

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

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

Charleston, West Virginia, Thursday, March 23, 2017

The Senate met at 11 a.m.

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

Prayer was offered by Reverend Michael Atkinson, St. John United Methodist Church, Scott Depot, West Virginia.

Mountaineer Challenge Academy Cadets from Kingwood, West Virginia, proceeded in the presenting of the Colors. The Honorable Michael A. Woelfel, a senator from the fifth district, then led the Senate in the recitation of the Pledge of Allegiance.

Pending the reading of the Journal of Wednesday, March 22, 2017,

At the request of Senator Gaunch, 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 that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 2028, Relating to the venue for suits and other actions against the state.

On motion of Senator Ferns, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Whereupon, Senator Carmichael (Mr. President) appointed the following conferees on the part of the Senate:

Senators Smith, Rucker and Woelfel.

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

A message from The Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 2099, Defining the act of leaving the scene of a crash involving death or serious bodily injury as a felony; Erin's Law.

On motion of Senator Ferns, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Whereupon, Senator Carmichael (Mr. President) appointed the following conferees on the part of the Senate:

Senators Weld, Maynard and Jeffries.

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

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. House Bill 2766, Establishing a new special revenue fund, designated the Adult Drug Court Participation Fund.

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 2827—A Bill to amend and reenact §33-4A-1, §33-4A-2, §33-4A-3, §33-4A-4, §33-4A-5, §33-4A-6, §33-4A-7 and §33-4A-8 of the Code of West Virginia, 1931, as amended, all relating to the all payor claims database; defining terms; providing sole authority to the Secretary of the Department of Health and Human Resources; removing memorandum of understanding requirements.

Referred to the Committee on Health and Human Resources.

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 2840—A Bill to amend and reenact §5A-1-2 of the Code of West Virginia, 1931, as amended; to amend and reenact §5F-2-1 of said code; and to amend said code by adding thereto twelve new sections, designated §5F-2-1a, §5F-2-1b, §5F-2-1c, §5F-2-1d, §5F-2-1e, §5F-2-1f, §5F-2-1g, §5F-2-1h, §5F-2-1i, §5F-2-1j, §5F-2-1k and §5F-2-1l, all relating to the reorganization of certain code provisions that organize the executive branch of state government.

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 the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5B-2-9a, relating to declaring public policy and legislative intent for improving the marketing, quality and frequency of passenger rail service of the Cardinal Passenger Train operated by the National Railroad Passenger Corporation, doing business as AMTRAK, along the route crossing the south-central region of the state from Huntington eastward to White Sulphur Springs; the powers and duties of the Commissioner of the Division of Tourism and the tourism commission to achieve those policies and Legislative intent; cooperation and assistance to be provided by the West Virginia Department of Transportation and the West Virginia State Rail Authority to the commissioner and tourism commission; cooperation of the commissioner with other states and the National Railroad Passenger Corporation; participation in an interstate body to achieve such cooperation; and creation of a Cardinal Passenger Train Enhancement Fund as a special revenue account.

Referred to the Committee on Finance.

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

House Concurrent Resolution 10—Requesting the Commissioner of the Division of Highways to rename bridge number 13-60-39.43, locally known as Airport Bridge, carrying United States Route 60 over Howards Creek, the “John Cameron Brown Bridge.”

Referred to the Committee on Transportation and Infrastructure

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

House Concurrent Resolution 19—Requesting the Division of Highways to name the portion of West Virginia Route 36 in Lincoln County, from the intersection of Sheridan Road, continuing 1.4 miles southeast, to the Greystone Branch sign, the “U.S. Army PFC Freeman Ray Meade Memorial Road.”

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 20—Requesting the Division of Highways to name bridge number 23-10/19-0.01 (23A221) (37.82788, - 81.94412), locally known as the Logan Vo-Tech Bridge, carrying County Route 10/19 over the Guyandotte River in Logan County, West Virginia the “US Army PVT James Earl Pelfrey Memorial Bridge.”

Referred to the Committee on Transportation and Infrastructure

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

House Concurrent Resolution 21—Requesting the Division of Highways to name the Rossmore by-pass starting at Rossmore and running to Monaville on Route 119/42, in Logan County, the “1sg Carl J. Crabtree Memorial Road”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 22—Requesting the Division of Highways to name bridge number 23-44-4.86 (23A105), (37.70670, - 81.98848), (locally known as Crystal Block Concrete Bridge, carrying WV44 over Island Creek in Logan County, the “U.S. Air Force MSgt Johnny Baxter Clark and U.S. Air Force MSgt Carl Richard (Dick) Clark Memorial Bridge”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 23—Requesting the Division of Highways to name the portion of Route 119/19, beginning at a point where it intersects with Route 17 and ending at a point where it intersects with Route 28/2, in Logan County, as the “U.S. Army SSG Styish R. Morris Memorial Road”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 30—Requesting the Division of Highways to name, Bridge Number 22-37-4.35 (22A059), latitude 38.10346, longitude -82.17775, on Route 37 in Lincoln County, locally known as East Fork Bridge, as the “U.S. Army PFC Cornelious Wiley Memorial Bridge”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 35—Requesting the Division of Highways to name bridge number 20-77-83.84 (20A615), (38.19560, -81.47926), locally known as WV.TPK/WV 79, carrying interstate 77/64 over Route 79/3 and Cabin Creek in Kanawha County, the “Arnold Miller Memorial Bridge.”

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 49—Requesting the Division of Highways to name Bridge Number 23-10/10-0.01 (23A302) (37.72886,-81.84404), locally known as Mallory Beam Span,

carrying County Route 10/10 over Huff Creek in Logan County, the “U.S. Army PFC Donald Ray Cochran Memorial Bridge”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 51—Requesting the Division of Highways to name bridge number 23-44-16.99 (23A154) (37.84488, -82.00992), locally known as Cherry Tree Bridge, carrying WV 44 over Island Creek in Logan county, the “U.S. Army LTC George William “Toby” Runyon Memorial Bridge”

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 54—Requesting the Division of Highways to name the Keren’s Bridge on Corridor H (U.S. Route 48) located in Kerens, Randolph County, Bridge Number 42-48-41.0 NB-SB (42A211 & 42A212) at latitude 39.01366, longitude -79.81116, originally called the Kerens Bridge Lazy Run, the “U.S. Army PVT Preston D. Vanscoy Memorial Bridge”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 56—Requesting the Division of Highways to name the road from the mouth of Harts Creek on Harts Creek Road 1.2 miles to Warrens Way off SR 10 on CR 19 Lincoln County, the “U. S. Army CPL George Browning Memorial Road”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 62—Requesting the Division of Highways to name the portion of West Virginia Route 20 from mile marker 7.30 to mile marker 19.94, in Webster County, the “Webster County Veterans Highway.”

