



# WRAP-UP

The Newsletter of the West Virginia Legislature

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## Internship Program Offers Knowledge, Experience

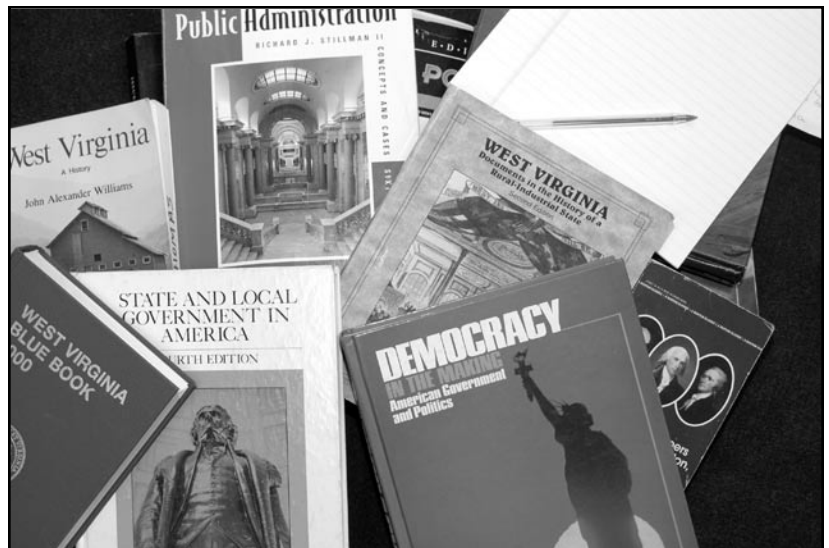
by: Justin Hale

Real-world experience is one of the hallmarks of learning. Recognizing this, the West Virginia Legislature created the Legislative Internship Program to give college and university students a chance to experience the inner workings of the State's lawmaking process. The West Virginia Legislative Internship Program offers 70 internship positions in four separate programs. These programs allow interested students to gain valuable information about legislative functions and agency roles in state government.

The Rollins/Burk internships, named after the late Delegates Walter Rollins and Robert Burk, Jr., are available to students seeking a graduate degree in any major at an accredited in-state college or university. Rollins Scholars help individual Delegates or Senators prepare for floor sessions by researching issues and laws. Burk interns assist standing committee chairs and members of leadership by preparing bill abstracts and monitoring the legislative committee process. The Rollins/Burk programs offer a total of six internship positions.

Herndon Fellows, named after the late Senator Judith Herndon, gain direct experience of the legislative process by pairing with a Delegate or Senator. While attending the 60-day session, students work with their assigned legislator to draft legislation, research current law and understand the relationship between the executive and legislative branches. The Fellowship offers 10 positions to undergraduates of all majors who have completed at least 60 undergraduate hours.

For aspiring journalists the Legislative Public Information internship offers a variety of opportunities to work for members of both the House and the Senate. Interns work daily to update the Legislature's web page with information about actions on both the House and Senate floors, write articles and summaries for the weekly publication *Wrap-Up*, and get a taste of the public relations aspect of public service by answering constituent requests and developing cutlines for in-



**From text book pages to real life experience, the Legislative Internship Program offers students the opportunity to observe state government in action.**

*photo: Martin Valent*

house photographs. The internship offers four positions for graduates or undergraduates majoring in accredited journalism programs at the state universities.

Interns in the Frasure-Singleton program, named after the late West Virginia University Dean Emeritus Carl Frasure and the late Delegate Julius Singleton, spend a week at the Capitol and assist an individual Delegate or Senator. During that week interns shadow their assigned legislator and observe various aspects of the lawmaking process. Interns attend floor sessions, committee meetings and other legislative functions. The program offers 50 internships for sophomores and juniors of all majors who have completed at least one course of study in government.

All internships require that applicants be enrolled at a West Virginia college or university and that they be in good academic standing with that institution. While living in or commuting to Charleston, participants receive full-time credit hours, as well as a tuition waiver for their institution and a monthly stipend for housing.

Through the Legislative Internship Program, students gain a better understanding of West Virginia's legislative process. It is the Legislature's hope that these students will use that knowledge to promote to the public a better understanding of State government, the Legislature and the lawmaking process. For more information about the program, contact the Legislature toll-free at 1-877-56-LEGIS, or visit the Legislature's Web site at [www.legis.state.wv.us](http://www.legis.state.wv.us).

As of 4:00 PM, Wednesday, February 5, 2003, the 29th day of the 2003 Regular Legislative Session, 460 bills have been introduced in the Senate. Of those, the following 11 were passed by the Senate this week and will now go to the House of Delegates for its consideration:

**Senate Bill 100** would exempt barbers, beauticians and manicurists from continuing education classes. The measure would provide that continuing education classes would not be required for a renewal of licensure.

