



Activity has picked up at the Capitol with only four days remaining for legislation to pass this session. Following is the status of bills that we are working on:

HB 4023 – Raising the Minimum Wage passed out of the Senate Labor Committee at 9:30 a.m. today with no amendments. Senator Hunter, who is pushing this bill, asked for the bill to be read a first time on the floor before going to the Judiciary Committee. At this time we do not know if or when this bill will be placed on the Judiciary Committee's agenda. (It also has been referred to the Finance Committee but there is a chance that that reference could be waived.)

For the state minimum wage to apply all of the following three criteria must be met:

1. gross income of less than \$500,000
2. six or more non-exempt employees
3. 80% of employees are not individually engaged in interstate commerce

One senator gave a great example today of a small local bakery being required to pay \$7.25 competing with Wal-Mart who would only be required to pay only \$5.15.

We urge you to begin calling your Senators on this bill TODAY. It is likely to become a very hot issue. Please refer to the position paper that was included in Number 14 of this publication.

SB 350 - Allowing **local health departments to increase licensing fees** for restaurants, hotels, motor, trailer parks and other facilities that undergo was passed out of House Judiciary on Monday afternoon. This rule will only allow for local health departments to raise fees after public hearings and notifications in the local papers. This bill has been amended so that \$25 can be charged per check-out station, with a maximum of \$300 per location. Also, fees can not be raised without notification in the form of a public hearing. It will be reported to the floor today.

SB 581 - Amending definition of "person" relating to motor fuel excise tax passed in House Finance and is on 2nd reading in the House.

HB 4454 – Relating to **wages withheld from an employee** has passed out of both Labor and Judiciary in the Senate and is on 2nd reading today.

HB 4096 – The appeal bond bill passed Senate Judiciary on Tuesday. It will be reported to the floor today.

SB 576 that changes the calculation of pre- and post-judgement interest passed in House Judiciary on Friday and is on 3rd reading in the House.

The following bills are still pending in committees:

SB 443 – Relating to continuation of hazardous waste management fees passed out of House Judiciary on Tuesday. The bill was amended to only continue the fees for two years and requires reporting to the legislature on fines, fees and expenditures by DEP associated with waste management. The bill now goes to the Finance Committee for consideration.

HB 4133 - Clarifying that magistrate courts have concurrent juvenile jurisdiction with circuit courts with regard to enforcement of laws prohibiting the possession or use of tobacco or tobacco products by minors passed in Health on Thursday afternoon and is now pending in the Judiciary Committee.

SB 245 – Creating Consolidated Local Government Act has passed out of Government Organization Committee and is pending in Judiciary.

SB 562 – Allowing citizens to file certain criminal complaints directly with magistrate court is pending in Judiciary.

SB 285 and SB 780- relating to **unclaimed property** both were referred to a sub-committee and were amended but still have not been placed on the full committee's agenda.

SB 490 – Providing gasoline tax exemption for certain county aging programs. OMEGA has requested that the Finance Committee not address this bill since it takes \$120,000 from the Highway Fund.

SB 613 – Creating Community Empowerment Transportation Act passed in the Senate and was referred to Finance in the House. A similar bill, **SB 759 – Creating Highway Design-Build Procurement Act** has passed in the Senate as well.

HB 4498 – Relating to fees for licensing of money service has been read once on the floor and is now in House Finance.

SB 492 – Providing indemnity agreements in motor carrier transportation contracts void is pending in Judiciary.

HB 4296 would give employers immunity from civil liability for disclosing job-related information is pending in Judiciary.

The Legislature will adjourn at midnight on March 11, 2006. We still expect a Special Session to be called later in the year to deal with tax reform.

If you have any questions during the session or would like to express your opinion on issues, please contact Jan Vineyard at Jan@omegawv.com or call the Association Office at (304) 343-5500.