

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE
REGULAR SESSION, 2018
FORTY-NINTH DAY

Charleston, West Virginia, Tuesday, February 27, 2018

The Senate met at 11:08 a.m.

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

Prayer was offered by Pastor Chris Lester, Church of Jesus in Pineville, West Virginia, and Chaplain for the Division of Natural Resources Law Enforcement.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Michael A. Woelfel, a senator from the fifth district.

Pending the reading of the Journal of Monday, February 26, 2018,

At the request of Senator Rucker, 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 Clerk presented the following communication from a state agency as required by the provisions of law:

Motor Vehicles, Division of (Motor Vehicle Test and Lock Program) (§17C-5A-3a)

The Senate proceeded to the third order of business.

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 2889—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-14-15a, relating to allowing military veterans with certain military ratings to qualify for examinations required of a probationary police officer.

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 4214—A Bill to amend and reenact §19-1A-3a of the Code of West Virginia, 1931, as amended, and to amend and reenact §61-3-35 of said code, all relating to ginseng; requiring a dealer to keep a photocopy of a valid identification card of all persons involved in a purchase or sale of ginseng, increasing civil and criminal penalties for violations of uncertified ginseng.

Referred to the Committee on the Judiciary.

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

Eng. Com. Sub. for House Bill 4444—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.

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

Eng. House Bill 4465—A Bill to amend and reenact §30-36-2, §30-36-7, §30-36-9, §30-36-10, §30-36-14, §30-36-17 and §30-36-18 of the Code of West Virginia, 1931, as amended, all relating to authorizing the acupuncture board to issue certificates to perform auricular acudetox therapy; defining terms; providing rulemaking and emergency rulemaking authority; requiring certificates; establishing qualifications for certificate holders; providing for the surrender of certificates; limiting scope; prohibiting advertising; and providing for the suspension or revocation of certificates.

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 4481—A Bill to amend and reenact §30-1-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §30-3-14 of said code; to amend and reenact §30-7-11 of said code; to amend and reenact §30-7A-10 of said code; and to amend and reenact §30-14-11 of said code, all relating to the addition of mandatory, inter-board reporting by licensees or registrants of the boards of medicine, osteopathic medicine, registered professional nursing, and practical nursing so that licensees or registrants of those boards must report the professional incompetence or inability to practice of any licensee or registrant of any of those boards.

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. House Bill 4539—A Bill to amend and reenact §7-14D-7 of the Code of West Virginia, 1931, as amended, and to amend said code by adding thereto a new section, designated §7-14D-11a, all relating to providing an annual annuity adjustment of 1 percent for eligible deputy sheriff retirants and surviving spouses; and setting a minimum amount of employer contribution.

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 4546—A Bill to amend and reenact §48-2-102 of the Code of West Virginia, 1931, as amended, relating to where marriage license applicants may apply for a marriage license in this state.

Referred to the Committee on the Judiciary.

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

Eng. Com. Sub. for House Bill 4550—A Bill to repeal §30-27-11a of the Code of West Virginia, 1931, as amended; to amend and reenact §30-27-1 and §30-27-3 of said code; and to amend said code by adding thereto a new section, designated §30-27-8c, all relating to permits issued by the Board of Barbers and Cosmetologists; repealing the requirement for shampoo assistant to have permits; amending defined terms; and authorizing the board to establish an apprenticeship program for cosmetologists.

Referred to the Committee on Government Organization.

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

House Concurrent Resolution 2—Requesting the Division of Highways name bridge number 44-119-20.84 (44A116), locally known as Whiting Electric Arch, carrying U. S. Route 119 over the right fork of Spring Creek in Roane County, the “U. S. Marine Corps PFC James Ralph Heeter Memorial Bridge”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 4—Requesting the Division of Highways to name bridge number 13-92-0.01 (13A173), locally known as Wades Creek Bridge, carrying WV 92 over Wades Creek in Greenbrier County, the “U. S. Army SPC4 Gary Wayne Morgan Memorial Bridge”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 9—Requesting the Division of Highways to name bridge number 44-36-14.61 (44A079) locally known as the Looneyville Bridge, carrying WV Route 36 over Pocatalico River in Roane County, the “U. S. Air Force Major Neil L. Ferrell Memorial Bridge”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 25—Requesting the Division of Highways to name the bridge on WV Route 14 over Slate Creek, bridge number 54-14-0.64 (54A193), locally known as Slate Bridge, in Wood County, the “U. S. Army SPC David A. Hess Memorial Bridge”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 35—Requesting the Division of Highways to name bridge number 21-33-21.23 EB-WB (21A093, 52), locally known as Gladly Fork W-Beam bridge (EB & WB), carrying US 33 over Stonecoal Creek in Lewis County, the “USMC LCpl George W. Henry, Jr. Memorial Bridge”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 61—Requesting the Division of Highways to name bridge number 22-37/2-3.40 (22A125), locally known as Sulphur Springs Fork Bridge #1, carrying County Route 37/2 over Fourteenmile Creek in Lincoln County the “U. S. Army PFC Cornelious Wiley Memorial Bridge”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 65 —Requesting the Division of Highways to name the road from the mouth of Harts Creek on Harts Creek Road 1.2 miles to Warrens Way off SR 10 on CR 19, Lincoln County, the “U. S. Army CPL George Browning Memorial Road”.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 68—Requesting the Division of Highways to name a 2.5-mile portion of Rt.19 beginning at CR 19/1 and ending at CR 70, the “U. S. Army SGT Douglas Thompson Memorial Road”.

Referred to the Committee on Transportation and Infrastructure.

The Senate proceeded to the fourth order of business.

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

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2483, Requiring the Division of Juvenile Services to transfer to a correctional facility or regional jail any juvenile in its custody that has been transferred to adult jurisdiction of the circuit court and who reaches his or her eighteenth birthday.

And has amended same.

And,

Eng. Com. Sub. for House Bill 2916, Authorizing certain first responders to carry firearms.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

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

Your Committee on Finance has had under consideration

Eng. Com. Sub. for House Bill 2694, Relating to the development and implementation of a program to facilitate commercial sponsorship of rest areas.

Eng. Com. Sub. for House Bill 2890, Establishing a Library Facilities Improvement Fund that will serve to support library facilities construction, maintenance and improvement projects.

And,

Eng. House Bill 4433, Declaring certain claims against an agency of the state to be moral obligations of the state.

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

Respectfully submitted,

Craig Blair,
Chair.

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

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2696, Relating to crossbow hunting.

And has amended same.

And,

Eng. Com. Sub. for House Bill 4138, Requiring certain public or private schools and daycare centers to install carbon monoxide detectors.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

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

Your Committee on Health and Human Resources has had under consideration

Eng. Com. Sub. for House Bill 4035, Creating a legislative coalition to study and report to the Legislature on palliative care.

And has amended same.

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

Respectfully submitted,

Tom Takubo,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary, with amendments from the Committee on Health and Human Resources pending.

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

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 4079, Promulgating administrative rules by various executive or administrative agencies of the state.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

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

Your Committee on Banking and Insurance has had under consideration

Eng. Com. Sub. for House Bill 4175, Preventing requirement that an advanced practice registered nurse participate in a collaborative relationship to obtain payment.

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

Respectfully submitted,

Michael T. Azinger,
Chair.

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

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 4207, Authorizing an online application to receive a commission to act as a notary public, and eliminating the bond requirement.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

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

Your Committee on Health and Human Resources has had under consideration

Eng. House Bill 4332, Relating to home peritoneal renal dialysis.

And has amended same.

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

Respectfully submitted,

Tom Takubo,
Chair.

The Senate proceeded to the sixth order of business.

Senators Cline, Baldwin, Clements, Jeffries, Smith, Swope, Woelfel, Beach, Plymale, Stollings, and Boso offered the following resolution:

Senate Concurrent Resolution 41—Requesting the Division of Highways to place signs at the following Interstate exits in Beckley: I-77 north bound at mile marker 42.5, I-77 south bound at mile marker 47.8, and I-64 west bound at mile marker 125.2, in Raleigh County, West Virginia, signifying Beckley as the “Home of Coach Bob Bolen Mountain State University 2004 NAIA Champions”.

