

WEST VIRGINIA LEGISLATURE

# SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE  
REGULAR SESSION, 2018  
THIRTY-SEVENTH DAY

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Charleston, West Virginia, Thursday, February 15, 2018

The Senate met at 11:37 a.m.

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

Prayer was offered by the Reverend Mark Wood, First Baptist Church, Spencer, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Michael T. Azinger, a senator from the third district.

Pending the reading of the Journal of Wednesday, February 14, 2018,

At the request of Senator Arvon, 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 amendment by that body, passage as amended with its House of Delegates amended title, to take effect July 1, 2018, and requested the concurrence of the Senate in the House of Delegates amendments, as to

**Eng. Com. Sub. for Senate Bill 267**, Increasing salaries of certain state employees.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

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

## **CHAPTER 15. PUBLIC SAFETY**

### **ARTICLE 2. WEST VIRGINIA STATE POLICE.**

**§15-2-5. Career progression system; salaries; exclusion from wages and hour law, with supplemental payment; bond; leave time for members called to duty in guard or reserves.**

(a) The superintendent shall establish within the West Virginia State Police a system to provide for: The promotion of members to the supervisory ranks of sergeant, first sergeant, second lieutenant, and first lieutenant; the classification of nonsupervisory members within the field operations force to the ranks of trooper, senior trooper, trooper first class, or corporal; the classification of members assigned to the forensic laboratory as criminalist I-VIII; and the temporary reclassification of members assigned to administrative duties as administrative support specialist I-VIII.

(b) The superintendent may propose legislative rules for promulgation in accordance with ~~article three, chapter twenty-nine-a~~ §29A-3-1 et seq. of this code for the purpose of ensuring consistency, predictability, and independent review of any system developed under the provisions of this section.

(c) The superintendent shall provide to each member a written manual governing any system established under the provisions of this section and specific procedures shall be identified for the evaluation and testing of members for promotion or reclassification and the subsequent placement of any members on a promotional eligibility or reclassification recommendation list.

(d) Beginning on ~~July 1, 2014~~ July 1, 2018, members shall receive annual salaries payable at least twice per month as follows:

~~ANNUAL SALARY SCHEDULE (BASE PAY)~~

~~SUPERVISORY AND NONSUPERVISORY RANKS~~

<del>Cadet During Training</del> .....	<del>\$ 33,994</del>
<del>Cadet Trooper After Training</del> .....	<del>\$ 41,258</del>
<del>Trooper Second Year</del> .....	<del>42,266</del>
<del>Trooper Third Year</del> .....	<del>42,649</del>
<del>Senior Trooper</del> .....	<del>43,048</del>
<del>Trooper First Class</del> .....	<del>43,654</del>
<del>Corporal</del> .....	<del>44,260</del>
<del>Sergeant</del> .....	<del>48,561</del>
<del>First Sergeant</del> .....	<del>50,712</del>
<del>Second Lieutenant</del> .....	<del>52,862</del>
<del>First Lieutenant</del> .....	<del>55,013</del>
<del>Captain</del> .....	<del>57,164</del>

Major.....	59,314
Lieutenant Colonel.....	61,465

~~ANNUAL SALARY SCHEDULE (BASE PAY)~~

~~ADMINISTRATION SUPPORT SPECIALIST CLASSIFICATION~~

I.....	42,266
II.....	43,048
III.....	43,654
IV.....	44,260
V.....	48,561
VI.....	50,712
VII.....	52,862
VIII.....	55,013

~~ANNUAL SALARY SCHEDULE (BASE PAY)~~

~~CRIMINALIST CLASSIFICATION~~

I.....	42,266
II.....	43,048
III.....	43,654
IV.....	44,260
V.....	48,561
VI.....	50,712
VII.....	52,862
VIII.....	55,013

ANNUAL SALARY SCHEDULE (BASE PAY)

SUPERVISORY AND NONSUPERVISORY RANKS

<u>Cadet During Training.....</u>	<u>\$ 34,858</u>
<u>Cadet Trooper After Training.....</u>	<u>\$ 42,122</u>

Trooper Second Year.....	43,130
Trooper Third Year.....	43,513
Senior Trooper .....	43,912
Trooper First Class .....	44,518
Corporal.....	45,124
Sergeant .....	49,425
First Sergeant .....	51,576
Second Lieutenant.....	53,726
First Lieutenant.....	55,877
Captain .....	58,028
Major.....	60,178
Lieutenant Colonel .....	62,329

ANNUAL SALARY SCHEDULE (BASE PAY)

ADMINISTRATION SUPPORT SPECIALIST CLASSIFICATION

I .....	43,130
II .....	43,912
III .....	44,518
IV .....	45,124
V .....	49,425
VI .....	51,576
VII .....	53,726
VIII .....	55,877

ANNUAL SALARY SCHEDULE (BASE PAY)

CRIMINALIST CLASSIFICATION

I .....	43,130
II .....	43,912

III .....	44,518
IV .....	45,124
V .....	49,425
VI .....	51,576
VII .....	53,726
VIII .....	55,877

Beginning July 1, 2019, the annual salaries for members of each of the West Virginia State Police, the Administration Support Specialists, and the Criminalist classifications set forth in the schedules in this subsection shall be increased an additional \$432.

Each member of the West Virginia State Police whose salary is fixed and specified in this annual salary schedule is entitled to the length of service increases set forth in subsection (e) of this section and supplemental pay as provided in subsection (g) of this section.

(e) Each member of the West Virginia State Police whose salary is fixed and specified pursuant to this section shall receive, and is entitled to, an increase in salary over that set forth in subsection (d) of this section for grade in rank, based on length of service, including that service served before and after the effective date of this section with the West Virginia State Police as follows: Beginning on January 1, 2015, and continuing thereafter, at the end of two years of service with the West Virginia State Police, the member shall receive a salary increase of \$500 to be effective during his or her next year of service and a like increase at yearly intervals thereafter, with the increases to be cumulative.

(f) In applying the salary schedules set forth in this section where salary increases are provided for length of service, members of the West Virginia State Police in service at the time the schedules become effective shall be given credit for prior service and shall be paid the salaries the same length of service entitles them to receive under the provisions of this section.

(g) The Legislature finds and declares that because of the unique duties of members of the West Virginia State Police, it is not appropriate to apply the provisions of state wage and hour laws to them. Accordingly, members of the West Virginia State Police are excluded from the provisions of state wage and hour law. This express exclusion shall not be construed as any indication that the members were or were not covered by the wage and hour law prior to this exclusion.

In lieu of any overtime pay they might otherwise have received under the wage and hour law, and in addition to their salaries and increases for length of service, members who have completed basic training and who are exempt from federal Fair Labor Standards Act guidelines may receive supplemental pay as provided in this section.

The authority of the superintendent to propose a legislative rule or amendment thereto for promulgation in accordance with ~~article three, chapter twenty-nine-a~~ §29A-3-1 et seq. of this code to establish the number of hours per month which constitute the standard pay period for the members of the West Virginia State Police is hereby continued. The rule shall further establish, on a graduated hourly basis, the criteria for receipt of a portion or all of supplemental payment

when hours are worked in excess of the standard pay period. The superintendent shall certify at least twice per month to the West Virginia State Police's payroll officer the names of those members who have worked in excess of the standard pay period and the amount of their entitlement to supplemental payment. The supplemental payment may not exceed \$200 per pay period. The superintendent and civilian employees of the West Virginia State Police are not eligible for any supplemental payments.

(h) Each member of the West Virginia State Police, except the superintendent and civilian employees, shall execute, before entering upon the discharge of his or her duties, a bond with security in the sum of \$5,000 payable to the State of West Virginia, conditioned upon the faithful performance of his or her duties, and the bond shall be approved as to form by the Attorney General and as to sufficiency by the Governor.

(i) In consideration for compensation paid by the West Virginia State Police to its members during those members' participation in the West Virginia State Police Cadet Training Program pursuant to ~~section eight, article twenty-nine, chapter thirty~~ §30-29-8 of this code, the West Virginia State Police may require of its members by written agreement entered into with each of them in advance of such participation in the program that, if a member should voluntarily discontinue employment any time within one year immediately following completion of the training program, he or she shall be obligated to pay to the West Virginia State Police a pro rata portion of such compensation equal to that part of such year which the member has chosen not to remain in the employ of the West Virginia State Police.

(j) Any member of the West Virginia State Police who is called to perform active duty training or inactive duty training in the National Guard or any reserve component of the armed forces of the United States annually shall be granted, upon request, leave time not to exceed 30 calendar days for the purpose of performing the active duty training or inactive duty training and the time granted may not be deducted from any leave accumulated as a member of the West Virginia State Police.

## **CHAPTER 18. EDUCATION.**

### **ARTICLE 9A. PUBLIC SCHOOL SUPPORT.**

#### **§18-9A-8. Foundation allowance for professional student support services.**

(a) The basic foundation allowance to the county for professional student support personnel shall be the amount of money determined in accordance with the following:

(1) The sum of the state minimum salaries, as determined in accordance with the provisions of article four, chapter eighteen of this code, for all state aid eligible school nurse and counselor positions in the county during the two thousand eight fiscal year which number shall be reduced in the same proportion as the number of professional educators allowed to be funded under section four of this article to the total number of professional educators employed that are state aid eligible. In performing this calculation, the numerator shall be the number of professional educators actually funded under section four of this article and the denominator shall be the total number of professional educators employed that are eligible to be funded under section four of this article;

(2) The amount derived from the calculation in subdivision (1) of this subsection is increased by one half percent;

(3) The amount derived from the calculation in subdivision (2) of this subsection is the basic foundation allowance to the county for professional student support personnel for the two thousand nine fiscal year;

(4) For fiscal years two thousand ten, two thousand eleven, two thousand twelve and two thousand thirteen, the basic foundation allowance to the county for professional student support personnel increases by one-half percent per year over the allowance for the previous year; and

(5) For all fiscal years thereafter, the basic foundation allowance to the county for professional student support personnel remains the same amount as in the two thousand thirteen fiscal year, plus any additional amount of funding necessary to cover the increases in the State Minimum Salary Schedule set forth in §18A-4-2 of this code effective for the fiscal year beginning July 1, 2018, and thereafter.

(b) The additional positions for counselors that may be created as a result of the one percent increase provided pursuant to this section shall be assigned to schools where the counselor can:

- (1) Enhance student achievement;
- (2) Provide early intervention for students in grades prekindergarten through five; and
- (3) Enhance student development and career readiness.

## CHAPTER 18A. SCHOOL PERSONNEL.

### ARTICLE 4. SALARIES, WAGES, AND OTHER BENEFITS.

#### §18A-4-2. State minimum salaries for teachers.

(a) It is the goal of the Legislature to increase the state minimum salary for teachers with zero years of experience and an A. B. degree, including the equity supplement, to at least \$43,000 by fiscal year 2019.

(b) ~~Beginning July 1, 2014~~ (1) ~~For school year 2018 – 2019, and continuing thereafter,~~ each teacher shall receive the amount prescribed in the state State Minimum Salary Schedule as set forth in this section; specific additional amounts prescribed in this section or article; and any county supplement in effect in a county pursuant to ~~section five-a of this article~~ §18A-4-5a of this code during the contract year.

#### STATE MINIMUM SALARY SCHEDULE

Years Exp.	4 <sup>th</sup> Class	3 <sup>rd</sup> Class	2 <sup>nd</sup> Class	A.B. A.B.	A.B. +15	M.A. M.A.	M.A. +15	M.A. +30	M.A. +45	Doctorate
0	27,917	28,606	28,872	30,315	31,076	32,843	33,604	34,365	35,126	36,161
1	28,245	28,934	29,200	30,833	31,594	33,362	34,123	34,883	35,644	36,679
2	28,574	29,262	29,528	31,352	32,113	33,880	34,641	35,402	36,163	37,198
3	28,902	29,590	29,856	31,871	32,631	34,399	35,160	35,920	36,681	37,716
4	29,474	30,162	30,428	32,633	33,394	35,162	35,923	36,683	37,444	38,479

5	29,802	30,490	30,756	33,152	33,913	35,680	36,441	37,202	37,963	38,998
6	30,130	30,818	31,084	33,670	34,431	36,199	36,960	37,720	38,481	39,516
7	30,458	31,147	31,412	34,189	34,950	36,717	37,478	38,239	39,000	40,035
8	30,786	31,475	31,741	34,707	35,468	37,236	37,997	38,757	39,518	40,553
9	31,114	31,803	32,069	35,226	35,987	37,754	38,515	39,276	40,037	41,072
10	31,443	32,131	32,397	35,746	36,506	38,274	39,035	39,796	40,556	41,591
11	31,771	32,459	32,725	36,264	37,025	38,793	39,553	40,314	41,075	42,110
12	32,099	32,787	33,053	36,783	37,543	39,311	40,072	40,833	41,593	42,628
13	32,427	33,115	33,381	37,301	38,062	39,830	40,590	41,351	42,112	43,147
14	32,755	33,443	33,709	37,820	38,580	40,348	41,109	41,870	42,630	43,665
15	33,083	33,771	34,037	38,338	39,099	40,867	41,627	42,388	43,149	44,184
16	33,411	34,099	34,365	38,857	39,617	41,385	42,146	42,907	43,667	44,702
17	33,739	34,428	34,693	39,375	40,136	41,904	42,665	43,425	44,186	45,221
18	34,067	34,756	35,022	39,894	40,655	42,422	43,183	43,944	44,705	45,740
19	34,395	35,084	35,350	40,412	41,173	42,941	43,702	44,462	45,223	46,258
20	34,723	35,412	35,678	40,931	41,692	43,459	44,220	44,981	45,742	46,777
21	35,052	35,740	36,006	41,449	42,210	43,978	44,739	45,499	46,260	47,295
22	35,380	36,068	36,334	41,968	42,729	44,496	45,257	46,018	46,779	47,814
23	35,708	36,396	36,662	42,487	43,247	45,015	45,776	46,536	47,297	48,332
24	36,036	36,724	36,990	43,005	43,766	45,534	46,294	47,055	47,816	48,851
25	36,364	37,052	37,318	43,524	44,284	46,052	46,813	47,574	48,334	49,369
26	36,692	37,380	37,646	44,042	44,803	46,571	47,331	48,092	48,853	49,888
27	37,020	37,708	37,974	44,561	45,321	47,089	47,850	48,611	49,371	50,406
28	37,348	38,037	38,302	45,079	45,840	47,608	48,368	49,129	49,890	50,925
29	37,676	38,365	38,631	45,598	46,358	48,126	48,887	49,648	50,408	51,443
30	38,004	38,693	38,959	46,116	46,877	48,645	49,405	50,166	50,927	51,962
31	38,333	39,021	39,287	46,635	47,396	49,163	49,924	50,685	51,445	52,480
32	38,661	39,349	39,615	47,153	47,914	49,682	50,443	51,203	51,964	52,999
33	38,989	39,677	39,943	47,672	48,433	50,200	50,961	51,722	52,483	53,518
34	39,317	40,005	40,271	48,190	48,951	50,719	51,480	52,240	53,001	54,036
35	39,645	40,333	40,599	48,709	49,470	51,237	51,998	52,759	53,520	54,555

<u>Years</u>	<u>4<sup>th</sup></u>	<u>3<sup>rd</sup></u>	<u>2<sup>nd</sup></u>	<u>A.B.</u>	<u>M.A.</u>	<u>M.A.</u>	<u>M.A.</u>	<u>M.A.</u>	<u>Doc-</u>	
<u>Exp</u>	<u>Class</u>	<u>Class</u>	<u>Class</u>	<u>A.B.</u>	<u>+ 15</u>	<u>M.A.</u>	<u>+ 15</u>	<u>+ 30</u>	<u>+ 45</u>	<u>torate</u>

<u>0</u>	<u>28,72</u>	<u>29,41</u>	<u>29,68</u>	<u>31,12</u>	<u>31,88</u>	<u>33,65</u>	<u>34,41</u>	<u>35,17</u>	<u>35,93</u>	<u>36,96</u>
	<u>5</u>	<u>4</u>	<u>0</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>9</u>



