

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE
REGULAR SESSION, 2017
THIRTY-FOURTH DAY

Charleston, West Virginia, Monday, March 13, 2017

The Senate met at 11 a.m.

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

Prayer was offered by Seth Polk, Lead Pastor, Cross Lanes Baptist Church, Cross Lanes, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Tom Takubo, a senator from the seventeenth district.

Pending the reading of the Journal of Saturday, March 11, 2017,

At the request of Senator Azinger, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the fourth order of business.

Senator Hall, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 186 (originating in the Committee on Education), Adjusting date when children become eligible for certain school programs and school attendance requirements.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 186 (originating in the Committee on Finance)—A Bill to amend and reenact §18-5-18 and §18-5-44 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18-8-1a of said code, all relating to adjusting the date upon which children become eligible for certain school programs and school attendance requirements; changing the kindergarten age attainment requirement from age five prior to September 1 to age five prior to July 1, with the July 1 date to become enforceable with the 2019-2020 school year;

changing the early childhood education program age attainment date requirement from age four prior to September 1 to age four prior to July 1, with the July 1 date becoming enforceable with the 2018-2019 school year; and changing the age for which compulsory attendance begins to those who attain age six by July 1 of each year, with the July 1 date becoming enforceable with the 2019-2020 school year.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Mike Hall,
Chair.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 192, Exempting licensed surveyors from liability for defamation or slander of title when performing professional duties.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 192 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §37-12-3, relating generally to licensed surveyors; and providing that licensed surveyors may not be held liable for defamation or slander of title while performing their professional duties, except in cases of professional negligence, incompetence, malicious intent, fraud or deceit.

And,

Senate Bill 575, Limiting nuisance actions against shooting ranges for noise.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 575 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-6-23 of the Code of West Virginia, 1931, as amended, relating generally to shooting ranges; limiting applicability of municipal and county noise ordinances for shooting ranges to those ordinances in effect at the time construction of a shooting range is begun or operation of a shooting range is begun, whichever is earlier in time; declaring that shooting ranges taken by eminent domain which reopen within two years of the final order of condemnation in the same municipality or county are subject to the noise control standards in effect at the time construction or operation of the condemned shooting range began, whichever occurred earlier in time; and declaring legislative intent that amendments to the section enacted during the 2017 regular session are retroactive.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Maynard, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

Senate Bill 308, Clarifying administrative and law-enforcement activities of DNR police officers are related to conservation and management of state's fish and wildlife.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 308 (originating in the Committee on Natural Resources)—A Bill to amend and reenact §20-7-1 of the Code of West Virginia, 1931, as amended, relating to natural resources police officers; finding the administrative and law-enforcement activities of the natural resources police officers are important to the state's conservation, fish and wildlife; and clarifying that subsistence allowance is pensionable.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Mark R. Maynard,
Chair.

The bill (Com. Sub. for S. B. 308), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Boso, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 381, Relating to Parkways Authority maintaining status quo.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Gregory L. Boso,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Blair, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 413, Relating to bids on government construction contracts.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 413 (originating in the Committee on Government Organization)—
A Bill to amend and reenact §5-22-1 of the Code of West Virginia, 1931, as amended, relating to the solicitation for bids for government construction contracts; submitting bids on government construction contracts; defining the term “alternates”; limiting the number of alternates that may be included on any solicitation of bids for government construction contracts; establishing procedures for acceptance of alternate bids and determination of the lowest qualified responsible bidder; and providing procedures for the required submission of a list of subcontractors who will perform more than \$25,000 of work on certain projects.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Craig Blair,
Chair.

Senator Blair, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 461, Exempting WV State Police from state purchasing requirements.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 461 (originating in the Committee on Government Organization)—
A Bill to amend and reenact §5A-3-1 and §5A-3-3 of the Code of West Virginia, 1931, as amended, all relating to exempting the West Virginia State Police from state purchasing requirements; and requiring the West Virginia State Police report to the Joint Committee on Government Organization on the effects of exempting said agency from state purchasing requirements.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Craig Blair,
Chair.

The bill (Com. Sub. for S. B. 461), under the original double committee reference, was then referred to the Committee on Finance.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Com. Sub. for Senate Bill 471, Relating to state ownership of wildlife.

And,

Com. Sub. for Senate Bill 474, Exempting names of licensed hunters from public disclosure.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Blair, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 479, Relating to Sunday sales of liquor by retail licensees.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 479 (originating in the Committee on Government Organization)—
A Bill to amend and reenact §60-3-12 of the Code of West Virginia, 1931, as amended; and to amend and reenact §60-3A-17, §60-3A-18 and §60-3A-25 of said code, all relating to the regulation of liquor sales; providing for the days on which state stores and agencies may be open; eliminating the prohibition on the sale of liquor by retail licensees on any Sundays; providing for when retail licensees may not sell liquor on Sundays and other days; and providing that the wholesale markup on all liquor, other than wine, shall be a maximum of twenty-eight percent.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Craig Blair,
Chair.