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 63—Requesting the Division of Highways to name a portion of Route 80, known as Wills Creek Road, in Logan County, beginning at latitude 37.730131, longitude -81.873774 and ending at latitude 37.692547, longitude -81.865702, the “William B. Burgess Memorial Road”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 68—Requesting the Division of Highways to name a portion of West Virginia Route 80, near Bruno, beginning at a point, latitude 37.692547, longitude -81.865702, and ending at a point, latitude 37.664654, longitude -81.848732, the “James Earl Gibson Memorial Road.”

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 73—Requesting the Division of Highways that Bridge Number: 42-23-2.73 (42A045) (38.90822, -79.86085), locally known as Southgate Bridge, carrying County Route 23 over Tygart Valley River in Randolph County, West Virginia, be named the “U S Army Air Corps PVT William James Irwin, Memorial Bridge.”

Referred to the Committee on Transportation and Infrastructure.

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 March, 2017, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(Com. Sub. for S. B. 301), Supplemental appropriation of federal funds from Treasury to State Board of Education, School Lunch Program.

And,

(S. B. 330), Relating to WV Workplace Freedom Act.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Roger Hanshaw,
Chair, House Committee.

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 60 (originating in the Committee on Health and Human Resources), Relating to eligibility and fraud requirements for public assistance.

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

Com. Sub. for Com. Sub. for Senate Bill 60 (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §9-8-1, §9-8-2, §9-8-3, §9-8-4, §9-8-5, §9-8-6, §9-8-7, §9-8-8, §9-8-9, §9-8-10, §9-8-11, §9-8-12, §9-8-13 and §9-8-14, all relating to eligibility and fraud requirements for public assistance; defining terms; requiring the Department of Health and Human Resources to implement work requirements for applicants for the Supplemental Nutrition Assistance Program (SNAP); requiring discontinuance of a federal waiver; setting forth what meets work requirements; setting out exceptions to work requirements; providing for a good cause exception; allowing for a federal waiver; providing for rulemaking for suspension of benefits for noncompliance; providing for an asset test for SNAP benefits; requiring accessing information of various federal, state and miscellaneous sources; prohibiting payment of SNAP benefits in specified instances; requiring cooperation with the Bureau for Child Support Enforcement; requiring a design or establishment of a computerized income, asset and identity verification system for Temporary Assistance for Needy Families (TANF); allowing for contracting with a third-party vendor; setting out required contract terms; requiring accessing information of various federal, state and miscellaneous sources for TANF; requiring identity authentication as a condition to receive public assistance; setting forth notice requirements and the right to a hearing; requiring referrals for fraud, misrepresentation and inadequate documentation; requiring report to the Governor and Legislature; setting forth prohibitions on the use of an electronic benefit transfer card; tracking out-of-state spending of SNAP and TANF benefits; and providing for rulemaking.

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

Respectfully submitted,

Mike Hall,
Chair.

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 281 (originating in the Committee on Judiciary), Increasing number of limited video lottery machines allowed at retail location.

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

Com. Sub. for Com. Sub. for Senate Bill 281 (originating in the Committee on Finance)—A Bill to amend and reenact §29-22B-1101 of the Code of West Virginia, 1931, as amended, relating to increasing the number of limited video lottery terminals allowed at a retail location; increasing the number of limited video lottery terminals permitted on the premises of certain tax exempt organizations; and requiring Lottery Commission to conduct a bid for permits held by current permit holders expiring June 30, 2021, prior to September 1, 2017.

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

Respectfully submitted,

Mike Hall,
Chair.

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

Your Committee on the Workforce has had under consideration

Senate Bill 316, Requiring individuals receiving unemployment compensation apply for and accept seasonal employment.

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

Com. Sub. for Senate Bill 316 (originating in the Committee on the Workforce)—A Bill to amend and reenact §21A-6-1a of the Code of West Virginia, 1931, as amended, relating to seasonal employment in connection with unemployment compensation benefits; establishing that seasonal employment shall not be distinguishable from employment in general for unemployment compensation benefits determination; and clarifying that seasonal employment has no bearing on ability to file a claim for unemployment benefits provided other eligibility requirements are satisfied.

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,

Chandler Swope,
Chair.

At the request of Senator Hall, 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 Workforce.

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 408, Relating to public employees.

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

Com. Sub. for Senate Bill 408 (originating in the Committee on Government Organization)—A Bill to repeal §29-6-1, §29-6-2, §29-6-3, §29-6-4, §29-6-5, §29-6-6, §29-6-7, §29-6-7a, §29-6-8, §29-6-9, §29-6-10, §29-6-10a, §29-6-11, §29-6-12, §29-6-14, §29-6-16, §29-6-17, §29-6-19, §29-6-20, §29-6-21, §29-6-22, §29-6-23, §29-6-24, §29-6-25, §29-6-26, §29-6-27 and §29-6-28 of the Code of West Virginia, 1931, as amended; to amend and reenact §6C-2-2, §6C-2-3 and §6C-2-4 of said code; and to amend said code by adding thereto a new article, designated §6C-5-1, §6C-5-2, §6C-5-3, §6C-5-4, §6C-5-5, §6C-5-6, §6C-5-7, §6C-5-8, §6C-5-9, §6C-5-10, §6C-

5-11, §6C-5-12, §6C-5-13 and §6C-5-14, all relating to the personnel management of public employees; eliminating the state civil service system; modifying employees which may file grievances with the West Virginia Public Employees Grievance Board; modifying procedures of the West Virginia Public Employees Grievance Board; establishing the State Personnel Management Act; providing the purpose of the act; defining terms; providing that all state employees covered under the civil service system shall become at-will employees effective July 1, 2017; providing that employees of the state shall have all the same protections, rights, responsibilities and remedies provided by federal and state law to private employees; providing that the agencies of the state shall have all rights, responsibilities and remedies provided by federal and state law to private employers, including the right to terminate an employee at any time for any lawful reason; establishing the State Governmental Employee Advisory Panel; providing for the composition, general operating parameters and the duties and functions of the State Governmental Employee Advisory Panel; requiring the State Governmental Employee Advisory Panel adopt model policies related to personnel management; providing minimal provisions and policies that model policies shall include; establishing responsibilities and authorities of department secretaries related to personnel policies and management; continuing the Division of Personnel; providing duties, functions and authority of the Division of Personnel; providing for the appointment of a Director of the Division of Personnel and establishing required qualifications and compensation; providing for required procedures related to the certification of payrolls; providing a remedy for an employee subjected to the wrongful withholding of certification of a payroll voucher or account; requiring the establishment and maintenance of a leave donation program; prohibiting certain acts related to obtaining or interfering with employment with the state; establishing a misdemeanor criminal offense and providing penalties; authorizing the Governor to furlough certain state employees where there is a fiscal emergency; defining the terms “furlough” and “fiscal emergency”; and providing procedures for the furlough of certain state employees.

