

WEST VIRGINIA LEGISLATURE

# SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE  
REGULAR SESSION, 2019  
FORTY-FIFTH DAY

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Charleston, West Virginia, Friday, February 22, 2019

The Senate met at 11:28 a.m.

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

Prayer was offered by Rob Ely, Director of Student Ministries for the West Virginia Baptist Convention, Huntington, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable William J. Ihlenfeld II, a senator from the first district.

Pending the reading of the Journal of Thursday, February 21, 2019,

At the request of Senator Hamilton, 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 third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

**Eng. Com. Sub. for Senate Bill 270**, Streamlining process for utilities access to DOH rights-of-way.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

**Eng. Com. Sub. for Senate Bill 356**, Requiring MAPS provide state and federal prosecutors information.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

**Eng. Senate Bill 358**, Exempting Purchasing Division purchases for equipment to maintain security at state facilities.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

**Eng. Com. Sub. for Senate Bill 387**, Relating generally to extradition.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

**Eng. Senate Bill 452**, Supplemental appropriation to Second Chance Driver's License Program.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

**Eng. Com. Sub. for House Bill 2324**, Authorizing the acupuncture board to issue certificates to perform auricular acudetox therapy.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. House Bill 2515**—A Bill to amend and reenact §11-15-9i of the Code of West Virginia, 1931, as amended relating to exempting from state sales and use tax the sale and installation of mobility enhancing equipment installed in a new or used motor vehicle for the use of a person with physical disabilities and the sale and installation for the repair or replacement parts of mobility enhancing equipment; and establishing a definition for mobility enhancing equipment.

Referred to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, to take effect from passage, of

**Eng. House Bill 2666**, Supplemental appropriation to the Department of Veterans' Assistance.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

**Eng. House Bill 2667**—A Bill supplementing and amending by increasing an existing item of appropriation of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Military Affairs and Public Safety, Division of Corrections, Correctional Units, Fund 0450, fiscal year 2019, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

Referred to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect from passage, of

**Eng. House Bill 2668**, Supplemental appropriation to the Department of Administration, Public Defender Services.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 2854**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-15-9q, relating to exempting sales by not-for-profit volunteer school support organizations for the purpose of raising funds for their schools from the consumers sales and service tax and use tax; specifying time limitations for fundraisers; specifying that the exemption applies without regard to whether the organization holds, or does not hold, an exemption under §501(c)(3) or §501(c)(4) of the Internal Revenue Code.

Referred to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 2855**—A Bill to amend and reenact §12-3-10d of the Code of West Virginia, 1931, as amended, relating to allowing rebate moneys in Purchasing Card Administration Fund to be used for the operation and maintenance of accounting and transparency systems of the State Auditor.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. House Bill 2856**—A Bill to amend and reenact §32-4-406 of the Code of West Virginia, 1931, as amended, relating to the administration of the operating fund of the securities division of the Auditor's office; and providing for certain funds to be transferred to the General Revenue Fund.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 2886**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §17A-2-26, relating to establishing requirements for a Division of Motor Vehicles office or Division of Motor Vehicles Now kiosk to be present in a county; establishing definitions for this section; establishing conditions for a Division of Motor Vehicles office location to be within a county; establishing exemptions under certain conditions; establishing requirements for a Division of Motor Vehicles Now kiosk to be located in a county; establishing the maximum number of Division of Motor Vehicle Now kiosks are to be determined; and requiring the provisions of this section be implemented by July 1, 2021.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 2907**—A Bill to amend and reenact §62-7-10 of the Code of West Virginia, 1931, as amended; and to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §62-7-10a, all relating to the requiring a form of a certified commitment order to the Division of Corrections and Rehabilitation; requiring a form for commitments to prisons; requiring a form for commitments from magistrate or circuit courts to jails; requiring that orders sent to prisons must be signed by the circuit judge with jurisdiction over the matter; requiring that orders sent to jails must be signed by the circuit court judge or magistrate with jurisdiction over the matter; requiring the costs of incarceration in jail pending transfer shall be paid by the Commissioner from the calendar date following the date of the conviction forward; and clarifying the method of transmittal of commitment orders.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. House Bill 2924**—A Bill to amend and reenact §5B-21-4 of the Code of West Virginia, 1931, as amended, relating to permitting the West Virginia Tourism Office to decide to contract with the Division of Highways to sell advertising space on the WV511 website to promote in-state tourism and to raise capital for technological improvements to the website; permitting 50 percent of the funds from such sale to be deposited into the Tourism Promotion Fund; and permitting 50 percent of the fund from such sale be remitted to the Division of Highways pursuant to the contract.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 2929**—A Bill to amend and reenact §5B-21-4 of the Code of West Virginia, 1931, as amended, relating to authorizing the West Virginia Tourism Office to enter into an agreement with the Division of Highways to provide staff at the welcome centers and highway rest areas; and to create displays promoting in state tourism at the welcome centers and rest areas.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 2933**—A Bill to amend and reenact §61-8D-3 of the Code of West Virginia, 1931, as amended, relating to modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury and child abuse or neglect creating risk of injury.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. House Bill 2954**—A Bill to amend and reenact §33-45-1 of the Code of West Virginia, 1931, as amended, relating to defining certain terms used in insurance.