Whereas, Coach Bob Bolen was born August 28, 1963, in Beckley; and

Whereas, From 1986 to 1988, Coach Bolen was a mathematics teacher and head boys’ basketball coach at Park School in Beckley, where his record was 31-5 and they were regular season champions; and

Whereas, From 1989 to 1993, Coach Bolen was head coach, junior varsity/assistant varsity at Woodrow Wilson High School in Beckley, where in 1990, 1992, and 1993 they were AAA state champions; and

Whereas, From 1993 to 2012, Coach Bolen was director of athletics and head men’s basketball coach at Mountain State University in Beckley. From 2013 to 2015, he was assistant basketball coach at East Tennessee State University. Beginning in 2015 to the present, he has served as an ESPN analyst and Marshall University TV analyst; and

Whereas, Coach Bolen was head coach of the only national championship won by a men’s basketball team in West Virginia in the last 71 years. He holds the most all-time wins for a collegiate coach in West Virginia, with 489 wins. He has the highest winning percentage of any coach at any collegiate level this decade, winning 87 percent of his games; and

Whereas, Coach Bolen’s record include: A career record 489 wins with 125 losses; 2010 NABC NAIA National Coach of the Year; 2004 NABC NAIA National Coach of the Year; 2004 West Virginia College Coach of the Year; 2004 Basketball Times National Coach of the Year; Regional Independent Coach of the year, 13 times; ranked #1 48 times since 2000 NAIA National Poll; forty-nine consecutive weeks ranked in the top 5 in the country; twelve consecutive 25-win seasons, 2001 – 2012; Number 1 scoring offense in country, six times; Top 5 scoring offense in country for 17 consecutive seasons; and number 1 field goal percentage defense, three times; and

Whereas, Coach Bolen’s collegiate yearly records are:

2011 – 2012	26-9 Record, NAIA Final Four
2010 – 2011	33-4 Record, NAIA National Tournament Runner Up
2009 – 2010	29-3 Record, #3 NAIA Final National Poll, NAIA “Sweet 16”

2008 – 2009	28-5 Record, #3 NAIA Final National Poll, NAIA “Sweet 16”
2007 – 2008	34-3 Record, NAIA National Tournament Runner Up
2006 – 2007	27-6 Record, #4 NAIA Final National Poll;
2005 – 2006	29-3 Record, #1 NAIA Final National Poll, NAIA “Sweet 16”
2004 – 2005	31-4 Record, #1 NAIA Final National Poll, NAIA “Elite 8”
2003 – 2004	38-1 Record, NAIA National Champions
2002 – 2003	32-7 Record, NAIA National Tournament Runner Up
2001 – 2002	27-6 Record, #5 NAIA Final National Poll, Sweet “16”
2000 – 2001	25-5 Record, #6 NAIA Final National Poll
1999 – 2000	22-9 Record, #20 NAIA Final National Poll
1998 – 1999	29-6 Record, #12 NAIA Final National Poll, Sweet “16”
1994 – 1998	79-54 Record, #22 NAIA Final National Poll; and

Whereas, It is fitting that signs be placed at those Beckley exits proclaiming that Beckley is Coach Bolen’s hometown, a man who brought national attention to his city and his state and touched the lives of many athletes, students, fans, and residents of Beckley; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to place signs at the following Interstate exits in Beckley: I-77 north bound at mile marker 42.5, I-77 south bound at mile marker 47.8, and I-64 west bound at mile marker 125.2, in Raleigh County, West Virginia, signifying Beckley as the “Home of Coach Bob Bolen Mountain State University 2004 NAIA Champions”; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying Beckley as the “Home of Coach Bob Bolen Mountain State University 2004 NAIA Champions”; 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 Unger, Rucker, Beach, Plymale, and Stollings offered the following resolution:

Senate Resolution 54—Recognizing Leadership Jefferson for its service, dedication, and commitment to Jefferson County.

Whereas, The objective of Leadership Jefferson is to promote knowledge and awareness of the problems, opportunities, and issues facing Jefferson County; and

Whereas, Leadership Jefferson is designed to provide a series of educational and participatory experiences, as well as an opportunity for dialogue and the development of a correlation among participants to encourage local participation in the growth of Jefferson County; and

Whereas, The membership of Leadership Jefferson includes individuals from nearly every facet of Jefferson County's business, professional, religious, governmental, educational, civic, the arts, organized labor, and minority organizations who demonstrate a commitment to the community; and

Whereas, The 2018 membership of Leadership Jefferson consists of Drew Bartoldson, Hollywood Casino at Charles Town Races; Kevin Brackens, Bros & Bras, Inc.; Olga Byxbee, American Public University Systems; David Colbert, Jefferson County Sheriff's Department; Kathy Collins, WVU Medicine, Jefferson Medical Center; Alison Cox, Bowles Rice LLP; Chris Cox, Kay, Casto, and Chaney, PLLC; Todd Coyle, Appalachian Trail Conservancy; David Dalton, Bank of Charles Town; Whitney Hammons, Hollywood Casino at Charles Town Races; Kim Himes, Bank of Charles Town; Brittany Jenkins, Hospice of the Panhandle; Lesley Johnson, Harpers Ferry National Historic Park; Ryan Levins, Harpers Ferry National Historic Park; Andrew Osantowske, Evans Incorporated; Caleb Pancione, Jefferson Day Report Center; Jessica Robinson, United Bank; Jacqueline Shadle, Jefferson County Commission; Katlin Thorsell, Jefferson County Schools; Vincent Tiong, Jefferson County Sheriff's Department; Jim Wysong, City of Charles Town; Neil Zahradnik, Jefferson County Prosecuting Attorney; and Heather Morgan McIntyre, Jefferson County Chamber of Commerce; therefore, be it

Resolved by the Senate:

That the Senate hereby recognizes Leadership Jefferson for its service, dedication, and commitment to Jefferson County; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the appropriate officials of Leadership Jefferson.

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

On motion of Senator Ferns, at 11:23 a.m., the Senate recessed to present Senate Resolution 54.

The Senate reconvened at 11:26 a.m. today and resumed business under the sixth order.

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

Senate Resolution 55—Congratulating the Cabell Midland Knights girls' soccer team for winning the 2017 Class AAA state championship.

Whereas, The Cabell Midland girls' soccer team had an outstanding year on the pitch, compiling an overall record of 18 wins, 5 losses, and 1 tie; and

Whereas, The Cabell Midland girls' soccer team was led by head coach Andy Wilson, and includes players: Abigail Long, Adrianna Porter, Alexis Knights, Allison Meade, Amelia Carter, Amy Borowski, Arwa Salamen, Ashley McClure, Ashton Lowe, Aubrey Howard-Brown, Eden

Powell, Edwards Emmerson, Elaina Blickenstaff, Ellie Fisher, Emilie Charles, Gabby Hammers, Haley Martin, Hannah Messinger, Harper True, Isabelle Litteral, Kaylee Johnson, Kelly Whitmore, Kystyn Oehlers, Lindsey Keaton, Logan Ward, Maddie Meehling, Madeline Blevins, Madison Risinger, Megan Skean, Natalie Early, Norris Marlee, Rayen Ciccolella, Riley Curry, Ripley Haney, Sienna Weeks, Sophia Anton, Valarie Watts, and Yvonna Majdalani; and

Whereas, The Cabell Midland girls' soccer team displayed their talent and determination for an entire season and is a shining example of what can be accomplished with teamwork, dedication, and spirit; and

Whereas, The 2017 Cabell Midland girls' soccer team will be remembered as one of the best soccer teams in West Virginia history; therefore, be it

Resolved by the Senate:

That the Senate hereby congratulates the Cabell Midland Knights girls' soccer team for winning the 2017 Class AAA state championship; and, be it

Further Resolved, The Clerk is hereby directed to forward a copy of this resolution to the Cabell Midland girls' soccer team.

At the request of Senator Plymale, 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 Woelfel, and by unanimous consent, the remarks by Senator Plymale regarding the adoption of Senate Resolution 55 were ordered printed in the Appendix to the Journal.

Senator Ojeda moved that the Senate Committee on Banking and Insurance be discharged from further consideration of

Eng. Senate Bill 486, Stabilizing PEIA benefits.

Following discussion,

The question being on the adoption of Senator Ojeda's aforestated motion, and on this question, Senator Ojeda demanded the yeas and nays.

Senator Ferns moved that Senator Ojeda's aforestated motion be tabled, and on this question, Senator Ojeda demanded the yeas and nays.

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

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

Absent: Mann—1.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Ferns' aforesaid motion had prevailed and Senator Ojeda's motion was thereafter tabled.

The Senate proceeded to the seventh order of business.

Senate Resolution 53, Recognizing Glenville State College for its efforts in making education more affordable.

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

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

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 82, Including rebuttable presumptions in certain cases for firefighters with regard to workers' compensation.

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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 82) passed.

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

Eng. Com. Sub. for Senate Bill 82—A Bill to amend and reenact §23-4-1 of the Code of West Virginia, 1931, as amended, relating to whom Workers' Compensation Fund is disbursed; including rebuttable presumptions for certain injuries and diseases for professional firefighters; setting eligibility criteria for rebuttable presumptions; setting expiration of rebuttable presumption regarding leukemia, lymphoma, or multiple myeloma arising out of and in the course of employment as a firefighter on July 1, 2023, absent legislative action to the contrary; and eliminating outdated and obsolete language.

