



WRAP-UP

The Newsletter of the West Virginia Legislature

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Historic Vision Realized Through Recent Capitol Dome Restoration

It is nearly impossible to pass through the city of Charleston without noticing the magnificent gold dome that sits atop the main Capitol building. Standing 292 feet above the ground, the dome can be seen from the interstates, boulevards and bridges that intertwine throughout Charleston.

Since its construction, the dome has been a prominent symbol of beauty and government for the entire state, and has played a dominant factor in the Capitol being named as one of the greatest capitol buildings in the United States. The dome also is close in design to that of the nation's Capitol in Washington D.C., serving as a symbolic link between state and federal government.

Since the initial planning of the Capitol Complex, there was an agreement that the Capitol would feature a dome and rotunda. The dome of the Capitol was originally gilded in 1931 by the Mack, Jenney and Tyler Company. It is 75 feet in diameter and also, unfortunately, has been a lure for air pollution and other environmental assaults.

Although in the late '70s, an effort to restore the initial glory was made by having it painted gold and blue in order to save the state money. In the late 80s, another attempt to restore the dome with its original gilt also occurred. However, weather conditions were said to have affected the adherence properties of the gold leaf allowing for the development of unsightly stains.

In 2005, a large plastic covering which protected the work and provided climate control was removed to expose a newly gilded and aesthetically pleasing dome. The manner in which the massive dome was to be restored was



Rotunda Activity Winds Down as Session Ends

As the session comes to a close, longer sessions and committee meetings keep lawmakers at the Capitol throughout the remaining nights. The Statehouse is inhabited both morning, noon and night, but as this session comes to an official end on Saturday, March 11, 2006 at 12:00 a.m., the halls and passageways of the West Virginia Capitol will become much quieter as the last gavel strikes. Lawmakers who once graced the Capitol complex will return home to families, their goals of another legislative session accomplished and completed.

photo: Martin Valent

determined by an online public poll. The public overwhelmingly supported the plan to return to the original design envisioned by architect Cass Gilbert, who built the Capitol in the 1930s.

This return to its original beauty allows citizens and visitors alike to marvel in the detail and architectural brilliance of Gilbert. For example, upon closer inspection of the Dome, there are a number of symbols and designs that were covered when it was given a monochromatic look in the 1980s. Since the restoration, viewers of the Capitol building are amazed at the intricacies and beauty of the images that up until very recently were hidden from view.

The meaning of the symbols, which appear on each panel of the Dome, are a mystery. This only adds to the mystique and majesty of the Capitol Building, bringing a sense of regalness and awe to the Kanawha Valley and to the many people who work within its confines.

Another interesting characteristic of the new dome, as designed by Gilbert, is that of an eagle at the very top of the dome, perched atop a 25-foot bronze spire built



Bills Completed Legislative Action

As of 4:00 p.m., Wednesday, March 8, 2006, the 57th day of the Regular Session, 1,505 bills have been introduced in the House, 231 of which have been passed by the House; and, 794 bills have been introduced in the Senate, 192 of which have been passed by the Senate. Below is a sampling of the 50 bills that have completed legislative action:

Senate Bill 13 states that a humane officer who is investigating animal cruelty and has a reasonable suspicion that a minor, incapacitated or elderly person is the victim of abuse, neglect or has a suspicion of domestic violence, should report the suspicion. When dealing with issues of suspected child abuse and/or neglect, the humane officer can report to the local child protective services agency of the Department of Health and Human Resources. Moreover, in situations involving suspected abuse or neglect of an incapacitated or elderly person, the officer can report to the department's local adult protective services agency. In the event of suspected domestic violence, the officer can report to the State Police. Furthermore, the provisions in this bill add that

whenever a law-enforcement officer who is responding to an alleged incident of domestic violence has reasonable suspicion that an animal is a victim of cruel or inhumane treatment, then the officer would be required to report the suspicion to the county humane officer within 24 hours of the response to the alleged incident of domestic violence.