Referred to the Committee on Banking and Insurance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 2982**—A Bill to amend and reenact §19-2C-1, §19-2C-2, §19-2C-3, §19-2C-5, §19-2C-5a, §19-2C-6, §19-2C-6a, §19-2C-6c, §19-2C-8, §19-2C-8a, and §19-2C-9 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §19-2C-5b, all relating to amending and updating the laws relating to auctioneers by providing for definitions; providing for exemptions to license requirements; providing for June 30 as the date all licenses expire; establishing certain conditions for auctioneers to continue working after license expiration; providing for record retention requirements; providing for exams held twice a year; providing for auctioneers to submit to background checks; providing for authorization to conduct and use information relating to background checks; providing for confidentiality of background checks; providing for penalties for an unlicensed auctioneer; providing for additional circumstances to revoke a license; providing for written contracts with auctioneers and owners of property; and providing for auction houses and business entities to enter into contracts with auctioneers.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 3007**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-1-3b, relating to authorizing the Commissioner of Agriculture to require background checks as a condition of employment.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. House Bill 3039**—A Bill to amend and reenact §48-9-206 and §48-9-402 of the Code of West Virginia, 1931, as amended, all relating to a court's consideration of the expression of a preference by a child in certain child custody matters; and removing language giving priority to the preference of a 14-year-old.

Referred to the Committee on Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. House Bill 3083**—A Bill to amend and reenact §21A-1A-17 of the Code of West Virginia, 1931, as amended, relating to unemployment compensation and adding temporary work by employees during the legislative session is excluded from the term employment.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

**Eng. House Bill 3093**—A Bill to amend and reenact §8A-11-1 of the Code of West Virginia, 1931, as amended, relating to standards for factory-built homes; providing for building code requirements for manufactured housing to be the same as for requirements for other single-family homes.

Referred to the Committee on Government Organization.

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 22nd day of February, 2019, 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:

**(H. B. 2459)**, Exercising authority to exempt individuals domiciled within the state from certain restrictions contained in federal law.

**(Com. Sub. for H. B. 2481)**, Permitting retail sale of alcoholic beverages on Sundays after 1 p.m.

And,

**(H. B. 2492)**, Relating to mandatory reporting procedures of abuse and neglect of adults and children.

Respectfully submitted,

Mark R. Maynard,  
*Chair, Senate Committee.*

Respectfully submitted,

Moore Capito,  
*Chair, House Committee.*

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 248**, Creating Prosecuting Attorney's Detectives Act.

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

**Com. Sub. for Senate Bill 248** (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-4A-1, §7-4A-2, §7-4A-3, §7-4A-4, §7-4A-5, §7-4A-6, §7-4A-7, §7-4A-8, and §7-4A-9, all relating to creating the Prosecuting Attorney's Detectives Act; providing a short title; making legislative findings; providing for law-enforcement titles; setting forth the duties and powers of prosecuting attorney's detectives; providing for compensation of prosecuting attorney's detectives; permitting prosecuting attorneys to hire detectives; establishing arrest power of prosecuting attorney's detectives; setting forth requirements; limiting off-duty employment; and providing miscellaneous provisions.

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,

Charles S. Trump IV,  
*Chair.*

At the request of Senator Blair, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on the Judiciary.

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 249**, Relating to administration of estates and trusts.

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

**Com. Sub. for Senate Bill 249** (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 §44-1-6a, relating to the administration of estates and trusts; creating a limited letter of administration that may be issued for estates that do not exceed the value of \$2,000; establishing procedures and responsibilities relating to a limited letter of administration; providing for a cause of action for parties affected by an applicant's failure to carry out distribution as stated in the application; and providing for a \$50 fee for each application regardless of whether the clerk issues a limited letter of administration.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,  
*Chair.*

Senator Maroney, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

**Senate Bill 520**, Requiring entities report drug overdoses.

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

**Com. Sub. for Senate Bill 520** (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §16-5T-3 and §16-5T-4 of the Code of West Virginia, 1931, as amended, relating to drug overdoses; requiring entities report drug overdoses; requiring details for drug overdose reports; eliminating mandatory reporters, and making grammatical corrections.

**Senate Bill 640**, Regulating sudden cardiac arrest prevention.

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

**Com. Sub. for Senate Bill 640** (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-56-1, §16-56-2, §16-56-3, and §16-56-4, all relating to the regulation of sudden cardiac arrest prevention; training and education; rulemaking; and removal from athletic activity.

And,

**Senate Bill 653**, Relating generally to practice of medical corporations.

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

**Com. Sub. for Senate Bill 653** (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §30-3-15 of the Code of West Virginia, 1931, as amended, relating generally to the practice of medical corporations; eliminating references to podiatry corporations; replacing references to the practice of podiatry with podiatric medicine; providing that authorized medical corporations may only practice medicine and surgery through individual physicians, podiatric physicians, or physician assistants licensed to practice medicine; permitting podiatric physicians and physician assistants to be employees rather than shareholders of a medical corporation; and providing that licensed hospitals do not need to obtain a certificate of authorization from the Board of Medicine so long as the hospital does not exercise control of the independent medical judgment of licensed physicians and licensed podiatric physicians.

With the recommendation that the three committee substitutes do pass.

