



Bill Edition

Bills Introduced Feb. 28-March 4

PUBLIC EDUCATION

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Senate Bill 400 – Would delete Code references made obsolete by the passage of the US Civil Rights Act of 1964; **SB408** – Would provide county board members \$85 per diem for attending “mandated training” sessions; **SB419/House Bill 2821** – Governor’s ‘pilot waiver’ bills; **HB2781** – relates to minor boundary adjustments; **HB2782/HB2854** – Allows municipalities to appoint a certain number of parks and recreation board officials; **HB2809** – Would require governmental entities to contract with vendors having proof that the vendor provides health insurance coverage to its employees; **HB2812** – Concerns Preston County Special Levy Election; **HB2877** — Concerns removal of “appointive officers” ; **HB2882** – Relates to rejecting competitive bids.
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SB402/HB2803 – Relates to principals’ salary and staffing requirements; **HB2784** – Service personnel would receive extra pay, based on advanced schooling, including schooling at trade/vocational schools; **HB2797** – Concerns pay for Corrections Division employees (Juvenile Division). This would be retention-incentive pay; **HB2805** – Clarifies school service personnel substitutes’ seniority; **HB2806** – Aides would get additional pay, based on pupil enrollment in classrooms.

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Week Four Bills Reviewed

By Howard M. O’Cull, Ed.D.

Listed below are the West Virginia Senate and House of Delegates bills introduced Feb. 28-March 4, 2005, the third full week of the 2005 Regular Session.

Bills relating to agency rule-making are not reviewed. (These bills, due to a state Supreme Court of Appeals decision several years ago, must be introduced by the 20th day of the regular session, which was Monday, Feb. 28.)

Bills are listed topically, beginning with public education bills. A series of public education-related bills follows. Lastly, some measures are cited briefly. Senate bills are listed first.

A total 78 bills are reviewed.

For a copy of any bill, please contact the West Virginia School Boards Association: 304.346.0571. You also may contact WWSBA Executive Director O’Cull: hocull@wvsba.org.

Bills also are posted on the West Virginia Legislature’s Web site: www.legis.state.wv.us.

NOTE: Listing is not exhaustive.

— *O’Cull is WWSBA executive director.*

PUBLIC EDUCATION

County Boards of Education

Senate companion bill deletes obsolete Code language

Senate Bill 400. Revised §18-5-32 would delete obsolete Code language which is in violation of the federal Civil Rights Act of 1964.

This is the companion to **House Bill 2466** which has been adopted by the House of Delegates.

Refer to Issue 8 of *The Legislature*.

There are five Senate sponsors, including lead sponsor Sen. Dan Foster (D-Kanawha). Introduced Feb. 28. Referred to the Senate Education Committee, then Senate Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Members would get \$85 a day for ‘mandated training’

SB408. Revised §18-5-4 allow county boards of education members to receive \$85 “a day for attendance at mandatory training sessions.” Members, as now, could receive reimbursement for traveling ex-

penses.

Sponsored by Sen. Billy Wayne Bailey (D-Wyoming). Introduced March 1. Referred to the Senate Education Committee, then Senate Finance Committee.

Governor's 'pilot waiver' bill introduced; 'rules relief'

SB419. This proposal would create nine new sections of Code — §7-23-1 et. seq. The purpose of this legislation is to “provide a procedure by which county commissions, municipalities and county boards of education may apply for a waiver of a policy, rule, regulation or statutory provision they believe is preventing them from carrying out their duties and responsibilities in the most cost efficient, effective and timely manner.”

The “chief executive officer” of the county board (and of the other entities named above) could file an application for waiver of policies, rules, regulations or statutory provisions with the Secretary of Commerce.

The application is one designed by the Secretary of Commerce for waiver purposes and is fairly specific in terms of waiver requests, including a requirement that the chief executive officer submitting the request must “describe in sufficient detail the problem created by the policy, rule, regulation or statutory provision for which waiver is sought and describe in sufficient detail how the waiver will allow the applicant to carry out the applicant’s duties in the most cost-efficient, effective and timely manner.”

Secretary’s Review

Once receiving the waiver request, the Secretary “may conduct an investigation or inquiry to gather any additional information that may be necessary to evaluate the application.

In terms of reportage, the Secretary is required to submit “periodic” reports to the governor “summarizing the applications and any recommendation for applications the Secretary...determines in his or her discretion to forward to the governor for disposition...” The secretary himself or herself can’t issue a waiver.

Once the summary is received, the governor “may take any action he or she deems to be appropriate under the circumstances that is within the authority granted the governor by the laws of this state.”

If, in reviewing waiver requests, the governor believes a statutory change is needed, he or she “shall bring the matter to the attention of the Speaker of the House..and the (Senate President).”

Expiration

The pilot project expires July 1, 2007 unless the program is ended earlier by subsequent legislative action. Under terms of the bill, the governor, by the 20th day of the 2007 regular legislative session, is to submit “recommendations on whether the pilot program...should be allowed to end or whether one or more aspects of the pilot program should be made permanent on a statewide or other basis, either in their current form or after amendment by the Legislature.”

Other Provisions

Other provisions of the bill relate to giving counties, divided into six border-county regions and an “interior counties” region, additional flexibility during the 24-month period ending in 2007.

One pilot county in each region would be permitted to impose an additional hotel occupancy tax, proceeds of which may be used for “any lawful purpose.” A designated county also could impose an “occupational privilege tax measured by employee compensation paid to persons employed within the county.” Moneys collected from that tax would be shared with municipalities located in the county.

Municipalities located within a county designated as a pilot county also may impose an additional hotel occupancy tax. If the county commission of a designated pilot county elects not to impose a county occupational privilege tax, then each municipality in that county may impose an occupational privilege tax.

No more than seven counties could be chosen, based primarily on population.

Bill Finding

One bill finding is that various local governmental entities “face numerous challenges managing their budgets and other resources and delivering services required by federal or state law or demanded by their constituents.”

There are several other bill provisions.

The House companion is **HB2821**. It is sponsored by Speaker Bob Kiss (D-Raleigh) and House Minority Leader Charles S. Trump IV (R-Morgan). Introduced March 1. Referred to the House Political Subdivisions Committee, then House Finance Committee.

SB419 is sponsored by Sen. President Earl Ray Tomblin (D-Logan) and Senate Minority Leader Vic Sprouse (R-Kanawha).

Both bills were introduced on behalf of the governor.

