



Contractors Association of West Virginia LEGISLATIVE BULLETIN



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PREVAILING WAGE REPEAL HOTLY DEBATED ON HOUSE FLOOR

The House of Delegates Wednesday passed H.B. 4005, the prevailing wage reform bill, after nearly three hours of debate, some very hot, all very passionate. The vote was 55-44, with eight Republicans joining the House's 36 Democrats in voting against the measure. Proponents argued that the 81-year-old prevailing wage law continues to inflate wage rates for construction workers on major state-funded construction projects. Opponents of the bill stated that the prevailing wage law provides for a trained and safe workforce that assures the public gets its money's worth.

The Senate Government Organization Committee has on its agenda H.B. 4005 on Monday at 9 A.M. in room 208 West Wing. Both sides will have 20 minutes for comments then the committee will begin debating the bill.

A public hearing was held in the House Chamber Thursday on S.B. 1, the right-to-work bill, eliciting the same passion and conviction as prevailing wage. After more than five hours debating S.B. 1, the House Judiciary Committee voted 13-10 to report the bill to the full House of Delegates. The bill could be up on passage stage as early as Thursday, February 4.

INFRASTRUCTURE FUNDING DIVERSION BILLS INTRODUCED

The governor's bills to divert money from infrastructure projects to help offset the state's General Fund debt have been introduced. H.B. 4217 decreases funding by \$10 million this year for the West Virginia Infrastructure Fund and S.B. 400 reduces the School Building Authority's budget \$4 million. H.B. 4294 and S. 356 eliminate the transfer of consumer sales on highway construction materials to the State Road Fund from the General Fund. This will cost the SRF about \$10 million. Other bills have been introduced to reduce the state's gasoline tax, which would further erode the WV Division of Highways' maintenance and construction budget.

Notwithstanding the current \$353 million budget deficit expected in this year's general budget, the CAWV argues these construction projects create jobs and generate tax revenues back to the state's general fund and, for these reasons, the Legislature should reject them.

FINANCE COMMITTEES CONTINUE BUDGET HEARINGS

The Senate and Finance Committees hear budget presentations by all state agencies before beginning deliberations on the next fiscal year budget. Many

agencies have already made their presentations. The West Virginia Department of Transportation presentation, which includes budgets for the Division of Highways and Parkways Authority, will be held today at 3:00 p.m. by the House Finance Committee and February 3 at 3:00 p.m. by the Senate Finance Committee. The School Building Authority has already gone before the Senate Finance Committee. The SBA will present its budget to House Finance members February 10 at 9:30 a.m.

GROUP IDENTIFIES \$330 MILLION IN GOVERNMENT WASTE

The Cardinal Institute for West Virginia Policy released a study last week that identifies \$330 million in “wasteful spending spread across nearly 60 different state programs” out of a \$4.6 billion budget. The Institute, created by former CAWV member and gubernatorial candidate Bill Maloney, is now partnered with the conservative pro-business Taxpayers Protection Alliance. The authors of the report, entitled Wild & Wasteful West Virginia, have put their findings in a 54-page booklet that lists programs such as funding for the arts, the state Courtesy Patrol, the state’s purchasing (PCard) card system and fairs and festivals as wasteful. The report notes the recent Deloitte performance audit of the West Virginia Division of Highways recommends savings of \$25 million to \$50 million. The CAWV has noted that any company, agency or organization can always improve operations, but, in the case of the WVDOH audit, the question is how one dollar in projected savings will equate to one new, additional dollar for road maintenance or construction.

WVBT HIGHWAY FUNDING CAMPAIGN UNDERWAY

On Monday, January 18, West Virginians for Better Transportation unveiled its campaign to promote highway funding. “Fix Our Roads Now” ads are running in Charleston newspapers and the MetroNews radio system, and billboards are up on Interstates 64, 77 and 79 leading into and out of Charleston. Viewers in the Charleston television market are seeing a 30-second TV ad extolling the need to fix West Virginia’s road for jobs and safety reasons. Members can learn more about the campaign on the website www.fixourroadswv.org. Click [here](#) to view the billboard and click [here](#) to view the newspaper ad.