**Senate Bill 162** would expunge certain motor vehicle license information for 19-year-olds. This legislation would wipe clean information regarding any license suspension or revocation related to non-attendance at school for persons 19 years of age or older.

**Senate Bill 181** relates to compulsory school attendance and home school instruction. This

measure would change the requirements for qualifying for the home school exemption, including: requiring that the child's age and grade level be included with the notice of intent; adding a new assessment option that would explicitly allow home schooled students to participate in the public school testing program; under the alternative academic assessment option, requiring that criteria for acceptable progress be mutually agreed upon by the parent and county superintendent; and, for all assessment options, if a child does not make acceptable progress for two consecutive years, then the home instructor would be required to submit additional evidence that appropriate instruction is being provided, to name a few of the provisions.

**Senate Bill 182** would meet federal standards for certain child passenger seats and safety devices. This bill would allow drivers transporting children who are at least four years old and weighing at least 40 pounds to be secured in a safety belt. Current law requires that a child between the ages of three and eight be secured by a safety belt but does not list a weight requirement.

**Senate Bill 210** would permit retired State Police to carry concealed weapons for life. The bill states that after five years, the retired or medically discharged member must pay the costs of the bond for his or her permit. Current law permits retired members of the State Police to carry a concealed weapon for five years. This legislation would retain current language that would permit the Superintendent to suspend this privilege without recourse and also automatically revoke the privilege should the former State Police officer be convicted of a felony or a misdemeanor involving the use of a firearm.

**Senate Bill 337** would simplify the process for adoption of children from foreign countries. The measure would provide a procedure for recognition of a foreign adoption decree by the filing of a petition, which would include copies of a home study and the foreign adoption decree. The court would be required to review the petition and supporting documentation and then enter an order recognizing the foreign adoption order. This order would then have the same force and effect as an adoption order entered in West Virginia.

## Sunset bills passed by the Senate

**Senate Bill 415** would continue the Environmental Quality Board until July 1, 2003.

**Senate Bill 416** would continue the Massage Therapy Licensure Board until July 1, 2015.

**Senate Bill 417** would continue the Commission for the Deaf and Hard-of-Hearing until July 1, 2005.

**Senate Bill 418** would continue the Investment Management Board until July 1, 2005.

**Senate Bill 419** would continue the Governor's Office of Fiscal Risk Analysis until July 1, 2004.

## A sampling of bills introduced in the Senate

### Actions and Suits

**Senate Bill 409** would create an efficient and expeditious procedure for finalizing wrongful death settlements. The measure also would establish a procedure for resolving conflicting claims as to the appropriate distribution of wrongful death settlement proceeds among potential statutory beneficiaries.

### Acts

**Senate Bill 444** would establish the Emergency Medical Services Retirement System Act. The bill would provide the administration of this retirement system by the Consolidated Public Retirement Board.

### Communications

**Senate Bill 436** would direct the Public Service Commission (PSC) to implement the West Virginia 211 Information and Referral System for human and social services. This legislation would be in accordance with the recommendations of the PSC's appointed task force as reported to the Legislature in 2002.

### Education

**Senate Bill 452** would remove the requirement that substitute teachers work a certain amount for full-time employment,

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As of 4:00 PM, Wednesday, February 5, 2003, the 29th day of the 2003 Regular Legislative Session, 879 bills have been introduced in the House of Delegates. Of those, the following 16 were passed by the House this week, including nine Sunset Bills, and will now go to the Senate for its consideration:

**House Bill 2155** would cap tuition increases at public colleges, community colleges and universities. An increase in any year would not exceed 3 percent unless the Higher Education Policy Commission (HEPC) is satisfied by a particular institution's necessity, in which case the HEPC could authorize an institution to increase tuition a maximum of 5 percent. This cap would not apply to tuition rates for non-resident or medical students.

**House Bill 2301** would provide, through a maintenance bond, funding for necessary care of animals seized because of allegations of neglect. This bill would require that magistrate courts, upon finding probable cause, award custody of the animal to any humane officer for further disposition. The owner of the animal would be required to post a bond with the court within five days following the court's finding of probable cause.

**House Bill 2512** relates to competitive bidding and notice requirements for the development of natural resources in which the Public Land Corporation has an interest. This bill would impose additional public notice requirements and require a public hearing before the Public Land Corporation enters into a lease or contract for the mining or drilling of minerals, gas or oil.

**House Bill 2693** would provide the West Virginia State Police with the ability to define and draw DNA samples from convicted

felons for the purpose of maintaining a DNA database. This bill would allow the State Police to require any person convicted of a felony offense after July 1, 2003 to provide a DNA sample to be used for DNA analysis.

**House Bill 2694** would protect the beekeeping industry by authorizing the Commissioner of the Department of Agriculture to seize, destroy, treat, return or stop the delivery of all appliances, bees, bee equipment, products or hives transported into or within West Virginia that are found to be infected with honey bee pests.