Respectfully submitted,

Michael J. Maroney,  
*Chair.*

Senator Maroney, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

**Senate Bill 537**, Creating workgroup to review hospice need standards.



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

**Com. Sub. for Senate Bill 537** (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-29B-31, relating to creating a workgroup to review the hospice standards in this state; designating members of work group; providing for duties of work group; providing that the West Virginia Health Care Authority shall provide staff for the work group; providing for public hearings; providing for the submission of a final report to the Legislature; establishing a termination date of the work group; providing a time frame for the West Virginia Health Care Authority to consider modifying the hospice standards; providing that the hospice standards in effect January 1, 2018, remain in effect until new standards are developed in accordance with this section and approved by the Governor; and providing an effective date for newly developed hospice standards.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Michael J. Maroney,  
*Chair.*

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

Your Committee on Government Organization has had under consideration

**Senate Bill 565**, Relating to residency requirements for deputy assessors.

**Senate Bill 566**, Relating to compensation for State Athletic Commission members.

And,

**Senate Bill 655**, Relating to conservation districts generally.

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

Respectfully submitted,

Chandler Swope,  
*Vice Chair.*

Senator Maroney, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

**Senate Bill 574**, Permitting authorized physician order involuntary hospitalization of individual if physician believes addicted or mentally ill.

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

**Com. Sub. for Senate Bill 574** (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §27-5-2a, relating to permitting an authorized physician to order the involuntary hospitalization of an individual whom the physician believes is addicted or mentally ill; setting forth a procedure; defining terms; limiting liability; and requiring the West Virginia Supreme Court to produce information to hospitals regarding contact information for mental hygiene commissioners, designated county magistrates, and circuit judges.

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,

Michael J. Maroney,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Com. Sub. for S. B. 574) contained in the preceding report from the Committee on Health and Human Resources was taken up for immediate consideration, read a first time, ordered to second reading, and, under the original double committee reference, was then referred to the Committee on the Judiciary.

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

Your Committee on Government Organization has had under consideration

**Senate Bill 615**, Providing ongoing mechanism for county commissioners to allow compensation increases for elected officials every two years.

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

**Com. Sub. for Senate Bill 615** (originating in the Committee on Government Organization)—A Bill to amend and reenact §7-7-4 of the Code of West Virginia, 1931, as amended, relating to providing county commissioners an ongoing mechanism to consider compensation increases for elected officials every two years.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Gregory L. Boso,  
*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 622**, Relating generally to regulation and control of financing elections.

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

**Com. Sub. for Senate Bill 622** (originating in the Committee on the Judiciary)—A Bill to amend and reenact §3-8-1a, §3-8-2, §3-8-4, §3-8-5, §3-8-5b, §3-8-5e, §3-8-7, §3-8-8 §3-8-9, and §3-8-12 Code of West Virginia, 1931, and to amend said code by adding thereto five new sections, designated §3-8-5c, 3-8-5g, §3-8-9a, §3-8-9b, and §3-8-9c all relating generally to the regulation and control of elections; modifying and adding definitions; modifying requirements for information to be included in independent expenditure reports; providing that persons or committees required to file federal expenditure reports are not exempt from requirement to file state-level expenditure and electioneering disclosure reports; raising the threshold amounts for required disclosure of independent expenditures occurring within a certain timeframe preceding elections; requiring electronic filing of certain financial disclosure statements; removing the deadline before an election for a political action committee or political party committee to file a statement of organization; modifying record-keeping requirements for certain receipts and expenditures made for political purposes and requiring that records be maintained for a period of five years; modifying deadlines financial disclosure reports; providing that candidates for certain offices may file financial disclosure statements by mail, facsimile, or electronic means; modifying limits on contributions to candidates and candidate committees; modifying limits on contributions to state party executive committees and legislative caucus campaign committees; modifying limits on contributions to political action committees; providing that precandidates may accept contributions for a general election campaign prior to nomination, but may not expend such funds until after nomination is declared; providing that persons receiving precandidacy contributions are subject to certain expenditure reporting requirements; prohibiting foreign nationals from making contributions or donations to candidates, committees, and parties, and prohibiting receipt of a contribution or donation by a foreign national; modifying daily rate of civil penalty for persons filing late, inaccurate, or incomplete financial statements; requiring the Secretary of State to publish an online list of persons filing late financial statements; provides that membership organizations are subject to certain limitations applying to corporate contributions and solicitation of contributions by corporations; adding certain expenses to the list of permissible expenses of political committees; providing that coordinated expenditures are treated as contributions and providing exceptions thereto; permitting political party committees and legislative caucus campaign committees to make coordinated expenditures up to certain limits in connection with certain state-level candidates; permitting political committees to engage in joint fundraising efforts pursuant to a written agreement filed with the Secretary of State subject to certain requirements; requiring the Secretary of State to promulgate legislative rules pertaining to joint fundraising efforts; permitting unlimited transfers of money between and among state party executive committees, legislative caucus campaign committees, and national committees of the same political party for voter registration and get-out-the-vote initiatives; providing that prohibition against intimidating or coercing certain government employees into engaging in political activity also extends to intimidating or coercing employees into refraining from political activity; eliminating prohibition on a political organization organized under Section 527 of the Internal Revenue Code from soliciting or accepting donations before registering with the Secretary of State; providing that it is unlawful for any person to establish more than one political committee with the intent to evade contribution limitations; and deleting obsolete language.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,  
*Chair.*

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

Your Committee on Education has had under consideration

**Senate Bill 632**, Requiring video cameras in certain public education classrooms.

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

**Com. Sub. for Senate Bill 632** (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-48; to amend said code by adding thereto a new section, designated §18-20-11; to amend and reenact §18A-2-8 of said code; and to amend and reenact §18A-3-6 of said code, all relating to improving student safety; requiring safety and security measures of each school facility be upgraded when necessary to ensure, to the best of the county board's ability, the safety of students; creating a "Safe Schools Fund"; requiring video cameras in certain public special education classrooms; setting forth time requirements for retaining the video; setting forth requirements for video access; adding to justifications for which a school employee can be suspended or dismissed; requiring the state superintendent to maintain a database of all individuals suspended or dismissed for certain reasons; adding to justifications for which a teacher's certificate can be revoked and for which a certificate can be automatically revoked.

