

Interim Highlights

Bill Summary - 2006 2nd Special Session November 9-14, 2006

A few days before interims were scheduled to begin, the governor called the Legislature into special session. The bills taken up for consideration were made effective from passage, and included:

Senate Bill 2001 will increase the homestead exemption for senior citizens and disabled persons from \$10,000 to \$20,000. The money for the credit comes from the limited video lottery fund, and the credit does not impact local government revenue or the school aid formula. Seniors and disabled persons who are within 150 percent of federal poverty line are eligible for the refundable credit.

Senate Bill 2002 will eliminate the pre-1967 gain exclusion for corporate property sales. Businesses will still be able to claim the credit until Jan. 1, 2009.

Senate Bill 2003 will reduce the sales tax on groceries by 1 percent on July 1, 2007, and then by an additional percent on July 1, 2008. This would bring the tax down from 5 percent to 3 percent within two years. The bill will also raise the tax on sales of soft drinks and prepared foods (as defined by law) as well as all vending machine purchases to 6 percent from 5 percent.

Senate Bill 2004 and **Senate Bill 2005** will reduce taxes for businesses. Senate Bill 2004 lowers the business franchise tax from 0.7 percent to 0.55 percent. Senate Bill 2005 will reduce the corporate net income tax from 9 percent to 8.75 percent.

Senate Bill 2006 will eliminate certain tax credits for venture capitalists. According to the governor's office, the program had been exploited since its inception and was no longer effective.

Senate Bill 2007 extends the termination date of the tourism development project tax credit from Jan. 1, 2007, to July 1, 2007. The extension will give the Legislature time to consider the credit more fully during the regular session.

Senate Bill 2008 and **Senate Bill 2009** will impose withholding taxes on nonresidents for certain transactions. Under such withholding taxes, money that would be owed in taxes eventually is taken out up front. Senate Bill 2008



Legislature Convenes

The 77th Legislature of West Virginia convened November 9-14, 2006 at the State Capitol in Charleston for the 2nd Special Session. The Session, which overlapped lawmaker's monthly Interim Committee meetings, saw several state tax reform bills complete legislative action. Members of the 77th Legislature will return once more for next month's Interim meetings, to be held December 10-12, 2006.

photography: Martin Valent

deals with partnerships, small businesses (S corporations) and estates and trusts. Senate Bill 2009 deals with property sales.

Senate Bill 2010 will provide additional tax credits to families living at, near or below the federal poverty line. The amount of the credit varies according to income. Families within \$2,700 of the poverty line would be eligible for some credit. The closer the income gets to the poverty line, the higher the rate of the credit. Families living at or below poverty will receive a 100 percent credit. Only half of the low-income credit can be claimed for the 2007 tax year; after that, the full credit can be claimed.

Senate Bill 2011 will provide a sales tax exemption for certain purchases by contractors working on the repair or construction of a new or existing structure used for manufacturing. The exemption applies to services, machinery, supplies and materials used during such construction, with the exception of fuel.

House Bill 212 will provide \$80,000,000 from the state budget surplus to the Teacher's Retirement System Employers Accumulation Fund.



Agriculture & Agri-business

Asian Lady Beetle

Members of this committee heard a presentation regarding the Asian lady beetle from a representative of the Plant Industries Division of the Department of Agriculture.

Also known as the “Halloween” or “Japanese” lady beetle, the first established population of this insect was discovered in Louisiana in 1988. Since that time, the beetle has increased its distribution to include most areas of the United States and parts of southern Canada. It was first reported in West Virginia in 1992.

Although, several states attempted to release and establish the beetle as a biological control agent for fruit and nut tree pests, such as aphids, most of these release attempts were considered failures and it remains unclear exactly how the beetles entered the country. No such releases have ever been attempted in West Virginia, and their movement here was part of a natural expansion from other states, the committee was told.

Asian lady beetles hibernate in cooler months, though they will wake up and move around whenever the temperature reaches about 50°F (10°C). Because the beetles will use crevices and other cool, dry, confined spaces to hibernate, significant numbers may congregate inside walls if given a large enough opening. These large populations can be problematic because they can form swarms and linger in an area for a long time. However, the only way to fully prevent a home invasion is to tape the windows shut so they cannot get through these crevices.

Council of Finance & Administration

Capitol Complex Construction

The Council of Finance and Administration met in November and the main topic of discussion was the ongoing remodeling and construction of the Capitol Cafeteria space.

A representative from the General Services Division said that state workers have gutted the former state Capitol cafeteria facilities down to the bare concrete, but the demolition has uncovered additional problems. Demolition workers found drains clogged with grease, insufficient outside air circulation, outdated electrical circuit panels, and a jumble of wires and other unknown utility lines running through the ceilings.

The representative stated that most of the drains will literally have to be abandoned, and will have to be replaced because the existing drains simply are too clogged with grease to be repaired. Likewise, new ductwork, including exterior vents, will have to be installed and balanced with the historical aspects of the building.

The wiring presents another problem the Council was told, because there are no accurate records to show which lines are in use and which have long since been abandoned.

The Council was told that plans are to select a food services design firm by the end of the week, and to begin advertising for an architectural and engineering firm by the middle of next week. Members were also told that because the state Purchasing Division declared the cafeteria replacement an emergency, all contracts could be awarded without going through the traditional bidding process.

On other matters, the Council was told that the Department of Administration is beginning initial design plans for renovation of the three office towers on the Capitol Complex and were told those buildings will have the some of the issues the cafeteria space is dealing with, such as, asbestos and wiring concerns.

Also Monday, the members were told there are plans for a new state office tower, to be primarily funded through state Lottery profits, at the intersection of California Avenue and Washington Street East but those plans are temporarily on hold, until a Capitol Complex master plan is finished.

Education Subcommittee A - Public Education

Coaching Requirements

Normally the committee discusses issues more directly related to education, but this month’s session saw members conversing on the topic of coaching.

Coaching positions are first available to those with certified teaching degrees. If one does not possess such a degree, one must first have a high school diploma or GED and receive authorization from the SSAC. This is only good for one year and must be renewed annually.

Bill Status - 2006 2nd Special Session
For bill history information and full bill text of all Legislation, please go to the West Virginia Legislature’s Web site: <http://www.legis.state.wv.us> and select the “Bill Status” link.



This rule is in place in accordance with the stipulation that all coaching positions are offered first to those with certified teaching degrees. That is, regardless of qualifications, if a teacher applies for a coaching job, that person trumps any non-teacher who might also apply, regardless of qualifications.