<u>1</u>	<u>29,05</u> <u>3</u>	<u>29,74</u> <u>2</u>	<u>30,00</u> <u>8</u>	<u>31,64</u> <u>1</u>	<u>32,40</u> <u>2</u>	<u>34,17</u> <u>0</u>	<u>34,93</u> <u>1</u>	<u>35,69</u> <u>1</u>	<u>36,45</u> <u>2</u>	<u>37,48</u> <u>7</u>
<u>2</u>	<u>29,38</u> <u>2</u>	<u>30,07</u> <u>0</u>	<u>30,33</u> <u>6</u>	<u>32,16</u> <u>0</u>	<u>32,92</u> <u>1</u>	<u>34,68</u> <u>8</u>	<u>35,44</u> <u>9</u>	<u>36,21</u> <u>0</u>	<u>36,97</u> <u>1</u>	<u>38,00</u> <u>6</u>
<u>3</u>	<u>29,71</u> <u>0</u>	<u>30,39</u> <u>8</u>	<u>30,66</u> <u>4</u>	<u>32,67</u> <u>9</u>	<u>33,43</u> <u>9</u>	<u>35,20</u> <u>7</u>	<u>35,96</u> <u>8</u>	<u>36,72</u> <u>8</u>	<u>37,48</u> <u>9</u>	<u>38,52</u> <u>4</u>
<u>4</u>	<u>30,28</u> <u>2</u>	<u>30,97</u> <u>0</u>	<u>31,23</u> <u>6</u>	<u>33,44</u> <u>1</u>	<u>34,20</u> <u>2</u>	<u>35,97</u> <u>0</u>	<u>36,73</u> <u>1</u>	<u>37,49</u> <u>1</u>	<u>38,25</u> <u>2</u>	<u>39,28</u> <u>7</u>
<u>5</u>	<u>30,61</u> <u>0</u>	<u>31,29</u> <u>8</u>	<u>31,56</u> <u>4</u>	<u>33,96</u> <u>0</u>	<u>34,72</u> <u>1</u>	<u>36,48</u> <u>8</u>	<u>37,24</u> <u>9</u>	<u>38,01</u> <u>0</u>	<u>38,77</u> <u>1</u>	<u>39,80</u> <u>6</u>
<u>6</u>	<u>30,93</u> <u>8</u>	<u>31,62</u> <u>6</u>	<u>31,89</u> <u>2</u>	<u>34,47</u> <u>8</u>	<u>35,23</u> <u>9</u>	<u>37,00</u> <u>7</u>	<u>37,76</u> <u>8</u>	<u>38,52</u> <u>8</u>	<u>39,28</u> <u>9</u>	<u>40,32</u> <u>4</u>
<u>7</u>	<u>31,26</u> <u>6</u>	<u>31,95</u> <u>5</u>	<u>32,22</u> <u>0</u>	<u>34,99</u> <u>7</u>	<u>35,75</u> <u>8</u>	<u>37,52</u> <u>5</u>	<u>38,28</u> <u>6</u>	<u>39,04</u> <u>7</u>	<u>39,80</u> <u>8</u>	<u>40,84</u> <u>3</u>
<u>8</u>	<u>31,59</u> <u>4</u>	<u>32,28</u> <u>3</u>	<u>32,54</u> <u>9</u>	<u>35,51</u> <u>5</u>	<u>36,27</u> <u>6</u>	<u>38,04</u> <u>4</u>	<u>38,80</u> <u>5</u>	<u>39,56</u> <u>5</u>	<u>40,32</u> <u>6</u>	<u>41,36</u> <u>1</u>
<u>9</u>	<u>31,92</u> <u>2</u>	<u>32,61</u> <u>1</u>	<u>32,87</u> <u>7</u>	<u>36,03</u> <u>4</u>	<u>36,79</u> <u>5</u>	<u>38,56</u> <u>2</u>	<u>39,32</u> <u>3</u>	<u>40,08</u> <u>4</u>	<u>40,84</u> <u>5</u>	<u>41,88</u> <u>0</u>
<u>10</u>	<u>32,25</u> <u>1</u>	<u>32,93</u> <u>9</u>	<u>33,20</u> <u>5</u>	<u>36,55</u> <u>4</u>	<u>37,31</u> <u>4</u>	<u>39,08</u> <u>2</u>	<u>39,84</u> <u>3</u>	<u>40,60</u> <u>4</u>	<u>41,36</u> <u>4</u>	<u>42,39</u> <u>9</u>
<u>11</u>	<u>32,57</u> <u>9</u>	<u>33,26</u> <u>7</u>	<u>33,53</u> <u>3</u>	<u>37,07</u> <u>2</u>	<u>37,83</u> <u>3</u>	<u>39,60</u> <u>1</u>	<u>40,36</u> <u>1</u>	<u>41,12</u> <u>2</u>	<u>41,88</u> <u>3</u>	<u>42,91</u> <u>8</u>
<u>12</u>	<u>32,90</u> <u>7</u>	<u>33,59</u> <u>5</u>	<u>33,86</u> <u>1</u>	<u>37,59</u> <u>1</u>	<u>38,35</u> <u>1</u>	<u>40,11</u> <u>9</u>	<u>40,88</u> <u>0</u>	<u>41,64</u> <u>1</u>	<u>42,40</u> <u>1</u>	<u>43,43</u> <u>6</u>
<u>13</u>	<u>33,23</u> <u>5</u>	<u>33,92</u> <u>3</u>	<u>34,18</u> <u>9</u>	<u>38,10</u> <u>9</u>	<u>38,87</u> <u>0</u>	<u>40,63</u> <u>8</u>	<u>41,39</u> <u>8</u>	<u>42,15</u> <u>9</u>	<u>42,92</u> <u>0</u>	<u>43,95</u> <u>5</u>
<u>14</u>	<u>33,56</u> <u>3</u>	<u>34,25</u> <u>1</u>	<u>34,51</u> <u>7</u>	<u>38,62</u> <u>8</u>	<u>39,38</u> <u>8</u>	<u>41,15</u> <u>6</u>	<u>41,91</u> <u>7</u>	<u>42,67</u> <u>8</u>	<u>43,43</u> <u>8</u>	<u>44,47</u> <u>3</u>
<u>15</u>	<u>33,89</u> <u>1</u>	<u>34,57</u> <u>9</u>	<u>34,84</u> <u>5</u>	<u>39,14</u> <u>6</u>	<u>39,90</u> <u>7</u>	<u>41,67</u> <u>5</u>	<u>42,43</u> <u>5</u>	<u>43,19</u> <u>6</u>	<u>43,95</u> <u>7</u>	<u>44,99</u> <u>2</u>
<u>16</u>	<u>34,21</u> <u>9</u>	<u>34,90</u> <u>7</u>	<u>35,17</u> <u>3</u>	<u>39,66</u> <u>5</u>	<u>40,42</u> <u>5</u>	<u>42,19</u> <u>3</u>	<u>42,95</u> <u>4</u>	<u>43,71</u> <u>5</u>	<u>44,47</u> <u>5</u>	<u>45,51</u> <u>0</u>
<u>17</u>	<u>34,54</u> <u>7</u>	<u>35,23</u> <u>6</u>	<u>35,50</u> <u>1</u>	<u>40,18</u> <u>3</u>	<u>40,94</u> <u>4</u>	<u>42,71</u> <u>2</u>	<u>43,47</u> <u>3</u>	<u>44,23</u> <u>3</u>	<u>44,99</u> <u>4</u>	<u>46,02</u> <u>9</u>

<u>1</u> <u>8</u>	<u>34.87</u> <u>5</u>	<u>35.56</u> <u>4</u>	<u>35.83</u> <u>0</u>	<u>40.70</u> <u>2</u>	<u>41.46</u> <u>3</u>	<u>43.23</u> <u>0</u>	<u>43.99</u> <u>1</u>	<u>44.75</u> <u>2</u>	<u>45.51</u> <u>3</u>	<u>46.54</u> <u>8</u>
<u>1</u> <u>9</u>	<u>35.20</u> <u>3</u>	<u>35.89</u> <u>2</u>	<u>36.15</u> <u>8</u>	<u>41.22</u> <u>0</u>	<u>41.98</u> <u>1</u>	<u>43.74</u> <u>9</u>	<u>44.51</u> <u>0</u>	<u>45.27</u> <u>0</u>	<u>46.03</u> <u>1</u>	<u>47.06</u> <u>6</u>
<u>2</u> <u>0</u>	<u>35.53</u> <u>1</u>	<u>36.22</u> <u>0</u>	<u>36.48</u> <u>6</u>	<u>41.73</u> <u>9</u>	<u>42.50</u> <u>0</u>	<u>44.26</u> <u>7</u>	<u>45.02</u> <u>8</u>	<u>45.78</u> <u>9</u>	<u>46.55</u> <u>0</u>	<u>47.58</u> <u>5</u>
<u>2</u> <u>1</u>	<u>35.86</u> <u>0</u>	<u>36.54</u> <u>8</u>	<u>36.81</u> <u>4</u>	<u>42.25</u> <u>7</u>	<u>43.01</u> <u>8</u>	<u>44.78</u> <u>6</u>	<u>45.54</u> <u>7</u>	<u>46.30</u> <u>7</u>	<u>47.06</u> <u>8</u>	<u>48.10</u> <u>3</u>
<u>2</u> <u>2</u>	<u>36.18</u> <u>8</u>	<u>36.87</u> <u>6</u>	<u>37.14</u> <u>2</u>	<u>42.77</u> <u>6</u>	<u>43.53</u> <u>7</u>	<u>45.30</u> <u>4</u>	<u>46.06</u> <u>5</u>	<u>46.82</u> <u>6</u>	<u>47.58</u> <u>7</u>	<u>48.62</u> <u>2</u>
<u>2</u> <u>3</u>	<u>36.51</u> <u>6</u>	<u>37.20</u> <u>4</u>	<u>37.47</u> <u>0</u>	<u>43.29</u> <u>5</u>	<u>44.05</u> <u>5</u>	<u>45.82</u> <u>3</u>	<u>46.58</u> <u>4</u>	<u>47.34</u> <u>4</u>	<u>48.10</u> <u>5</u>	<u>49.14</u> <u>0</u>
<u>2</u> <u>4</u>	<u>36.84</u> <u>4</u>	<u>37.53</u> <u>2</u>	<u>37.79</u> <u>8</u>	<u>43.81</u> <u>3</u>	<u>44.57</u> <u>4</u>	<u>46.34</u> <u>2</u>	<u>47.10</u> <u>2</u>	<u>47.86</u> <u>3</u>	<u>48.62</u> <u>4</u>	<u>49.65</u> <u>9</u>
<u>2</u> <u>5</u>	<u>37.17</u> <u>2</u>	<u>37.86</u> <u>0</u>	<u>38.12</u> <u>6</u>	<u>44.33</u> <u>2</u>	<u>45.09</u> <u>2</u>	<u>46.86</u> <u>0</u>	<u>47.62</u> <u>1</u>	<u>48.38</u> <u>2</u>	<u>49.14</u> <u>2</u>	<u>50.17</u> <u>7</u>
<u>2</u> <u>6</u>	<u>37.50</u> <u>0</u>	<u>38.18</u> <u>8</u>	<u>38.45</u> <u>4</u>	<u>44.85</u> <u>0</u>	<u>45.61</u> <u>1</u>	<u>47.37</u> <u>9</u>	<u>48.13</u> <u>9</u>	<u>48.90</u> <u>0</u>	<u>49.66</u> <u>1</u>	<u>50.69</u> <u>6</u>
<u>2</u> <u>7</u>	<u>37.82</u> <u>8</u>	<u>38.51</u> <u>6</u>	<u>38.78</u> <u>2</u>	<u>45.36</u> <u>9</u>	<u>46.12</u> <u>9</u>	<u>47.89</u> <u>7</u>	<u>48.65</u> <u>8</u>	<u>49.41</u> <u>9</u>	<u>50.17</u> <u>9</u>	<u>51.21</u> <u>4</u>
<u>2</u> <u>8</u>	<u>38.15</u> <u>6</u>	<u>38.84</u> <u>5</u>	<u>39.11</u> <u>0</u>	<u>45.88</u> <u>7</u>	<u>46.64</u> <u>8</u>	<u>48.41</u> <u>6</u>	<u>49.17</u> <u>6</u>	<u>49.93</u> <u>7</u>	<u>50.69</u> <u>8</u>	<u>51.73</u> <u>3</u>
<u>2</u> <u>9</u>	<u>38.48</u> <u>4</u>	<u>39.17</u> <u>3</u>	<u>39.43</u> <u>9</u>	<u>46.40</u> <u>6</u>	<u>47.16</u> <u>6</u>	<u>48.93</u> <u>4</u>	<u>49.69</u> <u>5</u>	<u>50.45</u> <u>6</u>	<u>51.21</u> <u>6</u>	<u>52.25</u> <u>1</u>
<u>3</u> <u>0</u>	<u>38.81</u> <u>2</u>	<u>39.50</u> <u>1</u>	<u>39.76</u> <u>7</u>	<u>46.92</u> <u>4</u>	<u>47.68</u> <u>5</u>	<u>49.45</u> <u>3</u>	<u>50.21</u> <u>3</u>	<u>50.97</u> <u>4</u>	<u>51.73</u> <u>5</u>	<u>52.77</u> <u>0</u>
<u>3</u> <u>1</u>	<u>39.14</u> <u>1</u>	<u>39.82</u> <u>9</u>	<u>40.09</u> <u>5</u>	<u>47.44</u> <u>3</u>	<u>48.20</u> <u>4</u>	<u>49.97</u> <u>1</u>	<u>50.73</u> <u>2</u>	<u>51.49</u> <u>3</u>	<u>52.25</u> <u>3</u>	<u>53.28</u> <u>8</u>
<u>3</u> <u>2</u>	<u>39.46</u> <u>9</u>	<u>40.15</u> <u>7</u>	<u>40.42</u> <u>3</u>	<u>47.96</u> <u>1</u>	<u>48.72</u> <u>2</u>	<u>50.49</u> <u>0</u>	<u>51.25</u> <u>1</u>	<u>52.01</u> <u>1</u>	<u>52.77</u> <u>2</u>	<u>53.80</u> <u>7</u>
<u>3</u> <u>3</u>	<u>39.79</u> <u>7</u>	<u>40.48</u> <u>5</u>	<u>40.75</u> <u>1</u>	<u>48.48</u> <u>0</u>	<u>49.24</u> <u>1</u>	<u>51.00</u> <u>8</u>	<u>51.76</u> <u>9</u>	<u>52.53</u> <u>0</u>	<u>53.29</u> <u>1</u>	<u>54.32</u> <u>6</u>
<u>3</u> <u>4</u>	<u>40.12</u> <u>5</u>	<u>40.81</u> <u>3</u>	<u>41.07</u> <u>9</u>	<u>48.99</u> <u>8</u>	<u>49.75</u> <u>9</u>	<u>51.52</u> <u>7</u>	<u>52.28</u> <u>8</u>	<u>53.04</u> <u>8</u>	<u>53.80</u> <u>9</u>	<u>54.84</u> <u>4</u>

<u>3</u>	<u>40.45</u>	<u>41.14</u>	<u>41.40</u>	<u>49.51</u>	<u>50.27</u>	<u>52.04</u>	<u>52.80</u>	<u>53.56</u>	<u>54.32</u>	<u>55.36</u>
<u>5</u>	<u>3</u>	<u>1</u>	<u>7</u>	<u>7</u>	<u>8</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>3</u>

(2) For school year 2019 – 2020, each teacher shall receive the amount prescribed in the State Minimum Salary Schedule as set forth in this section, plus \$404; specific additional amounts prescribed in this section or article; and any county supplement in effect in a county pursuant to §18A-4-5a of this code during the contract year.

(3) For school year 2020 – 2021, each teacher shall receive the amount prescribed in the State Minimum Salary Schedule as set forth in this section, plus \$808; specific additional amounts prescribed in this section or article; and any county supplement in effect in a county pursuant to §18A-4-5a of this code during the contract year.

(4) For school year 2021 – 2022, and continuing thereafter, each teacher shall receive the amount prescribed in the State Minimum Salary Schedule as set forth in this section, plus \$1,212; specific additional amounts prescribed in this section or article; and any county supplement in effect in a county pursuant to §18A-4-5a of this code during the contract year.

(c) Six hundred dollars shall be paid annually to each classroom teacher who has at least 20 years of teaching experience. The payments: (i) Shall be in addition to any amounts prescribed in the applicable State Minimum Salary Schedule; (ii) shall be paid in equal monthly installments; and (iii) shall be considered a part of the state minimum salaries for teachers.