The bill (Com. Sub. for S. B. 479), under the original double committee reference, was then referred to the Committee on Finance.

Senator Maynard, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

Senate Bill 493, Providing increase in compensation for conservation officers.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mark R. Maynard,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance, with an amendment from the Committee on Natural Resources pending.

Senator Blair, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 495, Relating to regulation of events by State Athletic Commission.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Craig Blair,
Chair.

Senator Mann, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 524, Relating to WV academic standards.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Kenny Mann,
Chair.

Senator Maynard, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

Senate Bill 536, Authorizing tracking of wounded or injured bear or deer.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Mark R. Maynard,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles and referred to the appropriate committees:

By Senator Sybolt:

Senate Bill 586—A Bill to amend and reenact §19-2B-4 of the Code of West Virginia, 1931, as amended, relating to changing the annual fees for custom slaughters, custom processors or distributors to triennial fees; and adjusting the fees accordingly.

Referred to the Committee on Agriculture and Rural Development; and then to the Committee on Finance.

By Senator Azinger:

Senate Bill 587—A Bill to amend and reenact §61-7-4 of the Code of West Virginia, 1931, as amended, relating to dangerous weapons; license to carry deadly weapons; and exempting honorably discharged veterans of the armed forces of the United States from payment of fees and costs required to get a license to carry deadly weapons.

Referred to the Committee on the Judiciary.

By Senator Sybolt:

Senate Bill 588—A Bill to amend and reenact §11-1C-2, §11-1C-4 and §11-1C-7 of the Code of West Virginia, 1931, as amended; and to amend and reenact §59-1-10 of said code, all relating to the reproduction, distribution and sale of tax maps; defining terms; specifying powers of the Property Valuation Training and Procedures Commission to promulgate rules; specifying duties of county assessors; requiring that sale, reproduction and distribution of certain records be in accordance with specified legislative rules; and specifying certain fees.

Referred to the Committee on Government Organization.

By Senators Maynard and Cline:

Senate Bill 589—A Bill to amend and reenact §20-1-7 of the Code of West Virginia, 1931, as amended, relating to requiring the Director of the Division of Natural Resources to study the feasibility of using a nonemployee workforce to perform improvements in state parks and forests.

Referred to the Committee on Natural Resources.

By Senators Maynard and Cline:

Senate Bill 590—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17A-2-24, relating to requiring the Commissioner of the Division of Motor Vehicles to create a special registration plate for full-size special purpose off-road vehicles, self-assembled or modified original equipment manufactured vehicles, that would give the vehicles the same limited access to roads as all-terrain vehicles.

Referred to the Committee on Transportation and Infrastructure.

By Senators Maynard and Cline:

Senate Bill 591—A Bill to amend and reenact §24-6-12 of the Code of West Virginia, 1931, as amended, relating to requiring emergency service organizations to create districts whereby towing services within a district may be dispatched or implement a policy whereby all available

towing services within an area currently served by an organization are dispatched on a rotating basis; continuing the Public Service Commission's jurisdiction over the towing service providers themselves; and defining a term.

Referred to the Committee on Government Organization.

By Senators Palumbo, Jeffries, Stollings, Takubo, Trump, Plymale, Prezioso, Unger, Woelfel and Cline:

Senate Bill 592—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §1-2-2a, relating to creating an independent redistricting commission; designating duties of the commission; providing that members are nominated by State Election Commission; setting forth required traits and restrictions of members; providing for how commission members are appointed; setting forth a process for determining the chair of the commission; providing for the filling of vacancies of commission; requiring members to conduct an organizational meeting and select a vice chairperson; providing for the removal of a member for cause; providing for the filling of vacancies that may occur on commission; setting forth certain requirements of the commission; providing that three members constitute a quorum; providing that members are ineligible for public office or registration as paid lobbyist for three years after completing their last term on commission; requiring that commission plan and propose congressional and legislative districts; providing specific criteria that commission must observe in proposing district mappings; requiring commission to advertise a proposed draft map of districts to the public; permitting legislators to make inquiry of commission members regarding their methodology and proposed redistrict mapping; requiring that commission publish its proposals for district boundaries; requiring the commission to recommend redistricting plans to the Legislature; authorizing a vote on the plans in an extraordinary session called by the Governor; requiring the full Legislature to vote on the first proposal plan ratification without amendment; setting forth a process for subsequent proposed plans, amendment restrictions and vote requirements; authorizing the West Virginia Supreme Court of Appeals to make the final determination between three plans proposed by the independent redistricting commission if the Legislature and Governor cannot agree; requiring that the commission certify to Secretary of State that its proposals for district boundaries is in accordance with constitutional and legal requirements; providing for reimbursement of expenses and per diem allowances for commission members; authorizing the commission to contract for staffing and consultants; prohibiting certain persons from influencing or attempting to influence district mapping proposals of the commission; and providing for the expiration of commission appointments.