The committee also heard from a representative who spoke on the need to provide education training for coaches and guidance to principals and athletic directors.

The overall importance of education was stressed, in particular when one member suggested that schools which do not meet a certain level of academic criteria, while still able to field sports teams and participate regularly, should not be allowed to participate in any state championships. This was countered by another member who questioned why athletes should be singled out for reprimand for a problem relevant to the entire school, particularly as they have the added burden of maintaining a 2.0 grade average.

Education Subcommittee B - No Child Left Behind

NCLB and WV's Partnership for the 21st Century Skills

Continuing to follow the guidelines of the federal No Child Left Behind (NCLB) act, lawmakers heard from a representative of the Department of Education who addressed the department's recommendations for the re-authorization of the Elementary and Secondary Education Act. The re-authorization effort is entwined with West Virginia's Partnership for 21st Century Skills program, which strives to prepare students for the educational and professional challenges ahead.

The education department's recommendations focus on five areas of concern regarding the re-authorization:

- Securing funding for special education, professional development and technological improvements while allowing for flexibility in the use of available dollars.
- Defining adequate requirements for technical data before mandating assessments as well as requiring content standards to be in line with expectations of 21st century skills.
- Providing a broader definition of graduation to consider a student's actual graduation, not the years taken to achieve the goal.
- Providing flexibility to schools and counties in their Accountability and Adequate Yearly Progress (AYP) assessments.
- Providing for additional funding for training, recruitment and retention of quality teachers, which is the least developed part of NCLB.

Co-joining West Virginia's 21st Century Skill plan into the overall education enhancement mission, state education officials are calling for students to experience a more rigorous learning schedule. According to the education representative, the department wishes to ensure that performance assessments such as global awareness, bi-lingual studies, arts, civics and financial matters are included in education reform. The spokesperson said West Virginia students must be taught to have a greater connection to the relevance of the universal.

A state cost study on NCLB has been in the works for months, according to the presenter. Funded by the Legislature, the APA cost study includes the participation of principals, administrators and boards of education on the county level have worked in close cooperation with education officials from the Department of Education and the State Board of Education to find the cost of reaching student proficiency.

To assist in understanding the difficulties schools have in meeting the requirements of NCLB, a survey was sent to seven West Virginia counties of varying demographics and economies to find the manner in which money is spent, or where it is needed within the school system. Presently, data is being generated regarding dollars spent for content standards, recording systems, policy changes and reporting procedures, to name a few subjects of review. Too, the study is looking into federal Title programs and the dollars they provide to the state. According to the subcommittee chairman, lawmakers can expect to see a draft document outlining the information by December.

West Virginia is one of only a few states that have opened its lines of communications among all educators, the subcommittee chairman noted. The information gathered will be essential for lawmakers to have in mind during their future deliberations and all entities involved providing the data were applauded by the legislative committee.

Education Subcommittee C - School Aid Formula

Disabled Students & Transportation

The Committee heard from a representative from the Staff Center for Business and Economic Research from Marshall University, who presented information on disabled students. West Virginia, along with Oregon, is the only state in the country that does not employ a weighted system for the distribution of funds for disabled children proportional to the degree to which students are disabled. This can cause problems in an area with a low population of severely disabled students, the representative said.



Federal spending for students with disabilities has skyrocketed recently but still fulfills only about 18% of special education costs, which is still short of the 40% to which they committed.

The representative pointed out that federal funding is marred by each state defining what constitutes disabilities. WV has the highest percentage of students with disabilities (18.3%) of any of our surrounding states, the largest sector of those being “single disabilities,” or students with one impairment. However, WV is the only state that begins to look and help students with disabilities in pre-school, the representative said.

The committee next heard from a representative from the Bureau of Business and Economic Research from West Virginia University who presented information on population projections and their relation to student transportation funding options.

Based on information from the censuses, the representative reported that WV is due to loose population in the next 30 years but increase then through 2050. These numbers are based almost exclusively on births and deaths, without factoring migration. Not surprisingly, the least populated counties and the most populated are expected to loose and gain population, respectively.

These matters were considered with regard to the difficulties presented in transporting students from, especially, rural areas to school and the costs associated with doing so.

Finance Subcommittee A

Motor Vehicle Privilege Tax

The subcommittee received a follow-up report from the Division of Motor Vehicles regarding the motor vehicle privilege tax, an issue it discussed during the October interims. The 5 percent tax acts like a sales tax paid only on vehicles, which are exempt from normal sales taxes, based on the value of the car at the time of registration.

According to information provided to the subcommittee, this tax makes up nearly a third of state road fund revenue in 2005 (gasoline taxes made up more than half). West Virginia residents, the report states, do not receive credit for any sales or privilege taxes paid in other states; such residents have to pay the full privilege tax when applying for a West Virginia title and registration. Nearby states all provide such a credit to their residents.

Finance Subcommittee C

Brainstorming over Road Funds

The committee had a “brainstorming session” regarding the direction in which the committee should go for financing roads.

First on the agenda was a discussion of the fuel tax. This tax is composed of two sections: the first is a base rate of 15.5 cents per gallon and the second an additional rate of 5 cents, which is set to expire in August of 2007. Ideally, a combined rate of 20.5 cents per gallon would be instigated which would represent no incremental income but eliminate any statutory language mandating a roll back.

Furthering their conversation on generating revenue, the committee also considered increasing license fees and making up-front payments mandatory for driver’s tests.

The state Congressional delegation is in a position to offer greater support to West Virginia, which is of particular interest in relation to West Virginia’s ability to match (a set ratio of) federal funding, something the state has never failed to do.

The committee then heard from a representative from the Division of Highways who fielded questions regarding the spending of monies on road projects and the reauthorization of the nickel tax on gasoline. The representative said \$200 million would help the problems with the highways, but it would take \$300 to \$350 million to take care of everything.

Finally, the committee heard from the Executive Director of the Contractors Association of West Virginia who said that the “silver bullet” of raising the gas tax wouldn’t work anymore, that new ways of generating money would have to be introduced.

He suggested using savings that the state currently has, looking more closely at programs the state never used to fund (such as the courtesy patrol) as well as starting new programs.

Forest Management Review Commission

Sustainable Forestry Initiative in West Virginia

The Commission heard a report during the monthly interim meetings detailing the Sustainable Forestry Initiative (SFI) in West Virginia.



