



WRAP-UP

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Lawmakers Honor Veterans, Push for Policies that Support Them

BY MARIBETH SMITH

This week the West Virginia Legislature celebrated Veterans Visibility Day. Resolutions were adopted in both the House of Delegates and Senate to honor West Virginia's citizens who dedicated their lives to service for this country and state. West Virginia has more citizens per capita who have served in the United States Armed Forces than any other state. Veterans Visibility Day was designated to honor the past, current and future veterans of the state.

Senator Erik Wells, Chairman of the Senate Military Committee said, "We owe our democracy to the men and women who have been willing to serve during both times of war and peace. So when we honor our veterans, we are indeed honoring our democracy and the freedoms we enjoy."

Delegate Richard Iaquina, Chairman of the House Veterans Affairs Committee,



STEVE BRIGHTWELL WEST VIRGINIA LEGISLATURE

said "The importance of this day is to learn about our history so that we don't make the same mistakes."



MARTIN VALENT WEST VIRGINIA LEGISLATURE

Senator Erik Wells, an active duty Lieutenant Commander in the U.S. Navy Reserves delivers a floor speech commending the visiting veterans.

During a ceremony in the House of Delegates Chamber, Adjutant General of the West Virginia National Guard General James Hoyer spoke to those in attendance, including many, many West Virginia veterans.

"Our children have had the opportunity to do anything and be anything they wanted to be because of the service and sacrifice of people like you," Hoyer said.

During the 2012 Regular Session, legislators have proposed numerous bills and resolutions seeking to honor and support the lives of veterans. The content of each strive to act on issues that would address and recognize specific issues facing veterans of wars and conflicts as well as those current serving in the Armed Forces.

House Bill 4433, which passed in the House on February 20 and awaits action by the Senate, would award a high school diploma to any surviving veteran of World War II, the Korean and Vietnam Wars as well as any other conflict or war that West Virginia has authorized a bonus. Diplomas would be awarded to those who left school prior to graduation to serve in the U.S. Armed Forces, who did not receive a high school diploma and who were honorably discharged.

"Veterans really appreciate this bill because they left to support our country during the Vietnam and Korean Wars, fulfilling their duties as citizens, yet want to finish high school but couldn't," said Delegate Iaquina.

Another bill, Senate Bill 152, which is in the Senate Finance Committee, would deal with unemployment benefits of certain spouses



In The Senate

As of 4:00 p.m., Wednesday February 22, 2012, the 43rd day of the 80th Legislature's 2nd Regular Session, 674 bills have been introduced in the Senate. Of those bills, 38 have passed this week and have been sent to the House for consideration. The bills passed by the Senate this week include:

Senate Bill 73 would require parental consent for minors between the ages of 14 and 17 to use tanning devices. The bill would also require parental accompaniment for minors using tanning beds under the age of 14.

Senate Bill 204 would provide a clear zone for stopped vehicles along a highway as well as the cut off the traffic flow in emergency situations.

Senate Bill 336 would eliminate exemptions from licensing a mortgage lender that may be available to subsidiaries of banks.

Senate Bill 341 would create the Restroom Access Act. It would require access to employee-only restrooms for individuals with certain medical conditions. The bill also would require people with medical conditions to present a valid medical alert restroom access card provided by National Foundation for Clinical Research in Inflammatory Bowel Disease.

Senate Bill 353 would exempt individuals with a valid Concealed Carry Permit from the National Instant Criminal Background Check System, also known as NICS, when purchasing a firearm.

Senate Bill 373 would allow the Superintendent of the State Police to provide other law-enforcement officers' entry level training with a fee-free training but would allow a fee for advanced level training. The bill would also create a special revenue account titled the Academy Training and Professional Development Fund, which would be available to pay for the entry-level training and various other training costs.

Senate Bill 410 would align West Virginia law to federal law regarding withholding of personal income tax on gambling winnings. The bill would require proceeds of more than \$5,000 from any lottery prize to be subject to withholding.

Senate Bill 471 would authorize the West Virginia Supreme Court of Appeals to establish reasonable fees of compensation for mental hygiene services instead of a circuit court. The bill would also establish a payment procedure for the compensation, which must be submitted to the administrative director of the courts for payment.

Senate Bill 477 would prohibit the possession of wild and exotic animals. The bill would provide for a permit for those pos-

Completed Legislation

Senate Bill 30 would provide additional means to notify the DMV of the purchase of a junked vehicle.

Senate Bill 209 would update the meaning of "federal adjusted gross income" as well as certain other terms used in the West Virginia Personal Income Tax Act.

Senate Bill 210 would update terms in the Corporation Net Income Tax Act including the definition of "federal taxable income."

sessing exotic animals prior to effective dates of the bill. Additionally, the bill would remove animals if they are being kept in violation of the bill.

Senate Bill 510 would change the process for analyzing votes after an election or after a requested re-count. Currently, five percent of all precincts are randomly selected for ballots to be hand-counted to confirm the machine counts. The bill would require the hand count would be of one contest or ballot issue per randomly selected precinct instead of hand counting every single contest in an election.

Senate Bill 518 would prohibit certain persons from being elected or appointed to positions under the laws of the State of West Virginia. The bill states no person under conviction for treason, a felony, perjury or bribery in an election may be elected or appointed to any elective office. If any person holding office under the new law is convicted of such crimes then they would be vacated from office.