(d) To meet the objective of salary equity among the counties as set forth in ~~section five of this article~~ §18A-4-5 of this code, each teacher shall be paid an equity supplement amount as applicable for his or her classification of certification or classification of training and years of experience as follows, subject to the provisions of that section:

(1) For “4th Class” at zero years of experience, \$1,781. An additional \$38 shall be paid for each year of experience up to and including 35 years of experience;

(2) For “3rd Class” at zero years of experience, \$1,796. An additional \$67 shall be paid for each year of experience up to and including 35 years of experience;

(3) For “2nd Class” at zero years of experience, \$1,877. An additional \$69 shall be paid for each year of experience up to and including 35 years of experience;

(4) For “A. B.” at zero years of experience, \$2,360. An additional \$69 shall be paid for each year of experience up to and including 35 years of experience;

(5) For “A. B. + 15” at zero years of experience, \$2,452. An additional \$69 shall be paid for each year of experience up to and including 35 years of experience;

(6) For “M. A.” at zero years of experience, \$2,644. An additional \$69 shall be paid for each year of experience up to and including 35 years of experience;

(7) For “M. A. + 15” at zero years of experience, \$2,740. An additional \$69 shall be paid for each year of experience up to and including 35 years of experience;

(8) For “M. A. + 30” at zero years of experience, \$2,836. An additional \$69 shall be paid for each year of experience up to and including 35 years of experience;

(9) For “M. A. + 45” at zero years of experience, \$2,836. An additional \$69 shall be paid for each year of experience up to and including 35 years of experience; and

(10) For “Doctorate” at zero years of experience, \$2,927. An additional \$69 shall be paid for each year of experience up to and including 35 years of experience.

These payments: (i) Shall be in addition to any amounts prescribed in the applicable State Minimum Salary Schedule, any specific additional amounts prescribed in this section and article and any county supplement in effect in a county pursuant to ~~section five-a of this article §18A-4-5a of this code~~; (ii) shall be paid in equal monthly installments; and (iii) shall be considered a part of the state minimum salaries for teachers.

### **§18A-4-8a. Service personnel minimum monthly salaries.**

(a) The minimum monthly pay for each service employee shall be as follows:

(1) ~~Beginning July 1, 2014, For school year 2018 – 2019, and continuing thereafter,~~ the minimum monthly pay for each service employee whose employment is for a period of more than three and one-half hours a day shall be at least the amounts indicated in the ~~state~~ State Minimum Pay Scale Pay Grade and the minimum monthly pay for each service employee whose employment is for a period of three and one-half hours or less a day shall be at least one-half the amount indicated in the ~~state~~ State Minimum Pay Scale Pay Grade set forth in this subdivision.

#### STATE MINIMUM PAY SCALE PAY GRADE

<u>Years</u>	<u>PAY GRADE</u>							
<u>Exp.</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>
0	1,660	1,681	1,723	1,776	1,829	1,892	1,924	1,997
1	1,692	1,714	1,755	1,808	1,862	1,925	1,956	2,030
2	1,725	1,746	1,788	1,841	1,894	1,957	1,989	2,062
3	1,757	1,779	1,821	1,874	1,927	1,990	2,022	2,095
4	1,790	1,812	1,853	1,906	1,959	2,023	2,054	2,129
5	1,823	1,844	1,886	1,939	1,992	2,055	2,087	2,161
6	1,855	1,877	1,920	1,972	2,025	2,088	2,120	2,194
7	1,889	1,909	1,952	2,004	2,057	2,121	2,152	2,227
8	1,922	1,942	1,985	2,037	2,090	2,153	2,185	2,259
9	1,954	1,975	2,018	2,071	2,123	2,186	2,217	2,292
10	1,987	2,008	2,050	2,103	2,155	2,220	2,251	2,325

11	2,020	2,041	2,083	2,136	2,188	2,252	2,284	2,357
12	2,052	2,074	2,115	2,169	2,222	2,285	2,316	2,390
13	2,085	2,106	2,148	2,201	2,254	2,317	2,349	2,423
14	2,118	2,139	2,181	2,234	2,287	2,350	2,382	2,455
15	2,150	2,172	2,213	2,266	2,319	2,383	2,414	2,488
16	2,183	2,204	2,246	2,299	2,352	2,415	2,447	2,521
17	2,215	2,237	2,280	2,332	2,385	2,448	2,480	2,554
18	2,248	2,270	2,312	2,364	2,417	2,481	2,512	2,587
19	2,282	2,302	2,345	2,397	2,450	2,513	2,545	2,619
20	2,314	2,335	2,378	2,431	2,483	2,546	2,578	2,653
21	2,347	2,367	2,410	2,463	2,515	2,579	2,610	2,687
22	2,380	2,401	2,443	2,496	2,548	2,612	2,644	2,719
23	2,412	2,434	2,476	2,529	2,582	2,646	2,678	2,753
24	2,445	2,466	2,508	2,561	2,614	2,680	2,711	2,787
25	2,478	2,499	2,541	2,594	2,648	2,712	2,745	2,819
26	2,510	2,532	2,573	2,628	2,682	2,746	2,777	2,853
27	2,543	2,564	2,606	2,660	2,714	2,778	2,811	2,886
28	2,576	2,597	2,640	2,694	2,748	2,812	2,845	2,920
29	2,608	2,631	2,673	2,726	2,781	2,846	2,877	2,954
30	2,642	2,663	2,707	2,760	2,814	2,878	2,911	2,987
31	2,675	2,697	2,741	2,794	2,848	2,912	2,945	3,020
32	2,709	2,730	2,773	2,827	2,880	2,946	2,977	3,054
33	2,743	2,763	2,807	2,861	2,914	2,978	3,011	3,087
34	2,775	2,797	2,841	2,895	2,948	3,012	3,045	3,120
35	2,809	2,831	2,873	2,927	2,980	3,046	3,078	3,154
36	2,843	2,864	2,907	2,961	3,015	3,079	3,112	3,186
37	2,875	2,898	2,941	2,995	3,049	3,113	3,145	3,220
38	2,909	2,930	2,973	3,027	3,081	3,146	3,178	3,254
39	2,943	2,964	3,007	3,061	3,115	3,179	3,212	3,286
40	2,975	2,998	3,040	3,094	3,149	3,213	3,245	3,320

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<u>0</u>	<u>1,704</u>	<u>1,725</u>	<u>1,767</u>	<u>1,820</u>	<u>1,873</u>	<u>1,936</u>	<u>1,968</u>	<u>2,041</u>
<u>1</u>	<u>1,736</u>	<u>1,758</u>	<u>1,799</u>	<u>1,852</u>	<u>1,906</u>	<u>1,969</u>	<u>2,000</u>	<u>2,074</u>
<u>2</u>	<u>1,769</u>	<u>1,790</u>	<u>1,832</u>	<u>1,885</u>	<u>1,938</u>	<u>2,001</u>	<u>2,033</u>	<u>2,106</u>
<u>3</u>	<u>1,801</u>	<u>1,823</u>	<u>1,865</u>	<u>1,918</u>	<u>1,971</u>	<u>2,034</u>	<u>2,066</u>	<u>2,139</u>
<u>4</u>	<u>1,834</u>	<u>1,856</u>	<u>1,897</u>	<u>1,950</u>	<u>2,003</u>	<u>2,067</u>	<u>2,098</u>	<u>2,173</u>
<u>5</u>	<u>1,867</u>	<u>1,888</u>	<u>1,930</u>	<u>1,983</u>	<u>2,036</u>	<u>2,099</u>	<u>2,131</u>	<u>2,205</u>
<u>6</u>	<u>1,899</u>	<u>1,921</u>	<u>1,964</u>	<u>2,016</u>	<u>2,069</u>	<u>2,132</u>	<u>2,164</u>	<u>2,238</u>
<u>7</u>	<u>1,933</u>	<u>1,953</u>	<u>1,996</u>	<u>2,048</u>	<u>2,101</u>	<u>2,165</u>	<u>2,196</u>	<u>2,271</u>
<u>8</u>	<u>1,966</u>	<u>1,986</u>	<u>2,029</u>	<u>2,081</u>	<u>2,134</u>	<u>2,197</u>	<u>2,229</u>	<u>2,303</u>
<u>9</u>	<u>1,998</u>	<u>2,019</u>	<u>2,062</u>	<u>2,115</u>	<u>2,167</u>	<u>2,230</u>	<u>2,261</u>	<u>2,336</u>
<u>10</u>	<u>2,031</u>	<u>2,052</u>	<u>2,094</u>	<u>2,147</u>	<u>2,199</u>	<u>2,264</u>	<u>2,295</u>	<u>2,369</u>
<u>11</u>	<u>2,064</u>	<u>2,085</u>	<u>2,127</u>	<u>2,180</u>	<u>2,232</u>	<u>2,296</u>	<u>2,328</u>	<u>2,401</u>
<u>12</u>	<u>2,096</u>	<u>2,118</u>	<u>2,159</u>	<u>2,213</u>	<u>2,266</u>	<u>2,329</u>	<u>2,360</u>	<u>2,434</u>
<u>13</u>	<u>2,129</u>	<u>2,150</u>	<u>2,192</u>	<u>2,245</u>	<u>2,298</u>	<u>2,361</u>	<u>2,393</u>	<u>2,467</u>
<u>14</u>	<u>2,162</u>	<u>2,183</u>	<u>2,225</u>	<u>2,278</u>	<u>2,331</u>	<u>2,394</u>	<u>2,426</u>	<u>2,499</u>
<u>15</u>	<u>2,194</u>	<u>2,216</u>	<u>2,257</u>	<u>2,310</u>	<u>2,363</u>	<u>2,427</u>	<u>2,458</u>	<u>2,532</u>
<u>16</u>	<u>2,227</u>	<u>2,248</u>	<u>2,290</u>	<u>2,343</u>	<u>2,396</u>	<u>2,459</u>	<u>2,491</u>	<u>2,565</u>
<u>17</u>	<u>2,259</u>	<u>2,281</u>	<u>2,324</u>	<u>2,376</u>	<u>2,429</u>	<u>2,492</u>	<u>2,524</u>	<u>2,598</u>
<u>18</u>	<u>2,292</u>	<u>2,314</u>	<u>2,356</u>	<u>2,408</u>	<u>2,461</u>	<u>2,525</u>	<u>2,556</u>	<u>2,631</u>
<u>19</u>	<u>2,326</u>	<u>2,346</u>	<u>2,389</u>	<u>2,441</u>	<u>2,494</u>	<u>2,557</u>	<u>2,589</u>	<u>2,663</u>
<u>20</u>	<u>2,358</u>	<u>2,379</u>	<u>2,422</u>	<u>2,475</u>	<u>2,527</u>	<u>2,590</u>	<u>2,622</u>	<u>2,697</u>
<u>21</u>	<u>2,391</u>	<u>2,411</u>	<u>2,454</u>	<u>2,507</u>	<u>2,559</u>	<u>2,623</u>	<u>2,654</u>	<u>2,731</u>
<u>22</u>	<u>2,424</u>	<u>2,445</u>	<u>2,487</u>	<u>2,540</u>	<u>2,592</u>	<u>2,656</u>	<u>2,688</u>	<u>2,763</u>
<u>23</u>	<u>2,456</u>	<u>2,478</u>	<u>2,520</u>	<u>2,573</u>	<u>2,626</u>	<u>2,690</u>	<u>2,722</u>	<u>2,797</u>
<u>24</u>	<u>2,489</u>	<u>2,510</u>	<u>2,552</u>	<u>2,605</u>	<u>2,658</u>	<u>2,724</u>	<u>2,755</u>	<u>2,831</u>
<u>25</u>	<u>2,522</u>	<u>2,543</u>	<u>2,585</u>	<u>2,638</u>	<u>2,692</u>	<u>2,756</u>	<u>2,789</u>	<u>2,863</u>

<u>26</u>	<u>2,554</u>	<u>2,576</u>	<u>2,617</u>	<u>2,672</u>	<u>2,726</u>	<u>2,790</u>	<u>2,821</u>	<u>2,897</u>
<u>27</u>	<u>2,587</u>	<u>2,608</u>	<u>2,650</u>	<u>2,704</u>	<u>2,758</u>	<u>2,822</u>	<u>2,855</u>	<u>2,930</u>
<u>28</u>	<u>2,620</u>	<u>2,641</u>	<u>2,684</u>	<u>2,738</u>	<u>2,792</u>	<u>2,856</u>	<u>2,889</u>	<u>2,964</u>
<u>29</u>	<u>2,652</u>	<u>2,675</u>	<u>2,717</u>	<u>2,770</u>	<u>2,825</u>	<u>2,890</u>	<u>2,921</u>	<u>2,998</u>
<u>30</u>	<u>2,686</u>	<u>2,707</u>	<u>2,751</u>	<u>2,804</u>	<u>2,858</u>	<u>2,922</u>	<u>2,955</u>	<u>3,031</u>
<u>31</u>	<u>2,719</u>	<u>2,741</u>	<u>2,785</u>	<u>2,838</u>	<u>2,892</u>	<u>2,956</u>	<u>2,989</u>	<u>3,064</u>
<u>32</u>	<u>2,753</u>	<u>2,774</u>	<u>2,817</u>	<u>2,871</u>	<u>2,924</u>	<u>2,990</u>	<u>3,021</u>	<u>3,098</u>
<u>33</u>	<u>2,787</u>	<u>2,807</u>	<u>2,851</u>	<u>2,905</u>	<u>2,958</u>	<u>3,022</u>	<u>3,055</u>	<u>3,131</u>
<u>34</u>	<u>2,819</u>	<u>2,841</u>	<u>2,885</u>	<u>2,939</u>	<u>2,992</u>	<u>3,056</u>	<u>3,089</u>	<u>3,164</u>
<u>35</u>	<u>2,853</u>	<u>2,875</u>	<u>2,917</u>	<u>2,971</u>	<u>3,024</u>	<u>3,090</u>	<u>3,122</u>	<u>3,198</u>
<u>36</u>	<u>2,887</u>	<u>2,908</u>	<u>2,951</u>	<u>3,005</u>	<u>3,059</u>	<u>3,123</u>	<u>3,156</u>	<u>3,230</u>
<u>37</u>	<u>2,919</u>	<u>2,942</u>	<u>2,985</u>	<u>3,039</u>	<u>3,093</u>	<u>3,157</u>	<u>3,189</u>	<u>3,264</u>
<u>38</u>	<u>2,953</u>	<u>2,974</u>	<u>3,017</u>	<u>3,071</u>	<u>3,125</u>	<u>3,190</u>	<u>3,222</u>	<u>3,298</u>
<u>39</u>	<u>2,987</u>	<u>3,008</u>	<u>3,051</u>	<u>3,105</u>	<u>3,159</u>	<u>3,223</u>	<u>3,256</u>	<u>3,330</u>
<u>40</u>	<u>3,019</u>	<u>3,042</u>	<u>3,084</u>	<u>3,138</u>	<u>3,193</u>	<u>3,257</u>	<u>3,289</u>	<u>3,364</u>

(2) For school year 2019 – 2020, and continuing thereafter, the minimum monthly pay for each service employee whose employment is for a period of more than three and one-half hours a day shall be at least the amounts indicated in the State Minimum Pay Scale Pay Grade, plus \$22; and the minimum monthly pay for each service employee whose employment is for a period of three and one-half hours or less a day shall be at least one-half the amount indicated in the State Minimum Pay Scale Pay Grade, plus \$11.