Referred to the Committee on the Judiciary.

By Senator Hall:

Senate Bill 593—A Bill to amend and reenact §11-21-74 of the Code of West Virginia, 1931, as amended, relating generally to employer withholding of taxes; changing due date for employers to file annual reconciliation and withholding statements with Tax Commissioner to January 31; requiring certain employers to file W-2 information electronically with the Tax Commissioner; and deleting obsolete language.

Referred to the Committee on Finance.

By Senator Hall:

Senate Bill 594—A Bill to amend and reenact §11-11-17a of the Code of West Virginia, 1931, as amended, relating to eliminating tax lien waiver requirement for estates of nonresidents.

Referred to the Committee on Finance.

By Senator Hall:

Senate Bill 595—A Bill to amend and reenact §11-4-2 of the Code of West Virginia, 1931, as amended, relating to authorizing county assessors to make separate entries in their landbooks when real property is partly used for exempt, and partly for nonexempt, purposes.

Referred to the Committee on Finance.

By Senator Azinger:

Senate Bill 596—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §30-31A-1, §30-31A-2, §30-31A-3 and §30-31A-4, all relating to creating the West Virginia Counseling Protection Act; prohibiting state agencies and political subdivisions from denying or restricting mental health providers from providing counseling, or any patient from receiving counseling, intended to aid patients in self-determined objectives; providing for judicial relief; providing for attorney fees and costs; providing a purpose; making findings; and defining terms.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

Senators Cline and Beach offered the following resolution:

Senate Concurrent Resolution 35—Urging the United States Congress to reassess the federal definition of industrial hemp, allowing the product to contain up to one percent delta-9 tetrahydrocannabinol on a dry weight basis.

Whereas, In 2002 West Virginia adopted the Industrial Hemp Development Act to promote growth of industrial hemp farms and industry in the state; and

Whereas, Industrial hemp farmers and processors encourage Congress to reassess the definition of industrial hemp as referenced in 7 U. S. C. §5940 and increase the farm production values to one percent tetrahydrocannabinol to allow industrial hemp farmers to increase yield potential per acre and profitability for all industrial hemp grown in the state; and

Whereas, A change in the definition not only impacts the crop values for West Virginia farmers producing industrial hemp for nutraceutical extract but also impacts all other aspects of industry development; and

Whereas, Increasing yield potential per acre equates to increased profit potential for West Virginia's farm families and industrial hemp processors; and

Whereas, A variety of products can be made from industrial hemp through its use of fiber, seed, seed oil or floral extracts. Industrial hemp can be found in products such as paper, fabric, auto parts, animal bedding, body care products and essential oils; and

Whereas, The Industrial Hemp Farming Act of 2015 amended the Controlled Substances Act of 1970 to redefine "industrial hemp" and remove it from the current definition of "marijuana", thereby allowing hemp to be grown, processed, transported and sold under state and federal laws; and

Whereas, West Virginia can prosper in the cultivation, processing, manufacturing and sale of hemp for food, textiles, building materials and dietary supplement uses; and

Whereas, The federal government defines industrial hemp as “the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis”; and

Whereas, Industrial hemp has thirty percent more protein per pound than beef, essential amino acids and a source of omega 3s, making it a great replacement for fish oil, useful as a replacement for coconut oil and useful for many health benefits; and

Whereas, The West Virginia Department of Agriculture has been very supportive of the hemp industry; and

Whereas, West Virginia agriculture will play a large role in the state’s future, ranking 11th in the United States in apple production, 16th in the United States turkey production and 18th in the United States chicken meat production; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby urges the United States Congress to reassess the federal definition of industrial hemp, allowing the product to contain up to one percent delta-9 tetrahydrocannabinol on a dry weight basis; and, be it

Further Resolved, That the West Virginia Senate urges the United States Congress to consider revising the current definition of industrial hemp found in 7 U. S. C §5940, increasing the tetrahydrocannabinol threshold of dry weight flower concentration from three tenths of one percent to one percent; and, it be

Further Resolved, That the West Virginia Senate is hereby urged to promote the increased production of industrial hemp to promote agricultural growth within the state; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to each member of West Virginia’s delegation to the United States Congress.

Which, under the rules, lies over one day.

Senators Maynard, Cline and Beach offered the following resolution:

Senate Concurrent Resolution 36—Requesting that the Joint Committee on Government and Finance study potential alternatives to current methods of recycling collection for municipalities.

