



BIG i | WEST VIRGINIA

News From Inside The Capitol

Volume 3

March 2, 2023

We have reached the halfway point here in West Virginia. It has been a surprisingly slow session this year. The Republicans own super majorities in both houses here, but besides the suspension of rules to pass a few bills to the other chamber without committee reports, there has not been substantial use of this power. A few of the big issues this session that legislators are attempting to tackle are a new income tax plan, the Public Employees Insurance Agency (PEIA), Department of Health and Human Resources reorganization (DHHR), a new economic development plan to bring Form Energy to West Virginia, and the beginning of a plan to bring electric-producing natural gas facilities to the state.

The legislature is working on a drastic reduction in the state income tax, but there are differing ideas on how to do it. The House of Delegates has passed the Governor's tax plan, which reduces state income tax by 50% over three years starting with a 30% cut the next fiscal year (HB2526). The State Senate has opposed this drastic of a cut and recently offered a plan that cuts income tax by 15%, eliminates the "marriage penalty" in tax code, provides a tax rebate on personal vehicles, gives 50% rebate on equipment and inventory taxes for small businesses, and a homestead real property tax rebate for service-disabled veterans (SB424). The final tax cut will probably be some combination of the two after negotiation.

PEIA has been in a rough spot in recent years. The agency that serves over 200,000 of the state's population has seen premiums rise and benefits slashed with the rising cost of health care. Before the session started, WVU Medicine in Wheeling announced it would no longer be accepting PEIA, which has led to a high sense of urgency to find a fix at the legislature. Currently the proposed legislation that is getting the most attention ensures providers are paid 110% of what Medicare pays, the bill gives more flexibility to the PEIA director to adjust for needed changes, the plan also allows spouses to stay on the plan, but they must buy-in for PEIA coverage (SB268). There has also been discussion of requiring employees to join a spouse's insurance if it available. This is a very extensive and far-reaching bill that will continued to be discussed thoroughly throughout the process.

The DHHR is the state's largest agency. It runs the Medicaid program, foster care, Bureau for Behavioral Health, Bureau for Medical Services, as well as addressing the opioid epidemic in the state. Many feel that such an array of responsibilities are beyond the capabilities of one agency. The bipartisan legislation reorganizes the DHHR into three separate departments (HB2006 and SB 126): Department of Health Facilities, Department of Human Services, and Department of Health. Each department will have

its own head and responsibilities. After vetoing a similar bill last year, Governor Justice has said he is not against this bill as of now.

Last year a plan to put a new battery manufacturing plant in Weirton, WV was announced. Form Energy is a company on the cutting edge of battery design and production. The project is estimated to require over \$250 million in public investment. Last week the State Senate passed HB2882 to appropriate \$105 million to the Department of Economic Development for the project, however there were still several legislators who spoke against the bill out of fear that the investors in the company do not share the state's value. The Governor has been in strong support of the project, so it is expected that he will approve the legislation.

Gas versus coal has become a talking point with Senate Bill 188. The bill releases legislative findings that report there is a need for natural gas electric generation facilities and gives the Department of Economic Development the ability to begin steps to attract such a facility. Proponents of coal were alarmed that the bill does not include any mention of the fossil fuel. A second bill was introduced that is essentially a duplicate of the original bill but replaces gas electric generation with coal.

We will continue to keep you updated on these other issues as we make our way through the session. Today was the last day for bills to be introduced outside of committees, and next Wednesday is crossover-day when all bills must be out of committee and advanced to other chamber. Everything gets a lot faster and more hectic in these last few weeks, so this is where the legwork put in earlier in the session really becomes crucial.

Following are bills specific to our industry:

[Here is a link](#) to the full list of bills we monitored on behalf of Big I West Virginia during the 2023 Legislative Session.

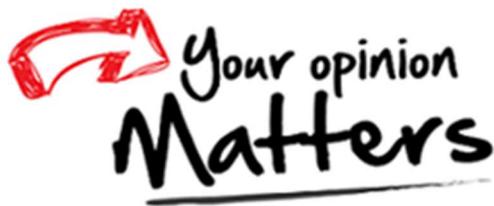
Find Your Legislators

The Legislature's website is an excellent resource to find contact information for your local Legislators and the committees on which they serve. Below are links to the member rosters for both the Senate and House.

If you would like to contact your **Senators** about an issue, their information is [available here](#).

If you would like to contact your **Delegates** about an issue, their information is [available here](#).





If you have any questions during the session or would like to express your opinion on issues, please contact Daniel Hall at daniel@omegawv.com or you can call the office at 304.342.2440 and leave him a message. You may also contact Traci Nelson at traci@omegawv.com or at 304.342.2440.



Tune into the Capitol Conversation live bi-weekly every Thursday evening from 4:00 - 5:00 p.m., during the 2023 WV Legislative Session. We will be discussing the leading industry issues and updating members about what is going on at the Capitol. We will have special guests each week. **Each weekly session has been approved for one hour of continuing education credits.** The following weekly sessions will occur on:

- Mar. 2, 2023 04:00 PM
- Mar. 16, 2023 04:00 PM

To register, please complete the [Registration Form](#). A confirmation email will be remitted after receiving your registration form, multiple registrations can be remitted on one form.

If you have any questions, please feel free to contact [Sarah Estep, Programs Coordinator](#).

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