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 331, Relating to retirement and pension benefits of certain members of PERS and Teachers Retirement system.

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 Committee Substitute for Senate Bill 331 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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 331) 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 426, Modernizing certain alcohol laws.

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, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Karnes, Maroney, Maynard, Rucker, Swope, Takubo, Trump, Weld, and Carmichael (Mr. President)—17.

The nays were: Azinger, Baldwin, Beach, Drennan, Facemire, Jeffries, Ojeda, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Sypolt, Unger, and Woelfel—16.

Absent: Mann—1.

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. 426) 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 434, Specifying documents not subject to discovery in certain proceedings.

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 434 pass?”

On the passage of the bill, the yeas were: Arvon, Azinger, Blair, Boley, Boso, Clements, Cline, Drennan, Ferns, Gaunch, Karnes, Maroney, Maynard, Palumbo, Plymale, Prezioso, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—27.

The nays were: Baldwin, Beach, Facemire, Jeffries, Ojeda, and Romano—6.

Absent: Mann—1.

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. 434) 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 443, Terminating parental rights when certain conditions are met.

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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 443) passed.

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

Eng. Com. Sub. for Senate Bill 443—A Bill to amend and reenact §49-4-605 of the Code of West Virginia, 1931, as amended, relating to requiring the department to file a petition to terminate parental rights when parents have not had contact or attempted contact with a child in 18 consecutive months from the removal order; and creating exceptions thereto.

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 465, Relating to mandated reporting of child abuse and neglect.

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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 465) 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 506, Deregulating persons who perform work on heating, ventilating, and cooling systems.

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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 506) 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 507, Establishing Katherine Johnson Academy as magnet school programs at WV colleges and universities.

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

Pending discussion,

(Senator Weld in the Chair.)

Pending discussion,

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

Senator Beach moved the previous question, which motion prevailed.

The previous question having been ordered, that being on the passage of Engrossed Committee Substitute for Senate Bill 507.

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

The nays were: Romano—1.

Absent: Mann—1.

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. 507) passed.

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

Eng. Com. Sub. for Senate Bill 507—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-2L-1, §18-2L-2, §18-2L-3, §18-2L-4, §18-2L-5, §18-2L-6, §18-2L-7, §18-2L-8, §18-2L-9, §18-2L-10, §18-2L-11, and §18-2L-12; and to amend said code by adding thereto a new article, designated §18C-9-1, §18C-9-2, §18C-9-3, §18C-9-4, and §18C-9-5, all relating generally to the establishment of the Katherine Johnson Academy as magnet school programs at colleges and universities in West Virginia; defining terms; creating a board of trustees to govern the Katherine Johnson Academy; providing for membership of the board of trustees, the selection of a chair, terms of the trustees, duties and responsibilities, setting of meetings, and establishing trustees to serve without compensation; authorizing the board of trustees to perform certain duties; providing for the appointment of a president; providing for collaboration agreements for the establishment of magnet school programs; providing for restrictions on the amount that may be charged for tuition, fees, and books; authorizing the establishment of residential programs and commuter programs at colleges and universities; establishing the Academy of Mathematics and Science and the Academy for the Performing Arts; requiring the board of trustees to select certain host institutions pursuant to a competitive bidding process; establishing certain minimum eligibility requirements for students; authorizing a host institution to determine admission and enrollment; requiring students accepted and admitted into a magnet school program to receive the PROMISE scholarship; providing for students to receive a scholarship from the Katherine Johnson Scholarship Fund; providing that no county board or college or university will be required to participate in this program; requiring the Katherine Johnson Academy, the State Board of Education, and the Higher Education Policy Commission to promulgate a joint rule for the administration of the Katherine Johnson Academy; establishing the Katherine Johnson Scholarship Fund; providing for state and county support for the Katherine Johnson Scholarship Fund based upon per pupil allocations; defining terms; and providing for rulemaking.

Senator Ferns moved that the bill take effect July 1, 2018.

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

The nays were: Romano—1.

Absent: Mann—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 507) takes effect July 1, 2018.

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 Boso, and by unanimous consent, the remarks by Senator Plymale regarding the passage of Engrossed Committee Substitute for Senate Bill 507 were ordered printed in the Appendix to the Journal.

Eng. Com. Sub. for Senate Bill 514, Enacting Recognition of Emergency Medical Services Personnel Licensure Interstate Compact.

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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 514) passed.

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

Eng. Com. Sub. for Senate Bill 514—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-54-1, §16-54-2, §16-54-3, §16-54-4, §16-54-5, §16-54-6, §16-54-7, §16-54-8, §16-54-9, §16-54-10, §16-54-11, §16-54-12, §16-54-13, §16-54-14, and §16-54-15, all relating to enacting the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact; entering into the compact with all jurisdictions also enacting the compact; stating purpose of Compact; defining terms; identifying member states as home states; retaining authority of member state to require license under circumstances not covered by Compact; setting conditions for home state's license to authorize practice in a remote state under the Compact; requiring member states to recognize licenses issued by another member state under certain conditions; setting requirements for individuals to exercise privilege to practice; setting scope of practice; making individuals practicing in remote states subject to that state's laws; authorizing remote states to take action against individual's privilege to practice within that state under certain circumstances; providing effect of restrictions on license on Compact privileges; setting conditions of practicing in remote state under Compact terms; defining relationship of Compact with Emergency Management Assistance Compact; setting terms and requirements for certification of veterans, certain service members, and their spouses; recognizing exclusive power of home states to impose adverse action against license issued by home state; providing consequences for Compact participation if individual's license is subject to adverse action by home state; requiring member states to report adverse actions against licenses; authorizing states to take action against individual's privilege to practice within that state; requiring home state EMS authority investigate and take appropriate action based on reported conduct in remote state; authorizing alternative programs in lieu of adverse action; authorizing member state's EMS authority to issue subpoenas; authorizing member state's EMS authority to issue certain cease and desist orders; establishing Interstate Commission for EMS Personnel Practice; providing venue; maintaining state sovereign immunity; providing for membership; providing for voting; requiring annual meetings; requiring meetings to be public; providing exceptions; authorizing Commission prescribe bylaws and/or rules to govern conduct; granting certain powers

to Commission; providing for financing for the Commission; making validity of annual assessment against State contingent upon funds being appropriated by the Legislature or otherwise being made available; providing for qualified immunity of certain persons; requiring Commission defend certain persons for actions arising out of actions occurring within the scope of duties related to Commission; requiring Commission indemnify and hold harmless certain persons under certain circumstances; providing for development and maintenance of coordinated database and reporting system; requiring member states provide certain information to coordinated database; requiring notification by coordinated database administrator of adverse action taken against individual in member state; authorizing member state to designate information not to be shared with the public without express permission of contributing state; providing for removal of information from database when required to be expunged; authorizing rulemaking Commission; providing scope of rulemaking; providing procedures for rulemaking; authorizing emergency rulemaking by Commission; providing that Commission rules are not binding on State of West Virginia until they have been authorized as legislative rules; providing timeline and procedure for proposing legislative rules; authorizing emergency rulemaking; directing state government to enforce compact and take necessary actions to effectuate its purposes and intent; directing courts take judicial notice of compact and rules promulgated pursuant to compact; providing procedures for Commission to follow if member state has defaulted; authorizing member state be terminated from Compact under certain conditions; setting terms of termination; authorizing appeal; authorizing mediation and binding dispute resolution between Commission and member state; authorizing enforcement of Compact by Commission; authorizing legal action; establishing venue; providing for venue in West Virginia; providing implementation date for compact; making any state joining after implementation subject to rules as they exist when Compact is adopted; authorizing member state withdraw from compact; maintaining member state authority to enter into licensure or cooperative agreements with nonmember state; authorizing amendment of compact; providing for liberal construction; providing for severability of compact if compact found to violate constitution of member state; directing Emergency Medical Services Advisory Council review decisions of Commission; and authorizing Emergency Medical Services Advisory Council make recommendation to Legislature for withdrawal from Compact.

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 515, Clarifying PSC jurisdiction over water and sewer utilities.

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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 515) 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 545, Relating to driving privileges and requirements for persons under 18.

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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 545) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 545) takes effect from passage.

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

Eng. Senate Bill 557, Relating to Senior Farmers' Market Nutrition Program.

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

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 557) 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 558, Relating to certification requirements for crane operators.

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 558 pass?”

On the passage of the bill, the yeas were: Arvon, Azinger, Blair, Boley, Boso, Clements, Cline, Drennan, Ferns, Gaunch, Karnes, Maroney, Maynard, Rucker, Swope, Sypolt, Takubo, Trump, Weld, and Carmichael (Mr. President)—20.