~~(2)~~ (3) Each service employee shall receive the amount prescribed in the State Minimum Pay Scale Pay Grade in accordance with the provisions of this subsection according to their class title and pay grade as set forth in this subdivision:

CLASS TITLE	PAY GRADE
Accountant I .....	D
Accountant II .....	E
Accountant III .....	F
Accounts Payable Supervisor .....	G

Aide I .....	A
Aide II .....	B
Aide III .....	C
Aide IV .....	D
Audiovisual Technician .....	C
Auditor .....	G
Autism Mentor .....	F
Braille Specialist .....	E
Bus Operator .....	D
Buyer .....	F
Cabinetmaker .....	G
Cafeteria Manager .....	D
Carpenter I .....	E
Carpenter II .....	F
Chief Mechanic .....	G
Clerk I .....	B
Clerk II .....	C
Computer Operator .....	E
Cook I .....	A
Cook II .....	B
Cook III .....	C
Crew Leader .....	F
Custodian I .....	A
Custodian II .....	B
Custodian III .....	C
Custodian IV .....	D



Director or Coordinator of Services .....	H
Draftsman .....	D
Early Childhood Classroom Assistant Teacher I .....	E
Early Childhood Classroom Assistant Teacher II .....	E
Early Childhood Classroom Assistant Teacher III .....	F
Educational Sign Language Interpreter I .....	F
Educational Sign Language Interpreter II .....	G
Electrician I .....	F
Electrician II .....	G
Electronic Technician I .....	F
Electronic Technician II .....	G
Executive Secretary .....	G
Food Services Supervisor .....	G
Foreman .....	G
General Maintenance .....	C
Glazier .....	D
Graphic Artist .....	D
Groundsman .....	B
Handyman .....	B
Heating and Air Conditioning Mechanic I .....	E
Heating and Air Conditioning Mechanic II .....	G
Heavy Equipment Operator .....	E
Inventory Supervisor .....	D
Key Punch Operator .....	B
Licensed Practical Nurse .....	F
Locksmith .....	G

Lubrication Man .....	C
Machinist .....	F
Mail Clerk .....	D
Maintenance Clerk .....	C
Mason .....	G
Mechanic .....	F
Mechanic Assistant .....	E
Office Equipment Repairman I .....	F
Office Equipment Repairman II .....	G
Painter .....	E
Paraprofessional .....	F
Payroll Supervisor .....	G
Plumber I .....	E
Plumber II .....	G
Printing Operator .....	B
Printing Supervisor .....	D
Programmer .....	H
Roofing/Sheet Metal Mechanic .....	F
Sanitation Plant Operator .....	G
School Bus Supervisor .....	E
Secretary I .....	D
Secretary II .....	E
Secretary III .....	F
Sign Support Specialist .....	E
Supervisor of Maintenance .....	H
Supervisor of Transportation .....	H

Switchboard Operator-Receptionist .....D  
 Truck Driver .....D  
 Warehouse Clerk .....C  
 Watchman .....B  
 Welder .....F  
 WVEIS Data Entry and Administrative Clerk .....B

(b) An additional \$12 per month is added to the minimum monthly pay of each service person who holds a high school diploma or its equivalent.

(c) An additional \$11 per month also is added to the minimum monthly pay of each service person for each of the following:

(1) A service person who holds 12 college hours or comparable credit obtained in a trade or vocational school as approved by the state board;

(2) A service person who holds 24 college hours or comparable credit obtained in a trade or vocational school as approved by the state board;

(3) A service person who holds 36 college hours or comparable credit obtained in a trade or vocational school as approved by the state board;

(4) A service person who holds 48 college hours or comparable credit obtained in a trade or vocational school as approved by the state board;

(5) A service employee who holds 60 college hours or comparable credit obtained in a trade or vocational school as approved by the state board;

(6) A service person who holds 72 college hours or comparable credit obtained in a trade or vocational school as approved by the state board;

(7) A service person who holds 84 college hours or comparable credit obtained in a trade or vocational school as approved by the state board;

(8) A service person who holds 96 college hours or comparable credit obtained in a trade or vocational school as approved by the state board;

(9) A service person who holds 108 college hours or comparable credit obtained in a trade or vocational school as approved by the state board;

(10) A service person who holds 120 college hours or comparable credit obtained in a trade or vocational school as approved by the state board.

(d) An additional \$40 per month also is added to the minimum monthly pay of each service person for each of the following:

(1) A service person who holds an associate’s degree;

(2) A service person who holds a bachelor's degree;

(3) A service person who holds a master's degree;

(4) A service person who holds a doctorate degree.

(e) An additional \$11 per month is added to the minimum monthly pay of each service person for each of the following:

(1) A service person who holds a bachelor's degree plus 15 college hours;

(2) A service person who holds a master's degree plus 15 college hours;

(3) A service person who holds a master's degree plus 30 college hours;

(4) A service person who holds a master's degree plus 45 college hours; and

(5) A service person who holds a master's degree plus 60 college hours.

(f) To meet the objective of salary equity among the counties, each service person is paid an equity supplement, as set forth in ~~section five of this article~~ §18A-4-5 of this code, of \$164 per month, subject to the provisions of that section. These payments: (i) Are in addition to any amounts prescribed in the applicable State Minimum Pay Scale Pay Grade, any specific additional amounts prescribed in this section and article and any county supplement in effect in a county pursuant to ~~section five-b of this article~~ §18A-4-5b of this code; (ii) are paid in equal monthly installments; and (iii) are considered a part of the state minimum salaries for service personnel.

(g) When any part of a school service person's daily shift of work is performed between the hours of 6:00 p. m. and 5:00 a. m. the following day, the employee is paid no less than an additional \$10 per month and one half of the pay is paid with local funds.

(h) Any service person required to work on any legal school holiday is paid at a rate one and one-half times the person's usual hourly rate.

(i) Any full-time service personnel required to work in excess of their normal working day during any week which contains a school holiday for which they are paid is paid for the additional hours or fraction of the additional hours at a rate of one and one-half times their usual hourly rate and paid entirely from county board funds.

(j) A service person may not have his or her daily work schedule changed during the school year without the employee's written consent and the person's required daily work hours may not be changed to prevent the payment of time and one-half wages or the employment of another employee.

(k) The minimum hourly rate of pay for extra duty assignments as defined in ~~section eight-b of this article~~ §18A-4-8b of this code is no less than one seventh of the person's daily total salary for each hour the person is involved in performing the assignment and paid entirely from local funds: *Provided*, That an alternative minimum hourly rate of pay for performing extra duty assignments within a particular category of employment may be used if the alternate hourly rate of pay is approved both by the county board and by the affirmative vote of a two-thirds majority of the regular full-time persons within that classification category of employment within that county:

*Provided, however,* That the vote is by secret ballot if requested by a service person within that classification category within that county. The salary for any fraction of an hour the employee is involved in performing the assignment is prorated accordingly. When performing extra duty assignments, persons who are regularly employed on a one-half day salary basis shall receive the same hourly extra duty assignment pay computed as though the person were employed on a full-day salary basis.

(l) The minimum pay for any service personnel engaged in the removal of asbestos material or related duties required for asbestos removal is their regular total daily rate of pay and no less than an additional \$3 per hour or no less than \$5 per hour for service personnel supervising asbestos removal responsibilities for each hour these employees are involved in asbestos-related duties. Related duties required for asbestos removal include, but are not limited to, travel, preparation of the work site, removal of asbestos, decontamination of the work site, placing and removal of equipment and removal of structures from the site. If any member of an asbestos crew is engaged in asbestos-related duties outside of the employee's regular employment county, the daily rate of pay is no less than the minimum amount as established in the employee's regular employment county for asbestos removal and an additional \$30 per each day the employee is engaged in asbestos removal and related duties. The additional pay for asbestos removal and related duties shall be payable entirely from county funds. Before service personnel may be used in the removal of asbestos material or related duties, they shall have completed a federal Environmental Protection Act-approved training program and be licensed. The employer shall provide all necessary protective equipment and maintain all records required by the Environmental Protection Act.

(m) For the purpose of qualifying for additional pay as provided in ~~section eight of this article~~ §18A-5-8 of this code, an aide is considered to be exercising the authority of a supervisory aide and control over pupils if the aide is required to supervise, control, direct, monitor, escort, or render service to a child or children when not under the direct supervision of a certified professional person within the classroom, library, hallway, lunchroom, gymnasium, school building, school grounds, or wherever supervision is required. For purposes of this section, "under the direct supervision of a certified professional person" means that certified professional person is present, with and accompanying the aide.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

**Eng. Com. Sub. for Senate Bill 267**—A Bill to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-9A-8 of said code; and to amend and reenact §18A-4-2 and §18A-4-8a of said code, all relating to increasing compensation for certain public employees; increasing the annual salaries of members of the West Virginia State Police; increasing the minimum salaries payable to public school teachers and professional personnel during the contract year; and increasing the minimum monthly pay for public school service personnel.

Referred to the Committee on Rules.

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 2995**—A Bill to amend and reenact §30-10-12 of the Code of West Virginia, 1931, as amended, relating to reciprocal qualifications for certification as an animal euthanasia technician.

Referred to the Committee on Government Organization.

A message from The Clerk of the House of Delegates announced the passage by that body, to take effect July 1, 2018, and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 4024**—A Bill to repeal §9-5-18 of the Code of West Virginia, 1931, as amended; and to amend and reenact §9-5-9 of said code, all relating generally to direct cremation or direct burial expenses for indigent persons; decreasing the maximum amount paid by the Department of Health and Human Resources for indigent burial or cremation; making certain relatives of the indigent person liable for direct cremation or direct burial expenses; authorizing the Department of Health and Human Resources to recover direct cremation or direct burial expenses from relatives liable for those costs; requiring affidavits be signed and filed; requiring direct cremation in certain circumstances; defining terms; and establishing a criminal penalty.

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 4027**—A Bill to amend and reenact §30-3-13 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §30-3-16, all relating to creating an education permit for allopathic physician resident; prohibiting the practice of medicine and surgery without an authorization from the board; removing an exemption; providing an application process; providing criteria to obtain the permit; and providing emergency rulemaking authority; and providing rulemaking authority.

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 4180**—A Bill to amend and reenact §20-1-7 of the Code of West Virginia, 1931, as amended, relating to wildlife resources; and authorizing the Director of the Division of Natural Resources to establish procedures and a fee schedule for individuals applying for limited permit hunts.

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 4197**—A Bill to amend and reenact §24-6-5 of the Code of West Virginia, 1931, as amended, relating to requiring persons employed to dispatch emergency calls in county emergency dispatch centers to complete a training course in emergency cardiovascular care for telephonic cardiopulmonary resuscitation; requiring training to be

completed by a certain date; and requiring calls to be transferred to call center in certain circumstances.

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 4279**—A Bill to amend and reenact §9-6-1 and §9-6-2 of the Code of West Virginia, 1931, as amended, relating to adult protective services system; defining terms; and adding a goal that must be consider when creating a rule.

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 4306**—A Bill to amend and reenact §16-2-5 of the Code of West Virginia, 1931, as amended, relating to permitting local boards of health to combine.

Referred to the Committee on Health and Human Resources.

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 15th day of February, 2018, 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 H. B. 4135)**, Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act.

And,

**(H. B. 4146)**, Updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act

Respectfully submitted,

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

Roger Hanshaw,  
*Chair, House Committee.*

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 319** (originating in the Committee on Education), Allowing individuals who completed home schooling be eligible for PROMISE scholarship without equivalent diploma.

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

**Com. Sub. for Com. Sub. for Senate Bill 319** (originating in the Committee on Finance)—A Bill to amend and reenact §18C-7-6 of the Code of West Virginia, 1931, as amended, relating to allowing, in certain instances, individuals completing a secondary education program in a public, private, or home school and individuals obtaining a GED or equivalent to be eligible for the PROMISE scholarship, eliminating the requirement of a 3.0 grade point average for eligibility.

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

Respectfully submitted,

Craig Blair,  
*Chair.*

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

The Senate resumed business under the fourth order.

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 359**, Authorizing Supreme Court establish curricula for mental hygiene commissioners and certain magistrates.

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

**Com. Sub. for Senate Bill 359** (originating in the Committee on the Judiciary)—A Bill to amend and reenact §27-5-1 of the Code of West Virginia, 1931, as amended, relating to mental hygiene proceedings generally; eliminating requirement that new Mental Hygiene Commissioners undergo a minimum of three-days training in mental hygiene areas; removing requirement that training program include training in manifestations of mental illness and addiction; and authorizing the Supreme Court to establish curricula for mental hygiene commissioners and those magistrates designated by the chief judge of a judicial circuit to hold probable cause and emergency detention hearings involving involuntary hospitalization.

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.*

The bill (Com. Sub. for S. B. 359), 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 406**, Clarifying that ground emergency medical transportation is eligible for Medicare and Medicaid reimbursement.

**Com. Sub. for Senate Bill 450**, Collecting and analyzing statistical information pertaining to terminating pregnancies under Medicaid Program.

And,

**Senate Bill 479**, Establishing local government monitoring by Auditor.

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

Respectfully submitted,

Craig Blair,  
*Chair.*

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

Your Committee on Natural Resources has had under consideration

**Senate Bill 423**, Relating to hunting, trapping, or fishing on another person's lands.

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

**Com. Sub. for Senate Bill 423** (originating in the Committee on Natural Resources)—A Bill to amend and reenact §20-7-9 of the Code of West Virginia, 1931, as amended, relating to criminal penalties for the offenses of hunting, trapping, or fishing on the lands of another person, entering onto posted lands, and destroying posted land signs; raising the range of fine that a court may impose for such offenses.

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

Respectfully submitted,

Mark R. Maynard,  
*Chair.*

The bill (Com. Sub. for S. B. 423), under the original double committee reference, was then referred to 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 451**, Permitting Sunday hunting on public lands.

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

**Com. Sub. for Senate Bill 451** (originating in the Committee on the Judiciary)—A Bill to amend and reenact §20-2-5 of the Code of West Virginia, 1931, as amended, and to amend and reenact §20-7-9 of said code, all relating generally to hunting and fishing; authorizing the use of certain technologies for hunting coyote, fox, racoon, opossum and skunk; regulating firearm use and possession in certain places; prohibiting the use of a drone or unmanned aircraft to wound, harass, or transport wildlife; allowing certain persons to carry a rifle or shotgun for self-defense, with certain exceptions; creating a misdemeanor and providing penalties for catching, taking, killing or attempting to catch, take, or kill any fish by any means within 200 feet of agency personnel stocking fish into public waters; removing limit on starting time for Sunday hunting on private lands with the landowner's permission; providing that the misdemeanor offenses of hunting, trapping or fishing on the lands of another person, entering posted lands, violations of trout fishing laws and rules; and destroying posted land signs will all carry penalties equivalent to the penalty for the offense of criminal trespass; providing increased penalties upon conviction of second and subsequent violations of certain natural resources laws; permitting Sunday hunting on public lands; permitting noodling, or fishing for catfish using one's bare hands; and making technical changes.

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 475**, Industrial Hemp Development Act.

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

**Com. Sub. for Senate Bill 475** (originating in the Committee on Agriculture and Rural Development)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-16-3a, all relating generally to industrial hemp; authorizing the Commissioner of Agriculture to create and administer an industrial hemp seed certification program; authorizing the commissioner to obtain and develop seed varieties for industrial hemp production; authorizing imposition of a fee to be determined by the commissioner; authorizing emergency rulemaking and requiring legislative rulemaking; and requiring the program be consistent with state and federal law.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Dave Sypolt,

*Chair.*

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

Your Committee on Government Organization has had under consideration

**Senate Bill 490**, Relating to Revised Uniform Athlete Agents Act of 2015.

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

**Com. Sub. for Senate Bill 490** (originating in the Committee on Government Organization)—  
A Bill to amend and reenact §30-39-1, §30-39-2, §30-39-3, §30-39-4, §30-39-5, §30-39-6, §30-39-7, §30-39-9, §30-39-10, §30-39-11, §30-39-12, §30-39-13, §30-39-14, §30-39-15, §30-39-16, §30-39-19, and §30-39-21 of the Code of West Virginia, 1931, as amended, all relating to adopting the Revised Uniform Athlete Agents Act of 2015; modifying short title; defining terms; granting legislative rule making authority to the Secretary of State; establishing seven-day limit on athlete agent to register; requiring additional information from applicant in registration process; eliminating language making applications or renewals for athlete agent registration public records; providing for reciprocal registration; updating required contents of reciprocal registration application; requiring Secretary of State issue reciprocal license if certain criteria satisfied; requiring Secretary of State cooperate with certain national organizations; allowing the Secretary of State to consider whether the athlete agent has pled guilty or no contest to a crime of moral turpitude in decision to issue registration; providing requirements for reciprocal renewals of registration; providing Secretary of State authority to suspend or revoke registration for same reasons as would justify refusal to issue certificate of registration; permitting applicant to appeal adverse decision of Secretary of State; authorizing Secretary of State promulgate procedural rules to implement appeal procedures; increasing fees for initial license and renewal; adding required contract terms; requiring certain notices by athlete agent to educational institutions; requiring educational institution notify Secretary of State and others if it becomes aware of violation of article by athlete agent; allowing parent and guardian of student athlete ability to cancel contract; requiring athlete agent to create certain records; expanding scope of what constitutes prohibited conduct under the act; expanding scope of who might engage in prohibited conduct under the act; expanding scope of who can be charged with a criminal violation of the act; enabling student-athletes to bring civil action for act or omission of athlete agent; expanding scope of damages that may be available in civil action; making a civil violation an unfair trade practice under West Virginia law; establishing relation to the Electronic Signatures in Global and National Commerce Act; and modifying effective date.

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.*

The bill (Com. Sub. for S. B. 490), under the original double committee reference, was then referred to the Committee on Finance.