Whereas, Segregation and consolidation of recycling products for resale, such as paper, plastic, aluminum and metal, is a profitable enterprise engaged in by both public and private entities, including federal prisons; and

Whereas, Municipalities potentially stand to profit from such segregation and consolidation efforts by adopting alternative methods for collecting recyclables, such as designating specific weeks for the collection of particular recycling products; and

Whereas, Alternative recycling collection methods could generate profits for municipalities that could be used to reduce or eliminate trash collection fees, facilitate infrastructure projects and/or bolster municipal budgets; and

Whereas, The Joint Committee on Government and Finance shall assist in this study; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance study potential alternatives to current methods of recycling collection for municipalities; and, be it

Further Resolved, That the Joint Committee on Government and Finance should study the feasibility and efficacy of adopting alternative recycling collection methods to facilitate the bulk sale of recycling products; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2018, on its findings, conclusions and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

Which, under the rules, lies over one day.

Senator Cline offered the following resolution:

Senate Concurrent Resolution 37—Expressing support of the West Virginia Legislature urging the Department of Transportation and the Division of Highways to use existing electronic signage on highways to display appropriate highway safety messages.

Whereas, Electronic signs are used on several highways within the state to display information relating to road and traffic conditions; and

Whereas, Existing electronic highway signs present an opportunity to convey safety messages to state drivers; and

Whereas, Existing electronic highway signs can be used to remind drivers of state laws such as that requiring use of lighted headlights when driving between sunset and sunrise, or in fog, smoke, rain or other unfavorable driving conditions; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby expresses its support in urging the Department of Transportation and the Division of Highways to use existing electronic highway signs to display appropriate highway safety messages; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Secretary of the West Virginia Department of Transportation and the Commissioner of the West Virginia Division of Highways.

Which, under the rules, lies over one day.

At the request of Senator Ferns, and by unanimous consent, the Senate returned to the fourth order of business.

Senator Mann, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Concurrent Resolution 38 (originating in the Committee on Education)—Requesting the Joint Committee on Government and Finance study options for establishing a four-year social worker pilot program in which a minimum of one social worker would be provided to at least one prekindergarten through elementary school in each county.

Whereas, Factors outside of the education system can have significant impact on the performance of students in school; and

Whereas, Some of these factors include abuse and neglect, poor nutrition and health care, behavior problems, homelessness, lack of parent involvement and substance abuse; and

Whereas, A trained social worker would unburden teachers and support staff so they could focus on performing their educational responsibilities; and

Whereas, The social worker could work with the guidance counselor, with the child at the school and could conduct home visits as necessary to address parental issues, provide parenting education, address social and emotional issues, address physical and mental health issues and link the family to necessary community resources; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to study options for establishing a four-year social worker pilot program in which a minimum of one social worker would be provided to at least one prekindergarten through elementary school in each county; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2018, on its findings, conclusions and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Kenny Mann,
Chair.

On motion of Senator Ferns, the resolution (S. C. R. 38) contained in the foregoing report from the Committee on Education was then referred to the Committee on Rules.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 32, US Army SGT Denver E. Short Memorial Road.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 33, US Army Ranger SGT Richard E. Arden Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 34, Joe Manchin, III Office Building.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Government Organization.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 212, Relating generally to procedures for drivers' license suspensions and revocations.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 212 pass?"

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Mullins, Palumbo, Plymale, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—27.

The nays were: Maynard, Miller, Ojeda, Prezioso, Romano, Unger and Woelfel—7.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 212) passed.

On motion of Senator Trump, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 212—A Bill to amend and reenact §17C-5-2, §17C-5-2b, §17C-5-4, §17C-5-7 and §17C-5-12 of the Code of West Virginia, 1931, as amended; to amend and reenact §17C-5A-1, §17C-5A-1a and §17C-5A-3 of said code; to amend said code by adding thereto two new sections, designated §17C-5A-1b and §17C-5A-1c; to amend said code by adding thereto a new section, designated §17C-5C-6; and to amend and reenact §17C-19-3 of