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,

Craig Blair,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Com. Sub. for S. B. 408) contained in the preceding report from the Committee on Government Organization 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 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 412, Relating to WV Jobs Act reporting requirements.

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

Com. Sub. for Senate Bill 412 (originating in the Committee on Government Organization)—
A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,

designated §5-22-4; and to amend and reenact §21-1C-5 of said code, all relating to prohibiting a governmental entity, which requires certain private companies to submit any document that includes records of actual wages paid to employees, from disclosing such document or information contained therein to any other entity or person; providing that any such document containing records of actual wages paid to employees shall be deemed confidential and proprietary and shall not be considered a public record; defining “governmental entity”; providing that any document containing records of actual wages paid to employees that is filed or submitted pursuant to the West Virginia Jobs Act shall not be disclosed by the Division of Labor or a public authority to any other entity or person; and providing that any document submitted or filed pursuant to the West Virginia Jobs Act that includes records of actual wages paid to employees or information contained therein shall be deemed confidential and proprietary and shall not be considered a public record.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Craig Blair,
Chair.

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

Your Committee on Finance has had under consideration

Senate Bill 437, Discontinuing WV Greyhound Breeding Development Fund.

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

Com. Sub. for Senate Bill 437 (originating in the Committee on Finance)—A Bill to amend and reenact §19-23-7, §19-23-10, §19-23-12b, §19-23-13 and §19-23-13c of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §19-23-10a; to amend and reenact §29-22-18a of said code; to amend and reenact §29-22A-3, §29-22A-7, §29-22A-10, §29-22A-10b, §29-22A-10d, §29-22A-10e and §29-22A-12 of said code; and to amend and reenact §29-22C-3, §29-22C-8, §29-22C-10, §29-22C-27 and §29-22C-27a of said code, all relating generally to horse and dog racing lottery; discontinuing the West Virginia Racing Commission special account known as the West Virginia Greyhound Breeding Development Fund; transferring all moneys in the West Virginia Greyhound Breeding Development Fund to the State Excess Lottery Revenue Fund for appropriation by the Legislature; requiring that upon transfer of moneys from the West Virginia Greyhound Breeding Development Fund to the State Excess Lottery Revenue Fund, a certain amount be withheld and deposited in the special account known as the Administration, Promotion, Education, Capital Improvement and Greyhound Adoption Programs to include Spaying and Neutering Account; requiring that all moneys previously required to be directed to the West Virginia Greyhound Breeding Development Fund be redirected to the State Excess Lottery Revenue Fund for appropriation by the Legislature; requiring that all moneys previously required to be directed into any fund or paid for the purpose of funding purses, awards or providing any other funding for greyhound races be redirected to the State Excess Lottery Revenue Fund for appropriation by the Legislature; eliminating the requirement that an applicant for a dog racing license race a minimum number of dates to qualify for such license; eliminating the requirement that an applicant for a dog racing license race a minimum number of dates to contract to receive telecasts and

accept wagers; providing that a dog racetrack is required to hold a racing license to conduct simulcast racing regardless of whether the racetrack continues to conduct live dog racing; authorizing the West Virginia Racing Commission to promulgate rules, including emergency rules, regarding licensure of dog racetracks conducting only simulcast racing; eliminating the requirement that a video lottery licensee at a dog track must hold a racing license to renew a video lottery license or racetrack table games license; requiring the Lottery Commission to transfer a percentage of gross terminal revenue derived from racetrack video lottery at thoroughbred racetracks, and deducted for administrative costs and expenses, to the Racing Commission's general administrative account; eliminating the requirement that an applicant for a video lottery license or license renewal at a dog racetrack must provide evidence of the existence of an agreement regarding proceeds from video lottery terminals with certain parties; providing that a percentage of net terminal income originating at dog racetracks will be deposited in the State Excess Lottery Revenue Fund; providing that a percentage of net terminal income originating at thoroughbred racetracks will be deposited in the West Virginia Thoroughbred Development Fund; permitting a dog racetrack to continue to operate operational video lottery and racetrack table games in a location where live racing was previously conducted or in another location within the county as approved by the Lottery Commission; and eliminating the requirement that a racetrack table games licensee at a dog racetrack must race a minimum number of dates.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Hall,
Chair.

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 453, Adding classification and base salaries of certain civilian employees of WV State Police Forensic Laboratory.

And,

Senate Bill 566, Claims against state.

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

Respectfully submitted,

Mike Hall,
Chair.

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

Your Committee on Finance has had under consideration

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

With an amendment from the Committee on Natural Resources pending;

And reports the same back with the recommendation that it do pass as amended by the Committee on Natural Resources to which the bill was first referred.

Respectfully submitted,

Mike Hall,
Chair.

Senator Gaunch, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration

Senate Bill 526, Requiring mandatory insurance coverage for inherited enzymatic disorders.

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

Com. Sub. for Senate Bill 526 (originating in the Committee on Banking and Insurance)—A Bill to amend and reenact §5-16-7 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §5-16B-6f; to amend said code by adding thereto a new section, designated §9-5-25; to amend said code by adding thereto a new section, designated §33-15-4p; to amend said code by adding thereto a new section, designated §33-16-3bb; to amend said code by adding thereto a new section, designated §33-24-7q; to amend said code by adding thereto a new section, designated §33-25-8n; and to amend said code by adding thereto a new section, designated §33-25A-8p, all relating to mandatory insurance coverage for medical foods for inherited enzymatic disorders; providing a list of diagnosed conditions for which insurance coverage should extend; providing that coverage extends to medically necessary foods for home use when prescribed by a physician; defining terms; and providing for exclusions.

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,

C. Edward Gaunch,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Com. Sub. for S. B. 526) contained in the preceding report from the Committee on Banking and Insurance 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 539, Making significant revisions to law regulating election financing.

