

West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Third Legislature
First Extraordinary Session

Held at Charleston
Published by the Clerk of the House



June 7, 2017
THIRTEENTH DAY

Wednesday, June 7, 2017

THIRTEENTH DAY

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

The House of Delegates met at 1:00 p.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.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 638**), and 85 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Bates, Blair, A. Evans, N. Foster, Hicks, Hill, Hollen, Marcum, Maynard, Moye, Phillips, Rodighiero, Upson, White and Wilson.

The Clerk proceeded to read the Journal of Tuesday, June 6, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Messages from the Executive

The following communication from His Excellency, the Governor, was laid before the House of Delegates and reported by the Clerk:

State of West Virginia
OFFICE OF THE GOVERNOR
Charleston, WV

June 6, 2017

The Honorable Mitch Carmichael
President of the Senate
State Capitol, Building 1, Room 229-M
Charleston, West Virginia 25305

The Honorable Tim Armstead
Speaker of the House of Delegates
State Capitol, Building 1, Room 228-M
Charleston, West Virginia 25305

Dear President Carmichael and Speaker Armstead:

After submission of my recommended FY 2018 Executive Budget on May 23, 2017, there have been a few areas that require adjustments.

Therefore, pursuant to Section 51, Article VI of the Constitution of the State of West Virginia, I submit revisions to the FY 2018 Budget Bill for the TITLE II – APPROPRIATIONS as follows:

Section 1. Appropriations from general revenue.**Department of Commerce**

West Virginia Development Office, Fund 0256, Fiscal Year 2018, Org 0307

(To increase funding for the Save Our State program.)

- Increase “Save Our State (SOS)” Appropriation 05050 by \$10,000,000.

Department of Health and Human Resources

Division of Human Services, Fund 0403, Fiscal Year 2018, Org 0511

(To moved Medicaid funding to surplus.)

- Decrease “Medical Services” Appropriation 18900 by \$20,159,358.

Department of Revenue

Office of the Secretary, Fund 0465, Fiscal Year 2018, Org 0701

(To appropriate a transfer to the State Road Fund.)

- Add “State Road Fund - Transfer” Appropriation 70017 for \$11,700,000.

Department of Transportation

State Rail Authority, Fund 0506, Fiscal Year 2018, Org 0804

(To correct a drafting error.)

- Replace the reappropriated language as follows, “Any unexpended balance remaining in the appropriation for Other Assets (fund 0506, appropriation 69000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0506, fiscal year 2017, appropriation 69000 (\$32,483) which shall expire on June 30, 2017.”

Higher Education Policy Commission

West Virginia University – School of Medicine Medical School Fund, Fund 0343, Fiscal Year 2018, Org 0463

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “WVU School of Health Science – Eastern Division” appropriation 05600 by \$44,969.
- Increase “WVU - School of Health Sciences” appropriation 17400 by \$310,317.
- Increase “WVU School of Health Sciences – Charleston Division” appropriation 17500 by \$46,250.
- Increase “Rural Health Outreach Programs” appropriation 37700 by \$3,403.

- Increase “West Virginia University School of Medicine BRIM Subsidy” appropriation 46000 by \$23,226.

West Virginia University – General Administrative Fund, Fund 0344, Fiscal Year 2018, Org 0463

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “West Virginia University” appropriation 45900 by \$1,956,393.
- Increase “Jackson’s Mill” appropriation 46100 by \$4,790.
- Increase “West Virginia University Institute of Technology” appropriation 47900 by \$159,756.
- Increase “State Priorities – Brownfield Professional Development” appropriation 53100 by \$6,750.
- Increase “West Virginia University – Potomac State” appropriation 99400 by \$78,430.

Marshall University – School of Medicine, Fund 0347, Fiscal Year 2018, Org 0471

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “Marshall Medical School” appropriation 17300 by \$243,585.
- Increase “Rural Health Outreach” appropriation 37700 by \$3,352.
- Increase “Forensic Lab” appropriation 37701 by \$4,829.
- Increase “Center for Rural Health” appropriation 37702 by \$3,203.
- Increase “Marshall University Medical School BRIM Subsidy” appropriation 44900 by \$16,846.