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,

Patricia Puertas Rucker,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Com. Sub. for S. B. 632) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, ordered to second reading, and, 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

**Senate Bill 669** (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, by adding thereto a new article, designated §39-4A-1, §39-4A-2, §39-4A-3, §39-4A-4, and §39-4A-5, all relating to the appointment of commissioners to acknowledge signatures by persons residing in or out of the State of West Virginia covering deeds, leases, and other writings pertaining to West Virginia property for recordation in the State of West Virginia; qualifications; authority of Secretary of State to appoint a commissioner; authority of Secretary of State to deny, refuse to renew, revoke, suspend, or impose a condition on a commission; fees; powers of commissioners; prohibited acts; rule-making authority; application of Revised Uniform Law on Notarial Acts; and inclusion of commissioners in online database.

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

Respectfully submitted,

Charles S. Trump IV,  
*Chair.*

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

Your Committee on Education has had under consideration

**Senate Bill 670** (originating in the Committee on Education)—A Bill to amend and reenact §18-30-2, §18-30-3, §18-30-4, and §18-30-7 of the Code of West Virginia, 1931, as amended, all relating to the West Virginia College Prepaid Tuition and Savings Program; expanding eligible educational institutions to include a private or religious primary, middle, or secondary school; and changing Board of the College Prepaid Tuition and Savings Program membership.

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

Respectfully submitted,

Patricia Puertas Rucker,  
*Chair.*

The Senate proceeded to the sixth order of business.

Senators Jeffries, Lindsay, Palumbo, Takubo, Rucker, Plymale, Hamilton, Beach, Stollings, Romano, Roberts, Maynard, Hardesty, Baldwin, and Swope offered the following resolution:

**Senate Resolution 57**—Designating February 22, 2019, as West Virginia State University Day.

Whereas, West Virginia State University is a premier regional university that is recognized nationally for its quality education, innovate teaching, and experiential learning; and

Whereas, West Virginia State University was founded as the West Virginia Colored Institute by the West Virginia Legislature on March 17, 1891, as a public, historically black college and university in Institute, West Virginia; and

Whereas, West Virginia State University was one of the original universities among the 1890 land-grant colleges and universities established by the second Morrill Act of 1890; and

Whereas, Along with academic programs, military education became an integral part of the curriculum, with the Legislature passing a bill to admit up to 60 cadets in 1899, graduating more than 900 second lieutenants and 15 generals throughout the university's history; and

Whereas, In 1927, under the leadership of President John W. Davis, West Virginia State University was accredited by the North Central Association (Higher Learning Commission). This makes it the first of 17 original schools to be certified by a regional association, becoming the first public college in West Virginia to be accredited by the North Central Association (Higher Learning Commission) and holding the longest continuous accreditation of any public college or university in West Virginia; and

Whereas, In 1929, the Institution became known as West Virginia State College; and

Whereas, In 1954, the United States Supreme Court gave its historic decision outlawing school segregation and West Virginia State College rapidly transitioned to an integrated institution; and

Whereas, Under the leadership of President William J. L. Wallace, West Virginia State University adopted the motto, "A Living Laboratory of Human Relations", and garnered national attention hailing, ". . . a tribute to the character and courage of the people of Kanawha Valley" for the substantial enrollment increases after the removal of racial barriers; and

Whereas, In 2004, the West Virginia Legislature approved the transition to University status; and

Whereas, West Virginia State University now offers 72 academic program options leading to 23 baccalaureate and seven master's degrees, with seven fully online programs; and

Whereas, As one of only two land-grant institutions in the state, West Virginia State University's Extension Service serves 38 counties and approximately 20,000 people throughout the year; and

Whereas, As a regional research institution, West Virginia State University contributes significantly to state economic development efforts in the areas of biotechnology, plant, microbial, and water quality endeavors, amassing \$17 million in research funding; and

Whereas, With every dollar the state invests in West Virginia State University, the University returns \$16 in economic activity, resulting in an estimated economic output of \$254 million per year; and

Whereas, Prominent alumni from West Virginia State University include scholars, celebrities, politicians, business people, athletes, and leaders who have distinguished themselves across the globe and changed the world, such as: The Tuskegee Airmen; Colonel "Spanky" Roberts; NBA legend, Earl Lloyd; and Presidential Medal of Freedom recipient, Katherine Johnson, who inspired the film, "Hidden Figures"; and

Whereas, West Virginia State University continues to lead the nation, state, and countless local communities spurring essential cultural and economic change for the betterment of all; and

Whereas, Since its founding 128 years ago, West Virginia State University has always proven to be a community of students, outstanding faculty, and staff devoted to helping people excel and gain the education needed to launch successful careers; therefore, be it

*Resolved by the Senate:*

That the Senate hereby designates February 22, 2019, as West Virginia State University Day; and, be it

*Further Resolved,* That the Senate hereby recognizes West Virginia State University for its tremendous contributions to the State of West Virginia; and, be it

*Further Resolved*, That the Clerk is hereby directed to forward a copy of this resolution to Dr. Anthony L. Jenkins, President of West Virginia State University.