Senate Bill 603 would authorize the Adjutant General to establish an entity to operate morale, welfare and recreation facilities for military families within the state.

The West Virginia Legislature's Reference and Information Center

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In The House

As of 4:00 p.m., Wednesday February 22, 2012, the 43rd day of the 80th Legislatures 2nd Regular Session, 1344 bills have been introduced in the House. Of those, 61 have passed the House and have moved on to the Senate for further consideration. Bills passed by the House this week include:

House Bill 3174 would allow freestanding liquor stores to conduct responsible liquor sampling events on days of the week, other than Sunday.

House Bill 4007 would provide that an individual who has voluntarily quit employment to accompany a spouse serving in active military service who has been reassigned within the military be qualified for unemployment benefits.

House Bill 4018 would permit licensed real estate appraisers to have access to commercial or residential review documents. The bill also disallows county assessors from charging more than \$3 per form.

House Bill 4053 relates to abduction, kidnapping and human trafficking and would require the Department of Health and Human Resources to develop a plan for the delivery of services to victims of human trafficking, authorize the establishment of standards the training of law-enforcement to effectively investigate human trafficking offenses and update the state's criminal laws to address human trafficking, especially the trafficking of children.

House Bill 4070 would change the basis for paying the county salary supplement equivalent pay rate for division of rehabilitation teachers from the county where the facility is located to the county where the administrative headquarters of the division are located.

House Bill 4087 would extend the moratorium on the regular severance tax on

the privilege of severing timber to coincide with the expiration of the "Workers' Compensation Debt Reduction Act" tax on the privilege of severing timber.

House Bill 4088 would repeal the West Virginia telecommunications tax and would preserve provisions governing the confidentiality and exemptions from disclosure of certain information received by the tax commissioner during the study of the business of telecommunications service and related businesses.

House Bill 4126 would authorize a legislative rule for the Higher Education Policy Commission regarding authorization of degree-granting institutions and rules of the Council for Community and Technical College Education regarding the Workforce Development Initiative Program and tuition and fees.

House Bill 4245 would permit certain auxiliary lighting on motorcycles.

House Bill 4299 would permit a county board of education to use bus operators regularly employed by the county board of

a different county to operate buses leased by the county if bus operators from the owning county are unavailable.

House Bill 4403 would ensure that the filing deadline for certified write-in candidates is sufficiently early to allow for the inclusion of absentee ballots of voters covered by the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA).

House Bill 4330 would provide that driver's licenses might contain information designating the licensee as an honorably discharged veteran of any branch of the Armed Forces of the United States, upon request of the veteran. The bill would also redefine 'previously licensed' as an applicant who has held at least a level two or comparable driver's license.

House Bill 4338 would raise the maximum value amount of an abandoned motor vehicle from \$2,500 to \$7,500 prior to its sale by an enforcement agency at a private sale or auction. The bill also requires that an additional \$10 fee be paid to the Division of Motor Vehicles for titling an abandoned vehicle.

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West Virginia Legislature's Web site

The online **West Virginia Code** has been enhanced to show bills that have become law (under the chapter of the code affected) but have yet to be incorporated in the online version. <http://www.legis.state.wv.us/WVCODE/Code.cfm>

Bill Tracking has been improved to allow users the ability to prioritize bills and add personal notes. Users can also now sort and view their bills by multiple criteria. http://www.legis.state.wv.us/billstatus_personalized/persbills_login.cfm

The legislative blog **Today in the Legislature** is a daily synopsis of legislative floor activities, complete with photos and daily committee meeting schedules. http://www.legis.state.wv.us/daily_sum/today.cfm

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of military personnel. The bill specifies if a spouse quits his/her job to be with his/her military spouse who has been reassigned as a part of his/her service, that spouse would not be disqualified from unemployment benefits. A House version of this bill has already been passed by that body.

“The hardest job in the military is that of the military spouse,” said Senator Wells. “This bill allows the spouse to collect unemployment and the spouse’s former employer is not charged. Many states provide this for military spouses and most times, the military spouse returns to the workforce quickly.”

Delegate Iaquina added, “A military spouse is just like a civilian spouse. If a young man or woman is working in West Virginia and his/her spouse was not in the military they would get it so we think they deserve it just like anybody else.”

Meetings will continue during the interim meetings and work related to studying returning veterans and looking at how war may or may not have affected them will also continue.

Senator Wells said, “I’m proud the Legislature agreed to continue a study on returning veterans and the psychological impact the war may or may not have had on them. This was not a bill, but was requested by the Interim Veterans Affairs Committee and agreed to by the Joint Committee.”

Recognizing the commitment of West Virginia veterans and members of the military has always been a top priority of the West Virginia Legislature. Lawmakers will continue to work to pass legislation to lighten the burdens West Virginia soldiers and their families are dealing with as they serve their state and country around the world. ■

House Bill 4398 would declare certain claims against the state and its agencies to be moral obligations of the state to be paid with public moneys. A separate bill would appropriate the moneys.

House Bill 4433 would award high school diplomas to veterans of World War I, World War II, the Korean and Vietnam Wars. The diplomas would be provided regardless of whether the veterans were attending high school before serving in the military.

House Bill 4493 would provide that March 30 be recognized as Vietnam Veteran Recognition Day, July 27 be recognized as the Korean War Veteran Recognition Day and August 7 be recognized as Purple Heart Recognition Day.