

UNDER the DOME



JANUARY 20, 2016

Welcome

Under the Dome is an update on actions and activities of the West Virginia Legislature, provided during the regular legislative session and interim sessions for West Virginia University faculty and staff by WVU's Office of State, Corporate and Local Relations. This issue provides a review of the Governor's State of the State address, legislative budget hearings, the first week of the 82nd Legislature and legislative vacancies and appointments.

State of the State

On Wednesday, January 13, Governor Tomblin presented his final State of the State address to a joint session of the West Virginia House of Delegates and the West Virginia State Senate. Highlights from the governor's speech include:

Economic Development

- Tomblin announced polymer additive manufacturer Addivant will remain and expand operations in Morgantown, saving nearly 100 jobs and adding at least \$12 million in new investments and additional opportunities for employment.
- Tomblin also announced plans to develop one of West Virginia's largest industrial sites: the former Hobet surface mine in Boone and Lincoln counties. At 12,000 acres, this property is large enough to fit every major economic development project in the state in recent history – with thousands of acres left over. The State is working in partnership with local landowners, Marshall University, West Virginia University and the Virginia Conservation Legacy Fund to find ways to redevelop this site and diversify southern West Virginia's economy.

Substance Abuse

- Tomblin introduced legislation to support ongoing substance abuse efforts. He announced new licensing requirements for Suboxone and methadone clinics, requiring medication-assisted treatment facilities to provide comprehensive therapies in coordination with medication to help treat the root causes behind addictions, rather than simply supplying a short-term fix.
- Tomblin also introduced legislation to expand the Opioid Antagonist Act of 2015, making opioid antagonists, such as Narcan, available to any West Virginian, without a prescription. This new legislation requires pharmacists to train those who receive this drug on how to administer opioid antagonists. It also helps the State track those receiving Narcan to help better focus State resources in areas hardest hit by opioid overdoses.

Fiscal Responsibility

- Tomblin introduced legislation to pay off West Virginia's old workers' compensation debt more than a decade ahead of schedule. This also will remove additional severance taxes on coal and natural gas industries earlier than anticipated, providing much-needed relief for energy businesses struggling with low prices.
- Tomblin also proposed raising West Virginia's tobacco tax by 45 cents to a total of \$1 a pack. This increase will not only help discourage West Virginians from smoking or using tobacco products, the governor's staff estimate it will provide \$71.5 million annually to support health-related costs; \$43 million of this revenue will help fund PEIA, ensuring public employees do not see the dramatic benefit reductions initially proposed.

For questions or more information, contact Travis Mollohan, director, State, Corporate and Local Relations, email: tmolloh1@mail.wvu.edu; phone: 304-400-4963

- Additionally, Tomblin proposed legislation to eliminate a sale tax exemption that will bring West Virginia's telecommunications tax in line with 41 other states. This legislation will place a 6 percent sales tax on cell phone and phone line usage and generate \$60 million annually.

Uber/Lyft

- Governor Tomblin introduced a bill authorizing transportation network companies (TNCs) to operate in West Virginia by obtaining a permit from the DMV.
 - TNCs must have automobile insurance and uninsured and underinsured motorist coverage.
 - TNCs must have a zero tolerance drug and alcohol policy.
 - TNCs are required to have a nondiscrimination policy and comply with nondiscrimination laws.

The Budget

The 2017 budget presented by Governor Tomblin uses no money from the State's Rainy Day Fund.

The House Finance Committee and Senate Finance Committee have announced budget hearings for the Higher Education Policy Commission (HEPC). Those hearings are:

Senate Finance Committee
Room 451-M
Monday, February 8 at 3 p.m.

House Finance Committee
Room 460-M
Wednesday, February 10 at 2 p.m.

Introduction of Legislation

More than 300 bills have been introduced in the State Senate, while more than 50 new bills and 250 carryover bills have been introduced in the House of Delegates. Thus far, the major topics include:

Right to Work

SB 1, the West Virginia Workplace Freedom Act (commonly referred to as Right to Work), was introduced on the first day of session. It passed the Senate Judiciary Committee on January 15 on a party-line vote: 9 Republicans for, 8 Democrats against. It will come to the floor of the Senate this week.