At the request of Senator Jeffries, unanimous consent being granted, the resolution was taken up for immediate consideration, reference to a committee dispensed with, and adopted.

Thereafter, at the request of Senator Takubo, and by unanimous consent, the remarks by Senators Jeffries and Lindsay regarding the adoption of Senate Resolution 57 were ordered printed in the Appendix to the Journal.

On motion of Senator Takubo, at 11:54 a.m., the Senate recessed to present Senate Resolution 57.

The Senate reconvened at 12 Noon and resumed business under the sixth order.

Senators Tarr, Jeffries, and Plymale offered the following resolution:

**Senate Resolution 58**—Congratulating Tylee Oldham for receiving a 2019 Prudential Spirit of Community Award as a Distinguished Finalist.

Whereas, The Prudential Spirit of Community Awards program is the United States' largest youth recognition program based exclusively on volunteer community service; and

Whereas, Created in 1995 by Prudential and the National Association of Secondary School Principals, the program honors middle level and high school students for outstanding service to others at the local, state, and national level; and

Whereas, Tylee Oldham is a student at Hurricane High School and has demonstrated an extraordinary commitment to serving her community by giving generously of her time as a hospital volunteer, spending hundreds of hours working in registration, lab, and patient support, as well as coordinating stuffed-animal and care-package drives; and

Whereas, Tylee Oldham was inspired to start working in a hospital after spending time with her grandmother in hospice care and hopes to pursue a career as a materials engineer, helping design prosthetics materials to be used in medicine; and

Whereas, The success of the State of West Virginia, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Tylee Oldham, who use their considerable talents and resources to serve others; and

Whereas, For her efforts, Tylee Oldham has achieved national recognition for exemplary volunteer service by receiving a 2019 Prudential Spirit of Community Award as a Distinguished Finalist; therefore, be it

*Resolved by the Senate:*

That the Senate hereby congratulates Tylee Oldham for receiving a 2019 Prudential Spirit of Community Award as a Distinguished Finalist; and, be it

*Further Resolved*, The Senate extends its sincere gratitude and appreciation to Tylee Oldham for her outstanding record of volunteer service, peer leadership, and community spirit, and wishes her well on a bright future; and, be it

*Further Resolved*, That the Clerk is hereby directed to forward a copy of this resolution to Tylee Oldham.

At the request of Senator Tarr, unanimous consent being granted, the resolution was taken up for immediate consideration, reference to a committee dispensed with, and adopted.

On motion of Senator Takubo, at 12:04 p.m., the Senate recessed to present Senate Resolution 58.

The Senate reconvened at 12:07 p.m. and resumed business under the sixth order.

### **Petitions**

Senator Cline presented a petition from Anna Davis-Abel and 155 West Virginia University students, opposing House Bill 2519 (*The Campus Self Defense Act*).

Referred to the Committee on the Judiciary.

The Senate proceeded to the seventh order of business.

**Senate Concurrent Resolution 6**, US Army SP4 Darrell Gregory Triplett Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk.

The question being on the adoption of the resolution, the same was put and prevailed.

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

**Senate Concurrent Resolution 42**, Tom and Cindy Mae Marcum Memorial Bridge.

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

The Senate proceeded to the eighth order of business.

**Eng. Com. Sub. for Senate Bill 613**, Requiring DNR include election of organ donation on hunting licenses.

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 613 pass?"

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard,



Palumbo, Plymale, Prezioso, Roberts, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boso and Romano—2.

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. 613) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boso and Romano—2.

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. 613) takes effect from passage.

*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 11**, Relating to retirement and pension benefits of certain PERS and Teachers Retirement System members who serve in Legislature.

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

**Com. Sub. for Com. Sub. for Senate Bill 86**, Requiring county boards provide free feminine hygiene products in grades six to 12.

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

On motion of Senator Beach, the following amendment to the bill was reported by the Clerk:

On page one, section twenty-two-e, line two, by striking out the word “six” and inserting in lieu thereof the word “five”.

Following discussion,

The question being on the adoption of Senator Beach’s amendment to the bill, the same was put and prevailed.

The bill (Com. Sub. for Com. Sub. for S. B. 86), as amended, was then ordered to engrossment and third reading.

**Com. Sub. for Senate Bill 330**, Requiring contact information be listed on agency's online directory and website.

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

**Com. Sub. for Com. Sub. for Senate Bill 383**, Creating WV Healthy Food Crop Block Grant Program.

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 404**, Relating generally to sediment control during commercial timber harvesting operations.

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 415**, Creating Timber Cotenancy Modernization and Majority Protection Act and Unknown and Unlocatable Timber Interest Owners Act.

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 485**, Clarifying notification requirements for property insurance purposes.

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

**Senate Bill 493**, Correcting terminology referring to racing vehicles illegally on street.

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 506**, Relating to guaranty associations.

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

On motion of Senator Takubo, the bill was referred to the Committee on Rules.

**Com. Sub. for Senate Bill 529**, Clarifying provisions of Nonintoxicating Beer Act.

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

**Senate Bill 531**, Relating generally to workers' compensation claims.

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

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

On page one, section seven, line six, by striking out the words “term ‘occupational’” and inserting in lieu thereof the words “term ‘nonorthopedic occupational’”.

The bill (S. B. 531), as amended, was then ordered to engrossment and third reading.