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

Absent: Mann—1.

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. 558) passed with its title.

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

Eng. Com. Sub. for Senate Bill 572, Creating Farm-to-School Grant Program.

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

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 572) passed with its title.

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

Eng. Com. Sub. for Senate Bill 575, Approving additional beds for intermediate care facilities.

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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 575) 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 597, Prohibiting individuals convicted of domestic violence misdemeanor from conducting private investigation business.

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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 597) passed.

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

Eng. Com. Sub. for Senate Bill 597—A Bill to amend and reenact §30-18-2, §30-18-3, §30-18-5, §30-18-6, and §30-18-10 of the Code of West Virginia, 1931, as amended, all relating to eligibility and application requirements for licenses to conduct private investigation or security guard businesses; prohibiting individuals who have been convicted in this state of a misdemeanor offense of domestic violence, assault against family or household member, or battery against family or household member or who have been convicted in another jurisdiction of a misdemeanor with similar essential elements from being eligible to obtain a license to conduct a private investigation or security guard business; limiting the ineligibility to 10 years following conviction, if the applicant is not convicted of any other crime during that period; setting forth who is to be included as a family or household member; prohibiting individuals from conducting fire or arson investigations who do not satisfy specific criteria; adding criteria for individuals who wish to conduct fire or arson investigations; clarifying that bonds required for private investigation and security guard businesses do not require raised seal certifications; modifying the Secretary of State's rule-making authority and duties to promulgate rules related to private investigation or security guard businesses; and authorizing the Secretary of State to establish advisory boards to encourage representative participation in rule-making.

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 600, Relating to powers and duties of PSC.

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

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

Eng. Com. Sub. for Senate Bill 603, Relating to proceedings for involuntary custody for examination.

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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 603) 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 625, Creating WV Volunteer Fire and Rescue Act of 2018.

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 625 pass?”

Senator Boso requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as he serves as a volunteer firefighter.

The Chair replied that any impact on Senator Boso would be as a member of a class of persons and that he would be required to vote.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

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. 625) 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 Trump, and by unanimous consent, the remarks by Senators Sypolt, Blair, Boso, and Smith regarding the passage of Engrossed Committee Substitute for Senate Bill 625 were ordered printed in the Appendix to the Journal.

Eng. Senate Bill 628, Relating generally to WV Jobs Investment Trust Board.

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 Senate Bill 628 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, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 628) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 261, Transferring certain powers and programs of WV Affordable Housing Trust Fund to WV Housing Development Fund.

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

At the request of Senator Ferns, and by unanimous consent, the bill was advanced to third reading with the right for amendments to be considered on that reading.

Senate Bill 282, Exempting State Conservation Committee from Purchasing Division requirements for contracts related to flood recovery.

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

Senate Bill 295, Relating to Local Powers Act.

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

Com. Sub. for Senate Bill 360, Clarifying oil and gas permits not be on flat well royalty leases.

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

At the request of Senator Ferns, and by unanimous consent, the bill was advanced to third reading with the right for amendments to be considered on that reading.

Com. Sub. for Senate Bill 401, Requiring specified coverage in health benefit plans for treatment of substance abuse disorders.

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

Com. Sub. for Com. Sub. for Senate Bill 402, Creating exemption from certain contract and common carrier laws for motor vehicles.

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 403, Licensing advance deposit wagering.

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 421, Relating to crossbow hunting.

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 442, Establishing universal forms and deadlines when submitting prior authorization electronically.

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 445, Allowing DOH acquire real or personal property for utility accommodation.

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

At the request of Senator Ferns, and by unanimous consent, the bill was advanced to third reading with the right for amendments to be considered on that reading.

Com. Sub. for Senate Bill 448, Relating generally to professional associations.

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

Senate Bill 452, Exempting hunting license information from public disclosure.

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

Com. Sub. for Com. Sub. for Senate Bill 472, Providing funds to DHHR for local boards of health employee pay raises.

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

Senate Bill 485, Terminating Workers Compensation Debt Reduction Fund assessment on self-insured employers.

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 504, Excluding seasonal amusement park workers from definition of "employee".

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 508, Establishing State Trail Authority.

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

Senate Bill 530, Requiring Secretary of State provide database for registered corporations and sole proprietorship.

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

Senate Bill 531, Eliminating required waiting period for municipal court notifications to DMV.

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 534, Increasing penalty for tobacco-related offenses on public school property.

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

Com. Sub. for Senate Bill 548, Authorizing county commissions to pay election officials.

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

Senate Bill 551, Relating to failure of employers to make contributions on behalf of employees to retirement plan administered by CPRB.

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

At the request of Senator Karnes, as chair of the Committee on Pensions, and by unanimous consent, the unreported Pensions committee amendment to the bill was withdrawn.

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:

CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL; BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES, COMMISSIONS, OFFICES, PROGRAMS, ETC.

ARTICLE 10D. CONSOLIDATED PUBLIC RETIREMENT BOARD.

§5-10D-13. Withholding state and county money to satisfy delinquencies.

(a) If any employer participating in a retirement plan, administered by the Consolidated Public Retirement Board pursuant to §5-10D-1 et seq. of this code, fails to make any payment due to the retirement system for a period of 60 days after the payment is due, the participating employer shall become delinquent, and such delinquency shall be certified by the Consolidated Public Retirement Board to the State Auditor, the county commission of the county in which the participating employer is located, and the sheriff of the county in which the participating employer is located. If any participating employer becomes delinquent as provided herein, the State Auditor, county commission, or sheriff is authorized and directed to withhold any money due such participating employer by the state or county until such delinquency, together with regular interest thereon, from the date due until the delinquency is satisfied. The money withheld by the State Auditor, county commission, or sheriff shall be paid to the applicable retirement system on behalf of the participating employer.

(b) The Consolidated Public Retirement Board, 30 days prior to certifying delinquency under this section, shall provide notice to the participating employer.

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 10. CRIMES AGAINST PUBLIC POLICY.

§61-10-20. Failure of employers to provide certain benefits for employees.

(a) In addition to any other penalty or punishment otherwise prescribed by law, any employer who is party to an agreement to pay or provide benefits or wage supplements and who without reasonable justification willfully fails or refuses to pay the amount or amounts necessary to provide such benefits or furnish such supplements within 30 days after such payments are required to be made shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$100 nor more than \$500. When such employer is a corporation, the president, secretary, treasurer, or officer exercising responsibility for such nonpayment shall be guilty of the offense prohibited by this section.

(b) Any person who is responsible for ensuring that an entity complies with the requirements of a retirement plan administered by the Consolidated Public Retirement Board pursuant to §5-10D-1 et seq. of this code who knowingly and willfully fails to make employee or employer contributions to the retirement plan for a period of 60 days after the payment is due shall be guilty of a misdemeanor and, upon conviction of a first offense thereof, shall be fined not less than \$100 nor more than \$500 or shall be confined in jail for not more than six months, or both fined and confined.

(c) Conviction of a violation of §61-10-20(b) of this code constitutes prima facie evidence of official misconduct.

On motion of Senator Trump, the following amendment to the Judiciary committee amendment to the bill (S. B. 551) was reported by the Clerk and adopted:

On page two, section twenty, subsection (b), by striking out the words “of a first offense.”

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

The bill (S. B. 551), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 556, Creating small business and minority populations economic and workforce development taskforce to assist Economic Development Authority.

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 565, Clarifying authority of State Fire Commission.

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 567, Including treason, murder, armed robbery, and organized crimes for which communications can be intercepted.

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 568, Deferring further proceedings for certain first offenses upon completion of Motor Vehicle Alcohol Test and Lock Program within 12 months.

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

Senate Bill 580, Updating language for WV geodetic datum to match federal coordinate systems.

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

At the request of Senator Ferns, unanimous consent being granted, the bill was rereferred to the Committee on Government Organization.

Com. Sub. for Senate Bill 582, Allowing candidate for political party executive committee serve as election official.

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

Senate Bill 584, Finding certain claims against state to be moral obligations of state.

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

Senate Bill 585, Altering boundary line between Doddridge and Harrison counties.

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 589, Relating to issuance of personalized plates for antique motor vehicles.

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 590, Providing special license plate for curing childhood cancer.

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

Senate Bill 592, Adding examination of advanced care technician for firefighter paramedic.

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 595, Creating Protect Our Right to Unite Act.

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

At the request of Senator Ferns, and by unanimous consent, the bill was advanced to third reading with the right for amendments to be considered on that reading.

Com. Sub. for Senate Bill 598, Relating to civil actions against county commissions and municipalities for injuries.

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 601, Relating to personal income tax.