Senator Karnes, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

**Senate Bill 494**, Considering members of State Teachers Retirement System absent while serving as officer with statewide professional association.

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

Respectfully submitted,

Robert Karnes,  
*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 512**, Authorizing certain WV courthouse security officers carry concealed weapons.

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

**Com. Sub. for Senate Bill 512** (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 §51-3-19, relating to granting courthouse security officers arrest powers under certain circumstances, authorizing certain West Virginia courthouse security officers to carry concealed firearms while off duty with court approval; setting forth firearm training and qualification requirements; requiring supervising authority to issue photo identification and certification cards; specifying policy content; and stating legislative intent that the new code section be consistent with the federal Law-Enforcement Officers Safety Act.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,  
*Chair.*

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

Your Committee on Finance has had under consideration

**Eng. House Bill 4380**, Making a supplementary appropriation to the Department of Agriculture.

**Eng. House Bill 4381**, Making a supplementary appropriation to the Department of Education.

**Eng. House Bill 4384**, Making a supplementary appropriation to the Department of Transportation.

And,

**Eng. House Bill 4386**, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – Community Mental Health Services.

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

Respectfully submitted,

Craig Blair,  
*Chair.*

The Senate proceeded to the sixth order of business.

Senator Ferns requested unanimous consent that Senate Bill 546 through Senate Bill 565 be considered introduced, read by their titles, and referred to the appropriate committees as shown on the Senate Chamber Automation System.

Which consent was not granted, Senator Beach objecting.

Thereafter, on motion of Senator Ferns, Senate Bill 546 through Senate Bill 565 was considered introduced, read by their titles, and referred to the appropriate committees as shown on the Senate Chamber Automation System, which were shown as follows:

**By Senators Jeffries, Ojeda, Stollings, Cline, Romano, Prezioso, Beach, and Baldwin:**

**Senate Bill 546**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-3C-1, §15-3C-2, §15-3C-3, §15-3C-4, and §15-3C-5; and to amend and reenact §61-5-17 of said code, all relating to improving the ability of law enforcement to locate and return missing persons; establishing short title; declaring findings; defining terms; setting forth details of process for filing a missing persons report; detailing actions that must be taken by law enforcement upon filing of a missing persons report; authorizing reporting and obtaining of additional information under certain circumstances; improving the identification of human remains; improving the timely information and notification to family members of missing persons; authorizing expeditious record exchanges between national and state databases related to missing and unidentified persons; and creating a criminal offense of filing a false missing persons report.

Referred to the Committee on the Judiciary.

**By Senators Jeffries, Romano, and Beach:**

**Senate Bill 547**—A Bill to amend and reenact §18-3-12 of the Code of West Virginia, 1931, as amended, relating to expanding the local school improvement council at participating schools to add representatives appointed by the principal of the school to support the Special Community Development School Pilot Program.

Referred to the Committee on Education.

**By Senators Jeffries, Baldwin, Beach, Drennan, Facemire, Gaunch, Ojeda, Plymale, Prezioso, Romano, Smith, Stollings, Swope, and Cline:**

**Senate Bill 548**—A Bill to amend and reenact §3-1-44 of the Code of West Virginia, 1931, as amended, relating to authorizing county commissions to have discretion over compensation for certain election officials; and requiring all election officials within a classification to be paid the same amount within each county.

Referred to the Committee on Government Organization.

**By Senators Jeffries, Baldwin, Beach, Drennan, Facemire, Gaunch, Ojeda, Plymale, Prezioso, Romano, Smith, Stollings, Swope, Trump, and Cline:**

**Senate Bill 549**—A Bill to amend and reenact §61-5-27 of the Code of West Virginia, 1931, as amended, relating to creating a new felony offense of intimidation or harassment of a public officer, juror, or witness where the conduct causes injury or loss to person or property; and setting penalties for the offense.

Referred to the Committee on the Judiciary.

**By Senators Romano, Beach, Boso, Facemire, Jeffries, Ojeda, Palumbo, Plymale, Prezioso, Stollings, Unger, Woelfel, Cline, and Baldwin:**

**Senate Bill 550**—A Bill to amend and reenact §23-4-1f of the Code of West Virginia, 1931, as amended, relating to allowing workers' compensation benefits for first responders diagnosed with post-traumatic stress disorder resulting from an event that occurred during their employment.

Referred to the Committee on Government Organization.

**By Senators Karnes and Cline:**

**Senate Bill 551**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10D-13; and to amend and reenact §61-10-20 of said code, all relating to failure of employers to make contributions on behalf of employees to a retirement plan administered by the Consolidated Public Retirement Board; authorizing the State Auditor, county commission, or sheriff of the county to withhold moneys due to a public employer that is delinquent in required contributions to a retirement plan after the Consolidated Public Retirement Board has certified the delinquency; authorizing withheld moneys to be applied to the retirement system the delinquent payments would have been made to; providing for interest on delinquencies; making it a criminal offense for employers to knowingly and willfully fail to make required contributions; and providing criminal penalties.

Referred to the Committee on Pensions; and then to the Committee on the Judiciary.

**By Senators Weld and Cline:**

**Senate Bill 552**—A Bill to amend and reenact §18B-1-2 of the Code of West Virginia, 1931, as amended; to amend and reenact §18B-1B-6 of said code; to amend and reenact §18B-2A-1 and §18B-2A-7a of said code; and to amend and reenact §18B-3C-13 of said code, all relating to making Pierpont Community and Technical College a division of Fairmont State University; providing that the administrative head of Pierpont Community and Technical College is the provost; requiring appointment of board of advisors; requiring Fairmont State University ensure that all essential conditions for the delivery of community and technical college education are met; requiring Fairmont State University adhere to all provisions set forth in code and Council for Community and Technical College Education rules for the delivery of community and technical college education and programs; providing exception; allowing Pierpont Community and

Technical College to maintain independent accreditation status; requiring Fairmont State University to ensure that the programs offered at Pierpont Community and Technical College are accredited; requiring Fairmont State University to continue to provide certain services to the Pierpont Community and Technical College; providing that the operating budget of Pierpont Community and Technical College is integrated under the authority and jurisdiction of the Fairmont State University Board of Governors; transferring all financial assets from the authority of Pierpont Community and Technical College Board of Governors to the authority of the Fairmont State University Board of Governors; continuing any capital debt service payment of Pierpont Community and Technical College and making it the responsibility of the Fairmont State University Board of Governors; transferring titles to all real property, facilities, and equipment of, as well as each valid agreement and obligation undertaken by Pierpont Community and Technical College to the Fairmont State University Board of Governors; vesting title of all property purchased for the use of Pierpont Community and Technical College in the Fairmont State University Board of Governors; making faculty, classified employees, and nonclassified employees of Pierpont Community and Technical College employees of Fairmont State University; updating state institution of higher education names; and deleting obsolete language.

Referred to the Committee on Education.

**By Senators Boso and Cline:**

**Senate Bill 553**—A Bill to amend and reenact §17-6-3 of the Code of West Virginia, 1931, as amended; to amend and reenact §17-29-13 of said code; and to amend said code by adding thereto a new section, designated §17A-2-26, all relating to requiring federal fingerprint background checks for transportation network company drivers and taxi drivers; providing that the background check reports for transportation network company drivers be shared with the Division of Motor Vehicles; providing that the background check reports for taxi cab drivers be shared with the Public Service Commission; requiring complaints against transportation network companies or their drivers be investigated by the Division of Motor Vehicles; and requiring rulemaking.

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

**By Senator Baldwin:**

**Senate Bill 554**—A Bill to amend and reenact §18-9D-15 and §18-9D-16 of the Code of West Virginia, 1931, as amended, all relating to the School Building Authority; requiring certain funds to be split into two portions with one for smaller counties and one for larger counties based on total student enrollment; prohibiting the School Building Authority application process from including an interview; prohibiting authority staff from ranking or providing subjective analyses of projects; ensuring that the authority shall use objective criteria in distributing funds; removing certain preliminary plan and outline requirements from code; adjusting the objective criteria for analyzing projects to provide more of a focus on educational outcomes and less on economies of scale and history of levee passage; requiring procedures of guidelines be set in place to ensure the authority views objective information on each project without knowing which county is associated with the project and without hearing subjective information or rankings from staff; reiterating that the authority shall use an objective criteria to evaluate and determine which projects to fund; and clarifying that certain guidelines and procedures are for project eligibility purposes rather than for evaluating projects for funding.

Referred to the Committee on Education; and then to the Committee on Finance.

**By Senator Ferns:**

**Senate Bill 555**—A Bill to amend and reenact §31D-8-831 of the Code of West Virginia, 1931, as amended, relating to liability for directors of corporations; and providing that a director of a corporation is not personally liable for the corporation's torts, or the torts of its agents or employees, unless he or she directed, sanctioned, or participated in the wrongful acts.

Referred to the Committee on the Judiciary.

**By Senators Jeffries, Beach, and Plymale:**

**Senate Bill 556**—A Bill to amend and reenact §31-15-3 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Economic Development Authority; creating a small business and minority populations economic and workforce development taskforce to assist the Director of the Economic Development Authority in developing and implementing a procedure to address employment, labor force participation, and economic development problems of small business and low income and minority populations of West Virginia; and developing a pilot project that can be used as a model to promote the growth and development of small business to address employment labor force participation across West Virginia.

Referred to the Committee on the Workforce; and then to the Committee on Economic Development.

**By Senators Sypolt, Cline, Beach, Plymale, Baldwin, and Ojeda:**

**Senate Bill 557**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-1-13, relating to the Senior Farmers Market Nutrition Program; making legislative findings and intent; creating the Senior Farmers Market Nutrition Program Fund; and requesting additional funds to be added to the fund.

Referred to the Committee on Agriculture and Rural Development.

**By Senator Swope:**

**Senate Bill 558**—A Bill to amend and reenact §21-3D-3 and §21-3D-4 of the Code of West Virginia, 1931, as amended, all relating generally to certification requirements of crane operators; providing that crane operators may be certified by additional nationally recognized accredited agencies; and changing the written exam requirements for Class A and Class B certifications.

Referred to the Committee on the Workforce; and then to the Committee on Government Organization.

**By Senators Baldwin and Ojeda:**

**Senate Bill 559**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5D-5, relating to authorizing public schools to distribute excess food to students and others who suffer from food insecurity; providing for establishing the Shared Table initiative; providing for the State Board of Education to provide policies to guide county schools to provide excess food to students and others; assuring all food distribution meets federal and local health requirements; and providing that this section is covered by the Good Samaritan Food Donation Act.

Referred to the Committee on Education; and then to the Committee on Finance.

**By Senators Stollings and Beach:**

**Senate Bill 560**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-27; to amend and reenact §33-51-3 of said code; and to



amend said code by adding thereto a new section, designated §33-51-9, all relating to pharmacy benefit managers; prohibiting certain contractual provisions; and providing that reimbursements to a pharmacy or pharmacists for prescription drugs may not be less than the cost to the pharmacy or pharmacists under a public employees insurance plan established under the West Virginia Public Employees Insurance Act.

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

**By Senator Jeffries:**

**Senate Bill 561**—A Bill to amend and reenact §18-5-12 of the Code of West Virginia, 1931, as amended, relating to increasing the minimum contract price that requires the execution of a bond with respect to the building or repairing of school property.

Referred to the Committee on Education; and then to the Committee on Government Organization.

**By Senators Trump and Romano:**

**Senate Bill 562**—A Bill to amend and reenact §62-12-26 of the Code of West Virginia, 1931, as amended, relating to giving a court discretion to impose period of supervised release on a defendant when the defendant is convicted of certain felonies; and making the change retroactive to June 6, 2003.

Referred to the Committee on the Judiciary.

**By Senator Boso:**

**Senate Bill 563**—A Bill to amend and reenact §17B-2-1 of the Code of West Virginia, 1931, as amended; to amend and reenact §17B-4-3 of said code; to amend and reenact §17C-1-5a of said code; and to amend and reenact §17C-15-44 of said code, all relating to allowing people to operate small-engine mopeds without a driver's license or while a driver's license to operate other motor vehicles is suspended or revoked; adding "motorized scooter" to definition of moped; including "electric motors" in definition of moped; and expressly providing that helmets are required for operators of mopeds.

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

**By Senators Palumbo, Gaunch, Jeffries, Takubo, Ojeda, Stollings, and Cline:**

**Senate Bill 564**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §55-7K-1, §55-7K-2, and §55-7K-3, all relating to providing immunity from civil liability to facilities and employees providing crisis stabilization and/or drug and alcohol detoxification services, substance use disorder services, and/or drug overdose services on a short-term basis.

Referred to the Committee on the Judiciary.

**By Senators Jeffries, Gaunch, Palumbo, Baldwin, Facemire, Ojeda, Plymale, Prezioso, Romano, Stollings, Unger, Woelfel, and Cline:**

**Senate Bill 565**—A Bill to amend and reenact §29-3-5b of the Code of West Virginia, 1931, as amended, relating to clarifying the authority of the State Fire Commission in adopting a State Building Code with regard to establishing building energy savings codes.

Referred to the Committee on Government Organization.

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

**Senate Concurrent Resolution 23**—Requesting the Division of Highways name bridge number 23-14-0.05 (23A368), locally known as Rum Creek Connector over Guyandotte River, carrying County Route 14 over Guyandotte River in Logan County, the “Betty Jo Delong Memorial Bridge”.

Whereas, Betty Jo Chambers, the daughter of coal miner, Harry Chambers, and

Postmaster, Geraldine Lowe, attended Dehue-Chambers Grade School, in Dehue, Logan County, West Virginia; and

Whereas, Betty Jo Chambers was a Golden Horseshoe winner and graduated from Logan High School in Logan County; and

Whereas, Betty Jo Chambers married Don Thomas Delong from Lyburn, West Virginia, and the couple had two children: Donnetta Rainwater, a teacher at Logan Middle School; and Donald Rex Delong, owner of Eastern Petroleum; and

Whereas, Betty Jo Delong grew up with her siblings: Donna Lou Hipshire, Dorothy Young, Grover Chambers, Thelma Willis Eplin, Harry Chambers, Gerri Ball, Cora Tooley, and Alice Price; and

Whereas, Betty Jo Delong was proud of the Chambers’ family’s long association with the Rum Creek area; and

Whereas, At one time the Chambers family owned property reaching from Rum Creek to Lowe’s Mountain; and

Whereas, Betty Jo Delong worked at several jobs in Logan County but later in her career was employed at the Logan County Courthouse, where she worked in the record room and was in charge of the deed books; and

Whereas, Betty Jo Delong is still remembered for updating the county’s system of obtaining deeds and land proposals; and

Whereas, Betty Jo Delong worked tirelessly to help members of her community, especially the elderly; and

Whereas, Betty Jo Delong assisted with the visit to Logan County of John F. Kennedy when he was a presidential candidate; and

Whereas, Betty Jo Delong died of cancer at the age of 42; and

Whereas, At the time of her death, all offices of the courthouse were closed out of respect for Betty Jo Delong’s service to the many people of Logan County; and

Whereas, It is fitting that an enduring memorial be established in the name of Betty Jo Delong in an area where she and her family have, for so long, been a part of the fabric of the community; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 23-14-0.05 (23A368), locally known as Rum Creek Connector over Guyandotte River, carrying County Route 14 over Guyandotte River in Logan County, the “Betty Jo DeLong Memorial Bridge”; and, be it

*Further Resolved,* That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the “Betty Jo DeLong Memorial Bridge”; 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 Stollings, Ojeda, Beach, and Plymale offered the following resolution:

**Senate Concurrent Resolution 24**—Requesting the Joint Committee on Children and Families to conduct an interim study on how to more effectively organize those agencies of state government that are currently included within the current Department of Health and Human Resources in order to more efficiently deliver services to the citizens of this state.

