

UNDER the DOME



FEBRUARY 24, 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.

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 Fleischauer, 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. It passed the House on Monday. It will soon be considered by the Senate.

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 passed the Senate. It will be considered by the House Agriculture and Natural Resources Committee and the House Government Organization Committee.

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.

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.

Other Legislative Activity

More than 1,800 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. **SB 407** is the companion bill introduced in the Senate.

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. **SB 420** passed the Senate 26-6 with two members absent on Tuesday.

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- to 20-year-olds. The bill retains concealed carry permit processes for reciprocity rights with other states. The bill passed the House 68-31. It passed the Senate 24-9 with one member absent on Monday. Due to the Senate’s amendments, it will return to the House for approval of the changes. **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 the House 64-34 with two members absent on Friday. It now goes to the Senate.

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 percent sales tax to fund the construction of new roads and bridges and upgrading of current roads and bridges. The bill passed the House Finance Committee on Monday. It now goes to the full House 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 overwhelmingly and now moves to the Senate.

Religious Freedom Restoration Act

HB 4012, titled the Religious Freedom Restoration Act, passed House Judiciary last week after being amended. Proponents argue that the bill will preserve religious freedom for individuals, while opponents believe that religious freedom will be used as a tool for discrimination. The bill passed the House 72-26 with bipartisan support and bipartisan opposition. It now goes to the Senate.

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.

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