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EIGHTY-THIRD
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OF
WEST VIRGINIA



VOLUME IV
FIRST EXTRAORDINARY SESSION, 2017
SECOND EXTRAORDINARY SESSION, 2017
THIRD EXTRAORDINARY SESSION, 2017

WEST VIRGINIA HOUSE OF DELEGATES
HONORABLE TIM ARMSTEAD
SPEAKER OF THE HOUSE

COMPILED AND PUBLISHED
UNDER THE DIRECTION
OF

STEPHEN J. HARRISON
CLERK OF THE HOUSE



CLERK'S OFFICE LEGISLATIVE GROUP

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1st Day Monday December 4..... 4263



West Virginia Legislature
Journal
of the
House of Delegates

Eighty-Third Legislature
First Extraordinary Session

Charleston, Thursday, May 4, 2017

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

Pursuant to the Proclamation of His Excellency, the Governor, issued the third day of May, 2017, and hereinafter set forth, convening the Legislature in Extraordinary Session on the fourth day of May, 2017, the House of Delegates assembled in its Chamber in the Capitol Building in the City of Charleston, and at 11:00 a.m., was called to order by the Speaker, the Honorable Tim Armstead.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 606**), and 96 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: N. Foster, Hill, C. Miller and R. Romine.

Messages from the Executive

The Speaker laid before the House of Delegates Proclamation of His Excellency, the Governor, convening the Legislature in extraordinary session, which was read by the Clerk, as follows:

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at eleven a.m. on the fourth day of May, Two Thousand Seventeen, in its chambers in the State Capitol, City of Charleston, for the limited purpose of considering and acting upon the following matters:

FIRST: A bill relating to taxation, including: reducing number of classifications and rates of personal income tax as of January 1, 2018; providing phase-out of personal income tax and specifying triggering events; exempting military retirement from personal income tax after specified date; increasing rate of corporate net income tax as of specified date; increasing rate of consumers sales and service tax as of specified date and exemptions related thereto; imposing temporary additional income tax on persons with West Virginia taxable incomes of \$300,000 or more as of specified date; imposing graduated rate severance tax on privilege of producing coal as of specified date; imposing graduated rate severance tax on privilege of producing natural gas sale, profit or commercial use as of a specified date; increasing rate of tax credit for qualified rehabilitation expenditures on historical structures;

SECOND: A bill increasing the State Road Fund by raising DMV fees and motor fuel excise taxes;

THIRD: A bill relating generally to the West Virginia Parkway Authority;

FOURTH: A bill increasing teacher salaries;

FIFTH: Legislation authorizing and appropriating the expenditure of public funds to pay the expenses for the Extraordinary Session.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this third day of May, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fourth year of the State.



Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three to notify the Senate that the House of Delegates had assembled in extraordinary session and was ready to enter upon the business stated in the Proclamation by which it had been called together.

Whereupon,

The Speaker appointed as members of such committee:

Delegates Harshbarger, Rowan and Hartman.

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three, to join with a similar committee on the part of the Senate, to inform His Excellency, the Governor, that the Legislature had assembled in extraordinary session and was ready to enter upon the business stated in the Proclamation.

Whereupon,

The Speaker appointed as members of such committee:

Delegates Summers, Frich and Lynch.

At 11:35 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 4:00 p.m.

* * * * *

Afternoon Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Message from the Senate

A message from the Senate, by Senators Boso, Cline and Jeffries, announced that the Senate had assembled with a quorum present, and was ready to proceed with the business of this session.

Bills Introduced

Bills were introduced, pursuant to House Rule 92, and severally referred as follows:

By Delegate Miley

[By Request of the Executive]:

H. B. 101 – “A Bill to amend and reenact §18A-4-2 of the Code of West Virginia, 1931, as amended, relating to raising the salary for classroom teachers”; to the Committee on Finance.

By Delegate Miley

[By Request of the Executive]:

H. B. 102 – “A Bill to amend and reenact §11-14C-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-18b of said code; to amend and reenact §17A-2-13 of said code; to amend and reenact §17A-3-4 of said code; to amend and reenact §17A-4-1 and §17A-4-10 of said code; to amend and reenact §17A-4A-10 of said code; to amend and reenact §17A-7-2 of said code; to amend and reenact §17A-10-3, §17A-10-10 and §17A-10-11 of said code; to amend said code by adding thereto a new section, designated §17A-10-3c; to amend and reenact §17B-2-1, §17B-2-3a, §17B-2-5, §17B-2-6, §17B-2-8 and §17B-2-11 of said code; to amend and reenact §17C-5A-2a of said code; and to amend and reenact §17D-2-2 of said code, all relating generally to increasing the funding for the State Road Fund by increasing Division of Motor Vehicles administrative fees and motor fuel excise taxes; changing the flat rate component of the motor fuel excise tax from 20.5 cents to 25 cents per invoiced gallon of motor fuel and on each gallon equivalent for alternative fuel; increasing the minimum average wholesale price of motor fuels for purposes of the five percent variable fuel tax as of specified date; deleting superfluous language relating to floorstocks; increasing Division of Motor Vehicles administrative fees, including increasing fees for various documents, records, registrations, certificates, titles, liens, releases, transfers, cards, stickers, decals, licenses and plates; requiring payment of certain fee for each attempt at the written and road skills test; increasing said administrative Division of Motor Vehicles fees every five years on September 1 based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index; imposing annual registration fee for certain alternative fuel vehicles; and specifying effective dates”; to the Committee on Finance.

By Delegate Miley**[By Request of the Executive]:**

H. B. 103 – “A Bill to repeal §17-16A-18a, §17-16A-23 and §17-16A-30 of the Code of West Virginia, 1931, as amended; to amend and reenact §17-16A-1, §17-16A-5, §17-16A-6, §17-16A-10, § 17-16A-11, §17-16A-13, §17-16A-13a, §17-16A-18, §17-16A-21, §17-16A-22 and §17-16A-29 of said code; to amend said

code by adding thereto a new section, designated §17-16A-11a; to amend and reenact §17-16D-3 of said code; to amend said code by adding thereto a new section, designated §17A-2-25; to amend and reenact §17A-3-7 of said code; and to amend said code by adding thereto a new section, designated §17A-10-17, all relating generally to the West Virginia Parkways Authority; defining terms; adding the power of the authority to study, investigate and evaluate, and, if feasible, develop and implement a single fee program, including promulgate rules; adding the power of the authority to impose in connection with any single fee program a flat fee in connection with any or all certificates of passenger motor vehicle registration and renewal thereof by the Division of Motor Vehicles; adding the power of the authority to enter into reciprocal toll enforcement agreements; creating and designating a special revenue account within the State Road Fund known as the State Road Construction Account; authorizing the deposit of proceeds of parkway revenue bonds to the State Road Construction Account; requiring that priority consideration be given to construction, maintenance and repair of public highways and bridges in certain counties within the state when determining expenditures from the State Road Construction Account; creating and designating a special revenue account within the State Treasury known as the West Virginia Parkways Authority Single Fee Program Fund; clarifying notice and public meeting requirements and procedures; clarifying the power of the Parkways Authority to fix rates or tolls for Corridor L toll collection facility; expanding the authority of the Parkways Authority to issue revenue bonds or refunding revenue bonds for parkways' projects and for the West Virginia Turnpike; eliminating approval by county commissions and establishment by Governor of local committees prior to approval of any parkway project; authorizing electronic toll collection and enforcement of tolls on roads, highways and bridges; adding the power of the Division of Motor Vehicles to act as collection agent for the authority under any single fee program; expanding the grounds for refusing to register a motor vehicle; ability to charge a fee for the single fee program, and creating a misdemeanor offense"; to the Committee on Finance.

By Delegate Miley

[By Request of the Executive]:

H. B. 104 – “A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto two new sections, designated §11-13A-3f and §11-13A-3g; to amend and reenact §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code by adding thereto a new section, designated §11-15-3d; to amend and reenact §11-15A-2 of said code; to amend and reenact §11-21-8a and §11-21-8e of said code; to amend said code by adding thereto three new sections, designated §11-21-4g, §11-21-4h and §11-21-12j; to amend and reenact §11-24-23a of said code; to amend said code by adding thereto a new section, designated §11-24-4c, all relating generally to taxation; imposing graduated rate severance tax on privilege of producing coal as of specified date; imposing graduated rate severance tax on privilege of producing natural gas as of specified date; increasing rate of consumers sales and service tax as of specified date; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; eliminating certain exemptions from consumers sales and service tax as of specified date; increasing rate of use tax as of specified date; reducing number of classifications and rates of personal income tax as of January 1, 2018; providing for phase-out of personal income tax and specifying triggering event; imposing temporary additional income tax on persons with West Virginia taxable incomes of \$300,000 or more as of specified date; exempting military retirement income from personal income tax after specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified rehabilitation expenditures made after specified date; temporarily increasing rate of corporation net income tax; and making technical corrections in various sections.”

On motion of Delegate Cowles, reference of the bill (H. B. 104) to a committee was dispensed with, and it was taken up for immediate consideration and read a first time.

Delegate Cowles moved, pursuant to the provisions of House Rule 103, that H. B. 104 be rejected on First Reading.

The Speaker propounded, “Shall the bill be rejected?”

On this question, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 607**), and there were—yeas 59, nays 36, absent and not voting 5, with the nays and absent and not voting being as follows:

Nays: Baldwin, Barrett, Bates, Boggs, Brewer, Byrd, Canestraro, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hartman, Hicks, Hornbuckle, Iaquina, Isner, Longstreth, Love, Lovejoy, Lynch, Marcum, Miley, R. Miller, Moye, Pethel, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaule, Thompson and Williams.

Absent and Not Voting: N. Foster, Hill, C. Miller, C. Romine and R. Romine.

So, a majority of the members present and voting having voted in the affirmative, the motion that the bill be rejected on First Reading was adopted.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted N. Foster, Hill, C. Miller and R. Romine.

At 5:20 p.m., the House of Delegates adjourned until 11:00 a.m., Friday, May 5, 2017.

Friday, May 5, 2017

SECOND DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 608**), and 98 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: R. Romine and Westfall.

The Clerk proceeded to read the Journal of Thursday, May 4, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Bills Introduced

A bill was introduced, pursuant to House Rule 92, and referred as follows:

By Delegates Baldwin, Miley, Bates, Fluharty, Fleischauer, Marcum, R. Miller, Brewer, Robinson, Love and Hartman:

H. B. 105 - "A Bill to amend and reenact §4-2A-3 of the Code of West Virginia, 1931, as amended, relating to limiting the number of days that members of the Legislature may receive compensation during an extended and extraordinary session if the budget bill has not been enacted"; to the Committee on Finance.

At 11:36 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 4:00 p.m.

* * * * *

Afternoon Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1004 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §11-13A-3f and §11-13A-3g; to amend and reenact §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code by adding thereto a new section, designated §11-15-3d; to amend and reenact §11-15A-2 of said code; to amend and reenact §11-21-8a and §11-21-8e of said code; to amend said code by adding thereto three new sections, designated §11-21-4g, §11-21-4h and §11-21-12j; to amend said code by adding thereto a new section, designated §11-24-4c; and to amend and reenact §11-24-23a of said code, all relating generally to taxation; imposing graduated rate severance tax on privilege of producing coal as of specified date; imposing graduated rate severance tax on privilege of producing natural gas as of specified date; increasing rate of consumers sales and service tax as of specified date; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; eliminating certain exemptions from consumers sales and service tax as of specified date; increasing rate of use tax as of specified date; reducing number of classifications and rates of personal income tax as of January 1, 2018; providing for phase-out of personal income tax and specifying triggering event; imposing temporary additional income tax on persons with West Virginia taxable incomes of \$300,000 or more as of specified date; exempting military retirement income from personal income tax after specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified

rehabilitation expenditures made after specified date; temporarily increasing rate of corporation net income tax; and making technical corrections in various sections.”

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (S. B. 1004) to a committee was dispensed with, and it was taken up for immediate consideration and read a first time.

Delegate Cowles moved, pursuant to the provisions of House Rule 103, that S. B. 1004 be rejected on First Reading.

Delegate Byrd then moved that the bill be committed to the Committee on Finance.

Delegate Walters moved that the bill be postponed indefinitely.

Whereupon,

Delegate Walters asked and obtained unanimous consent that his motion be withdrawn.

During debate on the motion to commit the bill to the Committee on Finance, points of order were twice raised regarding the content of remarks by Delegates.

The Speaker reminded those Members to confine their remarks to the question before the House.

The question being on the motion to commit the bill to the Committee on Finance, Delegate Byrd demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 609**), and there were—yeas 34, nays 58, absent and not voting 8, with the yeas and absent and not voting being as follows:

Yeas: Baldwin, Barrett, Bates, Blair, Boggs, Brewer, Byrd, Canestraro, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hartman, Hicks, Hornbuckle, Iaquina, Isner, Longstreth, Love, Lovejoy, Lynch, Marcum, Miley, Moye, Pethtel, Phillips, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Thompson and Williams.

Absent and Not Voting: Caputo, Deem, Diserio, Fast, R. Miller, R. Romine, Sponaugle and Statler.

So, a majority of the members present and voting not having voted in the affirmative, the motion was rejected.

The motion before the House now being the motion to reject the bill, the Speaker propounded, "Shall the bill be rejected?"

On this question, the yeas and nays were demanded which was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 610**), and there were, including pairs—yeas 59, nays 34, absent and not voting 7, with the paired, nays and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairing was filed and announced by the Clerk:

Paired:

Yea: Fast Nay: Lovejoy

Nays: Baldwin, Barrett, Bates, Blair, Boggs, Brewer, Byrd, Canestraro, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hartman, Hicks, Hornbuckle, Iaquina, Isner, Longstreth, Love, Lynch, Marcum, Miley, Moye, Pethel, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Thompson, White and Williams.

Absent and Not Voting: Caputo, Deem, Diserio, R. Miller, R. Romine, Sponaugle and Statler.

So, a majority of the members present and voting having voted in the affirmative, the motion that the bill be rejected on First Reading was adopted.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title as follows:

S. C. R. 101 – “Providing for an adjournment of the Legislature until May 15, 2017.”

Resolved by the Legislature of West Virginia:

That when adjournment is taken by the two houses of the Legislature at the close of their respective sessions on May 5, 2017, such adjournment shall be until 11:00 a.m. on May 15, 2017, pursuant to Section 23, Article VI of the Constitution of the State of West Virginia, unless called prior to that time by the Speaker of the House of Delegates and the President of the Senate.

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the resolution (S. C. R. 101) to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

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

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leave of absence for the day was granted Delegate R. Romine.

Miscellaneous Business

Delegate C. Romine noted to the Clerk that he was absent on Thursday, May 4, 2017, when the vote was taken on Roll No. 607, and that had he been present, he would have voted “Yea” thereon.

Pursuant to S. C. R. 101, at 6:18 p.m., the House of Delegates adjourned until 11:00 a.m., Monday, May 15, 2017.

Monday, May 15, 2017

THIRD DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

Pursuant to S. C. R. 101, adopted on the fifth day of May, 2017, the House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 611**), and 96 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Caputo, Hill, Lewis and Walters.

Delegate Walters was also present for part of the session.

The Clerk proceeded to read the Journal of Friday, May 5, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Messages from the Executive

The Speaker laid before the House of Delegates a Proclamation of His Excellency, the Governor, which was read by the Clerk, as follows:

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the Proclamation dated the third day of May, Two Thousand Seventeen, calling the Legislature of West Virginia to convene in Extraordinary Session at eleven a.m. on the

fourth day of May, Two Thousand Seventeen, by adding items six and seven, as follows:

SIXTH: A bill increasing the consumer sales and use tax on motor vehicles; and

SEVENTH: A bill authorizing the furlough state employees in the event of certain fiscal emergencies, as declared by the Governor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this fifteenth day of May, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fourth year of the State.

Jim Justice,
Governor.



By the Governor

Mac Warner,
Secretary of State

Motions

At 11:46 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 3:30 p.m.

Afternoon Session

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Bills Introduced

A bill was introduced, pursuant to House Rule 92, and referred as follows:

**By Mr. Speaker (Mr. Armstead) and Delegate Miley
[By Request of the Executive]:**

H. B. 106 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §4-1-24; to amend said code by adding thereto a new section, designated §4-2-13; to amend said code by adding thereto a new section, designated §4-3-6; to amend said code by adding thereto a new article, designated §5-30-1, §5-30-2, §5-30-3, §5-30-4, §5-30-5 and §5-30-6; and to amend said code by adding thereto a new section, designated §51-3-19, all relating generally to the furlough of public employees during declared fiscal emergency; defining terms; permitting declaration of fiscal emergency by Governor under certain defined circumstances; permitting Governor to issue executive orders instituting furloughs of certain state employees; setting forth conditions of furlough; providing for termination of declared fiscal emergency; authorizing furlough of employees by Constitutional officers; setting forth conditions of furlough of those employees; authorizing President of the Senate to furlough employees of State Senate; authorizing Speaker of the House of Delegates to furlough employees of the House of Delegates; authorizing President of the Senate and Speaker of the House of Delegates jointly to direct furlough of employees of Legislative Auditor and Joint Committee on Government and Finance; setting forth conditions of furlough of legislative employees; authorizing Supreme Court of Appeals to furlough employees and personnel of Supreme Court of Appeals; authorizing Supreme Court of Appeals to issue orders directing or authorizing furlough of other employees and personnel of circuit courts, family courts and magistrate courts; and setting forth terms of furlough of judicial employees”; to the Committee on Government Organization then the Judiciary.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Caputo, Hill and Lewis.

Miscellaneous Business

Delegate Sponaugle asked and obtained unanimous consent that the remarks of Delegate R. Miller during Remarks by Members today be printed in the Appendix to the Journal.

At 4:21 p.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, May 16, 2017.

Tuesday, May 16, 2017

FOURTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 612**), and 94 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Caputo, Hanshaw, Hill, Lewis, Nelson and Rodighiero.

Delegate Nelson was also present for part of the session.

The Clerk proceeded to read the Journal of Monday, May 15, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

At 11:38 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 3:30 p.m.

* * * * *

Afternoon Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Delegate Howell, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

H. B. 106, Relating generally to the furlough of public employees during declared fiscal emergency,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, but that it first be referred to the Committee on the Judiciary.

In accordance with the former direction of the Speaker, the bill (H. B. 106) was referred to the Committee on the Judiciary.

Bills Introduced

Bills were introduced, pursuant to House Rule 92, and severally referred as follows:

By Delegate Miley

[By Request of the Executive]:

H. B. 107 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-3f; to amend and reenact §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code by adding thereto two new sections, designated §11-15-3d and §11-15-3e; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend and reenact §11-21-8a and §11-21-8e of said code, to amend said code by adding thereto three new sections, designated §11-21-4g, §11-21-4h and §11-21-12j; and to amend and reenact §11-24-23a of said code, all relating generally to the Tax Reform Act of 2017; imposing graduated rate severance tax on privilege of producing coal as of specified date and defining certain terms; increasing rate of consumers sales and service tax as of specified date; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; imposing tax on digital code and digital products as of specified date; eliminating

certain exemptions from consumers sales and service tax as of specified date; providing consumer sales and service tax exemption for services of professional employer organizations; increasing rate of use tax as of specified date; reducing number of classifications and rates of personal income tax as of January 1, 2018; providing for phase-out of personal income tax and specifying triggering event; exempting military retirement income from personal income tax after specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; and making technical corrections in various sections”; to the Committee on Finance.

By Delegate Miley

[By Request of the Executive]:

H. B. 108 – “A Bill to amend and reenact §11-14C-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-3c; to amend and reenact §11-15-18b of said code; to amend and reenact §17A-2-13 of said code; to amend and reenact §17A-3-4 of said code; to amend and reenact §17A-4-1 and §17A-4-10 of said code; to amend and reenact §17A-7-2 of said code; to amend and reenact §17A-10-3, §17A-10-10 and §17A-10-11 of said code; to amend said code by adding thereto a new section, designated §17A-10-3c; to amend and reenact §17B-2-1, §17B-2-3a, §17B-2-5, §17B-2-6, §17B-2-8 and §17B-2-11 of said code; to amend and reenact §17C-5A-2a of said code; and to amend and reenact §17D-2-2 of said code, all relating generally to increasing the funding for the State Road Fund; increasing rate of motor fuel excise tax as of specified date; increasing the minimum average wholesale price of motor fuels for purposes of the five percent variable fuel tax as of specified date; increasing the rate of consumers sales and service tax on sales of motor vehicles as of a specified date; deleting superfluous language relating to floorstocks; increasing Division of Motor Vehicles administrative fees, including increasing fees for various documents, records, registrations, certificates, titles, liens, releases, transfers, cards, stickers, decals, licenses and plates; requiring payment of certain fee for each attempt at the written and road skills test; increasing

said administrative Division of Motor Vehicles fees every five years on September 1 based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index; imposing annual registration fee for certain alternative fuel vehicles; and specifying effective dates”; to the Committee on Finance.

By Delegate Pushkin:

H. B. 109 – “A Bill to amend and reenact §16A-9-1, enacted during the 2017 Regular Session of the Legislature, as an amendment to the Code of West Virginia, 1931, as amended, relating to making medical cannabis subject to the consumer sales and service tax”; to the Committee on Finance.

Delegates Hanshaw and Rodighiero were present during the afternoon session.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Caputo, Hill and Lewis.

At 4:25 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, May 17, 2017.

Wednesday, May 17, 2017

FIFTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 613**), and 91 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Bates, Caputo, A. Evans, N. Foster, Hicks, Hill, Marcum, Miley and Moore.

The Clerk proceeded to read the Journal of Tuesday, May 16, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2017, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1007 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-3f; to amend and reenact §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code by adding thereto two new sections, designated §11-15-3d and §11-15-3e; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend and reenact §11-21-8a and §11-21-8e of said code; to amend said code by adding thereto three new sections, designated §11-21-4g, §11-21-4h and §11-21-12j; and to amend and reenact §11-24-23a of

said code, all relating generally to the Tax Reform Act of 2017; imposing graduated rate severance tax on privilege of producing coal as of specified date and defining certain terms; increasing rate of consumers sales and service tax as of specified date; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; imposing tax on digital code and digital products as of specified date; eliminating certain exemptions from consumers sales and service tax as of specified date; providing consumers sales and service tax exemption for services of professional employer organizations; increasing rate of use tax as of specified date; reducing number of classifications and rates of personal income tax as of January 1, 2018; providing for phase-out of personal income tax and specifying triggering event; exempting military retirement income from personal income tax after specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; and making technical corrections in various sections”; which was referred to the Committee on Finance.

At 11:44 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 4:00 p.m.

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Afternoon Session

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The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

At 4:21 p.m., on motion of Delegate Cowles, the House of Delegates recessed until the conclusion of Remarks of His Excellency, the Governor.

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Afternoon Session

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-continued-

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Delegate Shott, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 106, Relating generally to the furlough of public employees during declared fiscal emergency,

And reports back a committee substitute therefor, with a new title, as follows:

Com. Sub. for H. B. 106 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new Chapter designated as §6D-1-1, §6D-1-2, §6D-1-3, §6D-1-4, §6D-2-1, §6D-2-2, §6D-3-1, §6D-3-2, §6D-4-1 and §6D-4-2, all relating generally to conditions triggered by failure of the Governor to approve a budget; an emergency appropriation to pay for essential government functions and expenses which must stay in operation and paid for during a temporary shutdown of government services created by the absence of budget bill for a fiscal year; setting forth legislative intent; defining terms; providing the terms, conditions, and limitations of the emergency appropriation; setting forth conditions of furlough of state employees generally; requiring the Board of Public Works to meet and approve plans for the furloughing of employees of the Executive Branch if a budget has not been approved by a certain date and specifying certain

employees exempt from furlough; permitting the furlough of state employees generally; specifically, permitting the President of the Senate and Speaker of the House to institute furloughs of certain legislative employees, including employees of the State Senate, the House of Delegates, and employees of the Legislative Auditor and Joint Committee on Government and Finance; permitting Governor and Board of Public Works to furlough certain state employees in the Executive Branch; and authorizing Supreme Court of Appeals to furlough employees and personnel of Supreme Court of Appeals and personnel of circuit courts, family courts and magistrate courts.”

With the recommendation that the committee substitute do pass.

Delegate Hill was present during the afternoon session.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Bates, Caputo, A. Evans, N. Foster, Hicks, Marcum, Miley and Moore.

At 4:46 p.m., the House of Delegates adjourned until 11:00 a.m., Thursday, May 18, 2017.

Thursday, May 18, 2017

SIXTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 614**), and 86 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Bates, Caputo, Ellington, A. Evans, Fast, N. Foster, Gearheart, Hill, Miley, Moore, Rodighiero, Rowe, Thompson and White.

The Clerk proceeded to read the Journal of Wednesday, May 17, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Resolutions Introduced

Delegates Byrd, Phillips, Rowe, Robinson, Lovejoy, Pushkin, Eldridge and Canestraro offered the following resolution (H. C. R. 1), which was reported by the Clerk.

Delegate Byrd asked and obtained unanimous consent that the resolution (H. C. R. 1) be read in its entirety, as follows:

H. C. R. 1 - "Establishing a Select Committee on Taxation and Budget Matters to negotiate and recommend to both houses of the Legislature any necessary revenue legislation to enact balanced budget for fiscal year 2018; and calling for a recess of the first extraordinary session until June 5, 2017 to consider the recommendations of the Select Committee."

Whereas, Each day the full Legislature is in session costs the taxpayers of this state more than \$34,000.00, and members of the Legislature support keeping the cost to state taxpayers to a minimum while in a special session; and

Whereas, The negotiations for funding and passage of the state budget, at the point of time of presentment of this resolution, are far from resolved and are likely to continue for several days if not weeks; and

Whereas, These negotiations are being undertaken by a select group of legislators in leadership who are charged with representing the wishes of their respective caucuses; and

Whereas, The rank and file membership of the State Senate and House of Delegates are not participating in preliminary efforts to reach a final agreement; and

Whereas, Adoption of this resolution will allow a studied and balanced process to resolution of the issues associated with funding the 2018 fiscal year budget at a low cost to state taxpayers; therefore, be it

Resolved by the Legislature of West Virginia:

That a Select Committee on Taxation and Budget Matters is hereby created with the following members: The President of the Senate; the Speaker of the House of Delegates; the Majority and Minority Leaders of each house; the chairs of Finance of each house; the Vice Chairs of Finance of each house; and two minority members of the Committees of Finance of each house; and, be it

Further Resolved, That, at the conclusion of its study, the Select Committee on Taxation and Budget Matters report to each house its findings, conclusions and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That all members of the Select Committee are authorized to receive pay and expense reimbursement during

days those members are present at Select Committee meetings; and, be it

Further Resolved, That upon adoption of this resolution by each house, the First Extraordinary Session of the 2017 Legislature shall recess until 11:00 a.m. on June 5, 2017.

Following the reading of the resolution, it was then referred to the Committee on Rules.

At 11:48 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 4:30 p.m.

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Afternoon Session

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The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Special Calendar

First Reading

Com. Sub. for H. B. 106, Relating generally to the furlough of public employees during declared fiscal emergency; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 615**), and there were—yeas 83, nays 1, absent and not voting 16, with the nays and absent and not voting being as follows:

Nays: Folk.

Absent and Not Voting: Anderson, Arvon, Bates, Caputo, Eldridge, Ellington, A. Evans, N. Foster, Harshbarger, Hicks, Hornbuckle, Marcum, Miley, Moore, Rohrbach and Statler.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

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

Having been engrossed, the bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 616**), and there were—yeas 82, nays 2, absent and not voting 16, with the nays and absent and not voting being as follows:

Nays: G. Foster and Gearheart.

Absent and Not Voting: Anderson, Arvon, Bates, Caputo, Eldridge, Ellington, A. Evans, N. Foster, Harshbarger, Hicks, Hornbuckle, Marcum, Miley, Moore, Rohrbach and Statler.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 106) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 617**), and there were—yeas 84, nays none, absent and not voting 16, with the absent and not voting being as follows:

Absent and Not Voting: Anderson, Arvon, Bates, Caputo, Eldridge, Ellington, A. Evans, N. Foster, Harshbarger, Hicks, Hornbuckle, Marcum, Miley, Moore, Rohrbach and Statler.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 106) takes effect from its passage.

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

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 107, Relating generally to the Tax Reform Act of 2017,

And reports back a committee substitute therefor, with a new title, as follows:

Com. Sub. for H. B. 107 – “A Bill to amend and reenact §11-15-3, §11-15-8a, §11-15-9, §11-15-9b and §11-15-9h of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §11-15-3d; to amend and reenact §11-15A-2 of said code; to amend and reenact §11-21-8a, §11-21-8e and §11-21-16 of said code; to amend said code by adding thereto two new sections, designated §11-21-12j and §11-21-12k; and to amend and reenact §11-24-23a and §11-24-23e of said code, all relating generally to taxation; imposing taxes on telecommunication services and ancillary telecommunication services beginning on a specified date; eliminating exemptions from consumers sales and service tax as of July 1, 2017, on the first \$40,000 of consideration paid for the portion of the labor component for contracting services furnished that is not otherwise exempt from the sales tax for a contract for contracting services entered into on or after a specified date; eliminating exemptions from sales and services tax beginning on specified dates on sales of electronic data processing services and related software, on charges for memberships or services provided by health and fitness organizations relating to personalized fitness programs, on sales of certain primary opinion research services, and on sales of services,

machinery, supplies and materials directly used or consumed in the business activity of communication, but exempting all sales of services, machinery, supplies and materials directly used or consumed in the business activities of the buildout of broadband infrastructure in the state from the tax; eliminating the transfers of sales tax revenues to the State Road Fund that are collected from sales of construction and maintenance materials acquired by a second party for use in the construction or maintenance of a highway project beginning on specified date; exempting all military retirement from personal income tax beginning on specified date; phasing in an exemption of federal social security benefits income from personal income tax for certain resident individuals beginning on specified date; increasing the personal income tax personal exemption of certain resident individuals beginning on specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; and establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; and making technical corrections in various sections,”

With the recommendation that the committee substitute do pass.

At the request of Delegate Cowles, and by unanimous consent, the bill was taken up for immediate consideration, read a first time and ordered to second reading.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Bates, Caputo, Ellington, A. Evans, N. Foster, Miley and Moore.

At 5:22 p.m., the House of Delegates adjourned until 11:00 a.m., Friday, May 19, 2017.

Friday, May 19, 2017

SEVENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Thursday, May 18, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Bills Introduced

A bill was introduced, pursuant to House Rule 92, and referred as follows:

By Delegates Pushkin and Rowe:

H. B. 110 - "A Bill to amend and reenact §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto two new sections, designated §11-15-3d and 11-15-3e; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend and reenact §11-21-8, §11-21-8a, §11-21-8e and §11-21-12 of said code; to amend said code by adding thereto two new sections, designated §11-21-4g and §11-21-22d; and to amend and reenact §11-24-4 of said code, all relating to taxation; defining certain terms; increasing rate of consumers sales and service tax as of specified date; imposing tax on digital code and digital products as of specified date; eliminating certain exemptions from consumers sales and service tax as of specified date; increasing rate of use tax as of specified date; authorizing consumer sales and service tax on certain personal services after a certain date; applying consumer sales and service tax to certain contractor services after a certain date; creating a fair share income surcharge on certain high income

earners; providing a tax credit for full-time classroom teachers; creating a West Virginia earned income tax credit for residents who receive the United States earned income tax credit; granting rule-making authority to State Tax Department; exempting monetary benefits derived from military retirement from personal income tax; and increasing rate of corporate net income tax as of specified date”; to the Committee on Finance.

Special Calendar

Second Reading

Com. Sub. for H. B. 107, Relating generally to the Tax Reform Act of 2017; on second reading, coming up in regular order, was read a second time.

Delegates Robinson, Storch, Barrett, Fluharty and Lovejoy moved to amend the bill on page thirty-one, section eight-a, lines twenty-seven through thirty, by striking out “The credit authorized pursuant to this section may not exceed the greater of \$3.75 million for the portion of a certified rehabilitation as defined in 26 U.S.C. §47(c)(2)(C) placed in service in the state in the taxable year, or \$3.75 million for each building that is a component of a certified historic structure for which a credit is claimed under this section.”

And,

On page thirty-six, section twenty-three-a, lines twenty-seven through thirty, by striking out “The credit authorized pursuant to this section may not exceed the greater of \$3.75 million for the portion of a certified rehabilitation as defined in 26 U.S.C. §47(c)(2)(C) placed in service in the state in the taxable year, or \$3.75 million for each building that is a component of a certified historic structure for which a credit is claimed under this section.”

On the adoption of the amendment, Delegate Robinson demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 618**), and there were—yeas 35, nays 54, absent and not voting 11, with the yeas and absent and not voting being as follows:

Yeas: Baldwin, Barrett, Byrd, Capito, Diserio, E. Evans, Ferro, Fluharty, Hartman, Hicks, Hill, Isner, Kessinger, Lane, Longstreth, Love, Lovejoy, Lynch, Marcum, Martin, McGeehan, R. Miller, Moye, Paynter, Pushkin, Pyles, Robinson, Rodighiero, Rohrbach, Rowe, Sponaugle, Storch, Thompson, Ward and Williams.

Absent and Not Voting: Bates, Canestraro, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley, Moore and Walters.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

Delegates Robinson, Storch, Barrett, Fluharty and Lovejoy moved to amend the bill on page thirty-one, section eight-a, line thirty, after the word “than”, by striking out “\$20 million” and inserting in lieu thereof “\$30 million”.

And,

On page thirty-six, section twenty-three-a, line thirty, after the word “than”, by striking out “\$20 million” and inserting in lieu thereof “\$30 million”.

On the adoption of the amendment, Delegate Robinson demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 619**), and there were—yeas 37, nays 52, absent and not voting 11, with the yeas and absent and not voting being as follows:

Yeas: Baldwin, Barrett, Brewer, Byrd, Capito, Diserio, E. Evans, Ferro, Fluharty, Hamilton, Hartman, Hicks, Hill, Iaquina, Isner, Kessinger, Lane, Love, Lovejoy, Lynch, Marcum, Martin, McGeehan, R. Miller, Moye, Paynter, Pethtel, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaugle, Storch, Thompson, Ward and Williams.

Absent and Not Voting: Bates, Canestraro, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley, Moore and Walters.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

Delegate Paynter moved to amend the bill on page two, line three of the enacting section, by striking out “that said code be amended by adding thereto a new section, designated §11-15-3d” and the semi-colon.

And,

On page four, by striking out section three-d in its entirety.

On the adoption of the amendment, Delegate Paynter demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 620**), and there were—yeas 15, nays 74, absent and not voting 11, with the yeas and absent and not voting being as follows:

Yeas: Arvon, Butler, Gearheart, Hill, Howell, Kessinger, Marcum, Martin, McGeehan, Paynter, Sobonya, Thompson, Upson, Ward and Wilson.

Absent and Not Voting: Bates, Canestraro, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley, Moore and Walters.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

Delegate Paynter moved to amend the bill on page thirty-three, section sixteen, line ten, by striking out the dollar amount “\$2,500” and inserting in lieu thereof the dollar amount “\$2,750”.

On the adoption of the amendment, Delegate Paynter demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 621**), and there were—yeas 30, nays 59, absent and not voting 11, with the yeas and absent and not voting being as follows:

Yeas: Arvon, Baldwin, Barrett, Butler, Byrd, Dean, Diserio, Eldridge, E. Evans, Ferro, Gearheart, Hicks, Hill, Householder,

Howell, Kessinger, Longstreth, Love, Marcum, Martin, McGeehan, O'Neal, Paynter, Phillips, Summers, Sypolt, Thompson, Ward, White and Wilson.

Absent and Not Voting: Bates, Canestraro, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley, Moore and Walters.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

Delegate Kessinger moved to amend the bill on page five, section eight-a, line twenty-four, by striking out the year "2017" and inserting in lieu thereof the year "2018".

On the adoption of the amendment, Delegate McGeehan demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 622**), and there were—yeas 33, nays 56, absent and not voting 11, with the yeas and absent and not voting being as follows:

Yeas: Arvon, Baldwin, Butler, Byrd, Dean, Eldridge, E. Evans, Fast, Gearheart, Hamilton, Hicks, Hill, Howell, Isner, Kessinger, Lane, Love, Lovejoy, Marcum, Martin, McGeehan, R. Miller, Paynter, Phillips, Rodighiero, Sobonya, Statler, Summers, Sypolt, Thompson, Upton, Ward and Wilson.

Absent and Not Voting: Bates, Canestraro, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley, Moore and Walters.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

On motion of Delegates Nelson and Frich, the bill was amended on page twenty-eight, following line sixty-two, by inserting a new section to read as follows:

§11-15-35. Administrative rules.

Legislative rules; emergency rules. — The tax commissioner shall propose for promulgation legislative rules explaining and implementing the amendments to this article enacted in the year

2017 in accordance with the provisions of article three, chapter twenty-nine-a of this code. The authority to promulgate rules includes authority to amend or repeal those rules. If proposed legislative rules for this section are filed in the state register before October 1, 2017, those rules may be promulgated as emergency legislative rules as provided in article three, chapter twenty-nine-a of this code.”

And,

On page two, following the enacting clause, by striking out the enacting section and inserting in lieu thereof the following:

“That §11-15-3, §11-15-8a, §11-15-9, §11-15-9b and §11-15-9h of the Code of West Virginia, 1931, as amended, be amended and reenacted; that said code be amended by adding thereto two new sections, designated §11-15-3d and §11-15-35; that §11-15A-2 of said code be amended and reenacted; that §11-21-8a, §11-21-8e and §11-21-16 of said code be amended and reenacted; that said code be amended by adding thereto two new sections, designated §11-21-12j and §11-21-12k; and that §11-24-23a and §11-24-23e of said code be amended and reenacted, all to read as follows” and a colon.

Delegates Butler and Summers moved to amend the bill on page thirty-two, section twelve-k, beginning on line one, by striking out subsection (a) in its entirety and inserting in lieu thereof the following:

“(a) For taxable years beginning on and after January 1, 2020, for a resident individual with a federal adjusted gross income of less than \$100,000 for the taxable year, one hundred percent of federal social security benefits income that is included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification of federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article.”

Delegates Kelly, Shott, Hamilton, Fast, Howell, Arvon, Espinosa, Statler, Summers, Overington, Cooper, Ambler,

Iaquinta, Ferro, Pethtel, Love, Lynch, Lovejoy, Zatezalo, Anderson, Westfall, R. Miller, Lane, Ward and Thompson requested to be excused from voting on adoption of the amendment under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegates would be as members of a class of persons possibly to be affected by the adoption of the amendment and passage of the bill, and refused to excuse the Members from voting.

On the adoption of the amendment, Delegate Butler demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 623**), and there were—yeas 20, nays 69, absent and not voting 11, with the yeas and absent and not voting being as follows:

Yeas: Arvon, Barrett, Blair, Butler, Dean, Hill, Householder, Howell, Kessinger, Marcum, Martin, McGeehan, Paynter, Phillips, Summers, Sypolt, Thompson, Upson, Ward and Wilson.

Absent and Not Voting: Bates, Canestraro, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley, Moore and Walters.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

Delegates Butler and Summers moved to amend the bill on page twenty-two, section nine, following line three hundred eighty-four, by reinserting subdivision (6) as follows:

“(6) Sales of construction and maintenance materials acquired by a second party for use in the construction or maintenance of a highway project: *Provided*, That in lieu of any refund or credit to the person that paid the tax imposed by this article, the Tax Commissioner shall pay to the Division of Highways for deposit into the State Road Fund of the state reimbursement for the tax in the amount estimated under the provisions of this subdivision: *Provided, however*, That by June 15 of each fiscal year, the division shall provide to the Tax Department an itemized listing of highway projects with the amount of funds expended for highway

construction and maintenance. The Commissioner of Highways shall request reimbursement of the tax based on an estimate that forty percent of the total gross funds expended by the agency during the fiscal period were for the acquisition of materials used for highway construction and maintenance. The amount of the reimbursement shall be calculated at six percent of the forty percent.”

And,

On page twenty-two, section nine, following line three hundred ninety-seven, following the words “after that date”, by striking out the colon and the remainder of the subsection and inserting a period.

On the adoption of the amendment, Delegate Butler demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 624**), and there were—yeas 16, nays 74, absent and not voting 10, with the yeas and absent and not voting being as follows:

Yeas: Blair, Butler, Dean, Hill, Howell, Kessinger, Marcum, Martin, McGeehan, Paynter, Statler, Summers, Thompson, Ward, White and Wilson.

Absent and Not Voting: Bates, Canestraro, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley and Moore.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

Delegates Byrd and Williams moved to amend the bill on page sixteen, section nine, following line two hundred forty-three, by inserting a new subdivision, designated subdivision (33), to read as follows:

“(34) (33) Charges for memberships or services provided by health and fitness organizations relating to personalized fitness programs” and a semicolon.

And,

By renumbering the remaining subdivisions.

Delegate Marcum requested to be excused from voting on the amendment under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate would be as a member of a class of persons possibly to be affected, and refused to excuse the Gentleman from voting.

The Speaker put the question on the adoption of the foregoing amendment, and the same did not prevail.

Delegates Kessinger and Baldwin moved to amend the bill on page five, section eight-a, line five, immediately following the word "That", by inserting "this exemption shall continue to be allowable on the first \$40,000 of the labor component for the consideration paid for the portion of the contracting services furnished when such contracting services have been made necessary as a result of a disaster as defined in section two of article five of chapter fifteen of this code; when such disaster resulted in a state of emergency being declared pursuant to the provisions of section six, article five, chapter fifteen of this code, or, in a major disaster declaration or emergency declaration being issued pursuant to the provisions of 42 U. S. C. § 5122: *Provided further*, That".

Speaker Pro Tempore Overington in the Chair

Mr. Speaker, Mr. Armstead, requested to be excused from voting on the amendment to Com. Sub. for H. B. 107 under the provisions of House Rule 49.

The Speaker Pro Tempore replied that any impact on the Delegate would be as a member of a class of persons possibly to be affected by the adoption of the amendment and passage of the bill, and refused to excuse the Member from voting.

Mr. Speaker, Mr. Armstead, in the Chair

The Speaker put the question on the adoption of the foregoing amendment, and the same was adopted.

The bill was then ordered to engrossment and third reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 625**), and there were—yeas 90, nays none, absent and not voting 10, with the absent and not voting being as follows:

Absent and Not Voting: Bates, Canestraro, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley and Moore.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

Having been engrossed, the bill was read a third time and put upon its passage.

Delegates Wilson, Cooper, Hartman, Kelly, Hollen, Lewis and Upson requested to be excused from voting on the passage of Com. Sub. for H. B. 107 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegates would be as members of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Members from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 626**), and there were, including pairs—yeas 74, nays 17, absent and not voting 9, with the paired, nays and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairing was filed and announced by the Clerk:

Paired:

Yea: Canestraro Nay: Wilson

Nays: Arvon, Baldwin, Blair, Butler, Gearheart, Hill, Householder, Howell, Kessinger, Martin, McGeehan, Paynter, Phillips, Sobonya, Summers and Upson.

Absent and Not Voting: Bates, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley and Moore.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 107) passed.

On motion of Delegate Shott, the title of the bill was amended to read as follows:

Com. Sub. for H. B. 107 – “A Bill to amend and reenact §11-15-3, §11-15-8a, §11-15-9, §11-15-9b and §11-15-9h of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto two new sections, designated §11-15-3d and §11-15-35; to amend and reenact §11-15A-2 of said code; to amend and reenact §11-21-8a, §11-21-8e and §11-21-16 of said code; to amend said code by adding thereto two new sections, designated §11-21-12j and §11-21-12k; and to amend and reenact §11-24-23a and §11-24-23e of said code, all relating generally to taxation; imposing taxes on telecommunication services and ancillary telecommunication services beginning on a specified date; eliminating exemptions from consumers sales and service tax as of July 1, 2017, on the first \$40,000 of consideration paid for the portion of the labor component for contracting services furnished that is not otherwise exempt from the sales tax for a contract for contracting services entered into on or after a specified date, and providing exceptions in the event of certain declarations of disasters; eliminating exemptions from sales and services tax beginning on specified dates on sales of electronic data processing services and related software, on charges for memberships or services provided by health and fitness organizations relating to personalized fitness programs, on sales of certain primary opinion research services, and on sales of services, machinery, supplies and materials directly used or consumed in the business activity of communication, but exempting all sales of services, machinery, supplies and materials directly used or consumed in the business activities of the buildout of broadband infrastructure in the state from the tax; eliminating the transfers of sales tax revenues to the State Road Fund that are collected from sales of construction and maintenance materials acquired by a second party for use in the

construction or maintenance of a highway project beginning on specified date; providing for legislative and emergency rules; exempting all military retirement from personal income tax beginning on specified date; phasing in an exemption of federal social security benefits income from personal income tax for certain resident individuals beginning on specified date; increasing the personal income tax personal exemption of certain resident individuals beginning on specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; and establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; and making technical corrections in various sections.”

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 627**), and there were—yeas 87, nays 3, absent and not voting 10, with the nays and absent and not voting being as follows:

Nays: Marcum, McGeehan and Wilson.

Absent and Not Voting: Bates, Canestraro, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley and Moore.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 107) takes effect from its passage.

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

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Bates, Canestraro, Caputo, Ellington, A. Evans, Folk, N. Foster, Hornbuckle, Miley and Moore.

Miscellaneous Business

Delegate Frich noted to the Clerk that she be recorded as having voted “Yea” on the amendment to Com. Sub. for H. B. 107 offered by Delegates Byrd and Williams.

Delegate Martin asked and obtained unanimous consent that the remarks of Delegate Paynter regarding the coal mining fatality in Wyoming County be printed in the Appendix to the Journal.

At 1:36 p.m., the House of Delegates adjourned until 4:00 p.m., Tuesday, May 23, 2017.

Tuesday, May 23, 2017

NINTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 4:00 p.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 628**), and 66 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Ambler, Baldwin, Bates, Boggs, Canestraro, Capito, Caputo, Cooper, Diserio, Ellington, E. Evans, Fast, Ferro, Fleischauer, N. Foster, Hanshaw, Hartman, Hicks, Hill, Hollen, Hornbuckle, Iaquina, Love, Lovejoy, Lynch, Miley, Moore, Rodighiero, Sponaugle, Storch, Summers, Sypolt, Williams and Wilson.

Delegate Ambler was also present for part of the session.

The Clerk proceeded to read the Journal of Friday, May 19, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Messages from the Executive

The Speaker laid before the House of Delegates a Proclamation of His Excellency, the Governor, which was read by the Clerk, as follows:

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the Proclamation dated the third day

of May, Two Thousand Seventeen, calling the Legislature of West Virginia to convene in Extraordinary Session at eleven a.m. on the fourth day of May, Two Thousand Seventeen, by adding items eight, nine, ten, eleven, twelve, thirteen and fourteen as follows:

EIGHT: A bill relating generally to the Department of Health and Human Resources and Health Care Authority; and

NINE: A bill relating to the sale of Department of Health and Human Resource operated hospitals; and

TEN: A bill relating to physician assistants; and

ELEVEN: A bill relating generally to tax procedures and administration of tax liens; and

TWELVE: A bill relating to public school support and county levy rates; and

THIRTEEN: A bill relating to volunteer fire fighter workers compensation; and

FOURTEEN: A bill enacting a state budget for fiscal year 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this twenty-third day of May, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fourth year of the State.

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State

Bills Introduced

Bills were introduced, pursuant to House Rule 92, and severally referred as follows:

By Mr. Speaker (Mr. Armstead) and Delegate Miley

[By Request of the Executive]:

H. B. 111 - “A Bill to amend and reenact §11-10-12 of the Code of West Virginia, 1931, as amended, and to amend and reenact §38-10C-2 of said code, all relating generally to tax procedures and administration; requiring a notice of lien to include the lien expiration date; providing for additional circumstances in which the Tax Commissioner may withdraw tax liens; providing for the release, withdrawal or termination of lien under certain circumstances; and deleting inoperative language”; to the Committee on Finance.

By Mr. Speaker (Mr. Armstead) and Delegate Miley

[By Request of the Executive]:

H. B. 112 - “A Bill to amend and reenact §33-3-33a of the Code of West Virginia, 1931, as amended, relating to the Volunteer Fire Department Workers’ Compensation Premium Subsidy Fund; providing for the deposit of moneys into the Volunteer Fire Department Workers’ Compensation Premium Subsidy Fund until June 30, 2020; providing for the expiration and closure of the Volunteer Fire Department Workers’ Compensation Premium Subsidy Fund on June 30, 2020; and providing for the transfer of any remaining moneys in the Volunteer Fire Department Workers’ Compensation Premium Subsidy Fund upon closure of such fund”; to the Committee on Finance.

By Mr. Speaker (Mr. Armstead) and Delegate Miley

[By Request of the Executive]:

H. B. 113 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to the selling of a certain state-owned health care facility and appurtenances by the Secretary of the Department of Health and Human Resources; exempting certain laws; creating a fund; implementing a benefits package for employees; and providing statutory construction”; to the Committee on Finance.

**By Mr. Speaker (Mr. Armstead) and Delegate Miley
[By Request of the Executive]:**

H. B. 114 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-26, relating to the selling of a certain state-owned health care facility and appurtenances by the Secretary of the Department of Health and Human Resources; ensuring the transfer of existing patients and the construction of a replacement facility; exempting certain laws; creating a fund; implementing a benefits package for employees; and providing statutory construction”; to the Committee on Finance.

**By Delegate Miley
[By Request of the Executive]:**

H. B. 115 – “A Bill making appropriations of public money out of the Treasury in accordance with section fifty-one, article VI of the Constitution”; to the Committee on Finance.

**By Mr. Speaker (Mr. Armstead) and Delegate Miley
[By Request of the Executive]:**

H. B. 116 - “A Bill to repeal §30-3E-8 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-5-19 of said code; to amend and reenact §30-3-5 of said code; to amend and reenact §30-3E-1, §30-3E-2, §30-3E-3, §30-3E-4, §30-3E-6, §30-3E-7, §30-3E-9, §30-3E-10, §30-3E-11, §30-3E-12, §30-3E-15, §30-3E-16 and §30-3E-17 of said code; to amend said code by adding thereto a new section, designated §30-3E-12a; and to amend and reenact §33-15-14 of said code, all relating to physician assistants; modifying board membership; substituting ‘collaborating physician’ for ‘supervising physician’; defining terms; modifying the prescriptive authority of physician assistants; eliminating certain recertification requirements; eliminating the continuous national certification requirement; prohibiting an insurance plan from limiting the practice of physician assistants; adding requirements for practice agreements; granting physician assistants signatory authority on certain forms; and making conforming amendments”; to the Committee on Health and Human Resources.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Baldwin, Bates, Boggs, Canestraro, Capito, Caputo, Cooper, Diserio,

Ellington, E. Evans, Fast, Ferro, Fleischauer, N. Foster, Hanshaw, Hartman, Hicks, Hill, Hollen, Hornbuckle, Iaquinta, Love, Lovejoy, Lynch, Miley, Moore, Rodighiero, Sponaugle, Storch, Summers, Sypolt, Williams and Wilson.

At 4:49 p.m., the House of Delegates adjourned until 10:00 a.m., Wednesday, May 24, 2017.

Wednesday, May 24, 2017

TENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 10:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 629**), and 75 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Baldwin, Canestraro, Diserio, Ellington, Espinosa, Fast, Ferro, Fleischauer, N. Foster, Hanshaw, Hicks, Hill, Hornbuckle, Kessinger, Miley, Moore, Rohrbach, Rowe, Sponaugle, Summers, Thompson, Westfall, White, Williams and Wilson.

The Clerk proceeded to read the Journal of Tuesday, May 23, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Bills Introduced

Bills were introduced, pursuant to House Rule 92, and severally referred as follows:

By Delegate Miley

[By Request of the Executive]:

H. B. 117 - "A Bill to amend and reenact §16-2D-11 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §16-5F-1, §16-5F-2, §16-5F-3, §16-5F-4 and §16-5F-5; to amend and reenact §16-29B-8 of said code, all relating to West Virginia Health Care Authority; defining terms; authorizing secretary to promulgate rules under

provisions of new article; authorizing secretary to investigate and report to Legislature any other providers that need to be subject to the provisions of the new article; authorizing the Secretary of the Department of Health and Human Resources, through the Health Care Authority, to request health care facilities file with the Health Care Authority health care financial disclosures; authorizing the secretary to coordinate and oversee the collection of health data of state agencies; authorizing the secretary to assess a penalty for the failure to file required financial disclosures; removing restrictive language associated with an exemption to the certificate of need process; and authorize the Health Care Authority to assess and collect a fee into ‘Health Care Costs Review Fund’; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Folk, McGeehan, Paynter, Martin, Gearheart, Criss, Butler and Lewis:

H. B. 118 – “A Bill making appropriations of public money out of the Treasury in accordance with section fifty-one, article VI of the Constitution”; to the Committee on Finance.

At 10:39 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 4:30 p.m.

* * * * *

Evening Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 107, Relating generally to the Tax Reform Act of 2017.

These rates include the thirty-five one hundredths of one percent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all coal produced from seams of coal at least thirty-seven inches thick but not more than forty-five inches thick during the reporting period, by tons of all coal produced from seams at least thirty-seven inches thick but not more than forty-five inches thick during the reporting period.

(b) In the event that subsection (a) of this section is found by a court of competent jurisdiction to violate either the Constitution of this state or of the United States, and that decision becomes final, this section shall become null and void by operation of law and the tax due shall be determined under section three of this article for the tax year or years involved in the litigation and all subsequent years.

(c) *Definition of metallurgical grade coal and steam grade coal.* – For purposes of this section:

(1) Metallurgical grade coal is bituminous coal that is not steam grade coal.

(2) Steam grade coal is coal sold to an end-user or other intermediary that is intended for combustion by coal-fired electric generating units.

(3) The determination of whether coal is metallurgical grade coal or steam grade coal is made when the coal is first sold.

ARTICLE 15. CONSUMERS SALES AND SERVICE TAX.

§11-15-2. Definitions.

(a) *General.* — When used in this article and article fifteen-a of this chapter, words defined in subsection (b) of this section have the meanings ascribed to them in this section, except in those instances where a different meaning is provided in this article or

the context in which the word is used clearly indicates that a different meaning is intended by the Legislature.

(b) *Definitions.* —

(1) ‘Business’ includes all activities engaged in or caused to be engaged in with the object of gain or economic benefit, direct or indirect, and all activities of the state and its political subdivisions which involve sales of tangible personal property or the rendering of services when those service activities compete with or may compete with the activities of other persons.

(2) ‘Communication’ means all telephone, radio, light, light wave, radio telephone, telegraph and other communication or means of communication, whether used for voice communication, computer data transmission or other encoded symbolic information transfers and includes commercial broadcast radio, commercial broadcast television and cable television.

(3) ‘Contracting’:

(A) *In general.* — ‘Contracting’ means and includes the furnishing of work, or both materials and work, for another (by a sole contractor, general contractor, prime contractor, subcontractor or construction manager) in fulfillment of a contract for the construction, alteration, repair, decoration or improvement of a new or existing building or structure, or any part thereof, or for removal or demolition of a building or structure, or any part thereof, or for the alteration, improvement or development of real property. Contracting also includes services provided by a construction manager so long as the project for which the construction manager provides the services results in a capital improvement to a building or structure or to real property.

(B) *Form of contract not controlling.* — An activity that falls within the scope of the definition of contracting constitutes contracting regardless of whether the contract governing the activity is written or verbal and regardless of whether it is in substance or form a lump sum contract, a cost-plus contract, a time

and materials contract, whether or not open-ended, or any other kind of construction contract.

(C) *Special rules.* — For purposes of this definition:

(i) The term ‘structure’ includes, but is not limited to, everything built up or composed of parts joined together in some definite manner and attached or affixed to real property or which adds utility to real property or any part thereof or which adds utility to a particular parcel of property and is intended to remain there for an indefinite period of time;

(ii) The term ‘alteration’ means, and is limited to, alterations which are capital improvements to a building or structure or to real property;

(iii) The term ‘repair’ means, and is limited to, repairs which are capital improvements to a building or structure or to real property;

(iv) The term ‘decoration’ means, and is limited to, decorations which are capital improvements to a building or structure or to real property;

(v) The term ‘improvement’ means, and is limited to, improvements which are capital improvements to a building or structure or to real property;

(vi) The term ‘capital improvement’ means improvements that are affixed to or attached to and become a part of a building or structure or the real property or which add utility to real property, or any part thereof, and that last or are intended to be relatively permanent. As used herein, ‘relatively permanent’ means lasting at least a year in duration without the necessity for regularly scheduled recurring service to maintain the capital improvement. ‘Regular recurring service’ means regularly scheduled service intervals of less than one year;

(vii) Contracting does not include the furnishing of work, or both materials and work, in the nature of hookup, connection, installation or other services if the service is incidental to the retail

sale of tangible personal property from the service provider's inventory: *Provided*, That the hookup, connection or installation of the foregoing is incidental to the sale of the same and performed by the seller thereof or performed in accordance with arrangements made by the seller thereof. Examples of transactions that are excluded from the definition of contracting pursuant to this subdivision include, but are not limited to, the sale of wall-to-wall carpeting and the installation of wall-to-wall carpeting, the sale, hookup and connection of mobile homes, window air conditioning units, dishwashers, clothing washing machines or dryers, other household appliances, drapery rods, window shades, venetian blinds, canvas awnings, free-standing industrial or commercial equipment and other similar items of tangible personal property. Repairs made to the foregoing are within the definition of contracting if the repairs involve permanently affixing to or improving real property or something attached thereto which extends the life of the real property or something affixed thereto or allows or intends to allow the real property or thing permanently attached thereto to remain in service for a year or longer; and

(viii) The term 'construction manager' means a person who enters into an agreement to employ, direct, coordinate or manage design professionals and contractors who are hired and paid directly by the owner or the construction manager. The business activities of a 'construction manager' as defined in this subdivision constitute contracting, so long as the project for which the construction manager provides the services results in a capital improvement to a building or structure or to real property.

(4) 'Digital code' is defined in section three-e of this article;

(5) 'Digital products' is defined in section three-e of this article;

(4) (6) 'Directly used or consumed' in the activities of manufacturing, transportation, transmission, communication or the production of natural resources means used or consumed in those activities or operations which constitute an integral and essential part of the activities, as contrasted with and distinguished from

those activities or operations which are simply incidental, convenient or remote to the activities.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activities of manufacturing, transportation, transmission, communication or the production of natural resources include only:

(i) In the case of tangible personal property, physical incorporation of property into a finished product resulting from manufacturing production or the production of natural resources;

(ii) Causing a direct physical, chemical or other change upon property undergoing manufacturing production or production of natural resources;

(iii) Transporting or storing property undergoing transportation, communication, transmission, manufacturing production or production of natural resources;

(iv) Measuring or verifying a change in property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(v) Physically controlling or directing the physical movement or operation of property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(vi) Directly and physically recording the flow of property undergoing transportation, communication, transmission, manufacturing production or production of natural resources;

(vii) Producing energy for property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(viii) Facilitating the transmission of gas, water, steam or electricity from the point of their diversion to property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(ix) Controlling or otherwise regulating atmospheric conditions required for transportation, communication, transmission, manufacturing production or production of natural resources;

(x) Serving as an operating supply for property undergoing transmission, manufacturing production or production of natural resources, or for property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(xi) Maintaining or repairing of property, including maintenance equipment, directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(xii) Storing, removal or transportation of economic waste resulting from the activities of manufacturing, transportation, communication, transmission or the production of natural resources;

(xiii) Engaging in pollution control or environmental quality or protection activity directly relating to the activities of manufacturing, transportation, communication, transmission or the production of natural resources and personnel, plant, product or community safety or security activity directly relating to the activities of manufacturing, transportation, communication, transmission or the production of natural resources; or

(xiv) Otherwise using as an integral and essential part of transportation, communication, transmission, manufacturing production or production of natural resources.

(B) Uses of property or services which do not constitute direct use or consumption in the activities of manufacturing, transportation, transmission, communication or the production of natural resources include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Production planning, scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to transportation, communication, transmission, manufacturing production or production of natural resources, rather than an integral and essential part of these activities.

(5) (7) 'Directly used or consumed' in the activities of gas storage, the generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business means used or consumed in those activities or operations which constitute an integral and essential part of those activities or operation, as contrasted with and distinguished from activities or operations which are simply incidental, convenient or remote to those activities.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activities of gas storage, the generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business include only:

(i) Tangible personal property, custom software, digital code, digital products or services, including equipment, machinery, apparatus, supplies, fuel and power and appliances, which are used immediately in production or generation activities and equipment, machinery, supplies, tools and repair parts used to keep in operation exempt production or generation devices. For purposes of this subsection, production or generation activities shall commence from the intake, receipt or storage of raw materials at the production plant site;

(ii) Tangible personal property, custom software, digital code, digital products or services, including equipment, machinery, apparatus, supplies, fuel and power, appliances, pipes, wires and

mains, which are used immediately in the transmission or distribution of gas, water and electricity to the public, and equipment, machinery, tools, repair parts and supplies used to keep in operation exempt transmission or distribution devices, and these vehicles and their equipment as are specifically designed and equipped for those purposes are exempt from the tax when used to keep a transmission or distribution system in operation or repair. For purposes of this subsection, transmission or distribution activities shall commence from the close of production at a production plant or wellhead when a product is ready for transmission or distribution to the public and shall conclude at the point where the product is received by the public;

(iii) Tangible personal property, custom software, digital code, digital products or services, including equipment, machinery, apparatus, supplies, fuel and power, appliances, pipes, wires and mains, which are used immediately in the storage of gas or water, and equipment, machinery, tools, supplies and repair parts used to keep in operation exempt storage devices;

(iv) Tangible personal property, custom software, digital code, digital products or services used immediately in the storage, removal or transportation of economic waste resulting from the activities of gas storage, the generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business;

(v) Tangible personal property, custom software, digital code, digital products or services used immediately in pollution control or environmental quality or protection activity or community safety or security directly relating to the activities of gas storage, generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business.

(B) Uses of property, digital code, digital products or services which would not constitute direct use or consumption in the activities of gas storage, generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business include, but are not limited to:

- (i) Heating and illumination of office buildings;
- (ii) Janitorial or general cleaning activities;
- (iii) Personal comfort of personnel;
- (iv) Production planning, scheduling of work or inventory control;
- (v) Marketing, general management, supervision, finance, training, accounting and administration; or
- (vi) An activity or function incidental or convenient to the activities of gas storage, generation or production or sale of electric power, the provision of public utility service or the operation of a utility business.

~~(6)~~ (8) 'Gas storage' means the injection of gas into a storage reservoir or the storage of gas for any period of time in a storage reservoir or the withdrawal of gas from a storage reservoir engaged in by businesses subject to the business and occupation tax imposed by sections two and two-e, article thirteen of this chapter.

~~(7)~~ (9) 'Generating or producing or selling of electric power' means the generation, production or sale of electric power engaged in by businesses subject to the business and occupation tax imposed by section two, two-d, two-m or two-n, article thirteen of this chapter.

~~(8)~~ (10) 'Gross proceeds' means the amount received in money, credits, property or other consideration from sales and services within this state, without deduction on account of the cost of property sold, amounts paid for interest or discounts or other expenses whatsoever. Losses may not be deducted, but any credit or refund made for goods returned may be deducted.

~~(9)~~ (11) 'Includes' and 'including', when used in a definition contained in this article, does not exclude other things otherwise within the meaning of the term being defined.

~~(10)~~ (12) 'Manufacturing' means a systematic operation or integrated series of systematic operations engaged in as a business or segment of a business which transforms or converts tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed.

~~(11)~~ (13) 'Person' means any individual, partnership, association, corporation, limited liability company, limited liability partnership or any other legal entity, including this state or its political subdivisions or an agency of either, or the guardian, trustee, committee, executor or administrator of any person.

~~(12)~~ (14) 'Personal service' includes those: (A) Compensated by the payment of wages in the ordinary course of employment; and (B) rendered to the person of an individual without, at the same time, selling tangible personal property, such as nursing, barbering, shoe shining, manicuring and similar services.

~~(13)~~ (15) 'Prepaid wireless calling service' means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance that is sold in predetermined units or dollars of which the number decline with use in a known amount.

~~(14)~~ (16) Production of natural resources.

(A) 'Production of natural resources' means, except for oil and gas, the performance, by either the owner of the natural resources or another, of the act or process of exploring, developing, severing, extracting, reducing to possession and loading for shipment and shipment for sale, profit or commercial use of any natural resource products and any reclamation, waste disposal or environmental activities associated therewith and the construction, installation or fabrication of ventilation structures, mine shafts, slopes, boreholes, dewatering structures, including associated facilities and apparatus, by the producer or others, including contractors and subcontractors, at a coal mine or coal production facility.

(B) For the natural resources oil and gas, ‘production of natural resources’ means the performance, by either the owner of the natural resources, a contractor or a subcontractor, of the act or process of exploring, developing, drilling, well-stimulation activities such as logging, perforating or fracturing, well-completion activities such as the installation of the casing, tubing and other machinery and equipment and any reclamation, waste disposal or environmental activities associated therewith, including the installation of the gathering system or other pipeline to transport the oil and gas produced or environmental activities associated therewith and any service work performed on the well or well site after production of the well has initially commenced.

(C) All work performed to install or maintain facilities up to the point of sale for severance tax purposes is included in the ‘production of natural resources’ and subject to the direct use concept.

(D) ‘Production of natural resources’ does not include the performance or furnishing of work, or materials or work, in fulfillment of a contract for the construction, alteration, repair, decoration or improvement of a new or existing building or structure, or any part thereof, or for the alteration, improvement or development of real property, by persons other than those otherwise directly engaged in the activities specifically set forth in this subdivision as ‘production of natural resources’.

~~(15)~~ (17) ‘Providing a public service or the operating of a utility business’ means the providing of a public service or the operating of a utility by businesses subject to the business and occupation tax imposed by sections two and two-d, article thirteen of this chapter.

~~(16)~~ (18) ‘Purchaser’ means a person who purchases tangible personal property, custom software or a service taxed by this article.

~~(17)~~ (19) ‘Sale’, ‘sales’ or ‘selling’ includes any transfer of the possession or ownership of tangible personal property, digital code, digital products or custom software for a consideration, including a lease or rental, when the transfer or delivery is made in

the ordinary course of the transferor's business and is made to the transferee or his or her agent for consumption or use or any other purpose. 'Sale' also includes the furnishing of a service for consideration. Notwithstanding anything to the contrary in this code, effective after the thirtieth day of June, two thousand eight, 'sale' also includes the furnishing of prepaid wireless calling service for consideration.

~~(18)~~ (20) 'Service' or 'selected service' includes all nonprofessional activities engaged in for other persons for a consideration, which involve the rendering of a service as distinguished from the sale of tangible personal property, digital code, digital products or custom software, but does not include contracting, personal services or the services rendered by an employee to his or her employer or any service rendered for resale: *Provided*, That the term 'service' or 'selected service' does not include payments received by a vendor of tangible personal property as an incentive to sell a greater volume of such tangible personal property under a manufacturer's, distributor's or other third party's marketing support program, sales incentive program, cooperative advertising agreement or similar type of program or agreement, and these payments are not considered to be payments for a 'service' or 'selected service' rendered, even though the vendor may engage in attendant or ancillary activities associated with the sales of tangible personal property as required under the programs or agreements.

~~(19)~~ (21) 'Streamlined Sales and Use Tax Agreement' or 'agreement', when used in this article, has the same meaning as when used in article fifteen-b of this chapter, except when the context in which the word 'agreement' is used clearly indicates that a different meaning is intended by the Legislature.

~~(20)~~ (22) 'Tax' includes all taxes, additions to tax, interest and penalties levied under this article or article ten of this chapter.

~~(21)~~ (23) 'Tax Commissioner' means the State Tax Commissioner or his or her delegate. The term 'delegate' in the phrase 'or his or her delegate', when used in reference to the Tax Commissioner, means any officer or employee of the State Tax

Division duly authorized by the Tax Commissioner directly, or indirectly by one or more redelegations of authority, to perform the functions mentioned or described in this article or rules promulgated for this article.

~~(22)~~ (24) ‘Taxpayer’ means any person liable for the tax imposed by this article or additions to tax, penalties and interest imposed by article ten of this chapter.

~~(23)~~ (25) ‘Transmission’ means the act or process of causing liquid, natural gas or electricity to pass or be conveyed from one place or geographical location to another place or geographical location through a pipeline or other medium for commercial purposes.

~~(24)~~ (26) ‘Transportation’ means the act or process of conveying, as a commercial enterprise, passengers or goods from one place or geographical location to another place or geographical location.

~~(25)~~ (27) ‘Ultimate consumer’ or ‘consumer’ means a person who uses or consumes services, digital code, digital products or personal property.

~~(26)~~ (28) ‘Vendor’ means any person engaged in this state in furnishing services taxed by this article or making sales of tangible personal property, digital code, digital products or custom software. ‘Vendor’ and ‘seller’ are used interchangeably in this article.

(c) *Additional definitions.* — Other terms used in this article are defined in article fifteen-b of this chapter, which definitions are incorporated by reference into article fifteen of this chapter. Additionally, other terms used in this section may be defined in other sections of this article. ~~may define terms primarily used in the section in which the term is defined.~~

§11-15-3. Amount of tax; allocation of tax and transfers.

(a) *Vendor to collect.* — For the privilege of selling tangible personal property, digital code, digital products or custom software

and for the privilege of furnishing certain selected services defined in sections two and eight of this article, the vendor shall collect from the purchaser the tax as provided under this article and article fifteen-b of this chapter, and shall pay the amount of tax to the Tax Commissioner in accordance with the provisions of this article or article fifteen-b of this chapter.

(b) *Amount of tax.* — The general consumer sales and service tax imposed by this article shall be at the rate of ~~6¢ on the dollar~~ six percent of the sales price of sales or services tangible personal property, digital code, digital product, custom software or taxable service purchased, excluding gasoline and special fuel sales, which remain taxable at the rate of ~~5¢ on the dollar of sales~~ five percent: *Provided, That on and after July 1, 2017, the tax imposed by this article shall be seven and twenty-five one-hundredths percent of the purchase price, excluding sales of motor vehicles, which shall remain taxable as provided in section three-c of this article, and sales of motor fuels, which remain taxable at the rate of five percent of the average wholesale selling price of motor fuel.*

(c) *Calculation tax on fractional parts of a dollar until January 1, 2004.* — ~~There shall be no tax on sales where the monetary consideration is 5¢ or less. The amount of the tax shall be computed as follows:~~

(1) ~~On each sale, where the monetary consideration is from 6¢ to 16¢, both inclusive, 1¢.~~

(2) ~~On each sale, where the monetary consideration is from 17¢ to 33¢, both inclusive, 2¢.~~

(3) ~~On each sale, where the monetary consideration is from 34¢ to 50¢, both inclusive, 3¢.~~

(4) ~~On each sale, where the monetary consideration is from 51¢ to 67¢, both inclusive, 4¢.~~

(5) ~~On each sale, where the monetary consideration is from 68¢ to 84¢, both inclusive, 5¢.~~

~~(6) On each sale, where the monetary consideration is from 85¢ to \$1, both inclusive, 6¢.~~

~~(7) If the sale price is in excess of \$1, 6¢ on each whole dollar of sale price, and upon any fractional part of a dollar in excess of whole dollars as follows: 1¢ on the fractional part of the dollar if less than 17¢; 2¢ on the fractional part of the dollar if in excess of 16¢ but less than 34¢; 3¢ on the fractional part of the dollar if in excess of 33¢ but less than 51¢; 4¢ on the fractional part of the dollar if in excess of 50¢ but less than 68¢; 5¢ on the fractional part of the dollar if in excess of 67¢ but less than 85¢; and 6¢ on the fractional part of the dollar if in excess of 84¢. For example, the tax on sales from \$1.01 to \$1.16, both inclusive, 7¢; on sales from \$1.17 to \$1.33, both inclusive, 8¢; on sales from \$1.34 to \$1.50, both inclusive, 9¢; on sales from \$1.51 to \$1.67, both inclusive, 10¢; on sales from \$1.68 to \$1.84, both inclusive, 11¢ and on sales from \$1.85 to \$2, both inclusive, 12¢. *Provided*, That beginning January 1, 2004, tax due under this article shall be calculated as provided in subsection (d) of this subsection and this subsection (e) does not apply to sales made after December 31, 2003.~~

~~(d) (c) Calculation of tax on fractional parts of a dollar after December 31, 2003. — Beginning January 1, 2004, the The tax computation under subsection (b) of this section shall be carried to the third decimal place, and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.~~

~~(e) (d) No aggregation of separate sales transactions, exception for coin-operated devices. — Separate sales, such as daily or weekly deliveries, shall not be aggregated for the purpose of computation of the tax even though the sales are aggregated in the billing or payment therefor. Notwithstanding any other provision of this article, coin-operated amusement and vending machine sales shall be aggregated for the purpose of computation of this tax.~~

~~(f)~~ (e) *Rate of tax on certain mobile homes.* – Notwithstanding any provision of this article to the contrary, ~~after December 31, 2003,~~ the tax levied on sales of mobile homes to be used by the owner thereof as his or her principal year-round residence and dwelling shall be an amount equal to six percent of fifty percent of the sales price: Provided, That on and after July 1, 2017, notwithstanding any provision of this article to the contrary, the tax levied on sales of mobile homes to be used by the owner thereof as his or her principal year-round residence and dwelling shall be an amount equal to seven and twenty-five one-hundredths percent of fifty percent of the sales price.

