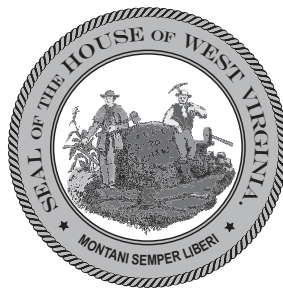


West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Second Legislature
First Extraordinary Session

Held at Charleston
Published by the Clerk of the House



May 19, 2016
FOURTH DAY

Thursday, May 19, 2016

FOURTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Wednesday, May 18, 2016, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 669**), and 89 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Caputo, Duke, Ellington, Hanshaw, Hornbuckle, Manchin, Marcum, Perry, Phillips, Shott and Trecost.

BILLS INTRODUCED

On motions for leave, bills were introduced, read by their titles, and severally referred as follows:

By Delegate Lane:

H. B. 104 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-23-30; to amend said code by adding thereto a new section, designated §29-22-31; to amend said code by adding thereto a new section, designated §29-22A-20; and to amend said code by adding thereto a new section, designated §29-22C-35, all relating to redirecting certain racing and gaming revenues from greyhound development and racing funds to the State Road Fund”; to the Committee on Finance.

By Delegate Lane:

H. B. 105 — “A Bill to amend and reenact §29-22A-10 of the Code of West Virginia, 1931, as amended; and to amend and reenact §29-25-22 and §29-25-22b of said code, all relating to ending transfers to the Licensed Racetrack Modernization Fund; transferring funds remaining in the Licensed Racetrack Modernization Fund and the Historic Resort Hotel Modernization Fund to the General Revenue Fund of the state during the fiscal year ending June 30, 2016; providing exceptions for recoupment of certain expenditures for eligible facility modernization improvements from the Licensed Racetrack Modernization Fund; and closing the Licensed Racetrack Modernization Fund and the Historic Resort Hotel Modernization Fund”; to the Committee on Finance.

At 11:20 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 5:30 p.m.

Evening Session

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 1005 — “A Bill to amend and reenact §11-17-3 and §11-17-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-17-4b, all relating to increasing the tax rate on cigarettes and other tobacco products; specifying where a portion of the tax revenue shall be dedicated; requiring a physical inventory of tax stamps, tobacco products and e-cigarette liquids upon the effective date of tax imposition and upon any tax rate increase; applying tax rate changes to inventories; requiring a report of such inventory be filed sixty days after the effective date of the tax imposition or tax rate change; levying the excise tax on e-cigarette liquid; defining terms; providing for administration of the tax on e-cigarette liquid; specifying penalty for failure to file required reports; specifying criminal sanctions; and specifying effective date.”

Delegate Cowles asked and obtained unanimous consent to dispense with committee reference for the bill.

LEAVES OF ABSENCE

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Caputo, Duke, Ellington, Hornbuckle, Manchin, Marcum, Perry, Phillips, Shott and Trecost.

Delegate Hanshaw was present at the evening session.

At 5:41 p.m., the House of Delegates adjourned until 11:00 a.m., Friday, May 20, 2016.

HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470

HOUSE CALENDAR

Friday, May 20, 2016

First Extraordinary Session

5th Day

11:00 A.M.

FIRST READING

Com. Sub. for S. B. 1005 - Increasing tax rate on cigarettes and tobacco products

**WEST VIRGINIA
HOUSE OF DELEGATES**

FRIDAY, MAY 20, 2016

HOUSE CONVENES AT 11:00 A.M.

**COMMITTEE ON FINANCE
9:00 A.M. – ROOM 215E**

HOUSE OF DELEGATES
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