The Sustainable Forestry Initiative program is a comprehensive system of principles, objectives and performance measures developed by foresters, conservationists and scientists, that combines the perpetual growing and harvesting of trees with the protection of wildlife, plants, soil and water quality. There are currently over 150 million acres of forests in North America enrolled in the SFI program, making it among the world's largest sustainable forestry programs.

The Sustainable Forestry Initiative program is based on the premise that responsible environmental practices and sound business practices can benefit all stakeholders. In short, the SFI program provides a means for foresters, landowners, loggers, and wood and paper producers to satisfy the growing demand of the American people for environmentally sound forestry while still producing, at an affordable price, the forest products upon which people have come to rely.

Participation in the SFI program is available via full membership in the American Forest & Paper Association (AF&PA) or as an SFI program licensee. Members of the program in West Virginia include Alleghany Wood Products, Inc., Georgia Pacific Corp., Glatfelter, MeadWestvaco, New Page, Plum Creek and Weyerhaeuser.

The commission was told of the list of objectives the form the substance of the SFI program. They are: Broadening the implementation of sustainable forestry by employing an array of economically, environmentally and socially sound practices in the conservation of forests, including appropriate protection, growth, harvest and use of those forests using the best scientific information available; ensuring long-term forest productivity and conservation of forest resources through prompt reforestation, soil conservation, afforestation and other measures; protecting the water quality in streams, lakes and other water bodies; managing the quality and distribution of wildlife habitats and contribute to the conservation of biological diversity by developing and implementing stand- and landscape-level measures that promote habitat diversity and the conservation of forest plants and animals including aquatic fauna; managing the visual impact of harvesting and other forest operations; managing Program Participant lands of ecological, geologic, cultural or historic significance in a manner that recognizes their special qualities; promoting the efficient use of forest resources; broadening the practice of sustainable forestry by cooperating with forest landowners, wood producers, consulting foresters and Program Participants' employees who have responsibility in wood procurement and landowner assistance programs; publicly reporting Program Participants' progress in fulfilling their commitment to sustainable forestry; providing opportunities for the public and

the forestry community to participate in the commitment to sustainable forestry; and, promoting continual improvement in the practice of sustainable forestry and monitor, measure and report performance in achieving the commitment to sustainable forestry.

Government Organization Subcommittee A

ATV Safety

This committee is investigating the alarming rate of fatal All Terrain Vehicles (ATV) accidents in the state this year. At the time of the meeting 53 West Virginians this year have died in ATV accidents.

The State Police presented a list of recommendations for changes to the ATV regulations to protect riders. On top of the list was a request for lawmakers to ban all-terrain vehicles from all paved roads in West Virginia. The representative stated that it is said it is not unusual to see ATV riders on highways in Southern West Virginia, including four-lane Corridor G.

Other recommendations included mandatory helmets for all ATV riders. Only riders under age 18 are now required to wear helmets. Increased penalties for fleeing law enforcement to include mandatory jail time and impoundment of the ATV were also proposed. State Police would also like to require all ATVs to be titled and registered, and require that all ATVs display registration stickers.

Increase penalties for second- and third-offense ATV law violations, including jail time and vehicle impoundment for third-offense convictions. Stiffer fines were recommended in the proposed new law, not less than \$200 nor more than \$500 for a second offense. A third such crime would bring a fine of \$500 to \$1,000, jail time, and impoundment of the ATV. Also, under the State Police proposal, an adult must have a valid driver's license to haul passengers on four-wheelers designed for them.

The speaker for the State Police said that the existing ATV law, according to State Troopers around the state, simply isn't working, largely because police cannot enforce it. Only if a rider commits a felony, such as an armed robbery, will troopers give chase, rather than risk causing a fatal accident and expose the Department of Public Safety to liability.

Another proposal seeks to regulate ATV's statewide, rather than leave it in hands of local governments, saying this, likewise, has proven unworkable. According to the presentation, although some counties, such as Berkeley, have used local



authority to effectively regulate the vehicles, only about 10 counties are allowed to govern four-wheelers by having a planning commission.

State Police also want lawmakers to articulate clearly in statute that liability insurance isn't required by ATVs.

The representative also assured the committee that the State Police have no intention of hampering operations of the Hatfield-McCoy Trail.

Government Organization Subcommittee B

Sunset and Sunrise Study

The subcommittee, as requested by Senate Concurrent Resolution 72, discussed sunrise and sunset legislation processes. The sunrise process allows for the creation of professional licensure boards. The sunset process provides for automatic, regular reviews of state agencies by the Performance Evaluation and Research Division (PERD).

According to subcommittee staff, PERD currently reviews any requests for regulatory boards. However, the Legislature is still free to act regardless of PERD's report. One proposed change, the staff said, would be to force a vote on the report itself before allowing any vote on the creation of the board. This would ensure that members would read the report before creating a regulatory board that PERD may have recommended against.

Another key question is when such boards would be justified. The current law allows the creation of a board if the profession could cause monetary, emotional or physical harm to the public. However, a lobbyist addressing the subcommittee said this criterion was restrictive when compared to the 20 or so other states with sunrise laws. He suggested allowing boards to be created for any unique profession, thus broadening the scope of the law.

Staff also addressed the subcommittee about the sunset laws. The proposed sunset law would require PERD to review at least one executive department each year. Smaller departments might be combined in the same year. Within these departments, every agency would be reviewed as well. This process would include a cost-benefit analysis of privatizing the services provided by the agency under review. Sunset legislation would allow PERD to look at all agencies on a regular basis (once every eight years) and would include some agencies that have never been fully audited. The proposed system would not prevent any special requests for audits from legislators, the staff added.

Insurance Availability & Medical Malpractice Insurance Committee

State Physicians' Mutual Insurance Company

The President of the WV Physicians Mutual Insurance Company addressed the legislative committee to fulfill the requirements of State Regulations and the WV Code regarding its operations.

According to the required report filed with the committee, "West Virginia's medical malpractice insurance results display a tremendous improvement during the 2004-2005 year. Rate increases approved over the last four years, the passage of HB 101 and HB 2122 creating the policyholder owned WV Mutual Insurance Company have all contributed to the changed in the Medical Malpractice Liability results in WV." Rates, according to the President, are now coming down for a number of insurance writers.

In the two years, the physicians' mutual has increased written policyholders by 65 percent. The mutual has added the Board of Risk and Insurance Management's (BRIM) policyholders and closed over 100 of its outstanding accounts. It has added to the population of doctors in the state, including orthopedic surgeons. Its capital base has grown to \$150 million. And, its success will allow for a 15 percent reduction in rates by 2007, according to the President.