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

Com. Sub. for Senate Bill 539 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §3-8-1, §3-8-1a, §3-8-2, §3-8-2b, §3-8-2c, §3-8-5, §3-8-5a, §3-8-5b, §3-8-5d, §3-8-5f, §3-8-7, §3-8-8, §3-8-9, §3-8-10, §3-8-11 and §3-8-12 of the Code of West Virginia, 1931, as amended; and that said code be amended by adding thereto a new section, designated §3-8-9a, all relating generally to the regulation and control of financing elections; modifying legislative findings; defining terms; modifying definitions; exempting candidates for delegate to national presidential nominating convention for a political party from certain recordkeeping and filing requirements; updating references to federal code; requiring additional information to be provided by entities making independent expenditures; increasing threshold dollar amounts to be met for certain expanded disclosures of contributors to independent expenditures; increasing threshold dollar amounts for reporting on certain independent expenditures; requiring additional information to be provided by entities engaging in electioneering communication; requiring disclosure of certain contributor information when contributions were made for explicit purpose of financing any electioneering communication; increasing threshold dollar amounts for disclosure of contributions or expenditures by party headquarters committees; requiring candidates and treasurers of political committees to keep certain detailed accounts; requiring entities making reportable independent expenditures or electioneering communications to keep certain detailed accounts; requiring reports to be kept of contributions received for explicit purpose of furthering independent expenditures or electioneering communications and all disbursements for independent expenditures or electioneering communications; increasing threshold dollar amounts for certain transactions to be disclosed in sworn statement by candidate or political committee; clarifying definition of “financial transactions”; requiring additional information be provided in financial statements; prohibiting receipt of currency as contribution; eliminating separate disclosure schedule and rules for membership organizations that raise funds for political purposes by payroll deduction; requiring political action committees, ballot issue committees, electioneering communications and independent expenditures file financial statements electronically with Secretary of State; making misdemeanor offense for receipt of contribution of currency; setting penalties; providing exception where currency received in exchange for goods or services provided by recipient; clarifying discretion of court in penalties for failure to file sworn itemized financial statement; prohibiting contributions by membership organizations to political committees; prohibiting contributions by membership organizations to candidates; permitting membership organizations to solicit contributions to separate segregated fund; making it unlawful for membership organization or separate segregated fund to make contribution or expenditure by using money or thing of value secured by physical force, job discrimination, financial reprisal, or by the threat thereof; making it unlawful for membership organization member soliciting contributions to fail to inform person that funds were being solicited for separate segregated fund at the time of solicitation; making it unlawful for person soliciting contribution for membership organization to fail to inform person of right to refuse to contribute without reprisal; making it unlawful for separate segregated fund established by membership organization to solicit contributions from persons other than members and their families; making it unlawful for separate segregated fund established by membership organization to contribute membership organization funds; prohibiting separate segregated fund from receiving contributions from members of organization, immediate families and executive or administrative personnel and their immediate families; prohibiting membership organization from engaging in job discrimination or job promotion or transfer discrimination because of member’s failure to make contribution to membership organization or separate segregated fund; prohibiting corporation or membership organization fund making contribution to separate segregated fund for purpose of making contribution to candidate or candidate’s committee; exempting separate segregated funds from scope of prohibition; requiring membership organizations to permit groups of employees represented by

bona fide political action committee to use real property of membership organization for certain purposes; setting penalties; prohibiting reimbursement by membership organization of the amount of any fine imposed; directing prosecuting attorney to present alleged violations of article relating to regulation and control of elections referred by State Election Commission to grand jury upon determining that there is a reason to believe a violation occurred; authorizing fact of investigation to be disclosed to persons or entities being investigated by State Election Commission; eliminating misdemeanor for disclosure of fact of complaint, investigation, report or proceedings; eliminating outdated language; making lawful election expense for payment of necessary employees; making lawful election expense payment of food and drink for campaign-related purposes and for entertaining of campaign volunteers; making lawful election expense payment for certain legal and accounting service rendered to candidate or candidate committee; making lawful election expense payment of fees associated with campaign; providing that candidate may not pay fines assessed against candidate or candidate's committee with campaign funds; making lawful election expense transfers to political party committees when committee is acting in role of vendor; clarifying that no such transfer shall involve coordination; making lawful election expense any political expenditure; prohibiting contributions by political action committee to another political action committee if contribution is earmarked for contribution to any candidate committee or political party; permitting certain coordination between state committee of political party or caucus campaign committee and certain candidates; requiring coordinated communications to include statement clearly identifying that communications were made in coordination with candidate or candidate's committee; authorizing contribution of excess campaign funds prior to the general election; removing cap on amount of contributions to state party executive committee or caucus campaign committee; prohibiting employer or agent from giving any notice or information to employees containing any threat intended or calculated to influence decisions of employees regarding political activity; clarifying that employer can express opinion of employer without constituting a violation; clarifying that person cannot pay owner, publisher, editor or employee of newspaper or periodical to advocate or oppose candidate, political party or measure without reporting as independent expenditure or electioneering communication where appropriate; eliminating prohibition on publication, issuance or circulation of anonymous communications supporting or aiding election or defeat of clearly identified candidate; prohibiting certain persons contracting with state from soliciting contributions to any candidate or political party other than for independent expenditures; setting contribution limits to candidates for nomination and general elections; setting contribution limits to state, district or county party committees; setting contribution limits to caucus campaign committees; setting contribution limits to political action committees; providing exception to limits on contribution when political action committee makes only independent expenditures; providing for indexing of contribution limitations to candidates; directing Secretary of State to calculate new contribution limits after each two-year election cycle; directing State Election Commission announce adjustments within thirty days of publication of relevant index; providing new contribution limits remain in effect for two-year election cycle; permitting unlimited transfers between state party executive committee, caucus campaign committee and national committee of same political party for voter registration and get-out-the-vote activities of state committees; prohibiting coercion or intimidation of nonelective salaried employee of state government to refrain from any form of political activity; eliminating requirement that person soliciting contributions disclose amount of commission, remuneration or other compensation to be received as a direct result of contribution being successfully collected; prohibiting employer from withholding or diverting portion of employee's wages or salary for use for certain political activities except upon express written request of employee; requiring employee request be upon form provided by Secretary of State; limiting validity of request for twelve months; defining term "political activities"; setting internal effective date for prohibition and required written request; updating language throughout; and making technical corrections.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Sypolt, from the Committee on Agriculture and Rural Development, submitted the following report, which was received:

Your Committee on Agriculture and Rural Development has had under consideration

Senate Bill 586, Changing fees for custom slaughters from annual to triennial.