~~(g)~~ (f) *Construction; custom software.* – ~~After December 31, 2003, whenever~~ Whenever the words ‘tangible personal property’ or ‘property’ appear in this article, the same shall also include the words ‘custom software’.

~~(h)~~ (g) *Computation of tax on sales of gasoline and special fuel.* – The method of computation of tax provided in this section does not apply to sales of gasoline and special fuel.

§11-15-3d. Imposition of consumers sales tax on telecommunications service and ancillary services.

(a) Notwithstanding the provisions of section eight of this article or any other provision of this code to the contrary, on and after July 1, 2017, ‘telecommunications service’ and ‘ancillary services’, as defined in section twenty, article fifteen-b of this chapter, shall be subject to the consumers sales and service tax imposed by this article and the use tax imposed by article fifteen-a of this chapter: Provided, That payment of the tax imposed under this article or under article fifteen-a of this chapter on prepaid wireless services is sufficient to fulfill the mandate of this section, and prepaid wireless services shall not be subjected to double taxation under this article: Provided, however, That this section shall not be interpreted to prevent imposition of any other lawfully imposed municipal tax or fee or any other tax or fee lawfully imposed under any state or federal law, or the laws of any subdivision thereof on such prepaid wireless services.

(b) The tax imposed by this section shall be in addition to any municipal utilities tax, municipal consumers sales and service tax and use tax, or other tax lawfully imposed on telephone service, telecommunications service and ancillary services.

(c) The sale of telecommunications service and ancillary services on which tax is imposed by this section shall be subject to the sourcing rules set forth in sections nineteen and twenty, article fifteen-b of this chapter.

(d) Notwithstanding the fact that a service provider did not meet the threshold amount for the previous calendar year that would cause accelerated payment to be made in the current year, the accelerated payment rule imposed under subsection (g), section sixteen of this article applies to the tax imposed by this section if the service provider's total combined monthly remittance of the taxes levied by this article and article fifteen-a of this chapter for any calendar month beginning on and after July 1, 2017, exceeds, or can reasonably be expected to exceed, \$100,000.

§11-15-3e. Imposition of consumers sales tax on digital products.

(a) Notwithstanding any other provision of this code to the contrary, on and after July 1, 2017, sales of digital code and sales of digital products electronically transferred to the purchaser shall be subject to the consumers sales and service tax imposed by this article, and the use of digital code and the use of digital products electronically transferred to the purchaser shall be subject to the use tax imposed by article fifteen-a of this chapter. The tax imposed by this article shall apply to sales of digital code and to sales of digital products electronically transferred to the purchaser regardless of whether the digital product is provided for permanent use or less than permanent use and regardless of whether continued payment is required.

(b) Definitions. —

(1) 'Designated digital products' means digital audio works, digital audio-visual works, digital books, video game digital

products and digital automated services that are electronically transferred to a purchaser.

(2) ‘Digital audio-visual works’ means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sound, if any. Digital audio-visual works include such items as motion pictures, movies, music videos, news and entertainment and live events. Digital audio-visual works do not include audio greeting cards sent by electronic mail. Digital audio-visual works include the digital code, or a subscription to or access to a digital code, for receiving, accessing or otherwise obtaining digital audio-visual works.

(3) ‘Digital audio works’ means works that result from the fixation of a series of musical, spoken or other sounds, including ringtones. Digital audio works include such items as the following which may either be prerecorded or live: Songs, music, readings of books or other written materials, speeches, ringtones, or other sound recordings. Digital audio works do not include audio greeting cards sent by electronic mail. Unless the context provides otherwise, in this chapter digital audio works include the digital code, or a subscription to or access to a digital code, for receiving, accessing or otherwise obtaining digital audio works.

(4) ‘Digital automated services’ defined. —

(A) ‘Digital automated service’, except as provided in paragraph (B) of this subdivision, means any service transferred electronically that uses one or more software applications.

(B) ‘Digital automated service’ does not include:

(i) Any service that primarily involves the application of human effort by the seller and the human effort originated after the customer requested the service;

(ii) The loaning or transferring of money or the purchase, sale or transfer of financial instruments. For purposes of this section, ‘financial instruments’ include cash, accounts receivable and payable, loans and notes receivable and payable, debt securities,

equity securities, as well as derivative contracts such as forward contracts, swap contracts and options;

(iii) Dispensing cash or other physical items from a machine;

(iv) Payment processing services;

(v) Telecommunications services and ancillary services as those terms are defined in article fifteen-b of this chapter; or

(vi) The internet and internet access.

(5) ‘Digital books’ means works that are generally recognized in the ordinary and usual sense as ‘books’. It includes works of fiction and nonfiction and short stories. It does not include periodicals, magazines, newspapers or other news or information productions, chat rooms or weblogs. Unless the context provides otherwise, in this chapter digital books includes the digital code, or a subscription to access to a digital code, for receiving, accessing or otherwise obtaining digital books.

(6) ‘Digital code’ means a code which provides a purchaser with a right to obtain one or more digital products. ‘Digital code’ does not include a code that represents a stored monetary value that is deducted from the total as it is used by the purchaser. ‘Digital code’ also does not include a code that represents a redeemable card, gift card or gift certificate that entitles the holder to select digital products of an indicated cash value, which digital products are subject to tax when the digital product is selected. A digital code may be obtained by any means, including e-mail or by tangible means regardless of its designation as song code, video code, book code, or some other term.

(7) ‘Digital goods’ defined. —

(A) ‘Digital goods’, except as provided in this subdivision, means sounds, images, data, facts or information, or any combination thereof, transferred electronically, including, but not limited to, designated digital products and other products transferred electronically not included within the definition of designated digital products.

(B) The term ‘digital goods’ does not include:

(i) Telecommunications services and ancillary services as those terms are defined in article fifteen-b of this chapter;

(ii) Computer software as defined in article fifteen-b of this chapter;

(iii) The internet and internet access service as those terms are defined in the Internet Tax Freedom Act, Title 47, U. S. C. § 151 note, as existing on July 1, 2009.

(8) ‘Digital products’ means digital audio-visual works, digital audio works, digital automated services, digital books, other digital products and designated digital products.

(9) ‘Electronically transferred’ or ‘transferred electronically’ means obtained by the purchaser by means other than tangible storage media. It is not necessary that a copy of the product be physically transferred to the purchaser. So long as the purchaser may access the product, it will be considered to have been electronically transferred to the purchaser.

(10) ‘Internet access service’ means a service that enables users to access content, information, electronic mail or other services offered over the internet and may also include access to proprietary content, information and other services as part of a package of services offered to consumers. The term does not include telecommunications services.

(11) ‘Other digital products’ means and includes, but is not limited to, the following when electronically transferred:

(A) Greeting cards.

(B) Periodicals.

(C) Magazines.

(D) Video or electronic games.

(E) Newspapers or other news or information products.

(12) ‘Ringtone’ means digitized sound files that are downloaded onto a device and that may be used to alert the customer with respect to a communication.

(c) The sales of digital code and digital products on which tax is imposed by this section shall be subject to the transaction sourcing rules in article fifteen-b of this chapter.

(d) For purposes of this section, the sale, license, lease, or rental of or the storage, use, or other consumption of a digital code is treated the same as the sale, license, lease, or rental of or the storage, use or other consumption of any digital product to which the digital code relates.

§11-15-9. Exemptions.

(a) *Exemptions for which exemption certificate may be issued.*
– A person having a right or claim to any exemption set forth in this subsection may, in lieu of paying the tax imposed by this article and filing a claim for refund, execute a certificate of exemption, in the form required by the Tax Commissioner, and deliver it to the vendor of the property or service in the manner required by the Tax Commissioner. However, the Tax Commissioner may, by rule, specify those exemptions authorized in this subsection for which exemption certificates are not required. The following sales of tangible personal property and services are exempt as provided in this subsection:

(1) Sales of gas, steam and water delivered to consumers through mains or pipes and sales of electricity;

(2) Sales of textbooks required to be used in any of the schools of this state or in any institution in this state which qualifies as a nonprofit or educational institution subject to the West Virginia Department of Education and the Arts, ~~the board of Trustees of the University System of West Virginia or the board of directors for~~ Higher Education Policy Commission or the Council for Community and Technical College Education for universities and colleges located in this state;

(3) Sales of property or services to this state, its institutions or subdivisions, governmental units, institutions or subdivisions of other states: *Provided*, That the law of the other state provides the same exemption to governmental units or subdivisions of this state and to the United States, including agencies of federal, state or local governments for distribution in public welfare or relief work;

(4) Sales of vehicles which are titled by the Division of Motor Vehicles and which are subject to the tax imposed by section four, article three, chapter seventeen-a of this code or like tax;

(5) Sales of property or services to churches which make no charge whatsoever for the services they render: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies, food for meals and materials directly used or consumed by these organizations and does not apply to purchases of gasoline or special fuel;

(6) Sales of tangible personal property or services to a corporation or organization which has a current registration certificate issued under article twelve of this chapter, which is exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, and which is:

(A) A church or a convention or association of churches as defined in Section 170 of the Internal Revenue Code of 1986, as amended;

(B) An elementary or secondary school which maintains a regular faculty and curriculum and has a regularly enrolled body of pupils or students in attendance at the place in this state where its educational activities are regularly carried on;

(C) A corporation or organization which annually receives more than one half of its support from any combination of gifts, grants, direct or indirect charitable contributions or membership fees;

(D) An organization which has no paid employees and its gross income from fundraisers, less reasonable and necessary expenses incurred to raise the gross income (or the tangible personal property

or services purchased with the net income), is donated to an organization which is exempt from income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended;

(E) A youth organization, such as the Girl Scouts of the United States of America, the Boy Scouts of America or the YMCA Indian Guide/Princess Program and the local affiliates thereof, which is organized and operated exclusively for charitable purposes and has as its primary purpose the nonsectarian character development and citizenship training of its members;

(F) For purposes of this subsection:

(i) The term 'support' includes, but is not limited to:

(I) Gifts, grants, contributions or membership fees;

(II) Gross receipts from fundraisers which include receipts from admissions, sales of merchandise, performance of services or furnishing of facilities in any activity which is not an unrelated trade or business within the meaning of Section 513 of the Internal Revenue Code of 1986, as amended;

(III) Net income from unrelated business activities, whether or not the activities are carried on regularly as a trade or business;

(IV) Gross investment income as defined in Section 509(e) of the Internal Revenue Code of 1986, as amended;

(V) Tax revenues levied for the benefit of a corporation or organization either paid to or expended on behalf of the organization; and

(VI) The value of services or facilities (exclusive of services or facilities generally furnished to the public without charge) furnished by a governmental unit referred to in Section 170(c)(1) of the Internal Revenue Code of 1986, as amended, to an organization without charge. This term does not include any gain from the sale or other disposition of property which would be considered as gain from the sale or exchange of a capital asset or

the value of an exemption from any federal, state or local tax or any similar benefit;

(ii) The term ‘charitable contribution’ means a contribution or gift to or for the use of a corporation or organization, described in Section 170(c)(2) of the Internal Revenue Code of 1986, as amended; and

(iii) The term ‘membership fee’ does not include any amounts paid for tangible personal property or specific services rendered to members by the corporation or organization.

(G) The exemption allowed by this subdivision does not apply to sales of gasoline or special fuel or to sales of tangible personal property or services to be used or consumed in the generation of unrelated business income as defined in Section 513 of the Internal Revenue Code of 1986, as amended. The exemption granted in this subdivision applies only to services, equipment, supplies and materials used or consumed in the activities for which the organizations qualify as tax-exempt organizations under the Internal Revenue Code and does not apply to purchases of gasoline or special fuel which are taxable as provided in section eighteen-b of this article and article fourteen-c of this chapter;

(7) An isolated transaction in which any taxable service or any tangible personal property is sold, transferred, offered for sale or delivered by the owner of the property or by his or her representative for the owner's account, the sale, transfer, offer for sale or delivery not being made in the ordinary course of repeated and successive transactions of like character by the owner or on his or her account by the representative: *Provided*, That nothing contained in this subdivision may be construed to prevent an owner who sells, transfers or offers for sale tangible personal property in an isolated transaction through an auctioneer from availing himself or herself of the exemption provided in this subdivision, regardless of where the isolated sale takes place. The Tax Commissioner may propose a legislative rule for promulgation pursuant to article three, chapter twenty-nine-a of this code which he or she considers necessary for the efficient administration of this exemption;

(8) Sales of tangible personal property or of any taxable services rendered for use or consumption in connection with the commercial production of an agricultural product the ultimate sale of which is subject to the tax imposed by this article or which would have been subject to tax under this article: *Provided*, That sales of tangible personal property and services to be used or consumed in the construction of or permanent improvement to real property and sales of gasoline and special fuel are not exempt: *Provided, however*, That nails and fencing may not be considered as improvements to real property;

(9) Sales of tangible personal property to a person for the purpose of resale in the form of tangible personal property: *Provided*, That sales of gasoline and special fuel by distributors and importers is taxable except when the sale is to another distributor for resale: *Provided, however*, That sales of building materials or building supplies or other property to any person engaging in the activity of contracting, as defined in this article, which is to be installed in, affixed to or incorporated by that person or his or her agent into any real property, building or structure is not exempt under this subdivision;

(10) Sales of newspapers when delivered to consumers by route carriers;

(11) Sales of drugs, durable medical goods, mobility-enhancing equipment and prosthetic devices dispensed upon prescription and sales of insulin to consumers for medical purposes. The amendment to this subdivision shall apply to sales made after December 31, 2003;

(12) Sales of radio and television broadcasting time, preprinted advertising circulars and newspaper and outdoor advertising space for the advertisement of goods or services;

(13) Sales and services performed by day care centers;

(14) Casual and occasional sales of property or services not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of like character by a

corporation or organization which is exempt from tax under subdivision (6) of this subsection on its purchases of tangible personal property or services. For purposes of this subdivision, the term ‘casual and occasional sales not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of like character’ means sales of tangible personal property or services at fundraisers sponsored by a corporation or organization which is exempt, under subdivision (6) of this subsection, from payment of the tax imposed by this article on its purchases when the fundraisers are of limited duration and are held no more than six times during any twelve-month period and ‘limited duration’ means no more than eighty-four consecutive hours: *Provided*, That sales for volunteer fire departments and volunteer school support groups, with duration of events being no more than eighty-four consecutive hours at a time, which are held no more than eighteen times in a twelve-month period for the purposes of this subdivision are considered ‘casual and occasional sales not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of a like character’;

(15) Sales of property or services to a school which has approval from the ~~board of Trustees of the University System of West Virginia or the board of Directors of the state College System~~ Higher Education Policy Commission or the Council for Community and Technical College Education to award degrees, which has its principal campus in this state and which is exempt from federal and state income taxes under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended: *Provided*, That sales of gasoline and special fuel are taxable as provided in section eighteen-b of this article and article fourteen-c of this chapter;

(16) Sales of lottery tickets and materials by licensed lottery sales agents and lottery retailers authorized by the state Lottery Commission, under the provisions of article twenty-two, chapter twenty-nine of this code;

(17) Leases of motor vehicles titled pursuant to the provisions of article three, chapter seventeen-a of this code to lessees for a period of thirty or more consecutive days;

(18) Notwithstanding the provisions of section eighteen or eighteen-b of this article or any other provision of this article to the contrary, sales of propane to consumers for poultry house heating purposes, with any seller to the consumer who may have prior paid the tax in his or her price, to not pass on the same to the consumer, but to make application and receive refund of the tax from the Tax Commissioner pursuant to rules which are promulgated after being proposed for legislative approval in accordance with chapter twenty-nine-a of this code by the Tax Commissioner;

(19) Any sales of tangible personal property or services purchased and lawfully paid for with food stamps pursuant to the federal food stamp program codified in 7 U. S. C. §2011, *et seq.*, as amended, or with drafts issued through the West Virginia special supplement food program for women, infants and children codified in 42 U. S. C. §1786;

(20) Sales of tickets for activities sponsored by elementary and secondary schools located within this state;

~~(21) Sales of electronic data processing services and related software: *Provided, That, for the purposes of this subdivision, 'electronic data processing services' means:*~~

~~(A) The processing of another's data, including all processes incident to processing of data such as keypunching, keystroke verification, rearranging or sorting of previously documented data for the purpose of data entry or automatic processing and changing the medium on which data is sorted, whether these processes are done by the same person or several persons; and~~

~~(B) Providing access to computer equipment for the purpose of processing data or examining or acquiring data stored in or accessible to the computer equipment;~~

~~(22)~~ (21) Tuition charged for attending educational summer camps;

~~(23)~~ (22) Dispensing of services performed by one corporation, partnership or limited liability company for another corporation, partnership or limited liability company when the entities are

members of the same controlled group or are related taxpayers as defined in Section 267 of the Internal Revenue Code. 'Control' means ownership, directly or indirectly, of stock, equity interests or membership interests possessing fifty percent or more of the total combined voting power of all classes of the stock of a corporation, equity interests of a partnership or membership interests of a limited liability company entitled to vote or ownership, directly or indirectly, of stock, equity interests or membership interests possessing fifty percent or more of the value of the corporation, partnership or limited liability company;

~~(24)~~ (23) Food for the following are exempt:

(A) Food purchased or sold by a public or private school, school-sponsored student organizations or school-sponsored parent-teacher associations to students enrolled in the school or to employees of the school during normal school hours; but not those sales of food made to the general public;

(B) Food purchased or sold by a public or private college or university or by a student organization officially recognized by the college or university to students enrolled at the college or university when the sales are made on a contract basis so that a fixed price is paid for consumption of food products for a specific period of time without respect to the amount of food product actually consumed by the particular individual contracting for the sale and no money is paid at the time the food product is served or consumed;

(C) Food purchased or sold by a charitable or private nonprofit organization, a nonprofit organization or a governmental agency under a program to provide food to low-income persons at or below cost;

(D) Food sold by a charitable or private nonprofit organization, a nonprofit organization or a governmental agency under a program operating in West Virginia for a minimum of five years to provide food at or below cost to individuals who perform a minimum of two hours of community service for each unit of food purchased from the organization;

(E) Food sold in an occasional sale by a charitable or nonprofit organization, including volunteer fire departments and rescue squads, if the purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is actually expended for that purpose;

(F) Food sold by any religious organization at a social or other gathering conducted by it or under its auspices, if the purpose in selling the food is to obtain revenue for the functions and activities of the organization and the revenue obtained from selling the food is actually used in carrying out those functions and activities: *Provided*, That purchases made by the organizations are not exempt as a purchase for resale; or

(G) Food sold by volunteer fire departments and rescue squads that are exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, when the purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is exempt from federal income tax and actually expended for that purpose;

~~(25)~~ (24) Sales of food by little leagues, midget football leagues, youth football or soccer leagues, band boosters or other school or athletic booster organizations supporting activities for grades kindergarten through twelve and similar types of organizations, including scouting groups and church youth groups, if the purpose in selling the food is to obtain revenue for the functions and activities of the organization and the revenues obtained from selling the food is actually used in supporting or carrying on functions and activities of the groups: *Provided*, That the purchases made by the organizations are not exempt as a purchase for resale;

~~(26)~~ (25) Charges for room and meals by fraternities and sororities to their members: *Provided*, That the purchases made by a fraternity or sorority are not exempt as a purchase for resale;

~~(27)~~ (26) Sales of or charges for the transportation of passengers in interstate commerce;

~~(28)~~ (27) Sales of tangible personal property or services to any person which this state is prohibited from taxing under the laws of the United States or under the Constitution of this state;

~~(29)~~ (28) Sales of tangible personal property or services to any person who claims exemption from the tax imposed by this article or article fifteen-a of this chapter pursuant to the provision of any other chapter of this code;

~~(30)~~ (29) Charges for the services of opening and closing a burial lot;

~~(31)~~ (30) Sales of livestock, poultry or other farm products in their original state by the producer of the livestock, poultry or other farm products or a member of the producer's immediate family who is not otherwise engaged in making retail sales of tangible personal property; and sales of livestock sold at public sales sponsored by breeders or registry associations or livestock auction markets: *Provided*, That the exemptions allowed by this subdivision may be claimed without presenting or obtaining exemption certificates provided the farmer maintains adequate records;

~~(32)~~ (31) Sales of motion picture films to motion picture exhibitors for exhibition if the sale of tickets or the charge for admission to the exhibition of the film is subject to the tax imposed by this article and sales of coin-operated video arcade machines or video arcade games to a person engaged in the business of providing the machines to the public for a charge upon which the tax imposed by this article is remitted to the Tax Commissioner: *Provided*, That the exemption provided in this subdivision may be claimed by presenting to the seller a properly executed exemption certificate;

~~(33)~~ (32) Sales of aircraft repair, remodeling and maintenance services when the services are to an aircraft operated by a certified or licensed carrier of persons or property, or by a governmental entity, or to an engine or other component part of an aircraft operated by a certificated or licensed carrier of persons or property, or by a governmental entity and sales of tangible personal property that is permanently affixed or permanently attached as a

component part of an aircraft owned or operated by a certificated or licensed carrier of persons or property, or by a governmental entity, as part of the repair, remodeling or maintenance service and sales of machinery, tools or equipment directly used or consumed exclusively in the repair, remodeling or maintenance of aircraft, aircraft engines or aircraft component parts for a certificated or licensed carrier of persons or property or for a governmental entity;

~~(34) Charges for memberships or services provided by health and fitness organizations relating to personalized fitness programs;~~

~~(35)~~ (33) Sales of services by individuals who babysit for a profit: *Provided*, That the gross receipts of the individual from the performance of baby-sitting services do not exceed \$5,000 in a taxable year;

~~(36)~~ (34) Sales of services by public libraries or by libraries at academic institutions or by libraries at institutions of higher learning;

~~(37)~~ (35) Commissions received by a manufacturer's representative;

~~(38) Sales of primary opinion research services when:~~

~~(A) The services are provided to an out of state client;~~

~~(B) The results of the service activities, including, but not limited to, reports, lists of focus group recruits and compilation of data are transferred to the client across state lines by mail, wire or other means of interstate commerce, for use by the client outside the State of West Virginia; and~~

~~(C) The transfer of the results of the service activities is an indispensable part of the overall service.~~

For the purpose of this subdivision, the term 'primary opinion research' means original research in the form of telephone surveys, mall intercept surveys, focus group research, direct mail surveys, personal interviews and other data collection methods commonly used for quantitative and qualitative opinion research studies;

~~(39)~~ (36) Sales of property or services to persons within the state when those sales are for the purposes of the production of value-added products: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies and materials directly used or consumed by those persons engaged solely in the production of value-added products: *Provided, however*, That this exemption may not be claimed by any one purchaser for more than five consecutive years, except as otherwise permitted in this section.

For the purpose of this subdivision, the term ‘value-added product’ means the following products derived from processing a raw agricultural product, whether for human consumption or for other use. For purposes of this subdivision, the following enterprises qualify as processing raw agricultural products into value-added products: Those engaged in the conversion of:

(A) Lumber into furniture, toys, collectibles and home furnishings;

(B) Fruits into wine;

(C) Honey into wine;

(D) Wool into fabric;

(E) Raw hides into semifinished or finished leather products;

(F) Milk into cheese;

(G) Fruits or vegetables into a dried, canned or frozen product;

(H) Feeder cattle into commonly accepted slaughter weights;

(I) Aquatic animals into a dried, canned, cooked or frozen product; and

(J) Poultry into a dried, canned, cooked or frozen product;

~~(40)~~ (37) Sales of music instructional services by a music teacher and artistic services or artistic performances of an entertainer or performing artist pursuant to a contract with the

owner or operator of a retail establishment, restaurant, inn, bar, tavern, sports or other entertainment facility or any other business location in this state in which the public or a limited portion of the public may assemble to hear or see musical works or other artistic works be performed for the enjoyment of the members of the public there assembled when the amount paid by the owner or operator for the artistic service or artistic performance does not exceed \$3,000: *Provided*, That nothing contained herein may be construed to deprive private social gatherings, weddings or other private parties from asserting the exemption set forth in this subdivision. For the purposes of this exemption, artistic performance or artistic service means and is limited to the conscious use of creative power, imagination and skill in the creation of aesthetic experience for an audience present and in attendance and includes, and is limited to, stage plays, musical performances, poetry recitations and other readings, dance presentation, circuses and similar presentations and does not include the showing of any film or moving picture, gallery presentations of sculptural or pictorial art, nude or strip show presentations, video games, video arcades, carnival rides, radio or television shows or any video or audio taped presentations or the sale or leasing of video or audio tapes, air shows or any other public meeting, display or show other than those specified herein: *Provided, however*, That nothing contained herein may be construed to exempt the sales of tickets from the tax imposed in this article. The State Tax Commissioner shall propose a legislative rule pursuant to article three, chapter twenty-nine-a of this code establishing definitions and eligibility criteria for asserting this exemption which is not inconsistent with the provisions set forth herein: *Provided, further*, That nude dancers or strippers may not be considered as entertainers for the purposes of this exemption;

~~(41)~~ (38) Charges to a member by a membership association or organization which is exempt from paying federal income taxes under Section 501(c)(3) or (c)(6) of the Internal Revenue Code of 1986, as amended, for membership in the association or organization, including charges to members for newsletters prepared by the association or organization for distribution primarily to its members, charges to members for continuing education seminars, workshops, conventions, lectures or courses

put on or sponsored by the association or organization, including charges for related course materials prepared by the association or organization or by the speaker or speakers for use during the continuing education seminar, workshop, convention, lecture or course, but not including any separate charge or separately stated charge for meals, lodging, entertainment or transportation taxable under this article: *Provided*, That the association or organization pays the tax imposed by this article on its purchases of meals, lodging, entertainment or transportation taxable under this article for which a separate or separately stated charge is not made. A membership association or organization which is exempt from paying federal income taxes under Section 501(c)(3) or (c)(6) of the Internal Revenue Code of 1986, as amended, may elect to pay the tax imposed under this article on the purchases for which a separate charge or separately stated charge could apply and not charge its members the tax imposed by this article or the association or organization may avail itself of the exemption set forth in subdivision (9) of this subsection relating to purchases of tangible personal property for resale and then collect the tax imposed by this article on those items from its member;

~~(42)~~ (39) Sales of governmental services or governmental materials by county assessors, county sheriffs, county clerks or circuit clerks in the normal course of local government operations;

~~(43)~~ (40) Direct or subscription sales by the Division of Natural Resources of the magazine currently entitled *Wonderful West Virginia* and by the Division of Culture and History of the magazine currently entitled *Goldenseal* and the journal currently entitled *West Virginia History*;

~~(44)~~ (41) Sales of soap to be used at car wash facilities;

~~(45)~~ (42) Commissions received by a travel agency from an out-of-state vendor;

~~(46)~~ (43) The service of providing technical evaluations for compliance with federal and state environmental standards provided by environmental and industrial consultants who have formal certification through the West Virginia Department of

Environmental Protection or the West Virginia Bureau for Public Health or both. For purposes of this exemption, the service of providing technical evaluations for compliance with federal and state environmental standards includes those costs of tangible personal property directly used in providing such services that are separately billed to the purchaser of such services and on which the tax imposed by this article has previously been paid by the service provider;

~~(47)~~ (44) Sales of tangible personal property and services by volunteer fire departments and rescue squads that are exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, if the sole purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is exempt from federal income tax and actually expended for that purpose;

~~(48)~~ (45) Lodging franchise fees, including royalties, marketing fees, reservation system fees or other fees assessed after December 1, 1997, that have been or may be imposed by a lodging franchiser as a condition of the franchise agreement; ~~and~~

~~(49)~~ (46) Sales of the regulation size United States flag and the regulation size West Virginia flag for display; and

(47) The services of 'professional employer organizations' as defined in subsection (g), section two, article forty-six-a, chapter thirty-three of this code.

(b) *Refundable exemptions.* — Any person having a right or claim to any exemption set forth in this subsection shall first pay to the vendor the tax imposed by this article and then apply to the Tax Commissioner for a refund or credit, or as provided in section nine-d of this article, give to the vendor his or her West Virginia direct pay permit number. The following sales of tangible personal property and services are exempt from tax as provided in this subsection:

(1) Sales of property or services to bona fide charitable organizations who make no charge whatsoever for the services they

render: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies, food, meals and materials directly used or consumed by these organizations and does not apply to purchases of gasoline or special fuel;

(2) Sales of services, machinery, supplies and materials directly used or consumed in the activities of manufacturing, transportation, transmission, communication, production of natural resources, gas storage, generation or production or selling electric power, provision of a public utility service or the operation of a utility service or the operation of a utility business, in the businesses or organizations named in this subdivision and does not apply to purchases of gasoline or special fuel;

(3) Sales of property or services to nationally chartered fraternal or social organizations for the sole purpose of free distribution in public welfare or relief work: *Provided*, That sales of gasoline and special fuel are taxable;

(4) Sales and services, firefighting or station house equipment, including construction and automotive, made to any volunteer fire department organized and incorporated under the laws of the State of West Virginia: *Provided*, That sales of gasoline and special fuel are taxable; and

(5) Sales of building materials or building supplies or other property to an organization qualified under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, which are to be installed in, affixed to or incorporated by the organization or its agent into real property or into a building or structure which is or will be used as permanent low-income housing, transitional housing, an emergency homeless shelter, a domestic violence shelter or an emergency children and youth shelter if the shelter is owned, managed, developed or operated by an organization qualified under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended; ~~and~~

~~(6) Sales of construction and maintenance materials acquired by a second party for use in the construction or maintenance of a highway project: *Provided*, That in lieu of any refund or credit to~~

~~the person that paid the tax imposed by this article, the Tax Commissioner shall pay to the Division of Highways for deposit into the State Road Fund of the state reimbursement for the tax in the amount estimated under the provisions of this subdivision: *Provided, however,* That by June 15 of each fiscal year, the division shall provide to the Tax Department an itemized listing of highways projects with the amount of funds expended for highway construction and maintenance. The Commissioner of Highways shall request reimbursement of the tax based on an estimate that forty percent of the total gross funds expended by the agency during the fiscal period were for the acquisition of materials used for highway construction and maintenance. The amount of the reimbursement shall be calculated at six percent of the forty percent.~~

(c) *Effective date.* – The amendments to subsection (a) of this section made during the First Extraordinary Session of the Legislature in 2017 shall take effect beginning July 1, 2017, and apply to sales made on and after that date. The amendments to subsection (b) of this section made during the First Extraordinary Session of the Legislature in 2017 shall take effect June 1, 2017, and shall be construed to prohibit all future transfers to the State Road Fund established in the State Treasury pursuant to section fifty-two, article six of the Constitution of West Virginia, under this section of taxes imposed by this article and article fifteen-a of this chapter.

§11-15-9b. Exemption for purchases of tangible personal property and services for direct use in research and development.

(a) Sales of tangible personal property and services after June 30, 2002, directly used or consumed in the activity of research and development are exempt from tax imposed by this article. Any person having a right or claim to the exemption set forth in this section shall first pay to the vendor the tax imposed by this article and then apply to the Tax Commissioner for a refund or credit or give to the vendor the person's West Virginia direct pay permit number in accordance with the provisions of section nine-d of this article.

(b) For purposes of this article:

(1) 'Directly used or consumed in the activity of research and development' means used or consumed in those activities or operations which constitute an integral and essential part of research and development, as contrasted with and distinguished from those activities or operations which are simply incidental, convenient or remote to research and development.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activity of research and development include only:

(i) In the case of tangible personal property, physical incorporation of property into tangible personal property that is the subject of, or directly used in, research and development;

(ii) Causing a direct physical, chemical or other change upon property that is the subject of, or directly used in, research and development;

(iii) Transporting or storing property that is the subject of, or directly used in, research and development;

(iv) Measuring or verifying a change in property that is the subject of, or directly used in, research and development;

(v) Physically controlling or directing the physical movement or operation of property that is the subject of, or directly used in, research and development;

(vi) Directly and physically recording the flow of property that is the subject of, or directly used in, research and development;

(vii) Producing energy for property that is the subject of, or directly used in, research and development;

(viii) Controlling or otherwise regulating atmospheric or other environmental conditions required for research and development;

(ix) Serving as an operating supply for property that is the subject of, or directly used in, research and development;

(x) Maintenance or repair of property, including maintenance equipment, that is directly used in research and development;

(xi) Storage, removal or transportation of economic or other waste resulting from the activity of research and development;

(xii) Pollution control or environmental quality or environmental protection activity directly relating to the activity of research and development, and personnel, plant, property or community safety or security activity directly relating to the activity of research and development; or

(xiii) Otherwise being used as an integral and essential part of research and development.

(B) Uses of property or services which do not constitute direct use or consumption in the activity of research and development include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Planning or scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to research and development, rather than an integral and essential part of these activities.

(2) 'Research and development' means systematic scientific, engineering or technological study and investigation in a field of knowledge in the physical, computer or software sciences, often involving the formulation of hypotheses and experimentation, for the purpose of revealing new facts, theories or principles, or increasing scientific knowledge, which may reveal the basis for new or enhanced products, equipment or manufacturing processes. Research and development includes, but is not limited to, design,

refinement and testing of prototypes of new or improved products, or design, refinement and testing of manufacturing processes before commercial sales relating thereto have begun. For purposes of this section commercial sales include, but are not limited to, sales of prototypes or sales for market testing.

(A) Research and development does not include:

(i) Market research;

(ii) Sales research;

(iii) Efficiency surveys;

(iv) Consumer surveys;

(v) Product market testing;

(vi) Product testing by product consumers or through consumer surveys for evaluation of consumer product performance or consumer product usability;

(vii) The ordinary testing or inspection of materials or products for quality control (quality control testing);

(viii) Management studies;

(ix) Advertising;

(x) Promotions;

(xi) The acquisition of another's patent, model, production or process or investigation or evaluation of the value or investment potential related thereto;

(xii) Research in connection with literary, historical or similar projects;

(xiii) Research in the social sciences, economics, humanities or psychology and other nontechnical activities; and

(xiv) The providing of sales services or any other service, whether technical service or nontechnical service.

~~(c) No provision of this section may be interpreted to alter, abrogate or impede application of the exemption for sales of primary opinion research services set forth in section nine of this article.~~

§11-15-9h. Exemptions for sales of computer hardware and software directly incorporated into manufactured products; certain leases; sales of electronic data processing service; sales of computer hardware and software directly used in communication; sales of educational software; sales of Internet advertising; sales of high-technology business services directly used in fulfillment of a government contract; sales of tangible personal property for direct use in a high-technology business or Internet advertising business; definitions.

(a) In order to modernize the exemptions from tax contained in this article as a result of technological advances in computers and the expanded role of computers, the Internet and global instant communications in business and to encourage computer software developers, computer hardware designers, systems engineering firms, ~~electronic data processing companies~~ and other high-technology companies to locate and expand their businesses in West Virginia, the following sales of tangible personal property and software are exempt:

(1) Sales of computer hardware or software (including custom designed software) to be directly incorporated by a manufacturer into a manufactured product. For purposes of this subsection, the payment of licensing fees for the right to incorporate hardware or software developed by persons other than the manufacturer into a manufactured product is exempt from the tax imposed by this article;

(2) Sales of computer hardware or software (including custom designed software) directly used in communication as defined in this article;

~~(3) Sales of electronic data processing services;~~

~~(4)~~ (3) Sales of educational software required to be used in any of the public schools of this state or in any institution in this state which qualifies as a nonprofit or educational institution subject to administration, regulation, certification or approval of the Department of Education, the Department of Education and the Arts or the Higher Education Policy Commission;

~~(5)~~ (4) Sales of Internet advertising of goods and services;

~~(6)~~ (5) Sales of high-technology business services to high-technology businesses which enter into contracts with this state, its institutions and subdivisions, governmental units, institutions or subdivisions of other states, or with the United States, including agencies of federal, state or local governments for direct use in fulfilling the government contract; and

~~(7)~~ (6) Sales of prewritten computer software, computers, computer hardware, servers and building materials and tangible personal property to be installed into a building or facility for direct use in a high-technology business or an Internet advertising business.

(b) *Definitions.* –

As used in this article, the following terms have the following meanings:

(1) ‘Computer hardware’ means a computer, as defined in article fifteen-b of this chapter, and the directly and immediately connected physical equipment involved in the performance of data processing or communications functions, including data input, data output, data processing, data storage, and data communication apparatus that is directly and immediately connected to the computer. The term ‘computer hardware’ does not include computer software.

(2) ‘High-technology business’ means and is limited to businesses primarily engaged in the following activities: Computer hardware design and development; computer software design, development, customization and upgrade; computer systems design and development; website design and development;

network design and development; design and development of new manufactured products which incorporate computer hardware and software; electronic data processing; network management, maintenance, engineering, administration and security services; website management, maintenance, engineering, administration and security services and computer systems management, maintenance, engineering, administration and security services. High-technology business as defined herein is intended to include businesses which engage in the activities enumerated in this definition as their primary business activity, and not as a secondary or incidental activity and not as an activity in support of or incidental to business activity not specifically enumerated in this definition.

(3) ‘High-technology business services’ means and is limited to computer hardware design and development; computer software design, development, customization and upgrade; computer systems design and development; website design and development; network design and development; electronic data processing; computer systems management; computer systems maintenance; computer systems engineering; computer systems administration and computer systems security services.

(4) ‘Internet advertising business’ means a for-profit business that is engaged, for monetary remuneration, in the primary business activity of announcing, or calling public attention to, goods or services in order to induce the public to purchase those goods or services, and which uses the Internet as its sole advertising communications medium. For purposes of this definition, Internet advertising must be the primary business activity of the business and not a secondary or incidental activity and not an activity in support of or incidental to other business activity.

(5) ‘Network’ means a group of two or more computer systems linked together.

(6) ‘Server’ means a computer or device on a network that manages network resources.

(c) The amendments to this section made in the first extraordinary session of the Legislature in ~~2009~~2017 shall apply to purchases made on and after July 1, ~~2009~~2017.

§11-15-35. Administrative rules.

Legislative rules; emergency rules. — The Tax Commissioner may propose for promulgation legislative rules explaining and implementing the amendments to this article enacted in the year 2017 in accordance with the provisions of article three, chapter twenty-nine-a of this code. The authority to promulgate rules includes authority to amend or repeal those rules. If proposed legislative rules for this section are filed in the State Register before October 1, 2017, those rules may be promulgated as emergency legislative rules as provided in article three, chapter twenty-nine-a of this code: *Provided*, That the rule shall provide that all contractors with outstanding firm bid contracts upon the effective date of this section in 2017 shall be exempt from paying the tax imposed by this article on purchases of tangible personal property and taxable services directly used or consumed in the completion of those firm bid contracts: *Provided, however*, That this exemption shall not apply to any extension of the contracts on and after the effective date of this section.

ARTICLE 15A. USE TAX.

§11-15A-2. Imposition of tax; ~~six percent~~ tax rate; inclusion of services as taxable; transition rules; allocation of tax and transfers.

(a) An excise tax is hereby levied and imposed on the use in this state of tangible personal property, digital code, digital products, custom software or taxable services, to be collected and paid as provided in this article or article fifteen-b of this chapter, at the rate of six percent of the purchase price of the property or taxable services, except as otherwise provided in this article: *Provided*, That on and after July 1, 2017, the tax imposed by this article shall be collected and paid, as provided in this article or article fifteen-b of this chapter, at the rate of seven and twenty-five one-hundredths percent of the purchase price of the tangible

personal property, digital code, digital products, custom software or taxable services, except as otherwise provided in this article.

(b) *Calculation of tax on fractional parts of a dollar.* — The tax computation under subsection (a) of this section shall be carried to the third decimal place and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.

(c) ‘Taxable services,’ for the purposes of this article, means services of the nature that are subject to the tax imposed by article fifteen of this chapter. In this article, wherever the words ‘tangible personal property’ or ‘property’ appear, the same shall include the words ‘or taxable services,’ where the context so requires.

(d) Use tax is hereby imposed upon every person using tangible personal property, custom software, digital code, digital product, ~~or telecommunication service, ancillary services, or other~~ taxable service within this state. That person's liability is not extinguished until the tax has been paid. A receipt with the tax separately stated thereon issued by a retailer engaged in business in this state, or by a foreign retailer who is authorized by the Tax Commissioner to collect the tax imposed by this article, relieves the purchaser from further liability for the tax to which the receipt refers.

(e) Purchases of tangible personal property or taxable services made for the government of the United States or any of its agencies by ultimate consumers is subject to the tax imposed by this section. Industrial materials and equipment owned by the federal government within the State of West Virginia of a character not ordinarily readily obtainable within the state, is not subject to use tax when sold, if the industrial materials and equipment would not be subject to use taxes if sold outside of the state for use in West Virginia.

(f) This article does not apply to purchases made by counties or municipal corporations.

§11-15A-10. Payment to Tax Commissioner.

(a) Each retailer required or authorized, pursuant to section six, six-a or seven, or pursuant to article fifteen-b of this chapter, to collect the tax imposed in section two of this article, is required to pay to the Tax Commissioner the amount of the tax on or before the twentieth day of the month next succeeding each calendar month, except as otherwise provided in this article or article fifteen-b of this chapter.

(b) Each certified service provider for a Model I seller shall pay to the Tax Commissioner the tax levied by this article on or before the twentieth day of the month next succeeding the calendar month in which the tax accrued, except as otherwise provided in this article or article fifteen-b of this chapter.

(c) At that time, each retailer, seller or certified service provider shall file with the Tax Commissioner a return for the preceding monthly period, except as otherwise provided in this article or article fifteen-b of this chapter, in the form prescribed by the Tax Commissioner showing the sales price of any or all tangible personal property, custom software and taxable services sold by the retailer or seller during the preceding quarterly period, the use of which is subject to the tax imposed by this article, and any other information the Tax Commissioner may consider necessary for the proper administration of this article. The return shall be accompanied by a remittance of the amount of the tax, for the period covered by the return, except as otherwise provided in this article or article fifteen-b of this chapter: *Provided*, That where the tangible personal property or custom software is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part of the sum is extended over a period longer than sixty days from the date of the sale, the retailer may collect and remit each monthly period that portion of the tax equal to ~~six~~ seven and twenty-five one-hundredths percent of that portion of the purchase price actually received during the monthly period.

(d) The Tax Commissioner may, upon request and a proper showing of the necessity to do so, grant an extension of time not to exceed thirty days for making any return and payment.

(e) Returns shall be signed by the retailer or seller or his or her duly authorized agent, and must be certified by him or her to be correct, except as otherwise provided in this article or article fifteen-b of this chapter.

(f) *Accelerated payment.* —

(1) ~~For calendar years beginning after December 31, 2002, taxpayers~~ Taxpayers whose average monthly payment of the taxes levied by this article and article fifteen of this chapter during the previous calendar year exceeds \$100,000, shall remit the tax attributable to the first fifteen days of June each year on or before June 20 of said month.

(2) For purposes of complying with subdivision (1) of this subsection, the taxpayer shall remit an amount equal to the amount of tax imposed by this article and article fifteen of this chapter on actual taxable sales of tangible personal property and custom software and sales of taxable services during the first fifteen days of June or, at the taxpayer's election, taxpayer may remit an amount equal to fifty percent of taxpayer's liability for tax under this article on taxable sales of tangible personal property and custom software and sales of taxable services made during the preceding month of May.

(3) For a business which has not been in existence for a full calendar year, the total tax due from the business during the prior calendar year shall be divided by the number of months, including fractions of a month, that it was in business during the prior calendar year; and if that amount exceeds \$100,000, the tax attributable to the first fifteen days of June each year shall be remitted on or before June 20 of said month as provided in subdivision (2) of this subsection.

(4) When a taxpayer required to make an advanced payment of tax under subdivision (1) of this subsection makes out its return for

the month of June, which is due on July 20, the taxpayer may claim as a credit against its liability under this article for tax on taxable transactions during the month of June, the amount of the advanced payment of tax made under subdivision (1) of this subsection.

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-4g. Rate of tax – Taxable years beginning on or after January 1, 2018.

(a) General. – For taxable years beginning on and after January 1, 2018, but before January 1, 2019, the tax imposed by section three of this article shall be determined under either subsection (b) or (c) of this section, as appropriate.

(b) Rate of tax on individuals except married individuals filing separate returns, individuals filing joint returns, heads of households, estates and trusts. – The tax imposed by section three of this article on the West Virginia taxable income of every individual, except married individuals filing separate returns; every individual who is a head of a household in the determination of his or her federal income tax for the taxable year; married individuals who file a joint return under this article; every individual who is entitled to file his or her federal income tax return for the taxable year as a surviving spouse; and every estate and trust shall be determined in accordance with the following table:

<u>If the West Virginia taxable income is:</u>	<u>The tax is:</u>
<u>Less than \$20,000</u>	<u>2.25% of taxable income</u>
<u>\$20,000 or more</u>	
<u>but less than \$35,000</u>	<u>\$450.00 plus 3.95% of taxable income in excess of \$20,000</u>
<u>Over \$35,000 or more</u>	
<u>but less than \$200,000</u>	<u>\$1,042.50 plus 5.65% of taxable income in excess of \$35,000</u>

\$200,000 or more..... \$10,365.00 plus 6.00% of taxable income in excess of \$200,000

(c) Rate of tax on married individuals filing separate returns. – In the case of married individuals filing separate returns under this article for the taxable year, the tax imposed by section three of this article on the West Virginia taxable income of each spouse shall be determined in accordance with the following table:

If the West Virginia taxable income is:

The tax is:

Less than \$10,000 2.25% of taxable income

\$10,000 or more but less than \$17,500 \$225.00 plus 3.95% of taxable income in excess of \$10,000

Over \$17,500 but less than \$100,000 \$521.25 plus 5.65% of taxable income in excess of \$17,500

\$100,000 or more..... \$5,182.50 plus 6.00% of taxable income in excess of \$100,000

§11-21-4h. Rate of tax – Taxable years beginning on and after January 1, 2019.

(a) General. – For taxable years beginning on and after January 1, 2019, the tax imposed by section three of this article shall be determined under either subsection (b), (c) or (d) of this section, as appropriate.

(b) Rate of tax on individuals except married individuals filing separate returns, individuals filing joint returns, heads of households, estates and trusts. – The tax imposed by section three of this article on the West Virginia taxable income of every

individual, except married individuals filing separate returns; every individual who is a head of a household in the determination of his or her federal income tax for the taxable year; married individuals who file a joint return under this article; every individual who is entitled to file his or her federal income tax return for the taxable year as a surviving spouse; and every estate and trust shall be determined in accordance with the following table:

If the West Virginia

taxable income is:

The tax is:

Less than \$20,000 1.85% of taxable income

\$20,000 or more

but less than \$35,000 \$370.00 plus 3.65% of taxable income in excess of \$20,000

Over \$35,000 or more

but less than \$200,000 \$917.50 plus 5.45% of taxable income in excess of \$35,000

\$200,000 or more \$9,910.00 plus 6.00% of taxable income in excess of \$200,000

(c) Rate of tax on married individuals filing separate returns. – In the case of married individuals filing separate returns under this article for the taxable year, the tax imposed by section three of this article on the West Virginia taxable income of each spouse shall be determined in accordance with the following table:

If the West Virginia

taxable income is:

The tax is:

Less than \$10,000 1.85% of taxable income

\$10,000 or more

but less than \$17,500 \$185.00 plus 3.65% of taxable income in excess of \$10,000

<u>Over \$17,500</u>	
<u>but less than \$100,000</u>	<u>\$458.75 plus 5.45% of</u> <u>taxable income in excess</u> <u>of \$17,500</u>
<u>\$100,000 or more</u>	<u>\$4,955.00 plus 6.00% of</u> <u>taxable income in excess</u> <u>of \$100,000</u>

(d) Personal income tax rate reduction in taxable years subsequent to 2019.

(1) Beginning in 2019, and for each fiscal year thereafter in which the net amount of the increase in the amount deposited in the General Revenue Fund since the previous rate reduction exceeds \$110 million, adjusted upward by one half of the applicable annual growth factor, the rates of tax specified in subsections (b) and (c) of this section shall reduce by one tenth of one percentage point until the rates become zero: *Provided*, That each rate reduction required by this subdivision shall take effect for the tax year that begins immediately after each successive fiscal year ends: *Provided, however*, That the amount required to be deposited in the General Revenue Fund for the first triggered rate reduction shall be \$110 million amount adjusted upward by one half of the applicable annual growth factor above the 2019 fiscal year General Revenue Fund collections.

(2) In any fiscal year when subdivision (1) of this subsection does not apply, but the net amount of increase deposited in the General Revenue Fund is sixty-five percent or more of the annually adjusted \$110 million amount, adjusted upward by one half of the applicable annual growth factor, there shall not be a rate reduction for the tax year that begins immediately after that fiscal year ends.

(3) In any fiscal year when subdivisions (1) and (2) of this subsection do not apply, but the net amount of increase deposited in the General Revenue Fund is less than sixty-five percent of the annually adjusted \$110 million amount adjusted upward by one half of the applicable annual growth factor, there shall not be a rate reduction for the tax year that begins immediately after that fiscal

year ends; and the annually adjusted \$110 million amount, adjusted upward by one half of the applicable annual growth factor shall be increased by one hundred fifty percent for the next ensuing fiscal year.

(4) When subdivision (3) of this subsection applies with respect to any fiscal year, in future fiscal years, the implementation of the rate reduction provided in subsection (1) of this subsection shall be based on any combination of prior fiscal years' revenue collections not applied toward a previous rate reduction due to the application of subdivisions (1) and (2) of this subsection. Under these circumstances, the reduction of the rates of tax specified in subsections (b) and (c) shall resume for the taxable year that begins immediately after that fiscal year.

(5) Beginning on October 1, 2018, and on October 1 of each subsequent calendar year, the State Budget Director shall publish the following information on the State Budget Office's web site as well as other relevant publications and documents:

(A) The personal income tax rates for the current calendar year;

(B) The general revenue collections for the fiscal year ending June 30 of that calendar year;

(C) The difference between general revenue collections for the most recently concluded fiscal year or combination of fiscal years since a rate reduction trigger occurred and the general revenue collection for the last fiscal year when a rate reduction occurred;

(D) The amount of reduction, if any, in the personal income tax rates that will result by application of this subsection; and

(E) The personal income tax rates to be imposed for the calendar year beginning January 1 of the next calendar year.

(e) Rules. —

(1) 'Applicable annual growth factor' means the rate of growth in the consumer price index for the fiscal year when compared to

the consumer price index for the fiscal year immediately preceding that fiscal year.

(2) ‘Consumer price index’ means the most recent consumer price index for all urban consumers published by the United States Department of Labor.

(3) ‘Consumer price index for the fiscal year’ shall for purposes of this section mean the average of the monthly consumer price indices as of the close of the twelve-month period ending on June 30 for the fiscal year to which reference is being made.

(f) All tax liabilities, if any, arising for tax years that begin prior to the tax year in which the rates of tax in subsections (b) and (c) become zero, shall be determined, administered, assessed and collected using the tax rate or rates in effect for the taxable year in issue.

§11-21-8a. Credit for qualified rehabilitated buildings investment.

A credit against the tax imposed by the provisions of this article shall be allowed as follows:

Certified historic structures. – For certified historic structures, the credit is equal to ten percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as amended: Provided, That for qualified rehabilitation expenditures made after June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified rehabilitation expenditure: Provided, however, That the credit authorized by this section for qualified rehabilitation expenditures made after June 30, 2017, may not be used to offset tax liabilities prior to the tax year beginning January 1, 2019: Provided further, That the taxpayer may not be entitled to this credit if the taxpayer is in arrears in the payment of any tax administered by the Tax Division or the taxpayer is delinquent in the payment of property taxes on the property containing the certified historic tax structure when the applicant begins to claim the credit and throughout the time period within which the credit is claimed. The Tax

Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide what information must accompany any claim for the tax credit for the determination that the taxpayer is not in arrears in the payment of any tax administered by the Tax Division nor is the taxpayer delinquent in the payment of property taxes on the property containing the certified historic tax structure. This credit is available for both residential and nonresidential buildings located in this state, that are reviewed by the West Virginia Division of Culture and History and designated by the National Park Service, United States Department of the Interior as ‘certified historic structures,’ and further defined as a ‘qualified rehabilitated building’ as defined under §47(c)(1), Title 26 of the United States Code, as amended.

The credit authorized pursuant to this section may not exceed the greater of \$3.75 million for the portion of a certified rehabilitation as defined in 26 U. S. C. §47(c)(2)(C) placed in service in the state in the taxable year, or \$3.75 million for each building that is a component of a certified historic structure for which a credit is claimed under this section.

§11-21-8e. ~~Carryback~~ Credit carryback, carryforward.

(a) Any unused portion of the credit for qualified rehabilitated buildings investment authorized by section eight-a of this article which may not be taken in the taxable year to which the credit applies qualifies for carryback and carryforward treatment subject to the identical general provisions under §39, Title 26 of the United States Code, as amended: *Provided*, That the amount of the credit taken in a taxable year shall in no event exceed the tax liability due for the taxable year: *Provided, however*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section eight-a of this article may not be carried back to any prior taxable year: *Provided further*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section eight-a of this article may be carried over to each of the next ten tax years following the unused credit year until used or forfeited due to lapse of time.

(b) Effective for taxable years beginning on and after January 1, 2001, credits granted to an electing small business corporation (S corporation), limited partnership, general partnership, limited liability company or multiple owners of property shall be passed through to the shareholders, partners, members or owners, either pro rata or pursuant to an agreement among the shareholders, partners, members or owners documenting an alternative distribution method. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide the method of reporting the alternative method of distribution authorized by this section.

§11-21-12. West Virginia adjusted gross income of resident individual.

(a) *General.* — The West Virginia adjusted gross income of a resident individual means his or her federal adjusted gross income as defined in the laws of the United States for the taxable year with the modifications specified in this section.

(b) *Modifications increasing federal adjusted gross income.* — There shall be added to federal adjusted gross income unless already included therein the following items:

(1) Interest income on obligations of any state other than this state or of a political subdivision of any other state unless created by compact or agreement to which this state is a party;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

(3) Any deduction allowed when determining federal adjusted gross income for federal income tax purposes for the taxable year that is not allowed as a deduction under this article for the taxable year;

(4) Interest on indebtedness incurred or continued to purchase or carry obligations or securities the income from which is exempt

from tax under this article, to the extent deductible in determining federal adjusted gross income;

(5) Interest on a depository institution tax-exempt savings certificate which is allowed as an exclusion from federal gross income under Section 128 of the Internal Revenue Code, for the federal taxable year;

(6) The amount of a lump sum distribution for which the taxpayer has elected under Section 402(e) of the Internal Revenue Code of 1986, as amended, to be separately taxed for federal income tax purposes; and

(7) Amounts withdrawn from a medical savings account established by or for an individual under section twenty, article fifteen, chapter thirty-three of this code or section fifteen, article sixteen of said chapter that are used for a purpose other than payment of medical expenses, as defined in those sections.

(c) *Modifications reducing federal adjusted gross income.* — There shall be subtracted from federal adjusted gross income to the extent included therein:

(1) Interest income on obligations of the United States and its possessions to the extent includable in gross income for federal income tax purposes;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States or of the State of West Virginia to the extent includable in gross income for federal income tax purposes but exempt from state income taxes under the laws of the United States or of the State of West Virginia, including federal interest or dividends paid to shareholders of a regulated investment company, under Section 852 of the Internal Revenue Code for taxable years ending after June 30, 1987;

(3) Any amount included in federal adjusted gross income for federal income tax purposes for the taxable year that is not included in federal adjusted gross income under this article for the taxable year;

(4) The amount of any refund or credit for overpayment of income taxes imposed by this state, or any other taxing jurisdiction, to the extent properly included in gross income for federal income tax purposes;

(5) Annuities, retirement allowances, returns of contributions and any other benefit received under the West Virginia Public Employees Retirement System, the West Virginia State Teachers Retirement System and all forms of military retirement, including regular armed forces, reserves and National Guard, including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes: *Provided*, That notwithstanding any provisions in this code to the contrary this modification shall be limited to the first \$2,000 of benefits received under the West Virginia Public Employees Retirement System, the West Virginia State Teachers Retirement System and, including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes for taxable years beginning after December 31, 1986; and the first two thousand dollars of benefits received under any federal retirement system to which Title 4 U. S. C. §111 applies: *Provided, however*, That the total modification under this paragraph shall not exceed \$2,000 per person receiving retirement benefits and this limitation shall apply to all returns or amended returns filed after December 31, 1988;

(6) Retirement income received in the form of pensions and annuities after December 31, 1979, under any West Virginia police, West Virginia Firemen's Retirement System or the West Virginia State Police Death, Disability and Retirement Fund, the West Virginia State Police Retirement System or the West Virginia Deputy Sheriff Retirement System, including any survivorship annuities derived from any of these programs, to the extent includable in gross income for federal income tax purposes;

(7) (A) For taxable years beginning after December 31, 2000, and ending prior to January 1, 2003, an amount equal to two percent multiplied by the number of years of active duty in the armed forces of the United States of America with the product thereof multiplied by the first \$30,000 of military retirement

income, including retirement income from the regular armed forces, reserves and National Guard paid by the United States or by this state after December 31, 2000, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(B) For taxable years beginning after December 31, 2002, the first \$20,000 of military retirement income, including retirement income from the regular armed forces, reserves and National Guard paid by the United States or by this state after December 31, 2002, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(C) For taxable years beginning on and after January 1, 2018, the amount of military retirement income, including retirement income from the regular armed forces, reserves and National Guard, paid by the United States or this state on and after January 1, 2018, that is included in federal adjusted gross income for the taxable year, shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article.

~~(C)~~ (D) In the event that any of the provisions of this subdivision are found by a court of competent jurisdiction to violate either the Constitution of this state or of the United States, or is held to be extended to persons other than specified in this subdivision, this subdivision shall become null and void by operation of law.

(8) Federal adjusted gross income in the amount of \$8,000 received from any source after December 31, 1986, by any person who has attained the age of sixty-five on or before the last day of the taxable year, or by any person certified by proper authority as permanently and totally disabled, regardless of age, on or before the last day of the taxable year, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That if a person has a medical certification from a prior year and he or she is still permanently and totally disabled, a copy of the original certificate is acceptable as proof of disability. A copy of the form

filed for the federal disability income tax exclusion is acceptable: *Provided, however, That:*

(i) Where the total modification under subdivisions (1), (2), (5), (6) and (7) of this subsection is \$8,000 per person or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6) and (7) of this subsection is less than \$8,000 per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between \$8,000 and the sum of modifications under subdivisions (1), (2), (5), (6) and (7) of this subsection;

(9) Federal adjusted gross income in the amount of \$8,000 received from any source after December 31, 1986, by the surviving spouse of any person who had attained the age of sixty-five or who had been certified as permanently and totally disabled, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided, That:*

(i) Where the total modification under subdivisions (1), (2), (5), (6), (7) and (8) of this subsection is \$8,000 or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6), (7) and (8) of this subsection is less than \$8,000 per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between \$8,000 and the sum of subdivisions (1), (2), (5), (6), (7) and (8) of this subsection;

(10) Contributions from any source to a medical savings account established by or for the individual pursuant to section twenty, article fifteen, chapter thirty-three of this code or section fifteen, article sixteen of said chapter, plus interest earned on the account, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided, That* the amount subtracted pursuant to this subdivision for any one taxable year may not exceed \$2,000 plus interest earned on the account. For married

individuals filing a joint return, the maximum deduction is computed separately for each individual;

(11) For the 2006 taxable year only, severance wages received by a taxpayer from an employer as the result of the taxpayer's permanent termination from employment through a reduction in force and through no fault of the employee, not to exceed \$30,000. For purposes of this subdivision:

(i) The term 'severance wages' means any monetary compensation paid by the employer in the taxable year as a result of permanent termination from employment in excess of regular annual wages or regular annual salary;

(ii) The term 'reduction in force' means a net reduction in the number of employees employed by the employer in West Virginia, determined based on total West Virginia employment of the employer's controlled group;

(iii) The term 'controlled group' means one or more chains of corporations connected through stock ownership with a common parent corporation if stock possessing at least fifty percent of the voting power of all classes of stock of each of the corporations is owned directly or indirectly by one or more of the corporations and the common parent owns directly stock possessing at least fifty percent of the voting power of all classes of stock of at least one of the other corporations;

(iv) The term 'corporation' means any corporation, joint-stock company or association and any business conducted by a trustee or trustees wherein interest or ownership is evidenced by a certificate of interest or ownership or similar written instrument.

(12) Decreasing modification for Social Security income. —

(A) For taxable years beginning on and after January 1, 2018, fifty percent of the amount of social security benefits received pursuant to Title 42 U. S. C., Chapter 7, including, but not limited to, Social Security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U. S. C. 401 et seq. or as Supplemental

Security Income for the Aged, Blind, and Disabled as provided in §42 U. S. C. 1381 et seq., included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in paragraph (C) of this subdivision.

(B) For taxable years beginning on or after January 1, 2019, one hundred percent of the Social Security benefits received pursuant to Title 42 U.S.C., Chapter 7, including but not limited to Social Security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U. S. C. 401 et seq. or as Supplemental Security Income for the Aged, Blind and Disabled as provided in §42 U. S. C. 1381 et seq., included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in paragraph (C) of this subdivision.

(C) Limitation on taking the deduction allowed by paragraphs (A) and (B) of subdivision (12). – The deduction allowed by paragraph (A) or (B) of this subdivision shall be allowable only when the federal adjusted gross income of a married couple filing a joint return, or a single individual, does not exceed \$75,000, or \$37,500 in the case of a married individual filing a separate return.

(D) In the event that any provision of this subdivision is found by a court of competent jurisdiction to violate either the Constitution of the United States or this state, or is held to be extended to persons other than those specified in this section, this section shall become null and void by operation of law; and

~~(12)~~ (13) Any other income which this state is prohibited from taxing under the laws of the United States.

(d) *Modification for West Virginia fiduciary adjustment.* — There shall be added to or subtracted from federal adjusted gross income, as the case may be, the taxpayer's share, as beneficiary of

an estate or trust, of the West Virginia fiduciary adjustment determined under section nineteen of this article.

(e) *Partners and S corporation shareholders.* — The amounts of modifications required to be made under this section by a partner or an S corporation shareholder, which relate to items of income, gain, loss or deduction of a partnership or an S corporation, shall be determined under section seventeen of this article.

(f) *Husband and wife.* — If husband and wife determine their federal income tax on a joint return but determine their West Virginia income taxes separately, they shall determine their West Virginia adjusted gross incomes separately as if their federal adjusted gross incomes had been determined separately.

(g) *Effective date.* — (1) Changes in the language of this section enacted in the year two thousand shall apply to taxable years beginning after the thirty-first day of December, two thousand.

(2) Changes in the language of this section enacted in the year two thousand two shall apply to taxable years beginning after the thirty-first day of December, two thousand two.

ARTICLE 24. CORPORATE NET INCOME TAX.

§11-24-4c. Rate of tax – Taxable years beginning on and after January 1, 2018, but before January 1, 2021.

(a) In lieu of the rate of tax specified in section four of this article, for taxable year beginning on and after January 1, 2018, but before January 1, 2021, the tax imposed by section four of this article shall be levied at the rate of seven percent of West Virginia taxable income.

(b) For taxable years beginning on and after January 1, 2021, the rate of tax shall be that specified in section four of this article.

§11-24-23a. Credit for qualified rehabilitated buildings investment.

A credit against the tax imposed by the provisions of this article shall be allowed as follows:

Certified historic structures. – For certified historic structures, the credit is equal to ten percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as amended: Provided, That for qualified rehabilitation expenditures made after June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified rehabilitation expenditure: Provided, however, That the credit authorized by this section for qualified rehabilitation expenditures made after June 30, 2017, may not be used to offset tax liabilities prior to the tax year beginning January 1, 2019: Provided, further, That the taxpayer may not be entitled to this credit if the taxpayer is in arrears in the payment of any tax administered by the Tax Division or if the taxpayer is delinquent in the payment of property taxes on the property containing the certified historic tax structure when the applicant begins to claim the credit and throughout the time period within which the credit is claimed. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide what information must accompany any claim for the tax credit for the determination that the taxpayer is not in arrears in the payment of any tax administered by the Tax Division nor is the taxpayer delinquent in the payment of property taxes on the property containing the certified historic tax structure. This credit is available for both residential and nonresidential buildings located in this state that are reviewed by the West Virginia Division of Culture and History and designated by the National Park Service, United States Department of the Interior as ‘certified historic building’ and further defined as a ‘qualified rehabilitated building’ as defined under §47(c)(1), Title 26, of the United States Code, as amended.”

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 107 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-3f; to amend and reenact §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code

by adding thereto three new sections, designated §11-15-3d, §11-15-3e and §11-15-35; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend and reenact §11-21-8a, §11-21-8e and §11-21-12 of said code; to amend said code by adding thereto two new sections, designated §11-21-4g and §11-21-4h; to amend and reenact §11-24-23a of said code; and to amend said code by adding thereto a new section, designated §11-24-4c, all relating generally to the Tax Reform Act of 2017; imposing graduated rate severance tax on privilege of producing coal as of specified date and defining certain terms; increasing rate of consumers sales and service tax as of specified date; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; imposing tax on digital code and digital products as of specified date; providing the Tax Commissioner with rule-making authority and emergency rule-making authority; eliminating certain exemptions from consumers sales and service tax as of specified date; providing consumers sales and service tax exemption for services of professional employer organizations; ending the State Road Fund transfer; increasing rate of use tax as of specified date; reducing number of classifications and rates of personal income tax as of January 1, 2018; providing for phase-out of personal income tax and specifying triggering event; exempting prospectively from the personal income tax all retirement income for military service; exempting prospectively from the personal income tax all Social Security retirement, survivors' and disability income over a two-year period for individuals and married couples filing a joint return with less than \$75,000 of annual income and less than \$35,000 of annual income for married individuals filing separate returns; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; increasing rate of corporation net income tax as of specified date; and making technical corrections in various sections.”

On this motion, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 630**), and there were—yeas 85, nays none, absent and not voting 15, with the absent and not voting being as follows:

Absent and Not Voting: Byrd, Canestraro, Deem, Ellington, Espinosa, Ferro, Fleischauer, N. Foster, Hornbuckle, Miley, Sponaugle, Summers, Walters, Williams and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the motion prevailed.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1003 - “A Bill to repeal §17-16A-18a, §17-16A-23 and §17-16A-30 of the Code of West Virginia, 1931, as amended; to amend and reenact §17-16A-1, §17-16A-5, §17-16A-6, §17-16A-10, § 17-16A-11, §17-16A-13, §17-16A-13a, §17-16A-18, §17-16A-21, §17-16A-22 and §17-16A-29 of said code; to amend said code by adding thereto a new section, designated §17-16A-11a; to amend and reenact §17-16D-3 of said code; to amend said code by adding thereto a new section, designated §17A-2-25; to amend and reenact §17A-3-7 of said code; and to amend said code by adding thereto a new section, designated §17A-10-17, all relating generally to the West Virginia Parkways Authority; defining terms; adding the power of the authority to study, investigate and evaluate, and, if feasible, develop and implement a single fee program, including promulgate rules; adding the power of the authority to impose in connection with any single fee program a flat fee in connection with any or all certificates of passenger motor vehicle registration and renewal thereof by the Division of Motor Vehicles; adding the power of the authority to enter into reciprocal toll enforcement agreements; creating and designating a special revenue account within the State Road Fund known as the State

Road Construction Account; authorizing the deposit of proceeds of parkway revenue bonds to the State Road Construction Account; requiring that priority consideration be given to construction, maintenance and repair of public highways and bridges in certain counties within the state when determining expenditures from the State Road Construction Account; creating and designating a special revenue account within the State Treasury known as the West Virginia Parkways Authority Single Fee Program Fund; clarifying notice and public meeting requirements and procedures; clarifying the power of the Parkways Authority to fix rates or tolls for Corridor L toll collection facility; expanding the authority of the Parkways Authority to issue revenue bonds or refunding revenue bonds for parkways' projects and for the West Virginia Turnpike; eliminating approval by county commissions and establishment by Governor of local committees prior to approval of any parkway project; authorizing electronic toll collection and enforcement of tolls on roads, highways and bridges; adding the power of the Division of Motor Vehicles to act as collection agent for the authority under any single fee program; expanding the grounds for refusing to register a motor vehicle; ability to charge a fee for the single fee program; and creating a misdemeanor offense"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1006 - "A Bill to amend and reenact §11-14C-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-3c and §11-15-18b of said code; to amend and reenact §17A-2-13 of said code; to amend and reenact §17A-3-4 of said code; to amend and reenact §17A-4-1 and §17A-4-10 of said code; to amend and reenact §17A-4A-10 of said code; to amend and reenact §17A-7-2 of said code; to amend and reenact §17A-10-3, §17A-10-10 and §17A-10-11 of said code; to amend said code by adding thereto a new section, designated §17A-10-3c; to amend and reenact §17B-2-1, §17B-2-3a, §17B-2-5, §17B-2-6, §17B-2-8 and §17B-2-11 of said code; to amend and reenact §17C-5A-2a of

said code; and to amend and reenact §17D-2-2 of said code, all relating generally to increasing the funding for the State Road Fund; increasing rate of motor fuel excise tax as of specified date; increasing the minimum average wholesale price of motor fuels for purposes of the five percent variable fuel tax as of specified date; increasing the rate of consumers sales and service tax on sales of motor vehicles as of a specified date; deleting superfluous language relating to floorstocks; increasing Division of Motor Vehicles administrative fees, including increasing fees for various documents, records, registrations, certificates, titles, liens, releases, transfers, cards, stickers, decals, licenses and plates; requiring payment of certain fee for each attempt at the written and road skills test; increasing said administrative Division of Motor Vehicles fees every five years on September 1 based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index; imposing annual registration fee for certain alternative fuel vehicles; and specifying effective dates”; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1010 - “A Bill to amend and reenact §33-3-33a of the Code of West Virginia, 1931, as amended, relating to the Volunteer Fire Department Workers’ Compensation Premium Subsidy Fund; providing for the deposit of moneys into the Volunteer Fire Department Workers’ Compensation Premium Subsidy Fund until June 30, 2020; providing for the expiration and closure of the Volunteer Fire Department Workers’ Compensation Premium Subsidy Fund on June 30, 2020; and providing for the transfer of any remaining moneys in the Volunteer Fire Department Workers’ Compensation Premium Subsidy Fund upon closure of such fund.”

Pursuant to House Rule 107, at the respective requests of Delegate Cowles, and by unanimous consent, the bill (S. B. 1010) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 631**), and there were—yeas 85, nays none, absent and not voting 15, with the absent and not voting being as follows:

Absent and Not Voting: Byrd, Canestraro, Deem, Ellington, Espinosa, Ferro, Fleischauer, N. Foster, Hornbuckle, Miley, Sponaugle, Summers, Walters, Williams and Wilson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

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

The bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 632**), and there were—yeas 84, nays 1, absent and not voting 15, with the nays and absent and not voting being as follows:

Nays: McGeehan.

Absent and Not Voting: Byrd, Canestraro, Deem, Ellington, Espinosa, Ferro, Fleischauer, N. Foster, Hornbuckle, Miley, Sponaugle, Summers, Walters, Williams and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 1010) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 633**), and there were—yeas 84, nays 1, absent and not voting 15, with the nays and absent and not voting being as follows:

Nays: McGeehan.

Absent and Not Voting: Byrd, Canestraro, Deem, Ellington, Espinosa, Ferro, Fleischauer, N. Foster, Hornbuckle, Miley, Sponaugle, Summers, Walters, Williams and Wilson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1010) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 1011 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-26, relating to the selling of a certain state-owned health care facility and appurtenances by the Secretary of the Department of Health and Human Resources; ensuring the transfer of existing patients and the construction of a replacement facility; exempting certain laws; creating a fund; implementing a benefits package for employees; and providing statutory construction”; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

S. B. 1014 - “A Bill to repeal §30-3E-8 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-5-19 of said code; to amend and reenact §30-3-5 of said code; to amend and reenact §30-3E-1, §30-3E-2, §30-3E-3, §30-3E-4, §30-3E-6, §30-3E-7, §30-3E-9, §30-3E-10, §30-3E-11, §30-3E-12, §30-3E-15, §30-3E-16 and §30-3E-17 of said code; to amend said code by adding thereto a new section, designated §30-3E-12a; and to amend and reenact §33-15-14 of said code, all relating to physician assistants; modifying board membership; substituting

‘collaborating physician’ for ‘supervising physician’; defining terms; modifying the prescriptive authority of physician assistants; eliminating certain recertification requirements; eliminating the continuous national certification requirement; prohibiting an insurance plan from limiting the practice of physician assistants; adding requirements for practice agreements; granting physician assistants signatory authority on certain forms; and making conforming amendments”; which was referred to the Committee on Health and Human Resources.