The Legislature provides county board of education members, state policymakers, school administrators, and others information, opinion and commentary regarding West Virginia legislative issues. This publication does not necessarily reflect the official views, opinions or policies of the WVSBA, unless specifically stated.

W.Va. School Boards Association
PO Box 1008
Charleston, WV 25324
(304) 346-0571
(304) 346-0572 fax

WVSBA.ORG

Dr. Rodney C. Thompson (Wayne), President
thompsonchiropractic@msn.com

Howard M. O’Cull, Ed. D., Executive Director, Editor
hocull@wvsba.org

Shirley M. Davidson, Administrative Assistant
sdavidson@wvsba.org

Jason Keeling, Layout & Design
jason@keelingstrategic.com

Bill concerns annexation; minor boundary adjustments

HB2781. Revised §8-6-1 would establish a minimum of 150 feet of contiguity for annexation (minor boundary adjustments) and would require a minimum 40 persons to petition for annexation in lieu of an election. Additionally, the bill allows any “freeholder” who owns 25 acres or more to opt out of any annexation.

This bill is similar to **HB2542**. Refer to *The Legislature*, Issue 5. There are four House sponsors, including lead sponsor Del. Locke Wysong (D-Jefferson). Introduced March 1. Referred to the House Political Subdivisions Committee, then the House Judiciary Committee.

Cities could appoint up to seven park board officials

HB2782. Revised §8-21-3 would allow municipalities to appoint from three-seven members to park and recreation commissions.

There are four House sponsors, including lead sponsor Del. Robert D. Beach (D-Monongalia). Introduced March 1. Referred to the House Political Subdivisions Committee, then House Government Organization Committee.

A related bill, **HB2854**, would allow municipalities to appoint “not less than three” park and recreation commissioners.

That bill has five House sponsors, including lead sponsor Del. Cindy Frich (R-Monongalia). Introduced March 3. Referred to the House Political Subdivisions Committee, then House Judiciary Committee.

Editor’s note: Some county boards participate in park and recreation commissions.

Bills relate to contracting with vendors; public works

HB2809. Proposed §5A-3-56a would prohibit public entities from contracting with vendors unless the vendor(s) can demonstrate that their company, firm, organization offers health care insurance to its employees and that it pays at least 75 percent of the cost of that insurance coverage.

There are six House sponsors, including lead sponsor Del. Barbara A. Hatfield (D-Kanawha). Introduced March 1. Referred to the House Health and Human Resources Committee, then the House Government Organization Committee.

Bill relates to Preston County board special levy election

HB2812. The purpose of this legislation is to extend the time for the Preston County Board of Education to meet as a levying body for the purpose of presenting a special levy election for Preston voters. The extension is until May 2, 2005 or until May 9 if a ballot recount is required.

Sponsored by Dels. Larry A. Williams (D-Preston) and Debbie Stevens (R-Tucker). Introduced March 1. Referred to the House

Political Subdivisions Committee, then House Judiciary Committee.

Bill concerns removing “appointive officers”

HB2877. Revised §6-6-7 makes a few technical revisions in a statute relating to the removal of elected public officers/officials, including county board members. One change is the use of the term “elective” in reference to persons holding “county, school district or municipal office, including the office of a member of a board of education and the office of magistrate, the term or tenure of which is fixed by law.”

There is a current exemption for circuit court judges.

Removal from office may be for reasons such as “official misconduct, malfeasance...incompetence, neglect of duty or gross immorality or for any of the causes or on any of the grounds provided by other statute.”

Current law then describes the removal process, including the impaneling of a three-judge panel which is responsible for hearing the charges.

(There are several other provisions relating to this process.)

New Language

Newly-proposed §6-6-7a would allow the “governing body” legally authorized to appoint an individual to any “county, district, or municipal board, authority or commission, the term or tenure of which is fixed by law, to remove any member appointed to the board, authority or commission for official misconduct, incompetence, neglect of duty, malfeasance or gross immorality (as further determined in the proposed new section of law.”

Given the above language, the proposed provisions, depending upon the interpretation of the word ‘county,’ as it may apply to a county board, and ‘appointed,’ as it may apply to a county superintendent, could relate to removal of county superintendents from office (in that their terms are fixed by law), although there are other Code sections relating to such.

The bill also may apply to some county board/superintendent appointments, if the appointments were for terms fixed by law.

Editor’s note: This bill would appear to relate to an embezzlement case arising in Randolph County—the reference to an “appointive term fixed by law.”

A related bill is **SB274**. It specifically relates to embezzlement. Refer to Issue 7 of *The Legislature*.

HB2877 has four House sponsors, including Del. William F. Stemple (D-Calhoun). Introduced March 4. Referred to the House Political Subdivisions Committee, then House Judiciary Committee

Entities that would deny bids must show justification

HB2882. Revised §5-22-1 amends a section of Code relating to prospective low bidders on public entity projects when these bidders haven’t met “one or more of the (legal requirements) or other requirements as determined by the public entity in the written bid solicitation, prior to the time a contract award is made.”

Current law states that, under these circumstances, the public entity is required to make written documentation, reasonably detailing the basis for the bid rejection.

The proposed amendment would prohibit a “contracting public entity” from rejecting the lowest bid on projects “without an affirmative presentation included in the documented writing that the determination upon which the low bid is rejected is firmly premised in relevant criteria as commonly applied in the state bidding process...”

Sponsored by Speaker Kiss (by request). Introduced March 4. Referred to the House Government Organization Committee, then House Judiciary Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Gaming

Table games could be authorized by local option

SB442. This bill would create a newly-proposed Article, §29-22C-1 et. seq. for the purpose of authorizing table games at licensed horse and dog racetracks, based on local option elections.

Among the bill’s several provisions is the proposed creation of a “Racetrack Table Games Fund.”

Moneys received from table games, as would be structured by law, would be placed in the above Fund, which would be managed by the Treasurer’s Office. It would be an interest-bearing account.

Unencumbered Fund balances – devised by subtracting state Lottery Commission operating expenses associated with table games, including reimbursement of state law-enforcement agencies for services performed at the Commission’s request – would be divided as follows: 86 percent to the General Revenue Fund; 8 percent for special funds for licensees’ payments of “regular racetrack purses,” and 2 percent to counties where the tracks are located, with another 2 percent to be paid to municipalities in the counties where tracks are located. The distribution would be based pro rata on population. There are provisions for municipalities located in more than one county.

