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Statehouse Beat: Shorter interims schedule leaves issues unaddressed

I think we can declare the Legislature's experiment with a sharply truncated schedule of legislative interim meetings an abject failure.

Not only did the new leadership shorten interims from three days a month to one and a half days, but they took May, July and August off entirely. (At the moment, they're also planning to take December interims off as well.)

In April, the Joint Committee on Government and Finance assigned interim committees a total of 61 topics of study, with complex issues that probably merited several sessions over the months. With November's session, legislative interims have met for barely 60 hours this year, so obviously most topics got short shrift.

One committee that was to analyze the recommendations of the governor's Blue Ribbon Commission on Highways. Committee members had one meeting to get an overview of the report's recommendations of finding \$1 billion of additional funding for state highways — then never took it up again.

Another study topic was for a complete review of the state's gaming and racing industries. Again, a total of one committee meeting was devoted to the issue, consisting primarily of greyhound owners and breeders asking legislators not to eliminate their multi-million dollar state subsidies.

As best as I can determine, a number of study topics were never taken up, including campaign finance reform, Ethics Act reform, coal mine safety regulations, and disparity in gasoline prices statewide, among others.

(Remarkably, despite the time crunch, legislators found time to devote three Health and Human Resources Accountability meetings to the issue of drug-testing welfare recipients. Even more remarkably, despite a preponderance of evidence from other states that such testing is expensive and ineffective in singling out drug abusers, the committee is pushing forward with draft legislation to be introduced next session.)

Meanwhile, the Legislative Rule-Making Review Committee was so far behind in its work that it had to meet for five hours on Sunday, and schedule full days of meetings on Tuesday, Wednesday and Thursday.

One can debate whether legislative interim meetings have ever been all that effective in developing policy or preparing legislation for the next regular session, but by cutting the available time by more than half, the current leadership has all but assured their ineffectiveness.

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After Democrats on the Joint Committee of Government and Finance picked apart a study by legislative counsel Tracy Webb and James Bailey that purportedly showed that costs for two school additions built this summer during the prevailing wage lapse were lower than two others bid out prior to the lapse, the lesson seems to be that you shouldn't send lawyers to do an auditor's job.

Besides a four-item sample being too small to draw any valid conclusions, this was a true case of trying to

compare apples to oranges.

Among the issues raised was that costs for the most expensive prevailing wage project, Iaeger Panther Elementary in McDowell County, were driven up by additional site preparation needed to stabilize the construction site, while costs for one of the cheaper non-prevailing wage sites, Ceredo Kenova Elementary dropped because of a change order to use less expensive ICF block construction. (The general contractor on that job paid prevailing wage, although some subcontractors did not.)

Ultimately, Bailey conceded that the only way to do an accurate comparison would be to have the same contractor build two identical buildings, paying prevailing wage on one job but not the other.

As Senate Minority Leader Jeff Kessler, D-Marshall, noted, even if the premise that the non-prevailing wage projects had an average cost of \$192 a square foot, some \$20 a square foot cheaper than the prevailing wage jobs, the savings is still nowhere close to the opponents' claim that you could build "five schools for the price of three," which would require getting the cost down to about \$120 a square foot.

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Finally, speaking of interims, several hundred union workers showed up for the Joint Judiciary Committee hearing on right-to-work legislation, packing the largest committee room in the Capitol, and spilling out fill the entire second-floor East Wing hallway.

Which is something they probably wouldn't be able to do if plans proceed to lock down the Capitol by next session, with two security entrances for the public.

The question is, how many people can get through a security checkpoint with metal detector and X-ray in an hour?

Assuming 15 seconds per person — which is probably about as fast as one can empty one's pockets into a tray, pass through a metal detector and retrieve the items — each checkpoint could process 240 people an hour, and that's assuming no one sets off the metal detector or puts a suspicious-looking item through X-ray.

With the two proposed entrances at the East and West wings, I suspect it would have taken the union members an hour or more to get into the Capitol. Human nature being what it is, it's likely a majority of visitors will enter through the West Wing, being that it's closer to visitor parking and to the East End, and I doubt if most people will treat the Capitol like a major airport and arrive 90 minutes ahead of schedule to get through security.

Given that it sounds like the legislative leadership is ready to go full bore on controversial issues including repeal of prevailing wage, charter schools and right-to-work, one wonders if the real reason for heightened security is to keep angry constituents out of the Capitol next session.

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