Senate Bill 114 allows counties, with the approval of the city council in a given municipality, to adopt and apply a mandatory fee of up to five dollars on those convicted of felonies, misdemeanors or municipal ordinances to fund teen courts. Moreover, any mandatory fee established by a county commission or city council will be paid for by the defendant if he/she is found guilty of a felony or a misdemeanor committed in that county.

Senate Bill 242 allows states banks to issue more than one class of stock. The new provisions hold that banking institutions have the authority to issue shares of one or more classes of stock. Moreover, each share will be the same as any other share of stock within each class of stock.

Senate Bill 243 allows state banks to own shares of their own stock. A banking institution can purchase its equity securities for up to 10 percent of the bank's net worth. The bank would have to do so in a 12-month period, or it can restructure its ownership interests for a legitimate corporate purpose without the prior approval of the Commissioner of Banking as long as the bank remains under federal regulatory guidelines before and after the purchase or restructuring. The bank would be required to apply for approval to purchase the equity securities on a form prescribed by the Commissioner. Also, the Commissioner will have the authority to approve or deny the application after considering whether the proposed purchase would constitute an unsafe or unsound practice.

Senate Bill 271 changes the time period that state banks must retain records from six years to five years.

Senate Bill 364 removes the sunset provisions from the West Virginia Jobs Act. The provisions in this bill require that the Division of Labor compile required information and submit it annually to the Joint Committee on Government and Finance by October 15.

Senate Bill 371 reduces the rate of tax paid on privilege of timber produced to 1.22 percent of the gross value after December 31, 2006.

Senate Bill 479 expands the funeral expense payment benefit to include all probation officers killed in the line of duty.

Senate Bill 481 states that any protective order issued by a court of West Virginia, which is served in compliance with the provisions of the West Virginia Rules of Civil Procedure and is served outside the boundaries of this state, carries the same force and effect as if it had been personally served within this state's boundaries.

Senate Bill 489 authorizes the State Treasurer, upon written request from a political subdivision, to provide services of the office to a political subdivision and charge for those services.

Senate Bill 509 adds that an automobile manufacturer or distributor cannot cancel, terminate, fail to renew or refuse to continue any dealer agreement with a new motor vehicle dealer unless he or she can demonstrate that the termination is necessary because of a breach of a reasonable term of the agreement by a dealer. The dealer is required to weigh this against his/her personal interests and those of the public. Such interests include the relationship of the dealer's sales to the sales in the market, the effect on the public cancellation of the franchise agreement would cause and the adequacy of the dealer's sales and service facilities, equipment, parts and personnel in relation to other dealers in the market. New provisions add that if a contract is terminated, cancelled or not renewed, because the manufacturer is discontinuing the sale of a product line, then the manufacturer will be required to pay or provide the motor vehicle dealer with compensation that is consistent with the length of time the dealer carried the line and the investment and timing.

Senate Bill 530 updates the meaning of Federal Taxable Income and certain other terms used in West Virginia Corporation Net Income Tax Act.

Senate Bill 582 requires certain tax preparers that have prepared more than 100 personal income tax returns for any taxable year to file the returns electronically.

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Bills Completed Legislative Action

Senate Bill 591 authorizes the Tax Division to collect the cost of federal refund offset fees from the tax debtor. This bill provides that the amount of the offset fee imposed by the Internal Revenue Service (IRS) should be added to the taxes, interest and penalties owed by the taxpayer to the state.

Senate Bill 619 removes a restriction limiting service on the board of directors relating to the governance and organization of the West Virginia Physicians' Mutual Insurance Company. The provision in the bill that stated no director could serve more than two consecutive terms has been removed.

Senate Bill 627 allows facsimile signatures on tax liens while eliminating the requirement for notarization of notices of tax liens and releases of tax liens when facsimile signatures are used. According to the new provisions, the facsimile signature would have the same legal effect as a manual signature.

Senate Bill 630 provides an insurer with the right to cancel or not renew a combination automobile and homeowners policy of insurance.