said code, all relating generally to the procedures for drivers' license suspensions and revocations for driving under the influence of alcohol, controlled substances or drugs; transferring authority for hearing matters related to suspensions or revocations of drivers' license for operating a motor vehicle while under the influence of alcohol, controlled substances or drugs from the Office of Administrative Hearings to courts; establishing mandatory revocation periods for individuals convicted of driving under the influence; authorizing alternate revocation period involving participation in Motor Vehicle Alcohol Test and Lock Program for certain first offenses; establishing mandatory revocation periods for individuals upon subsequent convictions for driving under the influence; directing Commissioner of Division of Motor Vehicles to revoke driver's license upon conviction for driving under the influence; requiring individuals whose driver's licenses have been revoked upon conviction for driving under the influence to complete comprehensive safety and treatment program before driver's license can be reinstated; prohibiting persons convicted of certain felonies from participating in Motor Vehicle Alcohol Test and Lock Program; permitting persons convicted of certain misdemeanors to participate in Motor Vehicle Alcohol Test and Lock Program; requiring driver consent to require participation in Motor Vehicle Alcohol Test and Lock Program; requiring any period of revocation imposed pursuant to a conviction begin once any period of incarceration has been served; making individuals who are found guilty of driving under the influence ineligible for deferral of further proceedings upon condition of participation in Motor Vehicle Alcohol Test and Lock Program; requiring deferral program to be completed within one year; prohibiting secondary test of blood without issuance of warrant signed by a magistrate or circuit judge; authorizing secondary test of blood with written consent; requiring that individual arrested for driving under the influence be advised verbally of certain consequences for refusal to submit to secondary chemical test; requiring that individual arrested for driving under the influence be given written statement informing the individual of legal consequences of taking or refusing to submit to secondary chemical test and informing the individual of right to receive secondary blood test; requiring arresting officer to wait fifteen minutes before refusal considered final; requiring that, following an individual's refusal to submit to secondary chemical test, an arresting officer execute a signed statement that the officer administered all required warnings; directing officer to submit copy of written statement to Commissioner of Division of Motor Vehicles and court having jurisdiction over charges filed against the individual; eliminating all statutory provisions authorizing or requiring the Commissioner of the Division of Motor Vehicles to take administrative action upon an individual's driver's license on the basis of a driving under the influence arrest absent direction from court; directing Bureau for Public Health to prepare report for Joint Committee on Government and Finance related to minimum levels of drugs and controlled substances to be admitted as prima facie evidence of driving under the influence and minimum levels that laboratories can reliably identify and measure in blood; limiting administrative jurisdiction of Division of Motor Vehicles and Office of Administrative Hearings to offenses occurring on or before June 30, 2017; providing that administrative hearings relating to refusal to undergo a secondary chemical test does not apply to offenses occurring on or after July 1, 2017; eliminating requirement for an order entered by the Division of Motor Vehicles revoking a driver's license to advise individual of procedures for requesting administrative hearing when the offense is driving under the influence; limiting the right of individuals to challenge suspension or revocation of driver's licenses to the issue of mistaken identity; requiring the commissioner to take corrective action if a driver's license is incorrectly suspended or revoked based on mistaken identity; providing that plea of no contest constitutes a conviction; requiring pretrial suspension of driver's license if individual refuses to submit to secondary chemical test; permitting pretrial suspension of driver's license by court under certain circumstances; establishing right to request and receive hearing of suspension orders pending criminal proceedings in court where case is pending; setting time limits for defendant to request hearing and for hearing to be held; requiring the clerk of a court to transmit a copy of an order suspending or revoking a driver's license and any surrendered license to the Division of Motor

Vehicles; providing terms and length of pretrial license suspension; giving persons convicted of driving under the influence credit for pretrial suspension time against period of revocation imposed; authorizing court to modify pretrial suspension of driver's license; providing that any period of modified pretrial driver's license suspension is not credited against future period of revocation imposed; establishing the scope of review for judicial review of pretrial driver's license suspension for refusal to submit to secondary chemical test; directing clerk of court to forward orders on refusal hearings to Division of Motor Vehicles; providing that finding of driver refusal is final if no hearing requested; prescribing periods of revocation for Commissioner of Division of Motor Vehicles to impose upon receipt of court order on refusal; directing copy of revocation order to be sent to person by certified mail; specifying contents of order; providing that revocation for refusal run concurrently with other revocation imposed as a result of same incident that led to refusal; making persons convicted of driving under the influence eligible for participation in comprehensive safety and treatment program and related reductions in length of revocation for successful completion thereof; establishing procedures and timeline for the Office of Administrative Hearings to transfer jurisdiction of certain driver's license suspension and revocation matters to the courts; establishing timeline for Office of Administrative Hearings to transfer jurisdiction of certain driver's license suspension and revocation matters to Division of Motor Vehicles; directing arresting officer to request, and driver to surrender, driver's license upon arrest for driving under the influence; eliminating obsolete language; and making technical corrections.

Senator Ferns moved that the bill take effect July 1, 2017.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Mullins, Palumbo, Plymale, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—27.

The nays were: Maynard, Miller, Ojeda, Prezioso, Romano, Unger and Woelfel—7.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 212) takes effect July 1, 2017.

Ordered, That The Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Thereafter, at the request of Senator Blair, and by unanimous consent, the remarks by Senators Trump and Miller regarding the passage of Engrossed Committee Substitute for Senate Bill 212 were ordered printed in the Appendix to the Journal.

Eng. Com. Sub. for Senate Bill 299, Supplementing, amending, decreasing and increasing items of appropriations from State Road Fund to DOH.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 299) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 299) takes effect from passage.