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

Com. Sub. for Senate Bill 586 (originating in the Committee on Agriculture and Rural Development)—A Bill to amend and reenact §19-2B-4 of the Code of West Virginia, 1931, as amended, relating to inspection of meat and poultry; clarifying licenses; making custom and distributor license a triennial license; increasing fees; and making technical corrections.

And,

Com. Sub. for Senate Bill 647, Relating generally to additional county excise taxes on real property transfer.

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

Com. Sub. for Senate Bill 647 (originating in the Committee on Agriculture and Rural Development)—A Bill to repeal §8A-12-21 of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-22-2 of said code, relating generally to additional county excise taxes on the privilege of transferring real property; repealing the additional county excise tax on the privilege of transferring real property in counties where the county commission has created a farmland protection program; authorizing an additional county excise tax on the privilege of transferring real property in counties where the county commission has created either a farmland protection program or a certified development community program; setting forth certain requirements; and authorizing a larger additional county excise tax in a county with both a farmland protection program and a certified development community program.

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

Respectfully submitted,

Dave Sypolt,
Chair.

At the request of Senator Hall, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee references of the bills contained in the foregoing report from the Committee on Agriculture and Rural Development.

Senator Cline, from the Committee on Interstate Cooperation, submitted the following report, which was received:

Your Committee on Interstate Cooperation has had under consideration

Senate Bill 659, Enacting Recognition of Emergency Medical Services Personnel Licensure Interstate Compact.

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

Com. Sub. for Senate Bill 659 (originating in the Committee on Interstate Cooperation)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-52-1, relating to enacting the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact; and entering into the compact with all jurisdictions also enacting the compact.

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

Respectfully submitted,

Sue Cline,
Chair.

The bill (Com. Sub. for S. B. 659), under the original double committee reference, was then referred to the Committee on Government Organization.

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 Joint Resolution 10 (originating in the Committee on the Judiciary)—Proposing an amendment to the Constitution of the State of West Virginia amending article VIII thereof by adding thereto a new section, designated section fourteen, relating to the elimination of the office of county surveyor of lands; continuing office of county surveyor of lands until January 1, 2021; discontinuing office of county surveyor of lands as of January 1, 2021; setting effective date of article; directing internal effective date control when specified; superseding all provisions of constitution that conflict with or are inconsistent; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Sypolt, from the Committee on Agriculture and Rural Development, submitted the following report, which was received:

Your Committee on Agriculture and Rural Development has had under consideration

Senate Concurrent Resolution 35, Urging Congress reassess federal definition of industrial hemp.

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

Respectfully submitted,

Dave Sypolt,
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

Eng. Com. Sub. for House Bill 2001, Relating to ethics and transparency in government.

And has amended same.

And,

Eng. Com. Sub. for House Bill 2868, Relating generally to Uniform Unclaimed Property Act.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
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

Eng. Com. Sub. for House Bill 2506, Relating to the permit limit calculations and allowing overlapping mixing zones for calculating permit limits for drinking water criteria.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

The Senate proceeded to the sixth order of business.

Senator Maynard offered the following resolution:

Senate Concurrent Resolution 46—Requesting the Joint Committee on Government and Finance study consumer complaints received by the state in the last three years regarding the safety of aftermarket crash parts.

Whereas, West Virginia Code (§46A-6B-3) states for all motor vehicles requiring repair by motor vehicle body shops in the year of their manufacture or in the two succeeding years thereafter, motor vehicle body shops must use genuine crash parts sufficient to maintain the manufacturer's warranty for fit, finish, structural integrity, corrosion resistance, dent resistance and crash performance unless the motor vehicle owner consents in writing at the time of the repair to the use of aftermarket crash parts; and

Whereas, West Virginia Code (§46A-6B-3) states no insurance company may require the use of aftermarket crash parts when negotiating repairs of the motor vehicle with any repairer for a period of three years, the year the motor vehicle was manufactured and the two succeeding years thereafter, unless the motor vehicle owner consents in writing at the time of the repair to the use of aftermarket crash parts; and

Whereas, Motor vehicle dealers, automobile manufacturers and body shops have made claims that aftermarket crash parts are unsafe and may void the motor vehicle's warranty; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is requested to study consumer complaints received by the state in the last three years regarding the safety of aftermarket crash parts; and, be it

Further Resolved, That the Joint Committee on Government and Finance enlist the assistance of the Insurance Commissioner, the Attorney General's Office, motor vehicle dealers and automobile manufacturers in conducting the study; 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.

Senators Ojeda, Beach, Facemire, Stollings and Plymale offered the following resolution:

Senate Concurrent Resolution 47—Requesting the Division of Highways to name a portion of Airport Road off US Route 119, 1/2 mile south of Chapmanville, that is a dead-end road that turns right off US Route 119 in Logan County when traveling south in Logan County (beginning at latitude 38.472118, longitude -81.399248 and ending at latitude 38.501480, longitude -81.413276) and known as CR 3/13, the "U. S. Army PFC Dell Dingess Lane".

Whereas, Dell Dingess was born on May 14, 1924, in Holden, West Virginia, the son of Franklin Pierce Dingess and Bertha Farley Dingess; and

Whereas, He was educated in Logan County schools and served in the 877th Engineer Battalion while participating in the Omaha Beach invasion and Normandy Campaign. He also participated in the Northern France Campaign of Operations from July 25, 1944, through September 14, 1944, that liberated most of France. And, he served in the European Theater from March 6, 1944, through October 3, 1945; and

Whereas, During the winter of 1944-1945 he was in England where he trained as a member of a glider troop which historically took more casualties than any other airborne entity; and

Whereas, He was married to Exie Meade, and they had three children: Larry, who served in the United States Navy and is deceased, Karen Dingess, who resides in Chapmanville; and Roger Dale Dingess. During his civilian life, Dell was employed as a car salesman, worked many years for Fairmont Food Company and, with a friend, bought Imperial Candy Company which they operated for several years. He was a Trustee of the Chapmanville United Baptist Church and active in the Southern Baptist Convention serving as president of the convention council; and

Whereas, Dell passed away on April 9, 1976. His was one of the first families to live on Airport Road and now the Dingess family is one of the last families still living on this road; and

Whereas, Naming this road is an appropriate recognition of Dell Dingess' contributions to his country, state and community; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a portion of Airport Road off US Route 119, 1/2 mile south of Chapmanville, that is a dead-end road that turns right off US Route 119 in Logan County when traveling south in Logan County (beginning at latitude 38.472118, longitude -81.399248 and ending at latitude 38.501480, longitude -81.413276) and known as CR 3/13, the "U. S. Army PFC Dell Dingess Lane"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the road as the "U. S. Army PFC Dell Dingess Lane"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

Which, under the rules, lies over one day.

