



2015 Weekly Legislative E-Briefing

WEST VIRGINIA CHAMBER OF COMMERCE

January 27, 2015
14th Day of the 60-Day
Legislative Session

Chamber President Believes Legislature is Committed to Improving WV

Commenting on the legislative session so far, Chamber President Steve Roberts says, "It seems clear this Legislature is committed to solving issues that affect the state's economy. From all indications, their mission is to create jobs, improve education for our children and make West Virginia irresistible to businesses seeking a place to locate or expand jobs."



Fourteen days into the 2015 regular legislative session, legislators have introduced 782 bills --- 443 in the House and 339 in the Senate. The first bill passed by both Houses is expected to be on its way to the Governor later this week. The bill, [HB 2001](#), repeals a law enacted in 2009 that requires electric utilities to use an increasing amount of energy resources, other than coal, over the next few decades. Proponents of the bill strongly believe the current law is costing coal mining jobs and increasing both residential and commercial electric bills.

Most bills are still being analyzed by committees in both Houses. Forty-six days still remain for action on the State Budget and a laundry list of other measures expected to be acted upon this session.

Senate Passes Bill to Change Law on Payment Time to Separated Employees

The Senate last Friday passed a measure to change current law governing payment of final wages to separated employees ([SB 12](#)). Currently, such employees must be paid their final wages at the next regular payday or within four business days, whichever comes first. The Senate bill seeks to require payment by the next regular payday. According to Chamber President Steve Roberts, "The bill is needed to standardize the



2015 Legislative Schedule

TOMORROW
Tuesday, January 28
5:00 p.m.
Public Hearing on
Charter Schools
House of Delegates
Chamber

30th Day of the
Session
(half way point)
Thursday, February 12

Last day to introduce
bills in both Houses
Monday, February 23

Bills due out of
committees
Sunday, March 1

Last day to consider
bill on 3rd Reading
(passage stage)
Wednesday, March 4

Session Adjourns
Saturday, March 14

time period for payment, which will assist primarily small businesses without active human resources departments to make the payments on time and not incur the severe penalties that are currently in the law." The bill is currently being reviewed by the House Industry & Labor Committee.

House Education Committee Approves Alternative Teacher Certification Bill



After a lengthy meeting last night, the House Education Committee approved a bill allowing alternative teacher certification programs ([HB 2005](#)). If adopted by the House and Senate, the bill would assist in provided teachers in areas of the state that have critical needs and shortages. According to the state Department of Education, a 2014 report found 700 vacant teacher positions in the state. The bill now goes to the House Finance Committee for a fiscal review.

Chamber Legislative Breakfast Sponsors

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WEST VIRGINIA CHAMBER LEGISLATIVE BRIEFING BREAKFASTS

Charleston Town Center Marriott



Tuesday, February 10 7:45 a.m. "Our Financial Challenges in 2015"

Mike Hall, Chair, Senate Finance Committee
Daryl Cowles, House Majority Leader
Eric Nelson, Chair, House Finance Committee

Tuesday, February 17 7:45 a.m. "Meet West Virginia's Press Corp"

Hoppy Kercheval, WV MetroNews
Ashton Marra, WV Public Broadcasting
Joel Ebert, Charleston Daily Mail
Eric Eyre, The Charleston Gazette (invited)

Tuesday, February 24 7:45 a.m. "The Energy Store in West Virginia"

Woody Ireland, Chair, House Energy Committee (invited)
Randy Smith, Delegate & experienced coal miner (invited)
Ben Beakes, Alpha Natural Resources
Kevin Ellis, Antero Resources & President, WV Oil & Natural Gas Association

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

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

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BILLS TO WATCH

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

STATE SENATE

[SB 2](#) --- Predicating actions for damages upon comparative fault principles

[SB 3](#) --- Relating to real property possessor's liability for trespasser harm
Passed Senate 33-0 1/21; House - First Reading

[SB 4](#)--- Relating to development of state plan under Clean Air Act

[SB 5](#) --- Creating teacher corps program

[SB 6](#) --- Relating to medical professional liability

[SB 10](#)--- Requiring nonpartisan election of judges & magistrates

[SB 11](#) --- Relating to workers' compensation disbursements when injury is self-inflicted or intentional: permitting recovery in private suit

[SB 12](#) --- Relating to payment of separated employee's outstanding wages
Passed Senate 1/23

[SB 13](#) --- Reinstating open and obvious doctrine for premises liability **Third Reading (passage stage) 1/27**

[SB 14](#) --- Creating Public Charter Schools Act

[SB 37](#) --- Relating to arbitration

[SB 38](#) --- Relating to apportionment of damages in tortious conduct actions

[SB 80](#) --- Creating State Labor Relations Act

[SB 101](#) --- Limiting punitive damages awarded in personal injury or wrongful death actions

[SB 102](#) --- Expending period that terminated employees' wages must be paid

[SB 103](#) --- Establishing comparative fault standard

[SB 104](#) --- Increasing threshold of defendant's liability to qualify for several

liability in tortious actions

[SB 105](#) --- Disqualifying unemployment benefits for time not worked because of strike

[SB 134](#) --- Creating Civil Justice Reform Act of 2015

[SB 245](#) --- Repealing requirement for prevailing wage payment for public improvement construction

[SB 306](#) --- Establishing Intermediate Court of Appeals

[HOUSE OF DELEGATES](#)

[HB 2001](#) --- Repealing Alternative & Renewable Energy Portfolio Standard(cap & trade) **Passed House 1/22 95-4; Third Reading (passage stage) Senate 1/27**

[HB 2002](#) --- Predicating actions for damages upon comparative fault

[HB 2003](#) --- Relating to the liability of a possessor of real property for harm to trespasser

[HB 2004](#) --- Providing a procedure for the development of a state plan under section 111(d) of the Clean Air Act

[HB 2005](#) --- Relating to alternative programs for the education of teachers

[HB 2006](#) --- Relating to medical professional liability

[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 and by division

[HB 2011](#) --- Relating to workers' compensation disbursements when injury is self-inflicted or intentional: permitting recovery in private suit

[HB 2012](#)--- Relating to the payment of wages by employers and when final wages are required to be paid

[HB 2013](#) --- Reinstating open and obvious doctrine for premises liability

[HB 2014](#) --- West Virginia Public Charter Schools Act of 2015

[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

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