Bruce Walker, HEPC Counsel, has compiled this list of viable bills which, as of this moment, still with the possibility of being passed in this legislative session.  Highlighted are those bills that the ACF is watching.  If you have strong thoughts about any, you should contact your legislators. They respond best to phone messages left with staff, but to do both email and phone is likely best.

Local legislators:

on education

name capitol phone email committee ?

Senate 8th Corey Palumbo 304-357-7880 corey.palumbo@wvsenate.gov

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House 30th Bonnie Brown 304-340-3106 bonnie.brown@wvhouse.gov

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Danny Wells 304-340-3287 danny.wells@wvhouse.gov

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House 32nd Tim Armstead 304-340-3240 armstead@mail.wvnet.edu x

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**HIGHER EDUCATION BILLS**

**QUICK CHEAT SHEET**

**March 1, 2012**

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| --- | --- | --- | --- |
| **Bill No.** | **Sponsor** | **Summary** | **Comments** |
| **HB 2402** | **Fleischauer, et al** | **Redefining the term "public record" as it is used in the Freedom of Information Act** | **Broadens the definition of what a public record is under the FOIA. Passed House. In SJ.** |
| **HB 2657** | **Campbell, et al** | **West Virginia Religious Freedom Restoration Act** | **State agencies not to take any action that would substantially burden a person’s free exercise of religion. Passed House. In SJ.** |
| **HB 4078** | **Poling, et al** | **Extending certain deadlines for mandated actions regarding higher education personnel** | **Extends certain deadlines that were set by SB 330. Amended to change the snapshot for calculating the target for full funding of the salary schedule from October 2010 to October 2011. Amended by SE to give WVNET direct access to institutional databases. In Conference.** |
| **HB 4101** | **Perry, et al** | **Authorizing teacher-in-residence programs for certain prospective teachers in lieu of student teaching** | **Teacher education programs to enter into agreements with county boards for this alternative certification process. Passed House. In SE.** |
| **HB 4122** | **Perry, et al** | **Relating to alternative programs for teacher education** | **SBOE to adopt a legislative rule regarding the alternative program. Persons not meeting teacher educational requirements could get 1 year certificates and renew them twice. Are for positions counties cannot fill. Passed Senate. House asked to concur.** |
| **HB 4126** | **Poling, et al** | **Authorizing a rule for the Higher Education Policy Commission regarding tuition and fees** | **Authorizes HEPC and Council legislative rules adopted this past year. Passed House. On Senate floor.** |
| **HB 4261** | **Fleischauer, et al** | **Relating to review of state administrative agency rule-making** | **Provides for “provisional legislative rules” that are required by law but would only be in place till a permanent rule was in place. Have to file within 6 months of close of public comment. Not in higher ed rule-making section but could get pulled in. Passed House. In SJ.** |
| **HB 4263** | **Barker, et al** | **Procurement of Domestic Products Act** | **Requires all public purchasing offices give preference to products manufactured in U.S in the construction of public buildings. Waivers can be obtained by contractor from agency based on certain factors but agency must then file justification in State Register and receive public comment. Passed House. In SF.** |
| **HB 4438** | **Perdue, et al** | **Provider Sponsored Network Act** | **Allows DHHR to assign Medicaid recipients to provider sponsored networks. Passed House. In SJ.** |
| **HB 4475** | **Skaff, et al** | **Reducing federal adjusted gross income for recent graduates of higher education institutions** | **$1,500 could be deducted by recent graduates for two years. Passed House. In SED then SF.** |
| **HB 4481** | **Hatfield, et al** | **Relating to the Comprehensive Behavioral Health Commission** | **Each Dean of the Medical Schools to nominate 3 persons for selection to Commission by Governor. Passed House. On Senate floor.** |
| **HB 4511** | **Cann, et al** | **Creating the Shale Research, Education, Policy and Economic Development Center at West Virginia University** | **Creates Center at WVU. Appropriation to be made separately. Passed House. In SF** |
| **HB 4613** | **Boggs, et al** | **Relating to development of broadband infrastructure and broadband deployment in this state** | **Creates a 5 member Advisory Committee on Broadband Middle Mile Matters. WVNET Director is one. Passed House. In STI then SF.** |
| **HB 4645** | **Manchin, et al** | **Changing the membership requirements for a board of governors** | **Allows elected county officials and county board of education employees to serve on the BOGs of HEPC institutions. Passed House. In SE.** |
| **SB 36** | **Klempa** | **Relating to disclosure requirements for public construction contracts** | **Successful bidding contractors on public projects of the Dept. of Administration  of over $500,000 must provide list of subcontractors who will do at least $25,000 work within 24 hours of bid opening. Passed Senate. In HJ.** |
| **SB 76** | **Unger** | **Relating to requirements for new facility projects of public agencies and projects receiving state funds (FN)** | **Requires ICC International Energy Code to be followed on all projects that have not entered the schematic design phase by July 1, 2012. Passed Senate. In HGO then HF.** |
