To: West Virginia Chamber of Commerce Members  
From: Brian Dayton  
Date: February 3, 2020  
RE: The Week Ahead at the Capitol

February has arrived and Thursday of this week will officially mark the halfway point of the 2020 Legislative Session. Below is a brief video and a summary of some of the key bills the Chamber is watching closely:

View Video

- **FEDERAL ISSUE ALERT** – The West Virginia Chamber of Commerce is weighing in with West Virginia’s Congressional Delegation in opposition to the “Protecting the Right to Organize (PRO) Act” that could be voted on in the U.S. House of Representatives as early as this week. This bill would be detrimental to employers and employees across the United States and in West Virginia. If this bill were to pass, employees would lose the protections of a secret ballot in unionizing campaigns. Right-to-Work laws that have now been adopted by a majority of the states in the country would also be overridden. To read a summary of this bill that has been compiled by the U.S. Chamber of Commerce, click here. To send an e-mail to your elected officials in Washington, D.C. opposing this bill, please click here.

- **HB 4001, Mountaineer Impact Fund** – HB 4001 would establish the Mountaineer Impact Fund, which would provide a vehicle for the State of West Virginia to partner with potential major investors to boost economic development and job creation in the Mountain State. This bill currently enjoys strong bipartisan support and is a high priority of legislative leadership. **HB 4001 is on amendment stage in the House of Delegates today and is scheduled for a vote on passage tomorrow.**

- **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. **HB 4090 is supported by a wide array of stakeholders and is expected to be up for passage in the House of Delegates on Wednesday.**

- **SB 657, Designation of Tourism Development Districts** – SB 657 would allow the West Virginia Division of Tourism to designate up to five tourism development districts in municipalities with less than 2,000 people that have tourism projects of a value greater
than $25 million. These districts would require the tourism project to follow state guidelines that would supersede municipal ordinances. SB 657 has been introduced as a way to assist the renovation and development of Hilltop House in Harpers Ferry, WV. *The bill was introduced last week and is now in the Senate Government Organization Committee.*

- **SB 275, Intermediate Court of Appeals** – SB 275 would create an intermediate appellate court in West Virginia. Intermediate appellate court bills have passed the Senate during the previous two legislative sessions, but have not passed the House. SB 275 places a focus on providing some relief to the dockets of circuit courts in West Virginia by requiring all appeals from family courts to go straight to the new intermediate appellate court. The Kanawha County Circuit would also get additional relief, as appeal stemming from the State Administrative Procedures Act would now go to the intermediate appellate court. *SB 275 is on its second committee reference in the Senate Finance Committee.*

- **SB 209, Modifying “Minor Boundary Adjustment” for Municipal Annexation** – Senate Bill 209 passed the West Virginia Senate unanimously this past Wednesday. Under this bill, if a municipality seeks to annex territory by a “minor boundary adjustment,” a signed affidavit would have to be provided by all freeholders, businesses and individuals in the area to be annexed that gives their consent. If anyone objects, the county commission must deny the plan. This bill gives much-needed protections to businesses who are located outside municipal limits and find themselves being part of a proposed annexation. This language also preserves “minor boundary adjustment” as an option for municipalities who are working collaboratively with individuals and businesses about potential annexation. *SB 209 has been referred to the House Political Subdivisions Committee.*

- **SJR 9, Giving the Legislature control over Ad Valorem and Personal Property Taxation** – SJR 9 would place a constitutional amendment on the ballot to give the Legislature control over ad valorem and personal property taxation in West Virginia. These taxes are currently enshrined in the West Virginia Constitution, strictly limiting control over how they are applied. As a constitutional amendment, SJR 9 would require 2/3 support in both the House of Delegates and the State Senate before being placed on the ballot for the voters of West Virginia. In its current form, this amendment would not change any tax rates, only give the Legislature the ability to do so in the future. *SJR 9 will head to Senate Finance Committee for further consideration.*

- **SB 303, Students’ Right to Know Act** – SB 303 will require the West Virginia Board of Education, the Higher Education Policy Commission and the Council for Community and Technical College Education to provide career-path information to students in public K-12 education. Information that will be provided to students includes the most in-demand occupations in West Virginia and their entry wages and education requirements, the average cost of two- and four-year institutions across the state, available financial assistance programs, the average monthly student loan payments based on potential
choices, internship opportunities, and other important pieces of information. *SB 303 passed the Senate unanimously last week and is now in the House Education Committee.*

These and other issues are moving through the Legislature. Please contact me directly at bdayton@wvchamber.com for any questions or comments.