

# STATE OF WEST VIRGINIA

## EXECUTIVE DEPARTMENT

Charleston

### A PROCLAMATION

I, **JOE MANCHIN III, GOVERNOR** of the State of West Virginia, by virtue of the authority vested in me by Section 7, Article VII of the Constitution of West Virginia, do hereby call the Legislature of West Virginia to convene in Extraordinary Session upon adjournment *sine die* of the 2009 Regular Session, as extended by Senate Concurrent Resolution 68, in its chambers in the State Capitol, City of Charleston, for the sole purpose of considering and acting upon the following matters:

**FIRST:** Certain supplementary appropriation bills.

**SECOND:** Certain ceremonial resolutions.

**THIRD:** Legislation relating generally to the establishment of critical skills instructional support programs for students in grades three and eight; establishing procedures and requirements for implementing critical skills instructional support programs; and authorizing mandated attendance at a summer critical skills instructional support program as a condition for promotion under certain circumstances.

**FOURTH:** Legislation relating to the valuation of certain property used in a high-technology business or internet advertising business at salvage value for ad valorem property tax purposes; exempting the sale of certain goods used in a high-technology business or internet advertising business from the consumers sales and service tax; and

permitting a contractor to assert, under certain circumstances, an exemption from the consumers sales and service tax to which his or her principal is entitled.

**FIFTH:** Legislation relating to enhancing opportunities for post-mine development of reclaimed surface mine property; requiring certain counties to develop master land use plans for post-mine development; requiring surface mine permits to contain reclamation plans that comport with approved master land use plans; authorizing the Department of Environmental Protection to approve alternative post-mine land uses under certain circumstances; and enhancing and clarifying procedures relating to the development of master land use plans.

**SIXTH:** Legislation relating generally to the establishment of minimum alternative and renewable energy portfolio requirements; requiring, by the year 2025, each electric utility doing business in West Virginia to purchase or generate the equivalent of at least twenty-five percent of electricity sold to electric retail customers in the state during the previous calendar year; providing for the establishment of a tradeable system of credits to track and verify the purchase and generation of electricity produced from alternative and renewable energy sources, electricity conserved through certain energy efficiency and demand-side energy initiative projects, emissions reduced through certain emission reduction or offset projects, or electricity generated from alternative or renewable energy sources operated by certain electric retail customers; authorizing the administration and enforcement of alternative and renewable energy portfolio requirements by the Public Service Commission; providing for certain cost recovery and rate incentives; requiring the Public Service Commission to initiate a general investigation into certain alternative and renewable energy standards; requiring the Public Service Commission to adopt certain net metering and interconnection standards; and creating a grant program for certain alternative and renewable energy projects.

**SEVENTH:** Legislation relating to increasing the share of adjusted gross receipts from pari-mutuel racetracks with West Virginia Lottery racetrack table games allocated to certain municipalities and counties after each pari-mutuel racetrack in the

state is licensed to offer West Virginia Lottery racetrack table games; providing a corresponding adjustment of funds transferred to the state; and providing for a two-year increase in funds allocated to the Lottery Commission for administration and enforcement.

**EIGHTH:** Legislation relating to reclassifying licenses for the retail sale of liquor as freestanding licenses and mixed retail licenses; setting forth procedures and requirements for the issuance of each class of retail licenses; and providing a purchase option and financing procedures for certain current licensees seeking to operate a freestanding liquor retail outlet.

**NINTH:** Legislation relating to requiring the Division of Personnel and the Department of Health and Human Resources to jointly develop pay rates and employment requirements to support the recruitment and retention of certain classified service positions at Mildred Mitchell-Bateman Hospital and William R. Sharpe Hospital.

**TENTH:** Legislation relating to the continuation of the Motor Fuel Excise Tax Shortfall Reserve Fund and specifying the termination of the fund on June 31, 2013.

**ELEVENTH:** Legislation relating to the development of innovative educational strategies in West Virginia schools; establishing certain procedures and requirements for the designation of school innovation zones; providing procedures for the waiver of certain rules, policies, interpretations or statutes in school innovation zones; and authorizing state institutions of higher education to establish schools designated as innovation zones subject to certain funding restrictions.

**TWELFTH:** Legislation relating generally to employment policies, standards and requirements for school personnel; revising certain dates and deadlines; and authorizing the posting of certain positions upon a classroom teacher's notice of retirement.

**THIRTEENTH:** Legislation relating to a personal income tax modification to adjusted gross income for parents or guardians contributing to a trust fund established for the future support of a child with autism; creating the West Virginia Children with Autism Trust Board; and establishing procedures and requirements for taxpayers claiming the personal income tax modification.

**FOURTEENTH:** Legislation to authorize and appropriate the expenditure of public moneys to pay the expenses of this Extraordinary Session.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



**DONE** at the Capitol in the City of Charleston, State of West Virginia, this twenty-ninth day of May, in the year of our Lord, Two Thousand Nine, and in the One Hundred Forty-Sixth year of the State.

A handwritten signature in black ink, appearing to read "Jeff Kanawha", written in a cursive style.

**GOVERNOR**

**By the Governor**

A handwritten signature in black ink, appearing to read "Wendell E. Gormant", written in a cursive style.

**SECRETARY OF STATE**