



# WRAP-UP

The Newsletter of the West Virginia Legislature

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## Electronic Tracking Assists Public in Following Legislation

by Justin Dearing

The Internet has had a large impact on the everyday lives of Americans. Possibly, one of its most significant social implications has been its ability to bring government closer to the people. Indeed, with the advent of broadband technology, the public's connection to government has become virtually instantaneous.

Over the last two years, broadband usage in West Virginia households has nearly doubled. Twenty percent of the 736,000 households in West Virginia subscribe to a broadband Internet service offered by a telephone or cable television company. Users are always connected and broadband allows multiple computers to share the service by networking them together either with a cable or wirelessly.

But, a broadband connection is not required to use the Internet. A dial-up connection is quite adequate for citizens to find information about their government. Dial-up users connect to the Internet by plugging their standard phone lines into their computers. The computer then makes a call to another computer which gives it access to the World Wide Web.

The goal of the West Virginia Legislature's Web site is to put representative government at the fingertips of the people. Almost any legislative document, from bills to district maps, can be viewed or printed directly from the site. Access to information is instant and convenient, which reduces print and distribution costs, and in turn, saves taxpayers' money.

The site received a facelift between last session and the present. A more visually appealing interface, as well as a more streamlined navigation system, are two of the many features updated to better suit the public's needs. Lawmakers, lobbyists and the general public have all contributed to the advancement of the



**As technology advances, the "Well" area of the Capitol Rotunda takes on a new role, allowing constituents and lobbyists to utilize wireless internet connections, providing access to the World Wide Web.**

*photo: Martin Valent*

site. Their insight and suggestions have been incorporated into the site's ever evolving interface.

Through conversations with constituents and lobbyists, the Legislature developed a Personalized Bill Tracking system on the Web site. This feature may be one of the most popular services offered. Although it was introduced in last year's Regular Session, Personalized Bill Tracking has been modified and enhanced for the current session. It allows individuals to gather information from the site more efficiently. While it is possible to find which bills were introduced on a given day or which bills are sponsored by a certain lawmaker through the site's Bill Status link, Personalized Bill Tracking is the only feature that allows someone to view the status of multiple bills of specific interest all on one page. The service has become so popular that more than 1,500 users have registered as of March 1st. It has been growing by about 100 new users a day.

To use the service, one would just have to create a username and password, give a valid e-mail address and his or her first and last names. Once logged in, it is very simple to create a list or add bills to an existing list by clicking on the link at the top left.

Previously, only 10 bills could be grouped together in a list. Now, an unlimited number of bills can be tracked together and the user has the ability to name each list rather than having it automatically named for them. If the user wants to add to an existing list, then he or she would simply type in the name of the list and add a bill the same way.

Aside from Personalized Bill Tracking, the Legislature's Web site also provides additional constituent services, such as legislative contact information and e-mail addresses. A list of all senators and delegates with their Capitol addresses and phone numbers

See **Web site**, pg. 4



# In the House

As of 4:00 p.m. Wednesday March 2, 2005, the 22nd day of the Regular Session, 847 bills have been introduced in the House of Delegates. Of those, 12 have passed since February 24th and have been sent to the Senate for its consideration.

**House Bill 2106** would allow the Bureau for Child Support Enforcement to withhold a portion of a worker's compensation check. This would occur in situations such as when an individual is receiving compensation and owes unpaid child support. The Bureau for Child Support Enforcement would have specified amounts withheld otherwise payable to the recipient of support owed.

**House Bill 2176** would expand the offense of intimidating a judge or magistrate to include harassment beyond the courtroom. This bill also would apply to times when the judge or magistrate are off duty and provide that the offender must have knowledge that the individual is a judge or magistrate. A person found guilty under this offense would be guilty of a misdemeanor and confined in jail for not more than one year and/or fined not more than \$1,000.

**House Bill 2186** would restrict the process of the involuntary commitment of addicted persons who are likely to cause serious harm to themselves or others. This bill would place restrictions on such involuntary commitments. Under this bill, a probable cause hearing may occur in the county where a person is hospitalized and video conferencing may be used for the hearing. The individual would only be involuntarily hospitalized until detoxification is accomplished.

**House Bill 2329** would allow a judge to require a defendant to contribute monetarily, or through hours of service, to a local crime victim's assistance program or juvenile mediation program which meets the following requirements: the program is approved by a circuit judge presiding in the judicial circuit; and, the program is a nonprofit organization certified as a corporation in this state and is governed by a board of directors. The contribution could be used as the sole source of punishment or a supplemental punishment.

