

Prevailing wage repeal passes WV Senate committee

By Phil Kabler

Legislation to repeal the state's 81-year-old Prevailing Wage Act roared through its only committee assignment in the Senate on Monday, after calls for a jobs impact study, a Fiscal Note on the bill's financial impact and additional review by the Senate Finance Committee were rejected on party-line votes.

"We don't want to have the information," an exasperated Sen. Ron Miller, D-Greenbrier, said afterward. "I've never seen anything like it."

The bill (HB 4005) advanced to the full Senate after it passed the Senate Government Organization Committee on a party-line 8-6 vote.

Prior to that vote, committee members also rejected, on a voice vote, Miller's motion to send the bill to the Finance Committee for further review.

He also was shot down in committee and on the Senate floor on motions to demand a Fiscal Note on the bill. That's a summary by affected state agencies of potential increases or decreases in expenses and/or revenue if a bill is enacted.

Miller's motion was defeated on the Senate floor on a party-line 16-18 vote, with all Democrats voting for the measure and all Republicans voting against it. That margin likely is a precursor for votes for passage of the repeal bill and to override an expected veto by Gov. Earl Ray Tomblin.

"They're just pushing things through without discussion," said Miller, who added that it was disturbing to see the leadership show such disrespect for the minority party.

"This is not a new bill," Committee Chairman Craig Blair, R-Berkeley, said of assertions that the bill is being rushed through the Legislature without study. "I was the sole sponsor last year of the repeal bill that we eventually did a compromise on."

Blair added, "We know — and you know — this is a delaying tactic."

Blair ruled in committee that House leadership already had concluded that a jobs impact study or Fiscal Note were unneeded for the legislation.

"These same questions were raised in the House, and the decisions were made [that] they were not necessary," he said.

Blair also argued that the bill did not need to go on to the Finance Committee, saying the full Senate would act as a committee of the whole to review the bill, adding, "Each and every member of the Senate has the opportunity to weigh in."

"There's no question it's going to have an impact on state resources, and we need to know what it's going to be before we move forward on this," Sen. Bob Williams, D-Tucker, said of the need for more

information on the repeal bill.

Senate Finance Chairman Mike Hall, R-Putnam, however, downplayed the usefulness of a Fiscal Note, saying it would be hard to accurately measure how changes in the wage rates for construction workers would affect the state's general revenue budget.

The bill passed the House last Wednesday on a 55-44 vote, with eight Republicans joining the House's 36 Democrats to vote against the repeal. That was after House leadership rejected five motions calling for either jobs impact studies or Fiscal Notes on the bill.

Meanwhile, Sen. Herb Snyder, D-Jefferson, urged the leadership to allow more time for the revised Prevailing Wage Act to take effect.

Passed last session, the legislation made numerous changes to the law, including setting a \$500,000 project-cost threshold for prevailing wage rates, and moving the process of verifying regional wage rates from the Division of Labor to WorkForce West Virginia.

The new wage scales went into effect Oct. 1.

"Politics is the art of compromise," he said. "There was a lot of time and a lot of effort spent on this last year."

Snyder said the Legislature should be looking at improving the new prevailing wage rate calculations, instead of repealing the law outright.

Earlier Monday, five building contractors and union representatives spoke against repeal of prevailing wage, while one speaker, Brian Hoylman, of Associated Builders and Contractors, which represents a group of non-union building contractors, was in favor of the bill.

Glenn Jefferies, president of Cornerstone Interiors, in Eleanor, echoed Snyder's comments.

"For some reason, we don't want to give the new methodology a chance. Now we want to completely repeal it," Jefferies said.

Reflecting the razor-thin Republican majorities in Senate committees, Monday's committee meeting was delayed by an hour, awaiting the arrival of Sen. Mark Maynard, R-Wayne.

Once Maynard arrived, the committee spent a total of about an hour and 15 minutes on the bill, from counsel's explanation of the bill to the vote to advance it to the full Senate.

With no amendments expected on the Senate floor, the bill could be headed to the governor before the end of the week.

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