Remaining funds would be paid to employees of the Licensed Racing Association (for pension plan purposes) and the state Tourism Promotion Fund.

There are several other sections, including a section creating a privilege tax which would be imposed on racetracks as well as various tax exemptions, including those relating to consumers sales/service taxes. The racing entities, however, would be required to pay property taxes.

The 72-page bill has numerous other sections relating to betting, prohibited activities, licensing requirements, etc.

There are five Senate sponsors, including lead sponsor Sen. Andy McKenzie (R-Ohio). Introduced March 3. Referred to the Senate Judiciary Committee, then the Senate Finance Committee.

The House companion measure is **HB2848**. There are seven House sponsors, including lead sponsor Speaker Kiss. Introduced March 3. Referred to the House Judiciary Committee, then House Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Also refer to **House Joint Resolution 1**. This proposed constitutional amendment would place a “moratorium” on the “authorization by the Legislature of lotteries utilizing new forms of gambling or gaming and upon the authorization of any new lotteries not previously authorized by general law.”

There are three House sponsors, including lead sponsor Del. Kelli Sobonya (R-Cabell). Introduced Feb. 22. Referred to the House Rules Committee.

School Aid Formula

Increased student enrollment ‘delay’ would be ‘removed’

SB440. This proposal would amend several sections of code relating to SAF funding for “Increased Enrollment.” It would remove the “delay” in funding for increased enrollment, to the extent possible, through use of the county’s net enrollment at the end of the second month of the prior school year; or as projected by the state superintendent for the school year during which the (SAF basic foundation program funding) will be distributed, whichever is greater.

For school years beginning after June 30, the net enrollment projections are to be established by the state superintendent, based on rules promulgated by the West Virginia Board of Education.

Accordingly, adjusted enrollment is defined as the county’s adjusted enrollment at the end of the second month of the prior school year, or as projected by the state superintendent for the school year during which the (SAF basic foundation program funding) will be distributed, whichever is greater.”

Other sections deal with bus replacement, including a provision that would allow growth counties to apply for “funding for an additional bus or buses on the basis of projected increase(s) in net enrollment.”

If approved the state superintendent, these requests would be included in the WVBE’s budget requests for the year in which the net enrollment is projected to increase.

Other bill sections would allow county boards to receive 100 percent of the state aid “needed for increased enrollment,” with the Legislature required to ensure that there are enough moneys “appropriated and sufficient” to “fully fund the increased enrollment...”

The amount would be calculated by adding a percentage increase to the prior year’s total computed allocation of growth funds, with the percentage growth determined by using the percentage of growth from the county with the highest level growth. This percentage increase would be used to project the percentage increase needed to fully fund the increased enrollment in all growth counties.

A final bill provision would require the governor to make a supplemental appropriation if enough legislative funds aren’t available to fund the increased enrollment.

Sponsored by Sen. John Unger (D-Berkeley). Introduced March 3. Referred to the Senate Education Committee, then Senate Finance Committee.

HB2801 is the House companion bill. There are seven House sponsors, including lead sponsor Del. Robert C. Tabb (D-Jefferson). Introduced March 1. Referred to the House Education Committee, then House Finance Committee.

HB2800 is a related bill. Under a proposed §18-9A-12a, it would require the WVBE to make a “statistical projection of the net enrollment for each (‘growth’) county,” based on “calculation of ‘four-year growth in net enrollment.’” To arrive at that figure, the WVBE would take a growth county’s actual net enrollment for the second month of the prior school term. From that number, the WVBE would subtract the county’s net enrollment for the school term exactly five

years earlier. The resulting number is the “four-year growth in net enrollment.” This figure would be divided by four to determine the county’s average net enrollment growth.

For growth counties the “average net enrollment growth,” as calculated above, would be added to the actual net enrollment for that county, with the resulting number being used as net enrollment for that county.

There are seven House sponsors, including lead sponsor Del. Trump. Introduced March 1. Referred to the House Education Committee, then House Judiciary Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

School Employees Generally

Bill establishes minimum nurse ratio for schools

HB2804. §18-5-22 would require county boards to employ one school nurse for every 1,500 pupils, based on net enrollment. The provision would apply to all grade levels.

Also refer to **SB95/SB155/SB243** and **HB2604**. These bills also relate to increasing the ratios for school nurses’ staffing.

HB2804 has seven sponsors, including lead sponsor Del. Sally Susman (D-Raleigh). Introduced March 1. Referred to the House Education Committee, then the House Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Ten-year limit would be set for using seniority

HB2855. Revised §18A-4-7b would place a limit of 10 years on the amount of time that a teacher who returns to work after terminating employment may retain his or her accrued seniority.

Sponsored by Speaker Kiss. Introduced March 3. Referred to the House Education Committee, House Finance Committee.

Bill concerns TB testing

HB2885. Repealing several existing sections of Code, and establishing a number of new sections, this measure would require a one-time tuberculosis test for school employees, unless employees are “medically-indicated,” as determined by the “local health department or commissioner.”

School employees found to have TB would have their “employment suspended until the local health officer, in consultation with the Health Commissioner, approves a return to work.”

School employees who haven’t had the required TB examination are to be suspended until they receive the examination.

The local health department is responsible for providing follow-up for employees who are unable to “obtain physician evaluation for a positive tuberculin skin test.”

Selective testing could be required if there’s suspicion of employees’ exposure to the tuberculosis organism.

There are several other provisions.

Editor’s Note: Many of these provisions also apply to stu-

dents. There are three House sponsors, including leads sponsor Del. Don Perdue (D-Wayne). Introduced March 4. Referred to the House Health and Human Resources Committee, then to the House Finance Committee.

School Employee Salaries

Bill increases principals’ salary increments

SB402. This measure is similar to **HB2396**. It would increase principals’ salary increments, both prior to July 1 and after July 1, as increases would raise by 5 percent, based on the number of teachers supervised.

There are three Senate sponsors, including lead sponsor Sen. C. Randy White (D-Webster). Introduced Feb. 28. Referred to the Senate Education Committee, then Senate Finance Committee.

HB2803, a related bill, would require county boards to establish a 225-day minimum employment term for principals, and a 215-day minimum employment day for assistant principals.

The bill also requires employment of one school secretary who would have the same employment term as the principal for whom he or she works.