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

Senate Bill 612, Relating to sale of municipal property.

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

Com. Sub. for Senate Bill 616, Establishing maximum gross weight for certain wood-bearing trucks.

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

Senate Bill 629, Expanding conditions of permanent disability required for Class Q permit.

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

Senate Bill 630, Relating to changes in distribution of certain racetrack video lottery net terminal income and excess lottery fund.

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

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

On pages two and three, section ten-d, after line twenty-seven, by striking out the remainder of the section;

And,

On pages four and five, section ten-e, after line twenty-four, by striking out the remainder of the bill.

The bill (S. B. 630), as amended, was then ordered to engrossment and third reading.

Senate Bill 631, Relating generally to one-call system.

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

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

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

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

On page three, section two, lines fifty-two and fifty-three, after the words "pipeline facility" by inserting the words "owned by a utility and regulated by the Public Service Commission,";

On page four, section two-a, line two, by striking out the word "chapter" and inserting in lieu thereof the word "article";

On page four, section two-a, line six, by striking out the word "chapter" and inserting in lieu thereof the word "article";

On page six, section two-b, line three, after the words "duties under this" by striking out the word "chapter" and inserting in lieu thereof the word "article";

On page six, section two-b, line three, after the words "board under this" by striking out the word "chapter" and inserting in lieu thereof the word "article";

On page six, section two-b, line five, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page six, section two-b, line eight, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page six, section two-b, line eleven, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page six, section two-b, line sixteen, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page six, section two-b, line seventeen, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page ten, section nine, line one, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page ten, section nine, line two, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page ten, section nine, line five, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page ten, section nine, line seven, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page ten, section nine, line thirteen, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page ten, section nine, line eighteen, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page ten, section nine, line twenty, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

On page ten, section nine, line twenty-one, by striking out the word “chapter” and inserting in lieu thereof the word “article”;

And,

On page eleven, section ten, line one, by striking out the word “chapter” and inserting in lieu thereof the word “article”.

The bill (S. B. 631), as amended, was then ordered to engrossment and third reading.

Eng. Com. Sub. for House Bill 4022, Exempting the consumer sales and service tax and use tax for services for the repair, remodeling and maintenance of certain aircraft.

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

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

Eng. Com. Sub. for House Bill 4024, Relating generally to direct cremation or direct burial expenses for indigent persons.

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

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

Eng. Com. Sub. for House Bill 4142, Providing certain employees of the Division of Corrections, Division of Juvenile Services, and West Virginia Regional Jail and Correctional Facility Authority a salary adjustment.

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

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

Eng. Com. Sub. for House Bill 4169, Requiring certain establishments and facilities to post human trafficking assistance notices.

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

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

Eng. House Bill 4385, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services.

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

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

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

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senators Unger, Romano, Ferns, Blair, and Beach.

Thereafter, at the request of Senator Prezioso, and by unanimous consent, the remarks by Senators Unger and Ferns were ordered printed in the Appendix to the Journal.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Plymale, the name of Senator Plymale was removed as a sponsor of **Senate Bill 304** (*Relating to authorization and establishment of charter schools*).

Pending announcement of meetings of standing committees of the Senate, including the Committee on Rules,

On motion of Senator Ferns, at 2:06 p.m., the Senate recessed until 5 p.m. today.

The Senate reconvened at 5:24 p.m. today and, without objection, returned to the third order of business.

Executive Communications

The Clerk then presented communications from His Excellency, the Governor, advising that on February 27, 2018, he had approved **Enr. Committee Substitute for Senate Bill 154, Enr. Committee Substitute for Senate Bill 163, Enr. Committee Substitute for Senate Bill 165, Enr. Committee Substitute for Senate Bill 184, Enr. Senate Bill 379, Enr. Senate Bill 382, Enr. Senate Bill 384, Enr. Committee Substitute for Senate Bill 386, Enr. Senate Bill 388, Enr. Committee Substitute for House Bill 2831, Enr. Committee Substitute for House Bill 4162 and Enr. Committee Substitute for House Bill 4242.**

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Ferns, at 5:25 p.m., the Senate recessed until five minutes after adjournment of a Finance committee meeting.

The Senate reconvened at 5:51 p.m. today and again proceeded to the fourth order of business.

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 419, Establishing classification and base salaries of certain civilian employees of WV State Police Forensic Laboratory.

Now on second reading, having been read a first time and referred to the Committee on Finance on February 23, 2018;

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

Respectfully submitted,

Craig Blair,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Com. Sub. for S. B. 419) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a second time, and ordered to engrossment and third reading.

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

Your Committee on the Judiciary has had under consideration

Com. Sub. for Senate Bill 432, Relating to municipal home rule.

And has amended same.

Now on second reading, having been read a first time and rereferred to the Committee on the Judiciary on February 26, 2018;

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

Respectfully submitted,

Charles S. Trump,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Com. Sub. for S. B. 432) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration and read a second time.

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

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

ARTICLE 1. PURPOSE AND SHORT TITLE; DEFINITIONS; GENERAL PROVISIONS; CONSTRUCTION.

§8-1-5a. Municipal Home Rule ~~Pilot~~ Program.

(a) ~~Legislative findings.~~— The Legislature finds and declares that:

(1) The initial Municipal Home Rule Pilot Program brought innovative results, including novel municipal ideas that became municipal ordinances which later resulted in new statewide statutes;

(2) The initial Municipal Home Rule Pilot Program also brought novel municipal ideas that resulted in court challenges against some of the participating municipalities;

(3) The Municipal Home Rule Board was an essential part of the initial Municipal Home Rule Pilot Program, but it lacked some needed powers and duties;

(4) Municipalities still face challenges delivering services required by federal and state law or demanded by their constituents;

(5) Municipalities are sometimes restrained by state statutes, policies, and rules that challenge their ability to carry out their duties and responsibilities in a cost-effective, efficient, and timely manner;

(6) ~~Continuing the Municipal Home Rule Pilot Program is in the public interest~~ Establishing the Municipal Home Rule Pilot Program as a permanent program is in the public interest; and

(7) Increasing the powers and duties of the Municipal Home Rule Board, subject to the limitations set forth herein, will enhance the Municipal Home Rule ~~Pilot~~ Program.

(b) ~~Continuance of pilot program.~~— The Municipal Home Rule Pilot Program is continued until July 1, 2019. ~~The ordinances enacted by the participating municipalities pursuant to the~~

~~Municipal Home Rule Pilot Program may remain in effect, subject to the requirements of this section, until the ordinances are repealed: *Provided*, That any ordinance enacting a municipal occupation tax is hereby null and void.~~

(b) *Establishment of a permanent program and continuation of plans previously enacted and approved pursuant to the pilot program.*— The Municipal Home Rule Pilot Program is established as a permanent program and shall be identified as the Municipal Home Rule Program. Any plan or amendment to a plan approved by the Board during the period of the Municipal Home Rule Pilot Program is continued. Any ordinance, act, resolution, rule, or regulation enacted by a participating municipality under the provisions of this section during the period of the Municipal Home Rule Pilot Program shall continue in full force and effect unless and until repealed.

~~(c) *Authorizing participation.*—~~

(1) Commencing ~~July 1, 2015~~ July 1, 2018, ~~30 any~~ Class I, Class II, ~~and or~~ Class III municipalities municipality that is and four Class IV municipalities that are current in payment of all state fees may apply to participate in the Municipal Home Rule ~~Pilot~~ Program pursuant to the provisions of this section. Also, commencing July 1, 2018, up to four applications per year from Class IV municipalities may be approved by the Board for participation in the Municipal Home Rule Program pursuant to the provisions of this section, provided the Class IV municipality is current in payment of all state fees.

(2) The municipalities participating in the ~~pilot program~~ Municipal Home Rule Pilot Program on the effective date of the amendment and reenactment of this section are ~~hereby~~ authorized to continue in the ~~pilot program~~ Municipal Home Rule Program, subject to the requirements of this section, and may amend current written plans and/or submit new written plans in accordance with the provisions of this section.

(3) On July 1, 2018, all municipalities currently participating in the Municipal Home Rule Pilot Program shall pay an annual assessment of \$2,000 for the operation and administration of the Home Rule Board. On July 1 of each year thereafter, all municipalities participating in the Municipal Home Rule Program as of that date shall pay the annual assessment. Any participating municipality that fails to timely remit its assessment when due may be assessed a penalty of an additional \$2,000 by the board.

(4) There is created in the office of the State Treasurer a special revenue account fund to be known as the “Home Rule Board Operations Fund”. The assessments required by the provisions of subdivision (3) of this subsection shall be deposited into the fund, and expenditures from the fund shall be made in accordance with appropriation of the Legislature under the provisions of §12-3-1 *et seq.* of this code, and in compliance with the provisions of §11B-2-1 *et seq.* of this code: *Provided*, That legislative appropriation is not required during fiscal year 2018.

