

WEST VIRGINIA LEGISLATURE
SENATE JOURNAL
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REGULAR SESSION, 2015
SIXTY-SECOND DAY

Charleston, W. Va., Monday, March 16, 2015

The Senate met at 5 p.m.

(Senator Cole, Mr. President, in the Chair.)

Prayer was offered by the Honorable Charles S. Trump IV, a senator from the fifteenth district West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Robert Karnes, a senator from the eleventh district.

Pending the reading of the Journal of Sunday, March 15, 2015,

On motion of Senator Miller, the Journal was approved and the further reading thereof dispensed with.

The Clerk presented a communication from the Development Office, submitting its annual report of the Governor's Guaranteed Work Force Program, in accordance with chapter five-b, article two-d, section six of the Code of West Virginia.

Which communication and report were received and filed with the Clerk.

The Senate proceeded to the fourth order of business.

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 16th day of March, 2015, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(Com. Sub. for S. B. No. 6), Relating to medical professional liability.

(S. B. No. 89), Relating to compensation for certain public officials.

(S. B. No. 249), Prohibiting straight party voting in general election.

(Com. Sub. for Com. Sub. for S. B. No. 277), Requiring issuance of certificate of birth resulting in stillbirth.

(S. B. No. 283), Relating to state banking institutions.

(S. B. No. 292), Relating to licenses for business of currency exchange, transportation or transmission.

(S. B. No. 322), Eliminating mandatory electronic recount of ballots in recounts.

(S. B. No. 332), Relating to administrative fees for Tax Division, Department of Revenue.

(Com. Sub. for S. B. No. 344), Relating to duty to mitigate damages in employment claims.

(S. B. No. 366), Creating Patient Protection and Transparency Act.

(Com. Sub. for S. B. No. 411), Creating Asbestos Bankruptcy Trust Claims Transparency Act and Asbestos and Silica Claims Priorities Act.

(Com. Sub. for S. B. No. 421), Relating to punitive damages in civil actions.

(S. B. No. 445), Relating to investment of RJCFA funds.

(S. B. No. 454), Criminalizing trademark counterfeiting.

(S. B. No. 489), Imposing statute of limitations on civil actions derived from surveying

of real property.

(S. B. No. 545), Removing certain prior bank overdraft approval by director or executive officer.

(S. B. No. 559), Relating to social work provisional licensing.

(S. B. No. 576), Relating to internet protocol-enabled service and voice over internet protocol-enabled service.

(S. B. No. 578), Relating to occupational disease claims.

(Second Enrollment Com. Sub. for H. B. No. 2010), Requiring the elections of justices of the West Virginia Supreme Court of Appeals, circuit court judges, family court judges and magistrates be nonpartisan and by division.

(Com. Sub. for H. B. No. 2053), Relating to the form of trust deeds.

(H. B. No. 2100), Caregiver Advise, Record and Enable Act.

(H. B. No. 2272), Relating to the authority of the Board of Pharmacy.

(Com. Sub. for H. B. No. 2432), Relating to the licensure requirements to practice pharmacist care.

(Com. Sub. for H. B. No. 2462), Relating to certain deposits of tax proceeds.

(Com. Sub. for H. B. No. 2505), Relating to retirement system participation and concurrent employment provisions.

(Com. Sub. for H. B. No. 2507), Relating to membership provisions in the West Virginia Municipal Police and Firefighters Retirement System.

(H. B. No. 2535), Relating generally to suicide prevention training, "Jamie's Law".

(Com. Sub. for H. B. No. 2562), Relating to sales tax increment financing.

(Com. Sub. for H. B. No. 2586), Allowing for an alternative form of service of process

in actions against nonresident persons by petitioners seeking domestic violence or personal safety relief.

(H. B. No. 2626), Relating to use of the Abandoned Land Reclamation Fund.

(H. B. No. 2632), Exempting the procurement of certain instructional materials for use in and in support of public schools from the division of purchasing requirements.

(H. B. No. 2645), Expanding the availability of the Underwood-Smith Teacher Loan Assistance Program.

(Com. Sub. for H. B. No. 2648), Allowing authorized entities to maintain a stock of epinephrine auto-injectors to be used for emergency.

(H. B. No. 2657), Allowing members of the Livestock Care Standards Board to be reimbursed for expenses consistent with the West Virginia Department of Agriculture Travel Policy and Procedure.

(Com. Sub. for H. B. No. 2702), Redefining service personnel class titles of early childhood classroom assistant teacher.

(Com. Sub. for H. B. No. 2755), Relating to service and professional employee positions at jointly established schools.

(H. B. No. 2776), Relating to prescribing hydrocodone combination drugs for a duration of no more than three days.

(Com. Sub. for H. B. No. 2778), State Infrastructure Fund Program.

(H. B. No. 2876), Finding and declaring certain claims against the state and its agencies to be moral obligations of the state.

(H. B. No. 2880), Creating an addiction treatment pilot program.

(H. B. No. 2914), Providing for voluntary dissolution of resort area district.

And,

(Com. Sub. for H. B. No. 2999), Relating to neonatal abstinence centers.

Respectfully submitted,

Mark R. Maynard,

Chair, Senate Committee.

John B. McCuskey,

Chair, House Committee.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Plymale.

Senator Carmichael then moved that the Senate adjourn until tomorrow, Tuesday, March 17, 2015, at 9 a.m.

The question being on the adoption of Senator Carmichael's motion, and on this question, Senator Carmichael demanded the yeas and nays.

The roll being taken, the yeas were: Blair, Boley, Carmichael, Facemire, Ferns, Gaunch, D. Hall, M. Hall, Karnes, Kessler, Kirkendoll, Laird, Leonhardt, Maynard, Miller, Mullins, Nohe, Palumbo, Plymale, Prezioso, Romano, Snyder, Stollings, Sypolt, Takubo, Trump, Unger, Walters, Williams, Woelfel, Yost and Cole (Mr. President)--32.

The nays were: None.

Absent: Beach and Boso--2.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Carmichael's motion had prevailed.

In accordance with the foregoing motion, the Senate adjourned until tomorrow, Tuesday, March 17, 2015, at 9 a.m.

