



News from Inside the Capitol

Volume 6

February 8, 2008

Priority Legislation for the 2008 Legislative Session

Key: Watch  Support  Oppose 



Bottle Bill

SB 135 and HB 2773 were introduced this session, but nothing has moved in committees yet. There was a speaker in House Judiciary on Tuesday, February 5th where a proponent from California spoke in favor of the bill. We have attached the literature that was handed out by these groups for you as well as our position paper against the bill. Both Michael Graney (on Tuesday) and Jan Vineyard (on Wednesday) were on Hoppy Kercheval's show to state our position on this legislation. Judiciary Chairman Webster still states that she will not address this bill this session however we know that a great deal of pressure to do so is being placed on her. If you could speak to members of the committee and state that we are strongly against this bill it would be helpful to our efforts. At this time, we think that we are good in the Senate regarding this issue.



Mandatory Carding

We are currently working on getting this bill drafted and seeking sponsors to have it introduced. We hope that it will be ready by mid-week. We are also developing a position paper on this issue and will provide it to you next week.



Civil Justice Reform

SB 587 regarding **deliberate intent** was introduced this week. Next week we will begin publishing some op-ed pieces as well as getting some mass e-mails out to legislators via BIC.

HB 4374 making it a misdemeanor to file a **frivolous lawsuit** was introduced on February 1st. This bill has been referred to the Judiciary committee.



Taxes

SB 465 regarding a reduction in the **Business Franchise Tax** has been introduced in the Senate. The purpose of this bill is to eliminate the business franchise tax effective January 1, 2013. This bill has not moved out of committee.

HB 4400 regarding **tax administration efficiency** was introduced this week. This bill would require electronic filing of tax returns for taxpayers that satisfy the threshold requirements and provide other efficiency measures.

The combined reporting bill which makes corrections from last year has yet to be introduced.

A publication of





Plastic Bags

Introduced this week was HB 4408 **eliminating plastic bags** from use in retail establishments. We have prepared a position paper in regards to this issue, which we have attached for you. Jan Vineyard will be meeting with Bill Stemple, the Agriculture Committee Chairman early next week to get his plans for this legislation. The *Charleston Daily Mail* did have a front page story in favor of this bill this week. We will wait and get the Chairman's plans prior to forming a strategy regarding this legislation.



Fire Safe Cigarette

SB 534 Creating Fire Safety Standard—was introduced this week by Senator Foster. A group of industry representatives met this week with Senator Foster and Chairman Kessler regarding our concerns over this legislation. As introduced the bill would give jurisdiction in our stores to the Health Department and the Attorney General.



Hazmat Fees

SB 519 has been introduced that would continue the **Hazardous Waste Management Fee Fund** until 2013. The bill also provides more permissive language with respect to how much money the agency may collect in any given year. Concerned parties met with Senator Bowmsn and Secretary Timmermyer this week. Currently a legislative audit is being preformed on this fund. Interested parties agreed to extend the fund for only two years until results of the audit are available.



Employment Issues

There have been numerous bills introduced in regards to employment issues. We are opposed to all of these bills.

SB 14, SB 303, HB 2346 and HB 4132 have all been introduced this session and deal with **employer mandated captive meetings**. None of these bills have moved out of committee. Chairman Webster in House Judiciary will most likely run a bill next week.

SB 18 **allowing paid sick leave to be used as family leave** was introduced in the Senate. This bill has not moved out of committee.

HB 2230 allowing **employees right to decline work** was introduced early in the session and has not moved from committee.

HB 4048 allowing **employees to review and copy personnel files** was introduced in the House. This bill has been in subcommittee.

HB 4322 **providing overtime for all employees working holidays** regardless of whether or not it is part of their 40 hours was introduced in the House. This bill has not moved from committee.

HB 4409 providing **rest periods for employees** was introduced last week. This bill has not moved out of committee.

The above are the primary bills that we are working on at this time. The last day to introduced bills is February 18th. We are working on getting a check cashing bill introduced that would give us fees that are more in line with our surrounding states. We also know of a bill to increase the minimum mark-up on beer that will be introduced by Delegate Poling next week. Bills must be out of their House of origin by February 27th.

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.