(5) Any balance in the fund created under subdivision (4) of this section at the end of a fiscal year shall not revert to the general revenue fund but shall remain in the special revenue account for uses consistent with the provisions of this section.

(6) All costs and lawful expenses of the board may be paid from the fund created under subdivision (4) of this subsection.

(7) Notwithstanding any provision of this section to the contrary, if at the end of a fiscal year the unencumbered balance of the fund created in subdivision (4) of this subsection is \$200,000

or more, then annual assessments shall be suspended until the board determines that the unencumbered balance in the fund is insufficient to meet operational expenses.

(d) ~~Municipal Home Rule Board.~~ — The Municipal Home Rule Board is hereby continued. ~~Effective July 1, 2015, the~~ The Municipal Home Rule Board shall consist of the following five voting members:

(1) The Governor, or a designee, who shall serve as chair;

(2) The Executive Director of the West Virginia Development Office, or a designee;

(3) One member representing the Business and Industry Council, appointed by the Governor, with the advice and consent of the Senate;

(4) One member representing the largest labor organization in the state, appointed by the Governor with the advice and consent of the Senate; and

(5) One member representing the West Virginia Chapter of the American Institute of Certified Planners, appointed by the Governor with the advice and consent of the Senate.

The Chair of the Senate Committee on Government Organization and the Chair of the House Committee on Government Organization shall ~~continue to be~~ serve as ex-officio nonvoting members of the board.

(e) ~~Board's powers and duties.~~ — The Municipal Home Rule Board ~~has the following powers and duties shall:~~

(1) Review, evaluate, make recommendations, and approve or reject, for any lawful reason, by a majority vote of the board, each aspect of the written plan, or the written plan in its entirety, submitted by a municipality;

(2) By a majority vote of the board, select, based on the municipality's written plan, new Class I, Class II, Class III, and/or Class IV municipalities to participate in the Municipal Home Rule ~~Pilot~~ Program;

(3) Review, evaluate, make recommendations, and approve or reject, for any lawful reason, by a majority vote of the board, the amendments to the existing approved written plans submitted by municipalities: Provided, That any new application or amendment that does not reasonably demonstrate the municipality's ability to manage its associated costs or liabilities shall be rejected;

(4) Consult with any agency affected by the written plans or the amendments to the existing approved written plans; and

(5) Perform any other powers or duties necessary to effectuate the provisions of this section: Provided, That any administrative rules established by the Board for the operation of the Municipal Home Rule Program shall be published on the Municipal Home Rule's website, and made available to the public in print upon request.

(f) ~~Written plan.~~ — Any Class I, Class II, Class III, or Class IV municipality desiring to participate in the Municipal Home Rule ~~Pilot~~ Program, or any municipality desiring to amend its

existing approved written plan, shall submit a written plan to the board stating in detail the following:

(1) The specific laws, acts, resolutions, policies, rules, or regulations which prevent the municipality from carrying out its duties in the most cost-efficient, effective, and timely manner;

(2) The problems created by ~~the~~ those laws, acts, resolutions, policies, rules, or regulations;

(3) The proposed solutions to the problems, including all proposed changes to ordinances, acts, resolutions, rules, and regulations: *Provided*, That the specific municipal ordinance instituting the solution does not have to be included in the written plan; and

(4) A written opinion, by an attorney licensed to practice in the State of West Virginia, stating that the proposed written plan does not violate the provisions of this section.

~~(g) *Public hearing on written plan*~~. — Prior to submitting its written plan, or an amendment to an existing approved written plan, to the board, the municipality shall:

(1) Hold a public hearing on the written plan or the amendment to the existing approved written plan;

(2) Provide notice of the public hearing at least 30 days prior to the public hearing by a Class II legal advertisement: *Provided*, That on or before the first day of publication, the municipality shall send a copy of the notice by certified mail to the Municipal Home Rule Board and the cabinet secretary of every state department;

(3) Make a copy of the written plan or amendment available for public inspection at least 30 days prior to the public hearing; and

(4) After the public hearing, adopt an ordinance authorizing the municipality to submit a written plan or amendment to the Municipal Home Rule Board; ~~after~~ Provided, That the proposed ordinance has been read two times, as required by §8-11-4 of this code.

~~(h) *Selection of municipalities*~~. — ~~On or after June 1, 2015, by~~ By a majority vote, the Municipal Home Rule Board may select from the municipalities that submitted written plans and were approved by the board by majority vote, new Class I, Class II, Class III, and/or Class IV municipalities to participate in the Municipal Home Rule ~~Pilot~~ Program.

~~(i) *Powers and duties of municipalities*~~. — The municipalities participating in the Municipal Home Rule ~~Pilot~~ Program ~~have the authority~~ may to pass an ordinance, act, resolution, rule, or regulation, under the provisions of this section, that is not contrary to:

(1) Environmental law;

(2) Laws governing bidding on government construction and other contracts;

(3) The Freedom of Information Act;

(4) The Open Governmental Proceedings Act;

(5) Laws governing wages for construction of public improvements;

(6) The provisions of this section;

(7) The provisions of §8-12-5a of this code;

(8) The municipality's written plan;

(9) The Constitution of the United States or the Constitution of the State of West Virginia;

(10) Federal law, including those governing ~~of~~ crimes and punishment;

(11) Chapters 60A, 61, and 62 of this code or any other provisions of this code governing state crimes and punishment;

(12) Laws governing pensions or retirement plans;

(13) Laws governing annexation;

(14) Laws governing taxation: *Provided*, That a participating municipality may enact a municipal sales tax up to one percent if it reduces or eliminates its municipal business and occupation tax, *Provided, however*, That if a municipality subsequently reinstates or raises the municipal business and occupation tax it previously reduced or eliminated under the Municipal Home Rule Pilot Program or the Municipal Home Rule Program, it shall reduce or eliminate the municipal sales tax enacted under the Municipal Home Rule Pilot Program or the Municipal Home Rule Program in an amount comparable to the revenue estimated to be generated by the reinstated tax: *Provided further*, That any municipality that imposes a municipal sales tax pursuant to this section shall use the services of the Tax Commissioner to administer, enforce, and collect the tax ~~in the same manner as the state consumers sales and service tax and use tax under required by the provisions of §11-15-1 et seq., §11-15A-1 et seq., and §11-15B-1 et seq. of this code and all applicable provisions of the Streamlined Sales and Use Tax Agreement: And provided further~~, That ~~such~~ the tax will shall not apply to the sale of motor fuel or motor vehicles;

(15) Laws governing tax increment financing;

(16) Laws governing extraction of natural resources; ~~and~~

(17) Marriage and divorce laws;

(18) Laws regulating standards of care or conduct for any profession regulated, licensed, or certified by the State of West Virginia;

(19) Laws, rules, or regulations governing the enforcement of state building or fire codes;

(20) The West Virginia Workplace Freedom Act and Labor-Management Relations Act; and

(21) Federal laws, regulations, or standards related to transportation that would affect the state's required compliance or jeopardize federal funding.

(j) Municipalities may not pass an ordinance, act, resolution, rule, or regulation under the provisions of this section that:

(1) Affects persons or property outside the boundaries of the municipality: *Provided*, That this prohibition under the Municipal Home Rule ~~Pilot~~ Program does not limit a municipality's powers

outside its boundary lines to the extent permitted under other provisions of this section, other sections of this chapter, other chapters of this code, or court decisions; or

(2) Enacts an occupation tax, fee, or assessment payable by a nonresident of a municipality; or

(3) Imposes duties on another governmental entity, unless the performance of the duties is part of a legally executed agreement between the municipality and the other governmental entity, or is otherwise permitted by state law.

(k) ~~Amendments to written plans.~~— A municipality participating in the Municipal Home Rule Pilot Program may amend its written plan at any time subject to the requirements of this section.

(l) ~~Amendments to ordinances, acts, resolutions, rules, or regulations.~~ — A municipality participating in the Municipal Home Rule Pilot Program may amend any ordinance, act, resolution, rule, or regulation enacted pursuant to the municipality's approved written plan at any time so as long as any the amendment is consistent with the municipality's approved written plan, as modified by any amendments adopted pursuant to this section, complies with the provisions of subsections (i) and (j) of this section, and the municipality complies with all applicable state law procedures for enacting municipal legislation.

(m) ~~Reporting requirements.~~ — ~~Commencing On or before~~ December 1, 2015, ~~and of~~ each year thereafter, each participating municipality shall give a written progress report to the Municipal Home Rule Board, and ~~commencing on or before~~ January 1, 2016, ~~and of~~ each year thereafter, the Municipal Home Rule Board shall give a summary report of all the participating municipalities to the Joint Committee on Government and Finance.