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 111, Relating generally to tax procedures and administration,

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

At the respective requests of Delegate Cowles, and by unanimous consent, the bill (H. B. 111) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 634**), and there were—yeas 85, nays none, absent and not voting 15, with the absent and not voting being as follows:

Absent and Not Voting: Byrd, Canestraro, Deem, Ellington, Espinosa, Ferro, Fleischauer, N. Foster, Hornbuckle, Miley, Sponaugle, Summers, Walters, Williams and Wilson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

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

Having been engrossed, the bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 635**), and there were—yeas 85, nays none, absent and not voting 15, with the absent and not voting being as follows:

Absent and Not Voting: Byrd, Canestraro, Deem, Ellington, Espinosa, Ferro, Fleischauer, N. Foster, Hornbuckle, Miley, Sponaugle, Summers, Walters, Williams and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 111) passed.

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

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 112, Relating to the Volunteer Fire Department Workers' Compensation,

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

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Canestraro, Ellington, Espinosa, Ferro, Fleischauer, N. Foster, Hornbuckle, Miley, Sponaugle, Summers, Williams and Wilson.

At 6:19 p.m., on motion of Delegate Cowles, the House of Delegates recessed for thirty minutes.

* * * * *

Evening Session

* * * * *

-continued-

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title, as follows:

S. C. R. 102 – “Providing for an adjournment of the Legislature until June 5, 2017.”

Resolved by the Legislature of West Virginia:

That when adjournment is taken by the two houses of the Legislature at the close of their respective sessions on May 24, 2017, such adjournment shall be until 11 a.m. on June 5, 2017, pursuant to Section 23, Article VI of the Constitution of the State of West Virginia, unless called prior to that time by the President of the Senate and the Speaker of the House of Delegates.

At the request of Delegate Cowles, and by unanimous consent, reference of the resolution (S. C. R. 102) to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

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

Miscellaneous Business

Delegates Hill and Kessinger filed forms with the Clerk's Office per House Rule 94b to be added as cosponsors of H. B. 118.

Delegate Maynard filed a form with the Clerk's Office per House Rule 94b to be added as a cosponsor of H. C. R. 1.

Delegate Byrd noted to the Clerk that he was absent on today when the votes were taken on Roll Nos. 630, 632 and 635, and that had he been present, he would have voted "Yea" thereon.

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegate Byrd regarding S. C. R. 102 be printed in the Appendix to the Journal.

Pursuant to S. C. R. 102, at 7:13 p.m., the House of Delegates adjourned until 11:00 a.m., Monday, June 5, 2017.

Monday, June 5, 2017

ELEVENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

Pursuant to S. C. R. 102, adopted on the twenty-fourth day of May, 2017, the House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 636**), and 86 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Bates, Byrd, Ellington, A. Evans, Fast, Hill, Hollen, Love, Moore, Moye, Rohrbach, Shott, Williams and Wilson.

The Clerk proceeded to read the Journal of Wednesday, May 24, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Bills Introduced

Bills were introduced, pursuant to House Rule 92, and severally referred as follows:

By Delegates Frich, Sobonya, Overington, Deem, Howell, Sypolt, Butler, Fast and Hollen:

H. B. 119 — “A Bill to amend and reenact §19-23-3, §19-23-7, §19-23-10, §19-23-12b, §19-23-13 and §19-23-13c of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §19-23-10a; to amend and reenact §29-22-18a of said code; to amend and reenact §29-22A-3, §29-22A-7, §29-22A-10, §29-22A-10b, §29-22A-10d, §29-22A-10e and §29-

22A-12 of said code; and to amend and reenact §29-22C-3, §29-22C-8, §29-22C-10, §29-22C-27 and §29-22C-27a of said code, all relating generally to horse and dog racing lottery; modifying certain definitions; discontinuing the West Virginia Racing Commission special account known as the West Virginia Greyhound Breeding Development Fund; transferring all moneys in the West Virginia Greyhound Breeding Development Fund to the state Excess Lottery Revenue Fund for appropriation by the Legislature; requiring that upon transfer of moneys from the West Virginia Greyhound Breeding Development Fund to the state Excess Lottery Revenue Fund, a certain amount be withheld and deposited in the special account known as the Administration, Promotion, Education, Capital Improvement and Greyhound Adoption Programs to include Spaying and Neutering Account; requiring that all moneys previously required to be directed to the West Virginia Greyhound Breeding Development Fund be redirected to the state Excess Lottery Revenue Fund for appropriation by the Legislature; requiring that all moneys previously required to be directed into any fund or paid for the purpose of funding purses, awards or providing any other funding for greyhound races be redirected to the state Excess Lottery Revenue Fund for appropriation by the Legislature; eliminating the requirement that an applicant for a dog racing license race a minimum number of dates to qualify for such license; eliminating the requirement that an applicant for a dog racing license race a minimum number of dates to contract to receive telecasts and accept wagers; providing that a dog racetrack is required to hold a racing license to conduct simulcast racing regardless of whether the racetrack continues to conduct live dog racing; authorizing the West Virginia Racing Commission to promulgate rules, including emergency rules, regarding licensure of dog racetracks conducting only simulcast racing; eliminating the requirement that a video lottery licensee at a dog track must hold a racing license to renew a video lottery license or racetrack table games license; requiring the Lottery Commission to transfer a percentage of gross terminal revenue derived from racetrack video lottery at thoroughbred racetracks, and deducted for administrative costs and expenses, to the Racing Commission's General Administrative Account; eliminating the requirement that an applicant for a video lottery license or license renewal at a dog racetrack must provide evidence of the existence of an agreement regarding proceeds from video lottery terminals with certain parties; providing that a percentage of net terminal income originating at dog racetracks will

be deposited in the state Excess Lottery Revenue Fund; providing that a percentage of net terminal income originating at thoroughbred racetracks will be deposited in the West Virginia Thoroughbred Development Fund; permitting a dog racetrack to continue to operate operational video lottery and racetrack table games in a location where live racing was previously conducted or in an alternate location within the county as approved by the Lottery Commission; and eliminating the requirement that a racetrack table games licensee at a dog racetrack must race a minimum number of dates”; to the Committee on Finance.

By Delegate Howell:

H. B. 120 — “A Bill to repeal §5A-3-49 of the Code of West Virginia, 1931, as amended; to amend and reenact §5A-1-2 of said code; to amend and reenact §5A-3-52 of said code; to amend said code by adding thereto a new article, designated §5A-12-1, §5A-12-2, §5A-12-3, §5A-12-4, §5A-12-5, §5A-12-6, §5A-12-7, §5A-12-8, §5A-12-9, §5A-12-10 and §5A-12-11; to amend and reenact §17A-3-23 of said code; to amend said code by adding thereto three new sections, designated §17A-3-25, §17A-3-26 and §17A-3-27; and to amend and reenact §29B-1-4 of said code, all relating to creating and maintaining a centralized state vehicle inventory system; establishing the Fleet Management Office within the Department of Administration; creating the state Vehicle Title, Registration and Relicensing Project of 2017; requiring reporting by spending units utilizing state vehicles; providing the new article’s scope and establishing exemptions; providing for new officers and establishing their powers, duties and responsibilities; defining terms; continuing the Fleet Management Office Fund; requiring the Fleet Management Office to coordinate with other agencies; providing for annual reports of vehicle use by spending units; requiring annual reports to the Governor and the Joint Committee on Government and Finance; establishing operator requirements and training; providing for enforcement and penalties; providing for notice; requiring legislative compliance audits; providing a deadline date for the expiration of current state vehicle license plates; creating new state vehicle license plates; providing for notice to spending units regarding the expiration of title, registrations and license plates; requiring a standardized naming convention for the title, registration and licensing of all state vehicles; requiring annual renewal of the state vehicle registrations; providing exemptions from reporting for certain undercover vehicles; and authorizing rule making

and emergency rule making”; to the Committee on Government Organization then Finance.

Special Calendar

First Reading

H. B. 112, Relating to the Volunteer Fire Department Workers’ Compensation; on first reading, coming up in regular order, was, on motion of Delegate Cowles, tabled.

Delegate Love was also present for part of the session.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Bates, Byrd, Ellington, A. Evans, Fast, Hill, Hollen, Moore, Moye, Rohrbach, Shott, Williams and Wilson.

Miscellaneous Business

Delegate Espinosa noted to the Clerk that he was absent on May 24, 2017 when the votes were taken on Roll Nos. 632 and 635, and that had he been present, he would have voted “Yea” thereon.

Delegate N. Foster noted to the Clerk that she was absent on May 19, 2017 when the vote was taken on Roll No. 626, and that had she been present, she would have voted “Nay” thereon, and that she was absent on May 24, 2017 when the votes were taken on Roll Nos. 632 and 635, and that had she been present, she would have voted “Yea” thereon.

At 1:18 p.m., the House of Delegates adjourned until 12:00 noon, Tuesday, June 6, 2017.

Tuesday, June 6, 2017

TWELFTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 12:00 noon, and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 637**), and 90 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Bates, A. Evans, Fast, N. Foster, Hill, Hollen, Marcum, Moye, Williams and Wilson.

The Clerk proceeded to read the Journal of Monday, June 5, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Ellington, Chair of 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:

S. B. 1014, Relating generally to physician assistants,

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

At the respective requests of Delegate Cowles, and by unanimous consent, the bill (S. B. 1014) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Ellington, Chair of 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:

H. B. 117, Relating to West Virginia Health Care Authority,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, but that it first be referred to the Committee on the Judiciary.

In accordance with the former direction of the Speaker, the bill (H. B. 117) was referred to the Committee on the Judiciary.

Delegate Hanshaw, Chair of the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 6th day of June, 2017, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

S. B. 1010, Relating to Volunteer Fire Department Workers' Compensation Premium Subsidy Fund.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Bates, A. Evans, Fast, N. Foster, Hill, Hollen, Marcum, Moye, Williams and Wilson.

Miscellaneous Business

Delegate Cowles asked and obtained unanimous consent that the remarks of Delegate C. Miller today regarding PTSD among Veterans be printed in the Appendix to the Journal.

At 12:24 p.m., the House of Delegates adjourned until 1:00 p.m., Wednesday, June 7, 2017.

Wednesday, June 7, 2017

THIRTEENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 1:00 p.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 638**), and 85 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Bates, Blair, A. Evans, N. Foster, Hicks, Hill, Hollen, Marcum, Maynard, Moye, Phillips, Rodighiero, Upson, White and Wilson.

The Clerk proceeded to read the Journal of Tuesday, June 6, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Messages from the Executive

The following communication from His Excellency, the Governor, was laid before the House of Delegates and reported by the Clerk:

State of West Virginia
OFFICE OF THE GOVERNOR
Charleston, WV

June 6, 2017

The Honorable Mitch Carmichael
President of the Senate

State Capitol, Building 1, Room 229-M
Charleston, West Virginia 25305

The Honorable Tim Armstead
Speaker of the House of Delegates
State Capitol, Building 1, Room 228-M
Charleston, West Virginia 25305

Dear President Carmichael and Speaker Armstead:

After submission of my recommended FY 2018 Executive Budget on May 23, 2017, there have been a few areas that require adjustments.

Therefore, pursuant to Section 51, Article VI of the Constitution of the State of West Virginia, I submit revisions to the FY 2018 Budget Bill for the TITLE II – APPROPRIATIONS as follows:

Section 1. Appropriations from general revenue.

Department of Commerce

West Virginia Development Office, Fund 0256, Fiscal Year 2018, Org 0307

(To increase funding for the Save Our State program.)

- Increase “Save Our State (SOS)” Appropriation 05050 by \$10,000,000.

Department of Health and Human Resources

Division of Human Services, Fund 0403, Fiscal Year 2018, Org 0511

(To moved Medicaid funding to surplus.)

- Decrease “Medical Services” Appropriation 18900 by \$20,159,358.

Department of Revenue

Office of the Secretary, Fund 0465, Fiscal Year 2018, Org 0701

(To appropriate a transfer to the State Road Fund.)

- Add “State Road Fund - Transfer” Appropriation 70017 for \$11,700,000.

Department of Transportation

State Rail Authority, Fund 0506, Fiscal Year 2018, Org 0804

(To correct a drafting error.)

- Replace the reappropriated language as follows, “Any unexpended balance remaining in the appropriation for Other Assets (fund 0506, appropriation 69000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0506, fiscal year 2017, appropriation 69000 (\$32,483) which shall expire on June 30, 2017.”

Higher Education Policy Commission

West Virginia University – School of Medicine Medical School Fund, Fund 0343, Fiscal Year 2018, Org 0463

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “WVU School of Health Science – Eastern Division” appropriation 05600 by \$44,969.
- Increase “WVU - School of Health Sciences” appropriation 17400 by \$310,317.
- Increase “WVU School of Health Sciences – Charleston Division” appropriation 17500 by \$46,250.

- Increase “Rural Health Outreach Programs” appropriation 37700 by \$3,403.
- Increase “West Virginia University School of Medicine BRIM Subsidy” appropriation 46000 by \$23,226.

West Virginia University – General Administrative Fund, Fund 0344, Fiscal Year 2018, Org 0463

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “West Virginia University” appropriation 45900 by \$1,956,393.
- Increase “Jackson’s Mill” appropriation 46100 by \$4,790.
- Increase “West Virginia University Institute of Technology” appropriation 47900 by \$159,756.
- Increase “State Priorities – Brownfield Professional Development” appropriation 53100 by \$6,750.
- Increase “West Virginia University – Potomac State” appropriation 99400 by \$78,430.

Marshall University – School of Medicine, Fund 0347, Fiscal Year 2018, Org 0471

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “Marshall Medical School” appropriation 17300 by \$243,585.
- Increase “Rural Health Outreach” appropriation 37700 by \$3,352.
- Increase “Forensic Lab” appropriation 37701 by \$4,829.

- Increase “Center for Rural Health” appropriation 37702 by \$3,203.
- Increase “Marshall University Medical School BRIM Subsidy” appropriation 44900 by \$16,846.

Marshall University – General Administrative Fund, Fund 0348, Fiscal Year 2018, Org 0471

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “Marshall University” appropriation 44800 by \$918,522.
- Increase “Luke Lee Listening Language and Learning Lab” appropriation 44801 by \$2,042.
- Increase “Vista E-Learning” appropriation 51900 by \$4,982.
- Increase “State Priorities – Brownfield Professional Development” appropriation 53100 by \$6,687.
- Increase “Marshall University Graduate College Writing Project” appropriation 80700 by \$415.
- Increase “WV Autism Training Center” appropriation 93200 by \$35,906.

Section 2. Appropriations from state road funds.

Department of Transportation

Total TITLE II, Section 2 – State Road Fund

(To correct a drafting error.)

- Replace section total with \$1,314,293,957.

Section 9. Appropriations from general revenue surplus accrued.*Directive Language*

(To provide for funding in priority order subject to surplus availability.)

- Add the following to the last paragraph of the directive language in Section 9:

“...and shall be allocated first to provide the necessary funds to meet the first appropriation of this section and each subsequent appropriation in the order listed in this section.”

Department of Health and Human Resources

Surplus priority #2 - *Division of Human Services, Fund 0403, Fiscal Year 2018, Org 0511*

(To move Medicaid funding to surplus.)

- Add “Medical Services – Surplus” Appropriation 63300 for \$20,159,358.

Thank you for your prompt attention of this matter. Your cooperation is always appreciated. Should you have any questions or require additional information, please call me at any time.

Sincerely,

Jim Justice,
Governor.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to recede from its amendment and requested the House of Delegates to agree to the appointment of a Committee of

Conference of five from each house on the disagreeing votes of the two houses as to

Com. Sub. for H. B. 107, Relating generally to the Tax Reform Act of 2017.

The message further announced that the President of the Senate had appointed as conferees on the part of the Senate the following:

Senators Ferns, Blair, Gaunch, Prezioso and Jeffries.

On motion of Delegate Cowles, the House of Delegates agreed to the appointment of a Committee of Conference of five from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Nelson, Espinosa, C. Miller, Boggs and Pethtel.

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

Special Calendar

Second Reading

S. B. 1014, Relating generally to physician assistants; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on Health and Human Resources, was reported by the Clerk and adopted, amending the bill on page eleven, line forty-eight, by striking out the word “supervising” and inserting the word “collaborating”.

On page fourteen, line three, by striking out the word “supervising” and inserting the word “collaborating”.

On page fourteen, line seven, by striking out the word “supervising” and inserting the word “collaborating”.

On page fourteen, line twenty-one, by striking out the word “supervises” and inserting the words “collaborating with”.

On page fourteen, line twenty-two, by striking out the word “provide supervision for” and inserting the words “collaborate with”.

On page fourteen, line twenty-four, by striking out the word “supervising”.

On page sixteen, line one, by striking out the word “supervise” and inserting the words “collaborate with”.

And,

On page twenty, line ten, by striking out the word “supervising” and inserting the word “collaborating”.

The bill was then ordered to third reading.

Delegates Blair, Maynard and Upson were also present for part of the session.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Bates, A. Evans, N. Foster, Hicks, Hill, Hollen, Marcum, Moye, Phillips, Rodighiero, White and Wilson.

Miscellaneous Business

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegates Pushkin and Love during Remarks by Members today be printed in the Appendix to the Journal.

At 3:03 p.m., the House of Delegates adjourned until 3:00 p.m., Thursday, June 8, 2017.

Thursday, June 8, 2017

FOURTEENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 3:00 p.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Wednesday, June 7, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Shott, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 117, Relating to West Virginia Health Care Authority,

And reports back a committee substitute therefor, with a new title, as follows:

Com. Sub. for H. B. 117 – “A Bill to amend and reenact §16-2D-11 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-29B-3 and §16-29B-8 of said code; and to amend said code by adding two new sections, designated §16-29B-24 and §16-29B-25, all relating to West Virginia Health Care Authority; defining terms; clarifying an exemption to the certificate of need; prohibiting the department from limiting the transfer of skilled nursing beds; authorizing legislative rulemaking; establishing an assessment on acute care hospitals; requiring entities file certain information with the authority; permitting the assessing of a penalty for failing to file reports; authorizing the authority to coordinate the collection of health data; requiring the authority to provide access to data; requiring the

authority to charge a fee to obtain data; requiring a report to the Legislative Oversight Commission on Health and Human Resources; permitting the secretary to assume control of the data repository if certain conditions are met; authorizing emergency rules to implement the provisions of new article,”

With the recommendation that the committee substitute do pass.

At the respective requests of Delegate Cowles, and by unanimous consent, the bill (Com. Sub. for H. B. 117) was taken up for immediate consideration, read a first time and ordered to second reading.

Special Calendar

Third Reading

S. B. 1014, Relating generally to physician assistants; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 639**), and there were—yeas 87, nays none, absent and not voting 13, with the absent and not voting being as follows:

Absent and Not Voting: Baldwin, Bates, Ellington, A. Evans, N. Foster, Hollen, Hornbuckle, Moye, Phillips, Queen, Rohrbach, Westfall and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 1014) passed.

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

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Baldwin,

Bates, Ellington, A. Evans, N. Foster, Hollen, Hornbuckle, Moye, Phillips, Queen, Rohrbach, Westfall and White.

Miscellaneous Business

Delegate Howell filed a form with the Clerk's Office per House Rule 94b to be removed as a cosponsor of H. B. 119.

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegates Fluharty and Pushkin during Remarks by Members today be printed in the Appendix to the Journal.

Delegate Sobonya asked and obtained unanimous consent that the remarks of Delegate Summers during Remarks by Members today be printed in the Appendix to the Journal.

Delegate Butler asked and obtained unanimous consent that the remarks of Delegate Frich regarding H. B. 119 on Monday, June 5, 2017 be printed in the Appendix to the Journal.

At 3:53 p.m., the House of Delegates adjourned until 1:00 p.m., Friday, June 9, 2017.

Friday, June 9, 2017

FIFTEENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 1:00 p.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Thursday, June 8, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 1014, Relating generally to physician assistants.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title as follows:

S. C. R. 103 – “Suspending the provisions of Joint Rule 3, relating to committees of conference and reports relative thereto.”

Resolved by the Legislature of West Virginia, two thirds of the members present and voting in each house agreeing thereto:

That pursuant to Rule 25 of the Joint Rules of the Senate and House of Delegates, the provisions of Joint Rule 3 are suspended; the committee of conference on the disagreeing votes of the two

houses, as to Engrossed Committee Substitute for House Bill 107 (*Relating generally to the Tax Reform Act of 2017*), is hereby extended until Tuesday, June 13, 2017; and upon a concurrent resolution duly adopted by a majority of those present and voting in each house, the committee of conference may be further extended for a period not to exceed one day.

At the request of Delegate O’Neal, and by unanimous consent, reference of the resolution (S. C. R. 103) to a committee was dispensed with, and it was taken up for immediate consideration.

Delegate O’Neal moved to amend the resolution on page one, by striking out everything following the resolving clause, and inserting in lieu thereof the following:

“That pursuant to Rule 25 of the Joint Rules of the Senate and House of Delegates, the provisions of Joint Rule 3, paragraph (b) are suspended, as follows: The committee of conference on the disagreeing votes of the two houses as to Engrossed Committee Substitute for House Bill 107 (*Relating generally to the Tax Reform Act of 2017*), is hereby extended until Tuesday, June 13, 2017; and upon a concurrent resolution duly adopted by a majority of those present and voting in each house, the committee of conference may be further extended for a period not to exceed one day.”

On adoption of the amendment, Delegate Folk demanded the yeas and nays, which demand was not sustained.

The amendment was then adopted.

The question now being on the adoption of the resolution, as amended, the yeas and nays were taken (**Roll No. 640**), and there were—yeas 58, nays 24, absent and not voting 18, with the nays and absent and not voting being as follows:

Nays: Baldwin, Barrett, Butler, Dean, Fluharty, Folk, Frich, Gearheart, Harshbarger, Hill, Isner, Kessinger, Lovejoy, Martin, Maynard, McGeehan, Paynter, Robinson, Rodighiero, Sponaule, Summers, Thompson, Walters and Ward.

Absent and Not Voting: Bates, Blair, Cowles, Ellington, A. Evans, N. Foster, Hollen, Hornbuckle, Householder, Marcum, Moore, Phillips, Queen, Shott, Westfall, White, Wilson and Zatezalo.

So, two thirds of the members present and voting having voted in the affirmative, the Speaker declared the resolution (S. C. R. 103) adopted.

On motion of Delegate O’Neal, the title of the resolution was amended to read as follows:

S. C. R. 103 – “Suspending the provisions of Joint Rule 3, paragraph (b), relating to extending the conference committee as to Com. Sub. for H. B. 107, Relating generally to the Tax Reform Act of 2017.”

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates as follows:

H. B. 111, Relating generally to tax procedures and administration.

Bills Introduced

A bill was introduced, pursuant to House Rule 92, and referred as follows:

By Delegates Sobonya, Overington, Harshbarger, Ward, Walters, Arvon, Frich, Martin, Kessinger, Wilson and Summers:

H. B. 121 – “A Bill to amend and reenact §29-22-16 of the Code of West Virginia, 1931, as amended, relating to the disposition of unclaimed prize money; requiring unclaimed prize money be deposited into the General Revenue Fund”; to the Committee on the Judiciary then Finance.

House Calendar

Second Reading

Com. Sub. for H. B. 117, Relating to West Virginia Health Care Authority; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Delegate O'Neal moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 641**), and there were—yeas 81, nays 1, absent and not voting 18, with the nays and absent and not voting being as follows:

Nays: Deem.

Absent and Not Voting: Bates, Blair, Cowles, Ellington, A. Evans, N. Foster, Hollen, Hornbuckle, Householder, Marcum, Moore, Phillips, Queen, Shott, Westfall, White, Wilson and Zatezalo.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

Having been engrossed, the bill was then read a third time and put upon its passage.

Delegates Boggs, Criss, Hartman, Atkinson and C. Miller requested to be excused from voting on the passage of Com. Sub. for H. B. 117 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegates would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Members from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 642**), and there were—yeas 80, nays 2, absent and not voting 18, with the nays and absent and not voting being as follows:

Nays: Deem and Upson.

Absent and Not Voting: Bates, Blair, Cowles, Ellington, A. Evans, N. Foster, Hollen, Hornbuckle, Householder, Marcum, Moore, Phillips, Queen, Shott, Westfall, White, Wilson and Zatezalo.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 117) passed.

Delegate O'Neal moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 643**), and there were—yeas 80, nays 2, absent and not voting 18, with the nays and absent and not voting being as follows:

Nays: Deem and Howell.

Absent and Not Voting: Bates, Blair, Cowles, Ellington, A. Evans, N. Foster, Hollen, Hornbuckle, Householder, Marcum, Moore, Phillips, Queen, Shott, Westfall, White, Wilson and Zatezalo.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 117) takes effect from its passage.

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

Leaves of Absence

At the request of Delegate O'Neal, and by unanimous consent, leaves of absence for the day were granted Delegates Bates, Blair, Cowles, Ellington, A. Evans, N. Foster, Hollen, Hornbuckle, Householder, Marcum, Moore, Phillips, Queen, Shott, Westfall, White, Wilson and Zatezalo.

Miscellaneous Business

Delegate Espinosa noted to the Clerk that he was absent on Wednesday, May 24, 2017, when the votes were taken on Roll Nos. 630, 631, 633 and 634, and that had he been present, he would have voted "Yea" thereon.

At 2:47 p.m., the House of Delegates adjourned until 11:00 a.m., Monday, June 12, 2017.

Monday, June 12, 2017

SIXTEENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 644**), and 71 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Ambler, Arvon, Barrett, Caputo, Cooper, Dean, Ellington, A. Evans, Fast, Fleischauer, Folk, N. Foster, Harshbarger, Hartman, Hicks, Hill, Hornbuckle, Householder, Iaquina, Lewis, Marcum, Moore, Rohrbach, Storch, Summers, Upson, Westfall, Williams and Wilson.

The Clerk proceeded to read the Journal of Friday, June 9, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Messages from the Executive

Mr. Speaker, Mr. Armstead, presented a communication from His Excellency, the Governor, advising that on June 9, 2017, he approved **S. B. 1010**.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the adoption, as amended, of

S. C. R. 103, Suspending provisions of Joint Rule 3 relating to committee of conference on House Bill 107.

Delegates Arvon, Cooper, Fleischauer and Williams were also present for part of the morning session.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Ambler, Barrett, Ellington, A. Evans, Fast, Folk, N. Foster, Harshbarger, Hill, Householder, Lewis, Moore, Summers, Upson, Westfall and Wilson.

Miscellaneous Business

Delegate Butler asked and obtained unanimous consent that the remarks of Delegate Frich during Remarks by Members today be printed in the Appendix to the Journal.

Delegate Eldridge asked and obtained unanimous consent that the remarks of Delegate Fluharty during Remarks by Members today be printed in the Appendix to the Journal.

At 11:32 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 5:30 p.m.

* * * * *

Evening Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Executive

The Speaker laid before the House of Delegates a Proclamation of His Excellency, the Governor, which was read by the Clerk, as follows:

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the Proclamation dated the third day of May, Two Thousand Seventeen, calling the Legislature of West Virginia to convene in Extraordinary Session at eleven a.m. on the fourth day of May, Two Thousand Seventeen, and amended by subsequent Proclamation dated the fifteenth day of May, Two Thousand Seventeen, and amended further by subsequent Proclamation dated the twenty-third day of May, Two Thousand Seventeen, by adding item fifteen as follows:

FIFTEEN, A bill imposing, administering, and collecting a license tax on successful bidders for road construction contracts.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this twelfth day of June, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fourth year of the State.

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State

Delegates Caputo, Dean, Hartman, Hicks, Hornbuckle, Iaquina, Marcum, Rohrbach and Storch were present during the evening session.

Miscellaneous Business

Delegate Kessinger filed a form with the Clerk's Office per House Rule 94b to be added as a cosponsor of H. B. 119.

At 5:59 p.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, June 13, 2017.

Tuesday, June 13, 2017

SEVENTEENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 645**), and 82 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Ambler, Bates, Byrd, Deem, Ellington, A. Evans, Fast, Folk, N. Foster, Hill, Hornbuckle, Householder, Marcum, Rohrbach, Summers, Upson, Williams and Wilson.

The Clerk proceeded to read the Journal of Monday, June 12, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

At 11:14 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 4:00 p.m.

* * * * *

Afternoon Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Executive

The following communication from His Excellency, the Governor, was laid before the House of Delegates and reported by the Clerk:

State of West Virginia
OFFICE OF THE GOVERNOR
Charleston, WV

June 13, 2017

**HOUSE EXECUTIVE MESSAGE NO. 1
2017 FIRST EXTRAORDINARY SESSION**

The Honorable Tim Armstead
Speaker, West Virginia House of Delegates
Building 1, Room M-228
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Speaker Armstead:

The following amends and replaces the “FY 2018 Official Estimate General Revenue – Statement of Revenues by Source” which I submitted to you on February 8, 2017 as part of my Budget Document for the fiscal year ending June 30, 2018:

General Revenue Fund
Statement of Revenues by Source
(Expressed in Thousands)

<u>Source of Revenue</u>	<u>FY 2018 Official Estimate Revised</u>
Business and Occupation Tax	\$ 114,500
Consumers Sales and Use Tax	1,259,000
Personal Income Tax	1,860,000
Liquor Profit Transfers	20,800
Beer Tax and Licenses	7,600
Tobacco Products Tax (Cigarette & Other)	194,000
Business Franchise Fees	650
Charter Tax	0
Property Transfer Tax	10,200
Property Tax	7,000
Insurance Tax	121,100

Departmental Collections	23,000
Corporate Income/Business Franchise Tax	109,000
Miscellaneous Transfers	500
Interest Income	16,000
Severance Tax	361,000
Miscellaneous Receipts	12,700
HB102 - Lottery Transfers	65,000
Special Revenue Transfer	33,000
Senior Citizen Tax Credit Reimbursement	10,000
Total	<u>\$ 4,225,050¹</u>

Thank you for your cooperation in this matter.

Sincerely,

Jim Justice,
Governor

¹ These estimates are contingent on the revenues and projected economic activity associated with the passage of Engrossed Senate Bill 1003, Relating generally to WV Parkways Authority, and Engrossed Senate Bill 1006, Increasing funding for State Road Fund, as recommended by the Governor.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 106, Relating generally to the furlough of public employees during declared fiscal emergency.

On motion of Delegate Cowles, the House of Delegates refused to concur in the following amendment of the bill by the Senate and requested the Senate to recede therefrom:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §4-1-24; that said code be amended by adding thereto a new section, designated §4-3-6; that said code be amended by adding thereto a new article, designated §5-30-1, §5-30-2, §5-30-3, §5-30-4, §5-30-5, §5-30-6 and §5-30-7; and that said code be amended by adding thereto a new section, designated §51-3-19, all to read as follows:

CHAPTER 4. THE LEGISLATURE.

ARTICLE I. OFFICERS, MEMBERS AND EMPLOYEES; APPROPRIATIONS; INVESTIGATIONS; DISPLAY OF FLAGS; RECORDS; USE OF CAPITOL BUILDING; PREFILING OF BILLS AND RESOLUTIONS; STANDING COMMITTEES; INTERIM MEETINGS; NEXT MEETING OF THE SENATE.

§4-1-24. Furlough of employees of the Senate and House of Delegates during a declared fiscal emergency.

(a) Notwithstanding any provision of law to the contrary, when the Governor declares a fiscal emergency pursuant to section two, article thirty, chapter five of this code, the President of the Senate may furlough employees of the Senate.

(b) Notwithstanding any provision of law to the contrary, when the Governor declares a fiscal emergency pursuant to section two, article thirty, chapter five of this code, the Speaker of the House of Delegates may furlough employees of the House of Delegates.

(c) The applicable provisions of article thirty, chapter five of this code shall govern furloughs ordered under this section.

ARTICLE 3. JOINT COMMITTEE ON GOVERNMENT AND FINANCE.

§4-3-6. Furlough of employees of the Joint Committee on Government and Finance during a declared fiscal emergency.

(a) Notwithstanding any provision of law to the contrary, when the Governor declares a fiscal emergency pursuant to section two, article thirty, chapter five of this code, the President of the Senate

and the Speaker of the House of Delegates may jointly grant the Legislative Manager the authority to furlough one or more employees of the joint legislative agencies under the Joint Committee on Government and Finance, as provided for in section three-c of this article.

(b) The applicable provisions of article thirty, chapter five of this code shall govern furloughs ordered under this section.

**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 30. FURLOUGH OF STATE EMPLOYEES.

§5-30-1. Definitions.

As used in this article:

(1) ‘Budgetary fiscal emergency’ means a fiscal emergency based on the circumstances in paragraph (B), subdivision (5) of this section.

(2) ‘Declared fiscal emergency’ means a period of time commencing upon the Governor’s issuance of a proclamation declaring that a fiscal emergency, as defined in subdivision (5) of this section, exists.

(3) ‘Employer’ means:

(A) The Governor or his or her designee with regard to employees of departments and agencies under the supervision and control of the Governor;

(B) The President of the Senate or the Speaker of the House of Delegates or their designees as to employees of the Senate and of the House of Delegates, respectively;

(C) The President of the Senate and the Speaker of the House of Delegates or their designees as to employees of the Joint Committee on Government and Finance;

(D) The Secretary of State, Auditor, Treasurer, Commissioner of Agriculture and Attorney General or their designees in their individual capacities as to their respective employees; and

(E) The Supreme Court of Appeals or a designee thereof as to employees of the Judiciary.

(F) The presidents of state institutions of higher learning and the chancellors of the Higher Education Policy Commission and the Council for Community and Technical College Education or their designees as to their respective employees.

(4) ‘Executive branch’ means departments, agencies and entities under the supervision and control of the Governor, including the Department of Education, but not including the offices of the Secretary of State, Auditor, Treasurer, Commissioner of Agriculture or Attorney General or their employees.

(5) ‘Fiscal emergency’ means that either of the following circumstances exists:

(A) At any point in time during a fiscal year, general revenue collection amounts for the fiscal year to date are three percent or more below the official revenue estimate upon which the budget is based at the same point in time for that fiscal year; or

(B) No budget has been enacted for the current fiscal year.

(6) ‘Furlough’ means a mandatory, temporary, unpaid leave of absence conducted subject to the provisions of this article.

(7) ‘Revenue-based fiscal emergency’ means a fiscal emergency based on the circumstances in paragraph (A), subdivision (5) of this section.

§5-30-2. Declaration of fiscal emergency.

(a) Upon determination that one or more of the circumstances in subdivision (5), section one of this article exists, the Governor is

hereby authorized to declare a fiscal emergency: *Provided*, That the Governor shall declare a fiscal emergency if no budget bill has been enacted for the current fiscal year.

(b) The declaration shall be made by proclamation and shall set forth the specific circumstances supporting the declaration of a fiscal emergency. The declaration shall identify whether the fiscal emergency is a revenue-based fiscal emergency or a budgetary fiscal emergency.

(c) A declared fiscal emergency may only remain in effect for thirty consecutive calendar days. The Governor may not declare a subsequent fiscal emergency in the same fiscal year based on the same facts and circumstances that led to the issuance of a prior declaration of fiscal emergency, unless the Legislature is in session or has been reconvened.

(d) After thirty consecutive calendar days have elapsed, or the fiscal emergency is sooner resolved, the Governor shall issue a proclamation declaring that the fiscal emergency has ended.

§5-30-3. Furlough of executive branch employees under the supervision and control of the Governor during a fiscal emergency.

When the Governor declares a fiscal emergency pursuant to section two of this article, he or she may, by executive order, furlough employees under his or her supervision and control as an alternative to a reduction in force including, but not limited to, employees of the Department of Education and the State Board of Education.

§5-30-4. Furlough of employees by other elected executive officers.

Notwithstanding any provision of law to the contrary, upon a declaration by the Governor of a fiscal emergency pursuant to section two of this article, the Secretary of State, Auditor, Treasurer, Commissioner of Agriculture and Attorney General are authorized to furlough employees within their offices and under their supervision and control pursuant to the provisions of this article.

§5-30-5. Generally applicable furlough provisions.

(a) When the Governor declares a fiscal emergency, the following shall apply:

(1) The furlough must be applied uniformly as to all employees within a designated department, agency, division, office or program, regardless of the source of funds or place of work, subject to the following exceptions:

(A) Individuals determined by the employer to be essential personnel may be exempted from furlough or may be furloughed on a different schedule than others within the designated department, agency, division, office or program;

(B) If an organizational unit or classification of workers within a designated department, agency, division, office or program can be identified, then that particular organizational unit or classification of workers may be furloughed on a different schedule than others within the designated department, agency, division, office or program;

(C) Individuals who voluntarily accept furlough for a full week or weeks may be furloughed on a different schedule than others within the designated department, agency, division, office or program; and

(D) Individuals who are at will employees or who are not classified civil service employees may be furloughed on a different schedule than others within a designated department, agency, division, office or program.

(2) When a furlough has been ordered, the head of an affected department, agency, division, office or program shall create a schedule for furlough weeks, furlough days or portions of furlough days.

(3) For any furlough implemented pursuant to this article, the employer may permit an employee's reduction in compensation to be allocated over the balance of the fiscal year rather than solely in the pay period or pay periods in which the furlough occurs.

(b) During the period of any furlough, the following shall apply with respect to the benefits of employees, whether furloughed or not furloughed:

(1) Employees participating in the public employee health insurance program will remain participants therein during the period of fiscal emergency. Payment of the employer portion of premiums shall remain the responsibility of the employer: *Provided*, That if a furloughed employee's wages for a pay period are insufficient to allow for the deduction therefrom of the employee's share of the health insurance premium, the employer shall be responsible for payment of the amount of the employee's share to the Public Employee's Insurance Agency: *Provided, however*, That upon the termination of the fiscal emergency, the employer shall recover any such moneys paid on the employee's behalf from the employee's pay at the maximum rate permissible under law not to exceed fifteen percent of the employee's net pay per pay period;

(2) Days, portions of days or weeks during a declared fiscal emergency shall be considered days employed or days worked for purposes of calculating retirement eligibility and state service credit: *Provided*, That employer and employee contributions are made for the period of fiscal emergency within thirty days of the termination of the fiscal emergency on the base salary the employee would have received if the Governor had not declared a fiscal emergency: *Provided, however*, That if the period of employment for which an employee's retirement benefit is calculated includes periods during a declared fiscal emergency, the employee's average pay upon which the benefit is computed shall be deemed to have been paid during the periods of fiscal emergency at his or her rate of pay in effect at the times of furlough;

(3) Days, portions of days or weeks for which employees are furloughed shall not be considered days employed or days worked for purposes of accruing sick leave or annual leave; and

(4) No employee who has been furloughed may use accrued annual leave or accrued sick leave for days on which he or she is scheduled to be furloughed pursuant to this section unless at the time of furlough he or she is on employer approved annual leave or sick leave or has sick leave approved by the employer prior to the declaration of the fiscal emergency.

(c) The Governor shall have no authority to furlough elected executive officers or their employees, or members or employees of the legislative branch, or officials or employees of the judicial branch.

§5-30-6. Rulemaking.

(a) The Secretary of the Department of Administration may promulgate emergency rules and shall propose rules for legislative approval to effectuate the purposes of this article in accordance with the provisions of article three, chapter twenty-nine-a of this code.

(b) Rules promulgated or proposed for legislative approval pursuant to subsection (a) of this section related to the furloughing of employees shall provide procedures and practices to ensure minimum disruption of government services and the lawful application of furlough decision-making.

§5-30-7. Applicability of other laws.

(a) The provisions of article five, chapter twenty-one of this code are inapplicable to individuals furloughed or those remaining actively employed during a declared fiscal emergency.

(b) Placement of an employee on furlough under this article shall not give rise to the right of a grievance or appeal to the West Virginia Public Employees Grievance Board.

(c) Placement of an employee on furlough under this section shall have no effect on an employee's right to apply for and receive unemployment compensation as provided by law.

CHAPTER 51. COURTS AND THEIR OFFICERS.

ARTICLE 3. COURTS IN GENERAL.

§51-3-19. Furlough of judicial employees during a declared fiscal emergency.

(a) Notwithstanding any provision of law to the contrary, upon declaration by the Governor of a fiscal emergency pursuant to section two, article thirty, chapter five of this code, the Supreme Court of Appeals is authorized to furlough employees and personnel of the judiciary under the Supreme Court of Appeals,

including employees and personnel of the circuit courts, family courts and magistrate courts.

(b) Furloughs shall not completely close a court or court office.

(c) Nothing in this section shall be construed as granting authority for the furlough of elected judicial officers, nor shall it be construed as restricting or otherwise limiting the plenary authority of the Supreme Court of Appeals or the lower courts.

(d) The applicable provisions of article thirty, chapter five of this code shall govern furloughs ordered under this section.”

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 106 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §4-1-24; to amend said code by adding thereto a new section, designated §4-3-6; to amend said code by adding thereto a new article, designated §5-30-1, §5-30-2, §5-30-3, §5-30-4, §5-30-5, §5-30-6 and §5-30-7; and to amend said code by adding thereto a new section, designated §51-3-19, all relating to furloughing of state government employees generally; defining terms; authorizing the Governor to declare a fiscal emergency under certain circumstances; requiring the Governor to declare a fiscal emergency under certain circumstances; establishing criteria which constitute a fiscal emergency; establishing limits on the length of time a declared fiscal emergency may be in effect; requiring the Legislature to be convened prior to the declaration of a subsequent fiscal emergency on the same circumstance or circumstances as a previous fiscal emergency in the same fiscal year; authorizing the Governor to order furloughs of state employees under his or her supervision and control during a declared fiscal emergency; clarifying that the Governor has authority to furlough employees of the Department of Education and the State Board of Education; authorizing presiding legislative officers to furlough employees of their respective houses during a declared fiscal emergency; authorizing the furloughing of employees of the Joint Committee

on Government and Finance during a declared fiscal emergency by the joint agreement of the President of the Senate and the Speaker of the House of Delegates; authorizing state elected constitutional officers to furlough employees under their respective supervision and control during a declared fiscal emergency; authorizing the Supreme Court of Appeals to furlough judicial employees under its supervision and control during a declared fiscal emergency; establishing protections related to employees health insurance and retirement during a fiscal emergency; setting conditions of and procedures for any furlough implemented; prohibiting use of accrued annual leave and sick leave by employees during the time they are furloughed and creating exemptions thereto; prohibiting time while on furlough status from being used to accrue sick and annual leave; clarifying that time on furlough shall count for purposes of retirement service credit; authorizing the Secretary of Administration to promulgate emergency rules regarding the furlough of state employees and requiring the proposal of legislative rules thereto applicable; clarifying the applicability of other laws related to eligibility for unemployment compensation and wage payment collection to employees during a fiscal emergency; authorizing employers to designate employees and positions exempt from furlough and establishing the criteria for such exemptions; and exempting being furloughed from giving rise to a right of grievance or appeal.”

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates as follows:

Com. Sub. for H. B. 117, Relating to West Virginia Health Care Authority.

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 115, Budget Bill,

And reports back a committee substitute therefore, with the same title, as follows:

Com. Sub. for H. B. 115 – “A Bill making appropriations of public money out of the Treasury in accordance with section fifty-one, article VI of the Constitution,”

With the recommendation that the committee substitute do pass.

At the respective requests of Delegate Cowles, and by unanimous consent, the bill (Com. Sub. for H. B. 115) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Hanshaw, Chair of the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 13th day of June, 2017, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

H. B. 111, Relating generally to tax procedures and administration,

And,

S. B. 1014, Relating generally to physician assistants.

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

S. B. 1006, Increasing funding for State Road Fund,

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

Delegate Cowles asked unanimous consent that the bill (S. B. 1006) be taken up for immediate consideration, read a first time and ordered to second reading, which consent was not given, objection being heard.

Delegate Cowles then so moved and the bill (S. B. 1006) was read a first time and ordered to second reading.

Remarks by Members

Delegate Pushkin was recognized and moved, pursuant to House Rule 82, that H. B. 110, be discharged from the Committee on Finance.

Delegate Cowles moved that the motion be tabled.

The question before the House being the motion to table the motion to discharge H. B. 110, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 646**), and there were—yeas 49, nays 35, absent and not voting 16, with the nays and absent and not voting being as follows:

Nays: Baldwin, Boggs, Brewer, Byrd, Canestraro, Caputo, Eldridge, Fleischauer, Fluharty, Hartman, Hicks, Hornbuckle, Iaquina, Isner, Lewis, Longstreth, Love, Lovejoy, Lynch, Marcum, Miley, R. Miller, Moye, Pethtel, Phillips, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaugle, Sypolt, Thompson, Wagner and Williams.

Absent and Not Voting: Ambler, Anderson, Bates, Diserio, Ellington, A. Evans, E. Evans, Ferro, N. Foster, Householder, Queen, Sobonya, Summers, Upson, Walters and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the motion to discharge H. B. 110 from committee was tabled.

Speaker Pro Tempore Overington in the Chair

Mr. Speaker, Mr. Armstead, arose from his seat and addressed the House.

Mr. Speaker, Mr. Armstead in the Chair

Miscellaneous Business

Delegate Rohrbach asked and obtained unanimous consent that the remarks of Delegate Armstead during Remarks by Members today be printed in the Appendix to the Journal.

Delegate Eldridge asked and obtained unanimous consent that the remarks of Delegate Marcum during Remarks by Members today be printed in the Appendix to the Journal.

Delegate Frich asked and obtained unanimous consent that the remarks of Delegate Longstreth during Remarks by Members today be printed in the Appendix to the Journal.

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegate Pushkin during Remarks by Members today be printed in the Appendix to the Journal.

Delegate Caputo asked unanimous consent that the remarks of Delegate Robinson during Remarks by Members today be printed in the Appendix to the Journal, which consent was not given, objection being heard.

Delegate Caputo then so moved and the motion was rejected.

At 6:16 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 8:30 p.m.

* * * * *

Evening Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to recede from its amendment and requested the House of Delegates to agree to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses as to

Com. Sub. for H. B. 106, Relating generally to the furlough of public employees during declared fiscal emergency.

The message further announced that the President of the Senate had appointed as conferees on the part of the Senate the following:

Senators Trump, Swope and Romano.

On motion of Delegate Cowles, the House of Delegates agreed to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Shott, Hanshaw and Lovejoy.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1013 – “A Bill making appropriations of public money out of the Treasury in accordance with section fifty-one, article VI of the Constitution.”

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (S. B. 1013) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Upson was present during the evening session.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Ambler, Bates, Ellington, A. Evans, N. Foster, Householder, Summers and Wilson.

Miscellaneous Business

Delegate Kelly asked and obtained unanimous consent that the remarks of Delegate Cowles during Remarks by Members today be printed in the Appendix to the Journal.

Delegate Folk asked and obtained unanimous consent that the remarks of Delegate Shott during the evening session be printed in the Appendix to the Journal.

At 9:02 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, June 14, 2017.

Wednesday, June 14, 2017

EIGHTEENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Tuesday, June 13, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Bills Introduced

Bills were introduced, pursuant to House Rule 92, and severally referred as follows:

By Delegate Kessinger:

H. B. 122 – “A Bill to repeal §29-20-2, §29-20-3, §29-20-4, §29-20-5 and §29-20-6 of the Code of West Virginia, 1931, as amended; and to amend and reenact §29-20-1 of said code, all relating to termination of the Women’s Commission; declaring Women’s Commission to cease all public activities by June 30, 2017; directing commission to wind up affairs, arrange for disposition of funds, assets, equipment and records, and close all accounts and obligations on or before July 31, 2017; and repealing provisions of code related to Women’s Commission”; to the Committee on Government Organization.

By Delegate Miley

[By Request of the Executive]:

H. B. 123 – “A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2A-24, relating to imposing, administering and collecting a license tax on successful bidders for road construction

contracts; providing \$500,000 threshold for imposing license tax; imposing license tax; requiring notification and method for payment of license tax; dedicating taxes collected; requiring bonding; creating a special revenue account; and specifying effective date”; to the Committee on Finance.

Special Calendar

Second Reading

S. B. 1006, Increasing funding for State Road Fund; on second reading, coming up in regular order, was read a second time.

At the request of Delegate Cowles, and by unanimous consent, the bill was advanced to third reading with amendments pending, and the rule was suspended to permit the offering and consideration of the amendments on that reading.

S. B. 1013, Budget Bill; on second reading, coming up in regular order, was read a second time.

An amendment, offered by Delegate Nelson, was reported by the Clerk on page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

“TITLE I – GENERAL PROVISIONS.

1 **Section 1. General policy.** – The purpose of this bill is to
2 appropriate money necessary for the economical and efficient
3 discharge of the duties and responsibilities of the state and its
4 agencies during the fiscal year 2018.

1 **Sec. 2. Definitions.** — For the purpose of this bill:

2 ‘Governor’ shall mean the Governor of the State of West
3 Virginia.

4 ‘Code’ shall mean the Code of West Virginia, one thousand nine
5 hundred thirty-one, as amended.

6 'Spending unit' shall mean the department, bureau, division,
7 office, board, commission, agency or institution to which an
8 appropriation is made.

9 The 'fiscal year 2018' shall mean the period from July 1, 2017,
10 through June 30, 2018.

11 'General revenue fund' shall mean the general operating fund of
12 the state and includes all moneys received or collected by the state
13 except as provided in W.Va. Code §12-2-2 or as otherwise
14 provided.

15 'Special revenue funds' shall mean specific revenue sources
16 which by legislative enactments are not required to be accounted
17 for as general revenue, including federal funds.

18 'From collections' shall mean that part of the total appropriation
19 which must be collected by the spending unit to be available for
20 expenditure. If the authorized amount of collections is not
21 collected, the total appropriation for the spending unit shall be
22 reduced automatically by the amount of the deficiency in the
23 collections. If the amount collected exceeds the amount designated
24 'from collections,' the excess shall be set aside in a special surplus
25 fund and may be expended for the purpose of the spending unit as
26 provided by Article 2, Chapter 11B of the Code.

1 **Sec. 3. Classification of appropriations.** — An appropriation
2 for:

3 'Personal services' shall mean salaries, wages and other
4 compensation paid to full-time, part-time and temporary
5 employees of the spending unit but shall not include fees or
6 contractual payments paid to consultants or to independent
7 contractors engaged by the spending unit. 'Personal services' shall
8 include 'annual increment' for 'eligible employees' and shall be
9 disbursed only in accordance with Article 5, Chapter 5 of the Code.

10 Unless otherwise specified, appropriations for 'personal
11 services' shall include salaries of heads of spending units.

12 'Employee benefits' shall mean social security matching,
13 workers' compensation, unemployment compensation, pension
14 and retirement contributions, public employees insurance
15 matching, personnel fees or any other benefit normally paid by the
16 employer as a direct cost of employment. Should the appropriation
17 be insufficient to cover such costs, the remainder of such cost shall
18 be paid by each spending unit from its 'unclassified' appropriation,
19 or its 'current expenses' appropriation or other appropriate
20 appropriation. Each spending unit is hereby authorized and
21 required to make such payments in accordance with the provisions
22 of Article 2, Chapter 11B of the Code.

23 Each spending unit shall be responsible for all contributions,
24 payments or other costs related to coverage and claims of its
25 employees for unemployment compensation and workers
26 compensation. Such expenditures shall be considered an employee
27 benefit.

28 'BRIM Premiums' shall mean the amount charged as
29 consideration for insurance protection and includes the present
30 value of projected losses and administrative expenses. Premiums
31 are assessed for coverages, as defined in the applicable policies, for
32 claims arising from, inter alia, general liability, wrongful acts,
33 property, professional liability and automobile exposures.

34 Should the appropriation for 'BRIM Premium' be insufficient
35 to cover such cost, the remainder of such costs shall be paid by each
36 spending unit from its 'unclassified' appropriation, its 'current
37 expenses' appropriation or any other appropriate appropriation to
38 the Board of Risk and Insurance Management. Each spending unit
39 is hereby authorized and required to make such payments. If there
40 is no appropriation for 'BRIM Premium' such costs shall be paid
41 by each spending unit from its 'current expenses' appropriation,
42 'unclassified' appropriation or other appropriate appropriation.

43 West Virginia Council for Community and Technical College
44 Education and Higher Education Policy Commission entities
45 operating with special revenue funds and/or federal funds shall pay
46 their proportionate share of the Board of Risk and Insurance

47 Management total insurance premium cost for their respective
48 institutions.

49 'Current expenses' shall mean operating costs other than
50 personal services and shall not include equipment, repairs and
51 alterations, buildings or lands. Each spending unit shall be
52 responsible for and charged monthly for all postage meter service
53 and shall reimburse the appropriate revolving fund monthly for all
54 such amounts. Such expenditures shall be considered a current
55 expense.

56 'Equipment' shall mean equipment items which have an
57 appreciable and calculable period of usefulness in excess of one
58 year.

59 'Repairs and alterations' shall mean routine maintenance and
60 repairs to structures and minor improvements to property which do
61 not increase the capital assets.

62 'Buildings' shall include new construction and major alteration
63 of existing structures and the improvement of lands and shall
64 include shelter, support, storage, protection or the improvement of
65 a natural condition.

66 'Lands' shall mean the purchase of real property or interest in
67 real property.

68 'Capital outlay' shall mean and include buildings, lands or
69 buildings and lands, with such category or item of appropriation to
70 remain in effect as provided by W.Va. Code §12-3-12.

71 From appropriations made to the spending units of state
72 government, upon approval of the Governor there may be
73 transferred to a special account an amount sufficient to match
74 federal funds under any federal act.

75 Appropriations classified in any of the above categories shall be
76 expended only for the purposes as defined above and only for the
77 spending units herein designated: *Provided*, That the secretary of
78 each department shall have the authority to transfer within the
79 department those general revenue funds appropriated to the various

80 agencies of the department: *Provided, however,* That no more than
81 five percent of the general revenue funds appropriated to any one
82 agency or board may be transferred to other agencies or boards
83 within the department: and no funds may be transferred to a
84 ‘personal services and employee benefits’ appropriation unless the
85 source funds are also wholly from a ‘personal services and
86 employee benefits’ line, or unless the source funds are from
87 another appropriation that has exclusively funded employment
88 expenses for at least twelve consecutive months prior to the time
89 of transfer and the position(s) supported by the transferred funds
90 are also permanently transferred to the receiving agency or board
91 within the department: *Provided further,* That the secretary of each
92 department and the director, commissioner, executive secretary,
93 superintendent, chairman or any other agency head not governed
94 by a departmental secretary as established by Chapter 5F of the
95 Code shall have the authority to transfer funds appropriated to
96 ‘personal services and employee benefits,’ ‘current expenses,’
97 ‘repairs and alterations,’ ‘equipment,’ ‘other assets,’ ‘land,’ and
98 ‘buildings’ to other appropriations within the same account and no
99 funds from other appropriations shall be transferred to the
100 ‘personal services and employee benefits’ or the ‘unclassified’
101 appropriation: *And provided further,* That no authority exists
102 hereunder to transfer funds into appropriations to which no funds
103 are legislatively appropriated: *And provided further,* That if the
104 Legislature by subsequent enactment consolidates agencies, boards
105 or functions, the secretary or other appropriate agency head may
106 transfer the funds formerly appropriated to such agency, board or
107 function in order to implement such consolidation. No funds may
108 be transferred from a Special Revenue Account, dedicated account,
109 capital expenditure account or any other account or fund
110 specifically exempted by the Legislature from transfer, except that
111 the use of the appropriations from the State Road Fund for the
112 office of the Secretary of the Department of Transportation is not
113 a use other than the purpose for which such funds were dedicated
114 and is permitted.

115 Appropriations otherwise classified shall be expended only
116 where the distribution of expenditures for different purposes cannot
117 well be determined in advance or it is necessary or desirable to

118 permit the spending unit the freedom to spend an appropriation for
119 more than one of the above classifications.

1 **Sec. 4. Method of expenditure.** — Money appropriated by this
2 bill, unless otherwise specifically directed, shall be appropriated
3 and expended according to the provisions of Article 3, Chapter 12
4 of the Code or according to any law detailing a procedure
5 specifically limiting that article.

1 **Sec. 5. Maximum expenditures.** — No authority or
2 requirement of law shall be interpreted as requiring or permitting
3 an expenditure in excess of the appropriations set out in this bill.

TITLE II – APPROPRIATIONS.

ORDER OF SECTIONS

SECTION 1. Appropriations from general revenue.

SECTION 2. Appropriations from state road fund.

SECTION 3. Appropriations from other funds.

SECTION 4. Appropriations from lottery net profits.

SECTION 5. Appropriations from state excess lottery revenue.

SECTION 6. Appropriations of federal funds.

SECTION 7. Appropriations from federal block grants.

SECTION 8. Awards for claims against the state.

SECTION 9. Appropriations from general revenue surplus accrued.

SECTION 10. Appropriations from lottery net profits surplus accrued.

SECTION 11. Appropriations from state excess lottery revenue
surplus accrued.

SECTION 12. Special revenue appropriations.

SECTION 13. State improvement fund appropriations.

SECTION 14. Specific funds and collection accounts.

SECTION 15. Appropriations for refunding erroneous payment.

SECTION 16. Sinking fund deficiencies.

SECTION 17. Appropriations for local governments.

SECTION 18. Total appropriations.

SECTION 19. General school fund.

1 **Section 1. Appropriations from general revenue.** – From the
 2 State Fund, General Revenue, there are hereby appropriated
 3 conditionally upon the fulfillment of the provisions set forth in
 4 Article 2, Chapter 11B the following amounts, as itemized, for
 5 expenditure during the fiscal year 2018.

LEGISLATIVE

1 - Senate

Fund 0165 FY 2018 Org 2100

	Appro- priation	General Revenue Fund
1 Compensation of Members (R).....	00300	\$ 1,010,000
2 Compensation and Per Diem of Officers 3 and Employees (R)	00500	4,011,332
4 Current Expenses and 5 Contingent Fund (R).....	02100	276,392
6 Repairs and Alterations (R)	06400	50,000
7 Computer Supplies (R)	10100	20,000
8 Computer Systems (R).....	10200	60,000
9 Printing Blue Book (R)	10300	125,000
10 Expenses of Members (R).....	39900	370,000
11 BRIM Premium (R)	91300	29,482
12 Total.....		<u>\$ 5,952,206</u>

13 The appropriations for the Senate for the fiscal year 2017 are to
14 remain in full force and effect and are hereby reappropriated to
15 June 30, 2018; Provided that on July 1, 2017, the following
16 reappropriated funds and amounts be transferred to the Division of
17 Human Services - Medical Services Trust Fund, fund 5185: Fund
18 0165, fiscal year 2012, appropriation 00500, Compensation and
19 Per Diem of Officers and Employees, \$2,855,443.90; fund 0165,
20 fiscal year 2012, appropriation 39900, Expenses of Members,
21 \$2,846,352.39; fund 0165, fiscal year 2012, appropriation 10200,
22 Computer Systems, \$2,475,425.32; fund 0165, fiscal year 2012,
23 appropriation 00300, Compensation of Members, \$1,994,589.96;
24 fund 0165, fiscal year 2012, appropriation 01000, Employee
25 Benefits, \$1,075,030.30; fund 0165, fiscal year 2012, appropriation
26 06400, Repairs and Alterations, \$752,131.08; and fund 0165, fiscal
27 year 2012, appropriation 02100, Current Expenses and Contingent
28 Fund, \$98,653.36. Any balances so reappropriated may be
29 transferred and credited to the fiscal year 2017 accounts.

30 Upon the written request of the Clerk of the Senate, the Auditor
31 shall transfer amounts between items of the total appropriation in
32 order to protect or increase the efficiency of the service.

33 The Clerk of the Senate, with the approval of the President, is
34 authorized to draw his or her requisitions upon the Auditor, payable
35 out of the Current Expenses and Contingent Fund of the Senate, for
36 any bills for supplies and services that may have been incurred by
37 the Senate and not included in the appropriation bill, for supplies
38 and services incurred in preparation for the opening, the conduct of
39 the business and after adjournment of any regular or extraordinary
40 session, and for the necessary operation of the Senate offices, the
41 requisitions for which are to be accompanied by bills to be filed
42 with the Auditor.

43 The Clerk of the Senate, with the approval of the President, or
44 the President of the Senate shall have authority to employ such staff
45 personnel during any session of the Legislature as shall be needed
46 in addition to staff personnel authorized by the Senate resolution
47 adopted during any such session. The Clerk of the Senate, with the
48 approval of the President, or the President of the Senate shall have
49 authority to employ such staff personnel between sessions of the

50 Legislature as shall be needed, the compensation of all staff
 51 personnel during and between sessions of the Legislature,
 52 notwithstanding any such Senate resolution, to be fixed by the
 53 President of the Senate. The Clerk is hereby authorized to draw his
 54 or her requisitions upon the Auditor for the payment of all such
 55 staff personnel for such services, payable out of the appropriation
 56 for Compensation and Per Diem of Officers and Employees or
 57 Current Expenses and Contingent Fund of the Senate.

58 For duties imposed by law and by the Senate, the Clerk of the
 59 Senate shall be paid a monthly salary as provided by the Senate
 60 resolution, unless increased between sessions under the authority
 61 of the President, payable out of the appropriation for Compensation
 62 and Per Diem of Officers and Employees or Current Expenses and
 63 Contingent Fund of the Senate.

64 The distribution of the blue book shall be by the office of the
 65 Clerk of the Senate and shall include 75 copies for each member of
 66 the Legislature and two copies for each classified and approved
 67 high school and junior high or middle school and one copy for each
 68 elementary school within the state.

69 Included in the above appropriation for Senate (fund 0165,
 70 appropriation 02100), an amount not less than \$5,000 is to be used
 71 for the West Virginia Academy of Family Physicians - Doc of the
 72 Day Program.

2 - House of Delegates

Fund 0170 FY 2018 Org 2200

1	Compensation of Members (R).....00300	\$	3,000,000
2	Compensation and Per Diem of Officers		
3	and Employees (R)00500		575,000
4	Current Expenses and		
5	Contingent Fund (R).....02100		3,929,031
6	Expenses of Members (R).....39900		1,350,000
7	BRIM Premium (R)91300		<u>50,000</u>
8	Total.....	\$	8,904,031

9 The appropriations for the House of Delegates for the fiscal year
10 2017 are to remain in full force and effect and are hereby
11 reappropriated to June 30, 2018. Any balances so reappropriated
12 may be transferred and credited to the fiscal year 2017 accounts.

13 Upon the written request of the Clerk of the House of Delegates,
14 the Auditor shall transfer amounts between items of the total
15 appropriation in order to protect or increase the efficiency of the
16 service.

17 The Clerk of the House of Delegates, with the approval of the
18 Speaker, is authorized to draw his or her requisitions upon the
19 Auditor, payable out of the Current Expenses and Contingent Fund
20 of the House of Delegates, for any bills for supplies and services
21 that may have been incurred by the House of Delegates and not
22 included in the appropriation bill, for bills for services and supplies
23 incurred in preparation for the opening of the session and after
24 adjournment, and for the necessary operation of the House of
25 Delegates' offices, the requisitions for which are to be
26 accompanied by bills to be filed with the Auditor.

27 The Speaker of the House of Delegates, upon approval of the
28 House committee on rules, shall have authority to employ such
29 staff personnel during and between sessions of the Legislature as
30 shall be needed, in addition to personnel designated in the House
31 resolution, and the compensation of all personnel shall be as fixed
32 in such House resolution for the session, or fixed by the Speaker,
33 with the approval of the House committee on rules, during and
34 between sessions of the Legislature, notwithstanding such House
35 resolution. The Clerk of the House of Delegates is hereby
36 authorized to draw requisitions upon the Auditor for such services,
37 payable out of the appropriation for the Compensation and Per
38 Diem of Officers and Employees or Current Expenses and
39 Contingent Fund of the House of Delegates.

40 For duties imposed by law and by the House of Delegates,
41 including salary allowed by law as keeper of the rolls, the Clerk of
42 the House of Delegates shall be paid a monthly salary as provided
43 in the House resolution, unless increased between sessions under
44 the authority of the Speaker, with the approval of the House

45 committee on rules, and payable out of the appropriation for
46 Compensation and Per Diem of Officers and Employees or Current
47 Expenses and Contingent Fund of the House of Delegates.

48 Included in the above appropriation for House of Delegates
49 (fund 0170, appropriation 02100), an amount not less than \$5,000
50 is to be used for the West Virginia Academy of Family Physicians
51 - Doc of the Day Program.

3 - Joint Expenses

(WV Code Chapter 4)

Fund 0175 FY 2018 Org 2300

1	Joint Committee on Government		
2	and Finance (R).....	10400	\$ 5,725,138
3	Legislative Printing (R).....	10500	760,000
4	Legislative Rule-Making		
5	Review Committee (R).....	10600	147,250
6	Legislative Computer System (R).....	10700	1,447,500
7	BRIM Premium (R)	91300	<u>60,569</u>
8	Total.....		\$ 8,140,457

9 The appropriations for the Joint Expenses for the fiscal year
10 2017 are to remain in full force and effect and are hereby
11 reappropriated to June 30, 2018. Any balances reappropriated may
12 be transferred and credited to the fiscal year 2017 accounts.

13 Upon the written request of the Clerk of the Senate, with the
14 approval of the President of the Senate, and the Clerk of the House
15 of Delegates, with the approval of the Speaker of the House of
16 Delegates, and a copy to the Legislative Auditor, the Auditor shall
17 transfer amounts between items of the total appropriation in order
18 to protect or increase the efficiency of the service.

JUDICIAL

4 - Supreme Court –

General Judicial

Fund 0180 FY 2018 Org 2400

1	Personal Services and		
2	Employee Benefits (R)	00100	\$ 101,924,358
3	Children's Protection Act (R)	09000	3,000,000
4	Current Expenses (R)	13000	32,274,266
5	Repairs and Alterations (R)	06400	636,450
6	Equipment (R).....	07000	1,800,000
7	Judges' Retirement System (R).....	11000	900,000
8	Buildings (R).....	25800	100,000
9	Other Assets (R).....	69000	500,000
10	BRIM Premium (R)	91300	<u>624,596</u>
11	Total.....		\$ 141,759,670

12 The appropriations to the Supreme Court of Appeals for the
13 fiscal years 2016 and 2017 are to remain in full force and effect and
14 are hereby reappropriated to June 30, 2018. Any balances so
15 reappropriated may be transferred and credited to the fiscal year
16 2017 accounts.

17 This fund shall be administered by the Administrative Director
18 of the Supreme Court of Appeals, who shall draw requisitions for
19 warrants in payment in the form of payrolls, making deductions
20 there from as required by law for taxes and other items.

21 The appropriation for the Judges' Retirement System (fund
22 0180, appropriation 11000) is to be transferred to the Consolidated
23 Public Retirement Board, in accordance with the law relating
24 thereto, upon requisition of the Administrative Director of the
25 Supreme Court of Appeals.

EXECUTIVE*5 - Governor's Office*

(WV Code Chapter 5)

Fund 0101 FY 2018 Org 0100

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,098,903

3	Current Expenses (R).....	13000	571,648
4	Repairs and Alterations.....	06400	2,000
5	National Governors Association.....	12300	60,700
6	Herbert Henderson		
7	Office of Minority Affairs	13400	146,726
8	BRIM Premium.....	91300	<u>169,079</u>
9	Total.....		\$ 4,049,056

10 Any unexpended balances remaining in the appropriations for
 11 Unclassified (fund 0101, appropriation 09900), and Current
 12 Expenses (fund 0101, appropriation 13000) at the close of the fiscal
 13 year 2017 are hereby reappropriated for expenditure during the
 14 fiscal year 2018.

15 Included in the above appropriation to Personal Services and
 16 Employee Benefits (fund 0101, appropriation 00100), is \$150,000
 17 for the Salary of the Governor.

18 The above appropriation for Herbert Henderson Office of
 19 Minority Affairs (fund 0101, appropriation 13400) shall be
 20 transferred to the Minority Affairs Fund (fund 1058).

6 - Governor's Office –

Custodial Fund

(WV Code Chapter 5)

Fund 0102 FY 2018 Org 0100

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 351,089
3	Current Expenses (R).....	13000	182,708
4	Repairs and Alterations.....	06400	<u>5,000</u>
5	Total.....		\$ 538,797

6 Any unexpended balance remaining in the appropriation for
 7 Current Expenses (fund 0102, appropriation 13000) at the close of
 8 the fiscal year 2017 is hereby reappropriated for expenditure during
 9 the fiscal year 2018, with the exception of fund 0102, fiscal year

10 2017, appropriation 13000 (\$20,000) which shall expire June 30,
11 2017.

12 Appropriations are to be used for current general expenses,
13 including compensation of employees, household maintenance,
14 cost of official functions and additional household expenses
15 occasioned by such official functions.

7 - Governor's Office –

Civil Contingent Fund

(WV Code Chapter 5)

Fund 0105 FY 2018 Org 0100

1 Any unexpended balances remaining in the appropriations for
2 Business and Economic Development Stimulus – Surplus (fund
3 0105, appropriation 08400), Civil Contingent Fund – Total (fund
4 0105, appropriation 11400), 2012 Natural Disasters – Surplus
5 (fund 0105, appropriation 13500), Civil Contingent Fund – Total –
6 Surplus (fund 0105, appropriation 23800), Civil Contingent Fund
7 – Surplus (fund 0105, appropriation 26300), Business and
8 Economic Development Stimulus (fund 0105, appropriation
9 58600), Civil Contingent Fund (fund 0105, appropriation 61400),
10 and Natural Disasters – Surplus (fund 0105, appropriation 76400)
11 at the close of the fiscal year 2017 are hereby reappropriated for
12 expenditure during the fiscal year.

13 From this fund there may be expended, at the discretion of the
14 Governor, an amount not to exceed \$1,000 as West Virginia's
15 contribution to the interstate oil compact commission.

16 The above fund is intended to provide contingency funding for
17 accidental, unanticipated, emergency or unplanned events which
18 may occur during the fiscal year and is not to be expended for the
19 normal day-to-day operations of the Governor's Office.

8 - Auditor's Office –

General Administration

(WV Code Chapter 12)

Fund 0116 FY 2018 Org 1200

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,620,288
3	Current Expenses (R).....	13000	10,622
4	BRIM Premium.....	91300	<u>11,287</u>
5	Total.....		\$ 2,642,197

6 Any unexpended balance remaining in the appropriation for
7 Current Expenses (fund 0116, appropriation 13000) at the close of
8 the fiscal year 2017 is hereby reappropriated for expenditure during
9 the fiscal year 2018.

10 Included in the above appropriation to Personal Services and
11 Employee Benefits (fund 0116, appropriation 00100), is \$95,000
12 for the Salary of the Auditor.

9 - Treasurer's Office

(WV Code Chapter 12)

Fund 0126 FY 2018 Org 1300

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,424,551
3	Unclassified.....	09900	30,963
4	Current Expenses (R).....	13000	472,377
5	Abandoned Property Program.....	11800	41,794
6	Other Assets.....	69000	10,000
7	ABLE Program.....	69201	150,000
8	BRIM Premium.....	91300	<u>54,409</u>
9	Total.....		\$ 3,184,094

10 Any unexpended balances remaining in the appropriation for
11 Current Expenses (fund 0126, appropriation 13000) at the close of
12 the fiscal year 2017 are hereby reappropriated for expenditure
13 during the fiscal year 2018.

14 Included in the above appropriation to Personal Services and
 15 Employee Benefits (fund 0126, appropriation 00100), is \$95,000
 16 for the Salary of the Treasurer.

10 - Department of Agriculture

(WV Code Chapter 19)

Fund 0131 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 5,105,550
3	Animal Identification Program	03900	121,528
4	State Farm Museum	05500	87,759
5	Current Expenses (R).....	13000	135,155
6	Gypsy Moth Program (R)	11900	917,769
7	Huntington Farmers Market.....	12800	37,142
8	Black Fly Control.....	13700	450,434
9	Donated Foods Program	36300	45,000
10	Predator Control (R)	47000	176,400
11	Logan Farmers Market.....	50100	40,988
12	Bee Research.....	69100	65,470
13	Charleston Farmers Market.....	74600	71,429
14	Microbiology Program.....	78500	97,126
15	Moorefield Agriculture Center	78600	905,605
16	Chesapeake Bay Watershed.....	83000	102,023
17	Livestock Care Standards Board.....	84300	8,820
18	BRIM Premium.....	91300	129,818
19	State FFA-FHA Camp and		
20	Conference Center	94101	586,215
21	Threat Preparedness	94200	68,987
22	WV Food Banks.....	96900	126,000
23	Senior's Farmers' Market		
24	Nutrition Coupon Program	97000	<u>55,840</u>
25	Total.....		\$ 9,335,058

26 Any unexpended balances remaining in the appropriations for
 27 Unclassified – Surplus (fund 0131, appropriation 09700), Gypsy
 28 Moth Program (fund 0131, appropriation 11900), Current
 29 Expenses (fund 0131, appropriation 13000), Predator Control

30 (fund 0131, appropriation 47000), and Agricultural Disaster and
 31 Mitigation Needs – Surplus (fund 0131, appropriation 85000) at
 32 the close of the fiscal year 2017 are hereby reappropriated for
 33 expenditure during the fiscal year 2018, with the exception of fund
 34 0131, fiscal year 2017, appropriation 11900 (\$18,859), fund 0131,
 35 fiscal year 2017, appropriation 13000 (\$19,343), and fund 0131,
 36 fiscal year 2017, appropriation 47000 (\$3,600) which shall expire
 37 on June 30, 2017.