Originally financed by \$24 million in state dollars, \$3 million was added by doctors. Three million was also generated by insurance investment interest. The Mutual's president told lawmakers that all doctors could now receive coverage from a variety of agents throughout the state. In addition, the President said that all agents are welcome in the program.

In another matter before the committee, the Deputy Insurance Commissioner and Commission Actuary distributed a report on insurers with over five percent of the market share. The review of the five percent market share companies shows that five companies met the five percent threshold in 2005: WV Mutual Ins. Co., Lexington Ins. Co., Woodbrook Casualty Ins. Inc., NCRIC and Health Care Indemnity Inc. These five companies comprise 74.6 percent of the 2005 West Virginia Medical Malpractice written premium. The report detailed each company's market position.

According to the report, an analysis of WV Board of Medicine data revealed:

"Since 2001, the number of paid claims dropped by nearly 50 %. Roughly 31% of claims filed were dismissed. Over the 1st four years (2001 - 2005), the percentage of claims dismissed averaged 40%."



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Although the Physicians' Mutual is not required to repay the original \$24 million provided by the state until 2035, the President will take back to the Board a suggested "good faith" payment as recommended by the committee.

Joint Commission on Economic Development

Tamarack Brand

Tamarack, West Virginia's "focal point for showcasing the best of West Virginia products and people," according to material provided to the Economic Development Committee, has created opportunities for cottage industries throughout the state. With its goal to assist artisans via marketing, promotions and business packages, Tamarack also serves to enhance the image of West Virginia. To comprehend the impact the cultural showroom has on the economy of Southern West Virginia, lawmakers invited the Tamarack General Manager and the Executive Director of the Tamarack Foundation to address the legislative committee.

Tamarack is the largest economic development project of the West Virginia Parkways Authority, lawmakers were told. Having opened in 1996, the facility has hosted over 2,800 juried artists. From July 06 through October, sales on products amounted to \$4 million, while the food service has brought in \$3.8 million. Overall, Tamarack has generated up to \$70 million in sales in the last 10 years. Of its 5 million visitors thus far, 80 percent are from out-of-state.

The facility employs 149 people, of which 85 are full-time workers. According to Tamarack's general manager, the growing popularity of cultural arts has allowed for \$54 million to the state and 2,500 jobs for artists whose medium income rises 25 percent over the national average. Nationally, the sale of crafts throughout the nation generates approximately \$12 billion annually, the committee was told. Earnings of the artists should equate to their time, industry and intellectual creativity.

Tamarack takes pride in its quality products. Responding to a committee inquiry regarding limited numbers of affordable products, the general manager noted local purchases tended to lean toward food services and food products available as opposed to large ticket items, such as sculpture, gallery items or other tangible products purchased by out-of-state buyers. And, the spokesperson said, West Virginia is heavily vested in the Tamarack signature, as there is significant financial return on the brand, "Tamarack".

Further explaining the facility's funding mechanism was the Foundation Chair who noted that grants, fund-raising

events and private donations supplement dollars provided by the WV Parkway Authority. In receipt of \$250,000 from the Parkways, Tamarack Foundation obtained \$650,000 in grants and \$500,000 in private donations.

The reclassification of workers compensation benefits also allowed the Foundation to save additional dollars. Operationally, the facility has remained in the black financially but some years, such as 2005, may end in a shortfall. The 2005-year resulted in a \$50,000 decrease.

The adjoining conference center is paying for itself with bonds. Although it cost \$8 million to construct, it has generated approximately \$1 million a year.

At the close of the meeting, lawmakers requested additional figures on Tamarack's overall income according to categories, such as food sales, craft sales, numbers of artists by county, to name a few. In addition, since the Parkways Authority is the umbrella for funding, legislators are interested in reviewing its financial reports.

With the apparent successful economic impact the arts center provides to Southern West Virginia, the committee membership applauded Tamarack's contribution to the perception and development of the state as a whole.

Joint Committee on Technology

Information Technology Project Tracking

This committee heard a presentation from a representative of the Governor's Office of Technology about the failure of Information Technology (IT) projects. The office developed a project management template and reporting tool to track key IT projects. They are working with agencies and their Chief Information Officer's report the monthly status of these projects. The Governor's Office and the Legislature will receive status reports for projects that cost more than \$100,000.

To further a shared understanding of project concepts and processes, the Office of Technology is hosting a monthly project forum. While the forums to date have been focused on status reporting, future forums will focus on the processes and templates needed to support project initiation. This will include but not be limited to a project business case, project charter and stakeholder analysis.

Interim Meeting Schedule & Agendas
Please visit West Virginia Legislature's Web site:
<http://www.legis.state.wv.us/committees/interims/intcomsched.cfm>

Joint Legislative Oversight Commission on State Water Resources

Statewide Water Resource Studies

A representative from the Watershed Division of the West Virginia Conservation Agency updated the commission on statewide water resource studies. According to the speaker, these studies should contain comprehensive assessments of water quantity and quality, inventories of public water systems and public wastewater treatment systems, and water resource conservation.

According to the representative, such studies have been completed in Wetzell, Randolph, Hardy, Fayette and McDowell counties. Further studies, he added, are already underway in Morgan and Berkeley counties and are pending in Doddridge, Barbour and Jefferson counties. Counties that the speaker deemed priorities are those containing interstate highways and higher relative populations, specifically: Monongalia, Marion, Harrison, Lewis, Wood, Jackson, Putnam, Cabell, Kanawha, Raleigh, Greenbrier and Mercer.

The speaker told the commission that each such study takes 18 to 24 months to complete at a cost of about \$350,000. With 47 studies remaining, the speaker said it would take 32 years to finish all the studies at current staffing and pace. He recommended increasing staffing to help bring this time frame down to as low as eight years. This was a basic estimation that did not take inflation into account.

Joint Standing Committee on Pensions & Retirement

Update on Family and Senior Citizens Tax credits

As tax bills were on the floors of both legislative bodies during the 2nd Special Session of 2006 conducted in November, lawmakers heard a presentation from the state's Director of Fiscal Policy regarding the Family Tax Credit and the Senior Citizens Tax Credits

The Family Tax Credit's provisions were designed to eliminate any taxes on families living beneath the federal poverty guidelines. A bill passed during the special session, allows for a 100% exemption for those families. But, for the 2007 tax year those families would receive half of the credit to which they would be entitled.