That bill is similar to **SB208**, with this measure setting a 220-day minimum employment term for principals, and a 215-day minimum employment term for assistant principals. It also contains the “secretary” language. Sen. Tracy Dempsey (D-Lincoln) introduced that measure.

HB2803 has four House sponsors, including lead sponsor Del. Williams. Introduced March 1. Referred to the House Education Committee, then the House Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Bill addresses service worker pay – advanced schooling

HB2784. Revised §18A-4-8a would allow comparable credit at trade or vocational schools to count toward service personnel pay rates. These increased rates of pay are given in regard to advanced learning degrees. The trade or vocational schools would have to be approved by the WVBE.

There are five House sponsors, including lead sponsor Del. David Perry (D-Fayette). Introduced March 1. Referred to the House Education Committee, then the House Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Bill would create Correction Division ‘retention pay’

HB2797. Proposed §5-5-2a would create a retention pay incentive, based on years of work, for Divisions of Corrections and Division of Juvenile Services employees.

There are five House sponsors, including lead sponsor Del. Perry. Introduced March 1. Referred to House Finance Committee.

Bill clarifies substitute service personnel seniority rights

HB2805. Revised §18A-4-8g would permit substitute school service personnel to acquire regular employment status, “with the exception of regular seniority.” Substitute employees would accumulate substitute seniority while performing in substitute assignments. When the substitute employee returns to regular employment, he or she is to “return to the status previously held.”

There are six House sponsors, including lead sponsor Del. Michael Caputo (D-Marion). Introduced March 1. Referred to the House Education Committee, then House Finance Committee. *Similar proposals have been introduced in previous sessions.*

Aides would get extra pay, based on pupil number

HB2806. Revised §18-5-18a would require county boards – from county funds entirely – to pay any kindergarten aide/paraprofessional who has more than 20 students per session, or any such employee in grades 1-6 who has 25 or more pupils per session, “additional compensation based on the affected employee’s average daily salary divided by 20 (this applies to kindergarten aides/paraprofessionals) or the average daily salary divided by 25 for aides/paraprofessionals in grades 1-6.” The resulting figure would be multiplied by the number of additional pupils enrolled, up to the maximum “permitted in the classroom.”

There are three House sponsors, including lead sponsor Del. Caputo. Introduced March 1. Referred to the House Education Committee, then the House Finance Committee. *Similar proposals have been introduced/considered in previous legislative sessions.*

School Transportation

Mud flaps would be required

SB407. Proposed §17C-15-7 would require all dual-wheeled passenger buses, trucks, truck tractors and some trailers, semi-trailers, and pole trailers to be equipped with mud flaps “sufficient to deflect any road or tire debris which may be picked up by the rear tires of these vehicles and discharged rearward.”

The Motor Vehicles Commissioner could propose additional rules to implement this proposed section of law.

Sponsored by Sen. Bailey. Introduced March 1. Referred to the Senate Transportation and Infrastructure Committee.

Bill defines ‘reckless driving’

SB444. This bill would propose a new Article §17C-4A-1 et. seq., which relates to careless driving. That term is defined as one who drives “without due care and attention or without reasonable consideration for other persons using the street, road or highway would be guilty of a misdemeanor...”

If the careless driving results in unintentional death of another person, a \$4,000 fine would be assessed (in addition to other legal

penalties).

If bodily injury is caused by one’s careless driving, the perpetrator could be fined \$2,000 (in addition to other legal penalties).

“Serious bodily injury” is defined as bodily injury causing “a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of function of any bodily member or organ.”

Persons who are found guilty for careless driving resulting in the deaths or bodily injuries outlined above could have points assessed against their drivers licenses or have licenses suspended.

The bill specifically alludes to careless driving that may occur on county board or higher education properties.

It also makes exceptions for racing sport events.

Sponsored by Sens. Unger and Jon Blair Hunter (D-Monongalia). Introduced March 3. Referred to the Senate Judiciary Committee.

Mandatory Blood Tests

Also refer to **HB2832.** It would add a new section of law, requiring persons involved in motor vehicle accidents which result in death or bodily injury of another to submit to a blood test for the presence of alcohol or other controlled substances.

Sponsored by Speaker Kiss (by request). Introduced March 2. Referred to the House Roads and Transportation Committee, then House Judiciary Committee.

Bill would update CDL laws, conforming to federal act

HB2802. This 62-page bill would update West Virginia’s statutory provisions pertaining to Commercial Driver’s Licenses so that they conform to federal statutes.

Sponsored by Del. Brent Boggs (D-Braxton). Introduced March 1. Referred to the House Roads and Transportation Committee, then House Judiciary Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

West Virginia

Board of Education

Veterans could get diplomas

SB409. Revised §18-2-34 would amend a section of law relating to providing diplomas to veterans who didn’t finish high school in order to enlist in the U.S. Armed Forces.

The bill simply makes the ‘diploma provision’ applicable to any veteran who “served during any period of war or armed conflict.”

An existing provision of law would be amended, striking a section which says that Korean Conflict and Vietnam Conflict veterans “must have been attending high school at the time (they) left prior to graduating and served in the (US Armed Forces).”

A final section would remove some statutory definitions.

Sponsored by Sen. Randy White (D-Webster). Introduced March 1. Referred to the Senate Military Committee, then the Senate Education Committee. *Similar proposals have been introduced in previous sessions.*

Bill creates Healthy Lifestyles Office; PE classes required

SB416. This measure would establish an Office of Healthy Lifestyles (OHL) within the Department of Education and the Arts.

These are among OHL duties:

- Establishing a Healthy Lifestyle Coalition. The number of Coalition members isn't spelled out. The Coalition would be responsible for "assur(ing) consistency of public health and private sector approach(s) to dealing with programs that address the problems that affect overweight and obese individuals."
- Providing a forum for "discussing the issues that affect healthy lifestyles and to identify best practices that can be replicated."

First Lady Chairs Coalition

West Virginia's First Lady serves as Coalition adviser. There are several provisions relating to the Coalition's structure and workings.

Coalition Duties

The bill also would allow the Coalition to:

- Establish a "Clinical Advisory Committee" whose role is to "assure a unified approach using the latest research to assure consistency in program development."
- Develop a voluntary restaurant menu-labeling program.
- Coordinate higher education training programs for dietary and exercise physiology students with rural health care providers.
- Solicit grants and external funding.
- Develop cross-agency goals to ensure "consistency throughout the system of providers and agencies working in the area of improving lifestyles."
- Establish a goal of "increasing the prevalence of healthy weight among all people in the state..."
- Consider resources of local health departments, recommending "ongoing relationships, as appropriate, between local health departments, family resource networks, faith-based organizations, Cooperative Extension Services, farm bureaus and other health care providers."
- Encourage development of incentives for participation in employee wellness programs.
- Build upon existing initiatives relating to healthy lifestyles.
- The group would be responsible for reporting its findings to a legislative oversight panel.