Senators Sypolt, Smith, Prezioso, Stollings, Plymale and Beach offered the following resolution:

Senate Resolution 50—Commemorating the 25th anniversary for the national and state ChalleNGe Program for at-risk youth.

Whereas, During the late 1980s, the Rockefeller Foundation identified the need in our country to provide opportunities for young people working to overcome problems in their lives that include educationally at-risk teens; and

Whereas, In 1991, the Joint Armed Services Committee directed the National Guard to develop a plan to "add value to America" by providing values, skills, education and self-discipline to young people incorporating the structure and esprit de corps found in the military model; and

Whereas, The National Youth ChalleNGe program began operating in 1993 under Public Law 102-484; and

Whereas, The mission of the Mountaineer ChalleNGe Academy is to train and mentor selected at-risk youth to become contributing members of society using the 8 Core Components in a quasi-military environment; and

Whereas, The year 2017 marks the 25th anniversary for the national and state ChalleNGe Program for at-risk youth and West Virginia is proud to be one of the original programs; therefore, be it

Resolved by the Senate:

That the Senate hereby commemorates the 25th anniversary for the national and state ChalleNGe Program for at-risk youth; and, be it

Further Resolved, That the Senate extends it sincere gratitude and appreciation to the Mountaineer ChalleNGe Academy for its dedication and commitment to our at-risk youth; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the Mountaineer ChalleNGe Academy.

At the request of Senator Sypolt, 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 Beach, and by unanimous consent, the remarks by Senators Sypolt, Smith and Plymale regarding the adoption of Senate Resolution 50 were ordered printed in the Appendix to the Journal.

On motion of Senator Ferns, the Senate recessed for one minute.

Upon expiration of the recess, the Senate reconvened and resumed business under the sixth order.

Petitions

Senator Miller presented a petition from Harris Sams and numerous West Virginia residents, urging the Legislature to reject any legislation that defunds the arts and West Virginia Public Broadcasting.

Referred to the Committee on Finance.

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

Senator Sypolt, from the Committee on Agriculture and Rural Development, submitted the following report, which was received:

Your Committee on Agriculture and Rural Development has had under consideration

Senate Concurrent Resolution 48 (originating in the Committee on Agriculture and Rural Development)—Requesting the Joint Committee on Government and Finance study transferring the State of West Virginia’s food production inspections and regulations to the Department of Agriculture.

Whereas, The Legislature finds food production safety in the state is of paramount importance; and

Whereas, The food production industry will be best served if there is one central set of standards and a single state department that is responsible for the food production act; and

Whereas, West Virginia Department of Agriculture already inspects and samples a variety of food products throughout the state; and

Whereas, The Department of Health and Human Resources employs trained sanitarians that conduct a variety of inspections throughout the state, including inspection of food manufacturers; and

Whereas, West Virginia Department of Agriculture would be able to provide the food production inspections if trained sanitarians were transferred to WVDA or if staff received the requisite training; and

Whereas, West Virginia Department of Agriculture would also need the laws and regulations amended to reflect the transfer of the food production regulations to the Department of Agriculture; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to study transferring the State of West Virginia’s food production inspections and regulations to the Department of Agriculture; 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,

Dave Sypolt,
Chair.

On motion of Senator Ferns, the resolution (S. C. R. 48) contained in the foregoing report from the Committee on Agriculture and Rural Development was then referred to the Committee on Rules.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 45, Home of Anna Lindquist, 1996 NHSPA Hall of Fame Inductee highway sign.

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 Com. Sub. for Senate Bill 339, Creating Legislative Coalition on Chronic Pain Management.

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, 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)—33.

The nays were: Facemire—1.

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. 339) passed with its title.

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 362, Authorizing redirection of certain amounts to General Revenue Fund.

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 present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 362) passed with its title.

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 382, Allowing automobile auctions obtain abandoned vehicles' titles.

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 present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 382) passed with its title.

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 414, Creating Division of Multimodal Transportation.

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 present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 414) passed with its title.

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 461, Exempting WV State Police from state purchasing requirements.

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 present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 461) passed with its title.

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 467, Removing restrictions on maximum wager per limited video lottery game and bill denominations accepted by video lottery terminals.

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: Blair, Clements, Cline, Facemire, Ferns, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Plymale, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Weld, Woelfel and Carmichael (Mr. President)—24.

The nays were: Azinger, Beach, Boley, Boso, Gaunch, Hall, Ojeda, Palumbo, Prezioso and Unger—10.

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. 467) passed with its title.

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 472, Permitting bear hunting with guides.

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 present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 472) passed with its title.

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 479, Relating to regulation of liquor sales.

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: Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Romano, Rucker, Swope, Sypolt, Takubo, Trump, Weld, Woelfel and Carmichael (Mr. President)—24.

The nays were: Azinger, Gaunch, Hall, Ojeda, Palumbo, Plymale, Prezioso, Smith, Stollings and Unger—10.

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. 479) passed with its title.

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 499, Creating Debt Resolution Services Division in Auditor's office.

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 present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 499) passed with its title.

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 523, Converting to biweekly pay cycle for state employees.

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 523 pass?"

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—32.

The nays were: Facemire and Miller—2.

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. 523) 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, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—32.

The nays were: Facemire and Miller—2.

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. 523) 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 533, Relating to taxes on wine and intoxicating liquors.

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 present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 533) passed with its title.

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 572, Relating to nonpartisan election of county surveyors.

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, 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)—33.

The nays were: Facemire—1.

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. 572) passed with its title.

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

Eng. Senate Bill 585, Relating to locomotive crew size.

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, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maroney, Maynard, Mullins, Palumbo, Plymale, Rucker, Smith, Swope, Takubo, Trump, Weld, Woelfel and Carmichael (Mr. President)—24.

The nays were: Beach, Facemire, Jeffries, Miller, Ojeda, Prezioso, Romano, Stollings, Sypolt and Unger—10.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 585) passed with its title.

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

Eng. Senate Bill 595, Allowing county assessors make separate entries in land books when real property is partly used for exempt and partly nonexempt purposes.

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 present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 595) passed with its title.

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

Eng. Senate Bill 684, Relating generally to WV State Police.

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 present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 684) 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. S. B. 684) 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.

