

LEGISLATIVE LINEUP



YOUR LEGISLATIVE UPDATE FROM CCAWV

WWW.CCAWV.ORG - (304) 345-4639

Collective County Voices

*Wednesday February 13, 2019,
Week 5 of the 2019 WV Legislature*
BY: Vivian Parsons, Executive Director

CCAWV's Legislative Agenda Moving...

Below are the bill numbers assigned to each of our priorities. Be sure to continue to talk to your legislators about the bills and ask for their support!

--**HB 2861** - 1% Sales Tax Authority for Counties – **To Pol Sub then Finance (Also SB 580 in the Senate referred to Senate Gov Org then Finance.) SB 580 is on the Senate Gov Org agenda for Thursday, Feb 14 at 2:00 pm**

-- **SB 615** Local Government Salary Bill Mechanism – To Senate Gov Org (also introduced in the House: HB 2995 and HB 3088 both referred to Pol Sub then House Finance)

--Increasing the Roll-back Provision Maximum **The Senate Finance Committee originated the bill Wednesday in committee and passed it. The bill should get reported to the floor Thursday or Friday with a number! (The House also introduced the bill **HB 3003**, and it was introduced again in the Senate **SB 614**)**

-- **SB 295** - Protection for Court Security Officers – **To Senate Judiciary – was amended and passed by Senate Judiciary and is on first reading on the Senate Floor (Also introduced in the House **HB 3000** referred to House Judiciary)**

--**SB 551** Expanding Authority for Disposal of County Property - To Senate Gov Org then Judiciary (Also introduced in the House **HB 3002** referred to House Gov Org)

-- **HB 2663** - Exempting Agriculture Buildings from County Building Code –**Passed the House Agriculture Committee. Now in House Gov Org**

Severance Exemption for Low Producing Wells

The House Energy Committee and the House Finance passed **HB 2673** and sent it to House Floor. It will exempt low volume oil and gas wells from severance tax and then charge a special use fee on sales from oil and gas wells which produce more than 5,000 cubic feet of natural gas or one-half barrel of oil per day but less than 60,000 cubic feet of natural gas or 10 barrels of oil per day. Mark Muchow, Dept of Revenue said that the wells that fall into this category accounts for about 7 ½% of produced gas and about 15% of the oil. The total loss of severance dollars across the state is about 15 million and the county portion is about \$1.5 million. The bill is up for passage on Thursday in the House. **We will continue to work in the Senate to keep counties whole.**

HB 2830 to Create 911 Next Gen Committee

HB 2830, introduced this week, would establish a commission to study the costs and potential changes needed to implement Next Generation 911. The bill establishes the make up of the committee and its duties. It requires a preliminary report by December 31, 2019 and a final report is due December 31, 2020. The committee will include 4 PSAP representatives and 4 county government representatives, familiar with county purchasing and finances. We are working to make sure that CCAWV has input into who those representatives will be. **The bill passed House Gov Org on Wednesday and was sent to House Finance.**

SB 261 Number of Magistrates Per County

The bill to codify the number of magistrates serving in the state within each county passed out of Senate Judiciary on Friday. It added 1 additional magistrate each to Putnam, Berkeley, and Jefferson immediately. It also adds 1 additional magistrate each to Logan and Monongalia on July 1, 2019. One Magistrate was eliminated from McDowell County. The bill is 2nd referenced to Senate Finance

SB 28 Removing Hotel/Motel Occupancy Tax Limit Collections for Medical Care & Emergency Services

Senate bill 28 passed both the Senate and the House but is now parked in Senate rules due to an amendment offered in House Finance this week. The amendment would allow an additional purpose for those expenditures for the support and operation of economic development activities, including site development, facilities and infrastructure. This is a bill that would help some counties like Tucker County that struggles to meet its obligations for medical & emergency services.

HB 2876 Sheriffs' Commission Bill




HB 2876 will allow the statutory commission paid for high performing tax collections by sheriff, to be considered as part of the sheriff's annual base salary for the calculation of future increases to the pay of a sheriff. CCAWV supports this bill.
No movement this week









HB 2767 Reducing Coal Severance

The purpose of this bill is to reduce the severance tax on thermal or steam coal to two percent, and to still include the county share in the rate. The 2% rate of tax includes the thirty-five one hundredths of one percent additional severance tax on coal imposed by the state for the benefit of counties and municipalities as provided in [§11-13A-6](#). **No movement this week.**

Following is a list of the introduced last week that have county interest. Remember our legislative committee meets weekly by phone conference to discuss the issues. Contact this office (304) 345-4639 or any of your legislative committee members to express concerns. You can find a complete list of all bills at the WV Legislative website: <http://www.legis.state.wv.us/index.cfm>









If you are viewing this report online, you can click on bill numbers to review the full language of the bill or resolution. Be sure to look at the latest version!