Prevailing Wage

HB 4005 seeks to repeal prevailing wage. It was introduced and assigned to House Government Organization. Last year a compromise was reached, and legislators passed a bill that made major changes to the calculation of prevailing wage.

Election Reform

SB 5 requires voters to present photo ID when voting and was introduced and assigned to Senate Judiciary.

Judicial Reform

SB 9, Creating Intermediate Court of Appeals, was introduced and assigned to Senate Judiciary and Senate Finance.

Transportation and Infrastructure

HB 4009, Letting Our Counties Act Locally Act, was introduced and assigned to House Roads and Transportation and House Finance. This bill, whose lead sponsor is Delegate Joe Statler of Monongalia County, would generally allow counties to use a 1% sales tax to fund the construction of new roads and bridges and upgrading of current roads and bridges.

Legislative Calendar

30th Day (February 11, 2016) – Halfway mark of session.

41st Day (February 22, 2016) – Last day to introduce bills in the State Senate.

42nd Day (February 23, 2016) – Last day to introduce bills in the House of Delegates.

47th Day (February 28, 2016) – Bills due out of committees in house of origin to ensure three full days for readings.

50th Day (March 2, 2016) – Last day to consider bill on third reading in house of origin.

60th Day (March 12, 2016) – Final day of session. Adjournment at midnight.

Contact info: Travis Mollohan (tmolloh1@mail.wvu.edu) and Rocco Fucillo (rsfucillo@mail.wvu.edu).

Vacancies and Appointments

Governor Tomblin announced several appointments to the House of Delegates.

On January 12, the governor appointed Phyllis White to represent the 21st District, which is comprised of parts of Mingo, McDowell and Wyoming counties. Delegate White is a retired educator and principal from Mingo County. The vacancy was created by the resignation of Harry Keith White.

Also on January 12, the governor appointed Frank Blackwell to represent the 25th District, which is comprised of parts of Wyoming, McDowell and Mercer counties. Delegate Blackwell previously served in the House from 1977-1982. Blackwell is a former teacher, principal, assistant superintendent and superintendent in Wyoming County. The vacancy was created by the resignation of Linda Goode Phillips.

On January 15, the governor appointed William Flanigan to represent the 51st District, which is comprised of part of Monongalia County. Delegate Flanigan is a graduate of the WVU College of Law. The vacancy was created by the resignation of Amanda Pasdon.

Governor Tomblin is still waiting to appoint a replacement for the 9th District of the State Senate, which is comprised of Raleigh County, Wyoming County and part of Mercer County. The vacancy was created by the resignation of Daniel Hall. The West Virginia Supreme Court will hear oral arguments regarding the appointment on Tuesday, January 19. At dispute is whether West Virginia Code authorizes a Democrat or Republican to be appointed. Hall was elected to the Senate in 2012 as a Democrat, but switched his party affiliation to Republican in 2014. The resignation leaves 17 Republicans and 16 Democrats in the State Senate.

Important Dates

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| Innovation and Entrepreneurship Day at the Capitol | Wednesday, January 27, 2016 |
| WVU and WVU Extension Day at the Capitol | Friday, February 19, 2016 |
| Undergraduate Research Day at the Capitol | Thursday, February 25, 2016 |

WVU at the Capitol

Travis Mollohan and Rocco Fucillo, both from WVU's State, Corporate and Local Relations, will represent WVU at the Capitol during the 60-day session. They answer questions, monitor progress of issues and bills that involve WVU and help to coordinate requests from members and legislative staff.

If you, your colleagues or your students are planning to make a visit or presentation on behalf of WVU, please contact Travis or Rocco before you go. They can facilitate your visit and ensure that all WVU efforts are coordinated – to create a stronger presence and unified voice.

Contact info: Travis Mollohan (tmolloh1@mail.wvu.edu) or Rocco Fucillo (rsfucillo@mail.wvu.edu).

More Information

To learn more about the Legislature, including district maps, bill tracking, committee assignments and a daily summary of legislative activities, please visit www.legis.state.wv.us/index.cfm.

To keep track of introduced bills, committee hearings and legislative calendar, please visit the Legislative Bulletin Board at http://www.legis.state.wv.us/Bulletin_Board/Bulletin_Board_menu.cfm.

To learn more about WVU's legislative initiatives, please visit <http://staterelations.wvu.edu>.