Marshall University – General Administrative Fund, Fund 0348, Fiscal Year 2018, Org 0471

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “Marshall University” appropriation 44800 by \$918,522.
- Increase “Luke Lee Listening Language and Learning Lab” appropriation 44801 by \$2,042.
- Increase “Vista E-Learning” appropriation 51900 by \$4,982.
- Increase “State Priorities – Brownfield Professional Development” appropriation 53100 by \$6,687.
- Increase “Marshall University Graduate College Writing Project” appropriation 80700 by \$415.
- Increase “WV Autism Training Center” appropriation 93200 by \$35,906.

Section 2. Appropriations from state road funds.

Department of Transportation

Total TITLE II, Section 2 – State Road Fund

(To correct a drafting error.)

- Replace section total with \$1,314,293,957.

Section 9. Appropriations from general revenue surplus accrued.

Directive Language

(To provide for funding in priority order subject to surplus availability.)

- Add the following to the last paragraph of the directive language in Section 9:

“...and shall be allocated first to provide the necessary funds to meet the first appropriation of this section and each subsequent appropriation in the order listed in this section.”

Department of Health and Human Resources

Surplus priority #2 - *Division of Human Services, Fund 0403, Fiscal Year 2018, Org 0511*

(To move Medicaid funding to surplus.)

- Add “Medical Services – Surplus” Appropriation 63300 for \$20,159,358.

Thank you for your prompt attention of this matter. Your cooperation is always appreciated. Should you have any questions or require additional information, please call me at any time.

Sincerely,

Jim Justice,
Governor.

Messages from the Senate

The Clerk of the Senate, announced that the Senate had refused to recede from its amendment and requested the House of Delegates to agree to the appointment of a Committee of Conference of five from each house on the disagreeing votes of the two houses as to

Com. Sub. for H. B. 107, Relating generally to the Tax Reform Act of 2017.

The message further announced that the President of the Senate had appointed as conferees on the part of the Senate the following:

Senators Ferns, Blair, Gaunch, Prezioso and Jeffries.

On motion of Delegate Cowles, the House of Delegates agreed to the appointment of a Committee of Conference of five from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Nelson, Espinosa, C. Miller, Boggs and Pethtel.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Special Calendar

Second Reading

S. B. 1014, Relating generally to physician assistants; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on Health and Human Resources, was reported by the Clerk and adopted, amending the bill on page eleven, line forty-eight, by striking out the word "supervising" and inserting the word "collaborating".

On page fourteen, line three, by striking out the word "supervising" and inserting the word "collaborating".

On page fourteen, line seven, by striking out the word "supervising" and inserting the word "collaborating".

On page fourteen, line twenty-one, by striking out the word "supervises" and inserting the words "collaborating with".

On page fourteen, line twenty-two, by striking out the word "provide supervision for" and inserting the words "collaborate with".

On page fourteen, line twenty-four, by striking out the word "supervising".

On page sixteen, line one, by striking out the word "supervise" and inserting the words "collaborate with".

And,

On page twenty, line ten, by striking out the word "supervising" and inserting the word "collaborating".

The bill was then ordered to third reading.

Delegates Blair, Maynard and Upson were also present for part of the session.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Bates, A. Evans, N. Foster, Hicks, Hill, Hollen, Marcum, Moyer, Phillips, Rodighiero, White and Wilson.

Miscellaneous Business

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegates Pushkin and Love during Remarks by Members today be printed in the Appendix to the Journal.

At 3:03 p.m., the House of Delegates adjourned until 3:00 p.m., Thursday, June 8, 2017.

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

SPECIAL CALENDAR

Thursday, June 8, 2017

14th Day

3:00 P. M.

THIRD READING

S. B. 1014 -

Relating generally to physician assistants (ELLINGTON) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

THURSDAY, JUNE 8, 2017

HOUSE CONVENES AT 3:00 P.M.

**CONFERENCE COMMITTEE ON COM. SUB. FOR HB 107
9:00 A.M. – SENATE FINANCE 451-M**

HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
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