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Legislative Action Report

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LEGISLATIVE UPDATE – March 15, 2010

The West Virginia Legislature completed its 60-day Regular Session on March 13, with a significant number of bills dying in committee, many due to their lack of merit, others due to their cost/the economy, and still others due to their sensitive nature during an election year. The Senate and House completed legislative action on 217 bills. **The status of bills that remained active on our watch list is noted in bold.**

S.B. 183 – By Senator D. Facemire – The purpose of this bill is to prohibit diesel powered motor vehicles from excessive idling; to provide exceptions to idling restrictions; to establish a misdemeanor offense of excessive idling; to provide criminal penalties; and to provide enforcement by DEP. WVFB MONITORING. Bill passed the Senate, presently in House Roads and Transportation, then Judiciary. **Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

S.B. 225 – By Senators Kessler, Snyder, Barnes, Stollings and Laird – Bill creates the spay neuter assistance fund. WVFB OPPOSES (funding mechanism targets agriculture). Bill passed the Senate, presently in House Agriculture, then Judiciary. **Update – Died in House Agriculture.**

S.B. 236 – By Senator Williams – Aquaculture Development Act. WVFB SUPPORTS. Bill passed the Senate, House Agriculture, presently in Judiciary. **Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

S.B. 239 (Authorizing DEP to promulgate a legislative rule relating to Requirements Governing Ground Water Standards), S.B. 277 (Authorizing DEP to promulgate a legislative rule relating to the National Pollutant Discharge Elimination System Program/NPDES), S.B. 278 (Authorizing DEP to promulgate a legislative rule relating the Water Pollution Control Permit Fee Schedules), S.B. 280 (Authorizing DEP to promulgate a legislative rule relating to Monitoring Wells) and

S.B. 281 (Authorizing DEP to promulgate a legislative rule relating to Monitoring Well Design Standards) – WVFB MONITORING. **These bills were bundled in a DEP rules bill, S.B. 273**, which passed the Senate, House Judiciary, and is presently on 1st Reading in the House. **Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

S.B. 369 – By Senators Minard, Green and Helmick – The bill modifies the definitions of “shallow” and “deep” wells to allow a shallow well to be drilled deeper and provide clarity to both definitions. WVFB MONITORING. Bill passed the Senate, presently in House Judiciary. **Update – Bill was amended into H.B. 4513 and died in conference.**

S.B. 401 – By Senators McCabe, Wells, Prezioso, K. Facemyer, Boley, Plymale, Fanning, Minard, Edgell and Jenkins – Bill addresses ad valorem property taxes. WVFB MONITORING. Committee Substitute passed Senate, presently in House Finance. **Update- Completed legislation on 3-13-10 and awaits Governor’s signature.**

S.B. 505 – By Senator Fanning – Bill updates the Sediment Control Act, including an exclusion for ten acres or less of privately-owned land, establishing biennial licensure and fee, and making technical corrections. WVFB MONITORING. Bill passed Senate, presently in House Government Organization, then Finance. **Update – Died in House Finance.**

H.B. 2561 – By Delegates Sobonya, Stephens, Rowan, Morgan, C. Miller and Reynolds – The bill provides that an applicant for a farm use exemption certificate may not be required to appear before any assessor for renewal. WVFB SUPPORTS. The bill passed the House, presently in Senate Transportation and Infrastructure, then Judiciary. **Update – Amended into S.B. 698** (Bill originating in Senate Finance relating to modifying the exemption for registration and certificate of title requirements for implements of husbandry to include mini-trucks; and increasing the mileage distance for transporting fixtures attached to implements of husbandry from 25 to 35 miles.) **and legislation was completed on 3-13-10 and awaits Governor’s signature.**

H.B. 4099 – By Delegates Brown, D. Poling, Miley,

Talbott, Overington and Sobonya – The bill authorizes the Department of Health and Human Resources to promulgate a legislative rule relating to Grade “A” Pasteurized Milk. WVFB SUPPORTS. Companion bill in the Senate was bundled in a DHHR rules package, S.B. 286, and passed the Senate, presently in House Judiciary. **Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

H.B. 4064 (Authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to Animal Disease Control, similar to S.B. 241 on our list), 4065 (Authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to Integrated Pest Management Programs in Schools and Child Care Centers and Facilities), H.B. 4066 (Authorizing the Commissioner of Agriculture to promulgate a legislative rule relating the WV Shellfish), H.B. 4077 (Authorizing the Conservation Agency to promulgate a legislative rule relating to the Operation of the WV Conservation Committee and Conservation Districts) and H.B. 4224 (Addresses best management practices for land application of waste products) – WVFB MONITORING. **These bills were bundled in a rules bill, H.B.4108, which passed the House and is presently in Senate Judiciary. Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

H.B. 4104 – By Delegates Brown, D. Poling, Miley, Talbott, Overington and Sobonya – The bill authorizes the Commissioner of Highways to promulgate a legislative rule relating to the Use of State Road Rights of Way and Adjacent Areas. WVFB MONITORING. **Companion bill in the Senate was bundled in a Department of Transportation rules package, S.B. 291, and passed the Senate, presently in House Judiciary. Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

H.B. 4110 – By Delegates Brown, D. Poling, Miley, Talbott, Overington and Sobonya – The bill authorizes DNR to promulgate a legislative rule relating to Deer Hunting. WVFB MONITORING. Bill passed the House, presently in Senate Judiciary. **Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

H.B. 4144 – By Delegates Morgan , Stephens, Swartzmiller, Talbott, Hartman, Givens, Martin, T. Walker, Rowan, C. Miller and Manypenny – Bill updates the law governing the practice of veterinary medicine. WVFB MONITORING. Bill passed the House, presently in Senate Government Organization. **Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

H.B. 4201 – By Delegates Eldridge, Butcher, Stowers, Louisos, Border, Lawrence, Williams, Varner, Evans and Kominar – The bill establishes a Livestock Care Standards Board to prescribe standards for livestock care and well being that endeavor to maintain food safety, encourage locally grown and raised food, and protect WV farms and families. WVFB SUPPORTS. Bill passed the House, presently in Senate Agriculture, then Government Organization. **Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

H.B. 4407 – By Delegates Guthrie, Butcher, and Manypenny – Bill updates the law regarding rabies vaccinations of dogs and cats. WVFB MONITORING. Committee Substitute passed House, presently on 2nd Reading in Senate. **Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

H.B. 4513 – By Delegates Manchin, Beach, Caputo, Fleischauer, Iaquina, Longstreth, Mahan, Manypenny, Marshall and Perdue – Bill establishes requirements relating to water used in Marcellus gas well drilling operations. WVFB MONITORING. Bill passed House, presently in Senate Natural Resources, then Energy, Industry and Mining. **Update – S.B. 369 was amended into this bill and died in conference.**

H.B. 4524 – By Delegates Martin, Kominar, Reynolds, D. Walker and Morgan – Bill provides uniformity in the definitions of all-terrain vehicles and includes a definition for recreational off-highway vehicles. WVFB MONITORING. Bill passed House, presently in Senate Transportation and Infrastructure. **Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

H.B. 4527 – By Delegates Morgan, C. Miller, Canterbury, Williams and Campbell – Bill limits the liability of apiary owners and operators. WVFB MONITORING. Bill passed House, presently in Senate Agriculture, then Judiciary. **Update – Completed legislation on 3-13-10 and awaits Governor’s signature.**