2019wk5 - 2019 Regular Session					
Bill	Title	SA/SI	Last Action	Committee Reference	Notes
SB 551 	(None) Expanding county commissions' ability to dispose of property		02/07/19 - To Senate Government Organization	Senate Ref. 1 - Government Organization Senate Ref. 2 - Judiciary	CCAWV Priority Edit Delete
SB 565 	(None) Relating to residency requirements for deputy assessors	SI HB2827	02/11/19 - To Senate Government Organization	Senate Ref. 1 - Government Organization	Eliminating residency requirements for deputy assessors Edit Delete
SB 572 	(None) Prohibiting county assessor from reclassifying managed timberland property		02/11/19 - To Senate Natural Resources	Senate Ref. 1 - Natural Resources Senate Ref. 2 - Judiciary	The purpose of this bill is to prohibit a county assessor from reclassifying managed timberland property without first providing the property owner the opportunity to submit the appropriate information. The bill establishes a fine. Edit Delete

SB 580	(None) 	Relating generally to Local Control and Accountability Act	SI HB2861	02/12/19 - To Senate Government Organization	Senate Ref. 1 - Government Organization Senate Ref. 2 - Finance	CCAWV Priority. 1% sales tax authority for counties. Edit Delete
SB 592	(None) 	Providing for collection of hotel occupancy tax by marketplace facilitators		02/13/19 - To Senate Finance	Senate Ref. 1 - Finance	providing for collection and remittance of the tax imposed by any municipality or county; requiring the marketplace facilitator separately state the tax on all bills, invoices, accounts, books of account, and records relating to occupancy or use of a hotel room; and deeming all taxes collected be held in trust by the marketplace facilitator until remitted. Edit Delete
SB 599	(None) 	Relating to selection process of delegates to national party conventions		02/13/19 - To Senate Judiciary	Senate Ref. 1 - Judiciary	Add a note.
SB 604	(None) 	Allowing one member of public service board be member of county commission		02/13/19 - To Senate Government Organization	Senate Ref. 1 - Government Organization	Add a note.
HB 2884	(None) 	Permitting the clerk of a circuit court to charge and collect a fee to search electronic records that requires special programming		02/07/19 - To House Judiciary	House Ref. 1 - Judiciary House Ref. 2 - Finance	All fees will be deposited into the Courthouse Facilities Improvement Fund. Edit Delete
HB 2901	(None) 	Allowing for the establishment of a secondary location for racetrack video lottery terminals		02/07/19 - To House Judiciary	House Ref. 1 - Judiciary House Ref. 2 - Finance	Add a note.
HB 2912	(None) 	Requiring the Consolidated Public Retirement Board to increase by one percent, the monthly annuity payment for each retiree		02/07/19 - To House Pensions and Retirement	House Ref. 1 - Pensions and Retirement House Ref. 2 - Finance	Add a note.
HB 2918	(None) 	Imposing an additional assessment on certain real property		02/08/19 - To House Finance	House Ref. 1 - Finance	In addition to all other taxes on real property imposed and permitted to be collected by this code, the owner of real property that is unoccupied by a person who does not reside in the state shall be assessed an additional \$5 per acre for each acre owned. The county

					assessors and the Tax Commissioner shall work together to determine what properties are subject to this additional assessment and its collection. The tax authorized by this section shall be collected by the county assessors and shall be deposited into the Public Employees Insurance Agency Stability Fund. Edit Delete
HB 2946 <u>(None)</u> 	Clarifying Public Service Commission jurisdiction over water and sewer utilities owned by political subdivisions	SI SB467	02/08/19 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Judiciary	The purpose of this bill is to clarify PublicService Commission jurisdiction over water and sewer utilities owned by political subdivisions; establish uniformity in the Class of publications required by municipalities and public service districts for the revision in rates; to provide a time period for the filing of and resolution of complaints filed at the public service commission regarding actions of municipalities; to clean up language in Code §24-2-4b regarding reference to other sections of the code regarding notice requirements for municipal utilities; and, regarding the time period pertaining to the filing of appeals and the resolution of such appeals of rate and construction projects decided by county commissions. Edit Delete
HB 2958 <u>(None)</u> 	Authorizing the State Auditor to conduct regular financial examinations or audits of all volunteer fire companies		02/11/19 - To House Government Organization	House Ref. 1 - Government Organization	Add a note.
HB 2966 <u>(None)</u> 	County Budget Flexibility Act		02/11/19 - To House Judiciary	House Ref. 1 - Judiciary House Ref. 2 - Finance	Add a note.
HB 2967 <u>(None)</u> 	Permitting a county to retain the excise taxes for the privilege of transferring title of real estate		02/11/19 - To House Finance	House Ref. 1 - Finance	Add a note.
HB 2995 <u>(None)</u> 	Providing county commissioners an ongoing mechanism to consider compensation increases for elected officials	SI HB3088 SI SB615	02/12/19 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Finance	CCAWV Priority Edit Delete