**Com. Sub. for Senate Bill 546**, Relating to health care provider taxes.

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 585**, Relating to criminal offenses of stalking and harassment generally.

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

**Senate Bill 593**, Permitting critical access hospital become community outpatient medical center.

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

**Senate Bill 596**, Adjusting voluntary contribution amounts on certain DMV forms.

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 624**, Allowing county boards of education use alternative assessment provided in Every Student Succeeds Act.

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

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

On page twelve, section five, lines two hundred seventy-eight through three hundred nine, by striking out all of subdivision (2) and inserting in lieu thereof a new subdivision, designated subdivision (2), to read as follows:

(2) Recommend to the appropriate body including, but not limited to, the Legislature, county boards, schools and communities, methods for targeting resources strategically to eliminate deficiencies identified in the assessment and accountability processes. When making determinations on recommendations, the state board, or its designee, the West Virginia Department of Education, shall work collaboratively with the county board of education. Recommendations shall include, but are not limited to, the following methods: ~~include, but is not limited to, the following methods:~~

~~The state board, or its designee, the West Virginia Department of Education, and county school systems, shall work collaboratively in:~~

~~(4)~~ (A) Examining reports and electronic strategic improvement plans regarding the performance and progress of students, schools and school systems relative to the standards and identifying the areas in which improvement is needed;

~~(2)~~ (B) Determining the areas of weakness and of ineffectiveness that appear to have contributed to the substandard performance and progress of students or the deficiencies of the school or school system;

~~(3)~~ (C) Determining the areas of strength that appear to have contributed to exceptional student, school and school system performance and progress and promoting their emulation throughout the system;

~~(4)~~ (D) Requesting technical assistance from the School Building Authority in assessing or designing comprehensive educational facilities plans;

~~(5)~~ (E) Recommending priority funding from the School Building Authority based on identified needs;

~~(6)~~ (F) Recommending special staff development programs from county boards based on identified needs;

~~(7)~~ (G) Submitting requests to the Legislature for appropriations to meet the identified needs for improving education;

~~(8)~~ (H) Directing educational expertise and support services strategically toward alleviating deficiencies;

~~(9)~~ (I) Ensuring that the need for facilities in counties with increased enrollment are appropriately reflected and recommended for funding;

~~(10)~~ (J) Ensuring that the appropriate person or entity is held accountable for eliminating deficiencies; and

~~(14)~~ (K) Ensuring that the needed capacity is available from the state and local level to assist the school or school system in achieving the standards and alleviating the deficiencies.

The bill (Com. Sub. for S. B. 624), as amended, was then ordered to engrossment and third reading.

**Com. Sub. for Senate Bill 641**, Relating to Primary Care Support Program.

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

**Senate Bill 664**, Authorizing certain members of federal judiciary perform marriages.

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

**Eng. House Bill 2036**, Permitting vehicles displaying disabled veterans' special registration plates to park in places where persons with mobility impairments may park.

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

**Eng. Com. Sub. for House Bill 2612**, Proposing rules related to the completion or updating of source water protection plans.

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

**Eng. Com. Sub. for House Bill 2740**, Barring a parent from inheriting from a child in certain instances.

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

**Eng. House Bill 2746**, Relating to administration of estates.

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

**Eng. House Bill 2759**, Providing for the ancillary administration of West Virginia real estate owned by nonresidents by affidavit and without administration.

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

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

On page twelve, section one, line forty-two, by striking out the words "of \$20 for" and inserting in lieu thereof the words "that is the amount of".

The bill (Eng. H. B. 2759), as amended, was then ordered to third reading.

**Eng. Com. Sub. for House Bill 2821**, Updating provisions for command, clerical and other pay.

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.

At the request of Senator Takubo, unanimous consent being granted, the following bills on first reading were considered read a first time and ordered to second reading:

**Com. Sub. for Senate Bill 238**, Increasing certain penalties for passing stopped school bus.

**Com. Sub. for Senate Bill 316**, Preserving previously approved state Municipal Policemen's or Firemen's pensions.

**Com. Sub. for Senate Bill 400**, Allowing Board of Dentistry create specialty licenses.

**Senate Bill 421**, Relating to annual legislative review of economic development tax credit.

**Senate Bill 432**, Enacting Recognition of Emergency Medical Services Personnel Licensure Interstate Compact.

**Com. Sub. for Senate Bill 441**, Relating to higher education campus police officers .

**Com. Sub. for Senate Bill 511**, Creating alternating wine proprietorships.

**Senate Bill 535**, Allowing City of Buckhannon begin collecting sales and service and use tax on July 1, 2019. .

**Com. Sub. for Senate Bill 538**, Relating to WV Highway Design-Build Pilot Program.

**Com. Sub. for Senate Bill 539**, Relating to accrued benefit of retirees in WV State Police Retirement System Plan B.

**Senate Bill 544**, Increasing salaries for members of WV State Police over three-year period.

**Com. Sub. for Senate Bill 547**, Limiting landowner liability for recreational use of lands .

**Senate Bill 554**, Removing salary caps for director of State Rail Authority.

**Senate Bill 592**, Providing for collection of hotel occupancy tax by marketplace facilitators.

**Com. Sub. for Senate Bill 597**, Conforming state law to federal law for registration of appraisal management companies.

**Com. Sub. for Senate Bill 603**, Exempting certain activities from licensing requirements for engaging in business of currency exchange.

