, it's far from just a green and white theme in the Capitol. Come along down the hall to the office of the delegate from the 13th District and you will see a picture of Mountaineer Field proudly displayed. For those of you that straddle the fence between both of

our state's major universities, the Senator from Boone County is your man.

As we head across the way to visit him in the West Wing, we will find the Senator from the 7th District reaches across the aisle to both schools, proudly displaying both WVU and Marshall memorabilia in his office. Since we came all this way, history buffs would also be remiss not to check out his map of Boone County from 1911, as well as his pictures of various southern West Virginia coal camps from years gone by.

Staying on the Senate side, we wander into the Senator's office from the 11th District and we immediately see a proud history of public service on display. This Senator is the fourth in a proud family of politicians, and he prominently displays his father, grandfather and great-grandfather on his wall. We also get a look at the Bible of his great-grandfather, who was a minister as well as a Senator. The Bible,

Completed Legislative Action (Week of March 4-11, 2009)

Senate Bill 403 will make supplemental appropriations from the State Road Fund to The Department of Transportation. The overall effect of this bill is a net increase in spending authority by \$124 million.



In the House

As of 4:00 p.m., Wednesday, March 11th, 2009, the 29th day of the 79th Legislature's 1st Regular Session, 1,080 bills have been introduced in the House of Delegates. Of those, 27 have passed and have been sent to the Senate for its consideration. Some of those bills passed were:

House Bill 2412 would allow a County Commission with a planning commission the same power and authority to make ordinances regarding the location of businesses offering exotic entertainment as currently exists in counties that have no planning commission.

House Bill 2421 would require that inoperable fire hydrants be painted black and be immediately reported to emergency dispatch centers. The owner or operator of any fire hydrants could also place a black tarp over the hydrant, instead of painting it, for no more than two weeks after contacting a dispatch center.

House Bill 2474 would exempt land-based finfish aquaculture facilities from regulation under the Solid Waste Management Act sludge requirements.

House Bill 2701 would clarify criminal penalties for escaping from the custody of the director of juvenile services. The bill would make the escape from community-based staff secure facilities a misdemeanor offense and escape from hardware-secure detention centers and juvenile correctional facilities a felony. If the person escaping were under the age of 18, the court of original jurisdiction would retain jurisdiction.

House Bill 2719 would amend the definition of "non-intoxicating beer" to allow beer distributors to carry "craft beer," which are specialty beers and other products which include higher alcohol content by natural fermentation techniques.

A Sampling of Bills Introduced In the House

House Bill 2955 would remove West Virginia University Institute of Technology from the merger with West Virginia University and return it to its former status as a singular state institution of higher education.

House Bill 2960 would require the West Virginia Department of Environmental Protection to develop specific standards to control levels of total dissolved solids in the state's rivers and streams. This would include carrying out the purposes and requirements of the Federal Water Pollution Control Act.

House Bill 2974 would abolish automatic one-vote straight ticket voting in all general and special elections within West Virginia.

House Bill 2980 would establish the "West Virginia Energy Efficiency Act." The bill would provide the Public Service Commission (PSC) with the authority to require electric and gas utilities to develop and implement plans for the efficient use, conservation and reduction of energy usage.

The bill would require electric utilities to submit plans for reaching certain goals, provide for revenue sharing and the opportunity for financial incentives for gas and electric utilities to establish energy saving programs. The bill would require the PSC to file usage reports and the results of studies concerning the feasibility

of additional demand reduction targets beyond 2015 with the Legislature.

House Bill 2984 would give county school superintendents more flexibility and ease in placing service personnel workers in positions of need on a day-to-day basis.

House Bill 2985 would require county boards of education to provide parents or guardians of children diagnosed with a visual or auditory impairment with information about the West Virginia Schools for the Deaf and the Blind, as the academic curriculum may be a more suitable option for the child.

House Bill 2995 would prohibit drivers from using a handheld cellular telephone, a personal digital assistant or similar device to send a text message while driving a car. Convicted violators would be guilty of a misdemeanor and would be fined from \$100 to \$500.

House Bill 2996 would require bank transactions involving savings and checking accounts to be posted at the time of the transaction.

House Bill 3002 would establish the Health Care Freedom Act. It would give people the right to enter into private contracts with health care providers for services and to purchase private health care coverage. The bill would not require any person to participate in any health care system or plan, nor would it impose a penalty or fine of any type, for people choosing to obtain or decline health care coverage or for participation in any particular health care system or plan.

House Bill 3031 would protect educators employed by West Virginia public higher education institutions from being disciplined, denied employment or denied tenure based upon the content of his or her speech, research or writing related to his or her academic employment. This bill does not limit an institution's rights to set and enforce standards for academic scholarship, research methods and practices.

House Bill 3064 would allow people 65 years of age or older to be admitted to athletic and other extracurricular activities of secondary schools without payment of admission fees if there is space available at the event or activity.

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In the Senate

As of 4:00 p.m., Wednesday, March 11th, 2009, the 29th day of the 79th Legislature's 1st Regular Session, 552 bills have been introduced in the Senate. Of those, 23 have passed and have been sent to the Senate for its consideration. Some of those bills passed were:

Senate Bill 251 would authorize county commissions, municipalities and boards of education that receive lottery revenues to issue bonds to construct public projects. This would allow county commissions, municipalities and boards of education to construct more public projects, which could create jobs and stimulate the economy.

Senate Bill 370 would permit only a community criminal justice board to require the payment of a supervisory fee by anyone participating in a community corrections program. Under current law, circuit judges, magistrates, and municipal court judges are also authorized to require the payment.

