



Legislative bulletin

Contractors Association of West Virginia

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LEGISLATURE ENTERS FINAL WEEK

The 79th session of the West Virginia Legislature will end at midnight on Saturday, March 13. All bills had to pass their house of origin by Wednesday, March 1. About 300 bills remain in play for the coming week. House and Senate committees are meeting this week to determine if bills will be moved to passage stage or die in committee.

For a list of active bills that the CAWV is tracking, see the March 1 CAWV Legislative Bulletin by [clicking here](#).

The House Roads and Transportation Committee last week approved [S.B. 352](#), the Community Empowerment Transportation Act, with a number of amendments. Some changes improved the bill but a few create problems for the WV Division of Highways. The bill now goes to the House Finance Committee where it probably will be amended further. The Roads Committee also advanced [S.B. 183](#), dealing with idling of a diesel-powered motor vehicle. The CAWV inserted an amendment into the bill to exempt construction equipment from the 15-minute idling requirement. The CAWV also worked to make sure equipment such as mixer trucks, cranes and trucks hauling to paving projects that travel on-road would be included in the exemption. The bill now goes to the House Judiciary Committee.

[H.B. 4359](#) would amend the WV Jobs Act by changing the threshold of projects covered from \$1 million to \$500,000 and the 75-mile radius to 50 miles. The Jobs Act has been on the books for a number of years and the changes would not create a hardship on governmental agencies to comply. The Senate Labor Committee is expected to have a meeting immediately following this morning's floor session. The bill then goes to the Senate Finance Committee. Another labor bill, [H.B. 3301](#), gives the WV Division of Labor the authority to issue an order terminating undocumented workers. The bill amends the law which was created a few years ago by a compromise between the Labor Division, CAWV and other business groups. H.B. 3301 revises the state code to address concerns raised by CAWV and others. The bill is now on second reading in the Senate. As drafted, the bill allows the Division of Labor to take action if an employer refuses to provide employment documentation within the 72 hours currently stipulated in state code. The Flexible Leave Act, [H.B. 4387](#), has moved from the House to the Senate. It has been double-referenced to the Judiciary and Finance committees.

Most of Governor Manchin's bills are advancing through the process. [S.B. 229](#) would allow the School Building Authority to have up to \$500 million in bonds outstanding at any given time. The current statute gives the SBA authority to issue in the aggregate \$500 million. The SBA is nearing the \$500 million aggregate amount. This bill gives SBA the authority to continue to sell bonds as old bond issues are retired. The SBA was formed in 1989 and no one recalls why the statute was written to cap school construction bonds at the \$500 million level, especially since the SBA has a dedicated revenue source to retire the bonds. The bill is in House Finance Committee. [S.B. 427](#) renames and reorganizes the Parkways, Economic Development and Tourism Authority. This bill is also on the House Finance Committee agenda this week.

A number of bills would provide bonding or additional funding for economic development projects and higher education projects. [S.B. 235](#) establishes the “Creative Communities Development Pilot Program,” [S.B. 237](#) authorizes the issuance of revenue bonds for public projects, [S.B. 612](#) authorizes the governor to certify certain higher education capital improvement projects, [H.B. 4037](#) relates to federal subsidy bonds and bond financing and [H.B. 4162](#) provides a tax credit for obtaining certain certifications by the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED). All these bills are in the committee process.

For a complete list of bills that passed one house of the other, [click here](#).