NUMEROUS HIGHWAY RELATED BILL INTRODUCED

There are a number of bills introduced to date that impact highways or the WV Division of Highways. Many were discussed in the January 25, CAWV Legislative Bulletin. Additional bills include S.B. 121 which increases licensing and registration fees of the Division of Motor Vehicles. Legislators passed a bill in 2011 to increase fees, most of which had not been changed since the 1970s and 1980s, only to see the bill vetoed on constitutional grounds. S.B. 397, introduced last week, continues tolls on the West Virginia Turnpike. The bill’s sponsors are current Senate Transportation and Infrastructure Committee Chairman Chris Walters, R-Kanawha, and former chair, Bob Beach, D-Monongalia. On Third Reading in the Senate today is a rules bill which creates a State Transportation Infrastructure Fund within the WVDOH. A bill creating the fund was passed last year which was a recommendation of the Governor’s Blue Ribbon Commission on Highways to create a State Infrastructure Bank (SIB) that could accept loans and other federal funds. Most states have a SIB already in place.

WEST VIRGINIA LEGISLATURE BILL INFORMATION

House and Senate bills can be accessed from the CAWV's Legislative home page at www.cawv.org/legislative. Members can view status updates on bills of interest to the construction industry and see what legislation is introduced that affects the construction industry. A summary of each day's activities will be uploaded each afternoon.

Below is a list of bills that have been introduced this week that have an impact on the construction industry or some CAWV members. Anyone needing further information can contact Mike Clowser at (304) 342-1166 or email mclowser@cawv.org.

HOUSE BILLS

<i>Bill #</i>	<i>Proposal</i>	<i>Sponsors</i>	<i>Introduced/ Committee</i>
HB 4250	Prohibiting shifting future development costs onto existing public service district customers	Del. Skinner	01/25/16 –Judiciary
HB 4268	Relating to dedication of severance tax proceeds to the West Virginia Infrastructure General Obligation Debt Service Fund	Del. Mr. Speaker (Mr. Armstead), and Miley[By Request of the Executive]	01/26/16 –Finance
HB 4269	Relating to public school finance	Del. Mr. Speaker (Mr. Armstead) and Miley [By Request of the Executive]	01/26/16 – Education then Finance
HB 4273	Requiring that patching repair of hard surfaced roads, highways and streets be by use of mechanical rollers	Del. Fast, Hill, Shaffer and Azinger	01/26/16 - Roads and Transportation then Finance
HB 4274	Relating to gasoline and fuel excise tax	Del. Fast, Hill, Shaffer, Overington, Kurcaba, Kessinger and Border	1/26/16 – Roads and Transportation then Finance
HB 4294	Eliminating the consumers sales and service tax exemption on purchases of certain materials by a second party in construction or maintenance of a highways project	Del. Miley [By Request of the Executive]	1/27/16 - Roads and Transportation then Finance
HB 4313	Adding citizen members to the board of Architects	Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Moffatt, Atkinson and Morgan	1/27/16 – Government Organization
HB 4321	Relating to tax credits for apprenticeship training in construction trades	Del. Foster, Cadle, McGeehan, Butler, Ihle, Azinger, Fast, Moffatt, J. Nelson, Waxman and Summers	1/28/16 - Industry and Labor then Finance
HB 4324	Authorizing information sharing by Workforce West Virginia	Del. Mr. Speaker (Mr. Armstead) and Miley [By Request of the Executive]	1/28/16 - Government Organization then Judiciary
<i>Bill #</i> SB 397	<i>Proposal</i> Maintaining status quo in event bond indebtedness to Parkways Authority is eliminated	<i>Sponsors</i> Sen. Walters and Beach	<i>Introduced/Committee</i> 1/27/16 - Transportation and Infrastructure then Finance

SB 400	Reducing amount of sales tax proceeds dedicated to School Major Improvement Fund	Sen. Cole (Mr. President) and Kessler [By Request of the Executive]	1/27/16 - Finance
SB 425	Expanding definition of underground facility in One-Call System Act	Sen. Cole (Mr. President) and Kessler [By Request of the Executive]	1/29/16 - Energy, Industry and Mining then Judiciary
SB 441	Supplemental appropriation from State Road Fund to DOT, Division of Highways	Sen. Cole (Mr. President) and Kessler [By Request of the Executive]	2/1/16 - Finance
SB 445	Requiring well operators and pipeline operators to report emergency incidents to Division of Homeland Security	Sen. Cole (Mr. President) and Kessler [By Request of the Executive]	2/1/16 - Energy, Industry and Mining then Judiciary



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