



WEEKLY LEGISLATIVE REPORT

WVML Agenda Items Survive the Deadline

Calls of Support Needed

AGENDA ITEM - PEIA-GASB: Amend the code to allow city authorization to choose the health insurance it offers to retirees. Address the GASB 45 issue to assure municipalities are not left with a large unfunded mandate for benefits it does not elect to provide.

Com Sub for SB 715 is before House Finance. The bill relates to participation in the Public Employees Insurance Agency of certain retired employees; mandatory participation in Retiree Health Benefit Trust Fund; requires written certification from nonstate employers who opt out of the other post-employment benefits plan of the fund; and provides that agency is not liable to provide benefit where employer opted out. **Call House Finance Committee to voice your support for the bill, 340-3230.**

AGENDA ITEM LIENS FOR MUNICIPAL FEES: Removing the prohibition and authorizing cities to establish liens for delinquent municipal service fees.

SB 520 relating to authorizing municipalities to file liens for delinquent service fees; and requiring municipal ordinances to have assessment and collection procedures for the service fees, is now before House Finance. **Call House Finance Committee to voice your support for the bill, 340-3230.**

AGENDA ITEM POLICE/FIRE PENSIONS: Require one actuary for all plans; Return insurance surcharge and inject additional capital; 40-year re-amortization if a plan is converted to standard funding; Reform Disability language; Mirror state rules for forfeiture; Increase employee contributions.

Com Sub for SB 667 is now before House Finance. The bill seeks to strengthen the financial condition of municipal policemen's and firemen's pensions and relief funds. The bill provides for new revenue by increased contributions by active members and municipalities, by increased insurance premium tax revenue of .55% dedicated to the funds, by eliminating requirement of duplicate actuarial studies and by improving investment returns by modifying investment flexibility and oversight. All plans would be placed on a forty year standard funding formula. State oversight would be enhanced by the creation of The West Virginia Municipal Pensions Oversight Board, which would be empowered to facilitate standardized procedures among all plans, assist in training and advising local boards of trustees, monitoring investments, guarding against fraud, providing physicians for disability examinations, and reporting to the Legislature. Additional revenue from insurance premium surcharge to be distributed among the plans would be invested for five years with the West Virginia Investment Management Board in an attempt to maximize investment return for pension funds. **Call House Finance to support, 340-3240.**

AGENDA ITEM STORMWATER: assist cities in developing long range plans and revenue to provide for the management of stormwater and combined sewer overflows. Establish another tool for cities to enforce legislation by allowing water to be disconnected if fees are not paid to guarantee revenue for the plans that will allow cities to take advantage of lower interest bonds.

Com Sub for SB 323 is now before House Judiciary. The bill allows for the termination of water service for the nonpayment of duly enacted stormwater fees of municipalities, municipal sanitary boards and public service districts; allows for the enactment and enforcement of municipal pollution control ordinances; and defines the stormwater customers of public service districts. The committee substitute clarifies the following: The owner, tenant or occupant of any real property is hereby found, determined and declared to be served by a stormwater system under either of the following circumstances: (1) When any district has made available a stormwater system where stormwater from the real property affects or drains into the stormwater system; or (2) when any district has made available a stormwater system located in any part of an area that has been designated as a Municipal Separate Storm Sewer System, as defined in 40 C. F. R. §122.26, and the real property is located in any part of the same Municipal Separate Storm Sewer System. **Call House Judiciary and voice support, 340-3252.**

AGENDA ITEM HAZARDOUS/ABANDONED BLDGS: Eliminate the current cap (assessed value) for liens against these properties. Establish a method for cities to force the sale of the demolished property for reimbursement of demolition.

Com Sub for HB 4156 is before Senate Government Organization. The bill permits the governing body of a municipality to place a lien on property in an amount equal to all costs for demolition and removal of a hazardous structure. **Call Senate Gov Org to voice support for the bill, 357-7935.**

OTHER BILLS OF INTEREST

Com Sub for SB 535 is now before House Judiciary. The bill makes the interlock program mandatory for first time offenders with a blood alcohol content of .15 or above and repeals the mandatory 24 hour jail time for first offense. reduces the administrative penalties for driving with a suspended license; permits administrative hearing decisions to be based on the arresting officer's affidavit unless the driver requests the officer's atten-

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dance at the hearing; and requires a mandatory blood alcohol content test for all drivers involved in a motor vehicle crash resulting in death or serious bodily injury.

SB 735 is before House Finance. The bill would dedicate 5% of every million dollars of certain severance taxes for the use and benefit of the counties and municipalities from which those taxes were generated.

Com Sub for HB 4137 is before House Banking and Insurance. The bill clarifies that a municipality or county will be notified in writing by an insurance company when the policy provides for cleanup or removal of the remains of a structure when a total loss to a structure occurs within that county or municipality.

Com Sub for 4386 is before Senate Government Organization and authorizes municipalities to create an annual vacant property registration; limits the authority to class I and II municipalities; provides for registration fees; provides for appeals; and provides penalties.

Com Sub for 4132 (captive audience) is before Senate Judiciary. The bill relates to employers mandating employee participation in certain activities; prohibits employers from mandating communication with employees regarding certain employer beliefs and activities; grants commissioner of labor enforcement powers; authorizes commissioner of labor to establish administrative process and rulemaking; authorizes commissioner of labor to seek injunctive relief; provides for civil damages to employees; provides for special revenue account for administrative penalties; provides that certain employers have limited exemptions from the provisions of this section; and provides for exemption of the provisions of this section when federally preempted. We oppose this bill.

SB 779 is before House Government Organization and relates to limitations on expending hotel occupancy tax proceeds. The bill has been double referenced. After leaving House Gov Org, the bill moves to House Finance. This bill would prohibit funding of any new CVB not in existence on March 1, 2008.

SB 741 dealing with Tax Increment Finance, will not be taken up this session. A study resolution for interims is expected.

Annexation is not in any official bill this year but we have been told to expect meetings during the interims.

Day of Session: 51
Days Remaining: 9
Municipal Bills Remaining: 116
Total Bills Introduced: 2,132

West Virginia Municipal League
2020 Kanawha Blvd., East
Charleston, WV 25311

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Chas. WV 25311