'Healthy Beverages'

Revised §18-2-6a would revise current law relating to sale of beverages in the schools.

During the school day, no vending machine soft drinks could be sold in "areas accessible" to elementary, middle or junior high schools. Soft drinks also couldn't be sold in school canteens or through fund-raisers sponsored by "students, teachers, groups or by any other means."

If a high school permits soft drinks to be sold through vending machines, the school also must sell "healthy beverages in an amount equal to the number of soft drinks offered for sale."

"Healthy beverage" is defined as water, 100 percent fruit juice, low-fat milk, and "any beverage that contains no more than (10 grams) of sugar per serving."

"School day" is defined as the "period of time between the arrival of the first student at the school building and the end of the

last instructional period."

PE Instruction

The measure would require the West Virginia Department of Education to "ensure that every child enrolled in the public schools...actively participates in physical education classes during the school year to the level of their abilities..."

The bill outlines 30 minutes of PE instruction for students in Grades K-5; "one full period," including physical exercise and age-appropriate physical activities, for each school day during one semester of the year. And, for students in grades 9-12, one full course of PE, including physical exercise and age-appropriate physical activities "which shall be required for graduation." These students also must be given the "opportunity to enroll in an elective lifetime (PE) course." The provision, however, doesn't apply to students participating in interscholastic sports.

Body Mass Index

There are three additional bill provisions: One would ensure that PE instruction, as required by the bill, doesn't "exceed, and (that it is to be) consistent with, state guidelines for enrollment in all other subjects and classes."

The Fitnessgram Fitness Test and the Physical Activity Lifetime Award (PALA) could be considered as alternatives to the President's Council on Physical Fitness and Sports incentive program.

A final bill section would require all students to have their "body mass index measured and reported to the (WVBE) after training or written documentation is provided on the appropriate methodology for assessing the body mass index."

The "beverages" section of Code is located in §18-2-6a, and the physical education provisions are located in §18-2-7a, both statutes of which are included in WVBE-related Code articles.

Sponsored by Sens. Tomblin and Sprouse. Introduced March 1. Referred to the Senate Committee on Health and Human Resources, then the Senate Education Committee, then the Senate Finance Committee (triple reference).

The House companion is **HB2816**. Introduced by Dels. Kiss and Trump. Introduced March 1. Referred to the House Health and Human Resources Committee, then the House Finance Committee.

Both bills were introduced on behalf of the governor. *Similar proposals have been introduced/considered in previous legislative sessions.*

Bills relate to vendors

SB449. The purpose of this legislation is to require the Department of Administration's Purchasing Division to establish a "Vendor Performance Evaluation Program."

The Division would prescribe various forms for state agencies to use in evaluating vendors' performance. Other provisions would relate to how information gathered, based on the evaluations, is to be used, and procedures for vendors to use in responding to the information provided by various state agencies.

HB2876 would create a preference in state bidding for vendors who certify that they provide health insurance benefits to their employees. There are other provisions.

That bill has five House sponsors, including lead sponsor Speaker Kiss. Introduced March 4. Referred to the House Government Organization Committee, then House Finance Committee.

Sen. Edwin Bowman (D-Hancock) sponsored **SB449**. It has been referred to the Senate Government Organization Committee. Introduced March 3.

Eye exams would be required

HB2833. Proposed §18-20-10 would require the WVBE to promulgate rules relating to required eye examinations prior to students entering school.

In order to effectuate the bill's eye examination requirement, the WVBE, in conjunction with the Department of Health, is to maintain a list of sources to which children of families of limited means could be referred for the eye examinations.

The West Virginia Department of Education is to ensure that the list is "updated" each year prior to the opening of school.

County Boards

Other bill provisions stipulate that require county boards must "require that every individual in an elementary school in this state receive a comprehensive vision examination from a licensed optometrist or ophthalmologist before enrolling for the first time in an elementary school under its jurisdiction."

County boards could deny admission to students not having met this requirement. A related bill provision requires presentation of a "written certification" which indicates the "status of the child's vision, any pertinent diagnosis, treatment, recommendations and any necessary follow-up."

There are other provisions. Sponsored by Speaker Kiss (by request). Introduced March 2. Referred to the House Education Committee, then House Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Personal finance instruction classes would be required

HB2837. Revised §18-2-7c would require the WVBE to "prescribe instruction on personal finance (which is to be) integrated into the curriculum of an appropriate existing course or courses for all students in secondary schools."

There are four House sponsors, including lead sponsor Speaker Kiss. Introduced March 2. Referred to the House Education Committee, then the House Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

'Celebrate Freedom Week' again proposed for schools

HB2867. Revised §18-2-9 would require that a full week of classes during the week of September 11 annually be set aside for "Celebrate Freedom Week."

During "Celebrate Freedom Week," students must receive at least three hours' instruction and in-depth study regarding the "intent, meaning and importance of the Declaration of Independence and the Constitution of the United States with an emphasis on the Bill of Rights, using the historical, political and social environments surrounding each document at the time of its initial passage or ratification."

Also required is the "study of historical documents leading to

the establishment of the provisions of the Constitution and Bill of Rights by the founding fathers for the purposes of safeguarding our constitutional republic."

There are five House sponsors, including lead sponsor Del. Tim Armstead (R-Kanawha). Introduced March 4. Referred to the House Education Committee, then the House Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

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EDUCATION-RELATED

Abortion

Abortion-providers must notify minor's parents

HB2888. Revised §16-2F-3 would require abortion-providers to give a minor's parents 48 hours' notice prior to performing an abortion. (Current law calls for 24 hours' notice.)

Sponsored by Del. Larry Border (R-Wood). Introduced March 4. Referred to the House Health and Human Resources Committee, then House Judiciary Committee.

Also refer to **HB2857**. This measure, introduced by Del. Chris Wakim (R-Ohio), would make it a misdemeanor to violate the state's abortion "informed consent" law. Those convicted of violating the section would receive fines "triple the amount of the abortion for which informed consent was not provided."