The fiscal policy director also clarified the refundable property tax credit allowed for over 214,000 households who qualify for the homestead exemption. Another bill passed during the special session raised from \$10,000 to \$20,000 the amount of exemption on households providing a savings from \$100 to \$200 per homeowner.

In other matters, lawmakers were told the court decision on the merger of the Teachers' Defined Contribution Plan and Teachers' Retirement System remains under review of a Circuit Court Judge but were reminded that circuit court decisions usually are slow in coming because of the intense review involved.

Municipal Policemen and Firemen Pension Funds

Municipal Policemen and firemen's pension funds presently have an outstanding liability of approximately \$600 million. To determine the ways and means to correct West Virginia's city pension plans, lawmakers are presently exploring the feasibility of overseeing the plans, providing consistency in their managements and looking at the possibilities involved with investments. Their overall mission, according to the Chair is to find a way to help cities pay their unfunded liabilities. All of the suggestions were tied into city and state officials' communication and cooperation so that a fair and equitable solution to the liabilities for all cities could be crafted.

In past months, stakeholders have been conducting informal meetings whose findings will assure the Legislature of greater consistency among the pension plans.

Possibilities for aiding the cash-strapped towns include a suggestion of providing state matching dollars under certain circumstances. The dollars may be used to help a city decrease its contributions until its pension program starts on the right fiscal track. An idea proposed suggesting matching fund criteria concerned city real estate sales. A legislative inquiry was made regarding the feasibility of matching the cost of the city's sale with state funds, dollar for dollar, as one idea. Also, discussions brought up a suggestion to look at implementing a property transfer tax fee.

Other lawmakers suggested reviewing city plans who are in the black to use as an initial blueprint for consistency. Another idea provided during the committee related to devising investment strategies and setting goals and timelines.

"Spiking", the practice of enhancing city salaries prior to retirement, is also being reviewed although caps have been put in place in recent times.

Also in attendance at the pensions meeting was the Secretary/Treasurer of the WV Professional Firefighters Association. Providing professional insight into firefighters' plan, the secretary indicated that most plans, although varied, have actuarial firms as oversight. Investments are held if not enough money is available in the funds at certain times, the spokesman told the committee. In some instances, casualty premium taxes have been used to offset funds going into a pension plan.



The spokesperson noted that fire and police departments have been meeting their obligations but would like to invest from 50 percent to 60 percent of their accounts but would also like oversight in doing so. The increase in investment percentages was only permissive and not mandated by the Legislature. As such, the firefighter told the committee that not all jurisdictions have increased their investment capabilities. He said Class III cities are the only cities that have invested while Class II cities are having problems.

Cities can take advantage of working with the Investment Management Board (IMB) but also are under a set of strict restrictions. Consolidating the investments of the municipal entities could generate a greater return. Presently, assistance by the IMB could prove effective since city pension fiduciaries are not liable under law as are the fiduciaries of the IMB. The firefighter told lawmakers that each particular circumstance should be addressed specifically and prudent investors should be held accountable for the standard of care. Police officers and firefighters are not skilled in investment processes, the firemen said.

If allowing the IMB to invest city dollars were considered, then IMB officials would like to have more freedom in determining their investments since the board has proven itself efficient and professional, even investing in foreign stocks. Investments in international securities have proven successful by the IMB money managers.

Judiciary Subcommittee A

Divorce & Child Custody Laws

In compliance with House Concurrent Resolution 55, the subcommittee is making a general study into the state's divorce and custody laws. The resolution also requests a look at the impact on children of not being raised with a father. The subcommittee will report its findings to the Joint Committee on Government and Finance, which will then report to the full Legislature.

A law professor from West Virginia University said that the pre-divorce caretaking situation is the best basis for a successful post-divorce arrangement, which is how the current law assigns custody. The speaker argued against laws that would presume equal custody unless one of the parents is proven unfit.

According to the professor, such laws add to children's distress during the breakup of the family and make the custodial situation practically unworkable for most families. She cited research that suggests parents will usually revert to pre-

divorce arrangements and court orders will not reflect the reality of the situation.

An attorney who often represents low-income individuals and families said the system requires help, not the statutes. Mistakes in rulings arise, the speaker said, from the fact judges are overworked, not from problems with the laws. The speaker said the average family court judge in West Virginia handles 1,300 cases a year. This is above the national average of 900 and the recommended number of 600 to 900.

The attorney also added that the Legislature should be careful in making any changes to domestic violence laws. Even though there is the potential for false claims of sexual assault during divorce and custody proceedings, the attorney said the current law allows the fact that a woman made false claims to be used against her during the hearings.

A committee member, who recently attended a conference on the issue of child custody laws, also addressed the subcommittee. He said that "no-fault" divorces had led to a rise in the number of divorces and fatherless children. He called marriage a cycle of ups and downs; no-fault divorces just make it easy to get out during one of the down times, he said.

The delegate recommended the creation of a regular session subcommittee to investigate the issues of divorce and domestic violence laws. He also suggested mandatory penalties for perjury in the family law system in order to discourage false claims of sexual assault.

The group Men Against Discrimination provided literature and statistics about children growing up in fatherless homes. According to the report, such children are five times more likely to commit suicide, 32 times more likely to run away, 20 times more likely to have behavioral disorders, 14 times more likely to commit rape, nine times more likely to drop out of high school, 10 times more likely to abuse chemical substances, nine times more likely to end up in a state-operated institution, and 20 times more likely to end up in prison.

The subcommittee also heard an update from the commissioner of the state Bureau of Child Support Enforcement (BCSE). The speaker said BCSE is above the national average in five key performance categories: paternity establishment, establishment of support obligation, collection of current support, collections on past due support and cost effectiveness.

The speaker added that the state reached a high point in uncollected arrearages in 2004, with over \$812 million being owed to families and the state, but since then, the number has dropped to around \$767 million. While most of cases



with arrears owed less than \$5,000, she said, there were 46 cases that owed more than \$200,000.

Sunday Liquor Sales

Besides the issues with divorce and custody laws, the subcommittee continued its investigation into Sunday liquor sales. The lawmakers received a policy analysis from the Distilled Spirits Council of the United States saying that West Virginia underperforms in liquor sales when compared to neighboring states that allow Sunday sales. The analysis said the state could earn about \$1 million in new sales tax revenue as a result of allowing Sunday sales.

Representatives from Mothers Against Drunk Driving and the West Virginia State Police said their respective organizations have no position on the issue of Sunday sales.