Ordered, That The Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for Senate Bill 300, Supplemental appropriation from unappropriated balance in Treasury to Division of Personnel.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 300) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 300) takes effect from passage.

Ordered, That The Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for Senate Bill 301, Supplemental appropriation of federal funds from Treasury to State Board of Education, School Lunch Program.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 301) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 301) takes effect from passage.

Ordered, That The Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for Senate Bill 305, Supplemental appropriation of public moneys from Treasury to Fire Commission.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 305) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 305) takes effect from passage.

Ordered, That The Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for Com. Sub. for Senate Bill 344, Relating to application of payments on consumer credit sale and loans.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maroney, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Weld, Woelfel and Carmichael (Mr. President)—28.

The nays were: Facemire, Jeffries, Miller, Romano, Rucker and Unger—6.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 344) passed with its title.

Ordered, That The Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

The Senate proceeded to the ninth order of business.

Senate Bill 25, Creating farm-to-food bank tax credit.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 28, Creating new system for certain contiguous counties to establish regional recreation authorities.

On second reading, coming up in regular order, was read a second time.

The following amendments to the bill, from the Committee on Natural Resources, were reported by the Clerk and considered simultaneously:

On page four, section one, line three, by striking out the word "three" and inserting in lieu thereof the word "two";

On page five, section two, line twenty-two, by striking out the word "three" and inserting in lieu thereof the word "two";

On page six, section two, line thirty-six, by striking out the word "three" and inserting in lieu thereof the word "two";

And,

On page six, section three, line one, by striking out the word "three" and inserting in lieu thereof the word "two".

Following discussion,

The question being on the adoption of the Natural Resources committee amendments to the bill (S. B. 28), the same was put.

The result of the voice vote being inconclusive, Senator Stollings demanded a division of the vote.

A standing vote being taken, there were twenty-one "yeas" and thirteen "nays".

Whereupon, Senator Carmichael (Mr. President) declared the Natural Resources committee amendments to the bill adopted.

On motion of Senator Stollings, the following amendment to the bill (S. B. 28) was next reported by the Clerk:

On page six, section three, line five, after the word "landowners" by changing the period to a colon and inserting the following proviso: Provided, That no more than two such regional recreation authorities may be created under the provisions of this article unless approved by concurrent resolution of the Legislature.

Following discussion,

At the request of Senator Plymale, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar, with the amendment offered by Senator Stollings pending.

Senate Bill 256, Relating to prohibiting aiding and abetting of sexual abuse by school personnel.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 326, Requiring Department of Defense family advocacy groups be notified about abuse or neglect of military member's child.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 364, Incorporating changes to Streamlined Sales and Use Tax Agreement.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 440, Relating to use of Regional Jail and Correctional Facility Authority funds.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 455, Relating generally to commitment of persons to custody of Commissioner of Corrections.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 531, Relating to renewal date for apiary certificates of registration.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for House Bill 2167, Creating a Silver Alert program for senior citizens.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Government Organization, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

That §15-3B-2, §15-3B-3, §15-3B-4, §15-3B-5 and §15-3B-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

ARTICLE 3B. SILVER ALERT PLAN.

§15-3B-2. Findings and declarations relative to "Silver Alert Plan".

(a) The Legislature finds that:

(1) Public alerts can be one of the most effective tools in locating missing cognitively impaired persons or senior citizens;

(2) Law-enforcement officers and other professionals specializing in the field of missing persons agree that the most critical moments in the search for a missing ~~cognitively impaired~~ person are the first few hours immediately following the discovery that the individual is missing, asserting that if he or she is not found within twenty-four hours, it is unlikely that he or she will be found alive or without serious injury. The rapid dissemination of information, including a description of the missing cognitively impaired person or senior citizen, details of how he or she became missing, and of any vehicle involved, to the citizens of the affected community and region is, therefore, critical;

(3) Alerted to the situation, the citizenry become an extensive network of eyes and ears serving to assist law enforcement in quickly locating and safely recovering ~~the a~~ missing cognitively impaired person or senior citizen;

(4) The most effective method of immediately notifying the public of a missing cognitively impaired person or senior citizen is through the broadcast media; and

(5) All forms of developing technologies are required to assist law enforcement in rapidly responding to these alerts and are an additional tool for assuring the well being and safety of our cognitively impaired citizenry. Thus, the use of traffic video recording and monitoring devices for the purpose of surveillance of a suspect vehicle adds yet another set of eyes to assist law enforcement and aid in the safe recovery of the cognitively impaired person or senior citizen.

(b) The Legislature declares that given the successes other states and regions have experienced in using broadcast media alerts to quickly locate and safely recover missing ~~cognitively impaired~~ persons, and, with the recent development of highway video recording and monitoring systems, it is altogether fitting and proper, and within the public interest, to establish these programs for West Virginia.