**House Bill 2477** brings provisions of the Code relating to personal property exemptions into conformity.

**House Bill 2517** would specify safety requirements for transporting compressed gas on state highways. These requirements would include equipping the cylinder with securely attached metal caps of sufficient strength to protect valves from damage during transportation and constructing the cylinder so the valve is recessed into the cylinder. These requirements would not apply to propane gas used for household purposes.

**House Bill 2593** would amend a portion of the West Virginia Code relating to land use planning; make technical corrections by repealing superceded sections; and, remove the requirement of Board of Zoning Appeals to pay attorneys' fees on certain appeals.

**House Bill 2623** would continue the Public Land Corporation until July 1, 2009. This Corporation was created to preserve, protect and enhance the State's title to its recreation lands for today's citizens, visitor users and future generations.

**House Bill 2592** relates to the Design-Build Procurement Act. This bill would provide for reimbursement of expenses for

the members of the Design-Build Board. The bill also modifies the duties and responsibilities of the Design-Build Board and provides for its continuation

**House Bill 2634** would provide for technical amendments in the West Virginia Code concerning the West Virginia Commission for the Deaf and Hard of Hearing. These changes would include deleting the requirement that the Commission must maintain a registry and census of persons who are deaf or hard of hearing and removing the hyphens in the name of the West Virginia Commission for the Deaf and Hard of Hearing.

**House Bill 2666** would continue the Department of Health and Human Resources until July 1, 2006. The Department of Health and Human Resources is intended to help shape the environments within which people and communities can be safe and healthy.

**House Bill 2667** would continue the West Virginia Commission for the Deaf and Hard of Hearing until July 1, 2009. Its mission is to advocate for, develop and coordinate public policies, and create regulations and programs to assure full and equal opportunity for persons who are deaf and hard of hearing in West Virginia.

## A Sampling of Bills Introduced In the House

**House Bill 2641** would allow for the election of justices of the Supreme Court of Appeals on a nonpartisan basis. The official ballots would not list any party affiliated with any justice who is running for the position of justice of the Supreme Court of Appeals.

**House Bill 2649** would require basic training in Alzheimer's and dementia in certain health care facilities. Training would be conducted under the supervision of a licensed operator and would include a basic understanding of Alzheimer's disease and related dementia

**House Bill 2658** would require police agencies that hire graduate recruits within three years of the date they graduated from the State Police Academy to pay a share of cost of the training to the sponsoring

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# In the Senate

As of 4:00 p.m. Wednesday, March 2, 2005, the 22nd day of the 2005 Regular Session, 434 bills have been introduced in the Senate. Of those, 19 have been passed by the Senate since Feb. 24th and have been sent to the House for its consideration.

**Senate Bill 49** would repeal a section of West Virginia Code that requires the circuit court of each county to appoint three persons to inspect a county jail on a yearly basis. The bill would remove this provision because it is no longer effective with the creation of the Regional Jail System.

**Senate Bill 63** would require legislative approval by passage of a concurrent resolution for giving any road, highway or bridge a memorial designation. The bill states that the Commissioner of the West Virginia Division of Highways does not have the authority to make such changes without legislative approval.

**Senate Bill 94** would allow school activities for students, faculty senate meetings and other professional activities for teachers to occur in any order. The bill would further provide additional flexibility for instructional support and enhancement days.

**Senate Bill 104** would repeal a section of the West Virginia Code relating to working prisoners by county commissioners, since prisons are no longer located in every county.

**Senate Bill 154** would require promulgation of emergency and legislative rules designed to allow persons to beneficially use water treatment plant sludge.

**Senate Bill 162** would modify the time period the Economic Development Authority has to allocate the tax credits available under the Capital Company Act. The legislation would allow the Authority to allocate tax credits for economic de-

velopment and technology centers at any time during a fiscal year, not just during the first 90 days.

**Senate Bill 183** would authorize the warden of a correctional facility to allow an inmate to withdraw money from a mandatory savings account that contains 10 percent of all money earned during incarceration. This withdrawal would prepare the inmate for reentry into society.

**Senate Bill 184** would repeal an outdated section of the Code that allows wardens to offer rewards up to \$500 for the apprehension and redelivery of escaped convicts. The bill was recommended for introduction and passage by the Legislative Oversight Committee on the Regional Jail and Correctional Facility Authority.

**Senate Bill 198** would establish specialized fire safety standards for Bed and Breakfast Establishments (B&Bs). No smoking would be allowed in the B&Bs. Also, the facilities would be required to have smoke alarms in all common areas, guest areas and hallways and to have primary and secondary means of departure.