Judiciary Subcommittee B

Impact of Coal Slurry Injections

Continuing its study into the health and environmental impact of coal slurry injections, the subcommittee once again heard from scientists and other experts about the issue. Coal slurry is the result of the coal refining process. After coal companies are done cleaning and breaking up the coal, the wastewater that is produced is injected into old underground mines in order to dispose of it. There is considerable debate as to whether this slurry has contaminated drinking water supplies in several West Virginia counties, especially Mingo County.

A representative from the state Department of Environmental Protection (DEP) told the committee about the Groundwater/Underground Injection Control (UIC) Program of the department’s Division of Water and Waste Management. The representative told the committee that it is unlikely for slurry to reach any drinking supplies. According to the speaker, most abandoned coal voids used for injection sites lie deeper than wells used for drinking water. He added that the flow of water is restricted in the injection sites, so that any particulate drops out and remains on the floor of the mine.

In order to receive a UIC permit, a company must meet stringent standards and go through a very thorough process, the speaker said. This includes a laboratory analysis of the mixture to be injected and an assessment of each chemical used in the process that produces the coal waste. A permit will not be issued if kerosene, diesel fuel or other certain substances are used. The permit also must contain a restrictive list of all substances found in the waste.

Once the UIC permit is granted, the representative said, the company may use the injection site so long as they stay in compliance with the terms of the permit and monitor the injected material. Usually, this means monthly sampling to make sure the water meets Federal Safe Drinking Water Act limits and quarterly reporting of any other chemicals that warrant monitoring. However, the representative said private wells near injection sites are not tested regularly.

The speaker also stressed that if an abandoned mine is being used as a drinking water supply, the DEP will not allow injection into that mine. He added that no mine within a quarter-mile of a water supply could be used for injection. As to what caused the contaminated well water the subcommittee heard about (and saw) last month, the speaker said it could have been caused by over- or underground mines or by improper well maintenance.

A geochemist from the United States Geological Survey spoke to the subcommittee about the chemical composition of coal slurry. He said slurry has been known to contain excess amounts of certain metals (iron, magnesium and sodium), sulfates, ammonium and toxic organic compounds. These organic compounds have been linked to Balken endemic nephropathy (BEN), a severe kidney disease. According to the speaker, long-term exposure to even low levels of toxic organic compounds has been linked to BEN. There have also been studies that link these compounds to renal pelvic cancer, he said.

A representative from the state Bureau for Public Health presented the subcommittee with several presentations that were given at an underground injection workshop held in Morgantown last summer. Scientists and industry experts from around the region and the country presented findings regarding the issue of coal injection. Many provided detailed explanations of the coal cleaning and waste disposal processes. The workshop also covered the topic of how to successfully prevent leakage into public water supplies.

The subcommittee will continue to look into the issue at the December interims, when the members plan on hearing from representatives from the coal industry.

Judiciary Subcommittee C

Contact Lens Anti-litigation

Representatives from the state Attorney General’s office, the WV Optometric Association and general contact lens retail sales businesses addressed the Judiciary Subcommittee, which is presently reviewing Senate Concurrent Resolution



73. Adopted by the Legislature during the 2006 Regular Session, the resolution calls for a study relating to the feasibility of putting into law consent decrees regarding the disposable contact lens antitrust litigation.

While the contact lens litigation was settled in 2001 and brought price competition to the contact lens market, the settlements are set to expire in 2006. The settlement called for patients to be provided with their contact lens prescriptions following an examination by an optometrist so the patient/consumer could comparison shop for lens prices.

The spokesman from the Attorney General's office gave a brief background regarding the history of the litigation. According to the representative, since 1936, glasses could only be purchased from the office of a patient's optometrist. In 1973, the Federal Trade Commission adopted an eyeglass rule, which would allow patients to purchase glasses from eyeglass retailers. In 1988, disposable contact lenses were invented. Eye Care Practitioners (ECPs) began to prohibit the release of contact lens prescriptions to patients. In 1989, the Board of Optometry qualified the prescription as "medical information" and called for a release of the information to the patient. However, the board later reversed its ruling. In 1999, Attorneys General in 32 states brought suit against contact lens manufacturers.

The case took seven years and costs approximately \$7 million in cash. The American Optometric Association declared that purchasing any brand of contact lens has no causal evidence of incorrect fittings.

To date, manufacturers (Bausch and Lomb, Johnson & Johnson, etc.) do sell "Doctor only" lenses, which are solely provided to doctors. The state Attorney General's counsel stated that he wasn't familiar with the reasons for doctor-only lenses.

Since the committee is seeking solutions in dealing with the sale of disposable contacts, the Attorney General's spokesman suggested that legislation may be drafted to prohibit ECPs from selling contacts at all. He compared the practice as similar to a scenario of physicians selling prescriptions within their offices.

Opposing the prohibition of ECPs requiring patients to purchase on certain brands of contacts was the Immediate Past President of the WV Optometric Association. The practicing optometrist noted the proposed legislation allowing contact lens wearers who have a valid prescription to purchase their lenses from their retailer of choice puts into law the requirement that manufacturers must open their markets to all purchasers, including giant retail chains and internet distributors.

He believed that legislation should come from the federal level since it may appear to regulate interstate commerce.

In addition, the physician said that certain prescriptions fit only certain brands. The eye care provider noted that limited distribution studies show the practice of limiting is good because of the attached expiration dates.

The third stakeholder in the debate said the class action contact lens case opened the channels to allowing for alternative sources. She said the anti-trust assertions were that a sense of conspiracy was going on between the major contact lens manufacturers and the ECPs. She believed alternative distributors felt they were being left out of the loop of sale.

Upon hearing from all attending stakeholders, lawmakers expressed concern with the courts calling for manufacturers to sell to certain entities. Others inquired as to why some patients cannot wear one brand but are suited for another and asked the ECP how a doctor determines which manufacturer to use. Other members of the committee expressed concerns about controlling a sales market. Because of the complexity of the issue, lawmakers will continue to discuss the proposed legislation.

LOCHHRA

Year-end Updates from Medicaid and CHIP

The Legislative Oversight Commission on Health and Human Resources Accountability (LOCHHRA) heard the year-end updates from Medicaid and CHIP from the Deputy Commissioner for the Bureau for Medicaid Services and the Director of West Virginia CHIP, respectively. Reports were handed out from both offices detailing the budgets and expenditures.