Whereas, Virtually every West Virginian has contact with some segment of the Department of Health and Human Resources during their lifetime, whether that contact involves the obtaining of a birth certificate, eating in a restaurant that has been inspected for health and safety issues, establishing paternity for a child, visiting a friend or loved one residing in a state-inspected nursing home, or obtaining treatment for a behavioral health issue from a provider licensed by the state; and

Whereas, It is the duty of the state to provide these services to its citizens and to do that in an efficient and cost-effective manner; and

Whereas, Because of competing state and federal enactments which have, in recent years, piled numerous obligations and duties upon this agency of state government, the department has grown to a size where there are numerous challenges to its ability to provide services in a timely and efficient manner; and

Whereas, Because many of the agencies currently housed within the Department of Health and Human Resources have shared technology, such as costly mainframe computer systems, the development of a new delivery system must ensure that the technology which enables the delivery of services and which is used to provide required recordkeeping for eligibility purposes is maintained and preserved until new technology can be obtained; and

Whereas, Because there are over 100 different sources of funding that come to one bureau alone within the current configuration of the Department of Health and Human Resources, the development of a new delivery system model must be undertaken carefully, to preserve the ability of the state to maximize all sources of revenue; and

Whereas, Changes in technology have made it possible to create new methods of providing these services to the public in more cost-effective ways; and

Whereas, The Joint Committee on Children and Families could obtain the services of a consultant to advise the Department of Health and Human Resources and this Legislature as to more efficient and effective ways to reorganize the work currently assigned to this department, and to report back to the Legislature and the Department of Health and Human Resources no later than January 1, 2019; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Joint Committee on Children and Families is hereby requested to conduct an interim study on how to more effectively organize those agencies of state government that are currently included within the current Department of Health and Human Resources in order to more efficiently deliver services to the citizens of this state; and, be it

*Further Resolved*, That the Joint Committee on Children and Families shall obtain the services of a consultant to advise the Department of Health and Human Resources and this Legislature as to more efficient and effective ways to reorganize the work currently assigned to this department, and to report back to the Legislature and the Department of Health and Human Resources no later than January 1, 2019; and, be it

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

*Further Resolved*, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to Governor Jim Justice and the West Virginia Department of Health and Human Resources.

Which, under the rules, lies over one day.

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

**Senate Concurrent Resolution 25**—Requesting the Division of Highways name bridge number 23-119-15.47 (23A102), locally known as Chapmanville RR Overpass, carrying US 119 over CSX Railroad in Logan County, the “U. S. Army PFC O. T. (Teaberry) Mullins Memorial Bridge”.

Whereas, O. T. (Teaberry) Mullins was born December 18, 1923, in Ferrellsburg, West Virginia, son of John M. Mullins and Martha Farley. He moved to Chapmanville, West Virginia, in 1953; and

Whereas, O. T. (Teaberry) Mullins is survived by his children, Connie Mullins Guthrie and Jill Mullins; and

Whereas, PFC O. T. (Teaberry) Mullins served in the Army Air Corp, having been drafted on July 8, 1943. He received the Army Achievement Medal, Army Commendation Medal, Army Good Conduct Medal, Asia-Pacific Campaign Medal, WW II Army Occupation of Okinawa Medal, and WW II Victory Medal; and

Whereas, PFC O. T. (Teaberry) Mullins was a life member of the American Legion and VFW. He was a conductor for CSX Transportation 42 years and on the Chapmanville Town Council for 47 years. He was the owner of Mullins License Service and Teaberry Motor Sales, salesman for

Paul Cooke Ford, sales manager for Boone Motors and served on the Chapmanville Police Department; and

Whereas, Naming the bridge is an appropriate recognition of the contributions he made to his country, state, community, and Boone County; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 23-119-15.47 (23A102), locally known as Chapmanville RR Overpass, carrying US 119 over CSX Railroad in Logan county the "U. S. Army PFC O. T. (Teaberry) Mullins Memorial Bridge"; and, be it

*Further Resolved,* That the Division of Highways is requested to have made and be placed signs identifying the bridge as the "U. S. Army PFC O. T. (Teaberry) Mullins Memorial Bridge"; 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 Jeffries, Drennan, Gaunch, Swope, Stollings, Beach, and Plymale offered the following resolution:

**Senate Concurrent Resolution 26**—Requesting the Division of Highways name bridge number 40-6-5.97 (40A122), locally known as Eighteen-Mile Creek Bridge 5.97, carrying County Route 6 over Eighteen-Mile Creek in Putnam County, the "U. S. Army PFC Thomas Mayford Martin Memorial Bridge".

Whereas, Thomas Mayford Martin was born September 22, 1927, in Gay, Roane County, West Virginia, then moved to a home built by his father on the banks of Eighteen-Mile Creek. He was the son of Fred M. Martin and Sadie Fay Archer; and

Whereas, Thomas Mayford Martin learned to swim in Eighteen-Mile Creek. He fished, hunted, and trapped along the creek most of his life; and

Whereas, Thomas Mayford Martin graduated from Buffalo High School, class of 1945, and enlisted in the U. S. Army on October 23, 1950; and

Whereas, PFC Thomas Mayford Martin saw combat in Korea in the Army's 24th Infantry Division, 21st Infantry Regiment, where he drove an ammunition truck to the front lines of the combat zone. The truck had an open cab and he often drove at night on mountain roads with no headlights; and

Whereas, PFC Thomas Mayford Martin carried with him to Korea a license plate which read "Mountaineers Are Always Free". He proudly displayed the license on the ammunition truck he drove. His family still have a picture taken of the license on the truck in Korea, and still have the license; and

Whereas, Following military service, PFC Thomas Mayford Martin married, raised a family, and worked for many years with the Division of Highways serving as an inspector and a project

supervisor in district one. In 1996, he worked as a strip mine reclamation inspector. Thomas Mayford Martin died in December of 1998; and

Whereas, It is appropriate that this bridge over Eighteen-Mile Creek be dedicated to the memory of this veteran; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 40-6-5.97 (40A122), locally known as Eighteen-Mile Creek Bridge 5.97, carrying County Route 6 over Eighteen-Mile Creek in Putnam County, the "U. S. Army PFC Thomas Mayford Martin Memorial Bridge"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U. S. Army PFC Thomas Mayford Martin Memorial Bridge"; 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 Stollings, Beach, and Plymale offered the following resolution:

**Senate Concurrent Resolution 27**—Requesting the Division of Highways name bridge number 23-80-5.66 (23A089), locally known as the Huff Junction Beam Span, on WV 80 over Huff Creek in Logan County, the "U. S. Army CPL F. Lee Noel Memorial Bridge".

Whereas, F. Lee Noel was born on April 14, 1928, in Wilsondale, Wayne County, to E. R. Noel, Sr., and Vacey Ann Marcum, and died on September 3, 2014; and

Whereas, F. Lee Noel graduated in 1948 from Lenore High School where he lettered in basketball; and

Whereas, CPL F. Lee Noel was inducted into the U. S. Army on December 5, 1950, served in the 3rd Armored Division, the Korean Conflict, and was honorably discharged on November 14, 1956; and

Whereas, CPL F. Lee Noel was employed by Island Creek Coal Company as a heavy equipment operator for 41 years and owned the Pic Pac grocery stores in Man and Justice; and

Whereas, CPL F. Lee Noel served as an elder, trustee, Sunday school superintendent, and in the choir of the Man Church of God during his nearly 50 years of membership; and

Whereas, CPL F. Lee Noel was the bass singer in the Evangeleers Quartet, was a member of the Lions Club at Man for over 25 years, and loved golfing with his family; and

Whereas, CPL F. Lee Noel was survived by: his wife of nearly 60 years, Billie Redmond Noel; two children, Nancy (Ron) Lemon and Norman (Danita) Noel; four grandchildren; and four great-grandchildren; and

Whereas, It is only fitting that this bridge be named to honor U. S. Army CPL F. Lee Noel; therefore, be it

*Resolved by the West Virginia Legislature:*

That the Division of Highways is hereby requested to bridge number 23-80-5.66 (23A089), locally known as the Huff Junction Beam Span, on WV 80 over Huff Creek in Logan County, the "U. S. Army CPL F. Lee Noel Memorial Bridge"; and, be it

*Further Resolved,* That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U. S. Army CPL F. Lee Noel Memorial Bridge"; 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 Beach, Stollings, Jeffries, Palumbo, Facemire, Baldwin, Prezioso, Romano, Cline, and Plymale offered the following resolution:

**Senate Resolution 43**—Designating Thursday, February 15, 2018, as West Virginia Alzheimer's Association Day at the Capitol.

Whereas, Nearly one in three senior citizens who dies each year has Alzheimer's or another dementia; and

Whereas, Over five million Americans are living with Alzheimer's and as many as 16 million Americans will have the disease by 2050; and

Whereas, In 2017, 40,000 West Virginians ages 65 and older had Alzheimer's or a dementia-related diagnosis. That number is expected to increase to 44,000 by 2025; and

Whereas, The cost of caring for those with Alzheimer's and other dementias was estimated to total \$259 billion in 2017 in the United States, increasing to \$1.1 trillion by midcentury; and

Whereas, Every 67 seconds someone develops Alzheimer's in the United States where it is the sixth leading cause of death; and

Whereas, There are more than 300,000 caregivers in West Virginia and 108,000 of those are caring for someone with Alzheimer's or another dementia. These caregivers provide almost \$2 billion in unpaid care each year; therefore, be it

*Resolved by the Senate:*

That the Senate designates Thursday, February 15, 2018, as West Virginia Alzheimer's Association Day at the Capitol; and, be it

*Further Resolved,* That the Senate hereby acknowledges the West Virginia Alzheimer's Association and the work they do to care for West Virginia residents living with Alzheimer's; and be it

*Further Resolved*, That the Senate extends its sincere gratitude and appreciation to the West Virginia Alzheimer's Association for its dedication and commitment to helping those affected by Alzheimer's in West Virginia; and, be it

*Further Resolved*, That the Clerk is hereby directed to forward a copy of this resolution for the West Virginia Alzheimer's Association.

At the request of Senator Beach, 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 Romano, and by unanimous consent, the remarks by Senators Beach and Stollings regarding the adoption of Senate Resolution 43 were ordered printed in the Appendix to the Journal.

On motion of Senator Ferns, at 12:09 p.m., the Senate recessed to present Senate Resolution 43.

The Senate reconvened at 12:12 p.m. today and, at the request of Senator Ferns, and by unanimous consent, returned to the fourth order of business.

Senator Karnes, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

**Senate Bill 566** (originating in the Committee on Pensions)—A Bill to amend and reenact §8-22-24 of the Code of West Virginia, 1931, as amended, relating to disability pensions of municipal employees; increasing amount of income that may be earned before an offset of benefits is required; and increasing that limit automatically when the minimum wage increases.

And reports the same back with the recommendation that it do pass; but with the further recommendation that it first be referred to the Committee on Finance.

Respectfully submitted,

Robert Karnes,  
*Chair.*

On motion of Senator Ferns, the bill (S. B. 566) contained in the foregoing report from the Committee on Pensions was then referred to the Committee on Finance.

The Senate proceeded to the seventh order of business.

**Senate Concurrent Resolution 20**, Requesting Bureau for Medical Services review and update Medicaid rates for ground and air ambulance services.

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

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

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.

Thereafter, at the request of Senator Ferns, and by unanimous consent, the remarks by Senator Sypolt regarding the adoption of Senate Concurrent Resolution 20 were ordered printed in the Appendix to the Journal.

**Senate Concurrent Resolution 21**, US Army PFC Charles Thurman “Buddy” Ellis Memorial Bridge.

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

**Senate Concurrent Resolution 22**, US Army Colonel Larkin Bilton Vance Memorial Highway.

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 36**, Relating generally to DNA testing.

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 36 pass?”

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, 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. 36) passed with its title.

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

Thereafter, at the request of Senator Beach, and by unanimous consent, the remarks by Senator Woelfel regarding the passage of Engrossed Committee Substitute for Senate Bill 36 were ordered printed in the Appendix to the Journal.

**Eng. Com. Sub. for Com. Sub. for Senate Bill 341**, Relating generally to WV Appellate Reorganization Act of 2018.

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

Pending extended discussion,

(Senator Weld in the Chair.)

Pending discussion,

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

Pending extended discussion,

(Senator Ferns in the Chair.)

Pending discussion,

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Committee Substitute for Senate Bill 341 pass?"

On the passage of the bill, the yeas were: Arvon, Azinger, Blair, Boley, Boso, Clements, Cline, Drennan, Ferns, Gaunch, Karnes, Mann, Maroney, Maynard, Rucker, Smith, Swope, Sypolt, Takubo, Trump, Weld, Woelfel, and Carmichael (Mr. President)—23.

The nays were: Baldwin, Beach, Facemire, Jeffries, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, and Unger—11.

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. 341) 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 347**, Relating to operation of motorboats.

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: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, 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. 347) 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 348**, Allowing for disposal of service weapons of special DNR police officers.

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: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, 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. 348) 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 355**, Dissolving IS&C Division under Office of Technology.

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: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, 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. 355) 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 370**, Exempting nonpaid volunteers at ski areas from workers' compensation benefits.

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: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: Ojeda and Romano—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. 370) 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 458**, Prohibiting political subdivisions from enacting regulations or legal requirements relating to employer-employee relationship.

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: Arvon, Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Karnes, Mann, Maroney, Maynard, Plymale, Rucker, Smith, Swope, Sypolt, Takubo, Trump, Weld, and Carmichael (Mr. President)—22.

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

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. 458) 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 461**, Extending time to file petition for motor fuel excise tax refund.

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: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, 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. 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. Senate Bill 524**, Relating to disposition of complaint proceedings.

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: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, 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. 524) 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 525**, Relating to certification for emergency medical training - mining.

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: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, 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. 525) 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 Joint Resolution 3**, Judicial Budget Oversight Amendment.

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

At the request of Senator Trump, unanimous consent was granted to offer amendments to the resolution on third reading.

Thereupon, on motion of Senator Trump, the following amendments to the resolution were reported by the Clerk and considered simultaneously:

On page four, Subsection D, line eight, after the word “than” by striking out the words “the bill” and inserting in lieu thereof the words “the budget bill, supplementary appropriations, bills vetoed by the Governor, including the budget bill, or provisions for the cost of such an extended session”;

On page four, Subsection D, line nine, by striking out the words “except a provision for the cost of the session”;

And,

On page five, Subsection D, line seven, by striking out the words “the members, become law” and inserting in lieu thereof the words “such members, shall become law”.

Following discussion,

At the request of Senator Ferns, and by unanimous consent, further consideration of the resolution (Eng. Com. Sub. for Com. Sub. for S. J. R. 3) and Senator Trump’s pending amendments was deferred until the conclusion of bills on today’s second reading calendar.

**Eng. Com. Sub. for House Bill 4162**, Granting authority to the State Conservation Committee to contract for flood response.

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: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, 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 H. B. 4162) passed with its title.

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

On motion of Senator Ferns, at 2:29 p.m., the Senate recessed until 2:45 p.m. today.

The Senate reconvened at 2:59 p.m. today.

On motion of Senator Ferns, at 3:00 p.m., the Senate recessed until 3:30 p.m.

The Senate reconvened at 3:52 p.m. today.

On motion of Senator Ferns, at 3:52 p.m. today, the Senate recessed until 4:10 p.m.

The Senate reconvened at 5:08 p.m. today and proceeded to the ninth order of business.

**Com. Sub. for Com. Sub. for Senate Bill 273**, Reducing use of certain prescription drugs.

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

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

On page twenty-seven, section eight, lines eighteen through twenty-three, by striking out all of subsection (a) and inserting in lieu thereof a new subsection, designated subsection (a), to read as follows:

(a) When patients seek treatment for any of the myriad conditions that cause pain, a health care practitioner shall consider prescribing any of the following treatment alternatives, based on the practitioner's clinical judgment and the availability of the treatment, before starting a patient on an opioid: physical therapy, acupuncture, massage therapy, osteopathic manipulation, chronic pain management program, and chiropractic care. If the practitioner does not prescribe any of the treatment alternatives, the practitioner shall note the reasoning for the decision in the patient's medical record.

On motion of Senator Takubo, the following amendment to Senator Stollings' amendment to the bill (Com. Sub. for Com. Sub. for S. B. 273) was reported by the Clerk:

On page one, section eight, after the word "alternatives" by inserting a period and striking out the remainder of the subsection.

Following discussion,

The question being on the adoption of Senator Takubo's amendment to Senator Stollings' amendment to the bill, the same was put and prevailed.

The question now being on the adoption of Senator Stollings' amendment to the bill (Com. Sub. for Com. Sub. for S. B. 273), as amended.

Following extended discussion,

The question being on the adoption of Senator Stollings' amendment to the bill, as amended, and on this question, Senator Stollings demanded the yeas and nays.

The roll being taken, the yeas were: Arvon, Baldwin, Beach, Boso, Clements, Cline, Drennan, Facemire, Gaunch, Jeffries, Maroney, Ojeda, Palumbo, Prezioso, Romano, Stollings, Swope, Sypolt, Takubo, Unger, and Woelfel—21.

