



Contractors Association of West Virginia **LEGISLATIVE BULLETIN**



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LEGISLATIVE SESSION HEATING UP

The West Virginia Legislative session is getting into full swing as the House and Senate committees have full agendas. The Senate Government Organization Committee passed out S.B. 283, which makes a number of changes to the state's purchasing guidelines. These include changing a project limit from \$100,000 to \$1 million before the new vendor disclosure form required by the West Virginia Ethics Commission is required, eliminating the 5% West Virginia resident bidders preference for commodities by replacing it with a reciprocal vendors preference requirement, and stipulating that alternates on public construction contracts be taken in the order in which they appear in the bid documents. The bill now goes to Senate Finance.

The Senate passed S.B. 284 to expand access to career education and workforce training by a vote of 34-0. The bill, which was introduced on behalf of the Governor, would provide "last dollar" funding for those wishing to attend community or technical college in West Virginia. The House Energy Committee passed H.B. 4268 which would update West Virginia's co-tenancy laws related to natural gas development. Currently, West Virginia requires unanimous consent from all co-tenants of a mineral property before any development can begin. This means that a co-tenant controlling 1% of a mineral property can halt development even if the owners of the 99% would like to proceed. [HB 4268](#) would address that by protecting the wishes of a majority of co-tenants.

The House Government Organization Committee passed [H.B. 4317](#) which transfers operation procedures to the West Virginia Contractors Licensing Board. The board currently utilizes the West Virginia Division of Labor (WVDOL) personnel to run their day-to-day duties. The bill requires the board to set up their own operations, administrative duties and record keeping without the involvement of the WVDOL. The bill will go to House Judiciary Committee before going to full House of Delegates.

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

Bill #	Sponsors	Proposal	Introduced/Committee
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HB 4351	Del. Paynter, Phillips, Maynard, Dean, McGeehan, Jennings, Howell, Hamrick, Butler, Fast and Kessinger	Classifying owner operators and independent contractors who contract with licensed and registered trucking companies as nonemployees	<i>01/30/18 - To Industry and Labor then the Judiciary</i>
HB 4365	Del. Dean, Wagner, R. Romine, Rowan, Thompson, Ambler, Iaquina, Cooper, Folk, McGeehan and Paynter	Fixing the premium cost sharing at no less than 80 percent for the employer and no more than 20 percent for the employee	<i>01/30/18 - To the Judiciary then Finance</i>
HB 4384	Del. Mr. Speaker (Mr. Armstead) and Miley [By Request of the Executive]	Making a supplementary appropriation to the Department of Transportation	<i>02/01/18 - To Finance</i>
HB 4426	Del. Harshbarger, Kelly, Westfall, Butler, Paynter, Hanshaw, Sobonya and Foster	Relating to the Department of Environmental Protection	<i>02/05/18 - To the Judiciary</i>
HB 4428	Del. Foster, Cowles, Upson, Householder, Moore, Walters and Butler	Allowing training hours earned through public school education or apprenticeship to count towards an applicant's occupational certification	<i>02/05/18 - To Education</i>
HB 4430	Del. Rowe, Miley, Hornbuckle, Robinson, Lovejoy, Pushkin, Fleischauer, Lane, Cooper, Rowan and Wagner	Creating a merit based scholarship program for tuition and fee payments for certain students attending state community and technical college (FN)	<i>02/05/18 - To Education then Finance</i>

SENATE BILLS

Bill #	Sponsors	Proposal	Introduced/Committee
SB 413	Sen. Sypolt and Smith	Levying 0.5 percent severance tax on deep sand gas and future cracker plants (FN)	<i>01/29/18 - Energy, Industry and Mining then Finance</i>
SB 440	Sen. Gaunch	Establishing Library Facilities Improvement Fund	<i>01/31/18 - Government Organization</i>
SB 448	Sen. Gaunch	Relating generally to professional associations	<i>02/01/18 - Government Organization</i>

SB 454	Sen. Azinger, Arvon, Karnes, Maynard and Rucker	Classifying owner-operators and independent contractors under workers compensation	<i>02/01/18 - Government Organization then Judiciary</i>
SB 457	Sen. Beach	Relating to jurisdiction of PSC over motor carriers	<i>02/01/18 - Government Organization then Judiciary</i>
SB 458	Sen. Swope, Rucker and Trump	Prohibiting political subdivisions from enacting regulations or legal requirements relating to employer-employee relationship	<i>02/01/18 - Judiciary</i>
SB 461	Sen. Ferns	Extending time to file petition for motor fuel excise tax refund	<i>02/01/18 - Finance</i>
SB 474	Sen. Swope, Azinger, Blair, Boso, Clements, Drennan, Ferns, Gaunch, Karnes, Maynard, Rucker, Smith, Sypolt, Trump and Weld	Requiring that certain documents filed pursuant to WV Jobs Act which include records of wages be considered confidential	<i>02/02/18 - Workforce then Government Organization</i>
SB 481	Sen. Beach	Requiring persons building residential structures inform county board of education of structures and estimated number of occupants	<i>02/05/18 - Government Organization then Judiciary</i>
SB 485	Sen. Blair	Terminating Workers Compensation Debt Reduction Fund assessment on self-insured employers (FN)	<i>02/05/18 - Finance</i>