38 Included in the above appropriation to Personal Services and
 39 Employee Benefits (fund 0131, appropriation 00100), is \$95,000
 40 for the Salary of the Commissioner.

41 The above appropriation for Predator Control (fund 0131,
 42 appropriation 47000) is to be made available to the United States
 43 Department of Agriculture, Wildlife Services to administer the
 44 Predator Control Program.

45 A portion of the Current Expenses appropriation may be
 46 transferred to a special revenue fund for the purpose of matching
 47 federal funds for marketing and development activities.

48 From the above appropriation for WV Food Banks (fund 0131,
 49 appropriation 96900), \$20,000 is for House of Hope and the
 50 remainder of the appropriation shall be allocated to the Huntington
 51 Food Bank and the Mountaineer Food Bank in Braxton County.

11 - West Virginia Conservation Agency

(WV Code Chapter 19)

Fund 0132 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....00100	\$	725,163
3	Unclassified (R).....09900		77,808
4	Current Expenses (R).....13000		316,049
5	Soil Conservation Projects (R).....12000		6,536,679
6	BRIM Premium.....91300		<u>30,213</u>
7	Total.....	\$	<u>7,685,912</u>

8 Any unexpended balances remaining in the appropriations for
 9 Unclassified (fund 0132, appropriation 09900), Soil Conservation
 10 Projects (fund 0132, appropriation 12000), and Current Expenses
 11 (fund 0132, appropriation 13000) at the close of the fiscal year
 12 2017 are hereby reappropriated for expenditure during the fiscal
 13 year 2018, with the exception of fund 0132, fiscal year 2017,
 14 appropriation 12000 (\$157,439) which shall expire on June 30,
 15 2017.

12 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 0135 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 620,127
3	Unclassified.....	09900	7,090
4	Current Expenses	13000	<u>81,880</u>
5	Total.....		\$ 709,097

6 Any part or all of this appropriation may be transferred to a
 7 special revenue fund for the purpose of matching federal funds for
 8 the above-named program.

13 - Department of Agriculture –

Agricultural Awards Fund

(WV Code Chapter 19)

Fund 0136 FY 2018 Org 1400

1	Programs and Awards for		
2	4-H Clubs and FFA/FHA	57700	\$15,000
3	Commissioner's Awards and Programs.....	73700	<u>39,250</u>
4	Total.....		\$ 54,250

14 - Department of Agriculture –

West Virginia Agricultural Land Protection Authority

(WV Code Chapter 8A)

Fund 0607 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....00100	\$	94,823
3	Unclassified.....09900		<u>950</u>
4	Total.....	\$	95,773

15 - Attorney General

(WV Code Chapters 5, 14, 46A and 47)

Fund 0150 FY 2018 Org 1500

1	Personal Services and		
2	Employee Benefits (R)00100	\$	2,281,145
3	Unclassified (R)09900		24,428
4	Current Expenses (R)13000		752,408
5	Repairs and Alterations.....06400		1,000
6	Equipment.....07000		1,000
7	Criminal Convictions and		
8	Habeas Corpus Appeals (R).....26000		908,529
9	Better Government Bureau74000		271,991
10	BRIM Premium.....91300		<u>112,761</u>
11	Total.....	\$	4,353,262

12 Any unexpended balances remaining in the above
 13 appropriations for Personal Services and Employee Benefits (fund
 14 0150, appropriation 00100), Unclassified (fund 0150,
 15 appropriation 09900), Current Expenses (fund 0150, appropriation
 16 13000), Criminal Convictions and Habeas Corpus Appeals (fund
 17 0150, appropriation 26000), and Agency Client Revolving
 18 Liquidity Pool (fund 0150, appropriation 36200) at the close of the
 19 fiscal year 2017 are hereby reappropriated for expenditure during
 20 the fiscal year 2018, with the exception of fund 0150, fiscal year
 21 2017, appropriation 09900 (\$20,000), and fund 0150, fiscal year

22 2017, appropriation 26000 (\$69,575) which shall expire on June
23 30, 2017.

24 Included in the above appropriation to Personal Services and
25 Employee Benefits (fund 0150, appropriation 00100), is \$95,000
26 for the Salary of the Attorney General.

27 When legal counsel or secretarial help is appointed by the
28 Attorney General for any state spending unit, this account shall be
29 reimbursed from such spending units specifically appropriated
30 account or from accounts appropriated by general language
31 contained within this bill: *Provided*, That the spending unit shall
32 reimburse at a rate and upon terms agreed to by the state spending
33 unit and the Attorney General: *Provided, however*, That if the
34 spending unit and the Attorney General are unable to agree on the
35 amount and terms of the reimbursement, the spending unit and the
36 Attorney General shall submit their proposed reimbursement rates
37 and terms to the Governor for final determination.

16 - Secretary of State

(WV Code Chapters 3, 5 and 59)

Fund 0155 FY 2018 Org 1600

1	Personal Services and		
2	Employee Benefits	00100	\$ 117,213
3	Unclassified (R)	09900	9,731
4	Current Expenses (R)	13000	805,697
5	BRIM Premium	91300	<u>21,695</u>
6	Total		\$ 954,336

7 Any unexpended balances remaining in the appropriations for
8 Unclassified (fund 0155, appropriation 09900) and Current
9 Expenses (fund 0155, appropriation 13000) at the close of the fiscal
10 year 2017 are hereby reappropriated for expenditure during the
11 fiscal year 2018, with the exception of fund 0155, fiscal year 2017
12 appropriation 13000 (\$19,613) which shall expire on June 30,
13 2017.

14 Included in the above appropriation to Personal Services and
 15 Employee Benefits (fund 0155, appropriation 00100), is \$95,000
 16 for the Salary of the Secretary of State.

17 - State Election Commission

(WV Code Chapter 3)

Fund 0160 FY 2018 Org 1601

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,477
3	Unclassified.....	09900	75
4	Current Expenses	13000	<u>4,956</u>
5	Total.....		\$ 7,508

DEPARTMENT OF ADMINISTRATION

18 - Department of Administration –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0186 FY 2018 Org 0201

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 580,647
3	Unclassified.....	09900	9,177
4	Current Expenses	13000	84,883
5	Repairs and Alterations.....	06400	100
6	Equipment.....	07000	1,000
7	Financial Advisor (R)	30400	27,546
8	Lease Rental Payments	51600	15,000,000
9	Design-Build Board	54000	4,000
10	Other Assets.....	69000	100
11	BRIM Premium.....	91300	<u>5,887</u>
12	Total.....		\$ 15,713,340

13 Any unexpended balance remaining in the appropriation for
 14 Financial Advisor (fund 0186, appropriation 30400) at the close of
 15 the fiscal year 2017 is hereby reappropriated for expenditure during

16 the fiscal year 2018, with the exception of fund 0186, fiscal year
 17 2017, appropriation 30400 (\$73,000) which shall expire on June
 18 30, 2017.

19 The appropriation for Lease Rental Payments (fund 0186,
 20 appropriation 51600) shall be disbursed as provided by W.Va.
 21 Code §31-15-6b.

19 - Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund 0195 FY 2018 Org 0205

1 The Division of Highways, Division of Motor Vehicles, Public
 2 Service Commission and other departments, bureaus, divisions, or
 3 commissions operating from special revenue funds and/or federal
 4 funds shall pay their proportionate share of the retirement costs for
 5 their respective divisions. When specific appropriations are not
 6 made, such payments may be made from the balances in the various
 7 special revenue funds in excess of specific appropriations.

20 - Division of Finance

(WV Code Chapter 5A)

Fund 0203 FY 2018 Org 0209

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 65,574
3	Unclassified.....	09900	1,400
4	Current Expenses	13000	68,083
5	GAAP Project (R).....	12500	591,072
6	BRIM Premium.....	91300	<u>5,625</u>
7	Total.....		\$ 731,754

8 Any unexpended balance remaining in the appropriation for
 9 GAAP Project (fund 0203, appropriation 12500) at the close of the
 10 fiscal year 2017 is hereby reappropriated for expenditure during the
 11 fiscal year 2018.

21 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,504,207
3	Unclassified.....	09900	20,000
4	Current Expenses	13000	725,024
5	Repairs and Alterations.....	06400	500
6	Equipment.....	07000	5,000
7	Fire Service Fee	12600	14,000
8	Buildings (R).....	25800	500
9	Preservation and Maintenance of		
10	Statues and Monuments		
11	on Capitol Grounds.....	37100	68,000
12	Capital Outlay, Repairs		
13	and Equipment (R).....	58900	4,122,932
14	Other Assets.....	69000	500
15	Land (R).....	73000	500
16	BRIM Premium.....	91300	<u>121,479</u>
17	Total.....		\$ 7,582,642

18 Any unexpended balances remaining in the above
19 appropriations for Buildings (fund 0230, appropriation 25800),
20 Capital Outlay, Repairs and Equipment (fund 0230, appropriation
21 58900), Capital Outlay, Repairs and Equipment – Surplus (fund
22 0230, appropriation 67700), and Land (fund 0230, appropriation
23 73000) at the close of the fiscal year 2017 are hereby
24 reappropriated for expenditure during the fiscal year 2018.

25 From the above appropriation for Preservation and Maintenance
26 of Statues and Monuments on Capitol Grounds (fund 0230,
27 appropriation 37100), the Division shall consult the Division of
28 Culture and History and Capitol Building Commission in all
29 aspects of planning, assessment, maintenance and restoration.

30 The above appropriation for Capital Outlay, Repairs and
31 Equipment (fund 0230, appropriation 58900) shall be expended for

32 capital improvements, maintenance, repairs and equipment for
33 state-owned buildings.

22 - Division of Purchasing

(WV Code Chapter 5A)

Fund 0210 FY 2018 Org 0213

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 997,906
3	Unclassified.....	09900	144
4	Current Expenses	13000	250
5	Repairs and Alterations.....	06400	200
6	BRIM Premium.....	91300	<u>6,469</u>
7	Total.....		\$ 1,004,969

8 The Division of Highways shall reimburse Fund 2031 within
9 the Division of Purchasing for all actual expenses incurred
10 pursuant to the provisions of W.Va. Code §17-2A-13.

23 - Travel Management

(WV Code Chapter 5A)

Fund 0615 FY 2018 Org 0215

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 762,556
3	Unclassified.....	09900	12,032
4	Current Expenses	13000	430,532
5	Repairs and Alterations.....	06400	1,000
6	Equipment.....	07000	5,000
7	Buildings (R).....	25800	100
8	Other Assets.....	69000	<u>100</u>
9	Total.....		\$ 1,211,320

10 Any unexpended balance remaining in the appropriation for
11 Buildings (fund 0615, appropriation 25800) at the close of the
12 fiscal year 2017 is hereby reappropriated for expenditure during the
13 fiscal year 2018.

24 - Commission on Uniform State Laws

(WV Code Chapter 29)

Fund 0214 FY 2018 Org 0217

1	Current Expenses	13000	\$	45,550
2	To pay expenses for members of the commission on uniform			
3	state laws.			

25 - West Virginia Public Employees Grievance Board

(WV Code Chapter 6C)

Fund 0220 FY 2018 Org 0219

1	Personal Services and			
2	Employee Benefits.....	00100	\$	911,114
3	Unclassified.....	09900		1,000
4	Current Expenses	13000		142,854
5	Equipment.....	07000		50
6	BRIM Premium.....	91300		<u>9,608</u>
7	Total.....		\$	1,064,626

26 - Ethics Commission

(WV Code Chapter 6B)

Fund 0223 FY 2018 Org 0220

1	Personal Services and			
2	Employee Benefits.....	00100	\$	575,930
3	Unclassified.....	09900		2,200
4	Current Expenses	13000		104,637
5	Repairs and Alterations.....	06400		500
6	Other Assets.....	69000		100
7	BRIM Premium.....	91300		<u>4,473</u>
8	Total.....		\$	687,840

27 - Public Defender Services

(WV Code Chapter 29)

Fund 0226 FY 2018 Org 0221

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,322,946
3	Unclassified.....	09900	314,700
4	Current Expenses	13000	11,165
5	Public Defender Corporations.....	35200	19,198,028
6	Appointed Counsel Fees (R).....	78800	10,723,115
7	BRIM Premium.....	91300	<u>9,594</u>
8	Total.....		\$ 31,579,548

9 Any unexpended balance remaining in the above appropriation
 10 for Appointed Counsel Fees (fund 0226, appropriation 78800) at
 11 the close of the fiscal year 2017 is hereby reappropriated for
 12 expenditure during the fiscal year 2018.

13 The director shall have the authority to transfer funds from the
 14 appropriation to Public Defender Corporations (fund 0226,
 15 appropriation 35200) to Appointed Counsel Fees (fund 0226,
 16 appropriation 78800).

*28 - Committee for the Purchase of**Commodities and Services from the Handicapped*

(WV Code Chapter 5A)

Fund 0233 FY 2018 Org 0224

1	Personal Services and Employee Benefits .	00100	\$ 3,187
2	Current Expenses	13000	<u>868</u>
3	Total.....		\$ 4,055

29 - Public Employees Insurance Agency

(WV Code Chapter 5)

Fund 0200 FY 2018 Org 0225

1 The Division of Highways, Division of Motor Vehicles, Public
 2 Service Commission and other departments, bureaus, divisions, or
 3 commissions operating from special revenue funds and/or federal
 4 funds shall pay their proportionate share of the public employees
 5 health insurance cost for their respective divisions.

30 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 0557 FY 2018 Org 0228

1	Forensic Medical Examinations (R)	68300	\$	137,954
2	Federal Funds/Grant Match (R)	74900		<u>98,443</u>
3	Total		\$	<u>236,397</u>

4 Any unexpended balances remaining in the appropriations for
 5 Forensic Medical Examinations (fund 0557, appropriation 68300)
 6 and Federal Funds/Grant Match (fund 0557, appropriation 74900)
 7 at the close of the fiscal year 2017 are hereby reappropriated for
 8 expenditure during the fiscal year 2018.

31 - Real Estate Division

(WV Code Chapter 5A)

Fund 0610 FY 2018 Org 0233

1	Personal Services and			
2	Employee Benefits	00100	\$	642,679
3	Unclassified	09900		1,000
4	Current Expenses	13000		137,926
5	Repairs and Alterations	06400		100
6	Equipment	07000		2,500
7	BRIM Premium	91300		<u>7,976</u>
8	Total		\$	<u>792,181</u>

DEPARTMENT OF COMMERCE

32 - Division of Forestry

(WV Code Chapter 19)

Fund 0250 FY 2018 Org 0305

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,451,074
3	Unclassified.....	09900	21,435
4	Current Expenses	13000	334,903
5	Repairs and Alterations.....	06400	80,000
6	Equipment (R).....	07000	2,061
7	BRIM Premium.....	91300	<u>92,293</u>
8	Total.....		\$ 2,981,766

9 Any unexpended balance remaining in the appropriation for
10 Equipment (fund 0250, appropriation 07000) at the close of the
11 fiscal year 2017 is hereby reappropriated for expenditure during the
12 fiscal year 2018.

13 Out of the above appropriations a sum may be used to match
14 federal funds for cooperative studies or other funds for similar
15 purposes.

33 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 0253 FY 2018 Org 0306

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,561,820
3	Unclassified.....	09900	28,173
4	Current Expenses	13000	49,140
5	Repairs and Alterations.....	06400	968
6	Mineral Mapping System (R)	20700	1,096,873
7	BRIM Premium.....	91300	<u>22,766</u>
8	Total.....		\$ 2,759,740

9 Any unexpended balance remaining in the appropriation for
10 Mineral Mapping System (fund 0253, appropriation 20700) at the
11 close of the fiscal year 2017 is hereby reappropriated for
12 expenditure during the fiscal year 2018, with the exception of fund
13 0253, fiscal year 2017, appropriation 20700 (\$57,599) which shall
14 expire on June 30, 2017.

15 The above Unclassified and Current Expense appropriations
 16 include funding to secure federal and other contracts and may be
 17 transferred to a special revolving fund (fund 3105) for the purpose
 18 of providing advance funding for such contracts.

34 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 0256 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 4,261,006
3	Unclassified.....	09900	108,687
4	Save Our State (SOS).....	05050	0
5	Current Expenses	13000	3,763,900
6	National Youth Science Camp.....	13200	241,570
7	Local Economic		
8	Development Partnerships (R).....	13300	792,000
9	ARC Assessment	13600	152,585
10	Guaranteed Work Force Grant (R).....	24200	969,633
11	Mainstreet Program.....	79400	163,758
12	BRIM Premium.....	91300	2,345
13	Hatfield McCoy Recreational Trail.....	96000	<u>198,415</u>
14	Total.....		\$ 10,653,899

15 Any unexpended balances remaining in the appropriations for
 16 Unclassified – Surplus (fund 0256, appropriation 09700),
 17 Partnership Grants (fund 0256, appropriation 13100), Local
 18 Economic Development Partnerships (fund 0256, appropriation
 19 13300), Guaranteed Work Force Grant (fund 0256, appropriation
 20 24200), Industrial Park Assistance (fund 0256, appropriation
 21 48000), Small Business Development (fund 0256, appropriation
 22 70300), Local Economic Development Assistance (fund 0256,
 23 appropriation 81900), and 4-H Camp Improvements (fund 0256,
 24 appropriation 94100) at the close of the fiscal year 2017 are hereby
 25 reappropriated for expenditure during the fiscal year 2018.

26 The above appropriation to Local Economic Development
 27 Partnerships (fund 0256, appropriation 13300) shall be used by the

28 West Virginia Development Office for the award of funding
 29 assistance to county and regional economic development
 30 corporations or authorities participating in the Certified
 31 Development Community Program developed under the provisions
 32 of W.Va. Code §5B-2-14. The West Virginia Development Office
 33 shall award the funding assistance through a matching grant
 34 program, based upon a formula whereby funding assistance may
 35 not exceed \$34,000 per county served by an economic
 36 development or redevelopment corporation or authority.

35 - Division of Natural Resources

(WV Code Chapter 20)

Fund 0265 FY 2018 Org 0310

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 15,476,492
3	Unclassified.....	09900	184,711
4	Current Expenses	13000	170,047
5	Repairs and Alterations.....	06400	100
6	Equipment.....	07000	100
7	Buildings.....	25800	100
8	Litter Control Conservation Officers	56400	139,877
9	Upper Mud River Flood Control.....	65400	159,762
10	Other Assets.....	69000	100
11	Land (R).....	73000	100
12	Law Enforcement.....	80600	2,413,523
13	BRIM Premium.....	91300	<u>23,470</u>
14	Total.....		\$ 18,568,382

15 Any unexpended balances remaining in the appropriations for
 16 Buildings (fund 0265, appropriation 25800), Land (fund 0265,
 17 appropriation 73000), and State Park Improvements – Surplus
 18 (fund 0265, appropriation 76300) at the close of the fiscal year
 19 2017 are hereby reappropriated for expenditure during the fiscal
 20 year 2018.

21 Any revenue derived from mineral extraction at any state park
 22 shall be deposited in a special revenue account of the Division of

23 Natural Resources, first for bond debt payment purposes and with
 24 any remainder to be for park operation and improvement purposes.

36 - Division of Miners' Health, Safety and Training

(WV Code Chapter 22)

Fund 0277 FY 2018 Org 0314

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 9,205,577
3	Unclassified.....	09900	120,000
4	Current Expenses	13000	1,378,532
5	Coal Dust and Rock Dust Sampling	27000	474,050
6	BRIM Premium.....	91300	<u>75,110</u>
7	Total.....		\$ 11,253,269

8 Included in the above appropriation for Current Expenses (fund
 9 0277, appropriation 13000) is \$500,000 to be used for coal mine
 10 training activities at an established mine training facility in
 11 southern West Virginia.

37 - Board of Coal Mine Health and Safety

(WV Code Chapter 22)

Fund 0280 FY 2018 Org 0319

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 226,550
3	Unclassified.....	09900	3,551
4	Current Expenses	13000	117,917
5	Total.....		\$ 348,018

38 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 0572 FY 2018 Org 0323

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 51,728

2017]

HOUSE OF DELEGATES

3707

3	Unclassified.....	09900		596
4	Current Expenses	13000		<u>7,334</u>
5	Total.....		\$	59,658

39 - Department of Commerce –

Office of the Secretary

(WV Code Chapter 19)

Fund 0606 FY 2018 Org 0327

1	Personal Services and			
2	Employee Benefits.....	00100	\$	398,752
3	Unclassified.....	09900		3,500
4	Current Expenses	13000		<u>14,725</u>
5	Total.....		\$	416,977

40 - Office of Energy

(WV Code Chapter 5B)

Fund 0612 FY 2018 Org 0328

1	Personal Services and			
2	Employee Benefits.....	00100	\$	194,457
3	Unclassified.....	09900		15,204
4	Current Expenses	13000		1,026,720
5	BRIM Premium.....	91300		<u>3,604</u>
6	Total.....		\$	1,239,985

7 From the above appropriation for Current Expenses (fund 0612,
8 appropriation 13000) \$558,247 is for West Virginia University and
9 \$558,247 is for Southern West Virginia Community and Technical
10 College for the Mine Training and Energy Technologies Academy.

DEPARTMENT OF EDUCATION

41 - State Board of Education –

School Lunch Program

(WV Code Chapters 18 and 18A)

Fund 0303 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 321,931
3	Current Expenses	13000	<u>2,118,490</u>
4	Total.....		\$ 2,440,421

*42 - State Board of Education –**State Department of Education*

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 4,278,989
3	Technology System Specialist	06200	0
4	Teachers' Retirement Savings Realized	09500	34,638,000
5	Unclassified (R)	09900	300,000
6	Current Expenses (R).....	13000	2,518,992
7	Equipment.....	07000	5,000
8	Increased Enrollment	14000	2,650,000
9	Safe Schools.....	14300	4,911,959
10	Teacher Mentor.....	15800	550,000
11	National Teacher Certification (R)	16100	300,000
12	Buildings (R).....	25800	1,000
13	Allowance for County Transfers.....	26400	64,212
14	Technology Repair and Modernization.....	29800	951,003
15	HVAC Technicians.....	35500	495,507
16	Early Retirement Notification Incentive	36600	300,000
17	MATH Program	36800	336,532
18	Assessment Programs	39600	1,339,588
19	21 st Century Fellows	50700	0
20	English as a Second Language.....	52800	96,000
21	Teacher Reimbursement	57300	297,188
22	Hospitality Training.....	60000	267,123
23	Hi-Y Youth in Government	61600	100,000
24	High Acuity Special Needs (R).....	63400	1,500,000

25	Foreign Student Education.....	63600	150,000
26	Principals Mentorship	64900	69,250
27	State Board of Education		
28	Administrative Costs	68400	266,152
29	Other Assets	69000	1,000
30	IT Academy (R)	72100	500,000
31	Land (R)	73000	1,000
32	Early Literacy Program.....	75600	5,700,000
33	School Based Truancy Prevention (R).....	78101	0
34	Innovation in Education	78102	0
35	21 st Century Learners (R).....	88600	0
36	BRIM Premium.....	91300	320,429
37	21 st Century Assessment		
38	and Professional Development	93100	1,999,007
39	21 st Century Technology		
40	Infrastructure Network		
41	Tools and Support.....	93300	7,636,586
42	Educational Program Allowance	99600	<u>516,250</u>
43	Total.....		\$ <u>73,060,767</u>

44 The above appropriations include funding for the state board of
45 education and their executive office.

46 Any unexpended balances remaining in the appropriations for
47 Unclassified (fund 0313, appropriation 09900), Current Expenses
48 (fund 0313, appropriation 13000), National Teacher Certification
49 (fund 0313, appropriation 16100), Buildings (fund 0313,
50 appropriation 25800), High Acuity Special Needs (fund 0313,
51 appropriation 63400), IT Academy (fund 0313, appropriation
52 72100), Land (fund 0313, appropriation 73000), School Based
53 Truancy Prevention (fund 0313, appropriation 78101), and 21st
54 Century Learners (fund 0313, appropriation 88600) at the close of
55 the fiscal year 2017 are hereby reappropriated for expenditure
56 during the fiscal year 2018.

57 The above appropriation for Teachers' Retirement Savings
58 Realized (fund 0313, appropriation 09500) shall be transferred to
59 the Employee Pension and Health Care Benefit Fund (fund 2044).

60 The above appropriation for Hospitality Training (fund 0313,
 61 appropriation 60000), shall be allocated only to entities that have a
 62 plan approved for funding by the Department of Education, at the
 63 funding level determined by the State Superintendent of Schools.
 64 Plans shall be submitted to the State Superintendent of Schools to
 65 be considered for funding.

66 From the above appropriation for Educational Program
 67 Allowance (fund 0313, appropriation 99600), \$100,000 shall be
 68 expended for Webster County Board of Education for Hacker
 69 Valley; \$150,000 shall be for the Randolph County Board of
 70 Education for Pickens School; \$100,000 shall be for the Preston
 71 County Board of Education for the Aurora School; \$100,000 shall
 72 be for the Fayette County Board of Education for Meadow Bridge;
 73 and \$66,250 is for Project Based Learning in STEM fields.

43 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 0314 FY 2018 Org 0402

1	Special Education – Counties	15900	\$	7,271,757
2	Special Education – Institutions.....	16000		3,748,794
3	Education of Juveniles			
4	Held in Predispositional			
5	Juvenile Detention Centers	30200		591,646
6	Education of Institutionalized			
7	Juveniles and Adults (R).....	47200		<u>17,736,957</u>
8	Total.....		\$	29,349,154

9 Any unexpended balance remaining in the appropriation for
 10 Education of Institutionalized Juveniles and Adults (fund 0314,
 11 appropriation 47200) at the close of the fiscal year 2017 is hereby
 12 reappropriated for expenditure during the fiscal year 2018.

13 From the above appropriations, the superintendent shall have
 14 authority to expend funds for the costs of special education for
 15 those children residing in out-of-state placements.

*44 - State Board of Education –**State Aid to Schools*

(WV Code Chapters 18 and 18A)

Fund 0317 FY 2018 Org 0402

1	Other Current Expenses	02200	\$ 149,939,086
2	Advanced Placement.....	05300	553,954
3	Professional Educators.....	15100	843,200,570
4	Service Personnel.....	15200	286,915,321
5	Fixed Charges	15300	100,484,631
6	Transportation.....	15400	70,276,078
7	Professional Student Support Services	65500	36,952,999
8	Improved Instructional Programs.....	15600	49,131,108
9	21 st Century Strategic		
10	Technology Learning Growth.....	93600	<u>20,756,981</u>
11	Basic Foundation Allowances.....		1,558,210,728
12	Less Local Share		(454,486,958)
13	Adjustments		<u>(2,441,341)</u>
14	Total Basic State Aid		1,101,282,429
15	Public Employees' Insurance Matching	01200	242,714,967
16	Teachers' Retirement System	01900	72,125,000
17	School Building Authority	45300	23,424,770
18	Retirement Systems –		
19	Unfunded Liability.....	77500	<u>343,963,000</u>
20	Total.....		\$1,783,510,166

*45 - State Board of Education –**Vocational Division*

(WV Code Chapters 18 and 18A)

Fund 0390 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,275,473
3	Unclassified.....	09900	268,800

4	Current Expenses	13000	882,131
5	Wood Products – Forestry		
6	Vocational Program	14600	68,993
7	Albert Yanni Vocational Program	14700	131,951
8	Vocational Aid	14800	22,440,602
9	Adult Basic Education	14900	4,591,896
10	Program Modernization	30500	884,313
11	High School Equivalency		
12	Diploma Testing (R)	72600	778,815
13	FFA Grant Awards	83900	11,496
14	Pre-Engineering Academy Program	84000	265,294
15	Total		\$ 31,599,764

16 Any unexpended balances remaining in the appropriations for
 17 GED Testing (fund 0390, appropriation 33900) and High School
 18 Equivalency Diploma Testing (fund 0390, appropriation 72600) at
 19 the close of the fiscal year 2017 is hereby reappropriated for
 20 expenditure during the fiscal year 2018.

46 - State Board of Education –

West Virginia Schools for the Deaf and the Blind

(WV Code Chapters 18 and 18A)

Fund 0320 FY 2018 Org 0403

1	Personal Services and		
2	Employee Benefits	00100	\$ 11,304,805
3	Unclassified	09900	110,000
4	Current Expenses	13000	1,988,129
5	Repairs and Alterations	06400	85,000
6	Equipment	07000	70,000
7	Buildings (R)	25800	85,000
8	Capital Outlay and Maintenance (R)	75500	82,500
9	BRIM Premium	91300	124,890
10	Total		\$ 13,850,324

11 Any unexpended balances remaining in the appropriations for
 12 Buildings (fund 0320, appropriation 25800) and Capital Outlay and
 13 Maintenance (fund 0320, appropriation 75500) at the close of the

14 fiscal year 2017 are hereby reappropriated for expenditure during
15 the fiscal year 2018.

DEPARTMENT OF EDUCATION AND THE ARTS

47 - Department of Education and the Arts –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0294 FY 2018 Org 0431

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 514,428
3	Unclassified.....	09900	35,000
4	Center for Professional		
5	Development (R)	11500	1,490,833
6	Current Expenses	13000	6,562
7	WV Humanities Council.....	16800	250,000
8	Benedum Professional		
9	Development Collaborative (R).....	42700	429,116
10	Governor's Honors Academy (R)	47800	1,059,270
11	Educational Enhancements	69500	196,000
12	S.T.E.M. Education and Grant Program	71900	490,286
13	Energy Express	86100	382,935
14	BRIM Premium.....	91300	4,870
15	Special Olympic Games.....	96600	<u>25,000</u>
16	Total.....		\$ 4,884,300

17 Any unexpended balances remaining in the appropriations for
18 Center for Professional Development (fund 0294, appropriation
19 11500), Benedum Professional Development Collaborative (fund
20 0294, appropriation 42700), Governor's Honors Academy (fund
21 0294, appropriation 47800), and S.T.E.M. Education and Grant
22 Program (fund 0294, appropriation 71900) at the close of the fiscal
23 year 2017 are hereby reappropriated for expenditure during the
24 fiscal year 2018, with the exception of fund 0294, fiscal year 2017,
25 appropriation 42700 (\$66,416) which shall expire on June 30,
26 2017.

27 From the above appropriation for Educational Enhancements
 28 (fund 0294, appropriation 69500), \$73,500 shall be used for the
 29 Clay Center and \$122,500 for Reconnecting McDowell – Save the
 30 Children.

48 - Division of Culture and History

(WV Code Chapter 29)

Fund 0293 FY 2018 Org 0432

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,148,509
3	Current Expenses	13000	605,585
4	Repairs and Alterations.....	06400	1,000
5	Equipment.....	07000	1
6	Unclassified.....	09900	28,483
7	Buildings (R).....	25800	1
8	Other Assets.....	69000	1
9	Land (R).....	73000	1
10	Culture and History Programming.....	73200	231,573
11	Capital Outlay and Maintenance (R)	75500	19,600
12	Historical Highway Marker Program.....	84400	57,548
13	BRIM Premium.....	91300	<u>36,371</u>
14	Total.....		\$ 4,128,673

15 Any unexpended balances remaining in the appropriations for
 16 Unclassified (fund 0293, appropriation 09900), Buildings (fund
 17 0293, appropriation 25800), Capital Outlay, Repairs and
 18 Equipment (fund 0293, appropriation 58900), Capital
 19 Improvements – Surplus (fund 0293, appropriation 66100), Capital
 20 Outlay, Repairs and Equipment – Surplus (fund 0293,
 21 appropriation 67700), Land (fund 0293, appropriation 73000), and
 22 Capital Outlay and Maintenance (fund 0293, appropriation 75500)
 23 at the close of the fiscal year 2017 are hereby reappropriated for
 24 expenditure during the fiscal year 2018.

25 The Current Expense appropriation includes funding for the
 26 arts funds, department programming funds, grants, fairs and
 27 festivals and Camp Washington Carver and shall be expended only

28 upon authorization of the Division of Culture and History and in
 29 accordance with the provisions of Chapter 5A, Article 3, and
 30 Chapter 12 of the Code.

49 - Library Commission

(WV Code Chapter 10)

Fund 0296 FY 2018 Org 0433

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,208,032
3	Current Expenses	13000	137,674
4	Repairs and Alterations.....	06400	6,500
5	Services to Blind & Handicapped.....	18100	161,717
6	BRIM Premium.....	91300	<u>16,734</u>
7	Total.....		\$ 1,530,657

50 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 0300 FY 2018 Org 0439

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,245,141
3	Current Expenses	13000	20,146
4	Mountain Stage	40700	300,000
5	Capital Outlay and Maintenance.....	75500	10,000
6	BRIM Premium.....	91300	<u>45,283</u>
7	Total.....		\$ 3,620,570

8 Any unexpended balance remaining in the appropriation for
 9 Capital Outlay and Maintenance (fund 0300, appropriation 75500)
 10 at the close of the fiscal year 2017 is hereby reappropriated for
 11 expenditure during the fiscal year 2018.

51 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 0310 FY 2018 Org 0932

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 10,590,552
3	Independent Living Services.....	00900	429,418
4	Current Expenses	13000	545,202
5	Workshop Development	16300	1,817,427
6	Supported Employment		
7	Extended Services.....	20600	77,960
8	Ron Yost Personal Assistance Fund	40700	333,828
9	Employment Attendant Care Program.....	59800	131,575
10	BRIM Premium.....	91300	<u>72,396</u>
11	Total.....		\$ 13,998,358

12 From the above appropriation for Workshop Development
 13 (fund 0310, appropriation 16300), funds shall be used exclusively
 14 with the private nonprofit community rehabilitation program
 15 organizations known as work centers or sheltered workshops. The
 16 appropriation shall also be used to continue the support of the
 17 program, services, and individuals with disabilities currently in
 18 place at those organizations.

DEPARTMENT OF ENVIRONMENTAL PROTECTION*52 - Environmental Quality Board*

(WV Code Chapter 20)

Fund 0270 FY 2018 Org 0311

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 72,067
3	Current Expenses	13000	29,203
4	Repairs and Alterations.....	06400	100
5	Equipment.....	07000	300
6	Other Assets.....	69000	400
7	BRIM Premium.....	91300	<u>739</u>
8	Total.....		\$ 102,809

53 - Division of Environmental Protection

(WV Code Chapter 22)

Fund 0273 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,926,093
3	Water Resources Protection		
4	and Management.....	06800	566,284
5	Current Expenses	13000	96,242
6	Repairs and Alterations.....	06400	4,950
7	Unclassified.....	09900	25,049
8	Dam Safety.....	60700	210,959
9	West Virginia Stream Partners Program....	63700	77,396
10	Meth Lab Cleanup.....	65600	200,073
11	Other Assets.....	69000	1,000
12	WV Contributions to		
13	River Commissions.....	77600	148,485
14	Office of Water Resources		
15	Non-Enforcement Activity	85500	<u>908,854</u>
16	Total.....		\$ 6,165,385

17 A portion of the appropriations for Current Expense (fund
18 0273, appropriation 13000) and Dam Safety (fund 0273,
19 appropriation 60700) may be transferred to the special revenue
20 fund Dam Safety Rehabilitation Revolving Fund (fund 3025) for
21 the state deficient dams rehabilitation assistance program.

54 - Air Quality Board

(WV Code Chapter 16)

Fund 0550 FY 2018 Org 0325

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 61,108
3	Current Expenses	13000	12,462
4	Repairs and Alterations.....	06400	50
5	Equipment.....	07000	300
6	Other Assets.....	69000	200

7	BRIM Premium.....	91300		<u>2,153</u>
8	Total.....		\$	76,273

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

55 - Department of Health and Human Resources –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0400 FY 2018 Org 0501

1	Personal Services and			
2	Employee Benefits.....	00100	\$	373,601
3	Unclassified.....	09900		8,014
4	Current Expenses	13000		48,833
5	Women’s Commission (R)	19100		155,489
6	Commission for the			
7	Deaf and Hard of Hearing.....	70400		<u>215,479</u>
8	Total.....		\$	801,416

9 Any unexpended balance remaining in the appropriation for the
 10 Women’s Commission (fund 0400, appropriation 19100) at the
 11 close of the fiscal year 2017 is hereby reappropriated for
 12 expenditure during the fiscal year 2018.

56 - Division of Health –

Central Office

(WV Code Chapter 16)

Fund 0407 FY 2018 Org 0506

1	Personal Services and			
2	Employee Benefits.....	00100	\$	12,048,586
3	Chief Medical Examiner	04500		5,954,317
4	Unclassified.....	09900		691,862
5	Current Expenses	13000		4,640,355
6	State Aid for Local and			
7	Basic Public Health Services	18400		12,645,160

8	Safe Drinking Water Program (R)	18700	2,167,723
9	Women, Infants and Children	21000	38,621
10	Early Intervention	22300	8,134,060
11	Cancer Registry.....	22500	195,868
12	Statewide EMS Program Support (R).....	38300	1,824,458
13	Black Lung Clinics	46700	170,885
14	Vaccine for Children.....	55100	332,942
15	Tuberculosis Control.....	55300	364,556
16	Maternal and Child Health Clinics,		
17	Clinicians Medical Contracts		
18	and Fees (R).....	57500	6,327,015
19	Epidemiology Support	62600	1,492,573
20	Primary Care Support	62800	4,665,575
21	Sexual Assault Intervention		
22	and Prevention	72300	125,000
23	Health Right Free Clinics.....	72700	2,750,000
24	Capital Outlay and Maintenance (R)	75500	100,000
25	Maternal Mortality Review.....	83400	46,563
26	Diabetes Education and Prevention	87300	97,125
27	BRIM Premium.....	91300	228,111
28	State Trauma and Emergency		
29	Care System.....	91800	<u>1,986,847</u>
30	Total.....		\$ 67,028,202

31 Any unexpended balances remaining in the appropriations for
32 Safe Drinking Water Program (fund 0407, appropriation 18700),
33 Statewide EMS Program Support (fund 0407, appropriation
34 38300), Maternal and Child Health Clinics, Clinicians and Medical
35 Contracts and Fees (fund 0407, appropriation 57500), Capital
36 Outlay and Maintenance (fund 0407, appropriation 75500),
37 Emergency Response Entities – Special Projects (fund 0407,
38 appropriation 82200), Assistance to Primary Health Care Centers
39 Community Health Foundation (fund 0407, appropriation 84500),
40 and Tobacco Education Program (fund 0407, appropriation 90600)
41 at the close of the fiscal year 2017 are hereby reappropriated for
42 expenditure during the fiscal year 2018; Provided that on June 30,
43 2017, the following reappropriated funds and amounts be
44 transferred to the Division of Human Services - Medical Services
45 Trust Fund, fund 5185: Fund 0407 appropriation 84500,

46 Assistance to Primary Health Care Centers Community Health
 47 Foundation, \$2,473,236; fund 0407, appropriation 82200,
 48 Emergency Response Entities – Special Projects, \$441,303; and
 49 fund 0407, appropriation 75500, Capital Outlay and Maintenance,
 50 \$6,000,000.

51 From the above appropriation for Current Expenses (fund
 52 0407, appropriation 13000), an amount not less than \$100,000 is
 53 for the West Virginia Cancer Coalition; \$50,000 shall be expended
 54 for the West Virginia Aids Coalition; \$100,000 is for Adolescent
 55 Immunization Education; \$73,065 is for informal dispute
 56 resolution relating to nursing home administrative appeals; and
 57 \$50,000 is for Hospital Hospitality House of Huntington.

58 From the above appropriation for Maternal and Child Health
 59 Clinics, Clinicians and Medical Contracts and Fees (fund 0407,
 60 appropriation 57500) up to \$400,000 may be transferred to the
 61 Breast and Cervical Cancer Diagnostic Treatment Fund (fund
 62 5197) and \$11,000 is for the Marshall County Health Department
 63 for dental services.

57 - Consolidated Medical Services Fund

(WV Code Chapter 16)

Fund 0525 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,554,852
3	Current Expenses	13000	12,463
4	Behavioral Health Program (R)	21900	64,415,611
5	Family Support Act.....	22100	251,226
6	Institutional Facilities Operations (R).....	33500	100,067,434
7	Substance Abuse		
8	Continuum of Care (R)	35400	5,000,000
9	Capital Outlay and Maintenance (R)	75500	950,000
10	Renaissance Program	80400	165,996
11	BRIM Premium.....	91300	<u>1,211,307</u>
12	Total.....		\$ 173,628,889

13 Any unexpended balances remaining in the appropriations for
14 Behavioral Health Program (fund 0525, appropriation 21900),
15 Institutional Facilities Operations (fund 0525, appropriation
16 33500), Substance Abuse Continuum of Care (fund 0525,
17 appropriation 35400), Capital Outlay (fund 0525, appropriation
18 51100), Behavioral Health Program – Surplus (fund 0525,
19 appropriation 63100), Institutional Facilities Operations – Surplus
20 (fund 0525, appropriation 63200), Substance Abuse Continuum of
21 Care – Surplus (fund 0525, appropriation 72200), and Capital
22 Outlay and Maintenance (fund 0525, appropriation 75500) at the
23 close of the fiscal year 2017 are hereby reappropriated for
24 expenditure during the fiscal year 2018.

25 Notwithstanding the provisions of Title I, section three of this
26 bill, the secretary of the Department of Health and Human
27 Resources shall have the authority to transfer funds within the
28 above appropriations: *Provided*, That no more than five percent of
29 the funds appropriated to one appropriation may be transferred to
30 other appropriations: *Provided, however*, That no funds from other
31 appropriations shall be transferred to the personal services and
32 employee benefits appropriation.

33 Included in the above appropriation for Behavioral Health
34 Program (fund 0525, appropriation 21900) is \$100,000 for the
35 Healing Place of Huntington.

36 From the above appropriation for Institutional Facilities
37 Operations (fund 0525, appropriation 33500), together with
38 available funds from the Division of Health – Hospital Services
39 Revenue Account (fund 5156, appropriation 33500), on July 1,
40 2017, the sum of \$160,000 shall be transferred to the Department
41 of Agriculture – Land Division – Farm Operating Fund (1412) as
42 advance payment for the purchase of food products; actual
43 payments for such purchases shall not be required until such credits
44 have been completely expended.

45 The above appropriation for Institutional Facilities Operations
46 (fund 0525, appropriation 33500) contains prior year salary
47 increases due to the Hartley court order in the amount of

48 \$2,202,013 for William R. Sharpe Jr. Hospital, and \$2,067,984 for
49 Mildred Mitchel-Bateman Hospital.

50 From the above appropriation for Substance Abuse Continuum
51 of Care (fund 0525, appropriation 35400), the funding will be
52 consistent with the goal areas outlined in the Comprehensive
53 Substance Abuse Strategic Action Plan.

54 Additional funds have been appropriated in fund 5156, fiscal
55 year 2018, organization 0506, for the operation of the institutional
56 facilities. The secretary of the Department of Health and Human
57 Resources is authorized to utilize up to ten percent of the funds
58 from the Institutional Facilities Operations appropriation to
59 facilitate cost effective and cost saving services at the community
60 level.

58 - Division of Health –

West Virginia Drinking Water Treatment

(WV Code Chapter 16)

Fund 0561 FY 2018 Org 0506

1	West Virginia Drinking Water Treatment		
2	Revolving Fund-Transfer.....	68900	\$ 647,500

3 The above appropriation for Drinking Water Treatment
4 Revolving Fund – Transfer shall be transferred to the West Virginia
5 Drinking Water Treatment Revolving Fund or appropriate bank
6 depository and the Drinking Water Treatment Revolving –
7 Administrative Expense Fund as provided by Chapter 16 of the
8 Code.

59 - Human Rights Commission

(WV Code Chapter 5)

Fund 0416 FY 2018 Org 0510

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,002,668

3	Unclassified.....	09900	4,024
4	Current Expenses	13000	330,029
5	BRIM Premium.....	91300	<u>10,056</u>
6	Total.....		\$ 1,346,777

60 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 43,080,824
3	Unclassified.....	09900	5,688,944
4	Current Expenses	13000	11,315,095
5	Child Care Development.....	14400	9,079,268
6	Medical Services Contracts		
7	and Office of Managed Care.....	18300	1,835,469
8	Medical Services	18900	448,532,081
9	Social Services	19500	145,947,791
10	Family Preservation Program	19600	1,565,000
11	Family Resource Networks.....	27400	1,762,464
12	Domestic Violence Legal Services Fund ...	38400	400,000
13	James 'Tiger' Morton		
14	Catastrophic Illness Fund	45500	101,005
15	I/DD Waiver.....	46600	88,753,483
16	Child Protective Services Case Workers ...	46800	22,446,545
17	OSCAR and RAPIDS	51500	6,405,873
18	Title XIX Waiver for Seniors.....	53300	13,593,620
19	WV Teaching Hospitals		
20	Tertiary/Safety Net	54700	6,356,000
21	Child Welfare System	60300	1,250,959
22	In-Home Family Education.....	68800	1,000,000
23	WV Works Separate State Program.....	69800	1,935,000
24	Child Support Enforcement	70500	6,260,676
25	Medicaid Auditing	70600	606,750
26	Temporary Assistance for Needy Families/		
27	Maintenance of Effort.....	70700	22,969,096
28	Child Care – Maintenance		
29	of Effort Match	70800	5,693,743

30	Child and Family Services	73600	2,850,000
31	Grants for Licensed Domestic Violence		
32	Programs and Statewide Prevention	75000	2,500,000
33	Capital Outlay and Maintenance (R)	75500	11,875
34	Community Based Services		
35	and Pilot Programs for Youth	75900	1,000,000
36	Medical Services Administrative Costs	78900	35,609,925
37	Traumatic Brain Injury Waiver.....	83500	800,000
38	Indigent Burials (R)	85100	2,050,000
39	BRIM Premium.....	91300	834,187
40	Rural Hospitals Under 150 Beds.....	94000	2,596,000
41	Children's Trust Fund – Transfer.....	95100	<u>220,000</u>
42	Total.....		\$ 895,051,673

43 Any unexpended balances remaining in the appropriations for
44 Capital Outlay and Maintenance (fund 0403, appropriation 75500)
45 and Indigent Burials (fund 0403, appropriation 85100) at the close
46 of the fiscal year 2017 are hereby reappropriated for expenditure
47 during the fiscal year 2018.

48 Notwithstanding the provisions of Title I, section three of this
49 bill, the secretary of the Department of Health and Human
50 Resources shall have the authority to transfer funds within the
51 above appropriations: *Provided*, That no more than five percent of
52 the funds appropriated to one appropriation may be transferred to
53 other appropriations: *Provided, however*, That no funds from other
54 appropriations shall be transferred to the personal services and
55 employee benefits appropriation.

56 The secretary shall have authority to expend funds for the
57 educational costs of those children residing in out-of-state
58 placements, excluding the costs of special education programs.

59 Included in the above appropriation for Social Services (fund
60 0403, appropriation 19500) is funding for continuing education
61 requirements relating to the practice of social work.

62 The above appropriation for Domestic Violence Legal Services
63 Fund (fund 0403, appropriation 38400) shall be transferred to the
64 Domestic Violence Legal Services Fund (fund 5455).

65 The above appropriation for James ‘Tiger’ Morton
66 Catastrophic Illness Fund (fund 0403, appropriation 45500) shall
67 be transferred to the James ‘Tiger’ Morton Catastrophic Illness
68 Fund (fund 5454) as provided by Article 5Q, Chapter 16 of the
69 Code.

70 The above appropriation for WV Works Separate State
71 Program (fund 0403, appropriation 69800), shall be transferred to
72 the WV Works Separate State College Program Fund (fund 5467),
73 and the WV Works Separate State Two-Parent Program Fund (fund
74 5468) as determined by the secretary of the Department of Health
75 and Human Resources.

76 From the above appropriation for Child Support Enforcement
77 (fund 0403, appropriation 70500) an amount not to exceed
78 \$300,000 may be transferred to a local banking depository to be
79 utilized to offset funds determined to be uncollectible.

80 From the above appropriation for the Grants for Licensed
81 Domestic Violence Programs and Statewide Prevention (fund
82 0403, appropriation 75000), 50% of the total shall be divided
83 equally and distributed among the fourteen (14) licensed programs
84 and the West Virginia Coalition Against Domestic Violence
85 (WVCADV). The balance remaining in the appropriation for
86 Grants for Licensed Domestic Violence Programs and Statewide
87 Prevention (fund 0403, appropriation 75000), shall be distributed
88 according to the formula established by the Family Protection
89 Services Board.

90 The above appropriation for Children’s Trust Fund – Transfer
91 (fund 0403, appropriation 95100) shall be transferred to the
92 Children’s Trust Fund (fund 5469, org 0511).

DEPARTMENT OF MILITARY AFFAIRS

AND PUBLIC SAFETY

61 - Department of Military Affairs and Public Safety –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0430 FY 2018 Org 0601

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 711,738
3	Unclassified (R)	09900	21,719
4	Current Expenses	13000	66,492
5	Repairs and Alterations.....	06400	6,000
6	Equipment.....	07000	3,000
7	Fusion Center (R).....	46900	534,332
8	Other Assets.....	69000	3,000
9	Directed Transfer	70000	32,000
10	BRIM Premium.....	91300	11,938
11	WV Fire and EMS Survivor Benefit (R) ...	93900	200,000
12	Homeland State Security		
13	Administrative Agency (R).....	95300	<u>531,683</u>
14	Total.....		\$ 2,121,902

15 Any unexpended balances remaining in the appropriations for
16 Unclassified (fund 0430, appropriation 09900), Fusion Center
17 (fund 0430, appropriation 46900), Substance Abuse Program –
18 Surplus (fund 0430, appropriation 69600), Justice Reinvestment
19 Training – Surplus (fund 0430, appropriation 69900), WV Fire and
20 EMS Survivor Benefit (fund 0430, appropriation 93900), and
21 Homeland State Security Administrative Agency (fund 0430,
22 appropriation 95300) at the close of the fiscal year 2017 are hereby
23 reappropriated for expenditure during the fiscal year 2018, with the
24 exception of fund 0430, fiscal year 2017, appropriation 93900
25 (\$50,000) which shall expire on June 30, 2017.

26 The above appropriation for Directed Transfer (fund 0430,
27 appropriation 70000) shall be transferred to the Law-Enforcement,
28 Safety and Emergency Worker Funeral Expense Payment Fund
29 (fund 6003).

62 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 0433 FY 2018 Org 0603

1	Unclassified.....	09900	\$	356,017
2	College Education Fund.....	23200		4,000,000
3	Civil Air Patrol.....	23400		249,219
4	Mountaineer ChalleNGe Academy.....	70900		1,500,000
5	Armory Board Transfer.....	70015		2,317,555
6	Military Authority.....	74800		<u>5,857,390</u>
7	Total.....		\$	14,280,181

8 Any unexpended balance remaining in the appropriations for
 9 Unclassified (fund 0433, appropriation 09900) and Military
 10 Authority (fund 0433, appropriation 74800) at the close of the
 11 fiscal year 2017 is hereby reappropriated for expenditure during the
 12 fiscal year 2018.

13 From the above appropriations an amount approved by the
 14 Adjutant General and the secretary of Military Affairs and Public
 15 Safety may be transferred to the State Armory Board for operation
 16 and maintenance of National Guard Armories.

17 The adjutant general shall have the authority to transfer
 18 between appropriations.

19 From the above appropriation and other state and federal
 20 funding, the Adjutant General shall provide an amount not less than
 21 \$4,500,000 to the Mountaineer ChalleNGe Academy to meet
 22 anticipated program demand.

63 - Adjutant General –

Military Fund

(WV Code Chapter 15)

Fund 0605 FY 2018 Org 0603

1	Personal Services and			
2	Employee Benefits.....	00100	\$	100,000
3	Current Expenses.....	13000		<u>57,775</u>
4	Total.....		\$	157,775

64 - West Virginia Parole Board

(WV Code Chapter 62)

Fund 0440 FY 2018 Org 0605

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 382,952
3	Current Expenses	13000	294,559
4	Salaries of Members of		
5	West Virginia Parole Board.....	22700	593,029
6	BRIM Premium.....	91300	<u>5,747</u>
7	Total.....		\$ 1,276,287

8 The above appropriation for Salaries of Members of West
9 Virginia Parole Board (fund 0440, appropriation 22700) includes
10 funding for salary, annual increment (as provided for in W.Va.
11 Code §5-5-1), and related employee benefits of board members.

*65 - Division of Homeland Security and**Emergency Management*

(WV Code Chapter 15)

Fund 0443 FY 2018 Org 0606

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,006,489
3	Unclassified.....	09900	26,342
4	Current Expenses	13000	51,674
5	Repairs and Alterations.....	06400	600
6	Radiological Emergency Preparedness.....	55400	17,230
7	Federal Funds/Grant Match (R).....	74900	660,991
8	Mine and Industrial Accident Rapid		
9	Response Call Center.....	78100	450,539
10	Early Warning Flood System (R)	87700	466,845
11	BRIM Premium.....	91300	20,786
12	WVU Charleston		
13	Poison Control Hotline	94400	<u>712,942</u>
14	Total.....		\$ 3,414,438

15 Any unexpended balances remaining in the appropriations for
 16 Federal Funds/Grant Match (fund 0443, appropriation 74900),
 17 Early Warning Flood System (fund 0443, appropriation 87700),
 18 and Disaster Mitigation (fund 0443, appropriation 95200) at the
 19 close of the fiscal year 2017 are hereby reappropriated for
 20 expenditure during the fiscal year 2018, with the exception of fund
 21 0443, fiscal year 2017, appropriation 87700 (\$9,500) which shall
 22 expire on June 30, 2017.

66 - Division of Corrections –

Central Office

(WV Code Chapters 25, 28, 49 and 62)

Fund 0446 FY 2018 Org 0608

1	Personal Services and		
2	Employee Benefits.....00100	\$	593,431
3	Current Expenses13000		<u>1,800</u>
4	Total.....	\$	595,231

67 - Division of Corrections –

Correctional Units

(WV Code Chapters 25, 28, 49 and 62)

Fund 0450 FY 2018 Org 0608

1	Employee Benefits.....01000	\$	1,258,136
2	Children's Protection Act (R).....09000		838,437
3	Unclassified (R).....09900		1,578,800
4	Current Expenses (R).....13000		21,151,011
5	Facilities Planning		
6	and Administration (R).....38600		1,274,200
7	Charleston Correctional Center.....45600		2,585,251
8	Beckley Correctional Center.....49000		1,780,425
9	Huntington Work Release Center49500		965,100
10	Anthony Correctional Center.....50400		5,009,807
11	Huttonsville Correctional Center51400		19,760,309

12	Northern Correctional Center.....	53400	6,738,979
13	Inmate Medical Expenses (R).....	53500	21,226,064
14	Pruntytown Correctional Center	54300	6,939,316
15	Corrections Academy.....	56900	1,556,666
16	Information Technology Services.....	59901	1,616,491
17	Martinsburg Correctional Center	66300	3,515,195
18	Parole Services.....	68600	4,945,361
19	Special Services	68700	6,654,557
20	Investigative Services	71600	2,980,734
21	Capital Outlay and Maintenance (R)	75500	2,000,000
22	Salem Correctional Center.....	77400	9,530,531
23	McDowell County Correctional Center	79000	2,542,590
24	Stevens Correctional Center.....	79100	7,863,195
25	Parkersburg Correctional Center.....	82800	2,501,777
26	St. Mary's Correctional Center.....	88100	11,958,071
27	Denmar Correctional Center	88200	4,334,308
28	Ohio County Correctional Center	88300	1,753,224
29	Mt. Olive Correctional Complex	88800	18,789,864
30	Lakin Correctional Center.....	89600	8,658,905
31	BRIM Premium.....	91300	<u>2,359,770</u>
32	Total.....		\$ 184,667,074

33 Any unexpended balances remaining in the appropriations for
34 Children's Protection Act (fund 0450, appropriation 09000),
35 Unclassified – Surplus (fund 0450, appropriation 09700), Current
36 Expenses (fund 0450, appropriation 13000), Facilities Planning
37 and Administration (fund 0450, appropriation 38600), Inmate
38 Medical Expenses (fund 0450, appropriation 53500), Capital
39 Improvements – Surplus (fund 0450, appropriation 66100), Capital
40 Outlay, Repairs and Equipment – Surplus (fund 0450,
41 appropriation 67700), Capital Outlay and Maintenance (fund 0450,
42 appropriation 75500), Security System Improvements – Surplus
43 (fund 0450, appropriation 75501), and Operating Expenses –
44 Surplus (fund 0450, appropriation 77900) at the close of the fiscal
45 year 2017 are hereby reappropriated for expenditure during the
46 fiscal year 2018, with the exception of fund 0450, fiscal year 2017,
47 appropriation 09000 (\$100,000) which shall expire on June 30,
48 2017.

49 The Commissioner of Corrections shall have the authority to
 50 transfer between appropriations to the individual correctional units
 51 above and may transfer funds from the individual correctional units
 52 to Current Expenses (fund 0450, appropriation 13000) or Inmate
 53 Medical Expenses (fund 0450, appropriation 53500).

54 From the above appropriation to Unclassified (fund 0450,
 55 appropriation 09900), on July 1, 2017, the sum of \$300,000 shall
 56 be transferred to the Department of Agriculture – Land Division –
 57 Farm Operating Fund (1412) as advance payment for the purchase
 58 of food products; actual payments for such purchases shall not be
 59 required until such credits have been completely expended.

60 From the above appropriation to Current Expenses (fund 0450,
 61 appropriation 13000) payment shall be made to house Division of
 62 Corrections inmates in federal, county, and /or regional jails.

63 Any realized savings from Energy Savings Contract may be
 64 transferred to Facilities Planning and Administration (fund 0450,
 65 appropriation 38600).

68 - West Virginia State Police

(WV Code Chapter 15)

Fund 0453 FY 2018 Org 0612

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 56,281,783
3	Children's Protection Act	09000	948,101
4	Current Expenses	13000	10,309,769
5	Repairs and Alterations.....	06400	450,523
6	Barracks Lease Payments	55600	237,898
7	Communications and Other Equipment (R).....	55800	70,968
8	Trooper Retirement Fund.....	60500	4,565,197
9	Handgun Administration Expense	74700	67,179
10	Capital Outlay and Maintenance (R)	75500	250,000
11	Retirement Systems – Unfunded Liability.....	77500	24,675,000
12	Automated Fingerprint		
13	Identification System	89800	723,064
14	BRIM Premium.....	91300	<u>5,368,150</u>

15 Total..... \$ 103,947,632

16 Any unexpended balances remaining in the appropriations for
 17 Communications and Other Equipment (fund 0453, appropriation
 18 55800), and Capital Outlay and Maintenance (fund 0453,
 19 appropriation 75500) at the close of the fiscal year 2017 are hereby
 20 reappropriated for expenditure during the fiscal year 2018.

21 From the above appropriation for Personal Services and
 22 Employee Benefits (fund 0453, appropriation 00100), an amount
 23 not less than \$25,000 shall be expended to offset the costs
 24 associated with providing police services for the West Virginia
 25 State Fair.

69 - Fire Commission

(WV Code Chapter 29)

Fund 0436 FY 2018 Org 0619

1 Current Expenses 13000 \$ 64,021

70 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 0546 FY 2018 Org 0620

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 531,051
3	Current Expenses	13000	132,696
4	Repairs and Alterations.....	06400	1,804
5	Child Advocacy Centers (R).....	45800	1,701,671
6	Community Corrections (R)	56100	6,905,614
7	Statistical Analysis Program.....	59700	46,381
8	Sexual Assault Forensic		
9	Examination Commission.....	71400	76,231
10	Qualitative Analysis and Training		
11	for Youth Services (R).....	76200	332,018
12	Law Enforcement Professional Standards .	83800	154,471
13	BRIM Premium.....	91300	<u>1,788</u>

14 Total..... \$ 9,883,725

15 Any unexpended balances remaining in the appropriations for
 16 Child Advocacy Centers (fund 0546, appropriation 45800),
 17 Community Corrections (fund 0546, appropriation 56100), and
 18 Qualitative Analysis and Training for Youth Services (fund 0546,
 19 appropriation 76200) at the close of the fiscal year 2017 are hereby
 20 reappropriated for expenditure during the fiscal year 2018, with the
 21 exception of fund 0546, fiscal year 2017, appropriation 56100
 22 (\$172,000), and fund 0546, fiscal year 2017, appropriation 76200
 23 (\$29,878) which shall expire on June 30, 2017.

24 From the above appropriation for Child Advocacy Centers
 25 (fund 0546, appropriation 45800), the division may retain an
 26 amount not to exceed four percent of the appropriation for
 27 administrative purposes.

71 - Division of Juvenile Services

(WV Code Chapter 49)

Fund 0570 FY 2018 Org 0621

1	Statewide Reporting Centers.....	26200	\$	6,279,447
2	Robert L. Shell Juvenile Center	26700		1,956,950
3	Resident Medical Expenses (R)	53501		3,604,999
4	Central Office.....	70100		2,307,517
5	Capital Outlay and Maintenance (R)	75500		250,000
6	Gene Spadaro Juvenile Center	79300		2,128,385
7	BRIM Premium.....	91300		108,380
8	Kenneth Honey Rubenstein			
9	Juvenile Center (R)	98000		4,926,863
10	Vicki Douglas Juvenile Center	98100		1,870,388
11	Northern Regional Juvenile Center.....	98200		2,876,302
12	Lorrie Yeager Jr. Juvenile Center	98300		1,909,246
13	Sam Perdue Juvenile Center	98400		2,003,196
14	Tiger Morton Center	98500		2,114,663
15	Donald R. Kuhn Juvenile Center	98600		4,057,994
16	J.M. 'Chick' Buckbee Juvenile Center	98700		<u>2,017,395</u>
17	Total.....		\$	38,411,725

18 Any unexpended balances remaining in the appropriations for
 19 Resident Medical Expenses (fund 0570, appropriation 53501),
 20 Capital Outlay and Maintenance (fund 0570, appropriation 75500),
 21 and Kenneth Honey Rubenstein Juvenile Center (fund 0570,
 22 appropriation 98000) at the close of the fiscal year 2017 are hereby
 23 reappropriated for expenditure during the fiscal year 2018.

24 From the above appropriations, on July 1, 2017, the sum of
 25 \$50,000 shall be transferred to the Department of Agriculture –
 26 Land Division – Farm Operating Fund (1412) as advance payment
 27 for the purchase of food products; actual payments for such
 28 purchases shall not be required until such credits have been
 29 completely expended.

30 The Director of Juvenile Services shall have the authority to
 31 transfer between appropriations to the individual juvenile centers
 32 above and may transfer funds from the individual juvenile centers
 33 to Resident Medical Expenses (fund 0570, appropriation 53501).

72 - Division of Protective Services

(WV Code Chapter 5F)

Fund 0585 FY 2018 Org 0622

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,772,420
3	Unclassified (R)	09900	21,991
4	Current Expenses	13000	139,232
5	Repairs and Alterations.....	06400	8,500
6	Equipment (R).....	07000	64,171
7	BRIM Premium.....	91300	<u>11,426</u>
8	Total.....		\$ 3,017,740

9 Any unexpended balances remaining in the appropriations for
 10 Equipment (fund 0585, appropriation 07000), and Unclassified
 11 (fund 0585, appropriation 09900) at the close of the fiscal year
 12 2017 are hereby reappropriated for expenditure during the fiscal
 13 year 2018.

DEPARTMENT OF REVENUE*73 - Office of the Secretary*

(WV Code Chapter 11)

Fund 0465 FY 2018 Org 0701

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 486,146
3	Unclassified.....	09900	5,954
4	Current Expenses	13000	80,780
5	Repairs and Alterations.....	06400	1,262
6	Equipment.....	07000	8,000
7	Other Assets.....	69000	500
8	State Road fund – Transfer	70017	<u>0</u>
9	Total.....		\$ 582,642

10 Any unexpended balance remaining in the appropriation for
 11 Unclassified – Total (fund 0465, appropriation 09600) at the close
 12 of the fiscal year 2017 is hereby reappropriated for expenditure
 13 during the fiscal year 2018.

74 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2018 Org 0702

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 16,265,639
3	Unclassified (R)	09900	224,578
4	Current Expenses (R).....	13000	5,245,381
5	Repairs and Alterations.....	06400	10,000
6	Equipment.....	07000	50,000
7	Tax Technology Upgrade	09400	2,700,000
8	Multi State Tax Commission	65300	77,958
9	Other Assets.....	69000	10,000
10	BRIM Premium.....	91300	<u>14,560</u>
11	Total.....		\$ 24,598,116

12 Any unexpended balances remaining in the appropriations for
 13 Personal Services and Employee Benefits (fund 0470,
 14 appropriation 00100), Unclassified (fund 0470, appropriation
 15 09900), and Current Expenses (fund 0470, appropriation 13000) at
 16 the close of the fiscal year 2017 are hereby reappropriated for
 17 expenditure during the fiscal year 2018.

75 - State Budget Office

(WV Code Chapter 11B)

Fund 0595 FY 2018 Org 0703

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 630,702
3	Unclassified (R)	09900	<u>449</u>
4	Total.....		\$ 631,151

5 Any unexpended balance remaining in the appropriation for
 6 Unclassified (fund 0595, appropriation 09900) at the close of the
 7 fiscal year 2017 is hereby reappropriated for expenditure during the
 8 fiscal year 2018.

76 - West Virginia Office of Tax Appeals

(WV Code Chapter 11)

Fund 0593 FY 2018 Org 0709

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 424,872
3	Current Expenses (R).....	13000	92,572
4	Unclassified.....	09900	5,255
5	BRIM Premium.....	91300	<u>2,862</u>
6	Total.....		\$ 525,561

7 Any unexpended balance remaining in the appropriation for
 8 Current Expenses (fund 0593, appropriation 13000) at the close of
 9 the fiscal year 2017 is hereby reappropriated for expenditure during
 10 the fiscal year 2018.

*77 - Division of Professional and Occupational Licenses –**State Athletic Commission*

(WV Code Chapter 29)

Fund 0523 FY 2018 Org 0933

1	Personal Services and		
2	Employee Benefits.....00100	\$	7,200
3	Current Expenses13000		<u>29,611</u>
4	Total.....		36,811

DEPARTMENT OF TRANSPORTATION*78 - State Rail Authority*

(WV Code Chapter 29)

Fund 0506 FY 2018 Org 0804

1	Personal Services and		
2	Employee Benefits.....00100	\$	314,113
3	Current Expenses13000		287,332
4	Other Assets (R).....69000		1,303,277
5	BRIM Premium.....91300		<u>188,356</u>
6	Total.....	\$	2,093,078

7 Any unexpended balance remaining in the appropriation Other
8 Assets (fund 0506, appropriation 69000) at the close of the fiscal
9 year 2017 are hereby reappropriated for expenditure during the
10 fiscal year 2018, with the exception of fund 0506, fiscal year 2017,
11 appropriation 69000 (\$32,483) which shall expire on June 30,
12 2017.

79 - Division of Public Transit

(WV Code Chapter 17)

Fund 0510 FY 2018 Org 0805

1	Equipment (R).....07000	\$	384,710
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2	Current Expenses (R).....	13000		<u>1,878,279</u>
3	Total.....		\$	2,262,989

4 Any unexpended balances remaining in the appropriations for
 5 Equipment (fund 0510, appropriation 07000), Current Expenses
 6 (fund 0510, appropriation 13000), Buildings (fund 0510,
 7 appropriation 25800), and Other Assets (fund 0510, appropriation
 8 69000) at the close of the fiscal year 2017 are hereby
 9 reappropriated for expenditure during the fiscal year 2018, with the
 10 exception of fund 0510, fiscal year 2017, appropriation 07000
 11 (\$22,203), fund 0510, fiscal year 2017, appropriation 25800
 12 (\$5,281), and fund 0510, fiscal year 2017, appropriation 69000
 13 (\$5,000) which shall expire on June 30, 2017.

80 - Aeronautics Commission

(WV Code Chapter 29)

Fund 0582 FY 2018 Org 0807

1	Personal Services and			
2	Employee Benefits.....	00100	\$	166,719
3	Current Expenses (R).....	13000		591,614
4	Repairs and Alterations.....	06400		100
5	BRIM Premium.....	91300		<u>4,148</u>
6	Total.....		\$	762,581

7 Any unexpended balances remaining in the appropriations for
 8 Unclassified (fund 0582, appropriation 09900) and Current
 9 Expenses (fund 0582, appropriation 13000) at the close of the fiscal
 10 year 2017 are hereby reappropriated for expenditure during the
 11 fiscal year 2018.

DEPARTMENT OF VETERANS' ASSISTANCE

81 - Department of Veterans' Assistance

(WV Code Chapter 9A)

Fund 0456 FY 2018 Org 0613

1	Personal Services and			
2	Employee Benefits.....	00100	\$	1,807,393

3	Unclassified.....	09900	12,000
4	Current Expenses	13000	137,189
5	Repairs and Alterations.....	06400	5,000
6	Veterans' Field Offices	22800	240,924
7	Veterans' Nursing Home (R)	28600	5,519,032
8	Veterans' Toll Free Assistance Line	32800	1,000
9	Veterans' Reeducation Assistance (R).....	32900	27,800
10	Veterans' Grant Program (R).....	34200	1,741
11	Veterans' Grave Markers	47300	5,000
12	Veterans' Transportation	48500	532,000
13	Veterans Outreach Programs	61700	160,001
14	Memorial Day Patriotic Exercise.....	69700	5,000
15	Veterans Cemetery.....	80800	346,891
16	BRIM Premium.....	91300	<u>23,860</u>
17	Total.....		\$ 8,824,831

18 Any unexpended balances remaining in the appropriations for
 19 Veterans' Nursing Home (fund 0456, appropriation 28600),
 20 Veterans' Reeducation Assistance (fund 0456, appropriation
 21 32900), Veterans' Grant Program (fund 0456, appropriation
 22 34200), Veterans' Bonus – Surplus (fund 0456, appropriation
 23 34400), and Educational Opportunities for Children of Deceased
 24 Veterans (fund 0456, appropriation 85400) at the close of the fiscal
 25 year 2017 are hereby reappropriated for expenditure during the
 26 fiscal year 2018, with the exception of fund 0456, fiscal year 2017,
 27 appropriation 28600 (\$8,794), fund 0456, fiscal year 2017,
 28 appropriation 32900 (\$1,702), and fund 0456, fiscal year 2017,
 29 appropriation 34200 (\$29,000) which shall expire on June 30,
 30 2017.

82 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 0460 FY 2018 Org 0618

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,093,492

3	Current Expenses	13000		<u>44,576</u>
4	Total.....		\$	1,138,068

BUREAU OF SENIOR SERVICES

83 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 0420 FY 2018 Org 0508

1	Transfer to Division of Human Services			
2	for Health Care and Title XIX			
3	Waiver for Senior Citizens	53900	\$	21,583,766

4 The above appropriation for Transfer to Division of Human
5 Services for Health Care and Title XIX Waiver for Senior Citizens
6 (fund 0420, appropriation 53900) along with the federal moneys
7 generated thereby shall be used for reimbursement for services
8 provided under the program.

9 The above appropriation is in addition to funding provided in
10 fund 5405 for this program.

WEST VIRGINIA COUNCIL FOR COMMUNITY

AND TECHNICAL COLLEGE EDUCATION

84 - West Virginia Council for

Community and Technical College Education –

Control Account

(WV Code Chapter 18B)

Fund 0596 FY 2018 Org 0420

1	West Virginia Council for Community			
2	and Technical Education (R)	39200	\$	742,900
3	Transit Training Partnership	78300		35,217
4	Community College			
5	Workforce Development (R)	87800		806,048

6	College Transition Program.....	88700	285,718
7	West Virginia Advance		
8	Workforce Development (R)	89300	3,200,720
9	Technical Program Development (R)	89400	<u>1,849,250</u>
10	Total.....		\$ 6,919,853

11 Any unexpended balances remaining in the appropriations for
 12 West Virginia Council for Community and Technical Education
 13 (fund 0596, appropriation 39200), Capital Improvements – Surplus
 14 (fund 0596, appropriation 66100), Community College Workforce
 15 Development (fund 0596, appropriation 87800), West Virginia
 16 Advance Workforce Development (fund 0596, appropriation
 17 89300), and Technical Program Development (fund 0596,
 18 appropriation 89400) at the close of the fiscal year 2017 are hereby
 19 reappropriated for expenditure during the fiscal year 2018, with the
 20 exception of fund 0596, fiscal year 2017, appropriation 39200
 21 (\$14,000), fund 0596, fiscal year 2017, appropriation 89300
 22 (\$69,244), and fund 0596, fiscal year 2017, appropriation 89400
 23 (\$45,964) which shall expire on June 30, 2017.