The nays were: Azinger, Blair, Boley, Ferns, Karnes, Maynard, Rucker, Smith, Trump, Weld, and Carmichael (Mr. President)—11.

Absent: Mann and Plymale—2.

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

On motion of Senator Baldwin, the following amendment to the bill (Com. Sub. for Com. Sub. for S. B. 273) was next reported by the Clerk:

On page twenty-eight, after section nine, by inserting a new section, designated section ten, to read as follows:

**§16-54-10. Opioid Crisis Recovery Fine.**

(a) Effective January 1, 2019, in order to continue to operate in this state, every opioid manufacturer or wholesaler that manufactured opioids for distribution or distributed opioids in this state between 2007 and 2017, inclusive, and all related and successor businesses shall register with the office and disclose to the office the number of opioid dosages the entity manufactured for distribution in this state or distributed in this state between 2007 and 2017, inclusive. The office shall calculate the total amount of dosages and then calculate the percentage of the total attributable to each entity. That percentage is known, for purposes of this section, as the entity's Opioid Crisis Participation Percentage.

(b) The office shall take all reasonable measures to confirm that the disclosure required by this section is accurate. In the event that the disclosure is inaccurate, the office may institute a civil action in the Circuit Court of Kanawha County and, if proven by a preponderance of the evidence that the disclosure was inaccurate, the entity shall pay a civil penalty in an amount equal to \$1,000 for every opioid dosage that was not accurately disclosed.

(c) A registered business and all related and successor businesses shall pay a quarterly fine in order to continue to conduct business in this state. The quarterly fine shall be calculated by the office by assessing one cent per milligram per opioid prescribed in the state and per medication prescribed in the state for the treatment of opioid addiction during the quarter. The total quarterly fine shall be assessed by splitting the total among the registered businesses based on their Opioid Crisis Participation Percentage. The fine shall be paid to the office at the end of each quarter for the amount due from the previous quarter.

(d) Any business and all related or successor businesses that are required by this section to register and fail to do so are guilty of a felony and, upon conviction thereof, shall be fined no less than \$1 million and no more than \$100 million.

(e) All fines and penalties collected under the provisions of this section shall be deposited in the Ryan Brown Addiction Prevention and Recovery Fund, created in §16-53-2 of this code, and the funds shall be used in the manner required by that section.

(f) The provisions of this section shall have no force or effect on and after January 1, 2039.

Following discussion,

The question being on the adoption of Senator Baldwin=s amendment to the bill (Com. Sub. for Com. Sub. for S. B. 273), and on this question, Senator Baldwin demanded the yeas and nays.

The roll being taken, the yeas were: Baldwin, Beach, Drennan, Facemire, Jeffries, Maynard, Ojeda, Palumbo, Prezioso, Romano, and Unger—11.

The nays were: Arvon, Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Karnes, Maroney, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Weld, and Carmichael (Mr. President)—20.

Absent: Mann, Plymale, and Woelfel—3.

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



On motion of Senator Ferns, the following amendment to the bill (Com. Sub. for Com. Sub. for S. B. 273) was next reported by the Clerk:

On page twenty-seven, section eight, line twenty-seven by striking out all of subsection (c) and inserting a new subsection (c) to read as follows:

(c) At a minimum an insurance provider who offers an insurance product in this state, the West Virginia Bureau for Medical Services and the Public Employees Insurance Agency shall provide coverage for 20 visits per event of physical therapy, osteopathic manipulation, a chronic pain management program, and chiropractic care when ordered by a health care practitioner to treat conditions that cause chronic pain. A patient may seek treatment for physical therapy, osteopathic manipulation, a chronic pain management program, and chiropractic care prior to seeking treatment from a practitioner and a practitioner referral is not required as a condition of coverage by the Bureau for Medical Services, the Public Employees Insurance Agency and any insurance provider who offers an insurance product in this state. Any co-pay required for any of these services may not be greater than the co-pay required for an emergency room visit.

Following discussion,

The question being on the adoption of Senator Ferns' amendment to the bill, the same was put and prevailed.

The bill (Com. Sub. for Com. Sub. for S. B. 273), as amended, was then ordered to engrossment and third reading.

**Senate Bill 339**, Relating to WV Retirement Health Benefit Trust Fund within PEIA.

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 358**, Imposing fee for processing criminal bonds.

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

**Senate Bill 398**, Relating to requirements for making consumer loans.

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 495**, Designating specific insurance coverages exempt from rate filing requirements.

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

**Senate Bill 498**, Creating two-year pilot program allowing all-terrain or recreational vehicles in Cabwaylingo State Forest.

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

**Eng. Com. Sub. for House Bill 3004**, Relating to filling vacancies in offices of state officials, United States Senators, Justices, judges, and magistrates.

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:

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

#### **ARTICLE 10. FILLING VACANCIES.**

##### **§3-10-3. Vacancies in offices of state officials, ~~United States senators,~~ justices, judges, and magistrates.**

(a) Any vacancy occurring in the offices of Secretary of State, Auditor, Treasurer, Attorney General, Commissioner of Agriculture, or in any office created or made elective to be filled by the voters of the entire state, is filled by the Governor of the state by appointment and subsequent election to fill the remainder of the term, if required by ~~section one of this article~~ §3-10-1 of this code. The Governor shall make the appointment from a list of three legally qualified persons submitted by the party executive committee of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time the vacancy occurred. The list of qualified persons to fill the vacancy shall be submitted to the Governor within 15 days after the vacancy occurs, and the Governor shall duly make his or her appointment to fill the vacancy from the list of legally qualified persons within five days after the list is received. If the list is not submitted to the Governor within the 15-day period, the Governor shall appoint, within five days thereafter, a legally qualified person of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time the vacancy occurred: *Provided*, That the provisions of this subsection do not apply to §3-10-3(b), §3-10-3 (c), §3-10-3(d), and §3-10-3(e) of this code.

(b) Any vacancy occurring in the offices of Justice of the Supreme Court of Appeals, judge of a circuit court, or judge of a family court is filled by the Governor of the state by appointment and, if the unexpired term be for a period of more than two years, by a subsequent election to fill the remainder of the term, as required by §3-10-3(d) of this code. If an election is required under §3-10-3(d) of this code, the Governor, circuit court, or the chief judge thereof in vacation, is responsible for the proper proclamation by order and notice required by §3-10-1 of this code.

(c) Any vacancy in the office of magistrate is appointed according to the provisions of §50-1-6 of this code, and, if the unexpired term be for a period of more than two years, by a subsequent election to fill the remainder of the term, as required by §3-10-3(d) of this code.

(d) (1) When the vacancy in the office of Justice of the Supreme Court of Appeals, judge of the circuit court, judge of a family court, or magistrate occurs after the 84th day before a general election, and the affected term of office ends on December 31 following the succeeding general election two years later, the person appointed to fill the vacancy shall continue in office until the completion of the term.

(2) When the vacancy occurs before the close of the candidate filing period for the primary election, and if the unexpired term be for a period of greater than two years, the vacancy shall be

filled by election in the nonpartisan judicial election held concurrently with the primary election and the appointment shall continue until a successor is elected and certified.

(3) When the vacancy occurs after the close of candidate filing for the primary election and not later than 84 days before the general election, and if the unexpired term be for a period of greater than two years, the vacancy shall be filled by election in a nonpartisan judicial election held concurrently with the general election, and the appointment shall continue until a successor is elected and certified.

(e) When an election to fill a vacancy is required to be held at the general election, according to the provisions of §3-10-3(d) of this code, a special candidate filing period shall be established. Candidates seeking election to any unexpired term for Justice of the Supreme Court of Appeals, judge of a circuit court, judge of the family court, or magistrate shall file a certificate of announcement and pay the filing fee no earlier than the first Monday in August and no later than 77 days before the general election.

### **§3-10-4. Vacancies in representation in United States Congress.**

(a) (1) If there is a vacancy in the representation from this state in the House of Representatives in the Congress of the United States, the Governor shall, within five days after the fact comes to his or her knowledge, issue a proclamation setting dates for a special general election that is not less than 84 nor more than 120 days from the date of the vacancy and requiring nomination of candidates as provided in §3-10-4(a)(2) of this code: *Provided*, That no such proclamation may be made nor may a special election be held if the vacancy occurs after the 84th day prior to the regularly scheduled general election for a new full term of the office. The election shall follow the requirements of §3-10-1 of this code that are not in conflict with this section.

(2) The party executive committees for the congressional district for which there is a vacancy shall each, within 30 days of the Governor's proclamation, nominate a candidate to stand at the general election required by §3-10-4(a)(1) of this code.

(b) If there is a vacancy in the representation from this state in the Senate of the United States Congress, the vacancy shall be filled by the Governor of the state by appointment. ~~and: The Governor shall make the appointment from a list of three legally qualified persons submitted by the party executive committee of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time the vacancy occurred. The list of qualified persons to fill the vacancy shall be submitted to the Governor within 15 days after the vacancy occurs, and the Governor shall duly make his or her appointment to fill the vacancy from the list of legally qualified persons within five days after the list is received. If the list is not submitted to the Governor within the 15-day period, the Governor shall appoint, within five days thereafter, a legally qualified person of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time the vacancy occurred.~~

#### Furthermore,

(1) If the vacancy occurs on or before the primary cutoff date, then an election shall be held pursuant to §3-10-1 of this code; or

(2) If the vacancy occurs after the primary cutoff date, but on or before the general cutoff date, then the Governor shall issue a proclamation providing for: (A) A special filing period; (B) a special primary election to be held in conjunction with the upcoming general election; and (C) a special

general election to be held not less than 84 nor more than 120 days following the date of the special primary election. Each election shall follow the requirements of §3-10-1 of this code that are not in conflict with this section.

### **§3-10-5. Vacancies in state Legislature.**

(a) Any vacancy in the office of state senator or member of the House of Delegates shall be filled by appointment by the Governor, from a list of three legally qualified persons submitted by the party executive committee of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time the vacancy occurred. The list of qualified persons to fill the vacancy shall be submitted to the Governor within 15 days after the vacancy occurs and the Governor shall duly make his or her appointment to fill the vacancy from the list of legally qualified persons within five days after the list is received. If the list is not submitted to the Governor within the 15-day period, the Governor shall appoint within five days thereafter a legally qualified person of the same political party as ~~the person vacating the office with which the person holding the office immediately preceding the vacancy was affiliated at the time the vacancy occurred~~.

(b) In the case of a member of the House of Delegates, the list shall be submitted by the party executive committee of the delegate district in which the vacating member resided at the time of his or her election or appointment. The appointment to fill a vacancy in the House of Delegates is for the unexpired term.

(c) In the case of a state senator, the list shall be submitted by the party executive committee of the state senatorial district in which the vacating senator resided at the time of his or her election or appointment. The appointment to fill a vacancy in the state Senate is for the unexpired term, unless §3-10-1 of this code requires a subsequent election to fill the remainder of the term, which shall follow the procedure set forth in said section.

### **§3-10-7. Vacancies in offices of county commissioner and clerk of county commission.**

~~(a) Any vacancy in the office of county commissioner or clerk of county commission shall be filled by the county commission of the county, unless the number of vacancies in a county commission deprive that body of a quorum, in which case the Governor of the state shall fill any vacancy in the county commission necessary to create a quorum thereof. Persons appointed shall be of the same political party as the officeholder vacating the office for the period stated by section one of this article. If a quorum of the county commission cannot agree upon a person to fill a vacancy in the office of county commissioner within thirty days of the date the vacancy first occurred, the county executive committee of the vacating county commissioner's political party shall select and name a person to fill the vacancy from the membership of the vacating county commissioner's political party. The clerk shall be appointed within thirty days of the vacancy. Any vacancy in the office of county commissioner or clerk of county commission shall be filled by appointment by the county commission. The appointee must be a person of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time the vacancy occurred: *Provided*, that at the time of appointment, the appointee must have been a member of that political party for at least sixty days prior to the occurrence of the vacancy.~~

(b) If a quorum of the county commission fails to make an appointment within 30 days, the county executive committee of the same political party with which the person holding the office preceding the vacancy was affiliated at the time the vacancy occurred, shall submit a list of three

legally qualified persons to fill the vacancy. Within 15 days from the date on which the list is received, the county commission shall appoint a candidate from the list to fill the vacancy. If the county commission fails to make the appointment within the specified time, then the county commissioner with the longest tenure shall eliminate one name from the submitted list, followed by the county commissioner with the second-longest tenure then eliminating one name from the submitted list. The name remaining after those two names have been eliminated shall be deemed to be appointed by the county commission to fill the vacancy.

(c) If the number of vacancies in a county commission deprives that body of a quorum, the Governor shall make an appointment to fill any vacancy in the county commission necessary to create a quorum, from a list of three legally qualified persons submitted by the party executive committee of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time the vacancy occurred. The Governor shall make any appointments necessary, beginning with the vacancy first created, to create a quorum in accordance with the same procedures applicable to county commissions under §3-10-7(a) of this code. Once a quorum of the county commission is reestablished by gubernatorial appointment, the authority to fill the remaining vacancies shall be filled in the manner prescribed in §3-10-7(a) of this code.

(d) An appointment made pursuant to this section is for the period of time provided in §3-10-1 of this code.

~~(b)~~ (e) Notwithstanding any code provision to the contrary, a county commission may appoint a temporary successor to the office of clerk of the county commission until the requirements of this section have been met. The temporary successor may serve no more than 30 days from the date of the vacancy.

~~(e)~~ (f) If an election is necessary under §3-10-1 of this code, the county commission, or the president thereof in vacation, shall be responsible for the proper proclamation, by order, and notice required by §3-10-1 of this code.

~~(d)~~ (g) §3-10-1 of this code shall be followed with respect to any election needed to fill a vacancy, except that if the vacancy occurs after the primary cutoff date but not later than the general cutoff date, candidates to fill the vacancy shall be nominated by the county executive committee in the manner provided in §3-5-19 of this code, as in the case of filling vacancies in nominations, and the names of the persons, so nominated and certified to the clerk of the county commission of the county, shall be placed upon the ballot to be voted at the next general election.

~~(e)~~ (h) If the election for an unexpired term is held at the same time as the election for a full term for county commissioner, the full term shall be counted first and the unexpired term shall be counted second. If the candidate with the highest number of votes for the unexpired term resides in the same magisterial district as the candidate with the highest number of votes for the full term, the candidate for the full term shall be seated. The candidate with the next highest number of votes for the unexpired term residing in a different magisterial district shall be seated for the unexpired term.

On motion of Senator Palumbo, the following amendments to the Judiciary committee amendment to the bill (Eng. Com. Sub. for H. B. 3004) was next reported by the Clerk:

On page one, section three, lines seven and eight, by striking out the words “the vacancy occurred” and inserting in lieu thereof the words “he or she was most recently elected to the position or, if not elected, at the time of his or her appointment”;

On page one, section three, lines thirteen and fourteen, by striking out the words “the vacancy occurred” and inserting in lieu thereof the words “he or she was most recently elected to the position or, if not elected, at the time of his or her appointment”;

On page three, section four, line sixteen, by striking out the words “the vacancy occurred” and inserting in lieu thereof the words “he or she was most recently elected to the position or, if not elected, at the time of his or her appointment”;

On page three, section four, line twenty-two, by striking out the words “the vacancy occurred” and inserting in lieu thereof the words “he or she was most recently elected to the position or, if not elected, at the time of his or her appointment”;

On page four, section five, line four, by striking out the words “the vacancy occurred” and inserting in lieu thereof the words “he or she was most recently elected to the position or, if not elected, at the time of his or her appointment”;

On page four, section five, line eleven, by striking out the words “the vacancy occurred” and inserting in lieu thereof the words “he or she was most recently elected to the position or, if not elected, at the time of his or her appointment”;

On page five, section seven, line fourteen, by striking out the words “the vacancy occurred” and inserting in lieu thereof the words “he or she was most recently elected to the position or, if not elected, at the time of his or her appointment”;

On page five, section seven, line nineteen, by striking out the words “the vacancy occurred” and inserting in lieu thereof the words “he or she was most recently elected to the position or, if not elected, at the time of his or her appointment”;

And,

On page six, section seven, line thirty-one, by striking out the words “the vacancy occurred” and inserting in lieu thereof the words “he or she was most recently elected to the position or, if not elected, at the time of his or her appointment”.

Following discussion,

The question being on the adoption of Senator Palumbo’s amendment to the Judiciary committee amendment to the bill, the same was put and did not prevail.

The question now being on the adoption of the Judiciary committee amendment to the bill, the same was put and prevailed.