A second such offense would lead to the closing of the abortion facility where the abortion was performed without "informed consent."

Introduced March 3. Referred to the House Health and Human Resources Committee, then the House Judiciary Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Alcohol

Two bills address DUIs

HB2774. The purpose of this measure is to create one or more pilot programs which would include, among other components, a court referral officer program. The purpose of that program is to promote screening, evaluation, education, treatment and rehabilitation of repeat or serious offenders of Driving Under the Influence laws.

There are several other provisions.

There are five House sponsors, including lead sponsor Del. Kevin Craig (D-Cabell). Introduced March 1. Referred to the House Judiciary Committee.

HB2799 would allow courts to issue orders of interdiction which would prohibit the sale of alcoholic beverages to persons who have DUI convictions.

The names of these persons would be published by the Alcohol Beverage Control Commission to all retail liquor licensees/vendors, including bars and clubs.

There are three House sponsors, including lead sponsor Del. Jon Amores (D-Kanawha). Introduced March 1. Referred to the House Judiciary Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

ATV Safety

Local ATV regulation removed

SB457. This bill would repeal the state's existing statutes relating to All-Terrain Vehicle (ATV) safety, removing the authority of local

governments to regulate ATVs. It also would prohibit the riding of ATVs on roads and highways.

Additionally, no passengers would be allowed unless allowed under the ATV manufacturer's recommendations, and all riders under age 18 would be required to wear helmets.

Sponsored by Sen. H. Truman Chafin (D-Mingo). Introduced March 4. Referred to the Senate Transportation and Infrastructure Committee.

CHIP

Expanded CHIP coverage proposed - two bills

SB454. Revised §5-16B-6 would expand the Children's Health Insurance coverage from 200 percent to 300 percent of the federal poverty level.

The companion measure is **HB2872**. There are five House sponsors, including lead sponsor Del. Margarette Leach (D-Cabell). Introduced March 4. Referred to the House Health and Human Resources Committee, then the House Finance Committee.

The senate bill has five sponsors, including lead sponsor Sen. Roman W. Prezioso Jr. (D-Marion). Introduced March 4. Referred to the Senate Health and Human Resources Committee, then the Senate Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Child Safety

Child passenger safety seats would be required

SB414. Proposed §17C-15-46 would require the use of an appropriate child passenger restraint device or booster seat until a child is at least age six and weighs at least 60 pounds.

Sponsored by Sens. Tomblin and Sprouse. Introduced March 1. Referred to the Senate Transportation and Infrastructure Committee, then the Senate Judiciary Committee.

The companion is **HB2815**. Sponsored by Dels. Kiss and Trump. Introduced March 1. Referred to the House Transportation Committee, then House Judiciary Committee.

Both bills were introduced on behalf of the governor. *Similar proposals have been introduced/considered in past legislative sessions.*

Child Support

WC awards would be subject to child support liens

HB2881. Proposed §48-18-119a and §48-18-199b would establish a mechanism to place liens upon Workers Compensation proceeds or awards for outstanding child support. It also would require cooperation with insurance companies and child enforcement support agencies in other states to intercept proceeds of insurance claims

due a child support obligor, and it allows for filing a lien or income withholding order against a child support obligor's future insurance claim settlement.

Sponsored by Del. Mary Poling (D-Barbour). Introduced March 4. Referred to the House Judiciary Committee.

Newborn Testing

Sickle cell anemia testing required under bill

HB2766. One of 3 bills relating to newborn testing, this measure would require newborns to be tested for sickle cell anemia.

There are seven House sponsors, including lead sponsor Del. Carrie Webster (D-Kanawha). Introduced March 1. Referred to the House Health and Human Resources Committee, then House Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Credit Unions

Credit union membership would be expanded

HB2793. §31C-4-1 would increase the number of persons to whom credit union services could be extended to include, other than those having common bonds or similar occupations, "...those who reside or work in a well-defined community, neighborhood or rural district." Expansion criteria would be based on guidelines established by the National Credit Union Administration.

The expanded membership would include families of credit union members.

Sponsored by Dels. Ron Thompson (D-Raleigh) and Perry. Introduced March 1. Referred to the House Banking and Insurance Committee, then House Judiciary Committee.

Elections

Nonpartisan elections proposed for justices

HB2776. The purpose of this legislation is to establish the nonpartisan election of state Supreme Court of Appeals justices.

There are other bills concerning this subject.

There are seven House sponsors, including lead sponsor Del. Trump. Introduced March 1. Referred to the House Judiciary Committee, then House Finance Committee.

Also refer to **SJR9**. It would require merit selection of state Supreme Court Justices. (Thus, Supreme Court Judges – and circuit court judges – would be selected, based on "(possession of) the highest integrity and outstanding legal acumen.")

(The proposed constitutional amendment resolution apparently doesn't specify "who" will select judges, based on merit.)

This measure is sponsored by Sen. John Yoder (D-Jefferson). Introduced Feb. 28. Referred to the Senate Judiciary Committee. *Similar proposals have been introduced/considered in previous legislative sessions.*

Bill relates to redistricting

HB2792. This legislation, introduced by seven House Republican Delegates, seeks to make some changes in how redistricting occurs (following U.S. Census years). One proposal would require the Legislature's Joint Committee on Government and Finance to advertise a proposed draft redistricting plan to the public.

Among other provisions, elected/appointed officeholders, lobbyists, political party officials, or other persons affiliated with an elected or appointed officeholder, lobbyist or political party official would be prohibited from "influence(ing) or attempt(ing) to influence the district-mapping proposals of the (Legislature's) redistricting office..."

There are several other provisions in the 10-page bill.

The lead sponsor is Del. John Overington (R-Berkeley). Introduced March 1. Referred to the House Judiciary Committee.

Campaign disclosure requirements revised

HB2810. This proposed legislation has several sections relating to public disclosure of sources or sponsors for political campaign advertising. Candidates and others who misrepresent sponsorship for political campaign advertising would be guilty of a misdemeanor.

The bill covers advertising in all media, including radio and television, with sponsorship disclosure requirements and the wording for such outlined in statute.

Various legal remedies, including monetary awards, would be established for those harmed by candidates not abiding by campaign disclosures.

There are several other sections. There are six House sponsors, including lead sponsor Del. Hatfield. Introduced March 1. Referred to the House Judiciary Committee.