24 From the above appropriation for the Community College
 25 Workforce Development (fund 0596, appropriation 87800),
 26 \$200,000 shall be expended on the Mine Training Program in
 27 Southern West Virginia.

28 Included in the above appropriation for West Virginia Advance
 29 Workforce Development (fund 0596, appropriation 89300) is
 30 \$200,000 to be used exclusively for advanced manufacturing and
 31 energy industry specific training programs.

85 - Mountwest Community and Technical College

(WV Code Chapter 18B)

Fund 0599 FY 2018 Org 0444

1	Mountwest Community		
2	and Technical College	8700	\$ 5,452,824

86 - New River Community and Technical College

(WV Code Chapter 18B)

Fund 0600 FY 2018 Org 0445

1	New River Community and		
2	Technical College	35800	\$ 5,383,901

87 - Pierpont Community and Technical College

(WV Code Chapter 18B)

Fund 0597 FY 2018 Org 0446

1	Pierpont Community and		
2	Technical College	93000	\$ 7,170,342

88 - Blue Ridge Community and Technical College

(WV Code Chapter 18B)

Fund 0601 FY 2018 Org 0447

1	Blue Ridge Community and		
2	Technical College	88500	\$ 4,930,310

89 - West Virginia University at Parkersburg

(WV Code Chapter 18B)

Fund 0351 FY 2018 Org 0464

1	West Virginia University – Parkersburg....	47100	\$ 9,322,243
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90 - Southern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0380 FY 2018 Org 0487

1	Southern West Virginia		
2	Community and Technical College	44600	\$ 7,824,313

91 - West Virginia Northern Community and Technical College

(WV Code Chapter 18B)

Fund 0383 FY 2018 Org 0489

1	West Virginia Northern		
2	Community and Technical College	44700	\$ 6,753,902

92 - Eastern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0587 FY 2018 Org 0492

1	Eastern West Virginia Community		
2	and Technical College	41200	\$ 1,796,854

93 - BridgeValley Community and Technical College

(WV Code Chapter 18B)

Fund 0618 FY 2018 Org 0493

1	BridgeValley Community		
2	and Technical College	71700	\$ 7,343,727

HIGHER EDUCATION POLICY COMMISSION

94 - Higher Education Policy Commission –

Administration –

Control Account

(WV Code Chapter 18B)

Fund 0589 FY 2018 Org 0441

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,538,511
3	Current Expenses	13000	13,568
4	Higher Education Grant Program	16400	39,019,864

5	Tuition Contract Program (R).....	16500	1,224,564
6	Underwood-Smith Scholarship		
7	Program-Student Awards.....	16700	328,349
8	Facilities Planning		
9	and Administration (R).....	38600	1,797,140
10	PROMISE Scholarship – Transfer.....	80000	18,500,000
11	HEAPS Grant Program (R).....	86700	5,007,764
12	BRIM Premium.....	91300	<u>16,651</u>
13	Total.....		\$ 68,446,411

14 Any unexpended balances remaining in the appropriations for
15 Unclassified – Surplus (fund 0589, appropriation 09700), Tuition
16 Contract Program (fund 0589, appropriation 16500), Capital
17 Improvements – Surplus (fund 0589, appropriation 66100), Capital
18 Outlay and Maintenance (fund 0589, appropriation 75500), and
19 HEAPS Grant Program (fund 0589, appropriation 86700) at the
20 close of the fiscal year 2017 are hereby reappropriated for
21 expenditure during the fiscal year 2018, with the exception of fund
22 0589, fiscal year 2017, appropriation 16500 (\$24,991) which shall
23 expire on June 30, 2017.

24 The above appropriation for Facilities Planning and
25 Administration (fund 0589, appropriation 38600) is for operational
26 expenses of the West Virginia Education, Research and
27 Technology Park between construction and full occupancy.

28 The above appropriation for Higher Education Grant Program
29 (fund 0589, appropriation 16400) shall be transferred to the Higher
30 Education Grant Fund (fund 4933, org 0441) established by W.Va.
31 Code §18C-5-3.

32 The above appropriation for Underwood-Smith Scholarship
33 Program-Student Awards (fund 0589, appropriation 16700) shall
34 be transferred to the Underwood-Smith Teacher Scholarship and
35 Loan Assistance Fund (fund 4922, org 0441) established by W.Va.
36 Code §18C-4-1.

37 The above appropriation for PROMISE Scholarship – Transfer
38 (fund 0589, appropriation 80000) shall be transferred to the

39 PROMISE Scholarship Fund (fund 4296, org 0441) established by
 40 W.Va. Code §18C-7-7.

95 - Higher Education Policy Commission –

Administration -

West Virginia Network for Educational Telecomputing (WVNET)

(WV Code Chapter 18B9)

Fund 0551 FY 2018 Org 0495

1	WVNET	16900	\$	1,621,481
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96 - West Virginia University –

School of Medicine

Medical School Fund

(WV Code Chapter 18B)

Fund 0343 FY 2018 Org 0463

1	WVU School of Health Science –			
2	Eastern Division.....	05600	\$	2,104,570
3	WVU – School of Health Sciences.....	17400		14,513,140
4	WVU – School of Health Sciences –			
5	Charleston Division	17500		2,164,517
6	Rural Health Outreach Programs	37700		159,236
7	West Virginia University			
8	School of Medicine BRIM Subsidy.....	46000		<u>1,179,861</u>
9	Total.....		\$	<u>20,121,324</u>

10 The above appropriation for Rural Health Outreach Programs
 11 (fund 0343, appropriation 37700) includes rural health activities
 12 and programs; rural residency development and education; and
 13 rural outreach activities.

14 The above appropriation for West Virginia University School
 15 of Medicine BRIM Subsidy (fund 0343, appropriation 46000) shall

16 be paid to the Board of Risk and Insurance Management as a
 17 general revenue subsidy against the 'Total Premium Billed' to the
 18 institution as part of the full cost of their malpractice insurance
 19 coverage.

97 - West Virginia University –

General Administrative Fund

(WV Code Chapter 18B)

Fund 0344 FY 2018 Org 0463

1	West Virginia University	45900	\$ 91,505,165
2	Jackson's Mill	46100	224,177
3	West Virginia University		
4	Institute of Technology.....	47900	7,476,591
5	State Priorities – Brownfield		
6	Professional Development.....	53100	315,903
7	West Virginia University –		
8	Potomac State	99400	<u>3,670,513</u>
9	Total.....		\$ 103,192,349

98 - Marshall University –

School of Medicine

(WV Code Chapter 18B)

Fund 0347 FY 2018 Org 0471

1	Marshall Medical School	17300	\$ 11,929,229
2	Rural Health Outreach Programs (R).....	37700	164,264
3	Forensic Lab.....	37701	236,609
4	Center for Rural Health.....	37702	156,963
5	Marshall University		
6	Medical School BRIM Subsidy	44900	<u>892,827</u>
7	Total.....		\$ 13,379,892

8 Any unexpended balance remaining in the appropriation for
 9 Rural Health Outreach Program (fund 0347, appropriation 37700)
 10 at the close of the fiscal year 2017 is hereby reappropriated for

11 expenditure during the fiscal year 2018, with the exception of fund
 12 0347, fiscal year 2017, appropriation 37700 (\$3,352) which shall
 13 expire on June 30, 2017.

14 The above appropriation for Rural Health Outreach Programs
 15 (fund 0347, appropriation 37700) includes rural health activities
 16 and programs; rural residency development and education; and
 17 rural outreach activities.

18 The above appropriation for Marshall University Medical
 19 School BRIM Subsidy (fund 0347, appropriation 44900) shall be
 20 paid to the Board of Risk and Insurance Management as a general
 21 revenue subsidy against the ‘Total Premium Billed’ to the
 22 institution as part of the full cost of their malpractice insurance
 23 coverage.

99 - Marshall University –

General Administration Fund

(WV Code Chapter 18B)

Fund 0348 FY 2018 Org 0471

1	Marshall University	44800	\$ 42,367,284
2	Luke Lee Listening Language		
3	and Learning Lab	44801	95,543
4	Vista E-Learning (R).....	51900	233,147
5	State Priorities – Brownfield		
6	Professional Development (R).....	53100	312,965
7	Marshall University Graduate College		
8	Writing Project (R)	80700	19,410
9	WV Autism Training Center (R)	93200	<u>1,680,401</u>
10	Total.....		\$ 44,708,750

11 Any unexpended balances remaining in the appropriations for
 12 Vista E-Learning (fund 0348, appropriation 51900), State Priorities
 13 – Brownfield Professional Development (fund 0348, appropriation
 14 53100), Marshall University Graduate College Writing Project
 15 (fund 0348, appropriation 80700), and WV Autism Training
 16 Center (fund 0348, appropriation 93200) at the close of the fiscal

17 year 2017 are hereby reappropriated for expenditure during the
 18 fiscal year 2018, with the exception of fund 0348, fiscal year 2017,
 19 appropriation 51900 (\$4,982), fund 0348, fiscal year 2017,
 20 appropriation 53100 (\$6,687), fund 0348, fiscal year 2017,
 21 appropriation 80700 (\$415), and fund 0348, fiscal year 2017,
 22 appropriation 93200 (\$35,906) which shall expire on June 30,
 23 2017.

100 - West Virginia School of Osteopathic Medicine

(WV Code Chapter 18B)

Fund 0336 FY 2018 Org 0476

1	West Virginia School of		
2	Osteopathic Medicine	17200	\$ 6,658,729
3	Rural Health Outreach Programs (R).....	37700	164,987
4	West Virginia School of		
5	Osteopathic Medicine		
6	BRIM Subsidy	40300	153,405
7	Rural Health Initiative –		
8	Medical Schools Support.....	58100	<u>396,869</u>
9	Total.....		\$ 7,373,990

10 Any unexpended balance remaining in the appropriation for
 11 Rural Health Outreach Programs (fund 0336, appropriation 37700)
 12 at the close of fiscal year 2017 is hereby reappropriated for
 13 expenditure during the fiscal year 2018, with the exception of fund
 14 0336, fiscal year 2017, appropriation 37700 (\$3,367) which shall
 15 expire on June 30, 2017.

16 The above appropriation for Rural Health Outreach Programs
 17 (fund 0336, appropriation 37700) includes rural health activities
 18 and programs; rural residency development and education; and
 19 rural outreach activities.

20 The above appropriation for West Virginia School of
 21 Osteopathic Medicine BRIM Subsidy (fund 0336, appropriation
 22 40300) shall be paid to the Board of Risk and Insurance
 23 Management as a general revenue subsidy against the ‘Total

24 Premium Billed' to the institution as part of the full cost of their
 25 malpractice insurance coverage.

101 - Bluefield State College

(WV Code Chapter 18B)

Fund 0354 FY 2018 Org 0482

1	Bluefield State College	40800	\$	5,521,472
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102 - Concord University

(WV Code Chapter 18B)

Fund 0357 FY 2018 Org 0483

1	Concord University	41000	\$	8,497,014
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103 - Fairmont State University

(WV Code Chapter 18B)

Fund 0360 FY 2018 Org 0484

1	Fairmont State University	41400	\$	14,965,018
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104 - Glenville State College

(WV Code Chapter 18B)

Fund 0363 FY 2018 Org 0485

1	Glenville State College	42800	\$	5,770,788
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105 - Shepherd University

(WV Code Chapter 18B)

Fund 0366 FY 2018 Org 0486

1	Shepherd University	43200	\$	9,356,447
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106 - West Liberty University

(WV Code Chapter 18B)

Fund 0370 FY 2018 Org 0488

1 West Liberty University.....43900 \$ 7,793,490

107 - West Virginia State University

(WV Code Chapter 18B)

Fund 0373 FY 2018 Org 0490

1	West Virginia State University	44100	\$	9,771,311
2	West Virginia State University			
3	Land Grant Match.....	95600		<u>1,700,827</u>
4	Total.....		\$	11,472,138

5	Total TITLE II, Section 1 – General Revenue			
6	(Including claims against the state)		\$	<u>4,225,050,000</u>

1 **Sec. 2. Appropriations from state road fund.** — From the
2 state road fund there are hereby appropriated conditionally upon
3 the fulfillment of the provisions set forth in Article 2, Chapter 11B
4 of the Code the following amounts, as itemized, for expenditure
5 during the fiscal year 2018.

DEPARTMENT OF TRANSPORTATION

108 - Division of Motor Vehicles

(WV Code Chapters 17, 17A, 17B, 17C, 17D, 20 and 24A)

Fund 9007 FY 2018 Org 0802

			State Road Fund	Appro- priation
1	Personal Services and			
2	Employee Benefits.....	00100	\$	23,278,949
3	Current Expenses	13000		16,192,150

4	Repairs and Alterations.....	06400	144,000
5	Equipment.....	07000	1,080,000
6	Buildings.....	25800	10,000
7	Other Assets.....	69000	2,600,000
8	BRIM Premium.....	91300	<u>73,630</u>
9	Total.....		\$ 43,378,729

109 - Division of Highways

(WV Code Chapters 17 and 17C)

Fund 9017 FY 2018 Org 0803

1	Debt Service.....	04000	\$ 24,000,000
2	Maintenance.....	23700	359,278,000
3	Nonfederal Improvements	23701	232,400,000
4	Inventory Revolving	27500	4,000,000
5	Equipment Revolving	27600	15,000,000
6	General Operations	27700	45,995,000
7	Interstate Construction	27800	100,000,000
8	Other Federal Aid Programs	27900	362,000,000
9	Appalachian Programs	28000	120,000,000
10	Highway Litter Control.....	28200	1,727,000
11	Courtesy Patrol.....	28201	<u>4,000,000</u>
12	Total.....		\$1,268,400,000

13 The above appropriations are to be expended in accordance
14 with the provisions of Chapters 17 and 17C of the code.

15 The Commissioner of Highways shall have the authority to
16 operate revolving funds within the State Road Fund for the
17 operation and purchase of various types of equipment used directly
18 and indirectly in the construction and maintenance of roads and for
19 the purchase of inventories and materials and supplies.

20 There is hereby appropriated in addition to the above
21 appropriations, sufficient money for the payment of claims,
22 accrued or arising during this budgetary period, to be paid in
23 accordance with Sections 17 and 18, Article 2, Chapter 14 of the
24 code.

25 It is the intent of the Legislature to capture and match all federal
 26 funds available for expenditure on the Appalachian highway
 27 system at the earliest possible time. Therefore, should amounts in
 28 excess of those appropriated be required for the purposes of
 29 Appalachian programs, funds in excess of the amount appropriated
 30 may be made available upon recommendation of the commissioner
 31 and approval of the Governor. Further, for the purpose of
 32 Appalachian programs, funds appropriated by appropriation may
 33 be transferred to other appropriations upon recommendation of the
 34 commissioner and approval of the Governor.

110 - Office of Administrative Hearings

(WV Code Chapter 17C)

Fund 9027 FY 2018 Org 0808

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,585,201
3	Current Expenses	13000	338,278
4	Repairs and Alterations.....	06400	3,000
5	Equipment.....	07000	15,500
6	BRIM Premium.....	91300	<u>10,000</u>
7	Total.....		\$ 1,951,979

8 Total TITLE II, Section 2 – State Road Fund
 9 (Including claims against the state)\$ 1,314,293,957

1 **Sec. 3. Appropriations from other funds.** — From the funds
 2 designated there are hereby appropriated conditionally upon the
 3 fulfillment of the provisions set forth in Article 2, Chapter 11B of
 4 the Code the following amounts, as itemized, for expenditure
 5 during the fiscal year 2018.

LEGISLATIVE

111 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 1731 FY 2018 Org 2300

	Appropriation		Other Funds
1 Personal Services and			
2 Employee Benefits.....	00100	\$	498,020
3 Current Expenses	13000		133,903
4 Repairs and Alterations.....	06400		1,000
5 Economic Loss Claim Payment Fund.....	33400		2,360,125
6 Other Assets.....	69000		<u>3,700</u>
7 Total.....		\$	2,996,748

JUDICIAL

112 - Supreme Court –

Family Court Fund

(WV Code Chapter 51)

Fund 1763 FY 2018 Org 2400

1 Current Expenses	13000	\$	1,600,000
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113 - Supreme Court –

Court Advanced Technology Subscription Fund

(WV Code Chapter 51)

Fund 1704 FY 2018 Org 2400

1 Current Expenses	13000	\$	500,000
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114 - Supreme Court –

Adult Drug Court Participation Fund

(WV Code Chapter 62)

Fund 1705 FY 2018 Org 2400

1 Current Expenses	13000	\$	300,000
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EXECUTIVE*115 - Governor's Office –**Minority Affairs Fund*

(WV Code Chapter 5)

Fund 1058 FY 2018 Org 0100

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 172,800
3	Current Expenses	13000	503,200
4	Martin Luther King, Jr.		
5	Holiday Celebration.....	03100	<u>8,926</u>
6	Total.....		\$ 684,926

*116 - Auditor's Office –**Land Operating Fund*

(WV Code Chapters 11A, 12 and 36)

Fund 1206 FY 2018 Org 1200

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 749,297
3	Unclassified.....	09900	15,139
4	Current Expenses	13000	715,291
5	Repairs and Alterations.....	06400	2,600
6	Equipment.....	07000	426,741
7	Cost of Delinquent Land Sales.....	76800	<u>1,341,168</u>
8	Total.....		\$ 3,250,236

9 There is hereby appropriated from this fund, in addition to the
10 above appropriations if needed, the necessary amount for the
11 expenditure of funds other than Personal Services and Employee
12 Benefits to enable the division to pay the direct expenses relating
13 to land sales as provided in Chapter 11A of the West Virginia
14 Code.

15 The total amount of these appropriations shall be paid from the
 16 special revenue fund out of fees and collections as provided by law.

117 - Auditor's Office –

Local Government Purchasing Card Expenditure Fund

(WV Code Chapter 6)

Fund 1224 FY 2018 Org 1200

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 588,283
3	Current Expenses	13000	282,030
4	Repairs and Alterations.....	06400	6,000
5	Equipment.....	07000	10,805
6	Other Assets.....	69000	50,000
7	Statutory Revenue Distribution.....	74100	<u>2,000,000</u>
8	Total.....		\$ 2,937,118

9 There is hereby appropriated from this fund, in addition to the
 10 above appropriations if needed, the amount necessary to meet the
 11 transfer of revenue distribution requirements to provide a
 12 proportionate share of rebates back to the general fund of local
 13 governments based on utilization of the program in accordance
 14 with W.Va. Code §6-9-2b.

118 - Auditor's Office –

Securities Regulation Fund

(WV Code Chapter 32)

Fund 1225 FY 2018 Org 1200

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,375,836
3	Unclassified.....	09900	31,866
4	Current Expenses	13000	1,463,830
5	Repairs and Alterations.....	06400	12,400
6	Equipment.....	07000	394,700
7	Other Assets.....	69000	<u>900,000</u>

8 Total..... \$ 5,178,632

119 - Auditor’s Office – Technology Support and Acquisition Fund

(WV Code Chapter 12)

Fund 1233 FY 2018 Org 1200

1	Current Expenses	13000	\$	160,000
2	Other Assets	69000		<u>100,000</u>
3	Total.....		\$	260,000

4 Fifty percent of the deposits made into this fund shall be
5 transferred to the Treasurer’s Office – Technology Support and
6 Acquisition Fund (fund 1329, org 1300) for expenditure for the
7 purposes described in W.Va. Code §12-3-10c.

120 - Auditor’s Office –

Purchasing Card Administration Fund

(WV Code Chapter 12)

Fund 1234 FY 2018 Org 1200

1	Personal Services and			
2	Employee Benefits.....	00100	\$	2,667,397
3	Current Expenses	13000		2,303,622
4	Repairs and Alterations.....	06400		5,500
5	Equipment.....	07000		650,000
6	Other Assets.....	69000		308,886
7	Statutory Revenue Distribution.....	74100		<u>4,000,000</u>
8	Total.....		\$	9,935,405

9 There is hereby appropriated from this fund, in addition to the
10 above appropriations if needed, the amount necessary to meet the
11 transfer and revenue distribution requirements to the Purchasing
12 Improvement Fund (fund 2264), the Hatfield-McCoy Regional
13 Recreation Authority, and the State Park Operating Fund (fund
14 3265) per W.Va. Code §12-3-10d.

*121 - Auditor's Office –**Chief Inspector's Fund*

(WV Code Chapter 6)

Fund 1235 FY 2018 Org 1200

1	Personal Services and		
2	Employee Benefits.....00100	\$	3,405,512
3	Current Expenses13000		765,915
4	Equipment.....07000		<u>50,000</u>
5	Total.....	\$	4,221,427

*122 - Auditor's Office –**Volunteer Fire Department Workers'**Compensation Premium Subsidy Fund*

(WV Code Chapters 12 and 33)

Fund 1239 FY 2018 Org 1200

1	Volunteer Fire Department		
2	Workers' Compensation Subsidy83200	\$	2,500,000

*123 - Treasurer's Office**College Prepaid Tuition and Savings Program**Administrative Account*

(WV Code Chapter 18)

Fund 1301 FY 2018 Org 1300

1	Personal Services and		
2	Employee Benefits.....00100	\$	774,769
3	Unclassified.....09900		14,000
4	Current Expenses13000		<u>619,862</u>
5	Total.....	\$	1,408,631

*124 - Department of Agriculture –**Agriculture Fees Fund*

(WV Code Chapter 19)

Fund 1401 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,244,245
3	Unclassified.....	09900	37,425
4	Current Expenses	13000	1,356,184
5	Repairs and Alterations.....	06400	58,500
6	Equipment.....	07000	36,209
7	Other Assets.....	69000	<u>10,000</u>
8	Total.....		\$ 3,742,563

*125 - Department of Agriculture –**West Virginia Rural Rehabilitation Program*

(WV Code Chapter 19)

Fund 1408 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 73,807
3	Unclassified.....	09900	10,476
4	Current Expenses	13000	<u>963,404</u>
5	Total.....		\$ 1,047,687

*126 - Department of Agriculture –**General John McCausland Memorial Farm Fund*

(WV Code Chapter 19)

Fund 1409 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 67,000
3	Unclassified.....	09900	2,100

4	Current Expenses	13000	89,500
5	Repairs and Alterations.....	06400	36,400
6	Equipment.....	07000	<u>15,000</u>
7	Total.....		\$ 210,000

8 The above appropriations shall be expended in accordance with
9 Article 26, Chapter 19 of the Code.

127 - Department of Agriculture –

Farm Operating Fund

(WV Code Chapter 19)

Fund 1412 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 309,248
3	Unclassified.....	09900	15,173
4	Current Expenses	13000	1,167,464
5	Repairs and Alterations.....	06400	238,722
6	Equipment.....	07000	249,393
7	Other Assets.....	69000	<u>20,000</u>
8	Total.....		\$ 2,000,000

128 - Department of Agriculture –

Donated Food Fund

(WV Code Chapter 19)

Fund 1446 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 958,864
3	Unclassified.....	09900	45,807
4	Current Expenses	13000	3,410,542
5	Repairs and Alterations.....	06400	128,500
6	Equipment.....	07000	10,000
7	Other Assets.....	69000	<u>27,000</u>
8	Total.....		\$ 4,580,713

*129 - Department of Agriculture –
Integrated Predation Management Fund
(WV Code Chapter 7)*

Fund 1465 FY 2018 Org 1400

1	Current Expenses	13000	\$	100,000
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*130 - Department of Agriculture –
West Virginia Spay Neuter Assistance Fund
(WV Code Chapter 19)*

Fund 1481 FY 2018 Org 1400

1	Current Expenses	13000	\$	100
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*131 - Department of Agriculture –
Veterans and Warriors to Agriculture Fund
(WV Code Chapter 19)*

Fund 1483 FY 2018 Org 1400

1	Current Expenses	13000	\$	7,500
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*132 - Department of Agriculture –
State FFA-FHA Camp and Conference Center
(WV Code Chapters 18 and 18A)*

Fund 1484 FY 2018 Org 1400

1	Personal Services and			
2	Employee Benefits.....	00100	\$	1,169,194
3	Unclassified.....	09900		17,000
4	Current Expenses	13000		707,223
5	Repairs and Alterations.....	06400		57,500
6	Equipment.....	07000		1,000

7	Buildings.....	25800		1,000
8	Other Assets.....	69000		10,000
9	Land.....	73000		<u>1,000</u>
10	Total.....		\$	1,963,917

133 - Attorney General –

Antitrust Enforcement Fund

(WV Code Chapter 47)

Fund 1507 FY 2018 Org 1500

1	Personal Services and			
2	Employee Benefits.....	00100	\$	356,900
3	Current Expenses.....	13000		148,803
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		<u>1,000</u>
6	Total.....		\$	507,703

134 - Attorney General –

Preneed Burial Contract Regulation Fund

(WV Code Chapter 47)

Fund 1513 FY 2018 Org 1500

1	Personal Services and			
2	Employee Benefits.....	00100	\$	210,226
3	Current Expenses.....	13000		54,615
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		<u>1,000</u>
6	Total.....		\$	266,841

135 - Attorney General –

Preneed Funeral Guarantee Fund

(WV Code Chapter 47)

Fund 1514 FY 2018 Org 1500

1	Current Expenses	13000	\$	901,135
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136 - Secretary of State –

Service Fees and Collection Account

(WV Code Chapters 3, 5, and 59)

Fund 1612 FY 2018 Org 1600

1	Personal Services and			
2	Employee Benefits.....	00100	\$	991,051
3	Unclassified.....	09900		4,524
4	Current Expenses	13000		<u>8,036</u>
5	Total.....		\$	1,003,611

137 - Secretary of State –

General Administrative Fees Account

(WV Code Chapters 3, 5, and 59)

Fund 1617 FY 2018 Org 1600

1	Personal Services and			
2	Employee Benefits.....	00100	\$	2,769,898
3	Unclassified.....	09900		25,529
4	Current Expenses	13000		796,716
5	Technology Improvements	59900		<u>750,000</u>
6	Total.....		\$	4,342,143

DEPARTMENT OF ADMINISTRATION

138 - Department of Administration –

Office of the Secretary –

Tobacco Settlement Fund

(WV Code Chapter 4)

Fund 2041 FY 2018 Org 0201

1	Tobacco Settlement Securitization		
2	Trustee Pass Thru	65000	\$ 80,000,000

139 - Department of Administration –

Office of the Secretary –

Employee Pension and Health Care Benefit Fund

(WV Code Chapter 18)

Fund 2044 FY 2018 Org 0201

1	Current Expenses	13000	\$ 34,638,000
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2 The above appropriation for Current Expenses (fund 2044,
3 appropriation 13000) shall be transferred to the Consolidated
4 Public Retirement Board – West Virginia Teachers’ Retirement
5 System Employers Accumulation Fund (fund 2601).

140 - Division of Information Services and Communications

(WV Code Chapter 5A)

Fund 2220 FY 2018 Org 0210

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 21,378,322
3	Unclassified.....	09900	382,354
4	Current Expenses	13000	13,378,766
5	Repairs and Alterations.....	06400	1,000
6	Equipment.....	07000	2,050,000
7	Other Assets.....	69000	<u>1,045,000</u>
8	Total.....		\$ 38,235,442

9 The total amount of these appropriations shall be paid from a
10 special revenue fund out of collections made by the Division of
11 Information Services and Communications as provided by law.

12 Each spending unit operating from the General Revenue Fund,
13 from special revenue funds or receiving reimbursement for postage
14 from the federal government shall be charged monthly for all

15 postage meter service and shall reimburse the revolving fund
 16 monthly for all such amounts.

141 - Division of Purchasing –

Vendor Fee Fund

(WV Code Chapter 5A)

Fund 2263 FY 2018 Org 0213

1	Personal Services and		
2	Employee Benefits.....00100	\$	655,208
3	Unclassified.....09900		2,382
4	Current Expenses13000		238,115
5	Repairs and Alterations.....06400		5,000
6	Equipment.....07000		2,500
7	Other Assets.....69000		2,500
8	BRIM Premium.....91300		810
9	Total.....	\$	906,515

142 - Division of Purchasing –

Purchasing Improvement Fund

(WV Code Chapter 5A)

Fund 2264 FY 2018 Org 0213

1	Personal Services and		
2	Employee Benefits.....00100	\$	540,889
3	Unclassified.....09900		5,562
4	Current Expenses13000		393,066
5	Repairs and Alterations.....06400		500
6	Equipment.....07000		500
7	Other Assets.....69000		500
8	BRIM Premium.....91300		850
9	Total.....	\$	941,867

143 - Travel Management –

Fleet Management Office Fund

(WV Code Chapter 5A)

Fund 2301 FY 2018 Org 0215

1	Personal Services and		
2	Employee Benefits.....00100	\$	722,586
3	Unclassified.....09900		4,000
4	Current Expenses13000		8,130,614
5	Repairs and Alterations.....06400		12,000
6	Equipment.....07000		800,000
7	Other Assets.....69000		2,000
8	Total.....	\$	9,671,200

*144 - Travel Management –**Aviation Fund*

(WV Code Chapter 5A)

Fund 2302 FY 2018 Org 0215

1	Unclassified.....09900	\$	1,000
2	Current Expenses13000		149,700
3	Repairs and Alterations.....06400		400,237
4	Equipment.....07000		1,000
5	Buildings.....25800		100
6	Other Assets.....69000		100
7	Land73000		100
8	Total.....	\$	552,237

145 - Division of Personnel

(WV Code Chapter 29)

Fund 2440 FY 2018 Org 0222

1	Personal Services and		
2	Employee Benefits.....00100	\$	3,942,590
3	Unclassified.....09900		51,418
4	Current Expenses13000		1,062,813
5	Repairs and Alterations.....06400		5,000
6	Equipment.....07000		20,000

7	Other Assets.....	69000		<u>60,000</u>
8	Total.....		\$	5,141,821

9 The total amount of these appropriations shall be paid from a
 10 special revenue fund out of fees collected by the Division of
 11 Personnel.

146 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 2521 FY 2018 Org 0228

1	Personal Services and			
2	Employee Benefits.....	00100	\$	249,242
3	Unclassified.....	09900		4,023
4	Current Expenses	13000		297,528
5	Repairs and Alterations.....	06400		600
6	Equipment.....	07000		500
7	Other Assets.....	69000		<u>500</u>
8	Total.....		\$	552,393

147 - Office of Technology –

Chief Technology Officer Administration Fund

(WV Code Chapter 5A)

Fund 2531 FY 2018 Org 0231

1	Personal Services and			
2	Employee Benefits.....	00100	\$	399,911
3	Unclassified.....	09900		6,949
4	Current Expenses	13000		227,116
5	Repairs and Alterations.....	06400		1,000
6	Equipment.....	07000		50,000
7	Other Assets.....	69000		<u>10,000</u>
8	Total.....		\$	694,976

9 From the above fund, the provisions of W.Va. Code §11B-2-
 10 18 shall not operate to permit expenditures in excess of the funds
 11 authorized for expenditure herein.

DEPARTMENT OF COMMERCE*148 - Division of Forestry*

(WV Code Chapter 19)

Fund 3081 FY 2018 Org 0305

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,464,328
3	Current Expenses	13000	282,202
4	Repairs and Alterations.....	06400	<u>53,000</u>
5	Total.....		\$ 1,799,530

*149 - Division of Forestry –**Timbering Operations Enforcement Fund*

(WV Code Chapter 19)

Fund 3082 FY 2018 Org 0305

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 224,433
3	Current Expenses	13000	87,036
4	Repairs and Alterations.....	06400	<u>11,250</u>
5	Total.....		\$ 322,719

*150 - Division of Forestry –**Severance Tax Operations*

(WV Code Chapter 11)

Fund 3084 FY 2018 Org 0305

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 859,626
3	Current Expenses	13000	<u>435,339</u>
4	Total.....		\$ 1,294,965

*151 - Geological and Economic Survey –**Geological and Analytical Services Fund*

(WV Code Chapter 29)

Fund 3100 FY 2018 Org 0306

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 37,966
3	Unclassified.....	09900	2,182
4	Current Expenses	13000	141,631
5	Repairs and Alterations.....	06400	50,000
6	Equipment.....	07000	20,000
7	Other Assets.....	69000	<u>10,000</u>
8	Total.....		\$ 261,779

9 The above appropriations shall be used in accordance with
 10 W.Va. Code §29-2-4.

*152 - West Virginia Development Office –**Department of Commerce –**Marketing and Communications Operating Fund*

(WV Code Chapter 5B)

Fund 3002 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,528,219
3	Unclassified.....	09900	30,000
4	Current Expenses	13000	<u>1,482,760</u>
5	Total.....		\$ 3,040,979

*153 - West Virginia Development Office –**Office of Coalfield Community Development*

(WV Code Chapter 5B)

Fund 3162 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 430,724
3	Unclassified.....	09900	8,300
4	Current Expenses	13000	<u>399,191</u>
5	Total.....		\$ 838,215

*154 - Division of Labor –**HVAC Fund*

(WV Code Chapter 21)

Fund 3186 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 300,000
3	Unclassified.....	09900	4,000
4	Current Expenses	13000	85,000
5	Repairs and Alterations.....	06400	1,500
6	Buildings	25800	1,000
7	BRIM Premium.....	91300	<u>8,500</u>
8	Total.....		\$ 400,000

*155 - Division of Labor –**Contractor Licensing Board Fund*

(WV Code Chapter 21)

Fund 3187 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,019,374
3	Unclassified.....	09900	21,589
4	Current Expenses	13000	597,995
5	Repairs and Alterations.....	06400	15,000
6	Buildings	25800	5,000
7	BRIM Premium.....	91300	<u>8,500</u>
8	Total.....		\$ 3,667,458

*156 - Division of Labor –**Elevator Safety Fund*

(WV Code Chapter 21)

Fund 3188 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 376,772
3	Unclassified.....	09900	2,261
4	Current Expenses	13000	44,112
5	Repairs and Alterations.....	06400	2,000
6	Buildings	25800	1,000
7	BRIM Premium.....	91300	<u>8,500</u>
8	Total.....		\$ 434,645

*157 - Division of Labor –**Steam Boiler Fund*

(WV Code Chapter 21)

Fund 3189 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 80,000
3	Unclassified.....	09900	1,000
4	Current Expenses	13000	15,000
5	Repairs and Alterations.....	06400	2,000
6	Buildings	25800	1,000
7	BRIM Premium.....	91300	<u>1,000</u>
8	Total.....		\$ 100,000

*158 - Division of Labor –**Crane Operator Certification Fund*

(WV Code Chapter 21)

Fund 3191 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 184,380
3	Unclassified.....	09900	1,380
4	Current Expenses	13000	49,765
5	Repairs and Alterations.....	06400	1,500
6	Buildings	25800	1,000
7	BRIM Premium.....	91300	8,500
8	Total.....		<u>\$ 246,525</u>

159 - Division of Labor –

Amusement Rides and Amusement Attraction Safety Fund

(WV Code Chapter 21)

Fund 3192 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 179,316
3	Unclassified.....	09900	1,281
4	Current Expenses	13000	44,520
5	Repairs and Alterations.....	06400	2,000
6	Buildings	25800	1,000
7	BRIM Premium.....	91300	8,500
8	Total.....		<u>\$ 236,617</u>

160 - Division of Labor –

State Manufactured Housing Administration Fund

(WV Code Chapter 21)

Fund 3195 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 283,768
3	Unclassified.....	09900	1,847
4	Current Expenses	13000	43,700
5	Repairs and Alterations.....	06400	1,000
6	Buildings	25800	1,000
7	BRIM Premium.....	91300	<u>3,404</u>

8	Total.....	\$	334,719
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161 - Division of Labor –

Weights and Measures Fund

(WV Code Chapter 47)

Fund 3196 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....00100	\$	424,965
3	Current Expenses13000		227,000
4	Repairs and Alterations.....06400		28,000
5	Equipment.....07000		15,000
6	BRIM Premium.....91300		<u>8,500</u>
7	Total.....	\$	703,465

162 - Division of Labor –

Bedding and Upholstery Fund

(WV Code Chapter 21)

Fund 3198 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....00100	\$	150,000
3	Unclassified.....09900		2,000
4	Current Expenses13000		43,000
5	Repairs and Alterations.....06400		2,000
6	Buildings.....25800		1,000
7	BRIM Premium.....91300		<u>2,000</u>
8	Total.....	\$	200,000

163 - Division of Labor –

Psychophysiological Examiners Fund

(WV Code Chapter 21)

Fund 3199 FY 2018 Org 0308

1 Current Expenses 13000 \$ 4,000

164 - Division of Natural Resources –

License Fund – Wildlife Resources

(WV Code Chapter 20)

Fund 3200 FY 2018 Org 0310

1	Wildlife Resources.....	02300	\$	5,551,895
2	Administration	15500		1,387,974
3	Capital Improvements and			
4	Land Purchase (R)	24800		1,387,973
5	Law Enforcement.....	80600		<u>5,551,895</u>
6	Total.....		\$	13,879,737

7 The total amount of these appropriations shall be paid from a
8 special revenue fund out of fees collected by the Division of
9 Natural Resources.

10 Any unexpended balance remaining in the appropriation for
11 Capital Improvements and Land Purchase (fund 3200,
12 appropriation 24800) at the close of the fiscal year 2017 is hereby
13 reappropriated for expenditure during the fiscal year 2018.

165 - Division of Natural Resources –

Natural Resources Game Fish and Aquatic Life Fund

(WV Code Chapter 22)

Fund 3202 FY 2018 Org 0310

1 Current Expenses 13000 \$ 125,000

166 - Division of Natural Resources –

Nongame Fund

(WV Code Chapter 20)

Fund 3203 FY 2018 Org 0310

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 678,109
3	Current Expenses	13000	201,930
4	Equipment.....	07000	<u>106,615</u>
5	Total.....		\$ 986,654

167 - Division of Natural Resources –

Planning and Development Division

(WV Code Chapter 20)

Fund 3205 FY 2018 Org 0310

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 289,167
3	Current Expenses	13000	157,864
4	Repairs and Alterations.....	06400	15,016
5	Equipment.....	07000	8,300
6	Buildings.....	25800	8,300
7	Other Assets.....	69000	2,000,000
8	Land	73000	<u>31,700</u>
9	Total.....		\$ 2,510,347

168 - Division of Natural Resources –

Whitewater Study and Improvement Fund

(WV Code Chapter 20)

Fund 3253 FY 2018 Org 0310

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 62,704
3	Current Expenses	13000	64,778
4	Equipment.....	07000	1,297
5	Buildings.....	25800	<u>6,969</u>
6	Total.....		\$ 135,748

169 - Division of Natural Resources –

Whitewater Advertising and Promotion Fund

(WV Code Chapter 20)

Fund 3256 FY 2018 Org 0310

1	Unclassified.....	09900	\$	200
2	Current Expenses	13000		<u>19,800</u>
3	Total.....		\$	20,000

*170 - Division of Miners' Health, Safety and Training –**Special Health, Safety and Training Fund*

(WV Code Chapter 22A)

Fund 3355 FY 2018 Org 0314

1	Personal Services and			
2	Employee Benefits.....	00100	\$	471,606
3	WV Mining Extension Service	02600		150,000
4	Unclassified.....	09900		40,985
5	Current Expenses	13000		1,954,557
6	Buildings	25800		481,358
7	Land	73000		<u>1,000,000</u>
8	Total.....		\$	4,098,506

*171 - Department of Commerce –**Office of the Secretary –**Broadband Enhancement Fund*Fund 3013 FY 2018 Org 0327

1	Current Expenses	13000	\$	1,887,000
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*172 - Office of Energy –**Energy Assistance*

(WV Code Chapter 5B)

Fund 3010 FY 2018 Org 0328

1 Energy Assistance – Total64700 \$ 62,000

DEPARTMENT OF EDUCATION

173 - State Board of Education –

Strategic Staff Development

(WV Code Chapter 18)

Fund 3937 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 134,000
3	Unclassified.....	09900	1,000
4	Current Expenses	13000	<u>265,000</u>
5	Total.....		\$ 400,000

174 - State Board of Education –

School Construction Fund

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

1	SBA Construction Grants	24000	\$ 35,845,818
2	Directed Transfer	70000	<u>1,371,182</u>
3	Total.....		\$ 37,217,000

4 The above appropriation for Directed Transfer (fund 3951,
5 appropriation 70000) shall be transferred to the School Building
6 Authority Fund (3959) for the administrative expenses of the
7 School Building Authority.

175 - School Building Authority

(WV Code Chapter 18)

Fund 3959 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,085,152

3	Current Expenses	13000	246,880
4	Repairs and Alterations.....	06400	13,150
5	Equipment.....	07000	<u>26,000</u>
6	Total.....		\$ 1,371,182

DEPARTMENT OF EDUCATION AND THE ARTS

176 - Office of the Secretary –

Lottery Education Fund Interest Earnings –

Control Account

(WV Code Chapter 29)

Fund 3508 FY 2018 Org 0431

1 Any unexpended balance remaining in the appropriation for
2 Educational Enhancements (fund 3508, appropriation 69500) at the
3 close of the fiscal year 2017 is hereby reappropriated for
4 expenditure during the fiscal year 2018.

177 - Division of Culture and History –

Public Records and Preservation Revenue Account

(WV Code Chapter 5A)

Fund 3542 FY 2018 Org 0432

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 211,418
3	Current Expenses	13000	862,241
4	Equipment.....	07000	75,000
5	Buildings.....	25800	1,000
6	Other Assets.....	69000	52,328
7	Land	73000	<u>1,000</u>
8	Total.....		\$ 1,202,987

178 - State Board of Rehabilitation –

Division of Rehabilitation Services –

West Virginia Rehabilitation Center Special Account

(WV Code Chapter 18)

Fund 8664 FY 2018 Org 0932

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 119,738
3	Current Expenses	13000	2,180,122
4	Repairs and Alterations.....	06400	85,500
5	Equipment.....	07000	220,000
6	Buildings.....	25800	150,000
7	Other Assets.....	69000	<u>150,000</u>
8	Total.....		\$ 2,905,360

DEPARTMENT OF ENVIRONMENTAL PROTECTION*179 - Solid Waste Management Board*

(WV Code Chapter 22C)

Fund 3288 FY 2018 Org 0312

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 802,209
3	Current Expenses	13000	2,061,057
4	Repairs and Alterations.....	06400	1,000
5	Equipment.....	07000	5,000
6	Other Assets.....	69000	<u>4,403</u>
7	Total.....		\$ 2,873,669

*180 - Division of Environmental Protection –**Hazardous Waste Management Fund*

(WV Code Chapter 22)

Fund 3023 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 692,784
3	Current Expenses	13000	195,569

4	Repairs and Alterations.....	06400		500
5	Equipment.....	07000		1,505
6	Unclassified.....	09900		3,072
7	Other Assets.....	69000		<u>2,000</u>
8	Total.....		\$	895,430

181 - Division of Environmental Protection –

Air Pollution Education and Environment Fund

(WV Code Chapter 22)

Fund 3024 FY 2018 Org 0313

1	Personal Services and			
2	Employee Benefits.....	00100	\$	935,324
3	Current Expenses	13000		1,238,610
4	Repairs and Alterations.....	06400		13,000
5	Equipment.....	07000		53,105
6	Unclassified.....	09900		2,900
7	Other Assets.....	69000		<u>20,000</u>
8	Total.....		\$	2,262,939

182 - Division of Environmental Protection –

Special Reclamation Fund

(WV Code Chapter 22)

Fund 3321 FY 2018 Org 0313

1	Personal Services and			
2	Employee Benefits.....	00100	\$	1,350,829
3	Current Expenses	13000		16,402,506
4	Repairs and Alterations.....	06400		79,950
5	Equipment.....	07000		130,192
6	Other Assets.....	69000		<u>32,000</u>
7	Total.....		\$	17,995,477

183 - Division of Environmental Protection –

Oil and Gas Reclamation Fund

(WV Code Chapter 22)

Fund 3322 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....00100	\$	143,906
3	Current Expenses13000		<u>356,094</u>
4	Total.....	\$	500,000

*184 - Division of Environmental Protection –**Oil and Gas Operating Permit and Processing Fund*

(WV Code Chapter 22)

Fund 3323 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....00100	\$	3,321,164
3	Current Expenses13000		1,257,758
4	Repairs and Alterations.....06400		20,600
5	Equipment.....07000		8,000
6	Unclassified.....09900		44,700
7	Other Assets.....69000		<u>15,000</u>
8	Total.....	\$	4,667,222

*185 - Division of Environmental Protection –**Mining and Reclamation Operations Fund*

(WV Code Chapter 22)

Fund 3324 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....00100	\$	4,035,449
3	Current Expenses13000		2,300,097
4	Repairs and Alterations.....06400		60,260
5	Equipment.....07000		85,134
6	Unclassified.....09900		920
7	Other Assets.....69000		<u>57,500</u>
8	Total.....	\$	6,539,360

*186 - Division of Environmental Protection –**Underground Storage Tank**Administrative Fund*

(WV Code Chapter 22)

Fund 3325 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 466,543
3	Current Expenses	13000	318,420
4	Repairs and Alterations.....	06400	5,350
5	Equipment.....	07000	3,610
6	Unclassified.....	09900	7,520
7	Other Assets.....	69000	<u>3,500</u>
8	Total.....		\$ 804,943

*187 - Division of Environmental Protection –**Hazardous Waste Emergency Response Fund*

(WV Code Chapter 22)

Fund 3331 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 643,319
3	Current Expenses	13000	422,386
4	Repairs and Alterations.....	06400	7,014
5	Equipment.....	07000	9,000
6	Unclassified.....	09900	10,616
7	Other Assets.....	69000	<u>11,700</u>
8	Total.....		\$ 1,104,035

*188 - Division of Environmental Protection –**Solid Waste Reclamation and**Environmental Response Fund*

(WV Code Chapter 22)

Fund 3332 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....00100	\$	793,967
3	Current Expenses13000		3,605,237
4	Repairs and Alterations.....06400		25,000
5	Equipment.....07000		31,500
6	Unclassified.....09900		22,900
7	Other Assets.....69000		<u>1,000</u>
8	Total.....	\$	4,479,604

*189 - Division of Environmental Protection –**Solid Waste Enforcement Fund*

(WV Code Chapter 22)

Fund 3333 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....00100	\$	3,041,424
3	Current Expenses13000		1,020,229
4	Repairs and Alterations.....06400		30,930
5	Equipment.....07000		23,356
6	Unclassified.....09900		37,145
7	Other Assets.....69000		<u>25,554</u>
8	Total.....	\$	4,178,638

*190 - Division of Environmental Protection –**Air Pollution Control Fund*

(WV Code Chapter 22)

Fund 3336 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....00100	\$	5,667,421
3	Current Expenses13000		1,518,704
4	Repairs and Alterations.....06400		84,045

5	Equipment.....	07000		115,356
6	Unclassified.....	09900		5,580
7	Other Assets.....	69000		<u>52,951</u>
8	Total.....		\$	7,444,057

191 - Division of Environmental Protection –

Environmental Laboratory

Certification Fund

(WV Code Chapter 22)

Fund 3340 FY 2018 Org 0313

1	Personal Services and			
2	Employee Benefits.....	00100	\$	295,444
3	Current Expenses	13000		216,288
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		6,500
6	Unclassified.....	09900		1,120
7	Other Assets.....	69000		<u>179,000</u>
8	Total.....		\$	699,352

192 - Division of Environmental Protection –

Stream Restoration Fund

(WV Code Chapter 22)

Fund 3349 FY 2018 Org 0313

1	Current Expenses	13000	\$	9,298,205
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193 - Division of Environmental Protection –

Litter Control Fund

(WV Code Chapter 22)

Fund 3486 FY 2018 Org 0313

1	Current Expenses	13000	\$	60,000
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*194 - Division of Environmental Protection –**Recycling Assistance Fund*

(WV Code Chapter 22)

Fund 3487 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 646,395
3	Current Expenses	13000	2,735,112
4	Repairs and Alterations.....	06400	800
5	Equipment.....	07000	500
6	Unclassified.....	09900	400
7	Other Assets.....	69000	<u>2,500</u>
8	Total.....		\$ 3,385,707

*195 - Division of Environmental Protection –**Mountaintop Removal Fund*

(WV Code Chapter 22)

Fund 3490 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,228,345
3	Current Expenses	13000	638,729
4	Repairs and Alterations.....	06400	30,112
5	Equipment.....	07000	23,725
6	Unclassified.....	09900	1,180
7	Other Assets.....	69000	<u>15,500</u>
8	Total.....		\$ 1,937,591

*196 - Oil and Gas Conservation Commission –**Special Oil and Gas Conservation Fund*

(WV Code Chapter 22C)

Fund 3371 FY 2018 Org 0315

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 157,224
3	Current Expenses	13000	161,225
4	Repairs and Alterations.....	06400	1,000
5	Equipment.....	07000	9,481
6	Other Assets.....	69000	<u>1,500</u>
7	Total.....		\$ 330,430

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

197 - Division of Health –

Ryan Brown Addiction Prevention and Recovery Fund

(WV Code Chapter 19)

Fund 5111 FY 2018 Org 0506

1	Current Expenses	13000	\$ 22,000,000
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198 - Division of Health –

The Vital Statistics Account

(WV Code Chapter 16)

Fund 5144 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 876,771
3	Unclassified.....	09900	15,500
4	Current Expenses	13000	<u>1,257,788</u>
5	Total.....		\$ 2,150,059

199 - Division of Health –

Hospital Services Revenue Account

Special Fund

Capital Improvement, Renovation and Operations

(WV Code Chapter 16)

Fund 5156 FY 2018 Org 0506

1	Institutional Facilities Operations	33500	\$ 56,708,911
2	Medical Services Trust Fund – Transfer....	51200	<u>27,800,000</u>
3	Total.....		\$ 84,508,911

4 The total amount of these appropriations shall be paid from the
5 Hospital Services Revenue Account Special Fund created by
6 W.Va. Code §16-1-13, and shall be used for operating expenses
7 and for improvements in connection with existing facilities.

8 Additional funds have been appropriated in fund 0525, fiscal
9 year 2018, organization 0506, for the operation of the institutional
10 facilities. The Secretary of the Department of Health and Human
11 Resources is authorized to utilize up to ten percent of the funds
12 from the appropriation for Institutional Facilities Operations to
13 facilitate cost effective and cost saving services at the community
14 level.

15 Necessary funds from the above appropriation may be used for
16 medical facilities operations, either in connection with this fund or
17 in connection with the appropriation designated Institutional
18 Facilities Operations in the Consolidated Medical Service Fund
19 (fund 0525, organization 0506).

20 From the above appropriation to Institutional Facilities
21 Operations, together with available funds from the Consolidated
22 Medical Services Fund (fund 0525, appropriation 33500) on July
23 1, 2017, the sum of \$160,000 shall be transferred to the Department
24 of Agriculture – Land Division – Farm Operating Fund (1412) as
25 advance payment for the purchase of food products; actual
26 payments for such purchases shall not be required until such credits
27 have been completely expended.

200 - Division of Health –

Laboratory Services Fund

(WV Code Chapter 16)

Fund 5163 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 862,657
3	Unclassified.....	09900	18,114
4	Current Expenses	13000	<u>930,716</u>
5	Total.....		\$ 1,811,487

201 - Division of Health –

The Health Facility Licensing Account

(WV Code Chapter 16)

Fund 5172 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 605,950
3	Unclassified.....	09900	7,113
4	Current Expenses	13000	<u>98,247</u>
5	Total.....		\$ 711,310

202 - Division of Health –

Hepatitis B Vaccine

(WV Code Chapter 16)

Fund 5183 FY 2018 Org 0506

1	Current Expenses	13000	\$ 13,800
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203 - Division of Health –

Lead Abatement Account

(WV Code Chapter 16)

Fund 5204 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 19,100
3	Unclassified.....	09900	373
4	Current Expenses	13000	<u>17,875</u>
5	Total.....		\$ 37,348

*204 - Division of Health –**West Virginia Birth-to-Three Fund*

(WV Code Chapter 16)

Fund 5214 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 707,545
3	Unclassified.....	09900	223,999
4	Current Expenses	13000	<u>27,993,549</u>
5	Total.....		\$ 28,925,093

*205 - Division of Health –**Tobacco Control Special Fund*

(WV Code Chapter 16)

Fund 5218 FY 2018 Org 0506

1	Current Expenses	13000	\$ 7,579
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*206 - West Virginia Health Care Authority –**Health Care Cost Review Fund*

(WV Code Chapter 16)

Fund 5375 FY 2018 Org 0507

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,033,821
3	Hospital Assistance.....	02500	600,000
4	Unclassified.....	09900	67,000
5	Current Expenses	13000	2,837,945
6	Repairs and Alterations.....	06400	25,000
7	Equipment.....	07000	50,000
8	Buildings.....	25800	25,000
9	Other Assets.....	69000	<u>100,000</u>
10	Total.....		\$ 6,738,766

11 The above appropriation is to be expended in accordance with
 12 and pursuant to the provisions of W.Va. Code §16-29B and from
 13 the special revolving fund designated Health Care Cost Review
 14 Fund.

15 The Health Care Authority is authorized to transfer up to
 16 \$1,500,000 from fund 5375 to the West Virginia Health
 17 Information Network Account (fund 5380) as authorized per
 18 W.Va. Code §16-29G-4.

207 - West Virginia Health Care Authority –

Certificate of Need Program Fund

(WV Code Chapter 16)

Fund 5377 FY 2018 Org 0507

1	Personal Services and		
2	Employee Benefits.....00100	\$	805,113
3	Current Expenses13000		<u>774,967</u>
4	Total.....	\$	1,580,080

208 - West Virginia Health Care Authority –

West Virginia Health Information Network Account

(WV Code Chapter 16)

Fund 5380 FY 2018 Org 0507

1	Personal Services and		
2	Employee Benefits.....00100	\$	729,000
3	Unclassified.....09900		20,000
4	Current Expenses13000		1,251,000
5	Technology Infrastructure Network.....35100		<u>3,500,000</u>
6	Total.....	\$	5,500,000

209 - Division of Human Services –

Health Care Provider Tax –

Medicaid State Share Fund

(WV Code Chapter 11)

Fund 5090 FY 2018 Org 0511

1	Medical Services.....	18900	\$ 198,381,008
2	Medical Services Administrative Costs	78900	<u>418,992</u>
3	Total.....		\$ 198,800,000

4 The above appropriation for Medical Services Administrative
5 Costs (fund 5090, appropriation 78900) shall be transferred to a
6 special revenue account in the treasury for use by the Department
7 of Health and Human Resources for administrative purposes. The
8 remainder of all moneys deposited in the fund shall be transferred
9 to the West Virginia Medical Services Fund (fund 5084.)

*210 - Division of Human Services –**Child Support Enforcement Fund*

(WV Code Chapter 48A)

Fund 5094 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 24,809,509
3	Unclassified.....	09900	380,000
4	Current Expenses	13000	<u>12,810,491</u>
5	Total.....		\$ 38,000,000

*211 - Division of Human Services –**Medical Services Trust Fund*

(WV Code Chapter 9)

Fund 5185 FY 2018 Org 0511

1	Medical Services.....	18900	\$ 56,510,937
2	Medical Services Administrative Costs	78900	<u>548,723</u>
3	Total.....		\$ 57,059,660

4 The above appropriation to Medical Services shall be used to
 5 provide state match of Medicaid expenditures as defined and
 6 authorized in subsection (c) of W.Va. Code §9-4A-2a.
 7 Expenditures from the fund are limited to the following: payment
 8 of backlogged billings, funding for services to future federally
 9 mandated population groups and payment of the required state
 10 match for Medicaid disproportionate share payments. The
 11 remainder of all moneys deposited in the fund shall be transferred
 12 to the Division of Human Services accounts.

212 - Division of Human Services –

James ‘Tiger’ Morton Catastrophic Illness Fund

(WV Code Chapter 16)

Fund 5454 FY 2018 Org 0511

1	Unclassified.....	09900	\$	7,000
2	Current Expenses	13000		<u>693,000</u>
3	Total.....		\$	700,000

213 - Division of Human Services –

Domestic Violence Legal Services Fund

(WV Code Chapter 48)

Fund 5455 FY 2018 Org 0511

1	Current Expenses	13000	\$	900,000
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214 - Division of Human Services –

West Virginia Works Separate State College Program Fund

(WV Code Chapter 9)

Fund 5467 FY 2018 Org 0511

1	Current Expenses	13000	\$	1,000,000
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215 - Division of Human Services –

West Virginia Works Separate State Two-Parent Program Fund

(WV Code Chapter 9)

Fund 5468 FY 2018 Org 0511

1	Current Expenses	13000	\$	2,000,000
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216 - Division of Human Services –

Marriage Education Fund

(WV Code Chapter 9)

Fund 5490 FY 2018 Org 0511

1	Personal Services and			
2	Employee Benefits.....	00100	\$	10,000
3	Current Expenses	13000		25,000
4	Total.....		\$	35,000

**DEPARTMENT OF MILITARY AFFAIRS
AND PUBLIC SAFETY**

217 - Department of Military Affairs and Public Safety –

Office of the Secretary –

Law-Enforcement, Safety and Emergency Worker

Funeral Expense Payment Fund

(WV Code Chapter 15)

Fund 6003 FY 2018 Org 0601

1	Current Expenses	13000		32,000
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218 - State Armory Board –

General Armory Fund

(WV Code Chapter 15)

Fund 6057 FY 2018 Org 0603

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,643,528
3	Current Expenses	13000	650,000
4	Repairs and Alterations.....	06400	485,652
5	Equipment.....	07000	300,000
6	Buildings.....	25800	770,820
7	Other Assets.....	69000	100,000
8	Land	73000	<u>50,000</u>
9	Total.....		\$ 4,000,000

10 From the above appropriations, the Adjutant General may
 11 receive and expend funds to conduct operations and activities to
 12 include functions of the Military Authority. The Adjutant General
 13 may transfer funds between appropriations, except no funds may
 14 be transferred to Personal Services and Employee Benefits (fund
 15 6057, appropriation 00100).

*219 - Division of Homeland Security and**Emergency Management –**West Virginia Interoperable Radio Project*

(WV Code Chapter 24)

Fund 6295 FY 2018 Org 0606

1	Current Expenses	13000	\$ 2,000,000
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2 Any unexpended balance remaining in the appropriation for
 3 Unclassified – Total (fund 6295, appropriation 09600) at the close
 4 of fiscal year 2017 is hereby reappropriated for expenditure during
 5 the fiscal year 2018.

*220 - West Virginia Division of Corrections –**Parolee Supervision Fees*

(WV Code Chapter 62)

Fund 6362 FY 2018 Org 0608

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,013,793
3	Unclassified.....	09900	9,804
4	Current Expenses	13000	758,480
5	Equipment.....	07000	30,000
6	Other Assets.....	69000	<u>40,129</u>
7	Total.....		\$ 1,852,206

*221 - West Virginia State Police –**Motor Vehicle Inspection Fund*

(WV Code Chapter 17C)

Fund 6501 FY 2018 Org 0612

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,786,923
3	Current Expenses	13000	1,488,211
4	Repairs and Alterations.....	06400	204,500
5	Equipment.....	07000	3,770,751
6	Buildings.....	25800	534,000
7	Other Assets.....	69000	5,000
8	BRIM Premium.....	91300	<u>302,432</u>
9	Total.....		\$ 8,091,817

10 The total amount of these appropriations shall be paid from the
 11 special revenue fund out of fees collected for inspection stickers as
 12 provided by law.

*222 - West Virginia State Police –**Drunk Driving Prevention Fund*

(WV Code Chapter 15)

Fund 6513 FY 2018 Org 0612

1	Current Expenses	13000	\$	1,327,000
2	Equipment.....	07000		3,491,895
3	BRIM Premium.....	91300		<u>154,452</u>
4	Total.....		\$	4,973,347

5 The total amount of these appropriations shall be paid from the
6 special revenue fund out of receipts collected pursuant to W.Va.
7 Code §11-15-9a and 16 and paid into a revolving fund account in
8 the State Treasury.

223 - West Virginia State Police –

Surplus Real Property Proceeds Fund

(WV Code Chapter 15)

Fund 6516 FY 2018 Org 0612

1	Buildings.....	25800	\$	443,980
2	Land	73000		1,000
3	BRIM Premium.....	91300		<u>77,222</u>
4	Total.....		\$	522,202

224 - West Virginia State Police –

Surplus Transfer Account

(WV Code Chapter 15)

Fund 6519 FY 2018 Org 0612

1	Current Expenses	13000	\$	225,000
2	Repairs and Alterations.....	06400		20,000
3	Equipment.....	07000		250,000
4	Buildings.....	25800		40,000
5	Other Assets.....	69000		45,000
6	BRIM Premium.....	91300		<u>5,000</u>
7	Total.....		\$	585,000

225 - West Virginia State Police –

Central Abuse Registry Fund

(WV Code Chapter 15)

Fund 6527 FY 2018 Org 0612

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 236,881
3	Current Expenses	13000	51,443
4	Repairs and Alterations.....	06400	500
5	Equipment.....	07000	300,500
6	Other Assets.....	69000	300,500
7	BRIM Premium.....	91300	<u>18,524</u>
8	Total.....		\$ 908,348

*226 - West Virginia State Police –**Bail Bond Enforcer Account*

(WV Code Chapter 15)

Fund 6532 FY 2018 Org 0612

1	Current Expenses	13000	\$ 8,300
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*227 - West Virginia State Police –**State Police Academy Post Exchange*

(WV Code Chapter 15)

Fund 6544 FY 2018 Org 0612

1	Current Expenses	13000	\$ 160,000
2	Repairs and Alterations.....	06400	<u>40,000</u>
3	Total.....		\$ 200,000

228 - Regional Jail and Correctional Facility Authority

(WV Code Chapter 31)

Fund 6675 FY 2018 Org 0615

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,971,039

3	Debt Service.....	04000	9,000,000
4	Current Expenses	13000	495,852
5	Repairs and Alterations.....	06400	4,000
6	Equipment.....	07000	<u>1,743</u>
7	Total.....		\$ 11,472,634

229 - Fire Commission –

Fire Marshal Fees

(WV Code Chapter 29)

Fund 6152 FY 2018 Org 0619

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,033,683
3	Unclassified.....	09900	3,800
4	Current Expenses	13000	1,249,550
5	Repairs and Alterations.....	06400	58,500
6	Equipment.....	07000	140,800
7	Other Assets.....	69000	12,000
8	BRIM Premium.....	91300	<u>50,000</u>
9	Total.....		\$ 4,548,333

230 - Division of Justice and Community Services –

WV Community Corrections Fund

(WV Code Chapter 62)

Fund 6386 FY 2018 Org 0620

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 152,000
3	Unclassified.....	09900	750
4	Current Expenses	13000	1,846,250
5	Repairs and Alterations.....	06400	<u>1,000</u>
6	Total.....		\$ 2,000,000

231 - Division of Justice and Community Services –

Court Security Fund

(WV Code Chapter 51)

Fund 6804 FY 2018 Org 0620

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 21,865
3	Current Expenses	13000	<u>1,478,135</u>
4	Total.....		\$ 1,500,000

232 - Division of Justice and Community Services –

Second Chance Driver’s License Program Account

(WV Code Chapter 17B)

Fund 6810 FY 2018 Org 0620

1	Current Expenses	13000	\$ 25,000
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DEPARTMENT OF REVENUE

233 - Division of Financial Institutions

(WV Code Chapter 31A)

Fund 3041 FY 2018 Org 0303

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,503,751
3	Unclassified.....	09900	1,000
4	Current Expenses	13000	695,225
5	Repairs and Alterations.....	06400	100
6	Equipment.....	07000	14,000
7	Other Assets.....	69000	<u>15,000</u>
8	Total.....		\$ 3,229,076

234 - Office of the Secretary –

State Debt Reduction Fund

(WV Code Chapter 29)

Fund 7007 FY 2018 Org 0701

1 Directed Transfer70000 \$ 20,000,000

2 The above appropriation for Directed Transfer shall be
3 transferred to the Consolidated Public Retirement Board – West
4 Virginia Public Employees Retirement System Employers
5 Accumulation Fund (fund 2510).

235 - Tax Division –

Cemetery Company Account

(WV Code Chapter 35)

Fund 7071 FY 2018 Org 0702

1	Personal Services and		
2	Employee Benefits.....00100	\$	23,459
3	Current Expenses13000		<u>7,717</u>
4	Total.....	\$	31,176

236 - Tax Division –

Special Audit and Investigative Unit

(WV Code Chapter 11)

Fund 7073 FY 2018 Org 0702

1	Personal Services and		
2	Employee Benefits.....00100	\$	655,203
3	Unclassified.....09900		9,500
4	Current Expenses13000		273,297
5	Repairs and Alterations.....06400		7,000
6	Equipment.....07000		<u>5,000</u>
7	Total.....	\$	950,000

237 - Tax Division –

Wine Tax Administration Fund

(WV Code Chapter 60)

Fund 7087 FY 2018 Org 0702

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 254,162
3	Current Expenses	13000	<u>5,406</u>
4	Total.....		\$ 259,568

238 - Tax Division –

Reduced Cigarette Ignition Propensity

Standard and Fire Prevention Act Fund

(WV Code Chapter 47)

Fund 7092 FY 2018 Org 0702

1	Current Expenses	13000	\$ 35,000
2	Equipment.....	07000	<u>15,000</u>
3	Total.....		\$ 50,000

239 - Tax Division –

Local Sales Tax and Excise Tax

Administration Fund

(WV Code Chapter 11)

Fund 7099 FY 2018 Org 0702

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,508,968
3	Unclassified.....	09900	10,000
4	Current Expenses	13000	784,563
5	Repairs and Alterations.....	06400	1,000
6	Equipment.....	07000	<u>5,000</u>
7	Total.....		\$ 2,309,531

240 - State Budget Office –

Public Employees Insurance Reserve Fund

(WV Code Chapter 11B)

Fund 7400 FY 2018 Org 0703

1 Public Employees Insurance
 2 Reserve Fund – Transfer.....90300 \$ 6,800,000

3 The above appropriation for Public Employees Insurance
 4 Reserve Fund – Transfer shall be transferred to the Medical
 5 Services Trust Fund (fund 5185, org 0511) for expenditure.

*241 - State Budget Office –**Public Employees Insurance Agency Financial Stability Fund*

(WV Code Chapter 11B)

Fund 7401 FY 2018 Org 0703

1 Retiree Premium Offset80101 \$ 5,000,000
 2 PEIA Reserve.....80102 10,000,000
 3 Total..... \$ 15,000,000

4 The above appropriation shall be transferred to special revenue
 5 funds to be utilized by the West Virginia Public Employees
 6 Insurance Agency for the purposes of permitting the PEIA Finance
 7 Board to offset \$5 million in retiree premium increases.
 8 Additionally, \$10 million will be put into a reserve fund to stabilize
 9 and preserve the future solvency of PEIA. Such amount shall not
 10 be included in the calculation of the plan year aggregate premium
 11 cost-sharing percentages between employers and employees.

*242 - Insurance Commissioner –**Examination Revolving Fund*

(WV Code Chapter 33)

Fund 7150 FY 2018 Org 0704

1 Personal Services and
 2 Employee Benefits.....00100 \$ 721,117
 3 Current Expenses13000 1,357,201
 4 Repairs and Alterations.....06400 3,000

5	Equipment.....	07000	81,374
6	Buildings.....	25800	8,289
7	Other Assets.....	69000	<u>11,426</u>
8	Total.....		\$ 2,182,407

243 - Insurance Commissioner –

Consumer Advocate

(WV Code Chapter 33)

Fund 7151 FY 2018 Org 0704

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 552,228
3	Current Expenses.....	13000	202,152
4	Repairs and Alterations.....	06400	5,000
5	Equipment.....	07000	34,225
6	Buildings.....	25800	4,865
7	Other Assets.....	69000	<u>19,460</u>
8	Total.....		\$ 817,930

244 - Insurance Commissioner –

Insurance Commission Fund

(WV Code Chapter 33)

Fund 7152 FY 2018 Org 0704

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 23,039,727
3	Current Expenses.....	13000	8,797,758
4	Repairs and Alterations.....	06400	68,614
5	Equipment.....	07000	1,728,240
6	Buildings.....	25800	25,000
7	Other Assets.....	69000	<u>340,661</u>
8	Total.....		\$ 34,000,000

245 - Insurance Commissioner –

Workers' Compensation Old Fund

(WV Code Chapter 23)

Fund 7162 FY 2018 Org 0704

1	Employee Benefits	01000	\$	50,000
2	Current Expenses	13000		<u>250,500,000</u>
3	Total.....		\$	250,550,000

*246 - Insurance Commissioner –**Workers' Compensation Uninsured Employers' Fund*

(WV Code Chapter 23)

Fund 7163 FY 2018 Org 0704

1	Current Expenses	13000	\$	15,000,000
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*247 - Insurance Commissioner –**Self-Insured Employer Guaranty Risk Pool*

(WV Code Chapter 23)

Fund 7164 FY 2018 Org 0704

1	Current Expenses	13000	\$	9,000,000
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*248 - Insurance Commissioner –**Self-Insured Employer Security Risk Pool*

(WV Code Chapter 23)

Fund 7165 FY 2018 Org 0704

1	Current Expenses	13000	\$	14,000,000
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249 - Municipal Bond Commission

(WV Code Chapter 13)

Fund 7253 FY 2018 Org 0706

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 247,523
3	Current Expenses	13000	144,844
4	Equipment.....	07000	<u>100</u>
5	Total.....		\$ 392,467

250 - Racing Commission –

Relief Fund

(WV Code Chapter 19)

Fund 7300 FY 2018 Org 0707

1	Medical Expenses – Total.....	24500	\$ 57,000
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2 The total amount of this appropriation shall be paid from the
 3 special revenue fund out of collections of license fees and fines as
 4 provided by law.

5 No expenditures shall be made from this fund except for
 6 hospitalization, medical care and/or funeral expenses for persons
 7 contributing to this fund.

251 - Racing Commission –

Administration and Promotion Account

(WV Code Chapter 19)

Fund 7304 FY 2018 Org 0707

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 256,665
3	Current Expenses	13000	93,335
4	Other Assets.....	69000	<u>5,000</u>
5	Total.....		\$ 355,000

252 - Racing Commission –

General Administration

(WV Code Chapter 19)

Fund 7305 FY 2018 Org 0707

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,271,339
3	Current Expenses	13000	566,248
4	Repairs and Alterations.....	06400	7,000
5	Other Assets.....	69000	<u>50,000</u>
6	Total.....		\$ 2,894,587

253 - Racing Commission –

*Administration, Promotion, Education, Capital Improvement
and Greyhound Adoption Programs*

to include Spaying and Neutering Account

(WV Code Chapter 19)

Fund 7307 FY 2018 Org 0707

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 864,474
3	Current Expenses	13000	214,406
4	Other Assets.....	69000	<u>200,000</u>
5	Total.....		\$ 1,278,880

254 - Alcohol Beverage Control Administration –

Wine License Special Fund

(WV Code Chapter 60)

Fund 7351 FY 2018 Org 0708

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 122,339
3	Current Expenses	13000	69,186
4	Repairs and Alterations.....	06400	7,263
5	Equipment.....	07000	10,000
6	Buildings.....	25800	100,000
7	Other Assets.....	69000	<u>100</u>

8 Total..... \$ 308,888

9 To the extent permitted by law, four classified exempt
10 positions shall be provided from Personal Services and Employee
11 Benefits appropriation for field auditors.

255 - Alcohol Beverage Control Administration

(WV Code Chapter 60)

Fund 7352 FY 2018 Org 0708

1	Personal Services and		
2	Employee Benefits.....00100	\$	5,413,237
3	Current Expenses13000		2,890,577
4	Repairs and Alterations.....06400		91,000
5	Equipment.....07000		108,000
6	Buildings.....25800		375,100
7	Purchase of Supplies for Resale.....41900		72,500,000
8	Transfer Liquor Profits and Taxes42500		20,800,000
9	Other Assets.....69000		125,100
10	Land73000		<u>100</u>
11	Total.....	\$	102,303,114

12 The total amount of these appropriations shall be paid from a
13 special revenue fund out of liquor revenues and any other revenues
14 available.

15 The above appropriations include the salary of the
16 commissioner and the salaries, expenses and equipment of
17 administrative offices, warehouses and inspectors.

18 The above appropriations include funding for the
19 Tobacco/Alcohol Education Program.

20 There is hereby appropriated from liquor revenues, in addition
21 to the above appropriations as needed, the necessary amount for
22 the purchase of liquor as provided by law and the remittance of
23 profits and taxes to the General Revenue Fund.