The bill (Eng. Com. Sub. for H. B. 3004), as amended, was then ordered to third reading.

**Eng. Com. Sub. for House Bill 4242**, Clarifying the jurisdictional amount for removal of a civil action from magistrate court to circuit court.

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

The end of today's second reading calendar having been reached, the Senate returned to the consideration of

**Eng. Com. Sub. for Com. Sub. for Senate Joint Resolution 3**, Judicial Budget Oversight Amendment.

On third reading, coming up in deferred order, with Senator Trump's amendments to the resolution pending (*shown in the Senate Journal of today, page 58*), was again reported by the Clerk.

The question being on the adoption of Senator Trump's amendments to the resolution.

At the request of Senator Trump, and by unanimous consent, Senator Trump's amendments to the resolution were withdrawn.

On motion of Senator Trump, the following amendments to the resolution (Eng. Com. Sub. for Com. Sub. for S. J. R. 3) were reported by the Clerk, considered simultaneously, and adopted:

On page four, Subsection D, line nine, after the word "except" by inserting the words "the matters detailed in section fourteen, article seven of this Constitution and";

And,

On page five, Subsection D, line seven, by striking out the words "the members, become law" and inserting in lieu thereof "such members, shall become law".

The resolution, as just amended, was again ordered to engrossment.

Engrossed Committee Substitute for Committee Substitute for Senate Joint Resolution 3 was then read a third time and put upon its adoption.

On the adoption of the resolution, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Mann, Plymale, and Woelfel—3.

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

**Eng. Com. Sub. for Com. Sub. for Senate Joint Resolution 3**—Proposing an amendment to the Constitution of the State of West Virginia, amending section 51, article VI thereof, relating to the authority of the Legislature with regard to the state budget; giving the Legislature the authority to reduce items in the budget relating to the judiciary; providing that the Legislature may not make any law that conditions an increase or decrease of an item relating to the judiciary upon a particular ruling, order, or decision of a court of this state; amending obsolete language

regarding when the Governor shall submit the budget to the Legislature and matters that may be considered during an extended session, to accurately reflect current constitutional requirements; making numerous technical corrections; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the resolution (Eng. Com. Sub. for Com. Sub. for S. J. R. 3) adopted, as follows:

**Eng. Com. Sub. for Com. Sub. for Senate Joint Resolution 3**—Proposing an amendment to the Constitution of the State of West Virginia, amending section 51, article VI thereof, relating to the authority of the Legislature with regard to the state budget; giving the Legislature the authority to reduce items in the budget relating to the judiciary; providing that the Legislature may not make any law that conditions an increase or decrease of an item relating to the judiciary upon a particular ruling, order, or decision of a court of this state; amending obsolete language regarding when the Governor shall submit the budget to the Legislature and matters that may be considered during an extended session, to accurately reflect current constitutional requirements; making numerous technical corrections; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

*Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:*

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2018, which proposed amendment is that section 51, article VI thereof be amended to read as follows:

#### ARTICLE VI.

#### **§51. Budget and supplementary appropriation bills.**

The Legislature ~~shall~~ may not appropriate any money out of the treasury except in accordance with the provisions of this section.

##### **Subsection A – Appropriation Bills**

(1) Every appropriation bill shall be either a budget bill, or a supplementary appropriation bill. ~~as hereinafter provided~~

##### **Subsection B – Budget Bills**

(2) ~~Within ten days after the convening of the regular session of the Legislature in odd-numbered years, unless such time shall be extended by the Legislature, On the second Wednesday of February in the year 2021 and every fourth year thereafter and on the second Wednesday of January in even-numbered~~ all other years, ~~unless a later time in any year be fixed by the Legislature,~~ the Governor shall submit to the Legislature a budget for the next ensuing fiscal year. The budget shall contain a complete plan of proposed expenditures and estimated revenues for the fiscal year and shall show the estimated surplus or deficit of revenues at the end of each fiscal year. Accompanying each budget shall be a statement showing: (a) An estimate of the revenues and expenditures for the current fiscal year, including the actual revenues and actual



expenditures to the extent available, and the revenues and expenditures for the next preceding fiscal year; (b) the current assets, liabilities, reserves, and surplus or deficit of the state; (c) the debts and funds of the state; (d) an estimate of the state's financial condition as of the beginning and end of the fiscal year covered by the budget; and (e) any explanation the Governor may desire to make as to the important features of the budget and any suggestions as to methods for reduction or increase of the state's revenue.

(3) Each budget shall embrace an itemized estimate of the appropriations, in ~~such~~ the form and detail as the Governor shall determine or as may be prescribed by law: (a) For the Legislature as certified to the Governor in the manner hereinafter provided; (b) for the executive department; (c) for the judiciary department, as provided by law, certified to the Governor by the Auditor; (d) for payment and discharge of the principal and interest of any debt of the state created in conformity with the constitution, and all laws enacted in pursuance thereof; (e) for the salaries payable by the state under the constitution and laws of the state; and (f) for ~~such~~ other purposes as are set forth in the constitution and in laws made in pursuance thereof.

(4) The Governor shall deliver to the presiding officer of each house the budget and a bill for all the proposed appropriations of the budget clearly itemized and classified, in ~~such~~ the form and detail as the Governor shall determine or as may be prescribed by law; and the presiding officer of each house shall promptly cause the bill to be introduced therein, and ~~such~~ the bill shall be known as the "Budget Bill". The Governor may, with the consent of the Legislature, before final action thereon by the Legislature, amend or supplement the budget to correct an oversight, or to provide funds contingent on passage of pending legislation, and in case of an emergency, he or she may deliver ~~such an~~ the amendment or supplement to the presiding officers of both houses; and the amendment or supplement ~~shall thereby become~~ becomes a part of the budget bill as an addition to the items of the bill or as a modification of or a substitute for any item of the bill the amendment or supplement may affect.

(5) The Legislature ~~shall~~ may not amend the budget bill so as to create a deficit but may amend the bill by increasing or decreasing any item therein: ~~Provided, That no item relating to the judiciary shall be decreased,~~ Provided, That the Legislature may not make any law that conditions the increase or decrease of an item relating to the judiciary upon a particular ruling, order, or decision of a court of this state and except as otherwise provided in this constitution, the salary or compensation of any public officer ~~shall~~ may not be increased or decreased during his or her term of office: ~~Provided, however, That the Legislature shall~~ may not increase the estimate of revenue submitted in the budget without the approval of the Governor.

(6) The Chief Justice of the Supreme Court of Appeals and the Governor and such representatives of the executive departments, boards, officers, and commissions of the state expending or applying for state moneys as have been designated by the Governor for this purpose ~~shall have the right~~ may, and when requested by either house of the Legislature it ~~shall be~~ is their duty to, appear and be heard with respect to any budget bill, and to answer inquiries relative thereto.

### **Subsection C – Supplementary Appropriation Bills**

(7) Neither house shall consider other appropriations until the budget bill has been finally acted upon by both houses, and no ~~such~~ other appropriations ~~shall be~~ are valid except: ~~in accordance with the provisions following~~ (a) Every ~~such~~ appropriation shall be embodied in a separate bill limited to some single work, object, or purpose ~~therein stated and called therein~~ in the bill and called a supplementary appropriation bill; and (b) each supplementary appropriation bill shall

provide the revenue necessary to pay the appropriation ~~thereby~~ made by a tax, direct or indirect, to be laid and collected as ~~shall be directed~~ in the bill unless it appears from ~~such~~ the budget that there is sufficient revenue available.

#### **Subsection D – General Provisions**

(8) If the budget bill ~~shall not have~~ has not been finally acted upon by the Legislature three days before the expiration of its regular session, the Governor shall issue a proclamation extending the session for ~~such further~~ an additional period as may, in his or her judgment, be necessary for the passage of the bill; but no matter other than the bill ~~shall~~ may be considered during such an extension of a session except the matters detailed in section 14, article VII of this Constitution and a provision for the cost ~~thereof~~ of the session.

(9) For the purpose of making up the proposed budget, the Governor shall ~~have the power and it shall be his duty, to~~ require from the proper state officials, including ~~herein~~ all executive departments, all executive and administrative officers, bureaus, boards, commissions, and agencies expending or supervising the expenditure of, and all institutions applying for state moneys and appropriations, ~~such~~ itemized estimates and other information, in ~~such~~ the form and at ~~such~~ times as he ~~shall direct~~ or she directs. The estimates for the legislative department, certified by the presiding officer of each house, and for the judiciary, as provided by law, certified by the Auditor, shall be transmitted to the Governor in ~~such~~ the form and at ~~such times as he shall direct~~ the time he or she directs and shall be included in the proposed budget.

(10) The Governor may provide for public hearings on all estimates and may require the attendance ~~at such hearings~~ of representatives of all agencies and all institutions applying for state moneys at the hearings. After ~~such~~ the public hearings ~~he~~ the Governor may, in his or her discretion, revise all estimates except those for the legislative and judiciary departments.

(11) Every budget bill or supplementary appropriation bill passed by a majority of the members elected to each house of the Legislature shall, before it becomes a law, be presented to the Governor. The Governor may veto the bill, or he or she may disapprove or reduce items or parts of items contained therein. If ~~he~~ the Governor approves, he or she shall sign it and ~~thereupon upon signing it, shall become the bill becomes~~ a law. The bill, items or parts thereof, disapproved or reduced by the Governor, shall be returned with his or her objections to each house of the Legislature.

Each house shall enter the objections at large upon its journal and proceed to reconsider. If, after reconsideration, two thirds of the members elected to each house agree to pass the bill, or ~~such~~ the items or parts thereof, as were disapproved or reduced, the bill, items or parts thereof, approved by two thirds of such members, shall become law, notwithstanding the objections of the Governor. In all such cases, the vote of each house shall be determined by yeas and nays to be entered on the journal.

A bill, item or part thereof, which is not returned by the Governor within five days (Sundays excepted) after the bill has been presented to him ~~shall become~~ or her becomes a law ~~in like manner~~ as if he or she had signed the bill, unless the Legislature, by adjournment, prevents ~~such~~ the return, in which case it shall be filed in the office of the Secretary of State, within five days after such the adjournment, and ~~shall become~~ becomes a law; or ~~it shall be so filed~~ the Governor may file the bill within ~~such~~ five days (Sundays excepted) with ~~the~~ his or her objections, ~~of the governor in which case it shall become~~ the bill becomes law to the extent not disapproved by the Governor.

(12) The Legislature may, from time to time, enact ~~such~~ laws, not inconsistent with this section, ~~as may be~~ it considers necessary and proper to carry out ~~it's~~ the provisions of this section.

(13) In the event of ~~any~~ an inconsistency between ~~any of the~~ provisions of this section and ~~any of the~~ other provisions of the constitution, the provisions of this section ~~shall~~ prevail. ~~But nothing herein shall be construed as preventing~~ However, this section does not prevent the Governor from calling extraordinary sessions of the Legislature, as provided by section nineteen of this article, ~~or as preventing~~ nor prevents the Legislature at ~~such~~ extraordinary sessions from considering ~~any~~ an emergency appropriation or appropriations.

(14) If ~~any~~ an item of ~~any~~ an appropriation bill passed under the provisions of this section ~~shall~~ be is held invalid upon any ground, ~~such~~ the invalidity ~~shall~~ does not affect the legality of the bill or of any other item of ~~such~~ the bill or bills.

*Resolved further*, That in accordance with the provisions of article eleven, chapter three of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment No. 1" and designated as the "Judicial Budget Oversight Amendment" and the purpose of the proposed amendment is summarized as follows: "Giving the Legislature the authority to reduce items in the budget related to the judiciary and preventing the Legislature from making any law that conditions the increase or decrease of items related to the judiciary on a ruling, order, or decision of a court."

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

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:

**Senate Bill 47**, Requiring Defense Department advocacy groups be notified in abuse or neglect of military person's child.

**Com. Sub. for Senate Bill 87**, Allowing purchase of Class XS resident senior hunting, fishing and trapping licenses at age 65.

**Com. Sub. for Senate Bill 415**, Permitting wagering on certain professional or collegiate sports events authorized as WV Lottery Sports Wagering activities.

**Senate Bill 444**, Repealing antiquated code sections regarding safety glass and lighting in motor vehicles.

And,

**Com. Sub. for Senate Bill 510**, Designating hospitals for stroke treatment.

On motion of Senator Ferns, at 6:40 p.m., the Senate recessed for 10 minutes.

**Night Session**

The Senate reconvened at 7:15 p.m. tonight and proceeded to the thirteenth order of business.

At the request of Senator Rucker, the name of Senator Rucker was removed as a sponsor of **Senate Bill 545** (*Relating to driving privileges and requirements for persons under 18*).

At the request of Senator Ojeda, and by unanimous consent, Senator Ojeda addressed the Senate regarding the West Virginia Supreme Court of Appeals spending.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Ferns, at 7:27 p.m., the Senate adjourned until tomorrow, Friday, February 16, 2018, at 11 a.m.

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## SENATE CALENDAR

Friday, February 16, 2018  
11:00 AM

### UNFINISHED BUSINESS

- S. C. R. 23 - Betty Jo Delong Memorial Bridge
- S. C. R. 24 - Requesting study by Joint Committee on Children and Families regarding efficiency of organizations within DHHR
- S. C. R. 25 - US Army PFC O. T. (Teaberry) Mullins Memorial Bridge
- S. C. R. 26 - US Army PFC Thomas Mayford Martin Memorial Bridge
- S. C. R. 27 - US Army CPL F. Lee Noel Memorial Bridge

### THIRD READING

- Eng. Com. Sub. for Com. Sub. for S. B. 273 - Reducing use of certain prescription drugs (original similar to HB4263)
- Eng. S. B. 339 - Relating to WV Retirement Health Benefit Trust Fund within PEIA (original similar to HB4272)
- Eng. Com. Sub. for S. B. 358 - Imposing fee for processing criminal bonds
- Eng. S. B. 398 - Relating to requirements for making consumer loans
- Eng. Com. Sub. for S. B. 495 - Designating specific insurance coverages exempt from rate filing requirements
- Eng. S. B. 498 - Creating two-year pilot program allowing all-terrain or recreational vehicles in Cabwaylingo State Forest
- Eng. Com. Sub. for H. B. 3004 - Relating to filling vacancies in offices of state officials, United States Senators, Justices, judges, and magistrates - (Com. title amend. pending)
- Eng. Com. Sub. for H. B. 4242 - Clarifying the jurisdictional amount for removal of a civil action from magistrate court to circuit court

### SECOND READING

- S. B. 47 - Requiring Defense Department advocacy groups be notified in abuse or neglect of military person's child - (Com. amend. pending)

Com. Sub. for S. B. 87 -	Allowing purchase of Class XS resident senior hunting, fishing and trapping licenses at age 65
Com. Sub. for S. B. 415 -	Permitting wagering on certain professional or collegiate sports events authorized as WV Lottery Sports Wagering activities (original similar to HB4396)
S. B. 444 -	Repealing antiquated code sections regarding safety glass and lighting in motor vehicles
Com. Sub. for S. B. 510 -	Designating hospitals for stroke treatment

### **FIRST READING**

Com. Sub. for Com. Sub. for S. B. 319 -	Allowing individuals who completed home schooling be eligible for PROMISE scholarship without equivalent diploma
S. B. 406 -	Clarifying that ground emergency medical transportation is eligible for Medicare and Medicaid reimbursement
Com. Sub. for S. B. 450 -	Collecting and analyzing statistical information pertaining to terminating pregnancies under Medicaid Program
Com. Sub. for S. B. 451 -	Relating generally to hunting and fishing
Com. Sub. for S. B. 475 -	Industrial Hemp Development Act (original similar to HB4500)
S. B. 479 -	Establishing local government monitoring by Auditor
S. B. 494 -	Considering members of State Teachers Retirement System absent while serving as officer with statewide professional association
Com. Sub. for S. B. 512 -	Authorizing certain WV courthouse security officers carry concealed weapons
Eng. H. B. 4380 -	Making a supplementary appropriation to the Department of Agriculture
Eng. H. B. 4381 -	Making a supplementary appropriation to the Department of Education
Eng. H. B. 4384 -	Making a supplementary appropriation to the Department of Transportation
Eng. H. B. 4386 -	Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – Community Mental Health Services

**ANNOUNCED SENATE COMMITTEE MEETINGS**

**Regular Session 2018**

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**Friday, February 16, 2018**

9 a.m.	Workforce	(Room 208W)
9:30 a.m.	Government Organization	(Room 208W)
1 p.m.	Education	(Room 451M)