**House Bill 2704** would have West Virginia become a member of the Interstate Compact for Juveniles for the supervision and return of juvenile offenders or runaways. This new compact would not become effective until it has been adopted by 35 states.

**House Bill 2781** relates to the transfer, retirement or disposal of State Police canines. This bill would authorize the Superintendent to transfer the ownership of State Police dogs who are determined to no longer be of use to the State Police. The dog could be transferred to the animal's handler; to the care and custody of an animal shelter, humane society or society for the prevention of cruelty to animals; or, to another person who wishes to have the animal as a pet.

### Sunset bills passed by the House

**House Bill 2750** would continue the Office of Health Facility Licensure and Certification until July 1, 2007.

**House Bill 2751** would continue the West Virginia Department of Health and Human Resources until July 1, 2004.

**House Bill 2752** would continue the Bureau of Senior Services until July 1, 2009.

**House Bill 2778** would continue the West Virginia State Police until July 1, 2004.

**House Bill 2779** would continue the Ron Yost Personal Assistance Services Program until July 1, 2006.

**House Bill 2803** would continue the Board of Barbers and Cosmetologists until July 1, 2008.

**House Bill 2829** would continue the Division of Culture and History until July 1, 2005.

**House Bill 2830** would continue the Division of Natural Resources until July 1, 2004.

**House Bill 2831** would continue the Records Management and Preservation Board until July 1, 2004.

### A sampling of bills introduced in the House

#### Alcohol

**House Bill 2826** would reduce the allowable blood alcohol content for driving under the influence from 0.10 to 0.08 of one percent of body weight.

#### Crimes

**House Bill 2832** would prohibit cloning of human beings and embryos. Anyone who violates these provisions would be guilty of a felony and, upon conviction, would be fined \$5,000 to \$10,000, and/or imprisoned for one to three years.

#### Disabilities

**House Bill 2858** would secure the right of blind and visually impaired people to vote under the same conditions of privacy and independence as sighted people. This would be made possible by electronic voting technology and systems in accordance with certification criteria for equal access by visual and nonvisual means. The Secretary of State would be responsible for implementation of this procedure.

#### Education

**House Bill 2850** would provide protection

## Locating Bill Status

The Legislature's website has implemented full bill content and bill status. To track legislation electronically, use [www.legis.state.wv.us](http://www.legis.state.wv.us) and click on bill status.

For those of you who may know someone who would like to receive a copy of legislation in braille, the Legislature can now accommodate this request. Use the toll-free line to request a copy of a bill at: 1-877-56-LEGIS (1-877-565-3447)

*(SENATE, cont.)*

hiring and seniority. This measure would remove the requirement that substitute teachers work at least 133 days in a school year to count that employment toward seniority for full-time employment hiring purposes.

**Fuel**

**Senate Bill 431** would reduce the excise tax on gasoline and special fuel. The proposed legislation would reduce the excise tax by five cents (\$.05).

**Veterans**

**Senate Bill 401** would exempt veterans' organizations from the consumers sales and service tax. The measure would allow this exemption for organizations where at least 85 percent of its members are past or present members of the United States armed forces and at least 98 percent of all members of the organization are past or present members of the United States armed forces, cadets (including only students in college or university ROTC programs or at armed services academies) or spouses, widows or widowers. The bill also states that no part of the net earnings is to the benefit of any private shareholder or individual.

*(HOUSE, cont.)*

for school employees who are being harassed. Persons who violate this proposal would be guilty of a misdemeanor and, upon conviction, would be incarcerated in jail for 90 days-to-one year, fined \$2,000 to \$5,000 or both. A second or subsequent conviction occurring within five years of a prior conviction would be a felony punishable by a one year to five year incarceration, a fine of \$3,000 to \$10,000 or both. This bill also allows restraining orders to be issued.

**Health**

**House Bill 2820** would provide for the adequate staffing of nursing homes and training of nursing home staff. This bill outlines specific ratios of staff to residents during all shifts of long term care facilities. These ratios would consist of minimum standards only and nursing homes would be permitted to employ additional staff as needed. This bill also would require a commission to assess the staffing ratios and standards outlined in this legislation. In addition, this bill would require nursing homes to post current staffing information, provide enhanced training requirements for nurse aides and provide a grant program

for projects targeted at reducing employee turnover in nursing homes.

**House Bill 2821** would provide an environment in hospitals where quality care can be provided to patients. The bill accomplishes this by allowing most employees involved in direct patient care activities or clinical services to refuse to work overtime, except in certain emergent situations.

**Law Enforcement – County/Municipal**

**House Bill 2804** would allow a municipal police officer to issue citations for misdemeanor offenses committed in his or her presence. This bill would allow municipal police to stop and cite reckless drivers outside the city limits when the officer is driving to or from magistrate or circuit court.

**Motor Vehicles**

**House Bill 2836** would require ATVs used off of private property to be registered with the Division of Motor Vehicles and to be subject to an annual registration fee of \$10.

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