256 - State Athletic Commission Fund

(WV Code Chapter 29)

Fund 7009 FY 2018 Org 0933

1	Current Expenses	13000	\$	30,000
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DEPARTMENT OF TRANSPORTATION*257 - Division of Motor Vehicles –**Dealer Recovery Fund*

(WV Code Chapter 17)

Fund 8220 FY 2018 Org 0802

1	Current Expenses	13000	\$	189,000
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*258 - Division of Motor Vehicles –**Motor Vehicle Fees Fund*

(WV Code Chapter 17B)

Fund 8223 FY 2018 Org 0802

1	Personal Services and			
2	Employee Benefits.....	00100	\$	3,362,799
3	Current Expenses	13000		4,374,083
4	Repairs and Alterations.....	06400		16,000
5	Equipment.....	07000		75,000
6	Other Assets.....	69000		10,000
7	BRIM Premium.....	91300		<u>73,629</u>
8	Total.....		\$	7,911,511

*259 - Division of Highways –**A. James Manchin Fund*

(WV Code Chapter 22)

Fund 8319 FY 2018 Org 0803

1 Current Expenses 13000 \$ 1,650,000

DEPARTMENT OF VETERANS' ASSISTANCE

260 - Veterans' Facilities Support Fund

(WV Code Chapter 9A)

Fund 6703 FY 2018 Org 0613

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 94,210
3	Current Expenses	13000	2,255,997
4	Repairs and Alterations.....	06400	10,000
5	Equipment.....	07000	10,000
6	Other Assets.....	69000	<u>10,000</u>
7	Total.....		\$ 2,380,207

261 - Department of Veterans' Assistance –

WV Veterans' Home –

Special Revenue Operating Fund

(WV Code Chapter 9A)

Fund 6754 FY 2018 Org 0618

1	Current Expenses	13000	\$ 700,000
2	Repairs and Alterations.....	06400	<u>50,000</u>
3	Total.....		\$ 750,000

BUREAU OF SENIOR SERVICES

262 - Bureau of Senior Services –

Community Based Service Fund

(WV Code Chapter 22)

Fund 5409 FY 2018 Org 0508

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 151,290
3	Current Expenses	13000	<u>10,348,710</u>
4	Total.....		\$ 10,500,000

5 The total amount of these appropriations are funded from
6 annual table game license fees to enable the aged and disabled
7 citizens of West Virginia to stay in their homes through the
8 provision of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION

263 - Higher Education Policy Commission –

System –

Tuition Fee Capital Improvement Fund

(Capital Improvement and Bond Retirement Fund)

Control Account

(WV Code Chapters 18 and 18B)

Fund 4903 FY 2018 Org 0442

1	Debt Service.....	04000	\$ 27,716,974
2	General Capital Expenditures	30600	5,000,000
3	Facilities Planning and Administration.....	38600	<u>421,082</u>
4	Total.....		\$ 33,138,056

5 The total amount of these appropriations shall be paid from the
6 Special Capital Improvement Fund created in W.Va. Code §18B-
7 10-8. Projects are to be paid on a cash basis and made available on
8 July 1.

9 The above appropriations, except for Debt Service, may be
10 transferred to special revenue funds for capital improvement
11 projects at the institutions.

264 - Tuition Fee Revenue Bond Construction Fund

(WV Code Chapters 18 and 18B)

Fund 4906 FY 2018 Org 0442

1 Any unexpended balance remaining in the appropriation for
2 Capital Outlay (fund 4906, appropriation 51100) at the close of the
3 fiscal year 2017 is hereby reappropriated for expenditure during the
4 fiscal year 2018.

5 The appropriation shall be paid from available unexpended
6 cash balances and interest earnings accruing to the fund. The
7 appropriation shall be expended at the discretion of the Higher
8 Education Policy Commission and the funds may be allocated to
9 any institution within the system.

10 The total amount of this appropriation shall be paid from the
11 unexpended proceeds of revenue bonds previously issued pursuant
12 to W.Va. Code §18-12B-8, which have since been refunded.

*265 - Community and Technical College –**Capital Improvement Fund*

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

1 Any unexpended balance remaining in the appropriation for
2 Capital Improvements – Total (fund 4908, appropriation 95800) at
3 the close of fiscal year 2017 is hereby reappropriated for
4 expenditure during the fiscal year 2018.

5 The total amount of this appropriation shall be paid from the
6 sale of the 2009 Series A Community and Technical College
7 Capital Improvement Revenue Bonds and anticipated interest
8 earnings.

*266 - West Virginia University –**West Virginia University Health Sciences Center*

(WV Code Chapters 18 and 18B)

Fund 4179 FY 2018 Org 0463

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 10,274,340
3	Current Expenses	13000	4,524,300
4	Repairs and Alterations.....	06400	425,000
5	Equipment.....	07000	512,000
6	Buildings.....	25800	150,000
7	Other Assets.....	69000	50,000
8	Total.....		\$ 15,935,640

MISCELLANEOUS BOARDS AND COMMISSIONS

267 - Board of Barbers and Cosmetologists –

Barbers and Beauticians Special Fund

(WV Code Chapters 16 and 30)

Fund 5425 FY 2018 Org 0505

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 504,497
3	Current Expenses	13000	239,969
4	Total.....		\$ 744,466

5 The total amount of these appropriations shall be paid from a
6 special revenue fund out of collections made by the Board of
7 Barbers and Cosmetologists as provided by law.

268 - Hospital Finance Authority –

Hospital Finance Authority Fund

(WV Code Chapter 16)

Fund 5475 FY 2018 Org 0509

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 85,981
3	Unclassified.....	09900	1,450
4	Current Expenses	13000	57,740
5	Total.....		\$ 145,171

6 The total amount of these appropriations shall be paid from the
 7 special revenue fund out of fees and collections as provided by
 8 Article 29A, Chapter 16 of the Code.

269 - WV State Board of Examiners for Licensed Practical Nurses –

Licensed Practical Nurses

(WV Code Chapter 30)

Fund 8517 FY 2018 Org 0906

1	Personal Services and		
2	Employee Benefits.....00100	\$	430,324
3	Current Expenses13000		<u>53,133</u>
4	Total.....	\$	483,457

270 - WV Board of Examiners for Registered Professional Nurses –

Registered Professional Nurses

(WV Code Chapter 30)

Fund 8520 FY 2018 Org 0907

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,081,694
3	Current Expenses13000		295,339
4	Repairs and Alterations.....06400		3,000
5	Equipment.....07000		19,500
6	Other Assets.....69000		<u>4,500</u>
7	Total.....	\$	1,404,033

271 - Public Service Commission

(WV Code Chapter 24)

Fund 8623 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits.....00100	\$	11,807,314
3	Unclassified.....09900		147,643

4	Current Expenses	13000	2,594,398
5	Repairs and Alterations	06400	55,000
6	Equipment	07000	160,000
7	PSC Weight Enforcement	34500	4,370,453
8	Debt Payment/Capital Outlay	52000	350,000
9	BRIM Premium	91300	<u>150,040</u>
10	Total		\$ 19,634,848

11 The total amount of these appropriations shall be paid from a
 12 special revenue fund out of collections for special license fees from
 13 public service corporations as provided by law.

14 The Public Service Commission is authorized to transfer up to
 15 \$500,000 from this fund to meet the expected deficiencies in the
 16 Motor Carrier Division (fund 8625, org 0926) due to the
 17 amendment and reenactment of W.Va. Code §24A-3-1 by Enrolled
 18 House Bill Number 2715, Regular Session, 1997.

272 - Public Service Commission –

Gas Pipeline Division –

Public Service Commission Pipeline Safety Fund

(WV Code Chapter 24B)

Fund 8624 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits	00100	\$ 284,198
3	Unclassified	09900	3,851
4	Current Expenses	13000	93,115
5	Repairs and Alterations	06400	<u>4,000</u>
6	Total		\$ 385,164

7 The total amount of these appropriations shall be paid from a
 8 special revenue fund out of receipts collected for or by the Public
 9 Service Commission pursuant to and in the exercise of regulatory
 10 authority over pipeline companies as provided by law.

*273 - Public Service Commission –**Motor Carrier Division*

(WV Code Chapter 24A)

Fund 8625 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,243,526
3	Unclassified.....	09900	29,233
4	Current Expenses	13000	577,557
5	Repairs and Alterations.....	06400	23,000
6	Equipment.....	07000	<u>50,000</u>
7	Total.....		\$ 2,923,316

8 The total amount of these appropriations shall be paid from a
9 special revenue fund out of receipts collected for or by the Public
10 Service Commission pursuant to and in the exercise of regulatory
11 authority over motor carriers as provided by law.

*274 - Public Service Commission –**Consumer Advocate Fund*

(WV Code Chapter 24)

Fund 8627 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 743,372
3	Current Expenses	13000	276,472
4	Equipment.....	07000	9,872
5	BRIM Premium.....	91300	<u>4,660</u>
6	Total.....		\$ 1,034,376

7 The total amount of these appropriations shall be supported by
8 cash from a special revenue fund out of collections made by the
9 Public Service Commission.

275 - Real Estate Commission –

Real Estate License Fund

(WV Code Chapter 30)

Fund 8635 FY 2018 Org 0927

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 582,413
3	Current Expenses	13000	285,622
4	Repairs and Alterations.....	06400	5,000
5	Equipment.....	07000	<u>10,000</u>
6	Total.....		\$ 883,035

7 The total amount of these appropriations shall be paid out of
8 collections of license fees as provided by law.

276 - WV Board of Examiners for Speech-Language

Pathology and Audiology –

Speech-Language Pathology and Audiology Operating Fund

(WV Code Chapter 30)

Fund 8646 FY 2018 Org 0930

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 73,190
3	Current Expenses	13000	<u>65,623</u>
4	Total.....		\$ 138,813

277 - WV Board of Respiratory Care –

Board of Respiratory Care Fund

(WV Code Chapter 30)

Fund 8676 FY 2018 Org 0935

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 79,643

3	Current Expenses	13000		51,047
4	Repairs and Alterations.....	06400		<u>400</u>
5	Total.....		\$	131,090

278 - WV Board of Licensed Dietitians –

Dietitians Licensure Board Fund

(WV Code Chapter 30)

Fund 8680 FY 2018 Org 0936

1	Personal Services and			
2	Employee Benefits.....	00100	\$	15,950
3	Current Expenses	13000		<u>17,050</u>
4	Total.....		\$	33,000

279 - Massage Therapy Licensure Board –

Massage Therapist Board Fund

(WV Code Chapter 30)

Fund 8671 FY 2018 Org 0938

1	Personal Services and			
2	Employee Benefits.....	00100	\$	104,418
3	Current Expenses	13000		<u>22,648</u>
4	Total.....		\$	127,066

280 - Economic Development Authority –

Cacapon and Beech Fork State Parks –

Lottery Revenue Debt Service

Fund 9067 FY 2018 Org 0944

1	Debt Service.....	04000	\$	1,400,000
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2 The above appropriation for Debt Service (fund 9067,
3 appropriation 04000) shall be paid from the cash balance remaining

4 in the Cacapon and Beech Fork State Parks Lottery Revenue Debt
5 Service Fund (9067).

281 - Board of Medicine –

Medical Licensing Board Fund

(WV Code Chapter 30)

Fund 9070 FY 2018 Org 0945

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,187,752
3	Current Expenses13000		988,789
4	Repairs and Alterations.....06400		<u>20,000</u>
5	Total.....	\$	2,196,541

282 - West Virginia Enterprise Resource Planning Board –

Enterprise Resource Planning System Fund

(WV Code Chapter 12)

Fund 9080 FY 2018 Org 0947

1	Personal Services and		
2	Employee Benefits.....00100	\$	6,713,066
3	Unclassified.....09900		232,000
4	Current Expenses13000		20,140,134
5	Repairs and Alterations.....06400		300
6	Equipment.....07000		213,000
7	Buildings.....25800		2,000
8	Other Assets.....69000		<u>199,500</u>
9	Total.....	\$	27,500,000

283 - Board of Treasury Investments –

Board of Treasury Investments Fee Fund

(WV Code Chapter 12)

Fund 9152 FY 2018 Org 0950

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 782,889
3	Unclassified.....	09900	14,850
4	Current Expenses	13000	650,714
5	BRIM Premium.....	91300	36,547
6	Fees of Custodians, Fund Advisors		
7	and Fund Managers.....	93800	<u>3,500,000</u>
8	Total.....		\$ 4,985,000

9 There is hereby appropriated from this fund, in addition to the
10 above appropriation if needed, an amount of funds necessary for
11 the Board of Treasury Investments to pay the fees and expenses of
12 custodians, fund advisors and fund managers for the consolidated
13 fund of the State as provided in Article 6C, Chapter 12 of the Code.

14 The total amount of these appropriations shall be paid from the
15 special revenue fund out of fees and collections as provided by law.

16 Total TITLE II, Section 3 – Other Funds
17 (Including claims against the state) \$1,491,985,711

1 **Sec. 4. Appropriations from lottery net profits.** — Net
2 profits of the lottery are to be deposited by the Director of the
3 Lottery to the following accounts in the amounts indicated. The
4 Director of the Lottery shall prorate each deposit of net profits in
5 the proportion the appropriation for each account bears to the total
6 of the appropriations for all accounts.

7 After first satisfying the requirements for Fund 2252, Fund
8 3963, and Fund 4908 pursuant to W.Va. Code §29-22-18, the
9 Director of the Lottery shall make available from the remaining net
10 profits of the lottery any amounts needed to pay debt service for
11 which an appropriation is made for Fund 9065, Fund 4297, Fund
12 3390, and Fund 3514 and is authorized to transfer any such
13 amounts to Fund 9065, Fund 4297, Fund 3390, and Fund 3514 for
14 that purpose. Upon receipt of reimbursement of amounts so
15 transferred, the Director of the Lottery shall deposit the
16 reimbursement amounts to the following accounts as required by
17 this section.

*284 - Education, Arts, Sciences and Tourism –**Debt Service Fund*

(WV Code Chapter 5)

Fund 2252 FY 2018 Org 0211

	Appro- priation	Lottery Funds
1 Debt Service – Total	31000	\$ 10,000,000

*285 - West Virginia Development Office –**West Virginia Tourism Office (WV Code Chapter 5B)*Fund 3067 FY 2018 Org 0304

1 Tourism – Telemarketing Center	46300	\$ 82,080
2 Tourism – Advertising (R).....	61800	2,422,407
3 Tourism – Operations (R).....	66200	<u>3,951,872</u>
4 Total.....		\$ 6,456,359

5 Any unexpended balances remaining in the appropriations for
6 Tourism – Advertising (fund 3067, appropriation 61800), and
7 Tourism – Operations (fund 3067, appropriation 66200) at the
8 close of the fiscal year 2017 are hereby reappropriated for
9 expenditure during the fiscal year 2018.

286 - Division of Natural Resources

(WV Code Chapter 20)

Fund 3267 FY 2018 Org 0310

1 Personal Services and		
2 Employee Benefits.....	00100	\$ 2,090,941
3 Current Expenses	13000	23,000
4 Pricketts Fort State Park.....	32400	106,560
5 Non-Game Wildlife (R).....	52700	365,540
6 State Parks and Recreation Advertising (R).....	61900	<u>494,578</u>

7 Total..... \$ 3,080,619

8 Any unexpended balances remaining in the appropriations for
 9 Unclassified (fund 3267, appropriation 09900), Capital Outlay –
 10 Parks (fund 3267, appropriation 28800), Non-Game Wildlife (fund
 11 3267, appropriation 52700), and State Parks and Recreation
 12 Advertising (fund 3267, appropriation 61900) at the close of the
 13 fiscal year 2017 are hereby reappropriated for expenditure during
 14 the fiscal year 2018.

287 - State Board of Education

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

1	FBI Checks.....	37200	\$	108,860
2	Vocational Education			
3	Equipment Replacement.....	39300		800,000
4	Assessment Program (R).....	39600		2,946,059
5	21 st Century Technology Infrastructure			
6	Network Tools and Support (R)	93300		<u>14,151,287</u>
7	Total.....		\$	18,006,206

8 Any unexpended balances remaining in the appropriations for
 9 Unclassified (fund 3951, appropriation 09900), Current Expenses
 10 (fund 3951, appropriation 13000), Assessment Program (fund
 11 3951, appropriation 39600), and 21st Century Technology
 12 Infrastructure Network Tools and Support (fund 3951,
 13 appropriation 93300) at the close of the fiscal year 2017 are hereby
 14 reappropriated for expenditure during the fiscal year 2018.

288 - State Department of Education –

School Building Authority –

Debt Service Fund

(WV Code Chapter 18)

Fund 3963 FY 2018 Org 0402

1	Debt Service – Total	31000	\$	6,414,437
2	Directed Transfer	70000		<u>11,585,563</u>
3	Total.....		\$	18,000,000

4 The School Building Authority shall have the authority to
 5 transfer between the above appropriations in accordance with
 6 W.Va. Code §29-22-18.

289 - Department of Education and the Arts –

Office of the Secretary –

Control Account –

Lottery Education Fund

(WV Code Chapter 5F)

Fund 3508 FY 2018 Org 0431

1	Unclassified (R)	09900	\$	9,483
2	Current Expenses	13000		110,617
3	Commission for National			
4	and Community Service	19300		348,254
5	Statewide STEM 21 st Century Academy.....	89700		130,000
6	Literacy Project (R).....	89900		<u>350,000</u>
7	Total.....		\$	948,354

8 Any unexpended balances remaining in the appropriations for
 9 Unclassified (fund 3508, appropriation 09900), Governor's Honors
 10 Academy (fund 3508, appropriation 47800), Arts Programs (fund
 11 3508, appropriation 50000), and Literacy Project (fund 3508,
 12 appropriation 89900) at the close of fiscal year 2017 are hereby
 13 reappropriated for expenditure during the fiscal year 2018.

290 - Division of Culture and History –

Lottery Education Fund

(WV Code Chapter 29)

Fund 3534 FY 2018 Org 0432

1	Huntington Symphony	02700	\$	59,058
2	Preservation WV (R).....	09200		491,921
3	Fairs and Festivals (R)	12200		1,346,814
4	Archeological Curation/Capital			
5	Improvements (R).....	24600		30,074
6	Historic Preservation Grants (R).....	31100		294,742
7	West Virginia Public Theater.....	31200		120,019
8	Greenbrier Valley Theater	42300		99,543
9	Theater Arts of West Virginia.....	46400		90,000
10	Marshall Artists Series.....	51800		36,005
11	Grants for Competitive			
12	Arts Program (R)	62400		580,800
13	West Virginia State Fair.....	65700		31,241
14	Save the Music.....	68000		24,000
15	Contemporary American			
16	Theater Festival	81100		57,281
17	Independence Hall	81200		27,277
18	Mountain State Forest Festival	86400		38,187
19	WV Symphony.....	90700		59,058
20	Wheeling Symphony.....	90800		59,058
21	Appalachian Children's Chorus.....	91600		<u>54,554</u>
22	Total.....		\$	<u>3,499,632</u>

23 From the above appropriation for Preservation West Virginia
24 (fund 3534, appropriation 09200) funding shall be provided to the
25 African-American Heritage Family Tree Museum (Fayette)
26 \$2,673, Aracoma Story (Logan) \$29,703, Arts Monongahela
27 (Monongalia) \$11,881, Barbour County Arts and Humanities
28 Council \$891, Beckley Main Street (Raleigh) \$2,970, Buffalo
29 Creek Memorial (Logan) \$2,970, Carnegie Hall (Greenbrier)
30 \$46,899, Ceredo Historical Society (Wayne) \$1,166, Ceredo
31 Kenova Railroad Museum (Wayne) \$1,166, Ceredo Museum
32 (Wayne) \$720, Children's Theatre of Charleston (Kanawha)
33 \$3,127, Chuck Mathena Center (Mercer) \$62,532, Clay Center
34 (Kanawha) \$25,000, Collis P. Huntington Railroad Historical
35 Society (Cabell) \$5,940, Country Music Hall of Fame and
36 Museum (Marion) \$4,158, First Stage Children's Theater
37 Company \$1,166, Flannigan Murrell House (Summers) \$3,780,
38 Fort Ashby Fort (Mineral) \$891, Fort New Salem (Harrison)

39 \$2,198, Fort Randolph (Mason) \$2,970, General Adam Stephen
40 Memorial Foundation (Berkeley) \$11,005, Grafton Mother's Day
41 Shrine Committee (Taylor) \$5,049, Hardy County Tour and Crafts
42 Association \$11,881, Heartwood in the Hills (Calhoun) \$5,040,
43 Heritage Farm Museum & Village (Cabell) \$29,703, Historic
44 Fayette Theater (Fayette) \$3,267, Historic Middleway
45 Conservancy (Jefferson) \$594, Jefferson County Black History
46 Preservation Society \$2,970, Jefferson County Historical
47 Landmark Commission \$4,752, Maddie Carroll House (Cabell)
48 \$4,455, Marshall County Historical Society \$5,049, McCoy
49 Theater (Hardy) \$11,881, Morgantown Theater Company
50 (Monongalia) \$11,881, Mountaineer Boys' State (Lewis) \$5,940,
51 Nicholas Old Main Foundation (Nicholas) \$1,188, Norman Dillon
52 Farm Museum (Berkeley) \$5,940, Old Opera House Theater
53 Company (Jefferson) \$8,910, Parkersburg Arts Center (Wood)
54 \$11,881, Pocahontas Historic Opera House \$3,564, Raleigh
55 County All Wars Museum \$5,940, Rhododendron Girl's State
56 (Ohio) \$5,940, Roane County 4-H and FFA Youth Livestock
57 Program \$2,970, Scottish Heritage Society/N. Central WV
58 (Harrison) \$2,970, Society for the Preservation of McGrew House
59 (Preston) \$2,079, Southern West Virginia Veterans' Museum
60 \$3,393, Summers County Historic Landmark Commission
61 \$2,970, Those Who Served War Museum (Mercer) \$2,376, Three
62 Rivers Avian Center (Summers) \$5,310, Tug Valley Arts Council
63 (Mingo) \$2,970, Tug Valley Chamber of Commerce Coal House
64 (Mingo) \$1,188, Tunnelton Historical Society (Preston) \$1,188,
65 Veterans Committee for Civic Improvement of Huntington
66 (Wayne) \$2,970, West Virginia Museum of Glass (Lewis)
67 \$3,713, West Virginia Music Hall of Fame (Kanawha) \$20,792,
68 YMCA Camp Horseshoe (Tucker) \$59,405, Youth Museum of
69 Southern West Virginia (Raleigh) \$7,128, Z.D. Ramsdell House
70 (Wayne) \$720.

71 From the above appropriation for Fairs and Festivals (fund
72 3534, appropriation 12200) funding shall be provided to A
73 Princeton 4th (Mercer) \$1,800, African-American Cultural
74 Heritage Festival (Jefferson) \$2,970, Alderson 4th of July
75 Celebration (Greenbrier) \$2,970, Allegheny Echo (Pocahontas)
76 \$4,456, Alpine Festival/Leaf Peepers Festival (Tucker) \$6,683,

- 77 American Civil War (Grant) \$3,127, American Legion Post 8
78 Veterans Day Parade (McDowell) \$1,250, Angus Beef and Cattle
79 Show (Lewis) \$891, Annual Birch River Days (Nicholas) \$1,296,
80 Annual Don Redman Heritage Concert & Awards (Jefferson)
81 \$938, Annual Ruddle Park Jamboree (Pendleton) \$4,690, Antique
82 Market Fair (Lewis) \$1,188, Apollo Theater-Summer Program
83 (Berkeley) \$1,188, Apple Butter Festival (Morgan) \$3,564,
84 Arkansaw Homemaker's Heritage Weekend (Hardy) \$2,079,
85 Armed Forces Day-South Charleston (Kanawha) \$1,782,
86 Arthurdale Heritage New Deal Festival (Preston) \$2,970, Athens
87 Town Fair (Mercer) \$1,188, Augusta Fair (Randolph) \$2,970,
88 Autumn Harvest Fest (Monroe) \$2,448, Barbour County Fair
89 \$14,851, Barboursville Octoberfest (Cabell) \$2,970, Bass Festival
90 (Pleasants) \$1,099, Battelle District Fair (Monongalia) \$2,970,
91 Battle of Dry Creek (Greenbrier) \$891, Battle of Point Pleasant
92 Memorial Committee (Mason) \$2,970, Belle Town Fair
93 (Kanawha) \$2,673, Belleville Homecoming (Wood) \$11,881,
94 Bergoo Down Home Days (Webster) \$1,485, Berkeley County
95 Youth Fair \$10,990, Black Bear 4K Mountain Bike Race
96 (Kanawha) \$684, Black Heritage Festival (Harrison) \$3,564,
97 Black Walnut Festival (Roane) \$5,940, Blast from the Past
98 (Upshur) \$1,440, Blue-Gray Reunion (Barbour) \$2,079, Boone
99 County Fair \$5,940, Boone County Labor Day Celebration
100 \$2,376, Bradshaw Fall Festival (McDowell) \$1,188, Brandonville
101 Heritage Day (Preston) \$1,048, Braxton County Fair \$6,832,
102 Braxton County Monster Fest / West Virginia Autumn Festival
103 \$1,485, Brooke County Fair \$2,079, Bruceton Mills Good
104 Neighbor Days (Preston) \$1,188, Buckwheat Festival (Preston)
105 \$5,050, Buffalo 4th of July Celebration (Putnam) \$400, Buffalo
106 October Fest (Putnam) \$3,240, Burlington Apple Harvest Festival
107 (Mineral) \$17,821, Burlington Pumpkin Harvest Festival
108 (Raleigh) \$2,970, Burnsville Harvest Festival (Braxton) \$1,407,
109 Cabell County Fair \$5,940, Calhoun County Wood Festival
110 \$1,188, Campbell's Creek Community Fair (Kanawha) \$1,485,
111 Cape Coalwood Festival Association (McDowell) \$1,485, Capon
112 Bridge Founders Day Festival (Hampshire) \$1,188, Capon
113 Springs Ruritan 4th of July (Hampshire) \$684, Cass Homecoming
114 (Pocahontas) \$1,188, Cedarville Town Festival (Gilmer) \$684,
115 Celebration in the Park (Wood) \$2,376, Celebration of America

116 (Monongalia) \$3,564, Ceredo Freedom Festival (Wayne) \$700,
117 Chapmanville Apple Butter Festival (Logan) \$684, Chapmanville
118 Fire Department 4th of July (Logan) \$1,782, Charles Town
119 Christmas Festival (Jefferson) \$2,970, Charles Town Heritage
120 Festival (Jefferson) \$2,970, Cherry River Festival (Nicholas)
121 \$3,861, Chester Fireworks (Hancock) \$891, Chester 4th of July
122 Festivities (Hancock) \$2,970, Chief Logan State Park-Civil War
123 Celebration (Logan) \$4,752, Chilifest West Virginia State Chili
124 Championship (Cabell) \$1,563, Christmas In Our Town (Marion)
125 \$3,127, Christmas in Shepherdstown (Jefferson) \$2,376, Christmas
126 in the Park (Brooke) \$2,970, Christmas in the Park (Logan)
127 \$14,851, City of Dunbar Critter Dinner (Kanawha) \$5,940, City
128 of Logan Polar Express (Logan) \$4,456, City of New Martinsville
129 Festival of Memories (Wetzel) \$6,534, Clay County Golden
130 Delicious Apple Festival \$4,158, Clay District Fair (Monongalia)
131 \$1,080, Coal Field Jamboree (Logan) \$20,792, Coalton Days Fair
132 (Randolph) \$4,158, Country Roads Festival (Fayette) \$1,188,
133 Cowen Railroad Festival (Webster) \$2,079, Craigsville Fall
134 Festival (Nicholas) \$2,079, Cruise into Princeton (Mercer)
135 \$2,160, Culturefest World Music & Arts Festival (Mercer)
136 \$4,690, Delbarton Homecoming (Mingo) \$2,079, Doddridge
137 County Fair \$4,158, Dorcas Ice Cream Social (Grant) \$3,564,
138 Durbin Days (Pocahontas) \$2,970, Elbert/Filbert Reunion
139 Festival (McDowell) \$891, Elkins Randolph County 4th of July
140 Car Show (Randolph) \$1,188, Fairview 4th of July Celebration
141 (Marion) \$684, Farm Safety Day (Preston) \$1,188, Farmer's Day
142 Festival (Monroe) \$2,330, Farmers' Day Parade (Wyoming)
143 \$720, Fenwick Mountain Old Time Community Festival
144 (Nicholas) \$2,880, FestivALL Charleston (Kanawha) \$11,881,
145 Flatwoods Days (Braxton) \$700, Flemington Day Fair and
146 Festival (Taylor) \$2,079, Follansbee Community Days (Brooke)
147 \$4,900, Fort Gay Mountain Heritage Days (Wayne) \$2,970, Fort
148 Henry Days (Ohio) \$3,148, Fort Henry Living History (Ohio)
149 \$1,563, Fort New Salem Spirit of Christmas Festival (Harrison)
150 \$2,432, Frankford Autumnfest (Greenbrier) \$2,970, Franklin
151 Fishing Derby (Pendleton) \$4,456, Freshwater Folk Festival
152 (Greenbrier) \$2,970, Friends Auxiliary of W.R. Sharpe Hospital
153 (Lewis) \$2,970, Frontier Days (Harrison) \$1,782, Frontier
154 Fest/Canaan Valley (Taylor) \$2,970, Fund for the Arts-Wine &

155 All that Jazz Festival (Kanawha) \$1,485, Gassaway Days
156 Celebration (Braxton) \$2,970, Gilbert Elementary Fall Blast
157 (Mingo) \$2,188, Gilbert Kiwanis Harvest Festival (Mingo)
158 \$2,376, Gilbert Spring Fling (Mingo) \$3,595, Gilmer County
159 Farm Show \$2,376, Grant County Arts Council \$1,188, Grape
160 Stomping Wine Festival (Nicholas) \$1,188, Great Greenbrier
161 River Race (Pocahontas) \$5,940, Greater Quinwood Days
162 (Greenbrier) \$781, Guyandotte Civil War Days (Cabell) \$5,940,
163 Hamlin 4th of July Celebration (Lincoln) \$2,970, Hampshire Civil
164 War Celebration Days (Hampshire) \$684, Hampshire County 4th
165 of July Celebration \$11,881, Hampshire County Fair \$5,002,
166 Hampshire Heritage Days (Hampshire) \$2,376, Hancock County
167 Oldtime Fair \$2,970, Hardy County Commission - 4th of July
168 \$5,940, Hatfield McCoy Matewan Reunion Festival (Mingo)
169 \$12,330, Hatfield McCoy Trail National ATV and Dirt Bike
170 Weekend (Wyoming) \$2,970, Heat'n the Hills Chilifest (Lincoln)
171 \$2,970, Heritage Craft Festival (Monroe) \$1,044, Heritage Days
172 Festival (Roane) \$891, Hilltop Festival (Cabell) \$684, Hilltop
173 Festival of Lights (McDowell) \$1,188, Hinton Railroad Days
174 (Summers) \$4,347, Holly River Festival (Webster) \$891,
175 Hometown Mountain Heritage Festival (Fayette) \$2,432, Hundred
176 4th of July (Wetzel) \$4,307, Hundred American Legion Earl
177 Kiger Post Bluegrass Festival (Wetzel) \$1,188, Hurricane 4th of
178 July Celebration (Putnam) \$2,970, Iaeger Town Fair (McDowell)
179 \$891, Irish Heritage Festival of West Virginia (Raleigh) \$2,970,
180 Irish Spring Festival (Lewis) \$684, Italian Heritage Festival-
181 Clarksburg (Harrison) \$17,821, Jackson County Fair \$2,970,
182 Jamboree (Pocahontas) \$2,970, Jane Lew Arts and Crafts Fair
183 (Lewis) \$684, Jefferson County Fair Association \$14,851, Jersey
184 Mountain Ruritan Pioneer Days (Hampshire) \$684, John Henry
185 Days Festival (Monroe) \$4,698, Johnnie Johnson Blues and Jazz
186 Festival (Marion) \$2,970, Johnstown Community Fair (Harrison)
187 \$1,485, Junior Heifer Preview Show (Lewis) \$1,188, Kanawha
188 Coal Riverfest-St. Albans 4th of July Festival (Kanawha) \$2,970,
189 Keeper of the Mountains-Kayford (Kanawha) \$1,485, Kenova
190 Autumn Festival (Wayne) \$4,377, Kermit Fall Festival (Mingo)
191 \$1,782, Keystone Reunion Gala (McDowell) \$1,563, King Coal
192 Festival (Mingo) \$2,970, Kingwood Downtown Street Fair and
193 Heritage Days (Preston) \$1,188, L.Z. Rainelle West Virginia

194 Veterans Reunion (Greenbrier) \$2,970, Lady of Agriculture
195 (Preston) \$684, Larry Joe Harless Center Octoberfest Hatfield
196 McCoy Trail (Mingo) \$5,940, Larry Joe Harless Community
197 Center Spring Middle School Event (Mingo) \$2,970, Last Blast
198 of Summer (McDowell) \$2,970, Lewis County Fair Association
199 \$2,079, Lewisburg Shanghai (Greenbrier) \$1,188, Lincoln
200 County Fall Festival \$4,752, Lincoln County Winterfest \$2,970,
201 Lindside Veterans' Day Parade \$720, Little Levels Heritage
202 Festival (Pocahontas) \$1,188, Lost Creek Community Festival
203 (Harrison) \$4,158, Main Street Arts Festival (Upshur) \$3,127,
204 Main Street Martinsburg Chocolate Fest and Book Fair (Berkeley)
205 \$2,813, Mannington District Fair (Marion) \$3,564, Maple Syrup
206 Festival (Randolph) \$684, Marion County FFA Farm Fest
207 \$1,485, Marmet Labor Day Celebration (Kanawha) \$3,078,
208 Marshall County Antique Power Show \$1,485, Marshall County
209 Fair \$4,456, Mason County Fair \$2,970, Mason Dixon Festival
210 (Monongalia) \$4,158, Matewan Massacre Reenactment (Mingo)
211 \$5,004, Matewan-Magnolia Fair (Mingo) \$15,932, McARTS-
212 McDowell County \$11,881, McDowell County Fair \$1,485,
213 McGrew House History Day (Preston) \$1,188, McNeill's Rangers
214 (Mineral) \$4,752, Meadow Bridge Hometown Festival (Fayette)
215 \$743, Meadow River Days Festival (Greenbrier) \$1,782, Mercer
216 Bluestone Valley Fair (Mercer) \$1,188, Mercer County Fair
217 \$1,188, Mercer County Heritage Festival \$3,474, Mid Ohio Valley
218 Antique Engine Festival (Wood) \$1,782, Milton Christmas in the
219 Park (Cabell) \$1,485, Milton 4th of July Celebration (Cabell)
220 \$1,485, Mineral County Fair \$1,040, Mineral County Veterans
221 Day Parade \$891, Molasses Festival (Calhoun) \$1,188,
222 Monongahfest (Marion) \$3,752, Moon Over Mountwood Fishing
223 Festival (Wood) \$1,782, Morgan County Fair-History Wagon
224 \$891, Moundsville Bass Festival (Marshall) \$2,376, Moundsville
225 July 4th Celebration (Marshall) \$2,970, Mount Liberty Fall
226 Festival (Barbour) \$1,485, Mountain Fest (Monongalia) \$11,881,
227 Mountain Festival (Mercer) \$2,747, Mountain Heritage Arts and
228 Crafts Festival (Jefferson) \$2,970, Mountain Music Festival
229 (McDowell) \$1,485, Mountain State Apple Harvest Festival
230 (Berkeley) \$4,456, Mountain State Arts & Crafts Fair Cedar Lakes
231 (Jackson) \$26,732, Mountaineer Hot Air Balloon Festival
232 (Monongalia) \$2,376, Mullens Dogwood Festival (Wyoming)

233 \$4,158, Multi-Cultural Festival of West Virginia (Kanawha)
234 \$11,881, Music and Barbecue - Banks District VFD (Upshur)
235 \$1,278, New Cumberland Christmas Parade (Hancock) \$1,782,
236 New Cumberland 4th of July (Hancock) \$2,970, New River
237 Bridge Day Festival (Fayette) \$23,762, Newburg Volunteer
238 Fireman's Field Day (Preston) \$684, Nicholas County Fair \$2,970,
239 Nicholas County Potato Festival \$2,079, Oak Leaf Festival
240 (Fayette) \$6,253, Oceana Heritage Festival (Wyoming) \$3,564,
241 Oglebay City Park - Festival of Lights (Ohio) \$47,524, Oglebay
242 Festival (Ohio) \$5,940, Ohio County Country Fair \$5,346, Ohio
243 River Fest (Jackson) \$4,320, Ohio Valley Beef Association
244 (Wood) \$1,485, Ohio Valley Black Heritage Festival (Ohio)
245 \$3,267, Old Central City Fair (Cabell) \$2,970, Old Century City
246 Fair (Barbour) \$1,250, Old Tyme Christmas (Jefferson) \$1,425,
247 Paden City Labor Day Festival (Wetzel) \$3,861, Parkersburg
248 Homecoming (Wood) \$8,754, Patty Fest (Monongalia) \$1,188,
249 Paw Paw District Fair (Marion) \$2,079, Pax Reunion Committee
250 (Fayette) \$2,970, Pendleton County 4-H Weekend \$1,188,
251 Pendleton County Committee for Arts \$8,910, Pendleton County
252 Fair \$6,253, Pennsboro Country Road Festival (Ritchie) \$1,188,
253 Petersburg 4th of July Celebration (Grant) \$11,881, Petersburg
254 HS Celebration (Grant) \$5,940, Piedmont-Annual Back Street
255 Festival (Mineral) \$2,376, Pinch Reunion (Kanawha) \$891, Pine
256 Bluff Fall Festival (Harrison) \$2,376, Pine Grove 4th of July
257 Festival (Wetzel) \$4,158, Pineville Festival (Wyoming) \$3,564,
258 Pleasants County Agriculture Youth Fair \$2,970, Poca Heritage
259 Days (Putnam) \$1,782, Pocahontas County Pioneer Days \$4,158,
260 Point Pleasant Stern Wheel Regatta (Mason) \$2,970, Pratt Fall
261 Festival (Kanawha) \$1,485, Princeton Autumnfest (Mercer)
262 \$1,563, Princeton Street Fair (Mercer) \$2,970, Putnam County
263 Fair \$2,970, Quartets on Parade (Hardy) \$2,376, Rainelle Fall
264 Festival (Greenbrier) \$3,127, Rand Community Center Festival
265 (Kanawha) \$1,485, Randolph County Community Arts Council
266 \$1,782, Randolph County Fair \$4,158, Randolph County Ramp
267 and Rails \$1,188, Ranson Christmas Festival (Jefferson) \$2,970,
268 Ranson Festival (Jefferson) \$2,970, Renick Liberty Festival
269 (Greenbrier) \$684, Ripley 4th of July (Jackson) \$8,910, Ritchie
270 County Fair and Exposition \$2,970, Ritchie County Pioneer Days
271 \$684, River City Festival (Preston) \$684, Roane County

272 Agriculture Field Day \$1,782, Rock the Park (Kanawha) \$3,240,
273 Rocket Boys Festival (Raleigh) \$1,710, Romney Heritage Days
274 (Hampshire) \$1,876, Ronceverte River Festival (Greenbrier)
275 \$2,970, Rowlesburg Labor Day Festival (Preston) \$684, Rupert
276 Country Fling (Greenbrier) \$1,876, Saint Spyridon Greek Festival
277 (Harrison) \$1,485, Salem Apple Butter Festival (Harrison)
278 \$2,376, Sistersville 4th of July (Tyler) \$3,267, Skirmish on the
279 River (Mingo) \$1,250, Smoke on the Water (Wetzel) \$1,782,
280 South Charleston Summerfest (Kanawha) \$5,940, Southern Wayne
281 County Fall Festival \$684, Spirit of Grafton Celebration (Taylor)
282 \$5,940, Springfield Peach Festival (Hampshire) \$738, St. Albans
283 City of Lights - December (Kanawha) \$2,970, Sternwheel Festival
284 (Wood) \$1,782, Stoco Reunion (Raleigh) \$1,485, Stonewall
285 Jackson Heritage Arts & Crafts Jubilee (Lewis) \$6,534, Stonewall
286 Jackson's Roundhouse Raid (Berkeley) \$7,200, Storytelling
287 Festival (Lewis) \$400, Strawberry Festival (Upshur) \$17,821,
288 Sylvester Big Coal River Festival \$1,944, Tacy Fair (Barbour)
289 \$684, Taste of Parkersburg (Wood) \$2,970, Taylor County Fair
290 \$3,267, Terra Alta VFD 4th of July Celebration (Preston) \$684,
291 The Gathering at Sweet Creek (Wood) \$1,782, Three Rivers Coal
292 Festival (Marion) \$4,604, Thunder on the Tygart - Mothers' Day
293 Celebration (Taylor) \$8,910, Town of Delbarton 4th of July
294 Celebration (Mingo) \$1,782, Town of Fayetteville Heritage
295 Festival (Fayette) \$4,456, Town of Matoaka Hog Roast (Mercer)
296 \$684, Town of Rivesville 4th of July Festival (Marion) \$3,127,
297 Town of Winfield - Putnam County Homecoming \$3,240, St.
298 Albans Train Fest (Kanawha) \$6,120, Treasure Mountain Festival
299 (Pendleton) \$14,851, Tri-County Fair (Grant) \$22,548, Tucker
300 County Arts Festival and Celebration \$10,692, Tucker County
301 Fair \$2,821, Tucker County Health Fair \$1,188, Tunnelton Depot
302 Days (Preston) \$684, Tunnelton Volunteer Fire Department
303 Festival (Preston) \$684, Turkey Festival (Hardy) \$1,782, Tyler
304 County Fair \$3,088, Tyler County 4th of July \$400, Tyler County
305 OctoberFest \$720, Union Community Irish Festival (Barbour)
306 \$648, Uniquely West Virginia Festival (Morgan) \$1,188, Upper
307 Kanawha Valley Oktoberfest (Kanawha) \$1,485, Upper Ohio
308 Valley Italian Festival (Ohio) \$7,128, Upshur County Youth
309 Livestock Show \$1,440, Valley District Fair (Preston) \$2,079,
310 Veterans Welcome Home Celebration (Cabell) \$938, Vietnam

311 Veterans of America #949 Christmas Party (Cabell) \$684,
312 Volcano Days at Mountwood Park (Wood) \$2,970, War
313 Homecoming Fall Festival (McDowell) \$891, Wardensville Fall
314 Festival (Hardy) \$2,970, Wayne County Fair \$2,970, Wayne
315 County Fall Festival \$2,970, Webster County Fair \$3,600,
316 Webster County Wood Chopping Festival \$8,910, Webster Wild
317 Water Weekend \$1,188, Weirton July 4th Celebration (Hancock)
318 \$11,881, Welcome Home Family Day (Wayne) \$1,900, Wellsburg
319 4th of July Celebration (Brooke) \$4,456, Wellsburg Apple
320 Festival of Brooke County \$2,970, West Virginia Blackberry
321 Festival (Harrison) \$2,970, West Virginia Chestnut Festival
322 (Preston) \$684, West Virginia Coal Festival (Boone) \$5,940,
323 West Virginia Coal Show (Mercer) \$1,563, West Virginia Dairy
324 Cattle Show (Lewis) \$5,940, West Virginia Dandelion Festival
325 (Greenbrier) \$2,970, West Virginia Day at the Railroad Museum
326 (Mercer) \$1,800, West Virginia Fair and Exposition (Wood)
327 \$4,812, West Virginia Fireman's Rodeo (Fayette) \$1,485, West
328 Virginia Oil and Gas Festival (Tyler) \$6,534, West Virginia Peach
329 Festival (Hampshire) \$3,240, West Virginia Polled Hereford
330 Association (Braxton) \$891, West Virginia Poultry Festival
331 (Hardy) \$2,970, West Virginia Pumpkin Festival (Cabell) \$5,940,
332 West Virginia State Folk Festival (Gilmer) \$2,970, West Virginia
333 Water Festival - City of Hinton (Summers) \$9,144, Weston VFD
334 4th of July Firemen Festival (Lewis) \$1,188, Wetzel County
335 Autumnfest \$3,267, Wetzel County Town and Country Days
336 \$10,098, Wheeling Celtic Festival (Ohio) \$1,166, Wheeling City
337 of Lights (Ohio) \$4,752, Wheeling Sternwheel Regatta (Ohio)
338 \$5,940, Wheeling Vintage Raceboat Regatta (Ohio) \$11,881,
339 Whipple Community Action (Fayette) \$1,485, Wileyville
340 Homecoming (Wetzel) \$2,376, Wine Festival and Mountain Music
341 Event (Harrison) \$2,970, Winter Festival of the Waters (Berkeley)
342 \$2,970, Wirt County Fair \$1,485, Wirt County Pioneer Days
343 \$1,188, Wyoming County Civil War Days \$1,296, Youth
344 Stockman Beef Expo (Lewis) \$1,188.

345 Any unexpended balances remaining in the appropriations for
346 Preservation West Virginia (fund 3534, appropriation 09200),
347 Fairs and Festivals (fund 3534, appropriation 12200),
348 Archeological Curation/Capital Improvements (fund 3534,

349 appropriation 24600), Historic Preservation Grants (fund 3534,
 350 appropriation 31100), Grants for Competitive Arts Program (fund
 351 3534, appropriation 62400), and Project ACCESS (fund 3534,
 352 appropriation 86500) at the close of the fiscal year 2017 are hereby
 353 reappropriated for expenditure during the fiscal year 2018.

354 Any Fairs & Festivals awards shall be funded in addition to,
 355 and not in lieu of, individual grant allocations derived from the Arts
 356 Council and the Cultural Grant Program allocations.

291 - Library Commission –

Lottery Education Fund

(WV Code Chapter 10)

Fund 3559 FY 2018 Org 0433

1	Books and Films	17900	\$	360,784
2	Services to Libraries	18000		550,000
3	Grants to Public Libraries	18200		9,439,571
4	Digital Resources	30900		219,992
5	Infomine Network.....	88400		<u>852,729</u>
6	Total.....		\$	11,423,076

7 Any unexpended balance remaining in the appropriation for
 8 Libraries – Special Projects (fund 3559, appropriation 62500) at
 9 the close of fiscal year 2017 is hereby reappropriated for
 10 expenditure during the fiscal year 2018.

292 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

1	Personal Services and			
2	Employee Benefits.....	00100	\$	193,505
3	Current Expenses	13000		332,095
4	Repairs and Alterations.....	06400		1,000

5	Local Programs Service Delivery Costs20000	2,435,250
6	Silver Haired Legislature20200	18,500
7	Transfer to Division of Human Services	
8	for Health Care	
9	and Title XIX Waiver	
10	for Senior Citizens53900	12,982,692
11	Roger Tompkins Alzheimer's	
12	Respite Care.....64300	2,296,601
13	WV Alzheimer's Hotline72400	45,000
14	Regional Aged and Disabled	
15	Resource Center.....76700	425,000
16	Senior Services Medicaid Transfer87100	14,502,312
17	Legislative Initiatives for the Elderly.....90400	9,671,239
18	Long Term Care Ombudsman.....90500	297,226
19	BRIM Premium.....91300	7,152
20	In-Home Services and Nutrition	
21	for Senior Citizens91700	<u>4,320,941</u>
22	Total.....	\$ 47,528,513

23 Any unexpended balance remaining in the appropriation for
 24 Senior Citizen Centers and Programs (fund 5405, appropriation
 25 46200) at the close of the fiscal year 2017 is hereby reappropriated
 26 for expenditure during the fiscal year 2018.

27 Included in the above appropriation for Current Expenses (fund
 28 5405, appropriation 13000), is funding to support an in-home direct
 29 care workforce registry.

30 The above appropriation for Transfer to Division of Human
 31 Services for Health Care and Title XIX Waiver for Senior Citizens
 32 (appropriation 53900) along with the federal moneys generated
 33 thereby shall be used for reimbursement for services provided
 34 under the program.

293 - Higher Education Policy Commission –

Lottery Education –

Higher Education Policy Commission –

Control Account

(WV Code Chapters 18B and 18C)

Fund 4925 FY 2018 Org 0441

1	RHI Program and Site Support (R).....03600	\$	1,912,491
2	RHI Program and Site Support –		
3	RHEP Program Administration03700		146,653
4	RHI Program and Site Support – Grad Med		
5	Ed and Fiscal Oversight (R)03800		87,110
6	Minority Doctoral Fellowship (R)16600		129,604
7	Health Sciences Scholarship (R).....17600		220,690
8	Vice Chancellor for Health Sciences –		
9	Rural Health Residency Program (R)60100		62,725
10	WV Engineering, Science, and		
11	Technology Scholarship Program.....86800		<u>452,831</u>
12	Total.....	\$	<u>3,012,104</u>

13 Any unexpended balances remaining in the appropriations for
14 RHI Program and Site Support (fund 4925, appropriation 03600),
15 RHI Program and Site Support – Grad Med Ed and Fiscal
16 Oversight (fund 4925, appropriation 03800), Minority Doctoral
17 Fellowship (fund 4925, appropriation 16600), Health Sciences
18 Scholarship (fund 4925, appropriation 17600), and Vice
19 Chancellor for Health Sciences – Rural Health Residency Program
20 (fund 4925, appropriation 60100) at the close of fiscal year 2017
21 are hereby reappropriated for expenditure during the fiscal year
22 2018.

23 The above appropriation for WV Engineering, Science, and
24 Technology Scholarship Program (appropriation 86800) shall be
25 transferred to the West Virginia Engineering, Science and
26 Technology Scholarship Fund (fund 4928, org 0441) established
27 by W.Va. Code §18C-6-1.

*294 - Community and Technical College –**Capital Improvement Fund*

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

1 Debt Service – Total31000 \$ 5,000,000

2 Any unexpended balance remaining in the appropriation for
3 Capital Outlay and Improvements – Total (fund 4908,
4 appropriation 84700) at the close of fiscal year 2017 is hereby
5 reappropriated for expenditure during the fiscal year 2018.

295 - Higher Education Policy Commission –

Lottery Education –

West Virginia University – School of Medicine

(WV Code Chapter 18B)

Fund 4185 FY 2018 Org 0463

1	WVU Health Sciences –		
2	RHI Program and Site Support (R).....	03500	\$ 1,107,466
3	MA Public Health Program and		
4	Health Science Technology (R).....	62300	52,387
5	Health Sciences Career		
6	Opportunities Program (R)	86900	319,587
7	HSTA Program (R)	87000	1,630,169
8	Center for Excellence in Disabilities (R).....	96700	<u>292,554</u>
9	Total.....		\$ 3,402,163

10 Any unexpended balances remaining in the appropriations for
11 WVU Health Sciences – RHI Program and Site Support (fund
12 4185, appropriation 03500), MA Public Health Program and
13 Health Science Technology (fund 4185, appropriation 62300),
14 Health Sciences Career Opportunities Program (fund 4185,
15 appropriation 86900), HSTA Program (fund 4185, appropriation
16 87000), and Center for Excellence in Disabilities (fund 4185,
17 appropriation 96700) at the close of fiscal year 2017 are hereby
18 reappropriated for expenditure during the fiscal year 2018.

296 - Higher Education Policy Commission –

Lottery Education –

Marshall University – School of Medicine

(WV Code Chapter 18B)

Fund 4896 FY 2018 Org 0471

1	Marshall Medical School –		
2	RHI Program and Site Support (R).....03300	\$	396,249
3	Vice Chancellor for Health Sciences –		
4	Rural Health Residency Program (R)..60100		<u>163,858</u>
5	Total.....	\$	<u>560,107</u>

6 Any unexpended balances remaining in the appropriations for
7 Marshall Medical School – RHI Program and Site Support (fund
8 4896, appropriation 03300) and Vice Chancellor for Health
9 Sciences – Rural Health Residency Program (fund 4896,
10 appropriation 60100) at the close of fiscal year 2017 are hereby
11 reappropriated for expenditure during the fiscal year 2018.

12 Total TITLE II, Section 4 – Lottery Revenue..... \$ 130,917,133

1 **Sec. 5. Appropriations from state excess lottery revenue**
2 **fund.** — In accordance with W.Va. Code §29-22-18a, §29-22A-
3 10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the following
4 appropriations shall be deposited and disbursed by the Director of
5 the Lottery to the following accounts in this section in the amounts
6 indicated.

7 After first funding the appropriations required by W.Va. Code
8 §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-
9 25-22b, the Director of the Lottery shall provide funding from the
10 State Excess Lottery Revenue Fund for the remaining
11 appropriations in this section to the extent that funds are available.
12 In the event that revenues to the State Excess Lottery Revenue
13 Fund are sufficient to meet all the appropriations required made
14 pursuant to this section, then the Director of the Lottery shall then
15 provide the funds available for fund 5365, appropriation 18900.

297 - Lottery Commission –

Refundable Credit

Fund 7207 FY 2018 Org 0705

	Excess Lottery Funds	Appropriation
1 Directed Transfer	70000	\$ 10,000,000

2 The above appropriation shall be transferred to the General
3 Revenue Fund to provide reimbursement for the refundable credit
4 allowable under W.Va. Code §11-21-21. The amount of the
5 required transfer shall be determined solely by the State Tax
6 Commissioner and shall be completed by the Director of the
7 Lottery upon the commissioner’s request.

298 - Lottery Commission –

General Purpose Account

Fund 7206 FY 2018 Org 0705

1 General Revenue Fund – Transfer	70011	\$ 65,000,000
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2 The above appropriation shall be transferred to the General
3 Revenue Fund as determined by the Director of the Lottery in
4 accordance with W.Va. Code §29-22-18a.

299 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2018 Org 0441

1 PROMISE Scholarship – Transfer	80000	\$ 29,000,000
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2 The above appropriation shall be transferred to the PROMISE
3 Scholarship Fund (fund 4296, org 0441) established by W.Va.
4 Code §18C-7-7.

5 The Legislature has explicitly set a finite amount of available
6 appropriations and directed the administrators of the Program to
7 provide for the award of scholarships within the limits of available
8 appropriations.

*300 - Economic Development Authority –**Economic Development Project Fund*Fund 9065 FY 2018 Org 0944

1 Debt Service – Total31000 \$ 19,000,000

2 Pursuant to W.Va. Code §29-22-18a, subsection (f), excess
 3 lottery revenues are authorized to be transferred to the lottery fund
 4 as reimbursement of amounts transferred to the economic
 5 development project fund pursuant to section four of this title and
 6 W.Va. Code §29-22-18, subsection (f).

*301 - Department of Education –**School Building Authority*Fund 3514 FY 2018 Org 0402

1 Debt Service – Total31000 \$ 19,000,000

*302 - West Virginia Infrastructure Council –**West Virginia Infrastructure Transfer Fund*Fund 3390 FY 2018 Org 0316

1 Directed Transfer70000 \$ 46,000,000

2 The above appropriation shall be allocated pursuant to W.Va.
 3 Code §29-22-18d and §31-15-9.

*303 - Higher Education Policy Commission –**Higher Education Improvement Fund*Fund 4297 FY 2018 Org 0441

1 Directed Transfer70000 \$ 15,000,000

2 The above appropriation shall be transferred to fund 4903, org
 3 0442 as authorized by Senate Concurrent Resolution No. 41.

*304 - Division of Natural Resources –**State Park Improvement Fund*Fund 3277 FY 2018 Org 0310

1	Current Expenses (R).....	13000	\$	2,438,300
2	Repairs and Alterations (R)	06400		2,161,200
3	Equipment (R).....	07000		200,000
4	Buildings (R).....	25800		100,000
5	Other Assets (R).....	69000		<u>100,500</u>
6	Total.....		\$	5,000,000

7 Any unexpended balances remaining in the above
 8 appropriations for Repairs and Alterations (fund 3277,
 9 appropriation 06400), Equipment (fund 3277, appropriation
 10 07000), Unclassified – Total (fund 3277, appropriation 09600),
 11 Unclassified (fund 3277, appropriation 09900), Current Expenses
 12 (fund 3277, appropriation 13000), Buildings (fund 3277,
 13 appropriation 25800), and Other Assets (fund 3277, appropriation
 14 69000) at the close of the fiscal year 2017 are hereby
 15 reappropriated for expenditure during the fiscal year 2018.

*305 - Racing Commission –*Fund 7308 FY 2018 Org 0707

1	Special Breeders Compensation			
2	(WVC §29-22-18a, subsection (l))	21800	\$	2,000,000

*306 - Lottery Commission –**Distributions to Statutory Funds and Purposes*Fund 7213 FY 2018 Org 0705

1	Parking Garage Fund – Transfer.....	70001	\$	500,000
2	2004 Capitol Complex Parking			
3	Garage Fund – Transfer.....	70002		254,147
4	Capitol Dome and Improvements			
5	Fund – Transfer.....	70003		2,155,201

6	Capitol Renovation and Improvement		
7	Fund – Transfer.....	70004	2,795,627
8	Development Office Promotion		
9	Fund – Transfer.....	70005	1,524,887
10	Research Challenge Fund – Transfer	70006	2,033,184
11	Tourism Promotion Fund – Transfer	70007	5,659,115
12	Cultural Facilities and Capitol		
13	Resources Matching		
14	Grant Program Fund – Transfer.....	70008	1,433,371
15	Workers’ Compensation Debt		
16	Reduction Fund – Transfer	70009	2,750,000
17	State Debt Reduction Fund – Transfer.....	70010	20,000,000
18	General Revenue Fund – Transfer	70011	9,763,472
19	West Virginia Racing Commission Racetrack		
20	Video Lottery Account	70012	4,066,363
21	Historic Resort Hotel Fund	70013	34,200
22	Licensed Racetrack Regular Purse Fund ...	70014	<u>10,111,678</u>
23	Total.....		\$ 63,081,245

307 - Governor’s Office

(WV Code Chapter 5)

Fund 1046 FY 2018 Org 0100

1 Any unexpended balance remaining in the appropriation for
2 Publication of Papers and Transition Expenses – Lottery Surplus
3 (fund 1046, appropriation 06600) at the close of the fiscal year
4 2017 is hereby reappropriated for expenditure during the fiscal year
5 2018.

308 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 3170 FY 2018 Org 0307

1 Any unexpended balances remaining in the appropriations for
2 Unclassified – Total (fund 3170, appropriation 09600),
3 Recreational Grants or Economic Development Loans (fund 3170,
4 appropriation 25300), and Connectivity Research and

5 Development – Lottery Surplus (fund 3170, appropriation 92300)
6 at the close of the fiscal year 2017 are hereby reappropriated for
7 expenditure during the fiscal year 2018.

309 - Higher Education Policy Commission –

Administration –

Control Account

(WV Code Chapter 18B)

Fund 4932 FY 2018 Org 0441

1 Any unexpended balance remaining in the appropriation for
2 Advanced Technology Centers (fund 4932, appropriation 02800)
3 at the close of the fiscal year 2017 is hereby reappropriated for
4 expenditure during the fiscal year 2018.

310 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

1 Medical Services.....18900 \$ 24,506,170

311 - Division of Corrections –

Correctional Units

(WV Code Chapters 25, 28, 49 and 62)

Fund 6283 FY 2018 Org 0608

1 Any unexpended balance remaining in the appropriation for
2 Capital Outlay and Maintenance (fund 6283, appropriation 75500)
3 at the close of the fiscal year 2017 is hereby reappropriated for
4 expenditure during the fiscal year 2018.

5 Total TITLE II, Section 5 – Excess Lottery Funds \$ 297,587,415

1 **Sec. 6. Appropriations of federal funds.** — In accordance
 2 with Article 11, Chapter 4 of the Code from federal funds there are
 3 hereby appropriated conditionally upon the fulfillment of the
 4 provisions set forth in Article 2, Chapter 11B of the Code the
 5 following amounts, as itemized, for expenditure during the fiscal
 6 year 2018.

LEGISLATIVE

312 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 8738 FY 2018 Org 2300

	Appro- piation		Federal Funds
1 Economic Loss Claim Payment Fund.....	33400	\$	2,360,125

JUDICIAL

313 - Supreme Court

Fund 8867 FY 2018 Org 2400

1 Personal Services and			
2 Employee Benefits.....	00100	\$	2,008,000
3 Current Expenses	13000		<u>1,992,000</u>
4 Total.....		\$	4,000,000

EXECUTIVE

314 - Governor's Office

(WV Code Chapter 5)

Fund 8742 FY 2018 Org 0100

1 Current Expenses – Total.....	13000	\$	225,000
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315 - Department of Agriculture

(WV Code Chapter 19)

Fund 8736 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,563,760
3	Unclassified.....	09900	50,534
4	Current Expenses	13000	3,828,661
5	Repairs and Alterations.....	06400	650,000
6	Equipment.....	07000	910,500
7	Other Assets.....	69000	<u>50,000</u>
8	Total.....		\$ 7,053,455

*316 - Department of Agriculture –**Meat Inspection Fund*

(WV Code Chapter 19)

Fund 8737 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 610,830
3	Unclassified.....	09900	8,755
4	Current Expenses	13000	136,012
5	Repairs and Alterations.....	06400	5,500
6	Equipment.....	07000	<u>114,478</u>
7	Total.....		\$ 875,575

*317 - Department of Agriculture –**State Conservation Committee*

(WV Code Chapter 19)

Fund 8783 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 97,250
3	Current Expenses	13000	<u>14,099,974</u>
4	Total.....		\$ 14,197,224

*318 - Department of Agriculture –**Land Protection Authority*Fund 8896 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....00100	\$	46,526
3	Unclassified.....09900		5,004
4	Current Expenses13000		<u>448,920</u>
5	Total.....	\$	500,450

*319 - Secretary of State –**State Election Fund*

(WV Code Chapter 3)

Fund 8854 FY 2018 Org 1600

1	Personal Services and		
2	Employee Benefits.....00100	\$	210,240
3	Unclassified.....09900		7,484
4	Current Expenses13000		415,727
5	Repairs and Alterations.....06400		15,000
6	Other Assets.....69000		<u>100,000</u>
7	Total.....	\$	748,451

DEPARTMENT OF COMMERCE*320 - Division of Forestry*

(WV Code Chapter 19)

Fund 8703 FY 2018 Org 0305

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,578,347
3	Unclassified.....09900		51,050
4	Current Expenses13000		5,232,560
5	Repairs and Alterations.....06400		155,795
6	Equipment.....07000		100,000

7	Other Assets.....	69000		<u>1,808,300</u>
8	Total.....		\$	8,926,052

321 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 8704 FY 2018 Org 0306

1	Personal Services and			
2	Employee Benefits.....	00100	\$	54,432
3	Unclassified.....	09900		2,803
4	Current Expenses	13000		195,639
5	Repairs and Alterations.....	06400		5,000
6	Equipment.....	07000		7,500
7	Other Assets.....	69000		<u>15,000</u>
8	Total.....		\$	280,374

322 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 8705 FY 2018 Org 0307

1	Personal Services and			
2	Employee Benefits.....	00100	\$	745,981
3	Unclassified.....	09900		50,000
4	Current Expenses	13000		<u>4,504,019</u>
5	Total.....		\$	5,300,000

323 - West Virginia Development Office –

Office of Economic Opportunity

(WV Code Chapter 5)

Fund 8901 FY 2018 Org 0307

1	Personal Services and			
2	Employee Benefits.....	00100	\$	497,289
3	Repairs and Alterations.....	06400		250
4	Equipment.....	07000		6,000

5	Unclassified.....	09900		106,795
6	Current Expenses	13000		<u>10,069,166</u>
7	Total.....		\$	10,679,500

324 - Division of Labor

(WV Code Chapters 21 and 47)

Fund 8706 FY 2018 Org 0308

1	Personal Services and			
2	Employee Benefits.....	00100	\$	384,072
3	Unclassified.....	09900		5,572
4	Current Expenses	13000		167,098
5	Repairs and Alterations.....	06400		<u>500</u>
6	Total.....		\$	557,242

325 - Division of Natural Resources

(WV Code Chapter 20)

Fund 8707 FY 2018 Org 0310

1	Personal Services and			
2	Employee Benefits.....	00100	\$	7,912,218
3	Unclassified.....	09900		107,693
4	Current Expenses	13000		5,556,594
5	Repairs and Alterations.....	06400		289,400
6	Equipment.....	07000		1,815,182
7	Buildings	25800		951,000
8	Other Assets.....	69000		4,951,000
9	Land	73000		<u>6,001,000</u>
10	Total.....		\$	27,584,087

326 - Division of Miners' Health,

Safety and Training

(WV Code Chapter 22)

Fund 8709 FY 2018 Org 0314

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 613,177
3	Current Expenses	13000	<u>150,000</u>
4	Total.....		\$ 763,177

327 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 8835 FY 2018 Org 0323

1	Unclassified.....	09900	\$ 5,127
2	Current Expenses	13000	507,530
3	Reed Act 2002 – Unemployment		
4	Compensation	62200	2,850,000
5	Reed Act 2002 – Employment Services	63000	<u>1,650,000</u>
6	Total.....		\$ 5,012,657

7 Pursuant to the requirements of 42 U.S.C. 1103, Section 903
8 of the Social Security Act, as amended, and the provisions of
9 W.Va. Code §21A-9-9, the above appropriation to Unclassified
10 and Current Expenses shall be used by WorkForce West
11 Virginia for the specific purpose of administration of the state’s
12 unemployment insurance program or job service activities,
13 subject to each and every restriction, limitation or obligation
14 imposed on the use of the funds by those federal and state
15 statutes.

328 - Office of Energy

(WV Code Chapter 5B)

Fund 8892 FY 2018 Org 0328

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 411,574
3	Unclassified.....	09900	7,350
4	Current Expenses	13000	<u>2,816,076</u>
5	Total.....		\$ 3,235,000

DEPARTMENT OF EDUCATION**329 - State Board of Education –***State Department of Education*

(WV Code Chapters 18 and 18A)

Fund 8712 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 5,628,855
3	Unclassified.....	09900	2,000,000
4	Current Expenses	13000	212,367,820
5	Repairs and Alterations.....	06400	10,000
6	Equipment.....	07000	10,000
7	Other Assets.....	69000	<u>10,000</u>
8	Total.....		\$ 220,026,675

330 - State Board of Education –*School Lunch Program*

(WV Code Chapters 18 and 18A)

Fund 8713 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,812,648
3	Unclassified.....	09900	1,150,500
4	Current Expenses	13000	143,281,265
5	Repairs and Alterations.....	06400	20,000
6	Equipment.....	07000	100,000
7	Other Assets.....	69000	<u>25,000</u>
8	Total.....		\$ 146,389,413

331 - State Board of Education –*Vocational Division*

(WV Code Chapters 18 and 18A)

Fund 8714 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,519,972
3	Unclassified.....	09900	155,000
4	Current Expenses	13000	14,320,081
5	Repairs and Alterations.....	06400	10,000
6	Equipment.....	07000	10,000
7	Other Assets.....	69000	<u>10,000</u>
8	Total.....		\$ 16,025,053

332 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 8715 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,344,940
3	Unclassified.....	09900	1,000,000
4	Current Expenses	13000	108,346,390
5	Repairs and Alterations.....	06400	10,000
6	Equipment.....	07000	10,000
7	Other Assets.....	69000	<u>10,000</u>
8	Total.....		\$ 112,721,330

DEPARTMENT OF EDUCATION AND THE ARTS

333 - Department of Education and the Arts –

Office of the Secretary

(WV Code Chapter 5F)

Fund 8841 FY 2018 Org 0431

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 416,675
3	Current Expenses	13000	5,587,325
4	Repairs and Alterations.....	06400	<u>1,000</u>

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5 Total..... \$ 6,005,000

334 - Division of Culture and History

(WV Code Chapter 29)

Fund 8718 FY 2018 Org 0432

1	Personal Services and		
2	Employee Benefits.....00100	\$	743,046
3	Current Expenses13000		1,947,372
4	Repairs and Alterations.....06400		1,000
5	Equipment.....07000		1,000
6	Buildings.....25800		1,000
7	Other Assets.....69000		1,000
8	Land73000		<u>360</u>
9	Total.....	\$	2,694,778

335 - Library Commission

(WV Code Chapter 10)

Fund 8720 FY 2018 Org 0433

1	Personal Services and		
2	Employee Benefits.....00100	\$	333,648
3	Current Expenses13000		1,076,162
4	Equipment.....07000		<u>543,406</u>
5	Total.....	\$	1,953,216

336 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 8721 FY 2018 Org 0439

1 Equipment.....07000 \$ 750,000

337 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 8734 FY 2018 Org 0932

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 11,248,930
3	Current Expenses	13000	54,485,940
4	Repairs and Alterations.....	06400	350,400
5	Equipment.....	07000	<u>1,275,870</u>
6	Total.....		\$ 67,361,140

*338 - State Board of Rehabilitation –**Division of Rehabilitation Services –**Disability Determination Services*

(WV Code Chapter 18)

Fund 8890 FY 2018 Org 0932

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 13,730,634
3	Current Expenses	13000	11,383,206
4	Repairs and Alterations.....	06400	1,100
5	Equipment.....	07000	<u>83,350</u>
6	Total.....		\$ 25,198,290

DEPARTMENT OF ENVIRONMENTAL PROTECTION*339 - Division of Environmental Protection*

(WV Code Chapter 22)

Fund 8708 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 29,177,068
3	Current Expenses	13000	190,201,007
4	Repairs and Alterations.....	06400	738,283
5	Equipment.....	07000	1,725,238
6	Unclassified.....	09900	2,201,827
7	Other Assets.....	69000	2,154,416
8	Land	73000	<u>100,000</u>

9 Total..... \$ 226,297,839

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

340 - Consolidated Medical Service Fund

(WV Code Chapter 16)

Fund 8723 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....00100	\$	750,876
3	Unclassified.....09900		73,307
4	Current Expenses13000		<u>6,630,103</u>
5	Total.....	\$	7,454,286

341 - Division of Health –

Central Office

(WV Code Chapter 16)

Fund 8802 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....00100	\$	13,744,404
3	Unclassified.....09900		947,948
4	Current Expenses13000		79,110,551
5	Equipment.....07000		456,972
6	Buildings25800		155,000
7	Other Assets69000		<u>380,000</u>
8	Total.....	\$	94,794,875

342 - Division of Health –

West Virginia Safe Drinking Water Treatment

(WV Code Chapter 16)

Fund 8824 FY 2018 Org 0506

1	West Virginia Drinking Water Treatment		
2	Revolving Fund – Transfer.....68900	\$	16,000,000

343 - West Virginia Health Care Authority

(WV Code Chapter 16)

Fund 8851 FY 2018 Org 0507

1	Unclassified.....	09900	\$	9,966
2	Current Expenses	13000		<u>986,649</u>
3	Total.....		\$	996,615

344 - Human Rights Commission

(WV Code Chapter 5)

Fund 8725 FY 2018 Org 0510

1	Personal Services and			
2	Employee Benefits.....	00100	\$	625,349
3	Unclassified.....	09900		5,482
4	Current Expenses	13000		<u>140,389</u>
5	Total.....		\$	771,220

345 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 8722 FY 2018 Org 0511

1	Personal Services and			
2	Employee Benefits.....	00100	\$	68,943,213
3	Unclassified.....	09900		22,855,833
4	Current Expenses	13000		72,070,005
5	Medical Services.....	18900		3,234,265,405
6	Medical Services Administrative Costs	78900		132,045,119
7	CHIP Administrative Costs.....	85601		3,333,752
8	CHIP Services.....	85602		47,422,974
9	Federal Economic Stimulus	89100		<u>20,000,000</u>
10	Total.....		\$	\$3,600,936,301

**DEPARTMENT OF MILITARY AFFAIRS
AND PUBLIC SAFETY**

346 - Office of the Secretary

(WV Code Chapter 5F)

Fund 8876 FY 2018 Org 0601

1	Personal Services and		
2	Employee Benefits.....00100	\$	439,636
3	Unclassified.....09900		250,000
4	Current Expenses.....13000		24,307,690
5	Repairs and Alterations.....06400		3,000
6	Other Assets.....69000		<u>5,000</u>
7	Total.....	\$	25,005,326

347 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 8726 FY 2018 Org 0603

1	Unclassified.....09900	\$	982,705
2	Mountaineer ChalleNGe Academy.....70900		4,550,000
3	Martinsburg Starbase.....74200		410,000
4	Charleston Starbase.....74300		400,000
5	Military Authority.....74800		<u>91,927,900</u>
6	Total.....	\$	98,270,605

7 The Adjutant General shall have the authority to transfer
8 between appropriations.

348 - Adjutant General –

West Virginia National Guard Counterdrug Forfeiture Fund

(WV Code Chapter 15)

Fund 8785 FY 2018 Org 0603

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,350,000
3	Current Expenses	13000	300,000
4	Equipment.....	07000	<u>350,000</u>
5	Total.....		\$ 2,000,000

349 - Division of Homeland Security and

Emergency Management

(WV Code Chapter 15)

Fund 8727 FY 2018 Org 0606

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 721,650
3	Current Expenses	13000	20,429,281
4	Repairs and Alterations.....	06400	5,000
5	Equipment.....	07000	<u>100,000</u>
6	Total.....		\$ 21,255,931

350 - Division of Corrections

(WV Code Chapters 25, 28, 49 and 62)

Fund 8836 FY 2018 Org 0608

1	Unclassified.....	09900	\$ 1,100
2	Current Expenses	13000	<u>108,900</u>
3	Total.....		\$ 110,000

351 - West Virginia State Police

(WV Code Chapter 15)

Fund 8741 FY 2018 Org 0612

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,435,539
3	Current Expenses	13000	2,125,971
4	Repairs and Alterations.....	06400	42,000
5	Equipment.....	07000	2,502,285

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6	Buildings.....	25800		750,500
7	Other Assets.....	69000		144,500
8	Land.....	73000		<u>500</u>
9	Total.....		\$	8,001,295

352 - Fire Commission

(WV Code Chapter 29)

Fund 8819 FY 2018 Org 0619

1	Current Expenses	13000	\$	80,000
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353 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 8803 FY 2018 Org 0620

1	Personal Services and			
2	Employee Benefits.....	00100	\$	1,056,170
3	Unclassified.....	09900		25,185
4	Current Expenses	13000		18,774,373
5	Repairs and Alterations.....	06400		<u>1,750</u>
6	Total.....		\$	19,857,478

DEPARTMENT OF REVENUE

354 - Insurance Commissioner

(WV Code Chapter 33)

Fund 8883 FY 2018 Org 0704

1	Current Expenses	13000	\$	3,000,000
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DEPARTMENT OF TRANSPORTATION

355 - Division of Motor Vehicles

(WV Code Chapter 17B)

Fund 8787 FY 2018 Org 0802

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 501,394
3	Current Expenses	13000	13,671,640
4	Repairs and Alterations.....	06400	<u>500</u>
5	Total.....		\$ 14,173,534

356 - Division of Public Transit

(WV Code Chapter 17)

Fund 8745 FY 2018 Org 0805

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 702,637
3	Current Expenses	13000	9,161,605
4	Repairs and Alterations.....	06400	2,500
5	Equipment.....	07000	4,726,958
6	Buildings.....	25800	750,000
7	Other Assets.....	69000	<u>250,000</u>
8	Total.....		\$ 15,593,700

357 - Public Port Authority

(WV Code Chapter 17)

Fund 8830 FY 2018 Org 0806

1	Current Expenses	13000	\$ 200,000
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DEPARTMENT OF VETERANS' ASSISTANCE

358 - Department of Veterans' Assistance

(WV Code Chapter 9A)

Fund 8858 FY 2018 Org 0613

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,751,100
3	Current Expenses	13000	3,925,900
4	Repairs and Alterations.....	06400	50,000
5	Equipment.....	07000	200,000

6	Buildings.....	25800	600,000
7	Other Assets.....	69000	100,000
8	Land.....	73000	<u>100,000</u>
9	Total.....		\$ 7,727,000

359 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 8728 FY 2018 Org 0618

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 877,915
3	Current Expenses.....	13000	844,092
4	Repairs and Alterations.....	06400	220,000
5	Equipment.....	07000	198,000
6	Buildings.....	25800	296,000
7	Other Assets.....	69000	20,000
8	Land.....	73000	<u>10,000</u>
9	Total.....		\$ 2,466,007

BUREAU OF SENIOR SERVICES

360 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 8724 FY 2018 Org 0508

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 721,393
3	Current Expenses.....	13000	13,811,853
4	Repairs and Alterations.....	06400	<u>3,000</u>
5	Total.....		\$ 14,536,246

MISCELLANEOUS BOARDS AND COMMISSIONS

361 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8743 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,286,913
3	Current Expenses13000		368,953
4	Repairs and Alterations.....06400		40,000
5	Equipment.....07000		<u>750,000</u>
6	Total.....	\$	2,445,866

*362 - Public Service Commission –**Gas Pipeline Division*

(WV Code Chapter 24B)

Fund 8744 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits.....00100	\$	596,600
3	Current Expenses13000		124,628
4	Equipment.....07000		3,000
5	Unclassified.....09900		<u>4,072</u>
6	Total.....	\$	728,300

363 - National Coal Heritage Area Authority

(WV Code Chapter 29)

Fund 8869 FY 2018 Org 0941

1	Personal Services and		
2	Employee Benefits.....00100	\$	159,235
3	Current Expenses13000		631,365
4	Repairs and Alterations.....06400		5,000
5	Equipment.....07000		3,000
6	Other Assets.....69000		2,000
7	Total.....	\$	<u>800,600</u>
8	Total TITLE II, Section 6 - Federal Funds		<u>\$4,874,926,288</u>

1 **Sec. 7. Appropriations from federal block grants.** — The
 2 following items are hereby appropriated from federal block grants
 3 to be available for expenditure during the fiscal year 2018.

