



## 2015 Weekly Legislative E-Briefing

WEST VIRGINIA CHAMBER OF COMMERCE

January 30, 2015  
17th Day of the 60-Day  
Legislative Session

### Education Reform Takes Center Stage at the Capitol

The WV Chamber has led the effort to change the state's education policy to one that transforms public education so West Virginia can achieve the results necessary to compete in the world marketplace. This week, significant education reform bills began navigating the legislative process.



- **Charter Schools** --- The House Education Committee held two meetings this week and a Public Hearing on legislation to allow for charter schools in the state. Currently, forty states and the District of Columbia allow for public charter schools. House Education Chair Amanda Pasdon (R-Monongalia) noted, charter schools create a "unique learning environment that focuses on an individual student's needs and creates collaboration between parents, teachers and students." WV Chamber Special Issues Coordinator Eugenie Taylor told the committee, "The status quo is hard to defend. Those kids need you to be bold to give them options for a different model." The Chamber is a strong advocate of charter schools to offer West Virginia students the best opportunity to succeed and secure good-paying jobs and attain a good quality of life. [HB 2014](#) and [SB 14](#) both would allow charter schools in the state.
- **Alternative Teacher Certification** --- The House Education Committee has 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.



### 2015 Legislative Schedule

**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

**Legal Reform Bills Begin to Move**

**Joint & Several Liability** --- [HB 2002](#), was passed by the House earlier this week and is now before the Senate Judiciary Committee. The bill ensures defendants would only be held responsible for the share of damages a jury decides was their fault.



**Open & Obvious Risk** --- [SB 13](#) passed 33-0 in the Senate on Tuesday. It raises the legal standard for suing a property owner when someone is injured by an open and obvious risk. The bill is slated to be on First Reading in the House on Monday.

## 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 1/21; Passed House 1/29; To Governor for approval

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

[SB 6](#) --- Relating to medical professional liability **Second Reading**  
(amendment stage) 1/30

[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  
Passed Senate 1/27; On First Reading the House 2/2

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

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

[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 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 129](#)--- Establishing an Intermediate Court of Appeals

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

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

[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

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

[SB 344](#)--- Relating to limitations on compensatory and punitive damages in employment claims

## [HOUSE OF DELEGATES](#)

[HB 2001](#) --- Repealing Alternative & Renewable Energy Portfolio Standard(cap & trade) **Passed Senate 1/27; Passed House 1/28; To Governor for approval**

[HB 2002](#) --- Predicating actions for damages upon comparative fault  
Passed House 1/27; To Senate Judiciary Committee

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

[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

## Reserve Your Seat Now



**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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