Flooding

Flood-prone roads would be DOH priority; schools cited

HB2785. Revised §17-3-6 would require the state Division of Highways to grant priority for roadway construction, reconstruction and maintenance of roadways prone to flooding which may hinder ingress and egress to and from residential areas, schools and downtown districts.

Priority also would be given to roads which may become hampered by flooding, thus hindering access by emergency response vehicles.

There are three House sponsors, including lead sponsor Del. Armstead. Introduced March 1. Referred to the House Roads and Transportation Committee, then House Finance Committee.

Government Reorganization

Bill contains governor's reorganization plan

SB460. This 114-page bill is the governor's reorganization plan for various state agencies, including the Center for Professional Development, which would be abolished, as well as the Governor's Cabinet on Children and Families. In case of the latter, its duties would be transferred to the Department of Health and Human Services. In terms of CPD, its moneys are included within a WVDE line item for staff development.

The bill affects numerous other agencies, including the West Virginia Educational Broadcasting Authority, the Governor's Office of Technology, and the West Virginia Parkways, Economic Development and Tourism Authorities.

There are other provisions.

Sponsored by Sens. Tomblin and Sprouse. Introduced March 4. Referred to the Senate Government Organization Committee, then the Senate Finance Committee.

The companion is **HB2891**. It is sponsored by Dels. Kiss and Trump. (The bill omits the introduction date). It has been referred to the House Government Organization Committee, then the House Finance Committee.

A bill by Sens. Tomblin and J. Frank Deem (R-Wood) would place the West Virginia Cultural Center under the authority and control of the Department of Administration (General Services Division) rather than the Department of Education and the Arts, its current home.

Introduced March 2. Referred to the Senate Government Organization Committee.

Higher Education

Bill relates to higher ed rules

SB401. This measure was approved by the Senate Education Committee March 3. For information, refer to Issue 8 of this publication.

Sponsored by Sen. Bob Plymale (D-Wayne). Introduced Feb. 28. Referred to the Senate Education Committee.

The bill is on Senate First Reading, March 7.

Abortion prohibition outlined

HB2767. Revised §18B-2A-4 would prohibit abortions from being performed at state college/university medical facilities, except when the abortion is necessary to save the life of the woman receiving the abortion.

There are three House sponsors, including Del. Patti Eagloski Schoen (D-Putnam). Introduced March 1. Referred to the House Health and Human Resources Committee, then the House Judiciary Committee.

Also refer to **HB2840**. Under terms of that bill, medical workers would be able to refuse to participate in any abortion-related activity without fear of disciplinary action or dismissal. The bill includes

certain criminal penalties.

There are three House sponsors, including lead sponsor Del. Trump. Introduced March 2. Referred to the House Judiciary Committee.

High-Tech research law faces technical changes

HB2777. Revised §18B-13-4, which relates to High-tech research zones, parks and technology centers, would be amended to make several technical changes in the statute, including updated Code and language references.

There are several provisions.

Sponsored by Speaker Kiss and Del. Boggs. Introduced March 1. Referred to the House Industry and Labor, Economic Development and Small Business Committee, then the House Finance Committee.

Bill relates to WVU-Tech

HB2795. This bill has several provisions. Its intent is to enhance operating efficiencies at West Virginia Institute of Technology (Montgomery) by more fully integrating the institution with West Virginia University.

The bill would vest the WVU Board of Governors with the power to combine the various administrative, informational, technological, financial and operating systems and functions of WVU/Tech into corresponding WVU functions.

The measure also would allow the WUV/Tech President to report to the president of WVU, or otherwise as the board of governors of WVU may direct.

Among other bill provisions, two members of WVU/Tech Board of Advisers would become members of the WVU Board of Governors.

There are other provisions.

There are five House sponsors, including lead sponsor Del. Perry. Introduced March 1. Referred to the House Education Committee, then House Finance Committee.

This measure is the same as **SB244**, which was reviewed in the Feb. 28 issue of this publication.

Overtime pay standards would be set in law

HB2859. Proposed §18B-7-13 would set various over-time pay standards for higher education classified staff, including a provision that these employees work on Saturday or Sunday, they are to be paid "at least one-half day of work for each day he or she reports for work and (they are to be paid) for a full day of work if he or she works more than three-and one-half hours on a Saturday or Sunday."

There are other provisions relating to work on legal holidays and work in excess of normal working day containing a legal holiday.

Sponsored by Del. Poling. Introduced March 3. Referred to the House Judiciary Committee, then House Finance Committee.

Measure concerns National Guard tuition continuation

HB2866. Revised §15-1B-21 would allow for continuation of tuition and fee payments to West Virginia National Guard members who have been discharged from military service due to wounds or injuries received in the line of duty.

There are seven House sponsors, including lead sponsor Speaker Kiss. Introduced March 4. Referred to the House Education Committee, then House Finance Committee.

Bill would make technical language change in 2004 law

HB2919. The purpose of this proposal is to revise an existing statute so as to change the words, “It is, therefore, the desire of the Legislature” to “It is, therefore, the intent of the Legislature.”

The section of Code affected relates to the Compact with Higher Education for the Future of West Virginia, a portion of which relates to higher education spending.

There are three House sponsors, including lead sponsor Del. Frich. Introduced March 1. Referred to House Education.

Public Policy

Audits required for grants

HB2779. Revised §12-4-14 would require “persons” receiving state grants of \$15,000 or more to file an audit with the Legislative Auditor’s Office regarding how the grant moneys were spent.

The bill defines “person” as meaning any corporation, partnership, association, individual or entity other than a “local government.”

There are several other provisions.

Sponsored by Speaker Kiss. Introduced March 1. Referred to the House Judiciary Committee, then the House Finance Committee. *Similar proposals have been introduced/considered in past legislative sessions.*

Registration proposed for crimes against elderly

HB2817. The purpose of this legislation is to require registration of any person convicted of a criminal offense against a person who is age 65 or older or a “mentally retarded” person.

The bill defines “mentally retarded (as) the condition of significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period.”

There are several other provisions, including sections addressing registration procedures, fines/penalties for failing to register and address verification for a perpetrator who changes residence.

Editor’s note: The term “mentally retarded” apparently has no age distinction and, thus, may apply to certain exceptional or special needs students.

Sponsored by Del. Mark Hunt (D-Kanawha). Introduced March

1. Referred to the House Judiciary Committee.

No Cloning would be allowed

HB2856. This measure – as a matter of public policy – would prohibit human and embryonic cloning.