Com. Sub. for Senate Bill 18, Requiring new comprehensive statewide student assessment.

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

On motion of Senator Rucker, the following amendments to the bill were reported by the Clerk and considered simultaneously:

On page two, section five, lines seventeen through twenty-two, by striking out all of subdivision (2) and inserting in lieu thereof a new subdivision, designated subdivision (2), to read as follows:

“(2) The Constitution of the State of West Virginia, section one, article twelve thereof, states: “The Legislature shall provide, by general law, for a thorough and efficient system of free schools.” Furthermore, section two, article twelve of the Constitution states: “The general supervision of the free schools of the State shall be vested in the West Virginia board of education which shall perform such duties as may be prescribed by law.” Therefore, because the Legislature is empowered to identify “such duties as may be prescribed by law” to the West Virginia Board of Education, it is clearly within the Legislature’s authority to mandate, at any level of specificity, appropriate academic standards to be adopted by the state board;”;

On page three, section five, line thirty-four, by striking out the word “and”;

On page three, section five, line forty-one, by changing the period to a semicolon and adding the following: and

(6) The state board shall not adopt any national or regional testing program or academic curriculum standards tied to federal funding without approval granted by Act of the Legislature.;

On page four, section five, after line sixty-six, by inserting a new subdivision, designated subdivision (2), to read as follows:

“(2) Digital literacy skills;”

And by renumbering the remaining subdivisions;

On page six, section five, lines one hundred twenty-two and one hundred twenty-three, by striking out all of subdivision (7) and inserting in lieu thereof a new subdivision, designated subdivision (7), to read as follows:

(7) Neither the Smarter Balance Assessment System, the PARCC Assessment System nor any other assessment based on Common Core, Next Generation or College and Career Readiness standards may be used as the statewide assessment program.;

And,

On page six, section five, after line one hundred thirty-three, by adding a new subdivision, designated subdivision (12), to read as follows:

(12) For any online assessment, the state board shall provide online assessment preparation to ensure that students have the requisite digital literacy skills necessary to be successful on the assessment.

Following discussion,

Senator Prezioso moved to rerefer the bill (Com. Sub. for S. B. 18) to the Committee on Finance with Senator Rucker’s amendments pending.

Following discussion,

Senator Karnes moved the previous question.

The question being on the adoption of the Senator Karnes’ aforestated motion, the same was put.

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

A standing vote being taken, there were twenty-two “yeas” and twelve “nays”.

Whereupon, the President declared Senator Karnes’ motion for the previous question had prevailed.

The previous question having been ordered, that being on the adoption of Senator Prezioso’s motion to rerefer the bill (Com. Sub. for S. B. 18) to the Committee on Finance with Senator Rucker’s amendments pending, and on this question, Senator Prezioso demanded the yeas and nays.

The roll being taken, the yeas were: Beach, Blair, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Prezioso, Stollings, Unger and Woelfel—12.

The nays were: Azinger, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maroney, Maynard, Mullins, Romano, Rucker, Smith, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—22.

Absent: None.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Prezioso's aforesaid motion had not prevailed.

The question now being on the adoption of Senator Rucker's amendments to the bill.

Following extended discussion,

On motion of Senator Romano, the following amendment to Senator Rucker's amendments to the bill (Com. Sub. for S. B. 18) was next reported by the Clerk:

On page one, subdivision (2), line eight, after the words "state board" by adding the words "and for home-schooled students".

Following discussion and a point of inquiry to the President, with resultant response thereto,

Senator Karnes moved the previous question.

Senator Unger arose to a point of order stating that Senator Karnes' motion for the previous question was out of order as it is not a debatable motion.

Which point of order, the President ruled not well taken.

Senator Unger then appealed the ruling of the Chair.

The question being "Shall the Chair be sustained?"

On this question, Senator Unger demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maroney, Maynard, Mullins, Rucker, Smith, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—22.

The nays were: Beach, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger and Woelfel—12.

Absent: None.

So, a majority of those present and voting having voted in the affirmative the President declared the Chair sustained.

The question now being on the adoption of Senator Karnes' motion for the previous question, the same was put.

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

A standing vote being taken, there were twenty-two “yeas” and twelve “nays”.

Whereupon, the President declared Senator Karnes’ motion for the previous question had prevailed.

The previous question having been ordered, that being on the adoption of Senator Romano’s amendment to Senator Rucker’s amendments to the bill (Com. Sub. for S. B. 18), and on this question, Senator Under demanded the yeas and nays.

The roll being taken, the yeas were: Beach, Jeffries, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano and Stollings—9.

The nays were: Azinger, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Karnes, Mann, Maroney, Maynard, Mullins, Rucker, Smith, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—25.

Absent: None.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Romano’s amendment to Senator Rucker’s amendments to the bill rejected.

The question now being on the adoption of Senator Rucker’s amendments to the bill, and on this question, Senator Beach demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Maroney, Maynard, Mullins, Rucker, Smith, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—21.

The nays were: Beach, Facemire, Jeffries, Mann, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger and Woelfel—13.

Absent: None.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Rucker’s amendments to the bill adopted.

The bill (Com. Sub. for S. B. 18), as amended by Senator Rucker, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 61, Providing consumers sales and service tax and use tax exemption for certain services and tangible personal property sold for repair, remodeling and maintenance of aircraft.

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 76, Creating WV Second Chance for Employment 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 183, Transferring Division of Forestry from Department of Commerce to Department of Agriculture.

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 419, Creating special revenue fund sources for Division of Labor to meet statutory obligations.

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

Senate Bill 464, Eliminating taxation on annuity consideration received by life insurer.

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 486, 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.

Senate Bill 504, Defining "special aircraft property".

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 535, Reorganizing Division of Tourism.

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

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

On page nine, section six, line eleven, after the word "section" by changing the period to a colon and inserting the following proviso: Provided, That if on January 1, 2018, the bonds authorized by the provisions of section sixteen-b, article fifteen, chapter thirty-one of this code for improvements to Cacapon State Park and Beech Fork State Park have not been issued and sold and a contract for one or more of those projects has not been entered into by the state, then all spending authority under this subsection shall cease and all moneys in the fund shall revert immediately to the General Revenue Fund of the state.

Following extended discussion,

The question being on the adoption of Senator Trump's amendment to the bill, and on this question, Senator Trump demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, Mullins, Ojeda, Plymale, Rucker, Smith,

Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—27.

The nays were: Facemire, Hall, Miller, Palumbo, Prezioso and Romano—6.

