Video Recap: First Legislative Briefing Breakfast

February 7, 2018
29th Day of the 60-Day Legislative Session

2018 Legislative Schedule

30th Day of the Session (half-way point)
Tomorrow, February 8

Last Day to Introduce Bills in the House of Delegates
Tuesday, February 13

Last Day to Introduce Bills in the Senate
Monday, February 19

Bills Due Out of Committees in House of Origin
Sunday, February 25

Last Day to Consider Bill on Third Reading

Commerce Secretary Woody Thrasher to Speak at next Legislative Briefing Breakfast
West Virginia Department of Commerce Secretary Woody Thrasher will speak at the Chamber's second Legislative Briefing Breakfast on Tuesday, February 13, 2018. The event will begin at 7:45am in the Charleston Marriott-Town Center.

Secretary Thrasher will discuss Natural Gas Development in West Virginia and its importance to continue improving the state's economy. He will also discuss some of the latest information on the China Energy investment and what it means for West Virginia.

If you haven't registered for this event, make sure you click the link below. Don't miss the opportunity to hear one of the leading figures in economic development efforts in West Virginia!

Register Now!

West Virginia Supreme Court says Intermediate Appellate Court will cost $11.7 Million

Yesterday the West Virginia Supreme Court of Appeals released a fiscal note on Com Sub SB 341, which would establish an Intermediate Appellate Court in West Virginia.

According to the Court's fiscal note, the costs to the state would be "$11.7 million the first year and $10.3 million each year thereafter."

The current bill before the Senate Finance Committee would create
two districts in the state, with three judges each. The bill does not create permanent facilities for the new Intermediate Appellate Court and provides a wide range of options for the locations of hearings throughout the district. To read the summary the West Virginia Chamber of Commerce has prepared for Com Sub SB 341, please click here.

The fiscal note provided by the Supreme Court estimates a total of 92 personnel that includes judges, judge-service staff, law clerks, security staff, clerical staff, Clerk's Office employees, Chief Counsel's Office staff, and Administrative Office staff. The fiscal note does highlight that the bill would eliminate the Workers' Compensation Appeals Board, but that the Court does not know the current costs of operating that board. Separately, the Office of the Insurance Commissioner estimated that elimination would save $1 million per year. In offering its fiscal note, the Supreme Court stated "it would seem the benefits of the bill are outweighed by its substantial costs." To read the Supreme Court's full fiscal note, please click here.

The West Virginia Chamber of Commerce has long advocated for the creation of an intermediate appellate court. Appellate review is an essential component of a fair and balanced judicial system, and helps create a rational, consistent and stable body of law.

The Chamber would also note that only nine states do not have an intermediate appellate court, and of those nine, West Virginia is the largest.

Co-Tenancy Legislation to Receive Public Hearing

Last week the House Energy Committee passed HB 4268, the Co-Tenancy Modernization and Majority Protection Act, on a 14-10 vote.

The bill has moved to the House Judiciary Committee where a public hearing has been requested. The public hearing will be held on Friday morning at 8:30am in the House Chamber.

Current West Virginia law requires that 100% of the owners of a mineral property consent before any development can begin. This has been a challenging issue in West Virginia since many mineral properties have been passed down for generations and have become quite fragmented. Occasionally, not all owners can even be located for negotiation.
HB 4268 would allow development of a mineral property if 75% of the owners consent. The bill also ensures proper compensation for dissenting owners, and establishes a fund to hold payments for mineral owners who cannot be found.

**Senate Passes Bill Clarifying Venue for Non-residents**

Yesterday the West Virginia Senate unanimously passed HB 4013, which pertains to venue as it applies to non-residents of the state.

The bill seeks to place more stringent guidelines for filing lawsuits in West Virginia Courts by non-residents. It seeks to prevent lawsuits in West Virginia courts when the parties or actions giving rise to the claim have loose ties to the state.

The bill previously passed HB 4013 on a 95-0 vote, and the Senate has requested the House to concur with amendments made by the Senate.

**BILLS TO WATCH**

TO REVIEW THE TEXT OF ANY BILL CLICK THE BILL NUMBER

**SB 100** --- Taxing digital goods, products and services

**SB 269** --- Establishing 2018 Regulatory Reform Act

**SB 272** --- Relating generally to drug control

**SB 273** --- Reducing use of opiates

**SB 284** --- Increasing access to career education and workforce training

**SB 289** --- Entitling natural resource producers to economic opportunity tax credit

**SB 300** --- Creating five-year tax credits for businesses locating on post-coal mine sites

**SB 304** --- Relating to authorization and establishment of charter schools

**SB 335** --- Protecting employees’ wages or salaries from being withheld or diverted for political activities

**SB 341** --- Creating new WV Intermediate Court of Appeals
SB 360 --- Clarifying royalty owned in oil and gas lease

SB 395 --- Providing for judicial review of appealed decisions of Air Quality Review Board, Environmental Quality Board and Surface Mine Board

HB 2028 --- Relating to the venue for suits and other actions against the state

HB 2379 --- Providing a special method for valuation of certain wireless technology property for property taxes

HB 2383 --- Providing for the redistricting office of the Joint Committee on Government and Finance to propose redistricting plans during census years

HB 4002 --- Providing that all delegates shall be elected from one hundred single districts following the United States Census in 2020

HB 4005 --- Clarifying that appeals to the Supreme Court are a matter of right

HB 4009 --- State Settlement and Recovered Funds Accountability Act

HB 4013 --- Clarifying venue in West Virginia state courts as it applies to nonresidents of the state

HB 4187 ---- Business Liability Protection Act (prevents employers from prohibiting firearms in locked vehicles on company parking lots)

HB 4268 --- Co-tenancy Modernization and Majority Protection Act

HB 4270 --- Providing for the timely payment of moneys owed from oil and natural gas protection

HB 4298 --- The Campus Self Defense Act (allows concealed carrying of firearms on state institutions of higher education)

HB 4357 --- West Virginia Small Wireless Facilities Deployment Act

HB 4396 --- Permitting wagering on the results of certain professional or collegiate sports or athletic events

SJR 3 --- Judicial Budget Oversight Amendment

SJR 9 / HJR 106 --- Just Cut Taxes and Win Amendment (eliminates personal property taxes on industrial equipment and inventory)

HJR 103 --- Election of West Virginia Board of Education members amendment

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