The Medicaid report includes what state funds would be needed for pharmacy expenditures had federal funds not been included. The representative reported that prescription drug expenditures went down by approximately \$18 million per quarter for the last two quarters of 2006.

The representative from CHIP reported that they are planning for the expansion to go forward, that WV WORKS cases (for both children and adults) have increased from August and that they, as a program, are 14% under budget.

Perinatal Wellness Study

According to the Chairman of the Department of Obstetrics and Gynecology from Joan C. Edwards School of Medicine at Marshall University, the Perinatal Wellness Study funded by



the Benedum Foundation indicates West Virginia met most of the benchmarks of perinatal care outlined in the study. However, there is an increase in infant mortality, low birth rates, premature infants and caesarian births. And, the department chairman noted 56 percent of births are financed by the Public Employees Insurance Agency (PEIA) or Medicaid.

The perinatal study was conducted from Jan.- Sept. 2006 among 33 partnering associations and 250 perinatal professors. According to the findings, 54 percent of all perinatal cases were turned down because there were no infant beds available, transfer arrangements to and from hospitals are over-complicated and burdensome, and regionalism of services inhibits greater accessibility for health care.

To hurdle these existing obstacles, the MU Medical School dean suggested developing a statewide communication and support system, requesting the increase of infant intensive care units from the West Virginia Health Care Authority and creating a central clearinghouse, which would provide information necessary for expedited transfers.

Doctors of gynecology and obstetrics have increased in number in the last 10 years but are limited in out-lying and rural populations, the dean told the committee. And, the midwifery program which initially had five mid-wives certified growing through the years to 40 individuals certified is no longer operational because of the lack of state funding. Dollars supporting the certification were provided through grants that are no longer available.

Other problems associated with perinatal health care include the growing rate of caesarian births which oftentimes contribute to low birth rates, the small number of in-home visits which are beneficial to new mothers as well as their newborns, and few screening procedures applied to detect newborn deficiencies or diseases.

The legislative committee also was informed of issues affecting health care for pregnant women. According to the findings of the perinatal study, 27 percent of pregnant women smoke and the rate of drug abuse in pregnant women is becoming a problem for every facility in the state. Heroin and methadone abuse result in additional care of babies born to abusers. While the health care facilities provide detoxification programs for women, babies also are removed from the women until the mother proves drug-free. Some lawmakers suggested prenatal detoxification without a criminal charge attached so that women who are pregnant and addicted would come forward for help prior to the births of their babies.

Also, the physician told the committee, breast feeding must be encouraged so that newborns have the opportunity to

draw from the mother's immunity system while receiving the nourishment provided in breast milk. Other educational measures should include work place programs since 35 percent of women in the workforce become pregnant during their employment, the doctor noted.

The committee's agenda also included a discussion regarding early detection of diseases or deficiencies in newborns. Speaking before the legislative committee was the Director of Program Services for the March of Dimes who promoted testing for 29 disorders including metabolic and hearing deficiencies. West Virginia is one of eight states that currently tests for 10 disorders.

The 29 disorder screenings are approved and supported by the American College of Genetics which is committed to raising awareness, community services and improving the health of newborns overall. The speaker noted that if early diagnoses are made then some conditions could be prevented. The March of Dimes requested consideration of proposed legislation expanding newborn screenings for metabolic disorders.

LOCWIED

Chancellor's Update

The Legislative Oversight Commission on Workforce Investment for Economic Development (LOCWIED) heard a monthly update from the Chancellor for Community and Technical College Education. The chancellor presented a request for new and expanded community and technical programs. This report was compiled with help from several industrial employers. The requests for expanded programs would increase enrollment by around 1,100 and would cost an extra \$5.5 million. The new programs requested would have an estimated enrollment of around 200 with a cost of almost \$2.2 million. These programs all would provide new jobs averaging more \$19 per hour in industries such as power plant technology, network system administration, diesel technology, welding technology, and mine electrician.

Legislative Oversight Committee on Regional Jail and Correctional Facility Authority

Home Confinement Improves

The Committee heard from four presenters, all in relation to home confinement and prison systems.

First up was the Executive Director from the Northern Panhandle Community Criminal Justice Board who presented



the committee with information on various kinds of tracking systems for those on home confinement. Tracker Pal uses GPS technology to track an offender 24 hours a day. It uses 6 satellites that take readings every five minutes. This item also creates an historical log, which makes available the offender’s past whereabouts easily accessible, should they be needed.

This technology is beneficial for the monitoring of those on home confinement who are allowed to leave their homes as it allows for their location to be monitored throughout the day-- where a normal tracking device would only be able to tell if the wearer had left his/her home.

The tracking program also allows for “no zones” to be inserted, which alarms surveillance teams to places the offender is not permitted to go. This has been used widely in its applications as a means of keeping sex offenders from entering school zones or other places with large numbers of children. This GPS device costs roughly \$7.50 a day to run, compared to \$2.50 a day for the traditional home incarceration unit.

The director also presented another similar device, which is used for the monitoring of alcohol offenders called a SCRAM unit. Strapped around the ankle, the device sucks in air at predetermined times throughout the day and, through the sweat of the wearer, it is able to ascertain his/her blood alcohol level.

The Executive Director of the Mercer County Day Report Center reported information on his experiences with similar devices used in monitoring home confines.

Another benefit of this technology, he pointed out, is that offenders can be monitored from anywhere in the world, provided the monitor is in possession of a laptop. Also, the program can be set to buzz whenever the offender is leaving a certain area or entering another one.

Aside from the technological innovations, the Director listed several programs that their Center offers, such training for those with problems with alcohol, their jobs and families, etc.

Because of all of these systems of monitoring and rehabilitation, the Director said, seven major construction companies hire from those in this program. Mercer Co. has also been able to reduce their prison expenditures by \$20,000-\$30,000 as more offenders are diverted to pre-trial home confinement.

The Director ended by saying that of the 649 people who have been in this program, 7 have committed a crime while on it, the most egregious of which was the theft of a post hole digger from a resident’s back yard.

The Committee also heard from a representative from the Division of Corrections who reported on estimated prison populations. WV currently has 5,600 prisoners and by 2014 there will be 6,900 hundred, he said. He also asked the committee that if prisons have yearly assets over \$1.5 million that they be allowed to retain those funds in their own account so as to further the building of a new prison, instead of turning those monies over to the state.

Finally, the committee heard from the Executive Director of the Regional Jail and Correctional Facility Authority who presented information in response to previous questions from the committee. The Director presented information on committees that were formed to study the topics of work release and medical costs for prisoners and pre-trial diversion, among others.