HB 3000	(None) 	Relating to crimes against public justice	SI SB295	02/12/19 - To House Judiciary	House Ref. 1 - Judiciary	CCAWV Priority Court Security bill Edit Delete
HB 3002	(None) 	Expanding county commissions' ability to dispose of county or district property		02/12/19 - To House Government Organization	House Ref. 1 - Government Organization	CCAWV Priority Edit Delete
HB 3003	(None) 	Relating generally to the effect on regular levy rate when appraisal results in tax increase	SI SB614	02/12/19 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Finance	CCAWV Priority Roll-back bill Edit Delete
HB 3010	(None) 	Establishing a 911 Emergency Services Retirement System	SI SB616	02/12/19 - To House Pensions and Retirement	House Ref. 1 - Pensions and Retirement House Ref. 2 - Finance	CCAWV supports Edit Delete
HB 3012	(None) 	Providing new graduates of an in-state or out-of-state higher educational institution a tax credit on the personal property tax		02/12/19 - To House Education	House Ref. 1 - Education House Ref. 2 - Finance	a \$1,000 tax credit on the income tax of the graduate for five taxable years Edit Delete
HB 3030	(None) 	Relating to the West Virginia Public Employees Retirement Act		02/12/19 - To House Pensions and Retirement	House Ref. 1 - Pensions and Retirement House Ref. 2 - Finance	The purpose of this bill is to allow purchase of retroactive service credit, for periods of employment in which contributions were not deducted from the employee's pay, in installments rather than in a lump sum under the West Virginia Public Employees Retirement Act. Edit Delete
HB 3034	(None) 	Relating to Deputy Sheriff Retirement System		02/12/19 - To House Pensions and Retirement	House Ref. 1 - Pensions and Retirement House Ref. 2 - Finance	The purpose of this bill is to permit partially disabled deputy sheriffs to engage in other gainful employment without limiting earnings. Edit Delete
HB 3041	(None) 	Relating to electioneering or distributing literature at early voting locations		02/12/19 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Judiciary	Electioneering, display or distribution of campaign materials during in person absentee voting shall conform to the requirements of §3-9-9 of this code. Edit Delete
HB 3045	(None) 	Exempting certain complimentary hotel		02/12/19 - To House Finance	House Ref. 1 - Finance	The purpose of this bill is to exempt complimentary hotel rooms provided by a

		rooms from hotel occupancy tax				hotel operator to guests without charge from the hotel occupancy tax. Edit Delete
HB 3047	(None) 	Providing that moneys in the West Virginia Emergency Medical Services Retirement Fund are exempt from taxation, garnishment and other process	SI SB288	02/12/19 - To House Judiciary	House Ref. 1 - Judiciary House Ref. 2 - Finance	Add a note.
HB 3051	(None) 	Relating to requiring state, county, and municipal government agencies to provide all employees an annual statement of total compensation		02/12/19 - To House Government Organization	House Ref. 1 - Government Organization	Add a note.
HB 3055	(None) 	Permitting levies to pass with a majority of the vote		02/12/19 - To House Judiciary	House Ref. 1 - Judiciary	Add a note.
HB 3062	(None) 	Relating to sale of delinquent tax liens		02/12/19 - To House Judiciary	House Ref. 1 - Judiciary House Ref. 2 - Finance	Add a note.
HB 3077	(None) 	Permitting election day registration of voters		02/12/19 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Judiciary	Add a note.
HB 3088	(None) 	Providing county commissioners an ongoing mechanism to consider compensation increases for elected officials	SI HB2995 SI SB615	02/12/19 - To House Political Subdivisions	House Ref. 1 - Political Subdivisions House Ref. 2 - Finance	CCAWV Priority Edit Delete
HB 3094	(None) 	Relating to political affiliation of elected officials		02/12/19 - To House Judiciary	House Ref. 1 - Judiciary	The purpose of this bill is to require persons once elected to remain in the political party from which they were elected; providing legislative findings relating to constitutional requirements associated with elected officials' freedom of association and rights of voters to be represented by persons that have chosen or not chosen a party affiliation; and requiring that if a vacancy occurs in an elected office, that an appointment shall be from a similar political party affiliation.