**Senate Bill 627**, Relating generally to Rural Rehabilitation Loan Program.

**Com. Sub. for Senate Bill 654**, Amending definition of "mortgage loan originator".

**Senate Bill 656**, Relating to electronic filing of tax returns.

**Senate Bill 665**, Allowing for expedited oil and gas well permitting.

**Senate Bill 666**, Creating WV Motorsports Entertainment Complex Investment Act.

**Senate Bill 667**, Creating WV Motorsport Committee.

And,

**Senate Bill 668**, Relating to physician assistants collaborating with physicians in hospitals.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Maynard.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 12:32 p.m., the Senate recessed until 5 p.m. today.

The Senate reconvened at 5:31 p.m. and, at the request of Senator Takubo, unanimous consent being granted, returned 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 22nd day of February, 2019, 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:

**(S. B. 272)**, Updating code relating to Commission on Special Investigations.

And,

**(Com. Sub. for H. B. 2521)**, Relating to permitting fur-bearer parts.

Respectfully submitted,

Mark R. Maynard,  
*Chair, Senate Committee.*  
Moore Capito,  
*Chair, House Committee.*

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

Your Committee on the Judiciary has had under consideration

**Senate Bill 273**, Clarifying information request by Commission on Special Investigations be provided promptly.

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

**Com. Sub. for Senate Bill 273** (originating in the Committee on the Judiciary)—A Bill to amend and reenact §6-9-7 the Code of West Virginia, 1931; to amend and reenact §12-4A-1, §12-4A-2, §12-4A-3, and §12-4A-4 of said Code; and amend said Code by adding thereto a two sections designated §12-4A-2a and §12-4A-5, all relating to the Commission on Special Investigations and the State Auditor duties generally; authorizing reporting of evidence of governmental waste, fraud, mismanagement, malfeasance, misfeasance, or nonfeasance to the state auditor; clarifying that such reports shall relate to all public funds rather than state funds alone; directing that the Commission on Special Investigation have primacy in investigating reports of possible fraud, misappropriation, mismanagement, or waste of state funds by state agencies, officials, and employees; clarifying applicability of freedom of information law to documents which are part of an investigation; defining terms; establishing time requirement for the delivery of required information or reports from the State Auditor to the Commission; and clarifying that the State Auditor must share all reports of fraud, misappropriation, mismanagement, or waste of public funds with the commission; authorizing publication of reports of completed investigations and underlying documentation; requiring redaction of certain information from published reports; requiring the State Auditor to track investigations and issue reports; setting dates for reporting; and defining terms.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Ryan W. Weld,  
*Vice Chair.*

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

Your Committee on the Judiciary has had under consideration

**Senate Bill 353**, Increasing salaries of magistrates, supreme court justices, circuit court judges and family court judges.

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,

Ryan W. Weld,  
*Vice Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (S. B. 353) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, ordered to second reading, and, under the original double committee reference, was then referred to the Committee on Finance.

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

Your Committee on Finance has had under consideration

**Senate Bill 472**, Exempting retirement income of certain uniformed services members from state income tax.

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

Respectfully submitted,

Craig Blair,  
*Chair.*

Senator Blair, 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 522** (originating in the Committee on Transportation and Infrastructure), Creating Special Road Repair Fund.

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



**Com. Sub. for Com. Sub. for Senate Bill 522** (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-3-11; and to amend said code by adding thereto a new article, designated §17-30-1, §17-30-2, §17-30-3, §17-30-4, and §17-30-5 all relating to enhancing maintenance and repair of the state's roads and highways; creating the Special Road Repair Fund as a sub-account of the State Road Fund; providing for a general revenue allocation for fiscal years 2020 and 2021 into the fund; creating the Enhanced Road Repair and Maintenance Program; stating legislative finding and purpose of program; requiring Division of Highways county supervisors consult with county commissions and legislators to submit project requests to the Division of Highways; setting forth a funding formula; setting forth requirements concerning bidding, vendors, and contracts with private vendors; specifying uses of Special Road Repair Fund; defining terms; providing requirements for Commissioner of Highways and districts; requiring for rulemaking; and requiring reporting by Division of Highways and Legislative Auditor.

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

Respectfully submitted,

Craig Blair,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, leaves of absence for the day were granted Senators Boso and Romano.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 5:34 p.m., the Senate adjourned until tomorrow, Saturday, February 23, 2019, at 2 p.m.