The Director also reported on the Tygart Valley Regional Jail and was asked by the committee about the alleged misuse of overtime. The Director resolved to look into the matter further to determine the proper course of action.

Parks, Recreation & Natural Resources Subcommittee

Deer Outlook and Chronic Wasting Disease

This committee heard a report from a representative from the West Virginia Department of Natural Resources (DNR) regarding the outlook for deer hunters this year as well as an update on instances of Chronic Wasting Disease (CWD) in West Virginia.

This year has been a good year for mast conditions, which in turn translates into a wider distribution of food. Spread-out food supplies mean deer hunters likely aren’t going to get as many shots in open fields as deer will not have to go far to find food sources in a season expected to witness smaller overall deer kills.

The DNR expects a larger buck kill, but fewer does, leading to an overall harvest below last year’s kill of about 135,000. West Virginia’s bucks-only firearms season, spread over two weeks, opens Monday, November 20, traditionally embracing the Thanksgiving weekend.

Updating lawmakers on Chronic Wasting Disease, an always-fatal neurological disorder that affects whitetail deer, elk and mule deer, the DNR representative said testing of carcasses since the first sign of CWD appeared in a deer in the state has shown no incidence occurring outside Hampshire County.

The first instance of CWD surfaced in Hampshire County in



September 2005, and since then, eight others have tested positively, but none in deer taken by hunters. The representative stated that the CWD appears to be very tightly confined in a portion of Hampshire County. As part of the response team’s approach to deal with CWD, the representative stated that a new rule would be examined during the 2007 legislative session. Emphasis is being placed on de-boning animals and disposing of carcasses in an acceptable manner.

Also, the representative remarked that West Virginia ranks fifth or sixth in the sale of non-resident hunting licenses and reaps a \$233 million windfall in economic activity. For those reasons the DNR is cooperating with other states to guard against an outbreak of CWD.

Select Committee A - Children, Juveniles, Other Issues

In-state Placements & Abuse Database

The Chief Justice of the West Virginia Court of Appeals presented information regarding the care and placement of abused and neglected children, marking the first time any Supreme Court Justice has presented at any committee meeting.

In what the Justice said has been called, “The Year of the Child” she stressed the importance of continued funding for the Court Improvement Package which will help judges better render decisions on how to deal with these cases as well as help to determine why more lawyers aren’t available to facilitate these processes.

The justice said that continuing a staggered series of grants will help to insure “permanency and stability” for children’s living conditions and hopes that moving these programs forward will fix any loopholes they have.

The committee also heard from, among others, the West Virginia Department of Health and Human Resources Secretary whose presentation focused on increasing the placement of children inside the state of West Virginia, something that has increased due to the cooperation of this department, he said.

The Secretary also said they will continue to study how to improve infrastructure so as to continue to increase in-state placements for children as they attempt also to standardize the way children are assessed and evaluated in their situations in an increasingly myriad of ways.

The secretary reported the increased funding has allowed them to increase their staff, reducing their turnover rate and lowering caseloads, though the latter still remains high.

All presenters were pleased with the database they have been able to compile regarding those convicted of child abuse and neglect (similar to the sex offenders’ database) which helps in establishing the types of situations that can lead to these problems.

Select Committee B - Minority Issues

Disadvantaged Business Resolution

The committee heard from no speakers and discussed the difficulty in achieving any tangible goals before the regular session begins, given the amount of time they have left. Several options were explored, including extra meeting times before session, meeting during session and forming a subcommittee from existing members due to the hindrance presented by losing members after the election and its effect on their legislative momentum.

In their discussion of the Disadvantaged Business Resolution the committee seemed in agreement that they need to hear from those actually in small businesses, regardless of their race, to better gauge how best to serve minority entrepreneurs. In so doing the committee needs the definitions of a disadvantaged business from both the Department of Highways and the Federal Government.

Select Committee C - Infrastructure

Broadband Connectivity and Dam Safety

This select committee met in November to discuss two issues relating to House resolutions that were passed during the last regular session.

The first, House Concurrent Resolution 57 requests that the Legislature, in conjunction with the Department of Environmental Protection, study the feasibility of a state dam safety rehabilitation fund.

In authorizing this study the Legislature found that deficient high hazard potential dams do not meet state compliance standards resulting in the likelihood of the loss of life or property if the dams are compromised over time or during a major storm. Also, it was determined that the Department of Environmental Protection is tasked with the regulation and supervision of dams in this state in order to protect public health, safety and welfare.

A representative from the Department of Environmental Protection stated that they maintain a list of deficient dams that



requires updating by means of inspections, evaluations and calculations. The DEP also maintains a Dam Safety Program, which has as its goal to protect lives and property from the danger of a dam failure. Public safety is accomplished by ensuring that dams are constructed, maintained, operated or removed in a safe manner. Program activities include inspections of existing dams and dams under construction, review of design plans, and response to emergencies.

The committee is also studying the availability and connectivity of broadband services and networks in this state, as requested in House Concurrent Resolution 102.

The resolution asked the Legislature to undertake a study of the availability and connectivity of broadband services and networks in this state and to appoint a connectivity advisory committee to develop a statewide broadband policy, map private and public broadband data networks in West Virginia and develop a catalogue of resources for communities and counties seeking broadband services.

In studying this issue, the committee must consider that in building and improving the infrastructure of this state, access to broadband services for all communities is vital and access to the Internet and high-speed broadband services is largely nonexistent in many areas of the state reducing the chances of communities to attract and retain business and high paying employment.

Currently, there is no state policy or concerted effort to achieve broadband connectivity throughout the state and it is essential to the viability of many communities that all communities in this state have access to broadband connectivity.

Toward that goal, staff counsel presented the committee with draft legislation regarding a statewide broadband policy, which includes a broadband advisory council who will be charged with preparing a map of private and public broadband data networks in West Virginia. The council will also develop a catalogue of resources for communities and counties seeking broadband services and make recommendations on the status of broadband access in this state.

The committee will review the draft and make any suggested changes for the next meeting in December.

**2006 - 2007
Interim Committee Meeting Dates**
December 10 - 12
January 7 - 9, 2007
Note: All dates are subject to change.

Bill Status
For bill history information and full bill text of all Legislation from the 2006 Regular Session, please go to the West Virginia Legislature's Web site: <http://www.legis.state.wv.us> and select the "Bill Status" link.

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