§15-3B-3. Establishment of “Silver Alert” program.

(a) The Secretary of the Department of Military Affairs and Public Safety shall establish a “Silver Alert” ~~—~~a program authorizing the broadcast media, upon notice from the State Police, to broadcast an alert to inform the public of a missing cognitively impaired person or a missing senior citizen, subject to the criteria established in section four of this article. The program shall be a voluntary, cooperative effort between state law-enforcement and the broadcast media.

(b) ~~For the purposes of~~ As used in this article, the term:

(1) “Cognitively impaired” means a person having a deficiency in his or her short-term or long-term memory, orientation as to person, place, and time, deductive or abstract reasoning, or judgment as it relates to safety: *Provided*, That the cognitive impairment is not caused by the use of alcohol or drugs not legally prescribed by a physician-; and

(2) “Senior citizen” means a person over sixty-five years of age.

(c) The secretary shall notify the broadcast media serving the State of West Virginia of the establishment of “Silver Alert” program and invite their voluntary participation.

(d) The secretary shall submit a plan to the Joint Committee on Government and Finance no later than December 1, 2009. The plan shall include “Silver Alert” activation protocols, evaluation of first responder training requirements and needs as related to cognitively impaired persons and

senior citizens, coordination and utilization of established programs and analysis of any costs. The secretary shall also make recommendations for any additional legislation or actions necessary to further facilitate the implementation of the “Silver Alert” program.

§15-3B-4. Activation of Silver Alert.

The following criteria shall be met before the State Police activate the Silver Alert:

- (1) A The person is believed to be cognitively impaired or is a senior citizen;
- (2) The person is believed to be missing, regardless of circumstance;
- (3) A person who has knowledge that the ~~cognitively impaired~~ person is missing has submitted a missing person’s report to the State Police or other appropriate law-enforcement agency;
- (4) The missing person may be in danger of death or serious bodily injury;
- (5) The missing person is domiciled or believed to be located in the State of West Virginia;
- (6) The missing person is, or is believed to be, at a location that cannot be determined by an individual familiar with the missing person, and the missing person is incapable of returning to the missing person’s residence without assistance; and
- (7) There is sufficient information available to indicate that a Silver Alert would assist in locating the missing person.

§15-3B-5. Notice to participating media; broadcast of alert.

(a) To participate, the media may agree, upon notice from the State Police via email or facsimile, to transmit information to the public about a missing cognitively impaired person or senior citizen that has occurred within their broadcast service region.

(b) The alerts shall include a description of the missing cognitively impaired person or senior citizen, such details of the circumstance surrounding him or her becoming missing, as may be known, and such other information as the State Police may deem pertinent and appropriate. The State Police shall in a timely manner update the broadcast media with new information when appropriate concerning the missing cognitively impaired person or senior citizen.

(c) The alerts also shall provide information concerning how those members of the public who have information relating to the missing cognitively impaired person or senior citizen may contact the State Police or other appropriate law-enforcement agency.

(d) Concurrent with the notice provided to the broadcast media, the State Police shall also notify the Department of Transportation, the Division of Highways and the West Virginia Turnpike Commission of the “Silver Alert” so that the department and the affected authorities may, if possible, through the use of their variable message signs, inform the motoring public that a “Silver Alert” is in progress and may provide information relating to the missing cognitively impaired person or senior citizen and how motorists may report any information they have to the State Police or other appropriate law-enforcement agency.

(e) The alerts shall terminate upon notice from the State Police.

(f) The secretary shall develop and undertake a campaign to inform law-enforcement agencies about the “Silver Alert” program established under this article.

§15-3B-6. Aid to missing cognitively impaired adult or senior citizen; immunity from civil or criminal liability.

No person or entity who in good faith follows and abides by the provisions of this article is liable for any civil or criminal penalty as the result of any act or omission in the furtherance thereof unless it is alleged and proven that the information disclosed was false and disclosed with the knowledge that the information was false.

The bill (Eng. Com. Sub. for H. B. 2167), as amended, was then ordered to third reading.

Eng. Com. Sub. for House Bill 2542, Relating to public higher education personnel.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. House Bill 2590, Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. House Bill 2594, Updating the meaning of federal adjusted gross income and certain other terms used in the West Virginia Personal Income Tax Act.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

The Senate proceeded to the tenth order of business.

The following bills on first reading, coming up in regular order, were each read a first time and ordered to second reading:

Com. Sub. for Senate Bill 187, Providing for confidentiality of patients’ medical records.

Com. Sub. for Senate Bill 255, Relating to filling vacancies on county commissions and other county offices.

Com. Sub. for Senate Bill 302, Supplemental appropriation of federal funds from Treasury to Division of Human Services.

