



WEEKLY LEGISLATIVE REPORT

A Publication for all City Officials

NOTE: Please copy and distribute to all interested city officials or department heads. File each weeks copy because updates will contain only those bills introduced during the week.

Regional Jails Cost Study Reviewed By Judiciary Subcommittee B

Day of Session:	22
Days Remaining:	38
Municipal Bills:	384
Total Bills Introduced:	1,529

House Judiciary Subcommittee B met on Thursday morning to be briefed on regional jail costs and legislation introduced this session that seeks to alleviate the cost of housing inmates. Bills discussed included *HB 3242*; *HB 4106*; *HB 4160*; *HB 4110*; *HB 2925*; *HB 4105 (SB 259)*; *HB 3194* and *HB 2311*. Each of the bills offers a solution to decrease regional jail costs, whether it is summons/citations rather than formal booking and cost collection or alternative sentencing programs. The subcommittee will be meeting regularly in hopes of drafting comprehensive legislation this session that will be agreeable to all stakeholders (Cities, Counties and the Regional Jail Authority). Delegate Proudfoot stated the committee wants to hear from everyone involved in the day to day operations of processing, handling and financing inmates across the state.

SB 259 passed Senate Judiciary this week and is now before Senate Finance. The bill limits the regional jail per diem incarceration rate for partial days. The bill negatively impacts cities and will eventually increase the cost to the Regional Jail Authority.

HB 4156 has passed House Political Subdivisions with an amendment and is now before House Government Organization. The bill permits the governing body of a municipality to place a lien on property in an amount equal to the demolition and removal costs of a hazardous structure. The amendment clarifies that a city can place a lien on the property and provides a new section which allows the municipality to institute a civil action against the landowner or other responsible party for all costs incurred by the municipality with respect to the property. This bill came from our interim study on the issue.

HB 4001 passed House Political Subdivisions with an amendment and is now before House Judiciary. The bill provides counties with the authority to enact ordinances restricting the location of businesses offering exotic entertainment. The amendment defines sexually oriented businesses.

SB 256 and **HB 4098** are pending in the Legislature which would allow people whose driver's licenses have been suspended to petition a judge for permission to get behind the wheel again. The bills provide a procedure by which a person whose driver's license is suspended for certain reasons may obtain a restricted driver's license in order to drive in the course of the person's employment or occupation, to and from the person's residence, work location, an alcohol or drug education or treatment program as ordered by the court, the court's probation department, a court-ordered community service program, an educational institution at which the person is enrolled as a student or a place of regularly occurring medical treatment for a serious condition for the person or a member of the person's household or immediate family. The bills are before Transportation and Infrastructure Committees in their respective houses.

SB 217 is on second reading in the Senate. The bill reduces the time period for magistrate courts and municipal courts to notify the Division of Motor Vehicles of unsatisfied traffic-related tickets of nonresidents. This change is necessary to remain in compliance with the Non-Resident Violator Compact (NRVC).

HB 4119 is being reworked. The League has asked for cities to be removed from the bill all together. The bill allows voters to petition to resubmit enacted zoning ordinances for voter approval or rejection two years after their original enactment with voter approval and also requires voter approval for county commission enacted zoning ordinance amendments, and would lower the voter signature percentage requirements needed for petitions. The bill is before House Political Subdivisions.

Bills of interest introduced this week are: *SB 520*; *SB 499*; *SB 483*; *SB 470*; *HB 4322* and *HB 4299*. You will find them within the attached bill listing and you may read them in their entirety by going to the WVML homepage: www.wvml.org, and select WVML Resources and click on Legislature, then select bill status.

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If you are planning to visit at the Capitol, please let us know and we will prepare name badges for you along with copies of information you may need for the day. This will also allow us to plan for parking.

Mayor Jesse Corley, President
Lisa Dooley, Executive Director

The *Weekly Legislative Report* is published during the West Virginia legislative session to update members of the West Virginia Municipal League on legislative activities important to municipalities. The publication goes out to members at the end of each week during the session.

The most important thing local officials need to do during the 2008 West Virginia legislative session is keep well informed. As the session begins, WVML staff focus once again on lobbying efforts. However, our influence is the direct result of your efforts to make your voice heard by your legislators. That's why every city and town needs to plan an active, consistent and continuing role in WVML's legislative effort. Keep us informed by sending us a copy of your letters or e-mails to your legislator. If you receive a response from a legislator, let us know that also. WVML staff incorporate your arguments and circumstances into their testimony. We cite your letters when we talk with legislators. **If you wish to receive any of our Legislative Alerts by e-mail please notify the League office so that we can include your address in our files.**

While we urge you to read the *Weekly Legislative Report*, you can get up to date information on any bill through the League's home page via the Internet. Hearing schedules, bill text, bill status, daily summaries, and a variety of other tidbits are available with a few mouse clicks! Go to the League's website www.wvml.org and click on links of interest and select *WV Legislature*.

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