A Sampling of Bills Introduced In the Senate

Senate Bill 459 would require the Board of Coal Mine Health and Safety to perform a thorough risk management assessment of the current health and safety programs, with particular attention paid to identifying specific problem areas where current resources could be directed for maximum benefit.

Senate Bill 460 would include telecommunications devices, such as cell phones, digital phones and modem equipment devices, as contraband in jails, state correction facilities, juvenile facilities and juvenile detention centers.

Senate Bill 463 would permit hunting on Sundays on licensed hunting preserves once a hunter obtains the appropriate licenses and permits.

Senate Bill 478 would create the Surface Owners Protection Act. Under this act, certain duties would be created which oil and gas operators would owe to surface owners. The bill would require an agreement between the surface owners and operators regarding the use of the land and require that the owners of the land be notified when oil and gas operations are initiated.

Senate Bill 482 would require operators of mining sites to include in their community impact statements, the affects mining will have on cemeteries in close proximity to or on the mining site.

Senate Bill 485 would require all children who enter a public or private school for the first time, whether kindergarten or first grade, to have a dental examination by a licensed dentist. If a parent or guardian cannot prove their child has had an examination, they would be guilty of a misdemeanor and fined no less than \$10 and no more than \$50 for each offense.

Senate Bill 488 would require parental consent for minors to use a tanning bed. The parent or guardian would be required to give the facility a signed statement saying they have read and understand the warnings given by the facility and consent to their child using the tanning beds. If a child is under the age of 14, they must be accompanied by an adult.

Senate Bill 491 would require handicap restroom facilities and stalls in all public places to be constructed with two handrails or grab bars to accommodate persons in wheelchairs and other persons who need assistance.

Senate Bill 500 would reduce the wholesale tax on heating fuel, off-road fuels, kerosene and propane used for home heating purposes or off road use from 5 percent to 4.85 percent. This bill would

take effect January 1, 2010.

Senate Bill 501 would prohibit animals from being euthanized by way of a gas chamber. Under current law, when being euthanized, animals must fall into the category of being "humanely destroyed." The term "humanely destroyed" does not include euthanizing animals by means of a gas chamber.

Senate Bill 510 would expand the number of mine employees who may be tested for drug or alcohol abuse by requiring all mine operators to create drug-free workplace programs applicable to safety-sensitive employees on mine property. The bill would also grant immunity from wrongful discharge lawsuits to those employers who discharge employees who test positive.

Senate Bill 512 would allow any former state higher education employee who becomes a member of the Public Employees Retirement System to transfer credit in his or her Higher Education Retirement Plan to the Public Employees Retirement System.

Senate Bill 524 would change the maximum age requirement for new police hires in municipalities. This bill would change that age from 35 years to 45 years as the maximum age a new police hire may be at the time of application.

Senate Bill 532 would allow the Division of Banking to participate in the Nationwide Mortgage Licensing System and Registry (NMLSR), a system for the licensing and registration of mortgage brokers and lenders. This bill would also make changes in the licensing and renewal process of mortgage lenders and brokers to be consistent with the NMLSR and to implement a comprehensive mortgage loan originator licensing system.

Senate Bill 535 would allow municipalities and county commissions to set a closing time for bars licensed by the Alcohol Beverage Control Commission. The ordinance would over-rule any authority to set the closing time granted to the Alcohol Beverage Control Commissioner under current law.

Senate Bill 542 would terminate the pay-

West Virginia Legislature's Web site

Designed to strengthen your connection to West Virginia's legislators and the laws that govern this state, the West Virginia Legislature's Web site provides you with access to various resources, including contact information, legislation and educational materials. The Legislature's online Bulletin Board maintains prompt information during legislative sessions through the Legislature's Calendars, Meetings, Abstracts, Indexes and Journals. Citizens also can view the entire West Virginia Code, interactive district maps, committee agendas and membership information at: <http://www.legis.state.wv.us>

which dates back to 1814, lists various family genealogies in the front and is the Bible that the Senator always uses when being sworn into office.

We head over to the Senator's office from Hancock County and we see pictures of his steel mill that used to employ up to 13,000 West Virginians. We also see a collection of hats on display from various unions, as well as a hat representing West Liberty College, located in his district. A quick walk across the hall to the Senator's office from Jefferson County reveals pictures representing his love of trains and his support of that industry.

As we head back over to the East Wing on the House side, we see a picture of a racecar in the office of the delegate from the 25th District. The car represents his love for stock car racing. A quick peek in the office of the delegate from Hancock County shows an array of 1950s era pictures from his district.

A quick look inside the office of the freshman delegate representing Taylor County shows us that many of the new delegates are still trying to arrange their office space to give them a reminder of home. We do however notice he has an award for driving nails displayed prominently.

As we head over to visit the delegate from the 29th District in Fayette County, you will see gorgeous pictures of Babcock and Hawks Nest State Parks displaying the beauty our state and this district has to offer. You will also notice a defibrillator, a pacemaker and EKGs, representing the delegate's profession as an emergency physician.

We now find ourselves in the office of the delegate from the 43rd District in Marion County where we see various old mining photos from the Farmington mines.

As our tour concludes in the office of the delegate from the 51st District in Morgan

County, we see a hand print and footprint painted version of the American flag displayed on his wall. Children's footprints make up the stripes in red, while their handprints make up the stars in blue.

There you have it. We saw an assortment of things on our brief tour, some ordinary and expected and some strange and curious. Regardless of the items on display, their meaning, and the industries, cultures, wildlife, parks and universities they represent, you can't get past an overriding sense of home. Maya Angelou is right. Humans do long to be home wherever they find themselves and the items we have seen give these lawmakers a sense of home and family no matter how far they may be from their home districts.

In the Senate - from Pg. 3

ment of tolls on West Virginia's turnpikes by the year 2020.