To: West Virginia Chamber of Commerce Members
From: Brian Dayton
Date: January 17, 2020
RE: This Week at the Capitol

Today marks the conclusion of the first full week of the 2020 Legislative Session. Several pieces of important legislation are moving at the Capitol, and I wanted to give you a brief rundown of what is happening:

- **HJR 102, Constitutional Amendment to Require WV Board of Education Rules by Approved by Legislature** – This morning the House Judiciary Committee approved HJR 102, which would place a constitutional amendment on the ballot to require all legislative rules promulgated by the West Virginia Board of Education to be submitted to the West Virginia Legislature for approval, amendment or rejection. Currently, all rules created by state agencies must be approved by the Legislature, which the exception of those created by the Board of Education. If this resolution is passed by the Legislature and approved by the voters, this would provide a method of allowing citizen input through their elected officials into how public education is administered in West Virginia.

- **HB 4005, WV Intellectual Property and Trade Secrets Act** – House Bill 4005 is titled the West Virginia Intellectual Property and Trade Secrets Act. The stated intent of this legislation is to incentivize tech job creation by providing greater protections for the trade secrets and intellectual property of companies doing business in West Virginia. The West Virginia Chamber has led a large group of stakeholders on identifying problems and unintended consequences of this bill, and has been closely working with legislators regarding this bill. As it currently stands, it has been referred to a House Judiciary subcommittee, and meetings with legislators have been positive.

- **SB 209, Removing “Minor Boundary Adjustment” as Municipal Annexation Option** – Senate Bill 209 would eliminate the “minor boundary adjustment” method available to municipalities seeking to annex additional territory. This method of annexation skips voter approval, and places approval or denial with the county commission. Several members of the West Virginia Chamber are located in areas that have been the subject of “minor boundary adjustments.” This can lead to significant increases to the cost of doing business that were once unforeseen for those who originally located outside of city limits. The bill is currently in the Senate Government Organization Committee while stakeholders see if a compromise position can be reached.
HB 2008, West Virginia Supreme Court Runoffs – Elections to judicial office in West Virginia currently only require that a candidate receive a plurality of votes to win. This bill would only apply to elections to the West Virginia Supreme Court of Appeals and would require a runoff election to take place if the candidate with the most number of votes does not clear 40%. As written, it would apply to the 2020 elections. HB 2008 is currently in the House Finance Committee.

HB 4090, Abandoned Gas & Oil Well Plugging Fund – This bill creates an abandoned oil & gas well plugging fund to cover the costs of plugging abandoned wells with no responsible operator. Funds would continue to roll over each year rather than revert to the General Revenue Fund at the end of the year. It is currently in the House Finance Committee on its second reference.

HB 4091, Expedited Natural Gas Permits – House Bill 4091 sets up a process for expedited permitting for additional horizontal wells to be added to an existing well pad. The bill is on 2nd Reading in the House of Delegates today and is expected to be up for passage on Monday.

HB 4004, West Virginia Sentencing Commission – This bill creates the West Virginia Sentencing Commission to review all sentencing guidelines in West Virginia and make recommendations on proper sentencing reforms. This bill passed the House of Delegates with only one dissenting vote and is now in the Senate Judiciary Committee.

The West Virginia Chamber’s Government Relations Committee met this afternoon for its first weekly luncheon of the legislative session. This meeting gives members of the GR Committee the opportunity to discuss the status of the multiple bills that are currently moving through the Legislature.

Candidate filing is open until next Saturday at midnight. The West Virginia Chamber is closely tracking who is filing for what offices, and reminds anyone interested in running for office to file before next week’s deadline. The Chamber PAC will be mailing candidate questionnaires to all candidates for the West Virginia Legislature in the near future.

Lastly, if you have not yet registered for the West Virginia Chamber’s Legislative Reception, you can click here now. Registered guests will have their name entered in a drawing for a special prize. Don’t miss this opportunity and the chance to network with key officials in West Virginia!

Thank you for your continued support of the West Virginia Chamber and please don’t hesitate to reach out with any questions or concerns.