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## SENATE CALENDAR

Saturday, February 23, 2019  
2:00 PM

### THIRD READING

- Eng. S. B. 11 - Relating to retirement and pension benefits of certain PERS and Teachers Retirement System members who serve in Legislature
- Eng. Com. Sub. for Com. Sub. for S. B. 86 - Requiring county boards provide free feminine hygiene products in grades six to 12 (original similar to HB2464)
- Eng. Com. Sub. for S. B. 330 - Requiring contact information be listed on agency's online directory and website
- Eng. Com. Sub. for Com. Sub. for S. B. 383 - Creating WV Healthy Food Crop Block Grant Program
- Eng. Com. Sub. for S. B. 404 - Relating generally to sediment control during commercial timber harvesting operations (original similar to HB2714)
- Eng. Com. Sub. for S. B. 415 - Creating Timber Cotenancy Modernization and Majority Protection Act and Unknown and Unlocatable Timber Interest Owners Act
- Eng. Com. Sub. for S. B. 485 - Clarifying notification requirements for property insurance purposes (original similar to HB2909, HB2993)
- Eng. S. B. 493 - Correcting terminology referring to racing vehicles illegally on street
- Eng. Com. Sub. for S. B. 529 - Clarifying provisions of Nonintoxicating Beer Act (original similar to HB3100)
- Eng. S. B. 531 - Relating generally to workers' compensation claims
- Eng. Com. Sub. for S. B. 546 - Relating to health care provider taxes
- Eng. Com. Sub. for S. B. 585 - Relating to criminal offenses of stalking and harassment generally
- Eng. S. B. 593 - Permitting critical access hospital become community outpatient medical center
- Eng. S. B. 596 - Adjusting voluntary contribution amounts on certain DMV forms
- Eng. Com. Sub. for S. B. 624 - Allowing county boards of education use alternative assessment provided in Every Student Succeeds Act
- Eng. Com. Sub. for S. B. 641 - Relating to Primary Care Support Program
- Eng. S. B. 664 - Authorizing certain members of federal judiciary perform marriages
- Eng. H. B. 2036 - Permitting vehicles displaying disabled veterans' special registration plates to park in places where persons with mobility impairments may park
- Eng. Com. Sub. for H. B. 2612 - Proposing rules related to the completion or updating of source water protection plans (original similar to SB430)

Eng. Com. Sub. for H. B. 2740 - Barring a parent from inheriting from a child in certain instances (original similar to SB482)

Eng. H. B. 2746 - Relating to administration of estates (original similar to SB480)

Eng. H. B. 2759 - Providing for the ancillary administration of West Virginia real estate owned by nonresidents by affidavit and without administration (original similar to SB483)

Eng. Com. Sub. for H. B. 2821 - Updating provisions for command, clerical and other pay

## **SECOND READING**

Com. Sub. for S. B. 238 - Increasing certain penalties for passing stopped school bus

Com. Sub. for S. B. 316 - Preserving previously approved state Municipal Policemen's or Firemen's pensions

Com. Sub. for S. B. 400 - Allowing Board of Dentistry create specialty licenses

S. B. 421 - Relating to annual legislative review of economic development tax credit

S. B. 432 - Enacting Recognition of Emergency Medical Services Personnel Licensure Interstate Compact (original similar to HB2729)

Com. Sub. for S. B. 441 - Relating to higher education campus police officers

Com. Sub. for S. B. 511 - Creating alternating wine proprietorships

S. B. 535 - Allowing City of Buckhannon begin collecting sales and service and use tax on July 1, 2019.

Com. Sub. for S. B. 538 - Relating to WV Highway Design-Build Pilot Program (original similar to HB3027)

Com. Sub. for S. B. 539 - Relating to accrued benefit of retirees in WV State Police Retirement System Plan B (original similar to HB3070)

S. B. 544 - Increasing salaries for members of WV State Police over three-year period

Com. Sub. for S. B. 547 - Limiting landowner liability for recreational use of lands

S. B. 554 - Removing salary caps for director of State Rail Authority (original similar to HB3014)

S. B. 592 - Providing for collection of hotel occupancy tax by marketplace facilitators

Com. Sub. for S. B. 597 - Conforming state law to federal law for registration of appraisal management companies

Com. Sub. for S. B. 603 - Exempting certain activities from licensing requirements for engaging in business of currency exchange

S. B. 627 - Relating generally to Rural Rehabilitation Loan Program

Com. Sub. for S. B. 654 - Amending definition of "mortgage loan originator"

S. B. 656 - Relating to electronic filing of tax returns

S. B. 665 - Allowing for expedited oil and gas well permitting

- S. B. 666 - Creating WV Motorsports Entertainment Complex Investment Act
- S. B. 667 - Creating WV Motorsport Committee
- S. B. 668 - Relating to physician assistants collaborating with physicians in hospitals

### **FIRST READING**

- Com. Sub. for S. B. 248 - Creating Prosecuting Attorney's Detectives Act (original similar to HB2444)
- Com. Sub. for S. B. 249 - Relating to administration of estates and trusts
- Com. Sub. for S. B. 273 - Relating to Commission on Special Investigations and State Auditor duties
- S. B. 472 - Exempting retirement income of certain uniformed services members from state income tax
- Com. Sub. for S. B. 520 - Requiring entities report drug overdoses
- Com. Sub. for Com. Sub. for S. B. 522 - Creating Special Road Repair Fund
- Com. Sub. for S. B. 537 - Creating workgroup to review hospice need standards
- S. B. 565 - Relating to residency requirements for deputy assessors
- S. B. 566 - Relating to compensation for State Athletic Commission members
- Com. Sub. for S. B. 615 - Providing ongoing mechanism for county commissioners to allow compensation increases for elected officials every two years
- Com. Sub. for S. B. 622 - Relating generally to regulation and control of financing elections
- Com. Sub. for S. B. 640 - Regulating sudden cardiac arrest prevention
- Com. Sub. for S. B. 653 - Relating generally to practice of medical corporations
- S. B. 655 - Relating to conservation districts generally
- S. B. 669 - Allowing appointment of commissioners to acknowledge signatures
- S. B. 670 - Relating to WV College Prepaid Tuition and Savings Program

**ANNOUNCED SENATE COMMITTEE MEETINGS**

**Regular Session 2019**

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**Saturday, February 23, 2019**

9 a.m.	Education	(Room 451M)
9 a.m.	Government Organization	(Room 208W)
11 a.m.	Finance	(Room 451M)
11 a.m.	Judiciary	(Room 208W)