(n) ~~Termination of the pilot program.~~ — ~~The Municipal Home Rule Pilot Program terminates on July 1, 2019. An ordinance, act, resolution, rule or regulation enacted by a participating municipality under the provisions of this section during the period of the Municipal Home Rule Pilot Program shall continue in full force and effect until repealed~~

~~(e)~~ (n) Notwithstanding any other provision of this code to the contrary, ~~on and after the effective date of the enactment of this provision in 2015,~~ no a distributee under the provisions of this section may not seek from the Tax Division of the Department of Revenue a refund of revenues or moneys collected by, or remitted to, the Tax Division of the Department of Revenue, nor seek a change in past amounts distributed, or any other retrospective adjustment relating to any amount distributed, to the extent that the moneys in question have been distributed by the Tax Division to another distributee, regardless of whether those distributions were miscalculated, mistaken, erroneous, misdirected, or otherwise inaccurate or incorrect. For purposes of this section, the term "distributee" means any municipality that has enacted a sales and use tax under this section or as otherwise permitted by law that receives or is authorized to receive a specific distribution of revenues or moneys collected by, or remitted to, the Tax Division of the Department of Revenue pursuant to this section.

The bill (Com. Sub. for S. B. 432), as amended, was then ordered to engrossment and third reading.

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

Your Committee on Finance has had under consideration

Senate Bill 438, Relating to debt service on bonds secured by State Excess Lottery Revenue Fund.

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

Com. Sub. for Senate Bill 438 (originating in the Committee on Finance)—A Bill to amend and reenact §29-22-18e of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §31-15-16d, all relating to debt service on bonds secured by the State Excess Lottery Revenue Fund; and clarifying the timing of debt service payments to the State Parks Lottery Revenue Debt Service Fund

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Craig Blair,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Com. Sub. for S. B. 438) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

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

The nays were: None.

Absent: Mann and Ojeda—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Committee Substitute for Senate Bill 438 was then 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, Maroney, Maynard, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Ojeda—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 438) passed with its title.

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

Senator Carmichael (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

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

And has amended same.

Now on second reading, having been read a first time and referred to the Committee on Rules on February 16, 2018;

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

Respectfully submitted,

Mitch Carmichael,
Chairman ex officio.

At the request of Senator Ferns, unanimous consent being granted, the bill (Com. Sub. for S. B. 510) contained in the preceding report from the Committee on Rules was taken up for immediate consideration and read a second time.

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

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

ARTICLE 5B. HOSPITALS AND SIMILAR INSTITUTIONS.

§16-5B-18. Designation of comprehensive, primary, and acute, and thrombectomy capable stroke-ready hospitals; reporting requirements; rulemaking.

(a) A hospital, as that term is defined in ~~section one of this article §16-5B-1 of this code, may apply to~~ shall be recognized by the Department of Health and Human Resources to be recognized and certified Office of Emergency Medical Services as a comprehensive stroke center (CSC), thrombectomy-capable stroke center (TSC), a primary stroke center (PSC), or an acute stroke-ready hospital (ASRH), upon submitting verification of certification as granted by the American Heart Association, the joint commission, or other nationally recognized organization to the Office of Emergency Medical Services. A hospital shall immediately notify the Office of Emergency Medical Services of any change in its certification status. The appropriate designation shall be granted by the Department of Health and Human Resources based upon criteria recognized by the American Heart Association, the Joint Commission or other nationally recognized organization as set forth in legislative rules as provided in subsection (d) of this section.

(b) The Office of Emergency Medical Services shall gain access to, and utilize, a nationally recognized stroke database that compiles information and statistics on stroke care that align with the stroke consensus metrics developed and approved by the American Heart Association and

the American Stroke Association, for the purpose of improving stroke care and access across the State of West Virginia. The Office of Emergency Medical Services shall, upon request, provide the data accessed and utilized relating to comprehensive stroke centers, thrombectomy-capable stroke centers, primary stroke centers, and acute stroke-ready hospitals to the advisory committee in subsection (d).

~~(b)~~ (c) The Department of Health and Human Resources Office of Emergency Medical Services shall provide annually, by June 1, a list of all hospitals they have designated recognized pursuant to the provisions of subsection (a) of this section to the medical director of each licensed emergency medical service agency in this state. This list shall be maintained by the Department of Health and Human Resources Office of Emergency Medical Services and shall be updated annually on its website.

~~(c)~~ (d) No later than July 1, 2018, the Secretary of the Department of Health and Human Resources shall establish by legislative rule, as set forth in subsection (d) of this section, prehospital care protocols related to assessment, treatment, and transport of patients identified as stroke patients. These protocols shall be applicable to all emergency medical service agencies, as defined in §16-4C-3 of this code. These protocols shall include development and implementation of plans for the triage and transport within specified time frames of onset of symptoms of acute stroke patients to the nearest comprehensive, primary, or acute stroke ready hospital. and appoint a stroke advisory committee which shall function as an advisory body to the Secretary and report no less than biannually at regularly scheduled meetings. Its functions shall include:

(1) Increasing stroke awareness;

(2) Promoting stroke prevention and health policy recommendations relating to stroke care;

(3) Advising the Office of Emergency Medical Services on the development of stroke networks;

(4) Utilizing stroke care data to provide recommendations to the Office of Emergency Medical Services to improve stroke care throughout the state;

(5) Identifying, and making recommendations to overcome, barriers relating to stroke care;

(6) Review and make recommendations to State Medical Director of the Office of Emergency Medical Services regarding prehospital care protocols including:

(A) The assessment, treatment, and transport of stroke patients by licensed emergency medical service agencies; and

(B) Plans for the triage and transport, within specified time frames of onset symptoms, of acute stroke patients to the nearest comprehensive stroke center, thrombectomy-capable stroke center, primary stroke center, or acute stroke-ready hospital.

~~(d) The Secretary of the Department of Health and Human Resources shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code to accomplish the goals of this section. These rules shall be proposed after consultation with and approval by an advisory committee selected by the Secretary of the Department of Health and Human Resources.~~

(e) The advisory committee as set forth subsection (d) shall consist of no more than 14 members. Membership of the advisory committee shall include:

(1) A representative of the Department of Health and Human Resources;

(2) A representative of an association with the primary purpose of promoting better heart health;

(3) A registered emergency medical technician; hospitals located in rural areas of the state and hospitals located in urban areas of this state

(4) Either an administrator or physician representing a critical access hospital;

(5) Either an administrator or physician representing a teaching or academic hospital;

(6) A representative of an association with the primary purpose of representing the interests of all hospitals throughout the state; and

(7) A clinical and administrative representative of hospitals from each level of stroke center certification by a national certifying body (CSC, TSC, PSC, and ASRH).

(g) These rules shall include:

(1) An application process;

(2) The criteria for designation and certification as a comprehensive stroke center, a primary stroke center or an acute stroke ready center or, an acute stroke ready center;

(3) A means for providing a list of designated hospitals to emergency medical service agencies;

(4) Protocols for assessment, treatment, and transport of stroke patients by licensed emergency medical service agencies; and;

(5) Any other requirements necessary to accomplish the intent of this section.

(f) Of the members first appointed, three shall be appointed for a term of one year, three shall be appointed for a term of two years, and the remaining members shall be appointed for a term of three years. The terms of subsequent appointees shall be three years. Members may be reappointed for additional terms.

(g) Nothing in this section may permit the Office of Emergency Medical Services to conduct inspections of hospitals in relation to recognition as a stroke center as set forth in this section: *Provided*, That nothing in this section may preclude inspections of hospitals by the Office of Emergency Medical Services which are otherwise authorized by this code.

The bill (Com. Sub. for S. B. 510), as amended, was then ordered to engrossment and third reading.

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 Joint Resolution 7, Supervision of Free Schools Modification Amendment.

Now on second reading, having been read a first time and referred to the Committee on Finance on February 26, 2018;

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

Respectfully submitted,

Craig Blair,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the resolution (S. J. R. 7) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a second time, and ordered to engrossment and third reading.

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

Your Committee on Finance has had under consideration

Eng. Com. Sub. for House Bill 2843, Permitting Class III municipalities to be included in the West Virginia Tax Increment Act.

Eng. Com. Sub. for House Bill 3104, Transfer of the West Virginia Traumatic Brain and Spinal Cord Injury Rehabilitation Fund.

Eng. House Bill 4285, Relating to the West Virginia Safe Mortgage Licensing Act.

And,

Eng. Com. Sub. for House Bill 4619, Relating to supporting implementation of comprehensive systems for teacher and leader induction and professional growth.

