



2015 Weekly Legislative E-Briefing

WEST VIRGINIA CHAMBER OF COMMERCE

February 24, 2015
42th Day of the 60-Day
Legislative Session

Breaking News from the Senate Floor

The Democrats who declared victory yesterday in a parliamentary effort to kill the Charter School bill lodged a formal request to have all bills on the Senate Calendar read in their entirety. This was done in response to a Republican counter move to keep the Charter School bill alive. The move to read bills in their entirety seriously slows down the legislative process.

Democrats Try to Kill Charter School Bill, But Majority Vote Discharges Bill from Committee

Yesterday, using a parliamentary procedure not seen in the West Virginia Legislature for decades, Democrat members of the Finance Committee thought they had succeeded in killing the Charter School bill ([SB 14](#)). Former Senate President and current Minority Leader Jeff Kessler (D-Marshall) made a motion to "postpone indefinitely" consideration of the bill. The Democrat minority thought adoption of the motion meant the bill could not be considered further during this session of the Legislature, Kessler's motion prevailed because at the time he made the motion there were more Democrat members present in the committee room than Republicans.



However, today the Senate majority succeeded in discharging the bill from the committee and placing it on the Senate calendar. A motion to overrule the ruling of the Chair on whether the bill could be discharged from the committee was voted down along party lines 18-16. The bill was read a first time today and will be on second reading (amendment stage) tomorrow.

The Chamber is a strong supporter of charter schools in West Virginia

FINAL 2015 LEGISLATIVE BREAKFAST

"Bold Education Reform in 2015"

Tuesday, March 3
7:45 a.m.
Charleston Marriott

"Bold Education Reform in 2015"

David Sypolt, Chair,
Senate Education
Committee

Amanda Pasdon,
Chair, House
Education Committee



2015 Legislative Schedule

Bills due out of
committees

Sunday, March 1

Last day to consider
bill on 3rd Reading
(passage stage)

Comparative Fault Bill Passes and Sent to the Governor for Approval

HB 2002 --- the "Comparative Fault (Joint & Several Liability)" bill was re-passed by both Houses after adopting the report of a conference committee. The primary purpose of the bill is to ensure defendants will only be held responsible for the share of damages a jury decides was their fault. The bill will be sent to the Governor for his signature. The bill is a major component of the Chamber's comprehensive civil justice reform effort



Wednesday, March 4

**Session Adjourns
Saturday, March 14**

BILLS TO WATCH

[TO REVIEW THE TEXT OF ANY BILL](#)
[CLICK THE BILL NUMBER](#)

[STATE SENATE](#)

SB 3 --- Relating to real property possessor's liability for trespasser harm
Signed into law by the Governor 2/9

SB 6 --- Relating to medical professional liability **Both Houses approved amended version 2/23; to Governor for signature**

SB 12 --- Relating to payment of separated employee's outstanding wages
Passed Senate 1/23; To House Industry & Labor Committee

SB 13 --- Reinstating open and obvious doctrine for premises liability.
Passed by both Houses; awaiting Governor's signature

SB 14--- Creating Public Charter Schools Act **On second reading (amendment stage) 2/25**

SB 37 --- Relating to arbitration. **Passed Senate 34-0 on 2/10 and is in House Judiciary Committee**

SB 38 --- Relating to apportionment of damages in tortious conduct actions

SB 101 --- Limiting punitive damages awarded in personal injury or wrongful death actions

SB 104 --- Increasing threshold of defendant's liability to qualify for several liability in tortious actions

SB 129--- Establishing an Intermediate Court of Appeals

SB 134 --- Creating Civil Reform Act of 2015

SB 306 --- Establishing an Intermediate Court of Appeals

SB 307 --- Creating Paycheck Protection Act

[SB 308](#)--- Changing minimum interest rate paid on judgments or decrees

[SB 318](#) --- Relating to payment of wages by employers **Passed Senate 2/5; To House Judiciary Committee**

[SB 321](#) --- Creating Paycheck Protection Act

[SB 337](#) --- Creating workplace freedom act (right-to-work)

[SB 344](#)--- Relating to limitations on front & back pay. **Passed Senate 2/20; to the House**

[SB 361](#) --- Prevailing Wage Rate. **Passed Senate 23-11 2/12; in House Government Organization Committee**

[SB 421](#)--- Relating to punitive damages in civil actions. **Approved in the Senate after a reconsideration vote 26-8; to House Judiciary Committee**

[SB 423](#) --- Amending the Above Ground Storage Tank Act

HOUSE OF DELEGATES

[HB 2001](#) --- Repealing Alternative & Renewable Energy Portfolio Standard(cap & trade) **Signed into law by the Governor 2/4**

[HB 2002](#) --- Predicating actions for damages upon comparative fault **Passed by both Houses after adopting conference committee report; to the Governor for signature**

[HB 2005](#)--- Relating to alternative programs for the education of teachers. **Passed the House on 2/10 60-35 and is in the Senate Education Committee.**

[HB 2010](#)--- Requiring the elections of justices of the West Virginia Supreme Court of Appeals, circuit court judges, family court judges and magistrates be nonpartisan **Awaiting Senate adoption of conference committee report**

[HB 2011](#) --- The bill deals with the misuse of the current "deliberate intent" law by employees suffering significant injury or death in the workplace. **Passed House 2/10; in Senate Judiciary Committee.**

[HB 2052](#) --- Relating to the labor-management relations act for the private sector

[HB 2091](#) --- False Claims Act

[HB 2162](#) - Relating to payment of employees separated from payroll before payday

[HB 2574](#) --- Amending the Above Ground Storage Tank Act

**Last 2015 Legislative
Briefing Breakfast**

WEST VIRGINIA CHAMBER
LEGISLATIVE BRIEFING BREAKFASTS

Charleston Town Center Marriott



Tuesday, March 3 7:45 a.m.
"Bold Education Reform in 2015"

David Sybolt, Chair, Senate Education Committee
Amanda Pasdon, Chair, House Education Committee

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West Virginia Chamber of Commerce
1624 Kanawha Blvd, East
Charleston, WV 25311
(304) 342-1115
wvchamber.com

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