

# UNDER the DOME



FEBRUARY 16, 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 legislation critical to WVU and other legislative activity.

## WVU and WVU Extension in Charleston

Friday, February 19 is WVU and WVU Extension Day at the Legislature. More than 500 statewide constituents of the WVU Extension Service – mostly 4-H students – will be at the Capitol to learn more about the legislative process and about WVU. Many WVU colleges and programs will attend with exhibits and materials about majors and careers. President Gee and Provost McConnell will be present to greet the students as well as celebrate the achievements made by our dedicated faculty, staff and students, and meet with key legislators on issues critical to our University.

## Protecting WVU Tech

A bipartisan group of House and Senate members have introduced bills to ensure the continued viability of WVU Tech. **HB 4310** (sponsored by Delegates John O'Neal, Bill Anderson, Lynne Arvon, Mick Bates, Paul Espinosa, Barbara Fleischaer, Cindy Frich, Brian Kurcaba, Tim Miley, Eric Nelson and Joe Statler) was introduced last week. A companion bill, **SB 386** (sponsored by Senators Jeff Mullins, Bob Beach, Craig Blair, Ed Gaunch, Mike Hall, Jeff Kessler, Roman Prezioso, Charles Trump and Bob Williams), was introduced as well. A public hearing will be held on Wednesday at 9 a.m. in the House Chamber.

## WVU Extension Service

**SB 403**, Relating to Cooperative Extension Workers, was introduced Wednesday by Senators Kent Leonhardt and Bob Williams. This bill seeks to amend §19-8-1 of the West Virginia Code. Current code was written in the 1960s, and this legislation updates code to reflect the current organizational function of our Extension Service agents. The bill is on third reading in the Senate on Monday.

## Right to Work

**SB 1**, Establishing West Virginia Workplace Freedom Act (commonly referred to as Right to Work), was passed by the Senate and House. Governor Tomblin vetoed the bill. A simple majority of both houses is needed to override the governor's veto, and the Senate and House voted to override the veto Friday.

## Prevailing Wage

**HB 4005**, which repeals prevailing wage, passed the House and Senate. Governor Tomblin vetoed the bill. A simple majority of members is needed to override the governor's veto, and the House and Senate voted to override the veto Friday.

## Other Legislative Activity

More than 1,600 bills have been introduced. So far, high-profile bills include:

### **Charter Schools**

**HB 4011**, Providing for the Authorization and Oversight of Public Charter Schools, establishes a charter school system in the state. It was introduced on January 20 and assigned to House Education.

### **Tobacco Tax**

**SB 420**, introduced by Senator Jeff Kessler at the request of Governor Tomblin, increases the tax on cigarettes, tobacco products and other related goods, such as e-cigarettes. **HB 4494**, a companion bill that is sponsored by Delegate Tim Miley at the request of the governor, was introduced Thursday.

### **Firearms**

**HB 4145**, which is referred to as “Constitutional Carry” or “Permitless Carry” bill, provides for open carry of firearms to West Virginia citizens and provisional concealed carry permits to 18-20 year olds. The bill retains concealed carry permit processes for reciprocity rights with other states. The bill passed the House 68-31. It will return to the Senate for approval of the amendments. **SB 314** is a companion bill in the Senate.

### **Election Reform**

**SB 5**, Requiring Voters Present Photo ID When Voting, was introduced and assigned to Senate Judiciary. A similar bill, **HB 4013**, passed House Judiciary last week.

### **Judicial Reform**

**SB 9**, Creating Intermediate Court of Appeals, was introduced and sent 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. 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. The bill passed committee, after being amended, and goes to House Finance for consideration.

### **Uber/Lyft**

**SB 430** and **HB 4305**, authorizing transportation network companies to operate in the state (also known as the Uber bill), were introduced at the request of Governor Tomblin. They are expected to have bipartisan support and pass both houses this session. **HB 4228** is a similar bill. It passed House Roads and Transportation and House Finance. It passed the House on Monday.

### **Religious Freedom Restoration Act**

**HB 4012**, titled the Religious Freedom Restoration Act, passed House Judiciary last week after being amended. The bill passed the House 72-26 last week with bipartisan support and bipartisan opposition.

### **Common Core**

On Thursday, the House Education committee held a public hearing on **HB 4014**, which prevents the State Board of Education from implementing academic assessments and standards, commonly referred to as “Common Core.” A number of bills have been introduced this year related to this issue. Gypsy Denzine, Dean of the WVU College of Education and Human Services, spoke at the public hearing. Dean Denzine and the College researched, assessed and analyzed data collected through the State Board’s Academic Spotlight review in 2015.

### **Horizontal Well Unitization/Forced Pooling**

**HB 4426**, the Horizontal Well Unitization and Landowner Protection Act of 2016, was introduced on February 5. It is commonly known as horizontal well unitization by proponents and forced pooling by opponents.

### **Legislative Calendar**

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.

### **Upcoming Events**

WVU and WVU Extension Day at the Capitol	Friday, February 19, 2016
Pharmacy Day at the Capitol	Monday, February 22, 2016
Undergraduate Research Day at the Capitol	Thursday, February 25, 2016

### **Fast Facts**

- There are 49 WVU alumni serving in the Legislature.
- Governor Tomblin received his undergraduate degree from WVU.
- Three of the five justices on the West Virginia Supreme Court graduated from the WVU College of Law.

### **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 will answer questions, monitor progress of issues and bills and help to coordinate requests from members and legislative staff that would involve WVU.

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](mailto:tmolloh1@mail.wvu.edu)) or Rocco Fucillo ([rsfucillo@mail.wvu.edu](mailto: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](http://www.legis.state.wv.us/index.cfm).

To see daily legislative activities, including introduced bills and committee hearings, please visit the Legislative Bulletin Board at [http://www.legis.state.wv.us/Bulletin\\_Board/Bulletin\\_Board\\_menu.cfm](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>.

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