Senate Bill 635 requires that each county board shall maintain flood insurance on each insurable building that it owns. The building, in order to be insured, must be within an identified special flood hazard area on a flood hazard boundary map or a flood insurance rate map. Also, buildings that are on a 100-year floodplain and have replacement values that are greater than \$300,000 must be insured. If the building has been damaged in a previous flood and flood insurance is required by the Federal Emergency Management Agency, then the school board would be required to maintain flood insurance.

House Bill 4047 allows a prosecuting attorney for a Class VI county which subsequently becomes a Class V county to remain part-time, providing that the part-time

attorney would be compensated at the Class VI county level until it is determined by the prosecuting attorney and commissioner that a full-time attorney is needed.

House Bill 4063 allows the term "banker" to be used in the name of a non-bank company, if it is the legal name of a real estate franchisor and it is used in the tradename of a real estate brokerage firm that is a current or future franchisee of a real estate franchise system and the term "banker" stems from the use of a family surname.

House Bill 4437 authorizes the use of red flashing warning lights for the West Virginia Department of Agriculture on emergency response vehicles designated by the Commissioner of the agency.

House Bill 4472 permits a family court to receive a motion or petition for grandparents seeking visitation rights for a child residing in West Virginia. Previously, only a circuit court could receive such motions and petitions.

House Bill 4491 designates the third week of October as Disability History Week for the state of West Virginia. This measure assists in increasing awareness and understanding of the history and contributions of people with disabilities in the state, nation and world.

House Bill 4603 authorizes rules for the Higher Education Policy Commission and the West Virginia Council for Community and Technical College Education regarding authorization of degree granting institutions.

House Bill 4751 extends the time for the Board of Education of Grant County to meet as a levying body. The bill allows for the Board to meet between March 7-28 and the third Tuesday in April until the third Tuesday in May, 2006 for the purpose of presenting to the voters an election for an additional excess levy to provide funding for the operation, maintenance and repair of schools and to pay school personnel.

Sunset Legislation

Senate Bill 213 continues the Consolidated Public Retirement Board. This bill ensures that the board exists until July 1, 2008.

Senate Bill 214 continues the West Virginia Real Estate Commission until July 1, 2009.

Senate Bill 215 continues the West Virginia Board of Examiners in Counseling until July 1, 2008.

Senate Bill 218 continues the West Virginia Capitol Building Commission until July 1, 2009.

House Bill 4069 continues the Rural Health Advisory Panel until July 1, 2009.

House Bill 4239 continues the Division of Unemployment Compensation until July 1, 2010. The Division of Unemployment Compensation provides unemployment compensation services through the collection of employer contributions and the payments of benefits to eligible people.

House Bill 4310 continues the state Board of Risk and Insurance Management (BRIM) until July 1, 2011.

House Bill 4311 continues the Department of Environmental Protection until July 1, 2007.

House Bill 4349 continues the Division of Motor Vehicles until July 1, 2012.

House Bill 4350 continues the Family Services Protection Services Board until July 1, 2012. The Family Protection Services Board regulates and assists domestic violence programs, and it sets distribution formulas for state domestic violence money to ensure adequate funding of programs throughout West Virginia.

House Bill 4391 continues the West Virginia State Rail Authority until July 1, 2011. The State Rail Authority facilitates railroad transportation and commerce within the state. Currently the State Rail Authority operates the South Branch Railroad and the West Virginia Central Railroad.

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>

on a 34 1/2- foot lantern. The eagle has a three-foot wide base and is over five feet tall. The tips of each wing are roughly a foot apart.

In the 1980s, two state photographers ventured to the top part of the dome and saw that both of the eagle's eyes were in need of renovation; one had been shattered, and the other was completely missing. Overlooked in previous renovations, the eagle has been restored to its original splendor which features red marble eyes.

Editor's Note: This is the final printed version of Wrap-Up for 2006. Final Wrap-Up, which will include summaries of all bills passed during the Regular Session, will be posted on the Legislature's Web site in the coming weeks.



The West Virginia Legislature's Office of Reference & Information

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