364 - West Virginia Development Office –

Community Development

Fund 8746 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 648,117
3	Unclassified.....	09900	375,000
4	Current Expenses	13000	<u>36,476,883</u>
5	Total.....		\$ 37,500,000

365 - Department of Commerce

West Virginia Development Office –

Office of Economic Opportunity –

Community Services

Fund 8902 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 362,389
3	Unclassified.....	09900	125,000
4	Current Expenses	13000	12,002,111
5	Repairs and Alterations.....	06400	1,500
6	Equipment.....	07000	<u>9,000</u>
7	Total.....		\$ 12,500,000

366 - WorkForce West Virginia –

Workforce Investment Act

Fund 8749 FY 2018 Org 0323

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,112,606

3	Unclassified.....	09900	23,023
4	Current Expenses	13000	39,263,511
5	Repairs and Alterations.....	06400	1,600
6	Equipment.....	07000	500
7	Buildings.....	25800	<u>1,100</u>
8	Total.....		\$ 41,402,340

367 - Division of Health –

Maternal and Child Health

Fund 8750 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,124,294
3	Unclassified.....	09900	110,017
4	Current Expenses	13000	<u>8,767,420</u>
5	Total.....		\$ 11,001,731

368 - Division of Health –

Preventive Health

Fund 8753 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 162,320
3	Unclassified.....	09900	22,457
4	Current Expenses	13000	1,895,366
5	Equipment.....	07000	<u>165,642</u>
6	Total.....		\$ 2,245,785

369 - Division of Health –

Substance Abuse Prevention and Treatment

Fund 8793 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 822,766
3	Unclassified.....	09900	115,924
4	Current Expenses	13000	<u>10,653,740</u>

5 Total..... \$ 11,592,430

370 - Division of Health –

Community Mental Health Services

Fund 8794 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....00100	\$	936,557
3	Unclassified.....09900		33,533
4	Current Expenses13000		<u>2,383,307</u>
5	Total.....	\$	3,353,397

371 - Division of Human Services –

Energy Assistance

Fund 8755 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,514,312
3	Unclassified.....09900		350,000
4	Current Expenses13000		<u>33,181,300</u>
5	Total.....	\$	35,045,612

372 - Division of Human Services –

Social Services

Fund 8757 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....00100	\$	14,231,684
3	Unclassified.....09900		171,982
4	Current Expenses13000		<u>2,870,508</u>
5	Total.....	\$	17,274,174

373 - Division of Human Services –

Temporary Assistance for Needy Families

Fund 8816 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 18,297,327
3	Unclassified.....	09900	1,250,000
4	Current Expenses	13000	<u>105,847,136</u>
5	Total.....		\$ 125,394,463

374 - Division of Human Services –

Child Care and Development

Fund 8817 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 4,676,841
3	Unclassified.....	09900	350,000
4	Current Expenses	13000	<u>31,999,456</u>
5	Total.....		\$ 37,026,297

375 - Division of Justice and Community Services –

Juvenile Accountability Incentive

Fund 8829 FY 2018 Org 0620

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,648
3	Current Expenses	13000	48,351
4	Repairs and Alterations.....	06400	<u>1</u>
5	Total.....		<u>\$ 50,000</u>

6 Total TITLE II, Section 7 –

7	Federal Block Grants		<u>\$ 334,386,229</u>
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1 **Sec. 8. Awards for claims against the state.** — There are
 2 hereby appropriated for fiscal year 2018, from the fund as
 3 designated, in the amounts as specified, general revenue funds in
 4 the amount of \$930,144, special revenue funds in the amount of
 5 \$458,734, and state road funds in the amount of \$563,249 for
 6 payment of claims against the state.

1 **Sec. 9. Appropriations from general revenue surplus**
 2 **accrued.** — The following item is hereby appropriated from the

3 state fund, general revenue, and is to be available for expenditure
 4 during the fiscal year 2018 out of surplus funds only, accrued from
 5 the fiscal year ending June 30, 2017, subject to the terms and
 6 conditions set forth in this section.

7 It is the intent and mandate of the Legislature that the following
 8 appropriation be payable only from surplus as of July 31, 2017
 9 from the fiscal year ending June 30, 2017, only after first meeting
 10 requirements of W.Va. Code §11B-2-20(b).

11 In the event that surplus revenues available on July 31, 2017,
 12 are not sufficient to meet the appropriation made pursuant to this
 13 section, then the appropriation shall be made to the extent that
 14 surplus funds are available as of the date mandated to meet the
 15 appropriation in this section and shall be allocated first to provide
 16 the necessary funds to meet the first appropriation of this section
 17 and each subsequent appropriation in the order listed in this
 18 section.

376 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

1	Capital Outlay, Repairs and		
2	Equipment – Surplus.....	67700	\$ 8,000,000

377 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

1	Medical Services – Surplus.....	63300	\$ 30,159,358
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378 - State Auditor –

General Administration

(WV Code Chapter 12)

Fund 0116 FY 2018 Org 1200

- 1 Volunteer Fire Department Workers’
- 2 Compensation Subsidy – Surplus \$ 2,000,000

379 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2018 Org 0702

- 1 Enhanced Enforcement and
- 2 Auditing – Surplus \$750,000
- 3 Total TITLE II, Section 9 – Surplus Accrued..... \$ 40,909,358

1 **Sec. 10. Appropriations from lottery net profits surplus**
 2 **accrued.** — The following item is hereby appropriated from the
 3 lottery net profits, and is to be available for expenditure during the
 4 fiscal year 2018 out of surplus funds only, as determined by the
 5 director of lottery, accrued from the fiscal year ending June 30,
 6 2017, subject to the terms and conditions set forth in this section.

7 It is the intent and mandate of the Legislature that the following
 8 appropriation be payable only from surplus accrued from the fiscal
 9 year ending June 30, 2017.

10 In the event that surplus revenues available from the fiscal year
 11 ending June 30, 2017, are not sufficient to meet the appropriation
 12 made pursuant to this section, then the appropriation shall be made
 13 to the extent that surplus funds are available.

380 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

- 1 Senior Services Medicaid Transfer –
- 2 Lottery Surplus68199 \$ 15,500,000

3 Total TITLE II, Section 10 –
 4 Surplus Accrued..... 15,500,000

1 **Sec. 11. Appropriations from state excess lottery revenue**
 2 **surplus accrued.** — The following item is hereby appropriated
 3 from the state excess lottery revenue fund, and is to be available
 4 for expenditure during the fiscal year 2018 out of surplus funds
 5 only, as determined by the director of lottery, accrued from the
 6 fiscal year ending June 30, 2017, subject to the terms and
 7 conditions set forth in this section.

8 It is the intent and mandate of the Legislature that the following
 9 appropriation be payable only from surplus accrued from the fiscal
 10 year ending June 30, 2017.

11 In the event that surplus revenues available from the fiscal year
 12 ending June 30, 2017, are not sufficient to meet the appropriation
 13 made pursuant to this section, then the appropriation shall be made
 14 to the extent that surplus funds are available.

381 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

1 Medical Services – Lottery Surplus68100 \$ 26,900,000
 2 Total TITLE II, Section 11 –
 3 Surplus Accrued \$ 26,900,000

1 **Sec. 12. Special revenue appropriations.** — There are hereby
 2 appropriated for expenditure during the fiscal year 2018
 3 appropriations made by general law from special revenues which
 4 are not paid into the state fund as general revenue under the
 5 provisions of W.Va. Code §12-2-2: *Provided*, That none of the
 6 money so appropriated by this section shall be available for
 7 expenditure except in compliance with the provisions of W.Va.
 8 Code §12-2 and 3, and W.Va. Code §11B-2, unless the spending
 9 unit has filed with the director of the budget and the legislative
 10 auditor prior to the beginning of each fiscal year:

11 (a) An estimate of the amount and sources of all revenues
12 accruing to such fund; and

13 (b) A detailed expenditure schedule showing for what purposes
14 the fund is to be expended.

15 During Fiscal Year 2018, the following funds are hereby
16 available and are to be transferred to the Department of Health and
17 Human Resources, Division of Human Services – Medical
18 Services Trust Fund (fund 5185) from available balances per the
19 following:

382 - Treasurer’s Office –

Banking Services Fund

(WV Code Chapter 12)

Fund 1322 FY 2018 Org 1300

1 Directed Transfer70000 \$1,209,197.40

383 - Department of Administration -

Office of the Secretary -

State Employee Sick Leave Fund

(WV Code Chapter 5)

Fund 2045 FY 2018 Org 0201

1 Directed Transfer70000 \$ 540,659.06

384 - Department of Administration -

Office of the Secretary -

Gifts, Grants and Donations

(WV Code Chapter 5A)

Fund 2046 FY 2018 Org 0201

1 Directed Transfer70000 \$ 80,000

385 - Department of Administration -

Division of Personnel -

Civil Service Emergency Employment Fund

(WV Code Chapter 29)

Fund 2444 FY 2018 Org 0222

1 Directed Transfer70000 \$ 264.96

386 - Department of Health and Human Resources -

Division of Health -

Breast and Cervical Diagnostic and Treatment Fund

(WV Code Chapter 16)

Fund 5197 FY 2018 Org 0506

1 Directed Transfer70000 \$ 1,500,000

2 Total TITLE II, Section 12 –

3 Directed Transfer \$3,330,121.42

1 **Sec. 13. State improvement fund appropriations.** —

2 Bequests or donations of nonpublic funds, received by the
3 Governor on behalf of the state during the fiscal year 2018, for the
4 purpose of making studies and recommendations relative to
5 improvements of the administration and management of spending
6 units in the executive branch of state government, shall be
7 deposited in the state treasury in a separate account therein
8 designated state improvement fund.

9 There are hereby appropriated all moneys so deposited during
10 the fiscal year 2018 to be expended as authorized by the Governor,
11 for such studies and recommendations which may encompass any
12 problems of organization, procedures, systems, functions, powers
13 or duties of a state spending unit in the executive branch, or the

14 betterment of the economic, social, educational, health and general
15 welfare of the state or its citizens.

1 **Sec. 14. Specific funds and collection accounts.** — A fund or
2 collection account which by law is dedicated to a specific use is
3 hereby appropriated in sufficient amount to meet all lawful
4 demands upon the fund or collection account and shall be expended
5 according to the provisions of Article 3, Chapter 12 of the Code.

1 **Sec. 15. Appropriations for refunding erroneous payment.**
2 — Money that has been erroneously paid into the state treasury is
3 hereby appropriated out of the fund into which it was paid, for
4 refund to the proper person.

5 When the officer authorized by law to collect money for the
6 state finds that a sum has been erroneously paid, he or she shall
7 issue his or her requisition upon the Auditor for the refunding of
8 the proper amount. The Auditor shall issue his or her warrant to the
9 Treasurer and the Treasurer shall pay the warrant out of the fund
10 into which the amount was originally paid.

1 **Sec. 16. Sinking fund deficiencies.** — There is hereby
2 appropriated to the Governor a sufficient amount to meet any
3 deficiencies that may arise in the mortgage finance bond insurance
4 fund of the West Virginia housing development fund which is
5 under the supervision and control of the municipal bond
6 commission as provided by W.Va. Code §31-18-20b, or in the
7 funds of the municipal bond commission because of the failure of
8 any state agency for either general obligation or revenue bonds or
9 any local taxing district for general obligation bonds to remit funds
10 necessary for the payment of interest and sinking fund
11 requirements. The Governor is authorized to transfer from time to
12 time such amounts to the municipal bond commission as may be
13 necessary for these purposes.

14 The municipal bond commission shall reimburse the state of
15 West Virginia through the Governor from the first remittance
16 collected from the West Virginia housing development fund or
17 from any state agency or local taxing district for which the

18 Governor advanced funds, with interest at the rate carried by the
19 bonds for security or payment of which the advance was made.

1 **Sec. 17. Appropriations for local governments.** — There are
2 hereby appropriated for payment to counties, districts and
3 municipal corporations such amounts as will be necessary to pay
4 taxes due counties, districts and municipal corporations and which
5 have been paid into the treasury:

6 (a) For redemption of lands;

7 (b) By public service corporations;

8 (c) For tax forfeitures.

1 **Sec. 18. Total appropriations.** — Where only a total sum is
2 appropriated to a spending unit, the total sum shall include personal
3 services and employee benefits, annual increment, current
4 expenses, repairs and alterations, buildings, equipment, other
5 assets, land, and capital outlay, where not otherwise specifically
6 provided and except as otherwise provided in TITLE I –
7 GENERAL PROVISIONS, Sec. 3.

1 **Sec. 19. General school fund.** — The balance of the proceeds
2 of the general school fund remaining after the payment of the
3 appropriations made by this act is appropriated for expenditure in
4 accordance with W.Va. Code §18-9A-16.

TITLE III – ADMINISTRATION

1 **Sec. 1. Appropriations conditional.** — The expenditure of the
2 appropriations made by this act, except those appropriations made
3 to the legislative and judicial branches of the state government, are
4 conditioned upon the compliance by the spending unit with the
5 requirements of Article 2, Chapter 11B of the Code.

6 Where spending units or parts of spending units have been
7 absorbed by or combined with other spending units, it is the intent
8 of this act that appropriations and reappropriations shall be to the
9 succeeding or later spending unit created, unless otherwise
10 indicated.

1 **Sec. 2. Constitutionality.** — If any part of this act is declared
 2 unconstitutional by a court of competent jurisdiction, its decision
 3 shall not affect any portion of this act which remains, but the
 4 remaining portion shall be in full force and effect as if the portion
 5 declared unconstitutional had never been a part of the act.”

Delegates Fleischauer, Hornbuckle, Lovejoy, Williams, Rowe, Moye, Miley, Caputo, Brewer, Pyles, Longstreth, Love, Iaquinta and Frich moved to amend the amendment offered by Delegate Nelson on page seven, item one, by striking out lines one through eleven and inserting in lieu thereof, the following:

“387 - Senate

Fund 0165 FY 2018 Org 2100

	Appropriation	General Revenue Fund
1 Compensation of Members (R).....	00300	\$ 1,010,000
2 Compensation and Per Diem of Officers 3 and Employees (R)	00500	2,511,332
4 Current Expenses and 5 Contingent Fund (R).....	02100	276,392
6 Repairs and Alterations (R)	06400	50,000
7 Computer Supplies (R)	10100	20,000
8 Computer Systems (R).....	10200	60,000
9 Printing Blue Book (R)	10300	125,000
10 Expenses of Members (R).....	39900	370,000
11 BRIM Premium (R)	91300	<u>29,482</u>
12 Total.....		\$ 4,452,206”

And,

On page 9, Item 2, by striking out lines 1 through 7, and inserting in lieu thereof, the following:

“388 - House of Delegates

Fund 0170 FY 2018 Org 2200

1	Compensation of Members (R).....00300	\$	3,000,000
2	Compensation and Per Diem of Officers		
3	and Employees (R)00500		575,000
4	Current Expenses and		
5	Contingent Fund (R).....02100		2,429,031
6	Expenses of Members (R).....39900		1,350,000
7	BRIM Premium (R)91300		<u>50,000</u>
8	Total.....	\$	7,404,031”

And,

On pages 69, Item 94, by striking out lines 1 through 10, and inserting in lieu thereof the following:

“HIGHER EDUCATION POLICY COMMISSION

94- Higher Education Policy Commission –

Administration –

Control Account

(WV Code Chapter 18B)

Fund 0589 FY 2018 Org 0441

1	Personal Services and		
2	Employee Benefits.....00100	\$	2,538,511
3	Current Expenses13000		13,568
4	Higher Education Grant Program16400		39,019,864
5	Tuition Contract Program (R).....16500		1,224,564
6	Underwood-Smith Scholarship		
7	Program-Student Awards.....16700		328,349
8	Facilities Planning and Administration (R)38600		922,487
9	PROMISE Scholarship – Transfer.....80000		18,500,000
10	HEAPS Grant Program (R).....86700		5,007,764
11	BRIM Premium.....91300		<u>16,651</u>
12	Total.....	\$	67,571,758”

And,

On page 70 and 71, item 96, by striking out lines 1 through 7, and inserting in lieu thereof, the following:

“96 - West Virginia University –

School of Medicine

Medical School Fund

(WV Code Chapter 18B)

Fund 0343 FY 2018 Org 0463

1	WVU School of Health Science –		
2	Eastern Division.....	05600	\$ 2,149,539
3	WVU – School of Health Sciences.....	17400	14,833,144
4	WVU – School of Health Sciences –		
5	Charleston Division	17500	2,210,767
6	Rural Health Outreach Programs	37700	162,639
7	West Virginia University		
8	School of Medicine		
9	BRIM Subsidy	46000	<u>1,203,087</u>
10	Total.....		\$ 20,599,176”

And, on page 71, Item 97, by striking out lines 1 through 6 and inserting in lieu thereof the following

“97-West Virginia University –

General Administrative Fund

(WV Code Chapter 18B)

Fund 0344 FY 2018 Org 0463

1	West Virginia University	45900	\$ 93,511,253
2	Jackson’s Mill	46100	228,967
3	West Virginia University		
4	Institute of Technology.....	47900	7,636,247

5	State Priorities – Brownfield		
6	Professional Development	53100	322,653
7	West Virginia University –		
8	Potomac State	99400	<u>3,748,943</u>
9	Total.....		\$105,448,163”

And, on pages 71 and 72, Item 98, by striking out lines 1 through 6, and inserting in lieu thereof the following:

“98-Marshall University –

School of Medicine

(WV Code Chapter 18B)

Fund 0347 FY 2018 Org 0471

1	Marshall Medical School	17300	\$ 12,179,256
2	Rural Health Outreach Programs (R).....	37700	167,616
3	Forensic Lab.....	37701	241,438
4	Center for Rural Health.....	37702	161,166
5	Marshall University Medical School		
6	BRIM Subsidy	44900909.673	
7	Total.....		\$ 13,658,149”

And on pages 72 and 73, Item 99 by striking out lines 1 through 7, and inserting in lieu thereof, the following:

“99-Marshall University –

General Administration Fund

(WV Code Chapter 18B)

Fund 0348 FY 2018 Org 0471

1	Marshall University	44800	\$ 43,307,336
2	Luke Lee Listening Language		
3	and Learning Lab.....	44801	97,585
4	Vista E-Learning (R).....	51900	238,129
5	State Priorities – Brownfield Professional		
6	Development (R)	53100	319,652

7	Marshall University Graduate College		
8	Writing Project (R)	80700	19,825
9	WV Autism Training Center (R)	93200	<u>1,716,307</u>
10	Total.....		\$ 45,698,834”

Delegate Wilson requested to be excused from voting on the amendment before the House under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate would be as a member of a class of persons possibly to be affected, and refused to excuse the Member from voting.

Delegate R. Miller requested to be excused from voting on the amendment before the House under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate would be as a member of a class of persons possibly to be affected, and refused to excuse the Member from voting.

On the adoption of the amendment to the amendment, Delegate Fleischauer demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 647**), and there were—yeas 35, nays 58, absent and not voting 7, with the yeas and absent and not voting being as follows:

Yeas: Baldwin, Barrett, Bates, Boggs, Brewer, Canestraro, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Frich, Hicks, Hornbuckle, Iaquina, Longstreth, Love, Lovejoy, Lynch, Marcum, Miley, R. Miller, Moye, Pethtel, Pushkin, Pyles, Rodighiero, Rohrbach, Rowe, Sponaugle, Thompson, Ward and Williams.

Absent and Not Voting: Ambler, A. Evans, N. Foster, Householder, Isner, Summers and Walters.

So, a majority of the members present and voting not having voted in the affirmative, the amendment to the amendment was rejected.

The amendment offered by Delegate Nelson was then adopted.

The bill was then ordered to third reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 648**), and there were—yeas 92, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Ambler, A. Evans, N. Foster, Householder, Isner, Lane, Summers and Walters.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a third time.

Delegate Frich requested to be excused from voting on the bill under the provisions of House Rule 49.

The Speaker replied that any impact on the Lady would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Member from voting.

The Speaker further stated that this ruling would also apply to members that had requested to be excused from voting under the provisions of House Rule 49 on the Budget Bill during the regular session (Com. Sub. for H. B. 2018, Journal of the House of Delegates, April 5, 2017).

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 649**), and there were, including pairs—yeas 69, nays 30, absent and not voting 1, with the paired, nays and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairings were announced by the Clerk:

Paired:

Yea: Ambler Nay: Barrett

Yea: A. Evans Nay: Sponaugle

Yea: Householder Nay: Bates

Yea: Summers Nay: Baldwin

Yea: Walters Nay: Pushkin

Nays: Brewer, Byrd, Canestraro, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hartman, Hicks, Hornbuckle, Longstreth, Love, Lovejoy, Lynch, Marcum, Miley, R. Miller, Pyles, Robinson, Rodighiero, Thompson and Williams.

Absent and Not Voting: N. Foster.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 1013) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 650**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Ambler, A. Evans, N. Foster, Householder, Summers and Walters.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1013) takes effect from its passage.

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

Com. Sub. for H. B. 115, Budget Bill; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Ambler, A. Evans, N. Foster, Householder, Summers and Walters.

Miscellaneous Business

Delegate Isner announced that he was absent on today when the vote was taken on Roll No. 647, and that had he been present, he would have voted “Yea” thereon.

Delegate Lane noted to the Clerk that she was absent on today when the vote was taken on Roll No. 648, and that had she been present, she would have voted “Yea” thereon.

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegate R. Miller today regarding the mining death in Boone County be printed in the Appendix to the Journal.

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegate C. Romine today regarding the anniversary of the United States Army be printed in the Appendix to the Journal.

Delegate Bates asked and obtained unanimous consent that the remarks of Delegate Boggs today regarding the Budget be printed in the Appendix to the Journal.

At 4:02 p.m., the House of Delegates adjourned until 10:00 a.m., Thursday, June 15, 2017.

Thursday, June 15, 2017

NINETEENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 10:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 651**), and 80 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Ambler, Bates, Blair, Capito, Ellington, A. Evans, Fast, Fleischauer, N. Foster, Hicks, Hill, Hollen, Hornbuckle, Householder, Kessinger, Rohrbach, Rowe, Summers, Upson and Williams.

Delegates Rowe and Capito were also present for part of the morning session.

The Clerk proceeded to read the Journal of Wednesday, June 14, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

At 10:17 a.m., on motion of Delegate Cowles, the House of Delegates recessed until 2:00 p.m.

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Afternoon Session

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The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 1011, Selling Hopemont Hospital,

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

At the respective requests of Delegate Cowles, and by unanimous consent, the bill (Com. Sub. for S. B. 1011) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 113, Relating to the sale of Jackie Withrow Hospital by the DHHR,

And reports back a committee substitute therefore, with the same title, as follows:

Com. Sub. for H. B. 113 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to the selling of a certain state owned health care facility and appurtenances by the Secretary of the Department of Health and Human Resources; ensuring the transfer of existing patients; allowing the Secretary to determine need for a new facility; setting forth requirements for new facility; providing for continuation of licenses of existing beds; exempting certain laws; creating a fund; implementing a benefits package for

employees; defining terms; and providing for statutory construction,”

With the recommendation that the committee substitute do pass.

At the respective requests of Delegate Cowles, and by unanimous consent, the bill (Com. Sub. for H. B. 113) was taken up for immediate consideration, read a first time and ordered to second reading.

Special Calendar

Third Reading

S. B. 1006, Increasing funding for State Road Fund; on third reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Cowles, and by unanimous consent, the bill was postponed one day.

Com. Sub. for H. B. 115, Budget Bill; on third reading, coming up in regular order, was, on motion of Delegate Cowles, tabled.

Delegates Blair, Fleischauer, Hicks, Hornbuckle, Kessinger, Rohrbach, Upson and Williams were present during the evening session.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Ambler, Bates, Ellington, A. Evans, Fast, N. Foster, Hill, Hollen, Householder and Summers.

Miscellaneous Business

Delegate Zatezalo asked and obtained unanimous consent that the remarks of Delegate Kelly during Remarks by Members yesterday be printed in the Appendix to the Journal.

At 2:26 p.m., the House of Delegates adjourned until 10:00 a.m., Friday, June 16, 2017.

Friday, June 16, 2017

TWENTIETH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 10:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Thursday, June 15, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title, as follows:

S. C. R. 104 – “Suspending the provisions of Joint Rule 3, relating to committees of conference and reports relative thereto.”

Resolved by the Legislature of West Virginia, two thirds of the members present and voting in each house agreeing thereto:

That pursuant to Rule 25 of the Joint Rules of the Senate and House of Delegates, the provisions of Joint Rule 3, paragraph (b) are suspended as follows: the committee of conference on the disagreeing votes of the two houses, as to Engrossed Committee Substitute for House Bill 106 (*Relating generally to the furlough of public employees during a declared fiscal emergency*), is hereby extended until Monday, June 19, 2017.

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the resolution (S. C. R. 104) to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, the yeas and nays were taken (**Roll No. 652**), and there were—yeas 84, nays 1, absent and not voting 15, with the nays and absent and not voting being as follows:

Nays: Marcum.

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Hill, Hornbuckle, Householder, Iaquina, C. Miller, Phillips, Rodighiero, R. Romine, Storch and Summers.

So, two thirds of the members present and voting having voted in the affirmative, the Speaker declared the resolution (S. C. R. 104) adopted.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1017, Relating generally to Tax Reform Act of 2017.

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (S. B. 1017) to a committee was dispensed with, and it was taken up for immediate consideration and read a first time.

Delegate Walters moved, pursuant to the provisions of House Rule 103, that S. B. 1017 be rejected on First Reading.

The question being “Shall the bill be rejected?”, the yeas and nays were demanded, which was sustained.

The yeas and nays having been ordered, were taken (**Roll No. 653**), and there were—yeas 36, nays 52, absent and not voting 12, with the yeas and absent and not voting being as follows:

Yeas: Arvon, Atkinson, Capito, Cooper, Criss, Espinosa, Fast, Folk, G. Foster, Frich, Gearheart, Hamilton, Hamrick, Hanshaw, Harshbarger, Higginbotham, Hollen, Howell, Kessinger, Martin, Maynard, McGeehan, Moore, O’Neal, Overington, Paynter, Rohrbach, C. Romine, Rowan, Shott, Sobonya, Storch, Walters, Ward, Wilson, and Mr. Speaker (Mr. Armstead).

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Hill, Householder, Iaquina, C. Miller, Phillips, R. Romine and Summers.

So, a majority of the members present and voting not having voted in the affirmative, the motion was rejected.

The bill was ordered to second reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 654**), and there were—yeas 80, nays 8, absent and not voting 12, with the yeas and absent and not voting being as follows:

Nays: Barrett, Howell, Kessinger, Martin, Maynard, McGeehan, Paynter and Sobonya.

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Hill, Householder, Iaquina, C. Miller, Phillips, R. Romine and Summers.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time.

Delegates Hartman, Isner, Lewis, Sypolt, Lynch and Hamilton moved to amend the bill on page thirty-eight, section nine, line

three hundred seventy, by striking out the semicolon, inserting a colon and the following proviso:

“Provided further, That the proviso also does not apply to the transportation of trees, wood and wood products that are excluded from the definition of ‘consumer-ready wood products’ pursuant to section two, article thirteen-m, chapter eleven of this code” and a semicolon.

Delegate Shott asked and obtained unanimous consent to proceed to consideration of the following strike and insert amendment and to allow consideration of amendments to the strike and insert amendment if it is adopted.

Delegates Sponaugle, Nelson and Shott moved to amend the bill on page two, by striking out everything after the enacting clause, and inserting in lieu thereof the following:

“That §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of the Code of West Virginia, 1931, as amended, be amended and reenacted; that said code be amended by adding thereto three new sections, designated §11-15-3d, §11-15-3e and §11-15-35; that §11-15A-2 and §11-15A-10 of said code be amended and reenacted; that §11-21-8a, §11-21-8e, §11-21-12 and §11-21-16 of said code be amended and reenacted; and that § 11-24-23a and §11-24-23e of said code be amended and reenacted, all to read as follows:

CHAPTER 11. TAXATION.

ARTICLE 15. CONSUMERS SALES AND SERVICE TAX.

§11-15-2. Definitions.

(a) *General.* When used in this article and article fifteen-a of this chapter, words defined in subsection (b) of this section have the meanings ascribed to them in this section, except in those instances where a different meaning is provided in this article or the context in which the word is used clearly indicates that a different meaning is intended by the Legislature.

(b) *Definitions.*

(1) 'Business' includes all activities engaged in or caused to be engaged in with the object of gain or economic benefit, direct or indirect, and all activities of the state and its political subdivisions which involve sales of tangible personal property or the rendering of services when those service activities compete with or may compete with the activities of other persons.

(2) 'Communication' means all telephone, radio, light, light wave, radio telephone, telegraph and other communication or means of communication, whether used for voice communication, computer data transmission or other encoded symbolic information transfers and includes commercial broadcast radio, commercial broadcast television and cable television.

(3) 'Contracting':

(A) *In general.* 'Contracting' means and includes the furnishing of work, or both materials and work, for another (by a sole contractor, general contractor, prime contractor, subcontractor or construction manager) in fulfillment of a contract for the construction, alteration, repair, decoration or improvement of a new or existing building or structure, or any part thereof, or for removal or demolition of a building or structure, or any part thereof, or for the alteration, improvement or development of real property. Contracting also includes services provided by a construction manager so long as the project for which the construction manager provides the services results in a capital improvement to a building or structure or to real property.

(B) *Form of contract not controlling.* An activity that falls within the scope of the definition of contracting constitutes contracting regardless of whether the contract governing the activity is written or verbal and regardless of whether it is in substance or form a lump sum contract, a cost-plus contract, a time and materials contract, whether or not open-ended, or any other kind of construction contract.

(C) *Special rules.* For purposes of this definition:

(i) The term ‘structure’ includes, but is not limited to, everything built up or composed of parts joined together in some definite manner and attached or affixed to real property or which adds utility to real property or any part thereof or which adds utility to a particular parcel of property and is intended to remain there for an indefinite period of time;

(ii) The term ‘alteration’ means, and is limited to, alterations which are capital improvements to a building or structure or to real property;

(iii) The term ‘repair’ means, and is limited to, repairs which are capital improvements to a building or structure or to real property;

(iv) The term ‘decoration’ means, and is limited to, decorations which are capital improvements to a building or structure or to real property;

(v) The term ‘improvement’ means, and is limited to, improvements which are capital improvements to a building or structure or to real property;

(vi) The term ‘capital improvement’ means improvements that are affixed to or attached to and become a part of a building or structure or the real property or which add utility to real property, or any part thereof, and that last or are intended to be relatively permanent. As used herein, ‘relatively permanent’ means lasting at least a year in duration without the necessity for regularly scheduled recurring service to maintain the capital improvement. ‘Regular recurring service’ means regularly scheduled service intervals of less than one year;

(vii) Contracting does not include the furnishing of work, or both materials and work, in the nature of hookup, connection, installation or other services if the service is incidental to the retail sale of tangible personal property from the service provider’s inventory: *Provided*, That the hookup, connection or installation of the foregoing is incidental to the sale of the same and performed by the seller thereof or performed in accordance with arrangements

made by the seller thereof. Examples of transactions that are excluded from the definition of contracting pursuant to this subdivision include, but are not limited to, the sale of wall-to-wall carpeting and the installation of wall-to-wall carpeting, the sale, hookup and connection of mobile homes, window air conditioning units, dishwashers, clothing washing machines or dryers, other household appliances, drapery rods, window shades, venetian blinds, canvas awnings, free-standing industrial or commercial equipment and other similar items of tangible personal property. Repairs made to the foregoing are within the definition of contracting if the repairs involve permanently affixing to or improving real property or something attached thereto which extends the life of the real property or something affixed thereto or allows or intends to allow the real property or thing permanently attached thereto to remain in service for a year or longer; and

(viii) The term ‘construction manager’ means a person who enters into an agreement to employ, direct, coordinate or manage design professionals and contractors who are hired and paid directly by the owner or the construction manager. The business activities of a ‘construction manager’ as defined in this subdivision constitute contracting, so long as the project for which the construction manager provides the services results in a capital improvement to a building or structure or to real property.

(4) ‘Digital code’ is defined in section three-e of this article;

(5) ‘Digital products’ is defined in section three-e of this article;

(4) (6) ‘Directly used or consumed’ in the activities of manufacturing, transportation, transmission, communication or the production of natural resources means used or consumed in those activities or operations which constitute an integral and essential part of the activities, as contrasted with and distinguished from those activities or operations which are simply incidental, convenient or remote to the activities.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activities of

manufacturing, transportation, transmission, communication or the production of natural resources include only:

(i) In the case of tangible personal property, physical incorporation of property into a finished product resulting from manufacturing production or the production of natural resources;

(ii) Causing a direct physical, chemical or other change upon property undergoing manufacturing production or production of natural resources;

(iii) Transporting or storing property undergoing transportation, communication, transmission, manufacturing production or production of natural resources;

(iv) Measuring or verifying a change in property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(v) Physically controlling or directing the physical movement or operation of property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(vi) Directly and physically recording the flow of property undergoing transportation, communication, transmission, manufacturing production or production of natural resources;

(vii) Producing energy for property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(viii) Facilitating the transmission of gas, water, steam or electricity from the point of their diversion to property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(ix) Controlling or otherwise regulating atmospheric conditions required for transportation, communication, transmission, manufacturing production or production of natural resources;

(x) Serving as an operating supply for property undergoing transmission, manufacturing production or production of natural resources, or for property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(xi) Maintaining or repairing of property, including maintenance equipment, directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(xii) Storing, removal or transportation of economic waste resulting from the activities of manufacturing, transportation, communication, transmission or the production of natural resources;

(xiii) Engaging in pollution control or environmental quality or protection activity directly relating to the activities of manufacturing, transportation, communication, transmission or the production of natural resources and personnel, plant, product or community safety or security activity directly relating to the activities of manufacturing, transportation, communication, transmission or the production of natural resources; or

(xiv) Otherwise using as an integral and essential part of transportation, communication, transmission, manufacturing production or production of natural resources.

(B) Uses of property or services which do not constitute direct use or consumption in the activities of manufacturing, transportation, transmission, communication or the production of natural resources include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Production planning, scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to transportation, communication, transmission, manufacturing production or production of natural resources, rather than an integral and essential part of these activities.

~~(5)~~ (7) 'Directly used or consumed' in the activities of gas storage, the generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business means used or consumed in those activities or operations which constitute an integral and essential part of those activities or operation, as contrasted with and distinguished from activities or operations which are simply incidental, convenient or remote to those activities.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activities of gas storage, the generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business include only:

(i) Tangible personal property, custom software, digital code, digital products or services, including equipment, machinery, apparatus, supplies, fuel and power and appliances, which are used immediately in production or generation activities and equipment, machinery, supplies, tools and repair parts used to keep in operation exempt production or generation devices. For purposes of this subsection, production or generation activities shall commence from the intake, receipt or storage of raw materials at the production plant site;

(ii) Tangible personal property, custom software, digital code, digital products or services, including equipment, machinery, apparatus, supplies, fuel and power, appliances, pipes, wires and mains, which are used immediately in the transmission or distribution of gas, water and electricity to the public, and equipment, machinery, tools, repair parts and supplies used to keep in operation exempt transmission or distribution devices, and these

vehicles and their equipment as are specifically designed and equipped for those purposes are exempt from the tax when used to keep a transmission or distribution system in operation or repair. For purposes of this subsection, transmission or distribution activities shall commence from the close of production at a production plant or wellhead when a product is ready for transmission or distribution to the public and shall conclude at the point where the product is received by the public;

(iii) Tangible personal property, custom software, digital code, digital products, or services, including equipment, machinery, apparatus, supplies, fuel and power, appliances, pipes, wires and mains, which are used immediately in the storage of gas or water, and equipment, machinery, tools, supplies and repair parts used to keep in operation exempt storage devices;

(iv) Tangible personal property, custom software, digital code, digital products, or services used immediately in the storage, removal or transportation of economic waste resulting from the activities of gas storage, the generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business;

(v) Tangible personal property, custom software, digital code, digital products, or services used immediately in pollution control or environmental quality or protection activity or community safety or security directly relating to the activities of gas storage, generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business.

(B) Uses of property, digital code, digital products, or services which would not constitute direct use or consumption in the activities of gas storage, generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business include, but are not limited to:

- (i) Heating and illumination of office buildings;
- (ii) Janitorial or general cleaning activities;
- (iii) Personal comfort of personnel;

(iv) Production planning, scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to the activities of gas storage, generation or production or sale of electric power, the provision of public utility service or the operation of a utility business.

~~(6)~~ (8) 'Gas storage' means the injection of gas into a storage reservoir or the storage of gas for any period of time in a storage reservoir or the withdrawal of gas from a storage reservoir engaged in by businesses subject to the business and occupation tax imposed by sections two and two-e, article thirteen of this chapter.

~~(7)~~ (9) 'Generating or producing or selling of electric power' means the generation, production or sale of electric power engaged in by businesses subject to the business and occupation tax imposed by section two, two-d, two-m or two-n, article thirteen of this chapter.

~~(8)~~ (10) 'Gross proceeds' means the amount received in money, credits, property or other consideration from sales and services within this state, without deduction on account of the cost of property sold, amounts paid for interest or discounts or other expenses whatsoever. Losses may not be deducted, but any credit or refund made for goods returned may be deducted.

~~(9)~~ (11) 'Includes' and 'including', when used in a definition contained in this article, does not exclude other things otherwise within the meaning of the term being defined.

~~(10)~~ (12) 'Manufacturing' means a systematic operation or integrated series of systematic operations engaged in as a business or segment of a business which transforms or converts tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed.

~~(11)~~ (13) 'Person' means any individual, partnership, association, corporation, limited liability company, limited liability partnership or any other legal entity, including this state or its political subdivisions or an agency of either, or the guardian, trustee, committee, executor or administrator of any person.

~~(12)~~ (14) 'Personal service' includes those: (A) Compensated by the payment of wages in the ordinary course of employment; and (B) rendered to the person of an individual without, at the same time, selling tangible personal property, such as nursing, barbering, shoe shining, manicuring and similar services.

~~(13)~~ (15) 'Prepaid wireless calling service' means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance that is sold in predetermined units or dollars of which the number decline with use in a known amount.

~~(14)~~ (16) Production of natural resources.

(A) 'Production of natural resources' means, except for oil and gas, the performance, by either the owner of the natural resources or another, of the act or process of exploring, developing, severing, extracting, reducing to possession and loading for shipment and shipment for sale, profit or commercial use of any natural resource products and any reclamation, waste disposal or environmental activities associated therewith and the construction, installation or fabrication of ventilation structures, mine shafts, slopes, boreholes, dewatering structures, including associated facilities and apparatus, by the producer or others, including contractors and subcontractors, at a coal mine or coal production facility.

(B) For the natural resources oil and gas, 'production of natural resources' means the performance, by either the owner of the natural resources, a contractor or a subcontractor, of the act or process of exploring, developing, drilling, well-stimulation activities such as logging, perforating or fracturing, well-completion activities such as the installation of the casing, tubing

and other machinery and equipment and any reclamation, waste disposal or environmental activities associated therewith, including the installation of the gathering system or other pipeline to transport the oil and gas produced or environmental activities associated therewith and any service work performed on the well or well site after production of the well has initially commenced.

(C) All work performed to install or maintain facilities up to the point of sale for severance tax purposes is included in the 'production of natural resources' and subject to the direct use concept.

(D) 'Production of natural resources' does not include the performance or furnishing of work, or materials or work, in fulfillment of a contract for the construction, alteration, repair, decoration or improvement of a new or existing building or structure, or any part thereof, or for the alteration, improvement or development of real property, by persons other than those otherwise directly engaged in the activities specifically set forth in this subdivision as 'production of natural resources'.

~~(15)~~ (17) 'Providing a public service or the operating of a utility business' means the providing of a public service or the operating of a utility by businesses subject to the business and occupation tax imposed by sections two and two-d, article thirteen of this chapter.

~~(16)~~ (18) 'Purchaser' means a person who purchases tangible personal property, custom software or a service taxed by this article.

~~(17)~~ (19) 'Sale', 'sales' or 'selling' includes any transfer of the possession or ownership of tangible personal property, digital code, digital products, or custom software for a consideration, including a lease or rental, when the transfer or delivery is made in the ordinary course of the transferor's business and is made to the transferee or his or her agent for consumption or use or any other purpose. 'Sale' also includes the furnishing of a service for consideration. Notwithstanding anything to the contrary in this code, effective after the thirtieth day of June, two thousand eight,

‘sale’ also includes the furnishing of prepaid wireless calling service for consideration.

~~(18)~~ (20) ‘Service’ or ‘selected service’ includes all nonprofessional activities engaged in for other persons for a consideration, which involve the rendering of a service as distinguished from the sale of tangible personal property, digital code, digital products, or custom software, but does not include contracting, personal services or the services rendered by an employee to his or her employer or any service rendered for resale: *Provided*, That the term ‘service’ or ‘selected service’ does not include payments received by a vendor of tangible personal property as an incentive to sell a greater volume of such tangible personal property under a manufacturer’s, distributor’s or other third party’s marketing support program, sales incentive program, cooperative advertising agreement or similar type of program or agreement, and these payments are not considered to be payments for a ‘service’ or ‘selected service’ rendered, even though the vendor may engage in attendant or ancillary activities associated with the sales of tangible personal property as required under the programs or agreements.

~~(19)~~ (21) ‘Streamlined Sales and Use Tax Agreement’ or ‘agreement’, when used in this article, has the same meaning as when used in article fifteen-b of this chapter, except when the context in which the word ‘agreement’ is used clearly indicates that a different meaning is intended by the Legislature.

~~(20)~~ (22) ‘Tax’ includes all taxes, additions to tax, interest and penalties levied under this article or article ten of this chapter.

~~(21)~~ (23) ‘Tax Commissioner’ means the State Tax Commissioner or his or her delegate. The term ‘delegate’ in the phrase ‘or his or her delegate’, when used in reference to the Tax Commissioner, means any officer or employee of the State Tax Division duly authorized by the Tax Commissioner directly, or indirectly by one or more redelegations of authority, to perform the functions mentioned or described in this article or rules promulgated for this article.

~~(22)~~ (24) ‘Taxpayer’ means any person liable for the tax imposed by this article or additions to tax, penalties and interest imposed by article ten of this chapter.

~~(23)~~ (25) ‘Transmission’ means the act or process of causing liquid, natural gas or electricity to pass or be conveyed from one place or geographical location to another place or geographical location through a pipeline or other medium for commercial purposes.

(24) ~~(26)~~ ‘Transportation’ means the act or process of conveying, as a commercial enterprise, passengers or goods from one place or geographical location to another place or geographical location.

~~(25)~~ (27) ‘Ultimate consumer’ or ‘consumer’ means a person who uses or consumes services, digital code, digital products, or personal property.

~~(26)~~ (28) ‘Vendor’ means any person engaged in this state in furnishing services taxed by this article or making sales of tangible personal property, digital code, digital products, or custom software. ‘Vendor’ and ‘seller’ are used interchangeably in this article.

(c) *Additional definitions.* Other terms used in this article are defined in article fifteen-b of this chapter, which definitions are incorporated by reference into article fifteen of this chapter. Additionally, other terms used in this section may be defined in other sections of this article. ~~may define terms primarily used in the section in which the term is defined~~

§11-15-3. Amount of tax; allocation of tax and transfers.

(a) *Vendor to collect.* — For the privilege of selling tangible personal property or custom software and for the privilege of furnishing certain selected services defined in sections two and eight of this article, the vendor shall collect from the purchaser the tax as provided under this article and article fifteen-b of this chapter, and shall pay the amount of tax to the Tax Commissioner

in accordance with the provisions of this article or article fifteen-b of this chapter.

(b) *Amount of tax.* — The general consumer sales and service tax imposed by this article shall be at the rate of ~~6¢ on the dollar~~ six percent of the sales price of sales or services tangible personal property, digital products, digital code, custom software or taxable service purchased, excluding gasoline and special fuel sales, which remain taxable at the rate of ~~5¢ on the dollar of sales~~ five percent.

(c) *Calculation tax on fractional parts of a dollar until January 1, 2004.* — ~~There shall be no tax on sales where the monetary consideration is 5¢ or less. The amount of the tax shall be computed as follows:~~

(1) ~~On each sale, where the monetary consideration is from 6¢ to 16¢, both inclusive, 1¢.~~

(2) ~~On each sale, where the monetary consideration is from 17¢ to 33¢, both inclusive, 2¢.~~

(3) ~~On each sale, where the monetary consideration is from 34¢ to 50¢, both inclusive, 3¢.~~

(4) ~~On each sale, where the monetary consideration is from 51¢ to 67¢, both inclusive, 4¢.~~

(5) ~~On each sale, where the monetary consideration is from 68¢ to 84¢, both inclusive, 5¢.~~

(6) ~~On each sale, where the monetary consideration is from 85¢ to \$1, both inclusive, 6¢.~~

(7) ~~If the sale price is in excess of \$1, 6¢ on each whole dollar of sale price, and upon any fractional part of a dollar in excess of whole dollars as follows: 1¢ on the fractional part of the dollar if less than 17¢; 2¢ on the fractional part of the dollar if in excess of 16¢ but less than 34¢; 3¢ on the fractional part of the dollar if in excess of 33¢ but less than 51¢; 4¢ on the fractional part of the dollar if in excess of 50¢ but less than 68¢; 5¢ on the fractional part of the dollar if in excess of 67¢ but less than 85¢; and 6¢ on the~~

fractional part of the dollar if in excess of 84¢. For example, the tax on sales from \$1.01 to \$1.16, both inclusive, 7¢; on sales from \$1.17 to \$1.33, both inclusive, 8¢; on sales from \$1.34 to \$1.50, both inclusive, 9¢; on sales from \$1.51 to \$1.67, both inclusive, 10¢; on sales from \$1.68 to \$1.84, both inclusive, 11¢ and on sales from \$1.85 to \$2, both inclusive, 12¢: *Provided*, That beginning January 1, 2004, tax due under this article shall be calculated as provided in subsection (d) of this subsection and this subsection (c) does not apply to sales made after December 31, 2003.

~~(d)~~ (c) *Calculation of tax on fractional parts of a dollar after December 31, 2003.* - ~~Beginning January 1, 2004, the~~ The tax computation under subsection (b) of this section shall be carried to the third decimal place, and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.

~~(e)~~ (d) *No aggregation of separate sales transactions, exception for coin-operated devices.* - Separate sales, such as daily or weekly deliveries, shall not be aggregated for the purpose of computation of the tax even though the sales are aggregated in the billing or payment therefor. Notwithstanding any other provision of this article, coin-operated amusement and vending machine sales shall be aggregated for the purpose of computation of this tax.

~~(f)~~ (e) *Rate of tax on certain mobile homes.* - Notwithstanding any provision of this article to the contrary, ~~after December 31, 2003~~ the tax levied on sales of mobile homes to be used by the owner thereof as his or her principal year-round residence and dwelling shall be an amount equal to ~~six percent~~ of fifty percent of the sales price multiplied by the general rate of the consumers sales and service tax specified in this section.

~~(g)~~ (f) *Construction; custom software, digital goods and digital code.* - ~~After December 31, 2003, whenever~~ Whenever the words ‘tangible personal property’ or ‘property’ appear in this article, the

same shall also include the words ‘custom software’, ‘digital products’ and ‘digital code.’

~~(h)~~ (g) *Computation of tax on sales of gasoline and special fuel.*

- The method of computation of tax provided in this section does not apply to sales of gasoline and special fuel.

§11-15-3d. Imposition of consumers sales tax on telecommunications service and ancillary services.

(a) Notwithstanding the provisions of section eight of this article or any other provision of this code, on and after July 1, 2017, ‘telecommunications service,’ and ‘ancillary services’ as defined in article fifteen-b of this chapter, shall be subject to the consumers sales and service tax imposed by this article, and the use tax imposed by article fifteen-a of this chapter: *Provided*, That payment of the tax imposed under this article or under article fifteen-a of this chapter on prepaid wireless services is sufficient to fulfill the mandate of this section, and prepaid wireless services shall not be subjected to double taxation under this article: *Provided, however*, That this section shall not be interpreted to prevent imposition of any other lawfully imposed municipal tax or fee or any other tax or fee lawfully imposed under any state or federal law, or the laws of any subdivision thereof on such prepaid wireless services.

(b) The tax imposed by this section shall be in addition to any municipal utilities tax, municipal consumers sales and service tax and use tax, or other tax lawfully imposed on telephone service, telecommunications service and ancillary services.

(c) The sale of telecommunications service and ancillary services on which tax is imposed by this section shall be subject to sourcing rules set forth in sections nineteen and twenty, article fifteen-b of this chapter.

(d) Notwithstanding the fact that a service provider did not meet the threshold amount for the previous calendar year that would cause accelerated payment to be made in the current year, the accelerated payment rule imposed under subsection (g), section

sixteen of this article applies to the tax imposed by this section, if the service provider's total combined monthly remittance of the taxes levied by this article and article fifteen-a of this chapter for any calendar month beginning on and after July 1, 2017, exceeds, or can reasonably be expected to exceed, \$100,000.

§11-15-3e. Imposition of consumers sales tax on sales of digital products, digital code and digital services.

(a) Notwithstanding any other provision of this code to the contrary, on and after July 1, 2017, sales of digital code, digital products and digital services electronically transferred to the purchaser shall be subject to the consumers sales and service tax imposed by this article, except as otherwise provided in this article, and the use of digital code, digital products and digital services electronically transferred to the purchaser shall be subject to the use tax imposed by article fifteen-a of this chapter, except as otherwise provided in article fifteen-a of this chapter. The tax imposed by this article shall apply to sales of digital code, digital products and digital services electronically transferred to the purchaser regardless of whether the digital code, digital product or digital service is provided for permanent use or less than permanent use and regardless of whether continued payment is required.

(b) Definitions —

(1) 'Designated digital products' means digital audio works, digital audio-visual works, digital books, video game digital products and digital automated services that are electronically transferred to a purchaser.

(2) 'Digital audio-visual works' means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sound, if any. Digital audio-visual works include such items as motion pictures, movies, music videos, news and entertainment and live events. Digital audio-visual works do not include audio greeting cards sent by electronic mail. Digital audio-visual works includes the digital code, or a subscription to or access to a digital code, for receiving, accessing, or otherwise obtaining digital audio-visual-works.

(3) ‘Digital audio works’ means works that result from the fixation of a series of musical, spoken, or other sounds including ringtones. Digital audio works includes such items as the following which may either be prerecorded or live: songs, music, readings of books or other written materials, speeches, ringtones, or other sound recordings. Digital audio works does not include audio greeting cards sent by electronic mail. Unless the context provides otherwise, in this article digital audio works includes the digital code, or a subscription to or access to a digital code, for receiving, accessing, or otherwise obtaining digital audio works.

(4) ‘Digital automated services’ defined.

(A) ‘Digital automated service,’ except as provided in paragraph (B) of this subdivision (4), means any service transferred electronically that uses one or more software applications that would be taxable if the results of the service were transferred on a tangible medium.

(B) ‘Digital automated service’ does not include:

(i) Any service that primarily involves the application of human effort by the seller, and the human effort originated after the customer requested the service;

(ii) The loaning or transferring of money or the purchase, sale, or transfer of financial instruments. For purposes of this section, ‘financial instruments’ include cash, accounts receivable and payable, loans and notes receivable and payable, debt securities, equity securities, as well as derivative contracts such as forward contracts, swap contracts, and options;

(iii) Dispensing cash or other physical items from a machine;

(iv) Payment processing services;

(vi) Telecommunications services and ancillary services as those terms are defined article fifteen-b of this chapter; or

(vii) The internet and internet access.

(5) ‘Digital books’ means works that are generally recognized in the ordinary and usual sense as ‘books.’ It includes works of fiction and nonfiction and short stories. It does not include periodicals, magazines, newspapers, or other news or information productions, chat rooms, or weblogs. Unless the context provides otherwise, in this chapter digital books includes the digital code, or a subscription to access to a digital code, for receiving, accessing, or otherwise obtaining digital books.

(6) ‘Digital code’ means a code which provides a purchaser with a right to obtain one or more digital products. ‘Digital code’ does not include a code that represents a stored monetary value that is deducted from the total as it is used by the purchaser. ‘Digital code’ also does not include a code that represents a redeemable card, gift card, or gift certificate that entitles the holder to select digital products of an indicated cash value, which digital products are subject to tax when the digital product is selected. A digital code may be obtained by any means, including e-mail or by tangible means regardless of its designation as song code, video code, book code, or some other term.

(7) ‘Digital goods’ defined.

(A) ‘Digital goods,’ except as provided in this subdivision, means sounds, images, data, facts, or information, or any combination thereof, transferred electronically, including, but not limited to, designated digital products and other products transferred electronically not included within the definition of designated digital products.

(B) The term ‘digital goods’ does not include:

(i) Telecommunications services and ancillary services as those terms are defined in article fifteen-b of this chapter;

(ii) Computer software as defined in article fifteen-b of this chapter;

(iii) The internet and internet access service as those terms are defined the Internet Tax Freedom Act, Title 47, U.S.C. § 151 note, as existing on July 1, 2009.

(8) 'Digital products' means digital audio-visual works, digital audio works, digital automated services, digital books, other digital products and designated digital products.

(9) 'Electronically transferred' or 'transferred electronically' means obtained by the purchaser by means other than tangible storage media. It is not necessary that a copy of the product be physically transferred to the purchaser. So long as the purchaser may access the product, it will be considered to have been electronically transferred to the purchaser.

(10) 'Internet access service' means a service that enables users to access content, information, electronic mail, or other services offered over the internet and may also include access to proprietary content, information, and other services as part of a package of services offered to consumers. The term does not include telecommunications services.

(11) 'Other digital products' means and includes, but is not limited to, the following when electronically transferred:

(A) Periodicals;

(B) Magazines;

(C) Video or electronic games; and

(D) Newspapers or other news or information products.

(12) 'Ringtone' means digitized sound files that are downloaded onto a device and that may be used to alert the customer with respect to a communication.

(c) The sales of digital code and digital products on which tax is imposed by this section shall be subject to the transaction sourcing rules in article fifteen-b of this chapter.

(d) For purposes of this section, the sale, license, lease, or rental of or the storage, use, or other consumption of a digital code is treated the same as the sale, license, lease, or rental of or the

storage, use, or other consumption of any digital product to which the digital code relates.

§11-15-9. Exemptions.

(a) *Exemptions for which exemption certificate may be issued.*

— A person having a right or claim to any exemption set forth in this subsection may, in lieu of paying the tax imposed by this article and filing a claim for refund, execute a certificate of exemption, in the form required by the Tax Commissioner, and deliver it to the vendor of the property or service in the manner required by the Tax Commissioner. However, the Tax Commissioner may, by rule, specify those exemptions authorized in this subsection for which exemption certificates are not required. The following sales of tangible personal property and services are exempt as provided in this subsection:

(1) Sales of gas, steam and water delivered to consumers through mains or pipes and sales of electricity;

(2) Sales of textbooks required to be used in any of the schools of this state or in any institution in this state which qualifies as a nonprofit or educational institution subject to the West Virginia Department of Education and the Arts, ~~the board of Trustees of the University System of West Virginia or the board of directors for~~ Higher Education Policy Commission or the Council for Community and Technical College Education for universities and colleges located in this state;

(3) Sales of property or services to this state, its institutions or subdivisions, governmental units, institutions or subdivisions of other states: *Provided*, That the law of the other state provides the same exemption to governmental units or subdivisions of this state and to the United States, including agencies of federal, state or local governments for distribution in public welfare or relief work;

(4) Sales of vehicles which are titled by the Division of Motor Vehicles and which are subject to the tax imposed by section four, article three, chapter seventeen-a of this code or like tax;

(5) Sales of property or services to churches which make no charge whatsoever for the services they render: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies, food for meals and materials directly used or consumed by these organizations and does not apply to purchases of gasoline or special fuel;

(6) Sales of tangible personal property or services to a corporation or organization which has a current registration certificate issued under article twelve of this chapter, which is exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, and which is:

(A) A church or a convention or association of churches as defined in Section 170 of the Internal Revenue Code of 1986, as amended;

(B) An elementary or secondary school which maintains a regular faculty and curriculum and has a regularly enrolled body of pupils or students in attendance at the place in this state where its educational activities are regularly carried on;

(C) A corporation or organization which annually receives more than one half of its support from any combination of gifts, grants, direct or indirect charitable contributions or membership fees;

(D) An organization which has no paid employees and its gross income from fundraisers, less reasonable and necessary expenses incurred to raise the gross income (or the tangible personal property or services purchased with the net income), is donated to an organization which is exempt from income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended;

(E) A youth organization, such as the Girl Scouts of the United States of America, the Boy Scouts of America or the YMCA Indian Guide/Princess Program and the local affiliates thereof, which is organized and operated exclusively for charitable purposes and has

as its primary purpose the nonsectarian character development and citizenship training of its members;

(F) For purposes of this subsection:

(i) The term ‘support’ includes, but is not limited to:

(I) Gifts, grants, contributions or membership fees;

(II) Gross receipts from fundraisers which include receipts from admissions, sales of merchandise, performance of services or furnishing of facilities in any activity which is not an unrelated trade or business within the meaning of Section 513 of the Internal Revenue Code of 1986, as amended;

(III) Net income from unrelated business activities, whether or not the activities are carried on regularly as a trade or business;

(IV) Gross investment income as defined in Section 509(e) of the Internal Revenue Code of 1986, as amended;

(V) Tax revenues levied for the benefit of a corporation or organization either paid to or expended on behalf of the organization; and

(VI) The value of services or facilities (exclusive of services or facilities generally furnished to the public without charge) furnished by a governmental unit referred to in Section 170(c)(1) of the Internal Revenue Code of 1986, as amended, to an organization without charge. This term does not include any gain from the sale or other disposition of property which would be considered as gain from the sale or exchange of a capital asset or the value of an exemption from any federal, state or local tax or any similar benefit;

(ii) The term ‘charitable contribution’ means a contribution or gift to or for the use of a corporation or organization, described in Section 170(c)(2) of the Internal Revenue Code of 1986, as amended; and

(iii) The term ‘membership fee’ does not include any amounts paid for tangible personal property or specific services rendered to members by the corporation or organization;

(G) The exemption allowed by this subdivision does not apply to sales of gasoline or special fuel or to sales of tangible personal property or services to be used or consumed in the generation of unrelated business income as defined in Section 513 of the Internal Revenue Code of 1986, as amended. The exemption granted in this subdivision applies only to services, equipment, supplies and materials used or consumed in the activities for which the organizations qualify as tax-exempt organizations under the Internal Revenue Code and does not apply to purchases of gasoline or special fuel which are taxable as provided in section eighteen-b of this article and article fourteen-c of this chapter;

(7) An isolated transaction in which any taxable service or any tangible personal property is sold, transferred, offered for sale or delivered by the owner of the property or by his or her representative for the owner’s account, the sale, transfer, offer for sale or delivery not being made in the ordinary course of repeated and successive transactions of like character by the owner or on his or her account by the representative: *Provided*, That nothing contained in this subdivision may be construed to prevent an owner who sells, transfers or offers for sale tangible personal property in an isolated transaction through an auctioneer from availing himself or herself of the exemption provided in this subdivision, regardless of where the isolated sale takes place. The Tax Commissioner may propose a legislative rule for promulgation pursuant to article three, chapter twenty-nine-a of this code which he or she considers necessary for the efficient administration of this exemption;

(8) Sales of tangible personal property or of any taxable services rendered for use or consumption in connection with the commercial production of an agricultural product the ultimate sale of which is subject to the tax imposed by this article or which would have been subject to tax under this article: *Provided*, That sales of tangible personal property and services to be used or consumed in the construction of or permanent improvement to real property and sales of gasoline and special fuel are not exempt: *Provided*,

however, That nails and fencing may not be considered as improvements to real property;

(9) Sales of tangible personal property to a person for the purpose of resale in the form of tangible personal property: *Provided*, That sales of gasoline and special fuel by distributors and importers is taxable except when the sale is to another distributor for resale: *Provided, however*, That sales of building materials or building supplies or other property to any person engaging in the activity of contracting, as defined in this article, which is to be installed in, affixed to or incorporated by that person or his or her agent into any real property, building or structure is not exempt under this subdivision;

(10) Sales of newspapers when delivered to consumers by route carriers;

(11) Sales of drugs, durable medical goods, mobility-enhancing equipment and prosthetic devices dispensed upon prescription and sales of insulin to consumers for medical purposes. The amendment to this subdivision shall apply to sales made after December 31, 2003;

(12) Sales of radio and television broadcasting time, preprinted advertising circulars and newspaper and outdoor advertising space for the advertisement of goods or services;

(13) Sales and services performed by day care centers;

(14) Casual and occasional sales of property or services not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of like character by a corporation or organization which is exempt from tax under subdivision (6) of this subsection on its purchases of tangible personal property or services. For purposes of this subdivision, the term 'casual and occasional sales not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of like character' means sales of tangible personal property or services at fundraisers sponsored by a corporation or organization which is exempt, under subdivision (6) of this

subsection, from payment of the tax imposed by this article on its purchases when the fundraisers are of limited duration and are held no more than six times during any twelve-month period and 'limited duration' means no more than eighty-four consecutive hours: *Provided*, That sales for volunteer fire departments and volunteer school support groups, with duration of events being no more than eighty-four consecutive hours at a time, which are held no more than eighteen times in a twelve-month period for the purposes of this subdivision are considered 'casual and occasional sales not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of a like character';

(15) Sales of property or services to a school which has approval from the ~~board of Trustees of the University System of West Virginia or the board of Directors of the state College System~~ Higher Education Policy Commission or the Council for Community and Technical College Education to award degrees, which has its principal campus in this state and which is exempt from federal and state income taxes under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended: *Provided*, That sales of gasoline and special fuel are taxable as provided in section eighteen-b of this article and article fourteen-c of this chapter;

(16) Sales of lottery tickets and materials by licensed lottery sales agents and lottery retailers authorized by the State Lottery Commission, under the provisions of article twenty-two, chapter twenty-nine of this code;

(17) Leases of motor vehicles titled pursuant to the provisions of article three, chapter seventeen-a of this code to lessees for a period of thirty or more consecutive days;

(18) Notwithstanding the provisions of section eighteen or eighteen-b of this article or any other provision of this article to the contrary, sales of propane to consumers for poultry house heating purposes, with any seller to the consumer who may have prior paid the tax in his or her price, to not pass on the same to the consumer, but to make application and receive refund of the tax from the Tax Commissioner pursuant to rules which are promulgated after being

proposed for legislative approval in accordance with chapter twenty-nine-a of this code by the Tax Commissioner;

(19) Any sales of tangible personal property or services purchased and lawfully paid for with food stamps pursuant to the federal food stamp program codified in 7 U. S. C. §2011, *et seq.*, as amended, or with drafts issued through the West Virginia special supplement food program for women, infants and children codified in 42 U. S. C. §1786;

(20) Sales of tickets for activities sponsored by elementary and secondary schools located within this state;

~~(21) Sales of electronic data processing services and related software: *Provided, That, for the purposes of this subdivision, 'electronic data processing services' means:*~~

~~(A) The processing of another's data, including all processes incident to processing of data such as keypunching, keystroke verification, rearranging or sorting of previously documented data for the purpose of data entry or automatic processing and changing the medium on which data is sorted, whether these processes are done by the same person or several persons; and~~

~~(B) Providing access to computer equipment for the purpose of processing data or examining or acquiring data stored in or accessible to the computer equipment;~~

~~(22)~~ (21) Tuition charged for attending educational summer camps;

~~(23)~~ (22) Dispensing of services performed by one corporation, partnership or limited liability company for another corporation, partnership or limited liability company when the entities are members of the same controlled group or are related taxpayers as defined in Section 267 of the Internal Revenue Code. 'Control' means ownership, directly or indirectly, of stock, equity interests or membership interests possessing fifty percent or more of the total combined voting power of all classes of the stock of a corporation, equity interests of a partnership or membership interests of a limited liability company entitled to vote or

ownership, directly or indirectly, of stock, equity interests or membership interests possessing fifty percent or more of the value of the corporation, partnership or limited liability company;

~~(24)~~ (23) Food for the following are exempt:

(A) Food purchased or sold by a public or private school, school-sponsored student organizations or school-sponsored parent-teacher associations to students enrolled in the school or to employees of the school during normal school hours; but not those sales of food made to the general public;

(B) Food purchased or sold by a public or private college or university or by a student organization officially recognized by the college or university to students enrolled at the college or university when the sales are made on a contract basis so that a fixed price is paid for consumption of food products for a specific period of time without respect to the amount of food product actually consumed by the particular individual contracting for the sale and no money is paid at the time the food product is served or consumed;

(C) Food purchased or sold by a charitable or private nonprofit organization, a nonprofit organization or a governmental agency under a program to provide food to low-income persons at or below cost;

(D) Food sold by a charitable or private nonprofit organization, a nonprofit organization or a governmental agency under a program operating in West Virginia for a minimum of five years to provide food at or below cost to individuals who perform a minimum of two hours of community service for each unit of food purchased from the organization;

(E) Food sold in an occasional sale by a charitable or nonprofit organization, including volunteer fire departments and rescue squads, if the purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is actually expended for that purpose;

(F) Food sold by any religious organization at a social or other gathering conducted by it or under its auspices, if the purpose in selling the food is to obtain revenue for the functions and activities of the organization and the revenue obtained from selling the food is actually used in carrying out those functions and activities: *Provided*, That purchases made by the organizations are not exempt as a purchase for resale; or

(G) Food sold by volunteer fire departments and rescue squads that are exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, when the purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is exempt from federal income tax and actually expended for that purpose;

~~(25)~~ (24) Sales of food by little leagues, midget football leagues, youth football or soccer leagues, band boosters or other school or athletic booster organizations supporting activities for grades kindergarten through twelve and similar types of organizations, including scouting groups and church youth groups, if the purpose in selling the food is to obtain revenue for the functions and activities of the organization and the revenues obtained from selling the food is actually used in supporting or carrying on functions and activities of the groups: *Provided*, That the purchases made by the organizations are not exempt as a purchase for resale;

~~(26)~~ (25) Charges for room and meals by fraternities and sororities to their members: *Provided*, That the purchases made by a fraternity or sorority are not exempt as a purchase for resale;

~~(27)~~ (26) Sales of or charges for the transportation of passengers in interstate commerce;

~~(28)~~ (27) Sales of tangible personal property or services to any person which this state is prohibited from taxing under the laws of the United States or under the Constitution of this state;

~~(29)~~ (28) Sales of tangible personal property or services to any person who claims exemption from the tax imposed by this article

or article fifteen-a of this chapter pursuant to the provision of any other chapter of this code;

~~(30)~~ (29) Charges for the services of opening and closing a burial lot;

~~(31)~~ (30) Sales of livestock, poultry or other farm products in their original state by the producer of the livestock, poultry or other farm products or a member of the producer's immediate family who is not otherwise engaged in making retail sales of tangible personal property; and sales of livestock sold at public sales sponsored by breeders or registry associations or livestock auction markets: *Provided*, That the exemptions allowed by this subdivision may be claimed without presenting or obtaining exemption certificates provided the farmer maintains adequate records;

~~(32)~~ (31) Sales of motion picture films to motion picture exhibitors for exhibition if the sale of tickets or the charge for admission to the exhibition of the film is subject to the tax imposed by this article and sales of coin-operated video arcade machines or video arcade games to a person engaged in the business of providing the machines to the public for a charge upon which the tax imposed by this article is remitted to the Tax Commissioner: *Provided*, That the exemption provided in this subdivision may be claimed by presenting to the seller a properly executed exemption certificate;

~~(33)~~ (32) Sales of aircraft repair, remodeling and maintenance services when the services are to an aircraft operated by a certified or licensed carrier of persons or property, or by a governmental entity, or to an engine or other component part of an aircraft operated by a certificated or licensed carrier of persons or property, or by a governmental entity and sales of tangible personal property that is permanently affixed or permanently attached as a component part of an aircraft owned or operated by a certificated or licensed carrier of persons or property, or by a governmental entity, as part of the repair, remodeling or maintenance service and sales of machinery, tools or equipment directly used or consumed exclusively in the repair, remodeling or maintenance of aircraft,

aircraft engines or aircraft component parts for a certificated or licensed carrier of persons or property or for a governmental entity;

~~(34) Charges for memberships or services provided by health and fitness organizations relating to personalized fitness programs;~~

~~(35)~~ (33) Sales of services by individuals who babysit for a profit: *Provided*, That the gross receipts of the individual from the performance of baby-sitting services do not exceed \$5,000 in a taxable year;

~~(36)~~ (34) Sales of services by public libraries or by libraries at academic institutions or by libraries at institutions of higher learning;

~~(37)~~ (35) Commissions received by a manufacturer's representative;

~~(38)~~ (36) Sales of primary opinion research services when:

(A) The services are provided to an out-of-state client;

(B) The results of the service activities, including, but not limited to, reports, lists of focus group recruits and compilation of data are transferred to the client across state lines by mail, wire or other means of interstate commerce, for use by the client outside the State of West Virginia; and

(C) The transfer of the results of the service activities is an indispensable part of the overall service: *Provided*, That this exemption shall not be allowable on and after July 1, 2017.