Absent: Beach—1.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Trump's amendment to the bill adopted.

The bill (Com. Sub. for S. B. 535), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 538, Creating special conditions of parole.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and 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 74, Allowing fire departments to charge fees for service calls.

Com. Sub. for Senate Bill 388, Relating to dangerous weapons.

Com. Sub. for Senate Bill 428, Relating to partial filling of prescriptions.

Senate Bill 433, Permitting counties increase excise tax on privilege of transferring real property.

Com. Sub. for Senate Bill 477, Increasing State Road Fund by raising DMV fees and motor fuel excise taxes.

Com. Sub. for Senate Bill 602, Creating uniform system of recording and indexing fictitious names used by sole proprietors.

Com. Sub. for Senate Bill 622, Relating generally to tax procedures and administration.

Senate Bill 658, Establishing procedure for retitling mobile and manufactured homes.

Eng. Com. Sub. for House Bill 2486, Providing that when a party's health condition is at issue in a civil action, medical records and releases for medical information may be requested and required without court order.

And,

Eng. Com. Sub. for House Bill 2811, Relating to the definition of above ground storage tanks.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Miller.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Ojeda, unanimous consent being granted, it was ordered that the Journal show had Senator Ojeda been present in the chamber on Wednesday, March 22, 2017, he would have voted “yea” on the passage of Engrossed Committee Substitute for Senate Bill 243, Engrossed Committee Substitute for Senate Bill 288, Engrossed Committee Substitute for Committee Substitute for Senate Bill 360 and Engrossed Committee Substitute for Senate Bill 398.

At the respective requests of Senators Beach and Jeffries, the names of Senators Beach and Jeffries was removed as sponsors of **Engrossed Committee Substitute for Senate Bill 18** (*Requiring new comprehensive statewide student assessment*).

At the request of Senator Trump, the name of Senator Trump was removed as a sponsor of **Senate Bill 435** (*Relating to Youth Mental Health Protection Act*).

Pending announcement of meetings of standing and select committees of the Senate, including a minority party caucus,

On motion of Senator Ferns, the Senate adjourned until tomorrow, Friday, March 24, 2017, at 11 a.m.

SENATE CALENDAR

Friday, March 24, 2017

11:00 AM

UNFINISHED BUSINESS

- S. C. R. 35 - Urging Congress reassess federal definition of industrial hemp
- S. C. R. 46 - Requesting study on consumer complaints regarding safety of aftermarket crash parts
- S. C. R. 47 - US Army PFC Dell Dingess Lane

THIRD READING

- Eng. Com. Sub. for S. B. 18 - Requiring new comprehensive statewide student assessment
- Eng. Com. Sub. for S. B. 61 - Providing consumers sales and service tax and use tax exemption for certain services and tangible personal property sold for repair, remodeling and maintenance of aircraft (original similar to HB2774, HB2806)
- Eng. Com. Sub. for S. B. 76 - Creating WV Second Chance for Employment Act (original similar to HB2107, HB2536, HB2657, SB366)
- Eng. Com. Sub. for S. B. 183 - Transferring Division of Forestry from Department of Commerce to Department of Agriculture (original similar to HB2790)
- Eng. Com. Sub. for S. B. 419 - Creating special revenue fund sources for Division of Labor to meet statutory obligations (original similar to HB2776)
- Eng. S. B. 464 - Eliminating taxation on annuity consideration received by life insurer
- Eng. Com. Sub. for Com. Sub. for S. B. 486 - Relating to health care provider taxes
- Eng. S. B. 504 - Defining "special aircraft property"
- Eng. Com. Sub. for S. B. 535 - Reorganizing Division of Tourism (original similar to HB2899)
- Eng. Com. Sub. for S. B. 538 - Creating special conditions of parole

SECOND READING

- Com. Sub. for S. B. 74 - Allowing fire departments to charge fees for service calls (original similar to HB2638)
- Com. Sub. for S. B. 388 - Relating to dangerous weapons

Com. Sub. for S. B. 428 -	Relating to partial filling of prescriptions (original similar to HB2989)
S. B. 433 -	Permitting counties increase excise tax on privilege of transferring real property (original similar to HB2461, SB647)
Com. Sub. for S. B. 477 -	Increasing State Road Fund by raising DMV fees and motor fuel excise taxes (original similar to HB2814)
Com. Sub. for S. B. 602 -	Creating uniform system of recording and indexing fictitious names used by sole proprietors
Com. Sub. for S. B. 622 -	Relating generally to tax procedures and administration
S. B. 658 -	Establishing procedure for retitling mobile and manufactured homes
Eng. Com. Sub. for H. B. 2486 -	Providing that when a party's health condition is at issue in a civil action, medical records and releases for medical information may be requested and required without court order
Eng. Com. Sub. for H. B. 2811 -	Relating to the definition of above ground storage tanks

FIRST READING

Com. Sub. for Com. Sub. for S. B. 60 -	Relating to eligibility and fraud requirements for public assistance (original similar to HB2741)
Com. Sub. for Com. Sub. for S. B. 281 -	Increasing number of limited video lottery machines allowed at retail location
Com. Sub. for S. B. 316 -	Requiring individuals receiving unemployment compensation apply for and accept seasonal employment
Com. Sub. for S. B. 412 -	Relating to WV Jobs Act reporting requirements
Com. Sub. for S. B. 437 -	Discontinuing WV Greyhound Breeding Development Fund
Com. Sub. for S. B. 453 -	Adding classification and base salaries of certain civilian employees of WV State Police Forensic Laboratory (original similar to HB3065)
S. B. 493 -	Providing increase in compensation for conservation officers - (Com. amend. pending)
Com. Sub. for S. B. 539 -	Relating to regulation and control of financing elections
S. B. 566 -	Claims against state
Com. Sub. for S. B. 586 -	Changing fees for custom slaughters from annual to triennial
Com. Sub. for S. B. 647 -	Relating generally to additional county excise taxes on real property transfer
S. J. R. 10 -	Eliminating Office of Surveyor of Lands Amendment

- Eng. Com. Sub. for H. B. 2001 - Relating to ethics and transparency in government - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 2506 - Relating to the permit limit calculations and allowing overlapping mixing zones for calculating permit limits for drinking water criteria
- Eng. Com. Sub. for H. B. 2868 - Relating generally to Uniform Unclaimed Property Act - (Com. amend. and title amend. pending)

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2017

Friday, March 24, 2017

1 p.m.

Select Committee on Tax Reform

(Room 451M)