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

Respectfully submitted,

Craig Blair,
Chair.

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

Your Committee on Health and Human Resources has had under consideration

Eng. Com. Sub. for House Bill 4199, Permitting a nursing home to use trained individuals to administer medication.

And has amended same.

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

Respectfully submitted,

Tom Takubo,
Chair.

The Senate again proceeded to the thirteenth order of business.

At the request of Senator Jeffries, the name of Senator Jeffries was removed as a sponsor of **Committee Substitute for Senate Bill 432** (*Relating to municipal home rule*).

Pending announcement of a meeting of a standing committee of the Senate, including a minority party caucus,

On motion of Senator Ferns, the Senate adjourned until tomorrow, Wednesday, February 28, 2018, at 10 a.m.

SENATE CALENDAR

Wednesday, February 28, 2018
10:00 AM

UNFINISHED BUSINESS

- S. C. R. 41 - Home of Coach Bob Bolen Mountain State University
2004 NAIA Champions road marker
- S. R. 53 - Recognizing Glenville State College for its efforts in
making education more affordable

THIRD READING

- Com. Sub. for S. B. 261 - Transferring certain powers and programs of WV Affordable
Housing Trust Fund to WV Housing Development Fund - (With
right to amend) (original similar to HB4140)
- Eng. S. B. 282 - Exempting State Conservation Committee from Purchasing
Division requirements for contracts related to flood recovery
(original similar to HB4161)
- Eng. S. B. 295 - Relating to Local Powers Act
- Com. Sub. for S. B. 360 - Clarifying oil and gas permits not be on flat well royalty leases -
(Com. title amend. pending) - (With right to amend) (original
similar to HB4490)
- Eng. Com. Sub. for S. B. 401 - Requiring specified coverage in health benefit plans for
treatment of substance abuse disorders
- Eng. Com. Sub. for Com. Sub. for S. B. 402 - Creating exemption from certain contract and
common carrier laws for motor vehicles
- Eng. Com. Sub. for S. B. 403 - Licensing advance deposit wagering (original similar to HB4406)
- Eng. Com. Sub. for S. B. 419 - Establishing classification and base salaries of certain civilian
employees of WV State Police Forensic Laboratory
- Eng. Com. Sub. for S. B. 421 - Relating to crossbow hunting (original similar to HB 2696)
- Eng. Com. Sub. for S. B. 432 - Relating to municipal home rule - (Com. title amend. pending)
- Eng. Com. Sub. for S. B. 442 - Establishing universal forms and deadlines when submitting
prior authorization electronically
- Com. Sub. for S. B. 445 - Allowing DOH acquire real or personal property for utility
accommodation - (With right to amend)
- Eng. Com. Sub. for S. B. 448 - Relating generally to professional associations
- Eng. S. B. 452 - Exempting hunting license information from public disclosure
(original similar to HB 2632, HB 2699)

- Eng. Com. Sub. for Com. Sub. for S. B. 472 - Providing funds to DHHR for local boards of health employee pay raises
- Eng. S. B. 485 - Terminating Workers Compensation Debt Reduction Fund assessment on self-insured employers
- Eng. Com. Sub. for S. B. 504 - Excluding seasonal amusement park workers from definition of "employee"
- Eng. Com. Sub. for S. B. 508 - Establishing State Trail Authority
- Eng. Com. Sub. for S. B. 510 - Designating hospitals for stroke treatment - (Com. title amend. pending)
- Eng. S. B. 530 - Requiring Secretary of State provide database for registered corporations and sole proprietorship
- Eng. S. B. 531 - Eliminating required waiting period for municipal court notifications to DMV
- Eng. Com. Sub. for S. B. 534 - Increasing penalty for tobacco-related offenses on public school property
- Eng. Com. Sub. for S. B. 548 - Authorizing county commissions to pay election officials
- Eng. S. B. 551 - Relating to failure of employers to make contributions on behalf of employees to retirement plan administered by CPRB - (Com. title amend. pending)
- Eng. Com. Sub. for S. B. 556 - Creating small business and minority populations economic and workforce development taskforce to assist Economic Development Authority
- Eng. Com. Sub. for S. B. 565 - Clarifying authority of State Fire Commission
- Eng. Com. Sub. for S. B. 567 - Including treason, murder, armed robbery, and organized crimes for which communications can be intercepted
- Eng. Com. Sub. for S. B. 568 - Deferring further proceedings for certain first offenses upon completion of Motor Vehicle Alcohol Test and Lock Program within 12 months
- Eng. Com. Sub. for S. B. 582 - Allowing candidate for political party executive committee serve as election official
- Eng. S. B. 584 - Finding certain claims against state to be moral obligations of state
- Eng. S. B. 585 - Altering boundary line between Doddridge and Harrison counties
- Eng. Com. Sub. for S. B. 589 - Relating to issuance of personalized plates for antique motor vehicles
- Eng. Com. Sub. for S. B. 590 - Providing special license plate for curing childhood cancer
- Eng. S. B. 592 - Adding examination of advanced care technician for firefighter paramedic

- Com. Sub. for S. B. 595 - Creating Protect Our Right to Unite Act - (With right to amend)
- Eng. Com. Sub. for S. B. 598 - Relating to civil actions against county commissions and municipalities for injuries - (Com. title amend. pending)
- Eng. Com. Sub. for S. B. 600 - Relating to powers and duties of PSC
- Eng. Com. Sub. for S. B. 601 - Relating to personal income tax
- Eng. S. B. 612 - Relating to sale of municipal property
- Eng. Com. Sub. for S. B. 616 - Establishing maximum gross weight for certain wood-bearing trucks
- Eng. S. B. 629 - Expanding conditions of permanent disability required for Class Q permit
- Eng. S. B. 630 - Relating to changes in distribution of certain racetrack video lottery net terminal income and excess lottery fund
- Eng. S. B. 631 - Relating generally to one-call system
- Eng. Com. Sub. for S. J. R. 7 - Supervision of Free Schools Modification Amendment

SECOND READING

- Eng. Com. Sub. for H. B. 4022 - Exempting the consumer sales and service tax and use tax for services for the repair, remodeling and maintenance of certain aircraft (original similar to SB131, SB311)
- Eng. Com. Sub. for H. B. 4024 - Relating generally to direct cremation or direct burial expenses for indigent persons - (Com. amend. pending)
- Eng. Com. Sub. for H. B. 4142 - Providing certain employees of the Division of Corrections, Division of Juvenile Services, and West Virginia Regional Jail and Correctional Facility Authority a salary adjustment
- Eng. Com. Sub. for H. B. 4169 - Requiring certain establishments and facilities to post human trafficking assistance notices - (Com. amend. and title amend. pending)
- Eng. H. B. 4385 - Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services

FIRST READING

- Eng. Com. Sub. for H. B. 2483 - Requiring the Division of Juvenile Services to transfer to a correctional facility or regional jail any juvenile in its custody that has been transferred to adult jurisdiction of the circuit court and who reaches his or her eighteenth birthday - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 2694 - Relating to the development and implementation of a program to facilitate commercial sponsorship of rest areas

- Eng. Com. Sub. for H. B. 2696 - Relating to crossbow hunting - (Com. amend. pending)
- Eng. Com. Sub. for H. B. 2843 - Permitting Class III municipalities to be included in the West Virginia Tax Increment Act
- Eng. Com. Sub. for H. B. 2890 - Establishing a Library Facilities Improvement Fund that will serve to support library facilities construction, maintenance and improvement projects
- Eng. Com. Sub. for H. B. 2916 - Authorizing certain first responders to carry firearms - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 3104 - Transfer of the West Virginia Traumatic Brain and Spinal Cord Injury Rehabilitation Fund
- Eng. Com. Sub. for H. B. 4079 - Promulgating administrative rules by various executive or administrative agencies of the state - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4138 - Requiring certain public or private schools and daycare centers to install carbon monoxide detectors - (Com. amends. pending)
- Eng. Com. Sub. for H. B. 4175 - Preventing requirement that an advanced practice registered nurse participate in a collaborative relationship to obtain payment
- Eng. Com. Sub. for H. B. 4199 - Permitting a nursing home to use trained individuals to administer medication - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4207 - Authorizing an online application to receive a commission to act as a notary public, and eliminating the bond requirement - (Com. amends. pending)
- Eng. H. B. 4285 - Relating to the West Virginia Safe Mortgage Licensing Act
- Eng. H. B. 4332 - Relating to home peritoneal renal dialysis - (Com. amend. and title amend. pending)
- Eng. H. B. 4433 - Declaring certain claims against an agency of the state to be moral obligations of the state
- Eng. Com. Sub. for H. B. 4619 - Relating to supporting implementation of comprehensive systems for teacher and leader induction and professional growth