There are various criminal penalties for those who would be convicted of violating the statute.

There are five House sponsors, including lead sponsor Del. Armstead. Introduced March 3. Referred to the House Judiciary Committee.

Taxation

Homestead exemption would be \$50,000 - three proposals

HB2769. Revised §38-9-3 would increase the state’s property tax homestead exemption to \$50,000. The measure also would state that a homestead is exempted for up to \$50,000 – currently \$7,500 – for all debts and liabilities for hospital or medical expenses incurred from catastrophic illness or injury.

Dels. Hunt and Tom Louisos (D-Fayette) sponsored the bill. Introduced March 1. Referred to the House Judiciary Committee.

Also refer to two proposed constitutional amendments. **HJR1** would increase the \$20,000 homestead exemption to \$50,000, and **HJR 6** would increase the exemption to \$40,000.

HJR 1 is sponsored by Del. Caputo. Introduced Feb. 9. Referred to the House Constitutional Revision Committee.

HJR 6 has three House sponsors, including lead sponsor Del. Linda Longstreth (D-Marion). Introduced Feb. 14. Referred to the House Constitutional Revision Committee, then House Judiciary Committee.

Bill would make TIF revision

HB2827. Revised §7-11B-7 would require county commission approval of Class I and Class II Municipal development or redevelopment Tax Increment Financing Districts.

Sponsored by Speaker Kiss. Introduced March 2. Referred to the House Political Subdivisions Committee, then the House Finance Committee.

Tax holidays proposed on quarterly basis

HB2864. Revised §11-15-9i would exempt various items, products and services from consumer sales tax “during one weekend period of each quarter of each year...(in the) months of February, May, August and November.”

These are among items that would be exempt: clothing, computers/computer-related equipment or software, school supplies, tires, automotive repairs, home heating and cooling equipment, weatherization supplies, and food products (except prepared food products and restaurant food sales).

There are four House sponsors, including lead sponsor Del. Armstead. Introduced March 4. Referred to House Finance.

Agricultural exemption proposed - property tax

HB2884. Revised §11-3-9 would gradually exempt personal property, including livestock employed exclusively in agriculture and “products of agriculture... while owned by the producer,” from personal property taxes over a three-year phase-out period.

There are six House sponsors, including lead sponsor Del. Robert Beach (D-Monongalia). Introduced March 4. Referred to the House Judiciary Committee, then House Finance Committee. *Similar proposals have been introduced in past legislative sessions.*

Teachers Retirement System

Retirees’ supplement proposed - eight such bills

SB432. Revised §18-7A-26t would provide TRS retirees who retired prior to June 30, 2005 and those retiring thereafter, a \$1,000 “supplemental benefit.”

This is one of eight supplemental benefits bills.

Sponsored by Sen. Foster. Introduced March 2. Referred to the Senate Pensions Committee, then Senate Finance Committee. *Similar proposals have been introduced in past legislative sessions.*

PERS

Bill makes technical changes in PERS’ laws; other sections

SB462. This 42-page bill makes several technical corrections in statutes governing the state Public Employees Retirement System (PERS), essentially rewriting and re-codifying several existing definitions.

It also would limit use of “military service credit (to no more than) one retirement system administered by the Consolidated Public Retirement Board.”

Additionally, the bill limits members of other retirement systems such as the Sheriff Retirement System who join PERS from receiving prior service credit from their former retirement systems.

The bill has other sections relating to calculation of annuities, payment of annuities, and the requirement that a PERS member who is disabled must receive a physician’s statement “certifying (that the retiree’s conditions warrants) continued disability...” The PERS governing board would have to concur in that physician’s report.

There are several other provisions.

Sponsored by Sen. Foster. Introduced March 4. Referred to the Senate Pensions Committee, then Senate Finance Committee.

A related bill, **HB2831**, would delete the statutory provision (PERS) that requires reduction of disability retirement income when one attains age 65.

It is sponsored by Speaker Kiss (by request). Introduced March 2. Referred to the House Pensions and Retirement Committee, then House Finance Committee.

Vocational Rehabilitation

Voc-rehab could rent facility

HB2783. Proposed §18-10B-10 would allow school groups and other youth/civic groups or organizations to use state vocational rehabilitation facilities. Vocational Rehabilitation officials could charge a “reasonable rent” for use of the facilities. Collected rental moneys would be used “exclusively to defray the cost, maintenance and repair, or replacement of (the) vocational rehabilitation facilities.”

Sponsored by Speaker Kiss. Introduced March. Referred to the House Education Committee, then House Finance Committee.

Rehab counselors want to receive public school pay rates

HB2865. Revised §18-10A-2a would require counselors employed by the Division of Rehabilitative Services to be paid an equivalent rate to public school counselors.

There are six House sponsors, including lead sponsor Del. Bonnie Brown (D-Kanawha). Introduced March 4. Referred to the House Education Committee, then House Finance Committee.

BRIEFLY

Senate Bill 410 would allow West Virginia taxpayer-residents to take income tax deductions for charitable gifts. There is a \$4,000 limit...**SB417** would allow municipalities, county development authorities or municipal development authorities to organize and jointly own joint development entities for the purpose of developing and owning local economic development projects. Also refer to **House Bill 2822**...**SB435** is aimed at giving municipalities a way to recover moneys for fines and fees that aren’t collectable currently due to failure to appear in municipal courts. The bill also relates to the Regional Jail Authority, the Crime Victims Compensation Fund, the West Virginia Community Corrections Fund and the governor’s Subcommittee on Law-enforcement Training...**HB2765** would create a statewide program aimed at creating awareness of colon cancer, and is aimed at increasing participation in colon cancer-screening...**HB2790** would limit the liability of physicians who render services to youth camps and programs...**HB2836** would allow the Division of Motor Vehicles to issue a special Boy Scout and Eagle Scout license plate...**HB2842** would establish a program to collect and reuse used cellular telephones for seniors and low-income families for these persons’ use in making emergency telephone calls...**HB2845** would establish a Municipal Employees Collective Bargaining Act...**HB2868** would increase county officers’ compensation...**HB2879** would allow the state director of Protective Services to assess, charge and collect fees from various spending units utilizing services of entities such as the State Police...**House Joint Resolution 2** would increase House of Delegates members’ terms from two years to four years, and senators’ terms from four years to six years...**HJR9** would change the term limit for sheriffs from two to three consecutive terms.

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The Legislature

West Virginia School Boards Association
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