**Senate Bill 229** would provide regulatory relief to banks and credit unions by repealing or amending certain reporting requirements since most of the information is available from federal banking agencies. Banks would no longer have to submit to the State Commissioner of Banking an annual report specifying the location of each office and the amount of loans outstanding in each office for its main office and each branch in the state. Banks would only have to report the amount of deposits and shares held by each office in the state.

**Senate Bill 238** would require those in the business of purchasing scrap metal to make record of steel purchases. The entities already have to report the purchase of many other metals.

**Senate Bill 248** would temporarily void the requirement that technology expenditures be made in accordance with the Education Technology Strategic Plan. The requirement would be void if the Governor failed to appoint members to the Education Technology Strategic Plan Advisory Committee.

**Senate Bill 269** would supplement, amend, reduce and increase existing items in the State Road Fund for the designated spending unit for expenditure during the fiscal year ending June 30, 2005.

**Senate Bill 281** would continue the Emergency Medical Services Advisory Council until July 1, 2008. It was created in 1974 to develop, with the Commissioner of the Bureau of Public Health, standards for emergency medical service personnel and to provide advice to the Office of Emergency Medical Services and the Commissioner.

**Senate Bill 282** would continue the School Building Authority (SBA) until July 1, 2007. The SBA was created in 1989 to facilitate and provide state funds for the construction and maintenance of school facilities to meet the educational needs of the people of West Virginia.

**Senate Bill 283** would continue the Health Care Authority (HCA) until July 1, 2008. The HCA was created in 1983 with the responsibility of collecting information on health care costs, developing a system of cost control and ensuring accessibility to appropriate acute care services.

**Senate Bill 284** would continue the Office of the Insurance Commissioner until July 1, 2007. The office was created in 1947 to provide an environment that leads to an affordable and available insurance market by administering and enforcing the Insurance Code of West Virginia.

**Senate Bill 285** would continue the Division of Culture and History until July 1, 2007. The division was created in 1977 to help identify and present the ideas, arts and artifacts of West Virginia Heritage.

**Senate Bill 286** would continue Public Defender Services until July 1, 2008. The service was established to fund all independent defense for West Virginia.

## West Virginia Legislature's Web site

Over the past year, the Legislature's Web site has undergone many changes to strengthen your connection to West Virginia's legislators and the laws that govern this state. By navigating the Legislature's Web site, you will discover how to contact your lawmakers, read bills online and track the status of specific legislation. 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>

**Web site** - continued from pg. 1

are displayed on one page. And, a citizen can even search for the representatives by using his or her zip code. This will list each of their lawmakers from both the House and Senate with e-mail addresses, as well as their hometown business phone number, in case the Legislature is not in session.

As the Legislature continues to make strides in providing important information electronically to citizens and engaging them to become part of the legislative process, developers of the Web site welcome comments and suggestions on how to further this source of communication. This is just one more way that the Legislature is working to bridge the gap between the Capitol and constituents.

**West Virginia on the Move Program**

Current total steps as of 4:30pm  
Wednesday, March 2, 2005:

House of Delegates - 10,094,396  
Senate - 6,800,455  
Governor's Office - 3,107,576

**In the House** - continued from pg. 2

police agency that funded the training.

**House Bill 2663** would update the law relating to the digging, growing, harvesting and sale of Ginseng. Under this bill, a person digging, collecting, or gathering wild Ginseng on another person's property must first obtain written permission from the land owner.

**House Bill 2774** would establish multiple pilot programs, such as the Court Referral Officer Program, which would promote the screening, evaluation, education, treatment and rehabilitation of persons who are repeated substance abuse offenders.

**House Bill 2833** would create the Better Sight for Better Learning Act. This act would provide for a state program that would issue a professional eye exam for each child in West Virginia prior to enrollment in grade school. The exam would be performed by a licensed optometrist or ophthalmologist.

**House Bill 2842** would establish a program that would distribute cellular tele-

**Bills Passed Both Bodies**

As of 4:00 p.m. March 3, 2005, one bill has passed both the House and the Senate and has been sent to the Governor for his approval. **Senate Bill 261** provides a mechanism for a special election to be held June 25, 2005 for state voters to ratify or reject the Legislature's proposed "Pension Bond Amendment" to the State Constitution.

The amendment, adopted during the Jan. 2005 Special Session, proposes to permit additional general obligation bonds to be issued and not to exceed \$5.5 billion to help pay down the State Teachers Retirement System, the Judges' Retirement System and the Public Safety Death, Disability and Retirement System the State has already been paying.

phones to seniors and low income families, among others. These cellular phones would be used for emergencies only. The Commissioner of the Bureau of Public Health would establish a program for collecting used cellular telephones from retailers, wholesalers, individuals or any other source for reprogramming.

**The West Virginia Legislature's Office of Reference & Information**

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