| **SB 110** | **Unger** | **Expanding powers and duties of Broadband Deployment Council** | **Council to promote distance education and encourage all public bodies to stream their meetings on the internet. Council to also explore potential increase in use of broadband for education, career readiness and workforce preparation. Passed Senate. In HF.** |
| **SB 145** | **Unger** | **Providing student's silence or inaction is not assent to health insurance coverage offered by higher education institution** | **If a higher ed BOG requires students to have health insurance coverage the student can opt out if they have their own independent coverage and will not have to pay a fee set by the BOG to obtain coverage. Passed Senate. In HBI then HE.** |
| **SB 183** | **Kessler, et al** | **Increasing penalties for assault and battery on athletic official** | **Includes referees and coaches. Penalty increased from 24 hours to 30 days jail to 10 days to 12 months. Passed Senate. In HJ.** |
| **SB 211** | **Kessler, et al**  **(By Request of Exec.)** | **Creating secondary traffic offense for texting or using wireless communication device while driving** | **No texting or use of other than a hands-free wireless device in a vehicle. Texting is primary violation. Other devices are secondary violation. $50 first violation. Passed Senate. In HJ.** |
| **SB 367** | **Williams, et al** | **Relating to liability of real property possessor for trespasser harm** | **Owner only responsible in certain situations. Passed Senate. In HJ.** |
| **SB 385** | **Unger, et al** | **Expanding definition of "computer" in commission of certain crimes** | **Expands it to all types of devices that store data or transmit it. Passed Senate. On House floor.** |
| **SB 404** | **Wills, et al** | **Relating to issuance of barrister's teaching certificate** | **Lawyers in good standing could teach on a volunteer basis certain curricula in K-12. Passed Senate. In HJ.** |
| **SB 408** | **Jenkins, et al** | **Creating criminal offense for intentional defacement of public and private property** | **Fine of up to $10,000 depending on value of property defaced.  Passed Senate. In HF.** |
| **SB 414** | **Kessler, et al** | **Expanding definition of "medical services applicant" under Volunteer for Nonprofit Youth Organizations Act** | **Bill last year allowed certain medical practitioners to perform volunteer services at the new Boy Scout Center without getting state authorization. Group of practitioners expanded by this bill. Passed Senate. In HJ.** |
| **SB 436** | **Plymale, et al** | **Facilitating collaboration between public school and higher education systems to promote seamless curricula** | **BOE to provide adult basic education at each CTC with developmental services in cooperation with CTC Council. Establishes EDGE program with goals of aligning junior and senior high school years with CTC programs. BOE and Council to adopt joint legislative rule.  Administered by BOE. Establishes Collaborative Degree Completion Program to be adopted by each CTC consortia district in relation to vocational education. Sets out duties of CTC under Program. Joint Committee on Government and Finance to create select committee on outcome-based funding models. Passed Senate. In HE.** |
| **SB 437** | **Kessler, et al**  **(By Request of Exec.)** | **Relating generally to substance abuse** | **Multi-pronged bill dealing with substance abuse. Drug diversion training required for all medical practitioners. Pain management clinics regulated. Passed Senate. To HHHR then HJ.** |
| **SB 457** | **Plymale, et al** | **Continuing Rural Health Initiative; other provisions** | **Rewrites whole section. Places RHI with the medical schools coordinated by Vice Chancellor for Health Sciences. Abolishes Advisory Panel and Recruitment Committee. Passed Senate. In HHHR then HE.** |
| **SB 469** | **Kessler, et al** | **Relating generally to other post-employment benefits** | **Once the old Workers Comp fund is actuarially sound $35 million per year will go into interest account for payment of OPEB Health Benefit Trust fund through 2037. Approved by Governor.** |
| **SB 563** | **Prezioso, et al** | **Clarifying Office of Technology’s responsibility** | **Makes Office responsible for erasing all data on state computers before disposal. Passed Senate. In HJ.** |
| **SB 568** | **Plymale, et al** | **Relating to college and career readiness initiative** | **SBOE to adopt end of exam assessments for Algebra II and English 11 by 2014-15 school year. Starting with 2014-15 no institution of higher education can use any factor but the SBOE exams as to who must enroll in a remedial course. Passed Senate. To HE then HF.** |
| **SB 597** | **Palumbo, et al** | **Requiring installation of carbon monoxide detectors in certain facilities** | **Would require in our dormitories and other dwellings. Would only be required after September 1, 2012 in areas near fuel burning stoves or equipment. Passed Senate. In HJ then HF.** |
| **SB 634** | **Foster** | **Authorizing certain municipalities impose limited special public safety assessment fee** | **Allows cities with police and fireman pension plans that are actuarially unfunded to assess up to 2 cents per square foot on each structure in city to pay for the unfunded amount. Passed Senate. In HPS then HF.** |
| **SB 659** | **Unger** | **Requiring criminal background checks for certain persons conducting state business** | **Vendor employees that will be physically present at any state facility or grounds to be fingerprinted and background checked. Amended to only apply to Capitol and its grounds. Passed Senate. In HJ.** |
| **SB 661** | **Plymale, et al** | **Relating to data sharing among state education providers** | **Clarifies that Employment Programs may share data with the P-20 longitudinal data system. Also includes the WVNET interface language from HB 4078. Passed Senate. In HE then HF.** |