Com. Sub. for Senate Bill 303, Supplemental appropriation of public moneys from Treasury to DHHR.

Com. Sub. for Senate Bill 306, Supplemental appropriation of federal funds from Treasury to Workforce West Virginia.

Com. Sub. for Senate Bill 454, Providing more efficient collection and submission of state moneys received from court transactions or court services.

Senate Bill 466, Calculating state share of gross profits from limited video lottery revenues at 50 percent.

And,

Com. Sub. for Senate Bill 497, Relating to liability for health care providers who provide services at school athletic events.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Ferns, Beach, Woelfel and Miller.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Stollings, the name of Senator Stollings was removed as a sponsor of **Committee Substitute for Senate Bill 479** (*Relating to regulation of liquor sales*).

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Ferns, the Senate adjourned until tomorrow, Tuesday, March 14, 2017, at 11 a.m.

SENATE CALENDAR

**Tuesday, March 14, 2017
11:00 AM**

UNFINISHED BUSINESS

- S. C. R. 35 - Urging Congress reassess federal definition of industrial hemp
- S. C. R. 36 - Requesting study of potential alternatives to current recycling methods for municipalities
- S. C. R. 37 - Urging DOT use existing signage on highways to display appropriate highway safety messages

THIRD READING

- Eng. S. B. 25 - Creating farm-to-food bank tax credit (original similar to HB2821)
- Eng. S. B. 256 - Relating to prohibiting aiding and abetting of sexual abuse by school personnel - (Com. title amend. pending)
- Eng. S. B. 326 - Requiring Department of Defense family advocacy groups be notified about abuse or neglect of military member's child
- Eng. S. B. 364 - Incorporating changes to Streamlined Sales and Use Tax Agreement
- Eng. Com. Sub. for S. B. 440 - Relating to use of Regional Jail and Correctional Facility Authority funds
- Eng. Com. Sub. for S. B. 455 - Relating generally to commitment of persons to custody of Commissioner of Corrections (original similar to HB2747)
- Eng. Com. Sub. for H. B. 2167 - Creating a Silver Alert program for senior citizens - (Com. title amend. pending)
- Eng. Com. Sub. for H. B. 2542 - Relating to public higher education personnel
- Eng. H. B. 2590 - Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act
- Eng. H. B. 2594 - Updating the meaning of federal adjusted gross income and certain other terms used in the West Virginia Personal Income Tax Act

SECOND READING

- S. B. 28 - Creating new system for certain contiguous counties to establish regional recreation authorities - (Amend. and title amend. pending) (original similar to HB2697)

Com. Sub. for S. B. 187 -	Providing for confidentiality of patients' medical records
Com. Sub. for S. B. 255 -	Relating to filling vacancies on county commissions and other county offices
Com. Sub. for S. B. 302 -	Supplemental appropriation of federal funds from Treasury to Division of Human Services (original similar to HB2500)
Com. Sub. for S. B. 303 -	Supplemental appropriation of public moneys from Treasury to DHHR (original similar to HB2640)
Com. Sub. for S. B. 306 -	Supplemental appropriation of federal funds from Treasury to Workforce West Virginia (original similar to HB2499)
Com. Sub. for S. B. 454 -	Providing more efficient collection and submission of state moneys received from court transactions or court services (original similar to HB2731, HB2737)
S. B. 466 -	Calculating state share of gross profits from limited video lottery revenues at 50 percent
Com. Sub. for S. B. 497 -	Relating to liability for health care providers who provide services at school athletic events
Com. Sub. for S. B. 531 -	Relating to renewal date for apiary certificates of registration

FIRST READING

Com. Sub. for Com. Sub. for S. B. 186 -	Adjusting date when children become eligible for certain school programs and school attendance requirements (original similar to HB2478)
Com. Sub. for S. B. 192 -	Relating generally to licensed surveyors
Com. Sub. for S. B. 413 -	Relating to bids on government construction contracts
Com. Sub. for S. B. 471 -	Relating to state ownership of wildlife
Com. Sub. for S. B. 474 -	Exempting names of licensed hunters from public disclosure
S. B. 495 -	Relating to regulation of events by State Athletic Commission
S. B. 524 -	Relating to WV academic standards
S. B. 536 -	Authorizing tracking of wounded or injured bear or deer
Com. Sub. for S. B. 575 -	Limiting nuisance actions against shooting ranges for noise

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2017

Tuesday, March 14, 2017

10 a.m.	Transportation & Infrastructure	(Room 451M)
1 p.m.	Health & Human Resources	(Room 451M)
1 p.m.	Energy, Industry & Mining	(Room 208W)
2 p.m.	Education	(Room 451M)
2 p.m.	Government Organization	(Room 208W)

Wednesday, March 15, 2017

2 p.m.	Agriculture & Rural Development	(Room 208W)
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