For the purpose of this subdivision, the term 'primary opinion research' means original research in the form of telephone surveys, mall intercept surveys, focus group research, direct mail surveys, personal interviews and other data collection methods commonly used for quantitative and qualitative opinion research studies;

~~(39)~~ (37) Sales of property or services to persons within the state when those sales are for the purposes of the production of value-added products: *Provided*, That the exemption granted in this

subdivision applies only to services, equipment, supplies and materials directly used or consumed by those persons engaged solely in the production of value-added products: *Provided, however,* That this exemption may not be claimed by any one purchaser for more than five consecutive years, except as otherwise permitted in this section.

For the purpose of this subdivision, the term ‘value-added product’ means the following products derived from processing a raw agricultural product, whether for human consumption or for other use. For purposes of this subdivision, the following enterprises qualify as processing raw agricultural products into value-added products: Those engaged in the conversion of:

(A) Lumber into furniture, toys, collectibles and home furnishings;

(B) Fruits into wine;

(C) Honey into wine;

(D) Wool into fabric;

(E) Raw hides into semifinished or finished leather products;

(F) Milk into cheese;

(G) Fruits or vegetables into a dried, canned or frozen product;

(H) Feeder cattle into commonly accepted slaughter weights;

(I) Aquatic animals into a dried, canned, cooked or frozen product; and

(J) Poultry into a dried, canned, cooked or frozen product;

~~(40)~~ (38) Sales of music instructional services by a music teacher and artistic services or artistic performances of an entertainer or performing artist pursuant to a contract with the owner or operator of a retail establishment, restaurant, inn, bar, tavern, sports or other entertainment facility or any other business location in this state in which the public or a limited portion of the

public may assemble to hear or see musical works or other artistic works be performed for the enjoyment of the members of the public there assembled when the amount paid by the owner or operator for the artistic service or artistic performance does not exceed \$3,000: *Provided*, That nothing contained herein may be construed to deprive private social gatherings, weddings or other private parties from asserting the exemption set forth in this subdivision. For the purposes of this exemption, artistic performance or artistic service means and is limited to the conscious use of creative power, imagination and skill in the creation of aesthetic experience for an audience present and in attendance and includes, and is limited to, stage plays, musical performances, poetry recitations and other readings, dance presentation, circuses and similar presentations and does not include the showing of any film or moving picture, gallery presentations of sculptural or pictorial art, nude or strip show presentations, video games, video arcades, carnival rides, radio or television shows or any video or audio taped presentations or the sale or leasing of video or audio tapes, air shows or any other public meeting, display or show other than those specified herein: *Provided, however*, That nothing contained herein may be construed to exempt the sales of tickets from the tax imposed in this article. The State Tax Commissioner shall propose a legislative rule pursuant to article three, chapter twenty-nine-a of this code establishing definitions and eligibility criteria for asserting this exemption which is not inconsistent with the provisions set forth herein: *Provided further*, That nude dancers or strippers may not be considered as entertainers for the purposes of this exemption;

~~(41)~~ (39) Charges to a member by a membership association or organization which is exempt from paying federal income taxes under Section 501(c)(3) or (c)(6) of the Internal Revenue Code of 1986, as amended, for membership in the association or organization, including charges to members for newsletters prepared by the association or organization for distribution primarily to its members, charges to members for continuing education seminars, workshops, conventions, lectures or courses put on or sponsored by the association or organization, including charges for related course materials prepared by the association or organization or by the speaker or speakers for use during the

continuing education seminar, workshop, convention, lecture or course, but not including any separate charge or separately stated charge for meals, lodging, entertainment or transportation taxable under this article: *Provided*, That the association or organization pays the tax imposed by this article on its purchases of meals, lodging, entertainment or transportation taxable under this article for which a separate or separately stated charge is not made. A membership association or organization which is exempt from paying federal income taxes under Section 501(c)(3) or (c)(6) of the Internal Revenue Code of 1986, as amended, may elect to pay the tax imposed under this article on the purchases for which a separate charge or separately stated charge could apply and not charge its members the tax imposed by this article or the association or organization may avail itself of the exemption set forth in subdivision (9) of this subsection relating to purchases of tangible personal property for resale and then collect the tax imposed by this article on those items from its member;

~~(42)~~ (40) Sales of governmental services or governmental materials by county assessors, county sheriffs, county clerks or circuit clerks in the normal course of local government operations;

~~(43)~~ (41) Direct or subscription sales by the Division of Natural Resources of the magazine currently entitled *Wonderful West Virginia* and by the Division of Culture and History of the magazine currently entitled *Goldenseal* and the journal currently entitled *West Virginia History*;

~~(44)~~ (42) Sales of soap to be used at car wash facilities;

~~(45)~~ (43) Commissions received by a travel agency from an out-of-state vendor;

~~(46)~~ (44) The service of providing technical evaluations for compliance with federal and state environmental standards provided by environmental and industrial consultants who have formal certification through the West Virginia Department of Environmental Protection or the West Virginia Bureau for Public Health or both. For purposes of this exemption, the service of providing technical evaluations for compliance with federal and

state environmental standards includes those costs of tangible personal property directly used in providing such services that are separately billed to the purchaser of such services and on which the tax imposed by this article has previously been paid by the service provider;

~~(47)~~ (45) Sales of tangible personal property and services by volunteer fire departments and rescue squads that are exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, if the sole purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is exempt from federal income tax and actually expended for that purpose;

~~(48)~~ (46) Lodging franchise fees, including royalties, marketing fees, reservation system fees or other fees assessed after December 1, 1997, that have been or may be imposed by a lodging franchiser as a condition of the franchise agreement; and

~~(49)~~ (47) Sales of the regulation size United States flag and the regulation size West Virginia flag for display.

(b) *Refundable exemptions.* — Any person having a right or claim to any exemption set forth in this subsection shall first pay to the vendor the tax imposed by this article and then apply to the Tax Commissioner for a refund or credit, or as provided in section nine-d of this article, give to the vendor his or her West Virginia direct pay permit number. The following sales of tangible personal property and services are exempt from tax as provided in this subsection:

(1) Sales of property or services to bona fide charitable organizations who make no charge whatsoever for the services they render: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies, food, meals and materials directly used or consumed by these organizations and does not apply to purchases of gasoline or special fuel;

(2) Sales of services, machinery, supplies and materials directly used or consumed in the activities of manufacturing,

transportation, transmission, communication, production of natural resources, gas storage, generation or production or selling electric power, provision of a public utility service or the operation of a utility service or the operation of a utility business, in the businesses or organizations named in this subdivision and does not apply to purchases of gasoline or special fuel: *Provided, That beginning on July 1, 2017, all sales of services, machinery, supplies and materials directly used or consumed in the business activity of communication, shall be subject to the tax imposed by this article;*

(3) Sales of property or services to nationally chartered fraternal or social organizations for the sole purpose of free distribution in public welfare or relief work: *Provided, That sales of gasoline and special fuel are taxable;*

(4) Sales and services, firefighting or station house equipment, including construction and automotive, made to any volunteer fire department organized and incorporated under the laws of the State of West Virginia: *Provided, That sales of gasoline and special fuel are taxable;*

(5) Sales of building materials or building supplies or other property to an organization qualified under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, which are to be installed in, affixed to or incorporated by the organization or its agent into real property or into a building or structure which is or will be used as permanent low-income housing, transitional housing, an emergency homeless shelter, a domestic violence shelter or an emergency children and youth shelter if the shelter is owned, managed, developed or operated by an organization qualified under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended; and

(6) Sales of construction and maintenance materials acquired by a second party for use in the construction or maintenance of a highway project: *Provided, That in lieu of any refund or credit to the person that paid the tax imposed by this article, the Tax Commissioner shall pay to the Division of Highways for deposit into the State Road Fund of the state reimbursement for the tax in the amount estimated under the provisions of this subdivision:*

Provided, however, That by June 15 of each fiscal year, the division shall provide to the Tax Department an itemized listing of highways projects with the amount of funds expended for highway construction and maintenance. The Commissioner of Highways shall request reimbursement of the tax based on an estimate that forty percent of the total gross funds expended by the agency during the fiscal period were for the acquisition of materials used for highway construction and maintenance. The amount of the reimbursement shall be calculated at six percent of the forty percent: *Provided, That on and after July 1, 2017, the maximum amount that may be transferred to the State Road Fund pursuant to this subdivision is \$10 million in any fiscal year.*

(c) Effective date. — The amendments to this section in 2017 shall take effect beginning July 1, 2017, and apply to sales made on and after that date.

§11-15-9b. Exemption for purchases of tangible personal property and services for direct use in research and development.

(a) Sales of tangible personal property and services after June 30, 2002, directly used or consumed in the activity of research and development are exempt from tax imposed by this article. Any person having a right or claim to the exemption set forth in this section shall first pay to the vendor the tax imposed by this article and then apply to the Tax Commissioner for a refund or credit or give to the vendor the person's West Virginia direct pay permit number in accordance with the provisions of section nine-d of this article.

(b) For purposes of this article:

(1) 'Directly used or consumed in the activity of research and development' means used or consumed in those activities or operations which constitute an integral and essential part of research and development, as contrasted with and distinguished from those activities or operations which are simply incidental, convenient or remote to research and development.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activity of research and development include only:

(i) In the case of tangible personal property, physical incorporation of property into tangible personal property that is the subject of, or directly used in, research and development;

(ii) Causing a direct physical, chemical or other change upon property that is the subject of, or directly used in, research and development;

(iii) Transporting or storing property that is the subject of, or directly used in, research and development;

(iv) Measuring or verifying a change in property that is the subject of, or directly used in, research and development;

(v) Physically controlling or directing the physical movement or operation of property that is the subject of, or directly used in, research and development;

(vi) Directly and physically recording the flow of property that is the subject of, or directly used in, research and development;

(vii) Producing energy for property that is the subject of, or directly used in, research and development;

(viii) Controlling or otherwise regulating atmospheric or other environmental conditions required for research and development;

(ix) Serving as an operating supply for property that is the subject of, or directly used in, research and development;

(x) Maintenance or repair of property, including maintenance equipment, that is directly used in research and development;

(xi) Storage, removal or transportation of economic or other waste resulting from the activity of research and development;

(xii) Pollution control or environmental quality or environmental protection activity directly relating to the activity of

research and development, and personnel, plant, property or community safety or security activity directly relating to the activity of research and development; or

(xiii) Otherwise being used as an integral and essential part of research and development.

(B) Uses of property or services which do not constitute direct use or consumption in the activity of research and development include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Planning or scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to research and development, rather than an integral and essential part of these activities.

(2) 'Research and development' means systematic scientific, engineering or technological study and investigation in a field of knowledge in the physical, computer or software sciences, often involving the formulation of hypotheses and experimentation, for the purpose of revealing new facts, theories or principles, or increasing scientific knowledge, which may reveal the basis for new or enhanced products, equipment or manufacturing processes. Research and development includes, but is not limited to, design, refinement and testing of prototypes of new or improved products, or design, refinement and testing of manufacturing processes before commercial sales relating thereto have begun. For purposes of this section commercial sales include, but are not limited to, sales of prototypes or sales for market testing.

(A) Research and development does not include:

(i) Market research;

(ii) Sales research;

(iii) Efficiency surveys;

(iv) Consumer surveys;

(v) Product market testing;

(vi) Product testing by product consumers or through consumer surveys for evaluation of consumer product performance or consumer product usability;

(vii) The ordinary testing or inspection of materials or products for quality control (quality control testing);

(viii) Management studies;

(ix) Advertising;

(x) Promotions;

(xi) The acquisition of another's patent, model, production or process or investigation or evaluation of the value or investment potential related thereto;

(xii) Research in connection with literary, historical or similar projects;

(xiii) Research in the social sciences, economics, humanities or psychology and other nontechnical activities; and

(xiv) The providing of sales services or any other service, whether technical service or nontechnical service.

(c) No provision of this section may be interpreted to alter, abrogate or impede application of the exemption for sales of primary opinion research services set forth in section nine of this article: Provided, That on and after July 1, 2017, the exemption for primary opinion research shall not be an allowable exemption.

§11-15-9h. Exemptions for sales of computer hardware and software directly incorporated into manufactured products; certain leases; sales of electronic data processing service; sales of computer hardware and software directly used in communication; sales of educational software; sales of Internet advertising; sales of high-technology business services directly used in fulfillment of a government contract; sales of tangible personal property for direct use in a high-technology business or internet advertising business; definitions.

(a) In order to modernize the exemptions from tax contained in this article as a result of technological advances in computers and the expanded role of computers, the Internet and global instant communications in business and to encourage computer software developers, computer hardware designers, systems engineering firms, ~~electronic data processing companies~~ and other high-technology companies to locate and expand their businesses in West Virginia, the following sales of tangible personal property and software are exempt:

(1) Sales of computer hardware or software (including custom designed software) to be directly incorporated by a manufacturer into a manufactured product. For purposes of this subsection, the payment of licensing fees for the right to incorporate hardware or software developed by persons other than the manufacturer into a manufactured product is exempt from the tax imposed by this article;

(2) Sales of computer hardware or software (including custom designed software) directly used in communication as defined in this article;

~~(3) Sales of electronic data processing services;~~

(4) (3) Sales of educational software required to be used in any of the public schools of this state or in any institution in this state which qualifies as a nonprofit or educational institution subject to administration, regulation, certification or approval of the

Department of Education, the Department of Education and the Arts or the Higher Education Policy Commission;

~~(5)~~ (4) Sales of Internet advertising of goods and services;

~~(6)~~ (5) Sales of high-technology business services to high-technology businesses which enter into contracts with this state, its institutions and subdivisions, governmental units, institutions or subdivisions of other states, or with the United States, including agencies of federal, state or local governments for direct use in fulfilling the government contract; and

~~(7)~~ (6) Sales of prewritten computer software, computers, computer hardware, servers and building materials and tangible personal property to be installed into a building or facility for direct use in a high-technology business or an Internet advertising business.

(b) *Definitions.* — As used in this article, the following terms have the following meanings:

(1) ‘Computer hardware’ means a computer, as defined in article fifteen-b of this chapter, and the directly and immediately connected physical equipment involved in the performance of data processing or communications functions, including data input, data output, data processing, data storage and data communication apparatus that is directly and immediately connected to the computer. The term ‘computer hardware’ does not include computer software.

(2) ‘High-technology business’ means and is limited to businesses primarily engaged in the following activities: Computer hardware design and development; computer software design, development, customization and upgrade; computer systems design and development; website design and development; network design and development; design and development of new manufactured products which incorporate computer hardware and software; electronic data processing; network management, maintenance, engineering, administration and security services; website management, maintenance, engineering, administration and security services and computer systems management, maintenance, engineering,

administration and security services. High-technology business as defined herein is intended to include businesses which engage in the activities enumerated in this definition as their primary business activity, and not as a secondary or incidental activity and not as an activity in support of or incidental to business activity not specifically enumerated in this definition.

(3) ‘High-technology business services’ means and is limited to computer hardware design and development; computer software design, development, customization and upgrade; computer systems design and development; website design and development; network design and development; electronic data processing; computer systems management; computer systems maintenance; computer systems engineering; computer systems administration and computer systems security services.

(4) ‘Internet advertising business’ means a for-profit business that is engaged, for monetary remuneration, in the primary business activity of announcing, or calling public attention to, goods or services in order to induce the public to purchase those goods or services, and which uses the Internet as its sole advertising communications medium. For purposes of this definition, Internet advertising must be the primary business activity of the business and not a secondary or incidental activity and not an activity in support of or incidental to other business activity.

(5) ‘Network’ means a group of two or more computer systems linked together.

(6) ‘Server’ means a computer or device on a network that manages network resources.

(c) The amendments to this section made in the first extraordinary session of the Legislature in 2009 shall apply to purchases made on and after July 1, 2009. The amendments to this section made in 2017 shall apply on and after July 1, 2017.

§11-15-35. Administrative rules.

Legislative rules; emergency rules. — The tax commissioner shall propose for promulgation legislative rules explaining and

implementing the amendments to this article enacted in the year 2017 in accordance with the provisions of article three, chapter twenty-nine-a of this code. The authority to promulgate rules includes authority to amend or repeal those rules. If proposed legislative rules for this section are filed in the state register before October 1, 2017, those rules may be promulgated as emergency legislative rules as provided in article three, chapter twenty-nine-a of this code.

ARTICLE 15A. USE TAX.

§11-15A-2. Imposition of tax; ~~six percent~~ tax rate; inclusion of services as taxable; transition rules; allocation of tax and transfers.

(a) An excise tax is hereby levied and imposed on the use in this state of tangible personal property, custom software or taxable services, to be collected and paid as provided in this article or article fifteen-b of this chapter, at the rate of six percent of the purchase price of the property, digital code, digital product or taxable services, except as otherwise provided in this article.

(b) *Calculation of tax on fractional parts of a dollar.* — The tax computation under subsection (a) of this section shall be carried to the third decimal place and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.

(c) ‘Taxable services,’ for the purposes of this article, means services of the nature that are subject to the tax imposed by article fifteen of this chapter. In this article, wherever the words ‘tangible personal property’ or ‘property’ appear, the same shall include the words ‘or taxable services,’ where the context so requires.

(d) Use tax is hereby imposed upon every person using tangible personal property, digital code, digital products, custom software, ~~or~~ telecommunication service, ancillary telecommunication

service, digital service or other taxable service within this state. That person's liability is not extinguished until the tax has been paid. A receipt with the tax separately stated thereon issued by a retailer engaged in business in this state, or by a foreign retailer who is authorized by the Tax Commissioner to collect the tax imposed by this article, relieves the purchaser from further liability for the tax to which the receipt refers.

(e) Purchases of tangible personal property, digital code, digital products, digital services, telecommunication services, ancillary telecommunication services or other taxable services made for the government of the United States or any of its agencies by ultimate consumers is subject to the tax imposed by this section. Industrial materials and equipment owned by the federal government within the State of West Virginia of a character not ordinarily readily obtainable within the state, is not subject to use tax when sold, if the industrial materials and equipment would not be subject to use taxes if sold outside of the state for use in West Virginia.

(f) This article does not apply to purchases made by counties or municipal corporations.

§11-15A-10. Payment to Tax Commissioner.

(a) Each retailer required or authorized, pursuant to section six, six-a or seven, or pursuant to article fifteen-b of this chapter, to collect the tax imposed in section two of this article, is required to pay to the Tax Commissioner the amount of the tax on or before the twentieth day of the month next succeeding each calendar month, except as otherwise provided in this article or article fifteen-b of this chapter.

(b) Each certified service provider for a Model I seller shall pay to the Tax Commissioner the tax levied by this article on or before the twentieth day of the month next succeeding the calendar month in which the tax accrued, except as otherwise provided in this article or article fifteen-b of this chapter.

(c) At that time, each retailer, seller or certified service provider shall file with the Tax Commissioner a return for the preceding

monthly period, except as otherwise provided in this article or article fifteen-b of this chapter, in the form prescribed by the Tax Commissioner showing the sales price of any or all tangible personal property, custom software and taxable services sold by the retailer or seller during the preceding quarterly period, the use of which is subject to the tax imposed by this article, and any other information the Tax Commissioner may consider necessary for the proper administration of this article. The return shall be accompanied by a remittance of the amount of the tax, for the period covered by the return, except as otherwise provided in this article or article fifteen-b of this chapter: *Provided*, That where the tangible personal property, digital code, digital products or custom software is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part of the sum is extended over a period longer than sixty days from the date of the sale, the retailer may collect and remit each monthly period that portion of the tax equal to six percent of that portion of the purchase price actually received during the monthly period: *Provided*, That beginning July 1, 2017, the tax to be remitted shall be determined by multiplying the portion of the purchase price actually received during the monthly period by the general consumers sales and service tax rate specified in section three, article fifteen of this chapter.

(d) The Tax Commissioner may, upon request and a proper showing of the necessity to do so, grant an extension of time not to exceed thirty days for making any return and payment.

(e) Returns shall be signed by the retailer or seller or his or her duly authorized agent, and must be certified by him or her to be correct, except as otherwise provided in this article or article fifteen-b of this chapter.

(f) *Accelerated payment.* –

(1) ~~For calendar years beginning after December 31, 2002, taxpayers~~ Taxpayers whose average monthly payment of the taxes levied by this article and article fifteen of this chapter during the previous calendar year exceeds \$100,000, shall remit the tax

attributable to the first fifteen days of June each year on or before June 20 of said month.

(2) For purposes of complying with subdivision (1) of this subsection, the taxpayer shall remit an amount equal to the amount of tax imposed by this article and article fifteen of this chapter on actual taxable sales of tangible personal property and custom software and sales of taxable services during the first fifteen days of June or, at the taxpayer's election, taxpayer may remit an amount equal to fifty percent of taxpayer's liability for tax under this article on taxable sales of tangible personal property and custom software and sales of taxable services made during the preceding month of May.

(3) For a business which has not been in existence for a full calendar year, the total tax due from the business during the prior calendar year shall be divided by the number of months, including fractions of a month, that it was in business during the prior calendar year; and if that amount exceeds \$100,000, the tax attributable to the first fifteen days of June each year shall be remitted on or before June 20 of said month as provided in subdivision (2) of this subsection.

(4) When a taxpayer required to make an advanced payment of tax under subdivision (1) of this subsection makes out its return for the month of June, which is due on July 20, the taxpayer may claim as a credit against its liability under this article for tax on taxable transactions during the month of June, the amount of the advanced payment of tax made under subdivision (1) of this subsection.

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-8a. Credit for qualified rehabilitated buildings investment.

A credit against the tax imposed by the provisions of this article shall be allowed as follows:

Certified historic structures. - For certified historic structures, the credit is equal to ten percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States

Code, as amended: Provided, That for qualified rehabilitation expenditures made after June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified rehabilitation expenditure: Provided, however, That the credit authorized by this section for qualified rehabilitation expenditures made after June 30, 2017, may not be used to offset tax liabilities prior to the tax year beginning January 1, 2019: Provided further, That the taxpayer may not be entitled to this credit if the taxpayer is in arrears in the payment of any tax administered by the Tax Division or the taxpayer is delinquent in the payment of property taxes on the property containing the certified historic tax structure when the applicant begins to claim the credit and throughout the time period within which the credit is claimed. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide what information must accompany any claim for the tax credit for the determination that the taxpayer is not in arrears in the payment of any tax administered by the Tax Division nor is the taxpayer delinquent in the payment of property taxes on the property containing the certified historic tax structure. The Tax Commissioner may also propose rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code for the administration of this tax credit and to provide any necessary mechanism to recover credits claimed by taxpayers that become delinquent in the payment of property taxes on the property containing the historic structure or become in arrears in the payment of any tax administered by the Tax Division. This credit is available for both residential and nonresidential buildings located in this state, that are reviewed by the West Virginia Division of Culture and History and designated by the national park service, United States department of the interior as ‘certified historic structures’, and further defined as a ‘qualified rehabilitated building’, as defined under §47(c)(1), Title 26 of the United States Code, as amended.

The credit authorized pursuant to this section may not exceed the greater of \$3.75 million for the portion of a certified rehabilitation as defined in 26 U.S.C. §47(c)(2)(C) placed in service in the state in the taxable year, or \$3.75 million for each

building that is a component of a certified historic structure for which a credit is claimed under this section. No more than \$30 million of the tax credits authorized by this section and section twenty-three-a, article twenty-four of this chapter, cumulatively, may be allocated by the Division of Culture and History in any given West Virginia state fiscal year. The Division of Culture and History shall allocate the tax credits in the order the applications therefor are received.

§11-21-8e. ~~Carryback~~ Credit carryback, carryforward.

(a) Any unused portion of the credit for qualified rehabilitated buildings investment authorized by section eight-a of this article which may not be taken in the taxable year to which the credit applies qualifies for carryback and carryforward treatment subject to the identical general provisions under §39, Title 26 of the United States Code, as amended: *Provided*, That the amount of the credit taken in a taxable year shall in no event exceed the tax liability due for the taxable year: *Provided, however*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section eight-a of this article may not be carried back to any prior taxable year: *Provided further*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section eight-a of this article may be carried over to each of the next five tax years following the unused credit year until used or forfeited due to lapse of time.

(b) Effective for taxable years beginning on and after January 1, 2001, credits granted to an electing small business corporation (S corporation), limited partnership, general partnership, limited liability company or multiple owners of property shall be passed through to the shareholders, partners, members or owners, either pro rata or pursuant to an agreement among the shareholders, partners, members or owners documenting an alternative distribution method. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide the method of reporting the alternative method of distribution authorized by this section.

§11-21-12. West Virginia adjusted gross income of resident individual.

(a) *General.* — The West Virginia adjusted gross income of a resident individual means his or her federal adjusted gross income as defined in the laws of the United States for the taxable year with the modifications specified in this section.

(b) *Modifications increasing federal adjusted gross income.* — There shall be added to federal adjusted gross income unless already included therein the following items:

(1) Interest income on obligations of any state other than this state or of a political subdivision of any other state unless created by compact or agreement to which this state is a party;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

(3) Any deduction allowed when determining federal adjusted gross income for federal income tax purposes for the taxable year that is not allowed as a deduction under this article for the taxable year;

(4) Interest on indebtedness incurred or continued to purchase or carry obligations or securities the income from which is exempt from tax under this article, to the extent deductible in determining federal adjusted gross income;

(5) Interest on a depository institution tax-exempt savings certificate which is allowed as an exclusion from federal gross income under Section 128 of the Internal Revenue Code, for the federal taxable year;

(6) The amount of a lump sum distribution for which the taxpayer has elected under Section 402(e) of the Internal Revenue Code of 1986, as amended, to be separately taxed for federal income tax purposes; and

(7) Amounts withdrawn from a medical savings account established by or for an individual under section twenty, article fifteen, chapter thirty-three of this code or section fifteen, article sixteen of said chapter that are used for a purpose other than payment of medical expenses, as defined in those sections.

(c) *Modifications reducing federal adjusted gross income.* — *There shall be subtracted from federal adjusted gross income to the extent included therein:*

(1) Interest income on obligations of the United States and its possessions to the extent includable in gross income for federal income tax purposes;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States or of the State of West Virginia to the extent includable in gross income for federal income tax purposes but exempt from state income taxes under the laws of the United States or of the State of West Virginia, including federal interest or dividends paid to shareholders of a regulated investment company, under Section 852 of the Internal Revenue Code for taxable years ending after the thirtieth day of June, one thousand nine hundred eighty-seven;

(3) Any amount included in federal adjusted gross income for federal income tax purposes for the taxable year that is not included in federal adjusted gross income under this article for the taxable year;

(4) The amount of any refund or credit for overpayment of income taxes imposed by this state, or any other taxing jurisdiction, to the extent properly included in gross income for federal income tax purposes;

(5) Annuities, retirement allowances, returns of contributions and any other benefit received under the West Virginia Public Employees Retirement System, the West Virginia State Teachers Retirement System and all forms of military retirement, including regular armed forces, reserves and National Guard, including any survivorship annuities derived therefrom, to the extent includable

in gross income for federal income tax purposes: *Provided*, That notwithstanding any provisions in this code to the contrary this modification shall be limited to the first two thousand dollars of benefits received under the West Virginia Public Employees Retirement System, the West Virginia State Teachers Retirement System and, including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes for taxable years beginning after the thirty-first day of December, one thousand nine hundred eighty-six; and the first two thousand dollars of benefits received under any federal retirement system to which Title 4 U.S.C. §111 applies: *Provided, however*, That the total modification under this paragraph shall not exceed two thousand dollars per person receiving retirement benefits and this limitation shall apply to all returns or amended returns filed after the last day of December, one thousand nine hundred eighty-eight;

(6) Retirement income received in the form of pensions and annuities after the thirty-first day of December, one thousand nine hundred seventy-nine, under any West Virginia police, West Virginia Firemen's Retirement System or the West Virginia State Police Death, Disability and Retirement Fund, the West Virginia State Police Retirement System or the West Virginia Deputy Sheriff Retirement System, including any survivorship annuities derived from any of these programs, to the extent includable in gross income for federal income tax purposes;

(7) (A) For taxable years beginning after the thirty-first day of December, two thousand, and ending prior to the first day of January, two thousand three, an amount equal to two percent multiplied by the number of years of active duty in the armed forces of the United States of America with the product thereof multiplied by the first thirty thousand dollars of military retirement income, including retirement income from the regular armed forces, reserves and National Guard paid by the United States or by this state after the thirty-first day of December, two thousand, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(B) For taxable years beginning after the thirty-first day of December, two thousand two, the first twenty thousand dollars of military retirement income, including retirement income from the regular armed forces, reserves and National Guard paid by the United States or by this state after the thirty-first day of December, two thousand two, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(C) For taxable years beginning on and after January 1, 2018, the amount of military retirement income, including retirement income from the regular Armed Forces, Reserves, and National Guard, paid by the United States or this state on and after January 1, 2018, that is included in federal adjusted gross income for the taxable year, shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article.

~~(C)~~ (D) In the event that any of the provisions of this subdivision are found by a court of competent jurisdiction to violate either the Constitution of this state or of the United States, or is held to be extended to persons other than specified in this subdivision, this subdivision shall become null and void by operation of law.

(8) Federal adjusted gross income in the amount of eight thousand dollars received from any source after the thirty-first day of December, one thousand nine hundred eighty-six, by any person who has attained the age of sixty-five on or before the last day of the taxable year, or by any person certified by proper authority as permanently and totally disabled, regardless of age, on or before the last day of the taxable year, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That if a person has a medical certification from a prior year and he or she is still permanently and totally disabled, a copy of the original certificate is acceptable as proof of disability. A copy of the form filed for the federal disability income tax exclusion is acceptable: *Provided, however*, That:

(i) Where the total modification under subdivisions (1), (2), (5), (6), ~~and (7)~~ and (12) of this subsection is eight thousand dollars per person or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6), ~~and (7)~~ and (12) of this subsection is less than eight thousand dollars per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between eight thousand dollars and the sum of modifications under subdivisions (1), (2), (5), (6), ~~and (7)~~ and (12) of this subsection;

(9) Federal adjusted gross income in the amount of eight thousand dollars received from any source after the thirty-first day of December, one thousand nine hundred eighty-six, by the surviving spouse of any person who had attained the age of sixty-five or who had been certified as permanently and totally disabled, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided, That:*

(i) Where the total modification under subdivisions (1), (2), (5), (6), (7), ~~and (8)~~ and (12) of this subsection is eight thousand dollars or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6), (7), ~~and (8)~~ and (12) of this subsection is less than eight thousand dollars per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between eight thousand dollars and the sum of subdivisions (1), (2), (5), (6), (7), ~~and (8)~~ and (12) of this subsection;

(10) Contributions from any source to a medical savings account established by or for the individual pursuant to section twenty, article fifteen, chapter thirty-three of this code or section fifteen, article sixteen of said chapter, plus interest earned on the account, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided, That* the amount subtracted pursuant to this subdivision for any one taxable year may not

exceed two thousand dollars plus interest earned on the account. For married individuals filing a joint return, the maximum deduction is computed separately for each individual;

(11) For the two thousand six taxable year only, severance wages received by a taxpayer from an employer as the result of the taxpayer's permanent termination from employment through a reduction in force and through no fault of the employee, not to exceed thirty thousand dollars. For purposes of this subdivision:

(i) The term 'severance wages' means any monetary compensation paid by the employer in the taxable year as a result of permanent termination from employment in excess of regular annual wages or regular annual salary;

(ii) The term 'reduction in force' means a net reduction in the number of employees employed by the employer in West Virginia, determined based on total West Virginia employment of the employer's controlled group;

(iii) The term 'controlled group' means one or more chains of corporations connected through stock ownership with a common parent corporation if stock possessing at least fifty percent of the voting power of all classes of stock of each of the corporations is owned directly or indirectly by one or more of the corporations and the common parent owns directly stock possessing at least fifty percent of the voting power of all classes of stock of at least one of the other corporations;

(iv) The term 'corporation' means any corporation, joint-stock company or association and any business conducted by a trustee or trustees wherein interest or ownership is evidenced by a certificate of interest or ownership or similar written instrument;

(12) Decreasing modification for social security income.

(A) For taxable years beginning on and after January 1, 2018, twenty-five percent of the amount of social security benefits received pursuant to Title 42 U.S.C., Chapter 7, including but not limited to social security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance

Benefits as provided in §42 U.S.C. 401 *et seq.* or as Supplemental Security Income for the Aged, Blind, and Disabled as provided in §42 U.S.C. 1381 *et seq.*, included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in paragraph (D) of this subdivision (12).

(B) For taxable years beginning on or after January 1, 2019, fifty percent of the social security benefits received pursuant to Title 42 U.S.C., Chapter 7, including but not limited to social security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U.S.C. 401 *et seq.* or as Supplemental Security Income for the Aged, Blind, and Disabled as provided in §42 U.S.C. 1381 *et seq.*, included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in paragraph (C) of this subdivision (12).

(C) For taxable years beginning on or after January 1, 2019, one hundred percent of the social security benefits received pursuant to Title 42 U.S.C., Chapter 7, including but not limited to social security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U.S.C. 401 *et seq.* or as Supplemental Security Income for the Aged, Blind, and Disabled as provided in §42 U.S.C. 1381 *et seq.*, included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in paragraph (C) of this subdivision (12).

(D) *Limitation on taking the deduction allowed by paragraphs (A) and (B) of subdivision (12).* – The deduction allowed by paragraphs (A) and (B) of this subdivision (12) shall be allowable only when the federal adjusted gross income of a married couple filing a joint return, or a single individual, does not exceed

\$100,000, or \$50,000 in the case of a married individual filing a separate return.

(E) In the event that any provision of this subdivision (12) is found by a court of competent jurisdiction to violate either the Constitution of the United States or this state, or is held to be extended to persons other than those specified in this section, this section shall become null and void by operation of law; and

~~(12)~~ (13) Any other income which this state is prohibited from taxing under the laws of the United States.

(d) *Modification for West Virginia fiduciary adjustment.* — There shall be added to or subtracted from federal adjusted gross income, as the case may be, the taxpayer's share, as beneficiary of an estate or trust, of the West Virginia fiduciary adjustment determined under section nineteen of this article.

(e) *Partners and S corporation shareholders.* — The amounts of modifications required to be made under this section by a partner or an S corporation shareholder, which relate to items of income, gain, loss or deduction of a partnership or an S corporation, shall be determined under section seventeen of this article.

(f) *Husband and wife.* — If husband and wife determine their federal income tax on a joint return but determine their West Virginia income taxes separately, they shall determine their West Virginia adjusted gross incomes separately as if their federal adjusted gross incomes had been determined separately.

(g) *Effective date.* — (1) Changes in the language of this section enacted in the year two thousand shall apply to taxable years beginning after the thirty-first day of December, two thousand.

(2) Changes in the language of this section enacted in the year two thousand two shall apply to taxable years beginning after the thirty-first day of December, two thousand two.

(3) Changes in the language of this section enacted in the year 2017 shall apply to taxable years beginning after December 31, 2017.

§11-21-16. West Virginia personal exemptions of resident individual.

(a) *General.* — For any tax imposed under the provisions of this article with respect to any taxable year prior to January 1, 1983, a resident individual shall be allowed a West Virginia exemption of \$600 for each exemption for which he or she is entitled to a deduction for the taxable year for federal income tax purposes. With respect to any taxable year beginning on or after January 1, 1983, and prior to January 1, 1984, said exemption shall be \$700; with respect to any taxable year beginning on or after January 1, 1984, said exemption shall be \$800; ~~and~~ with respect to any taxable year beginning on or after January 1, 1987, said exemption shall be \$2,000. For taxable years beginning on and after January 1, 2018, an individual or married persons filing a joint return under this article that have federal adjusted gross income of \$100,000 or less for the taxable year shall be allowed a West Virginia exemption of \$2,500 for each exemption for which he or she is entitled to a deduction for the taxable year for federal income tax purposes.

(b) ~~*Husband and wife*~~ *Married Individuals.* — If the West Virginia income taxes of ~~a husband and wife~~ married individuals are separately determined but their federal income tax is determined on a joint return, each of them shall be separately entitled, with respect to any taxable year prior to January 1, 1983, to a West Virginia exemption of \$600 for each federal exemption to which he or she would be separately entitled for the taxable year if their federal income taxes had been determined on separate returns. With respect to any taxable year beginning on or after January 1, 1983, and prior to January 1, 1984, said exemption shall be \$700; with respect to any taxable year beginning on or after January 1, 1984, said exemption shall be \$800; and with respect to any taxable year beginning on or after January 1, 1987, said exemption shall be \$2,000. For taxable years beginning on and after January 1, 2018, married individuals filing separate returns under this article that have federal adjusted gross income of

\$50,000 or less for the taxable year shall be allowed a West Virginia exemption of \$2,500 for each federal exemption to which he or she would be separately entitled for the taxable year if their federal income taxes had been determined on separate returns.

(c) *Surviving spouse.* — For taxable years beginning after December 31, 1986, a surviving spouse shall be allowed one additional exemption of \$2,000 for the two taxable years beginning after the year of death of the deceased spouse; and in lieu thereof, for taxable years beginning after December 31, 2017, a surviving spouse that has a federal adjusted gross income of \$50,000 or less for the taxable year shall be allowed one additional exemption of \$2,500 for the two taxable years beginning after the year of death of the deceased spouse.

For purposes of this section and section twelve of this article, a surviving spouse means a taxpayer whose spouse died during the taxable year prior to the taxable year for which the annual return is being filed and who has not remarried at any time before the end of the taxable year for which the annual return is being filed.

(d) *Certain dependents.* — Notwithstanding any provisions in this section, for taxable years beginning after December 31, 1986, a resident individual whose exemption amount for federal tax purposes is zero by virtue of section 151(d)(2) of the Internal Revenue Code of 1986, shall be allowed a single West Virginia exemption in the amount of \$500.

ARTICLE 24. CORPORATE NET INCOME TAX.

§11-24-23a. Credit for qualified rehabilitated buildings investment.

A credit against the tax imposed by the provisions of this article shall be allowed as follows:

Certified historic structures. - For certified historic structures, the credit is equal to ten percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as amended: Provided, That for qualified rehabilitation expenditures made after June 30, 2017, the credit allowed by this

section is equal to twenty-five percent of the qualified rehabilitation expenditure: *Provided, however,* That the credit authorized by this section for qualified rehabilitation expenditures made after June 30, 2017, may not be used to offset tax liabilities prior to the tax year beginning January 1, 2019: *Provided further,* That the taxpayer may not be entitled to this credit if the taxpayer is in arrears in the payment of any tax administered by the Tax Division or if the taxpayer is delinquent in the payment of property taxes on the property containing the certified historic tax structure when the applicant begins to claim the credit and throughout the time period within which the credit is claimed. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide what information must accompany any claim for the tax credit for the determination that the taxpayer is not in arrears in the payment of any tax administered by the Tax Division nor is the taxpayer delinquent in the payment of property taxes on the property containing the certified historic tax structure. The Tax Commissioner may also propose rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code for the administration of this tax credit and to provide any necessary mechanism to recover credits claimed by taxpayers that become delinquent in the payment of property taxes on the property containing the historic structure or become in arrears in the payment of any tax administered by the Tax Division. This credit is available for both residential and nonresidential buildings located in this state that are reviewed by the West Virginia Division of Culture and History and designated by the national park service, United States department of the interior as ‘certified historic building’, and further defined as a ‘qualified rehabilitated building’, as defined under §47(c)(1), Title 26, of the United States Code, as amended.

The credit authorized pursuant to this section may not exceed the greater of \$3.75 million for the portion of a certified rehabilitation as defined in 26 U.S.C. §47(c)(2)(C) placed in service in the state in the taxable year, or \$3.75 million for each building that is a component of a certified historic structure for which a credit is claimed under this section. No more than \$30

million of the tax credits authorized by this section and section eight-a, article twenty-one of this chapter, cumulatively, may be allocated by the Division of Culture and History in any given West Virginia state fiscal year. The Division of Culture and History shall allocate the tax credits in the order the applications therefor are received.

§11-24-23e. ~~Carryback~~ Credit carryback, carryforward.

Any unused portion of the credit for qualified rehabilitated buildings investment authorized by section twenty-three-a of this article which may not be taken in the taxable year to which the credit applies shall qualify for carryback and carryforward treatment subject to the identical general provisions under §39, Title 26 of the United States Code, as amended: *Provided*, That the amount of such credit taken in a taxable year shall in no event exceed the tax liability due for the taxable year: *Provided, however*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section twenty-three-a of this article may not be carried back to any prior taxable year: *Provided further*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section twenty-three-a of this article may be carried over to each of the next five tax years following the unused credit year until used or forfeited due to lapse of time.”

Delegate Folk arose to a point of order regarding the use of an easel and sign on the floor by Delegate Fluharty.

The Speaker replied stating that the matter was not addressed by the Rules of the House.

Delegate Folk moved that the House recess for two hours, which motion did not prevail.

On the adoption of the amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 655**), and there were—yeas 64, nays 24, absent and not voting 12, with the nays and absent and not voting being as follows:

Nays: Baldwin, Bates, Blair, Boggs, Brewer, Canestraro, Caputo, Deem, Diserio, Eldridge, Ferro, Fleischauer, Hicks, Isner, Lane, Longstreth, Love, Lynch, Pethel, Pyles, Statler, Thompson, Upson and White.

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Hill, Householder, Iaquinta, C. Miller, Phillips, R. Romine and Summers.

So, a majority of the members present and voting having voted in the affirmative, the amendment was adopted.

Pursuant to the earlier motion by Delegate Shott, the Clerk then reported amendments to the amendment as follows:

Delegates Hartman, Isner, Lewis, Sypolt and Hamilton moved to amend the amendment on page thirty-three, section nine, line four hundred fifty-eight, by striking out the semi-colon, inserting a colon, and the following proviso:

“*Provided further*, That the proviso also does not apply to the transportation of trees, wood and wood products that are excluded from the definition of ‘consumer-ready wood products’ pursuant to section two, article thirteen-m, chapter eleven of this code” and a semicolon.

Whereupon,

Delegate Hartman asked and obtained unanimous consent that the amendment be withdrawn.

Delegate Pushkin moved to amend amendment on page twelve, following line two hundred eighty-three, by striking out section three in its entirety, and inserting in lieu thereof the following:

“§11-15-3. Amount of tax; allocation of tax and transfers.

(a) *Vendor to collect.* — For the privilege of selling tangible personal property or custom software and for the privilege of furnishing certain selected services defined in sections two and eight of this article, the vendor shall collect from the purchaser the

tax as provided under this article and article fifteen-b of this chapter, and shall pay the amount of tax to the Tax Commissioner in accordance with the provisions of this article or article fifteen-b of this chapter.

(b) *Amount of tax.* — The general consumer sales and service tax imposed by this article shall be at the rate of ~~6¢ on the dollar~~ six percent of the sales price of sales or services tangible personal property, digital products, digital code, custom software or taxable service purchased, excluding gasoline and special fuel sales, which remain taxable at the rate of ~~5¢ on the dollar of sales~~ five percent: *Provided*, That beginning July 1, 2017, the general consumers sales and service tax rate shall be six and fifty hundredths percent of the sales price, excluding sales of gasoline and special fuel, which remain taxable at the rate of five percent as provided in section eighteen-b of this article, and sales of motor vehicles, which are taxable as provided in section three-c of this article.

(c) *Calculation tax on fractional parts of a dollar until January 1, 2004.* — ~~There shall be no tax on sales where the monetary consideration is 5¢ or less. The amount of the tax shall be computed as follows:~~

~~(1) On each sale, where the monetary consideration is from 6¢ to 16¢, both inclusive, 1¢.~~

~~(2) On each sale, where the monetary consideration is from 17¢ to 33¢, both inclusive, 2¢.~~

~~(3) On each sale, where the monetary consideration is from 34¢ to 50¢, both inclusive, 3¢.~~

~~(4) On each sale, where the monetary consideration is from 51¢ to 67¢, both inclusive, 4¢.~~

~~(5) On each sale, where the monetary consideration is from 68¢ to 84¢, both inclusive, 5¢.~~

~~(6) On each sale, where the monetary consideration is from 85¢ to \$1, both inclusive, 6¢.~~

~~(7) If the sale price is in excess of \$1, 6¢ on each whole dollar of sale price, and upon any fractional part of a dollar in excess of whole dollars as follows: 1¢ on the fractional part of the dollar if less than 17¢; 2¢ on the fractional part of the dollar if in excess of 16¢ but less than 34¢; 3¢ on the fractional part of the dollar if in excess of 33¢ but less than 51¢; 4¢ on the fractional part of the dollar if in excess of 50¢ but less than 68¢; 5¢ on the fractional part of the dollar if in excess of 67¢ but less than 85¢; and 6¢ on the fractional part of the dollar if in excess of 84¢. For example, the tax on sales from \$1.01 to \$1.16, both inclusive, 7¢; on sales from \$1.17 to \$1.33, both inclusive, 8¢; on sales from \$1.34 to \$1.50, both inclusive, 9¢; on sales from \$1.51 to \$1.67, both inclusive, 10¢; on sales from \$1.68 to \$1.84, both inclusive, 11¢ and on sales from \$1.85 to \$2, both inclusive, 12¢. *Provided*, That beginning January 1, 2004, tax due under this article shall be calculated as provided in subsection (d) of this subsection and this subsection (c) does not apply to sales made after December 31, 2003.~~

~~(d) (c) Calculation of tax on fractional parts of a dollar after December 31, 2003.~~ — Beginning January 1, 2004, the The tax computation under subsection (b) of this section shall be carried to the third decimal place, and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.

~~(e) (d) No aggregation of separate sales transactions, exception for coin-operated devices.~~ — Separate sales, such as daily or weekly deliveries, shall not be aggregated for the purpose of computation of the tax even though the sales are aggregated in the billing or payment therefor. Notwithstanding any other provision of this article, coin-operated amusement and vending machine sales shall be aggregated for the purpose of computation of this tax.

~~(f) (e) Rate of tax on certain mobile homes.~~ — Notwithstanding any provision of this article to the contrary, ~~after December 31, 2003~~, the tax levied on sales of mobile homes to be used by the

owner thereof as his or her principal year-round residence and dwelling shall be an amount equal to ~~six percent of~~ fifty percent of the sales price multiplied by the general rate of the consumers sales and service tax specified in this section.

~~(g)~~ (f) *Construction; custom software, digital goods and digital code.* — ~~After December 31, 2003, whenever~~ Whenever the words ‘tangible personal property’ or ‘property’ appear in this article, the same shall also include the words ‘custom software’, ‘digital products’ and ‘digital code.’

~~(h)~~ (g) *Computation of tax on sales of gasoline and special fuel.* — The method of computation of tax provided in this section does not apply to sales of gasoline and special fuel.

(h) *Reduction of general consumers sales and service tax rate.* — In the event that the calculations and measurements made by the Tax Commissioner under the provisions of paragraph (B), subdivision (1), subsection (e), section four-g, article twenty-one of this chapter effect the reduction of the tax rates sections as provided in subsection (d) of that section, then the Tax Commissioner shall make an additional determination as follows:

(1) The Tax Commissioner shall first measure the rolling average of cumulative collections of taxes imposed by this article and articles fifteen-a and twenty-one of this chapter that were deposited into the General Revenue Fund of the state through the end of that fiscal year and each of the four fiscal years immediately preceding that fiscal year. The Commissioner shall also make a similar measurement of those collections for the five-year period immediately preceding that fiscal year. If the application of the first measurement against the second measurement demonstrates an increase in those collections, then the Tax Commissioner shall determine the amount of that increase in dollars. The Tax Commissioner shall then determine the anticipated cumulative fiscal cost to the state in dollars of (A) the further reduction in the tax rates imposed by section three of this article as provided in subsection (d), section four-g, article twenty-one of this chapter during the next ensuing calendar year; and (B) a reduction in the

general consumers sales and service and use tax rates from 6.5% to 6.25%.

(2) If the cumulative fiscal cost to the state determined in subdivision (2) of this subsection does not exceed the increase in collections, all as measured and calculated by the Tax Commissioner under subdivision (1) of this subsection, then the general consumers sales and service and use tax rates are reduced from 6.5% to 6.25%, effective on and after January 1 of the year in which the final reduction in the tax rates specified in section four-g, article twenty-one of this chapter takes effect.”

On the adoption of the amendment to the amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 656**), and there were—yeas 29, nays 60, absent and not voting 11, with the yeas and absent and not voting being as follows:

Yeas: Baldwin, Bates, Boggs, Brewer, Byrd, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Hamilton, Hartman, Hornbuckle, Lane, Longstreth, Love, Lovejoy, Miley, R. Miller, Moye, Pethtel, Pushkin, Pyles, Rowe, Sponaugle, Statler, Wagner and Williams.

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine and Summers.

So, a majority of the members present and voting not having voted in the affirmative, the amendment to the amendment was rejected.

The amendment offered by Delegates Sponaugle, Nelson and Shott was then adopted.

There being no further amendments, the bill was ordered to third reading.

The bill was then read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 657**), and there were—yeas 67, nays 22, absent and not voting 11, with the nays and absent and not voting being as follows:

Nays: Baldwin, Blair, Criss, Dean, Eldridge, Fast, Folk, Gearheart, Hamrick, Hill, Howell, Isner, Kessinger, Marcum, Martin, McGeehan, Moore, Paynter, Sobonya, Thompson, Upson and Wilson.

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine and Summers.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 1017) passed.

On motion of Delegates Sponaugle, Nelson and Shott, the title of the bill was amended to read as follows:

S. B. 1017 – “A Bill to amend and reenact §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto three new sections, designated §11-15-3d, §11-15-3e and §11-15-35; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend and reenact §11-21-8a, §11-21-8e, §11-21-12 and §11-21-16 of said code; and to amend and reenact §11-24-23a and §11-24-23e of said code; all relating generally to the Tax Reform Act of 2017; defining terms; imposing sales and service tax and use tax on telecommunication services and ancillary telecommunication services as of specified date; imposing consumer sales and service tax and use tax on digital code and digital products as of specified date; eliminating exemption from consumers sales and service tax and use tax for certain memberships or services provided by health and fitness organizations; eliminating exemption from consumers sales and service tax and use tax for primary opinion research services; eliminating exemption from consumer sales and service tax and use tax for certain supplies and materials directly used and consumed in the business activity of communications; imposing a limit on

amount of funds from consumer sales and service tax reimbursements, for materials acquired for second party use in state highway projects, that may be transferred to the State Road Fund; eliminating exemption from consumer sales and service tax and use tax for sale of electronic data processing services; providing the Tax Commissioner with rule-making authority and emergency rule-making authority related to changes in consumer sales and service tax; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; establishing limitations on carryback, carryforward, and allowable amount of credit for qualified building rehabilitation expenditures; providing that tax credit for qualified building rehabilitation expenditures will not be available to taxpayers in arrears of payment of certain taxes; providing the Tax Commissioner with rule-making authority related to changes in credit for qualified building rehabilitation expenditures; exempting retirement income for military service from adjusted gross income for purposes of determining personal income tax liability as of specified date; exempting a percentage of social security benefits from adjusted gross income for purposes of determining personal income tax liability for taxpayers meeting certain income requirements for taxable year beginning on January, 1, 2018; exempting all social security benefits from adjusted gross income for purposes of determining personal income tax liability for taxpayers meeting certain income requirements for taxable years beginning on and after January, 1, 2019; increasing amount of the standard exemption from personal income tax to which taxpayers meeting certain income requirements are entitled, as of specified date; deleting obsolete language; and making technical corrections in various sections.”

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 658**), and there were—yeas 76, nays 13, absent and not voting 11, with the nays and absent and not voting being as follows:

Nays: Blair, Fast, Folk, Gearheart, Hill, Howell, Kessinger, Marcum, Martin, McGeehan, Paynter, Sobonya and Wilson.

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Householder, Iaquinta, C. Miller, Phillips, R. Romine and Summers.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1017) takes effect from its passage.

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

Special Calendar

Third Reading

S. B. 1006, Increasing funding for State Road Fund; on third reading, coming up in regular order, with amendments pending, was reported by the Clerk.

An amendment, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the bill on page three, section five, line two, following the words “on each gallon equivalent”, by striking out the colon and the words “Provided, That on and after July 1, 2017, the flat rate tax increases to \$0.22 per invoiced gallon of motor fuel and, on alternative fuel, on each gallon equivalent” and inserting a comma.

On page ten, section three-c, line seventy-two, following the words “of article”, by striking out the word “five” and inserting in lieu thereof the words “~~five~~ five-p”.

And,

On page twenty-one, section four, beginning on line one hundred eleven, following the words “organization by the”, by striking out the words “senior services bureau existing under the provisions of article five” and inserting in lieu thereof the words “~~senior services bureau~~ Bureau of Senior Services existing under the provisions of article ~~five~~ five-p”.

Delegate Gearheart moved to amend the bill on page three, section five, line thirteen, after the word “section”, by striking out the remainder of the subdivision and inserting in lieu thereof a period.

On page five, section five, line forty-four, after the word “fuel”, by striking out the remainder of the sentence and inserting in lieu thereof a period.

And,

On page five, section five, line forty-eight, after the word “year”, by striking out the remainder of the sentence and inserting in lieu thereof a period.

On the adoption of the amendment, Delegate Gearheart demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 659**), and there were—yeas 31, nays 58, absent and not voting 11, with the yeas and absent and not voting being as follows:

Yeas: Arvon, Barrett, Blair, Cooper, Dean, Espinosa, Fast, Folk, Frich, Gearheart, Hamrick, Harshbarger, Higginbotham, Hill, Howell, Kessinger, Marcum, Martin, McGeehan, Moore, Moye, O’Neal, Overington, Paynter, Rowan, Sobonya, Sponaule, Thompson, Upson, Ward and Wilson.

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine and Summers.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

Delegate Gearheart moved to amend the bill on page three, section five, line thirteen, after the word “after”, by striking out the words “July 1, 2017” and inserting in lieu thereof “the first day of the month following the effective date of this section pursuant to subsection (e) of this section”.

On page five, section five, line forty-five, after the word “after”, by striking out the words “July 1, 2017” and inserting in lieu thereof “the first day of the month following the effective date of this section pursuant to subsection (e) of this section”.

On page five, section five, line forty-eight, after the word “That”, by inserting “on and after the first day of the month following the effective date of this section pursuant to subsection (e) of this section and a comma.”

And,

On page seven, section five, line one hundred seven, by striking out “July 1, 2017” and inserting in lieu thereof “on the first day of the month following the proclamation by the Secretary of State declaring the ratification of the amendment to the Constitution of the State of West Virginia designated as the ‘Roads to Prosperity Amendment of 2017’, proposed in House Joint Resolution 6, adopted by the Legislature during the 2017 regular session.”

On the adoption of the amendment, Delegate Gearheart demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 660**), and there were—yeas 42, nays 47, absent and not voting 11, with the yeas and absent and not voting being as follows:

Yeas: Arvon, Barrett, Blair, Capito, Cooper, Dean, Espinosa, Fast, Folk, G. Foster, Frich, Gearheart, Hamrick, Hanshaw, Harshbarger, Higginbotham, Hill, Hollen, Howell, Kelly, Kessinger, Lewis, Lovejoy, Marcum, Martin, Maynard, McGeehan, Moore, Moyer, O’Neal, Overington, Paynter, Rohrbach, Shott, Sobonya, Sponaugle, Storch, Thompson, Upson, Walters, Ward and Wilson.

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine and Summers.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

Delegate Longstreth asked and obtained unanimous consent to amend the bill on third reading.

Delegate Longstreth moved to amend the bill on page thirty-four, section three, line five, by striking out “\$50” and inserting in lieu thereof “\$40”.

On the adoption of the amendment, Delegate Longstreth demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 661**), and there were—yeas 49, nays 40, absent and not voting 11, with the nays and absent and not voting being as follows:

Nays: Anderson, Atkinson, Baldwin, Bates, Blair, Boggs, Brewer, Byrd, Capito, Caputo, Cowles, Criss, Deem, E. Evans, Fleischauer, Hamilton, Hanshaw, Hicks, Isner, Lane, Lewis, Love, Miley, R. Miller, Nelson, Pethtel, Pyles, Queen, Robinson, Rodighiero, C. Romine, Rowan, Rowe, Shott, Statler, Walters, Westfall, White, Zatezalo, and Mr. Speaker (Mr. Armstead).

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine and Summers.

So, a majority of the members present and voting having voted in the affirmative, the amendment was adopted.

The bill was read a third time.

Delegates Hamrick and Overington requested to be excused from voting on the passage of S. B. 1006 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegates would be as members of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Members from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 662**), and there were, including pairs—yeas

59, nays 32, absent and not voting 9, with the paired, nays and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairings were announced by the Clerk:

Paired:

Yea: Criss Nay: Butler

Yea: Iaquinta Nay: Paynter

Nays: Arvon, Barrett, Blair, Cooper, Espinosa, Fast, Folk, G. Foster, Frich, Gearheart, Hamrick, Harshbarger, Higginbotham, Hill, Howell, Kessinger, Lynch, Martin, McGeehan, Moore, Moye, O'Neal, Overington, Robinson, Rodighiero, Sobonya, Sponaugle, Upson, Ward and Wilson.

Absent and Not Voting: Ambler, Ellington, A. Evans, N. Foster, Householder, C. Miller, Phillips, R. Romine and Summers.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 1006) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the title to read as follows:

S. B. 1006 – “A Bill to amend and reenact §11-14C-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-3c and §11-15-18b of said code; to amend and reenact §17A-2-13 of said code; to amend and reenact §17A-3-4 of said code; to amend and reenact §17A-4-1 of said code; to amend and reenact §17A-4-10 of said code as contained in Chapter 152, Acts of the Legislature, Regular Session, 2017; to amend and reenact §17A-4A-10 of said code; to amend and reenact §17A-7-2 of said code; to amend and reenact §17A-10-3, §17A-10-10 and §17A-10-11 of said code; to amend said code by adding thereto a new section, designated §17A-10-3c; to amend and reenact §17B-2-1, §17B-2-3a, §17B-2-5, §17B-2-6, §17B-2-8 and §17B-2-11 of said code; to amend and reenact §17C-5A-2a of said code; and to amend

and reenact §17D-2-2 of said code, all relating generally to increasing the funding for the State Road Fund; increasing the minimum average wholesale price of motor fuels and minimum tax for purposes of the five percent variable component of motor fuel excise tax as of specified date; increasing the rate of consumers sales and service tax on sales of motor vehicles as of a specified date; deleting superfluous language relating to floorstocks; increasing Division of Motor Vehicles administrative fees, including increasing fees for various documents, records, registrations, certificates, titles, liens, releases, transfers, cards, stickers, decals, licenses and plates; requiring payment of certain fee for each attempt at the written and road skills test; allowing the Division of Motor Vehicles to adjust fees every five years on September 1 based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index; limiting increase in fees to ten percent; imposing annual registration fee for certain alternative fuel vehicles; correcting cross-references and agency title; and specifying effective dates.”

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 663**), and there were—yeas 78, nays 11, absent and not voting 11, with the nays and absent and not voting being as follows:

Nays: Barrett, Folk, Gearheart, Hill, Kessinger, Marcum, Martin, McGeehan, Paynter, Upson and Wilson.

Absent and Not Voting: Ambler, Butler, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine and Summers.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1006) takes effect from its passage.

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

At 2:23 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 4:00 p.m.

* * * * *

Afternoon Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Delegate Cowles asked and obtained unanimous consent that, for the remainder of the Session, members of Conference Committees be permitted to vote on any question or issue before the House which they have missed as a direct result of their duties on Conference Committees, provided that such members notify the Clerk of the House in writing as to how they wish to vote before the daily Journal is published, and that any such vote will not change the outcome of any question.

Special Calendar

Second Reading

-continued-

Com. Sub. for S. B. 1011, Selling Hopemont Hospital; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the bill on page one, line one, by striking out the section designation “§9-5-26” and inserting in lieu thereof the section designation “§9-5-25”.

On page one, line one, by striking out the word “shall” and inserting in lieu thereof the word, “may”.

On page one, line eleven, by striking out the word “If” and inserting in lieu thereof the word “When”.

And,

On page one, by striking out the enacting section and inserting in lieu thereof the following:

“That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §9-5-25, to read as follows” and a colon.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 664**), and there were—yeas 77, nays 8, absent and not voting 15, with the yeas and absent and not voting being as follows:

Nays: Caputo, Diserio, Eldridge, Fluharty, Lewis, Moye, Pushkin and Pyles.

Absent and Not Voting: Ambler, Arvon, Butler, Ellington, A. Evans, Fleischauer, N. Foster, Hanshaw, Householder, Iaquina, C. Miller, Phillips, R. Romine, Shott and Summers.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then ordered to third reading.

The bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 665**), and there were, including pairs—yeas 51, nays 37, absent and not voting 12, with the paired, yeas and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairing was filed and announced by the Clerk:

Paired:

Yea: Sobonya

Nay: Iaquinta

Nays: Boggs, Brewer, Byrd, Canestraro, Caputo, Dean, Diserio, Eldridge, Ferro, Fleischauer, Fluharty, Hamilton, Hartman, Hornbuckle, Isner, Lewis, Longstreth, Love, Lovejoy, Lynch, Marcum, Martin, R. Miller, Moye, Pethtel, Pushkin, Pyles, Rodighiero, Rowan, Rowe, Sponaule, Thompson, Wagner, Ward, White and Williams.

Absent and Not Voting: Ambler, Arvon, Butler, Ellington, A. Evans, Folk, N. Foster, Householder, C. Miller, Phillips, R. Romine and Summers.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 1011) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the title to read as follows:

Com. Sub. for S. B. 1011 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to the selling of a certain state-owned health care facility and appurtenances by the Secretary of the Department of Health and Human Resources; ensuring the transfer of existing patients; allowing the Secretary to determine need for a new facility; setting forth requirements for new facility; providing for continuation of licenses of existing beds; exempting certain laws; creating a fund; implementing a benefits package for employees; defining terms; and providing for statutory construction.”

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 666**), and there were—yeas 70, nays 18, absent and not voting 12, with the nays and absent and not voting being as follows:

Nays: Brewer, Caputo, Diserio, Ferro, Fleischauer, Isner, Longstreth, Lovejoy, Marcum, Martin, Moye, Pushkin, Rodighiero, Sponaugle, Thompson, Wagner, Ward and Williams.

Absent and Not Voting: Ambler, Arvon, Butler, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine and Summers.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 1011) takes effect from its passage.

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

Com. Sub. for H. B. 113, Relating to the sale of Jackie Withrow Hospital by the DHHR; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 667**), and there were—yeas 84, nays 4, absent and not voting 12, with the nays and absent and not voting being as follows:

Nays: Fleischauer, Love, Moye and Pushkin.

Absent and Not Voting: Ambler, Arvon, Butler, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine and Summers.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

Having been engrossed, the bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 668**), and there were including pairs—yeas 53, nays 34, absent and not voting 13, with the paired, nays and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairing was filed and announced by the Clerk.

Paired:

Yea: Barrett

Nay: Rowe

Nays: Bates, Boggs, Brewer, Canestraro, Caputo, Dean, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hamilton, Hartman, Hornbuckle, Isner, Lewis, Longstreth, Love, Lovejoy, Martin, Moye, O'Neal, Pethtel, Pushkin, Pyles, Rodighiero, Sponaugle, Sypolt, Thompson, Ward, White and Williams.

Absent and Not Voting: Ambler, Arvon, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquinta, C. Miller, Phillips, R. Romine and Summers.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 113) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 669**), and there were—yeas 69, nays 17, absent and not voting 14, with the nays and absent and not voting being as follows:

Nays: Brewer, Canestraro, Caputo, Diserio, Ferro, Fleischauer, Isner, Longstreth, Lovejoy, Marcum, Moye, Pushkin, Pyles, Sponaugle, Thompson, Ward and Williams.

Absent and Not Voting: Ambler, Arvon, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquinta, C. Miller, Phillips, R. Romine, Rowe and Summers.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 113) takes effect from its passage.

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

At 5:33 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 7:30 p.m.

* * * * *

Evening Session

* * * * *

-continued-

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, and changed the effective date, to take effect ninety days from passage, a bill of the House of Delegates as follows:

Com. Sub. for H. B. 113, Relating to the sale of Jackie Withrow Hospital by the DHHR.

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates, with further amendment, and the passage, as amended, to take effect from passage, of

S. B. 1013, Budget Bill.

Delegate Cowles moved that the House concur in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“TITLE I – GENERAL PROVISIONS.

1 **Section 1. General policy.** – The purpose of this bill is to
2 appropriate money necessary for the economical and efficient
3 discharge of the duties and responsibilities of the state and its
4 agencies during the fiscal year 2018.

1 **Sec. 2. Definitions.** — For the purpose of this bill:

2 ‘Governor’ shall mean the Governor of the State of West
3 Virginia.

4 ‘Code’ shall mean the Code of West Virginia, one thousand
5 nine hundred thirty-one, as amended.

6 ‘Spending unit’ shall mean the department, bureau, division,
7 office, board, commission, agency or institution to which an
8 appropriation is made.

9 The ‘fiscal year 2018’ shall mean the period from July 1, 2017,
10 through June 30, 2018.

11 ‘General revenue fund’ shall mean the general operating fund
12 of the state and includes all moneys received or collected by the
13 state except as provided in W.Va. Code §12-2-2 or as otherwise
14 provided.

15 ‘Special revenue funds’ shall mean specific revenue sources
16 which by legislative enactments are not required to be accounted
17 for as general revenue, including federal funds.

18 ‘From collections’ shall mean that part of the total
19 appropriation which must be collected by the spending unit to be
20 available for expenditure. If the authorized amount of collections
21 is not collected, the total appropriation for the spending unit shall
22 be reduced automatically by the amount of the deficiency in the

23 collections. If the amount collected exceeds the amount designated
24 'from collections,' the excess shall be set aside in a special surplus
25 fund and may be expended for the purpose of the spending unit as
26 provided by Article 2, Chapter 11B of the Code.

1 **Sec. 3. Classification of appropriations.** — An appropriation
2 for:

3 'Personal services' shall mean salaries, wages and other
4 compensation paid to full-time, part-time and temporary
5 employees of the spending unit but shall not include fees or
6 contractual payments paid to consultants or to independent
7 contractors engaged by the spending unit. 'Personal services' shall
8 include 'annual increment' for 'eligible employees' and shall be
9 disbursed only in accordance with Article 5, Chapter 5 of the Code.
10 Unless otherwise specified, appropriations for 'personal services'
11 shall include salaries of heads of spending units.

12 'Employee benefits' shall mean social security matching,
13 workers' compensation, unemployment compensation, pension
14 and retirement contributions, public employees insurance
15 matching, personnel fees or any other benefit normally paid by the
16 employer as a direct cost of employment. Should the appropriation
17 be insufficient to cover such costs, the remainder of such cost shall
18 be paid by each spending unit from its 'unclassified' appropriation,
19 or its 'current expenses' appropriation or other appropriate
20 appropriation. Each spending unit is hereby authorized and
21 required to make such payments in accordance with the provisions
22 of Article 2, Chapter 11B of the Code.

23 Each spending unit shall be responsible for all contributions,
24 payments or other costs related to coverage and claims of its
25 employees for unemployment compensation and workers
26 compensation. Such expenditures shall be considered an employee
27 benefit.

28 'BRIM Premiums' shall mean the amount charged as
29 consideration for insurance protection and includes the present
30 value of projected losses and administrative expenses. Premiums
31 are assessed for coverages, as defined in the applicable policies, for

32 claims arising from, inter alia, general liability, wrongful acts,
33 property, professional liability and automobile exposures.

34 Should the appropriation for 'BRIM Premium' be insufficient
35 to cover such cost, the remainder of such costs shall be paid by each
36 spending unit from its 'unclassified' appropriation, its 'current
37 expenses' appropriation or any other appropriate appropriation to
38 the Board of Risk and Insurance Management. Each spending unit
39 is hereby authorized and required to make such payments. If there
40 is no appropriation for 'BRIM Premium' such costs shall be paid
41 by each spending unit from its 'current expenses' appropriation,
42 'unclassified' appropriation or other appropriate appropriation.

43 West Virginia Council for Community and Technical College
44 Education and Higher Education Policy Commission entities
45 operating with special revenue funds and/or federal funds shall pay
46 their proportionate share of the Board of Risk and Insurance
47 Management total insurance premium cost for their respective
48 institutions.

49 'Current expenses' shall mean operating costs other than
50 personal services and shall not include equipment, repairs and
51 alterations, buildings or lands. Each spending unit shall be
52 responsible for and charged monthly for all postage meter service
53 and shall reimburse the appropriate revolving fund monthly for all
54 such amounts. Such expenditures shall be considered a current
55 expense.

56 'Equipment' shall mean equipment items which have an
57 appreciable and calculable period of usefulness in excess of one
58 year.

59 'Repairs and alterations' shall mean routine maintenance and
60 repairs to structures and minor improvements to property which do
61 not increase the capital assets.

62 'Buildings' shall include new construction and major alteration
63 of existing structures and the improvement of lands and shall
64 include shelter, support, storage, protection or the improvement of
65 a natural condition.

66 'Lands' shall mean the purchase of real property or interest in
67 real property.

68 'Capital outlay' shall mean and include buildings, lands or
69 buildings and lands, with such category or item of appropriation to
70 remain in effect as provided by W.Va. Code §12-3-12.

71 From appropriations made to the spending units of state
72 government, upon approval of the Governor there may be
73 transferred to a special account an amount sufficient to match
74 federal funds under any federal act.

75 Appropriations classified in any of the above categories shall
76 be expended only for the purposes as defined above and only for
77 the spending units herein designated: *Provided*, That the secretary
78 of each department shall have the authority to transfer within the
79 department those general revenue funds appropriated to the various
80 agencies of the department: *Provided, however*, That no more than
81 five percent of the general revenue funds appropriated to any one
82 agency or board may be transferred to other agencies or boards
83 within the department: and no funds may be transferred to a
84 'personal services and employee benefits' appropriation unless the
85 source funds are also wholly from a 'personal services and
86 employee benefits' line, or unless the source funds are from
87 another appropriation that has exclusively funded employment
88 expenses for at least twelve consecutive months prior to the time
89 of transfer and the position(s) supported by the transferred funds
90 are also permanently transferred to the receiving agency or board
91 within the department: *Provided further*, That the secretary of each
92 department and the director, commissioner, executive secretary,
93 superintendent, chairman or any other agency head not governed
94 by a departmental secretary as established by Chapter 5F of the
95 Code shall have the authority to transfer funds appropriated to
96 'personal services and employee benefits,' 'current expenses,'
97 'repairs and alterations,' 'equipment,' 'other assets,' 'land,' and
98 'buildings' to other appropriations within the same account and no
99 funds from other appropriations shall be transferred to the
100 'personal services and employee benefits' or the 'unclassified'
101 appropriation: *And provided further*, That no authority exists
102 hereunder to transfer funds into appropriations to which no funds

103 are legislatively appropriated: *And provided further*, That if the
104 Legislature by subsequent enactment consolidates agencies, boards
105 or functions, the secretary or other appropriate agency head may
106 transfer the funds formerly appropriated to such agency, board or
107 function in order to implement such consolidation. No funds may
108 be transferred from a Special Revenue Account, dedicated account,
109 capital expenditure account or any other account or fund
110 specifically exempted by the Legislature from transfer, except that
111 the use of the appropriations from the State Road Fund for the
112 office of the Secretary of the Department of Transportation is not
113 a use other than the purpose for which such funds were dedicated
114 and is permitted.

115 Appropriations otherwise classified shall be expended only
116 where the distribution of expenditures for different purposes cannot
117 well be determined in advance or it is necessary or desirable to
118 permit the spending unit the freedom to spend an appropriation for
119 more than one of the above classifications.

1 **Sec. 4. Method of expenditure.** — Money appropriated by
2 this bill, unless otherwise specifically directed, shall be
3 appropriated and expended according to the provisions of Article
4 3, Chapter 12 of the Code or according to any law detailing a
5 procedure specifically limiting that article.

1 **Sec. 5. Maximum expenditures.** — No authority or
2 requirement of law shall be interpreted as requiring or permitting
3 an expenditure in excess of the appropriations set out in this bill.

TITLE II – APPROPRIATIONS.

ORDER OF SECTIONS

SECTION 1. Appropriations from general revenue.

SECTION 2. Appropriations from state road fund.

SECTION 3. Appropriations from other funds.

SECTION 4. Appropriations from lottery net profits.

- SECTION 5. Appropriations from state excess lottery revenue.
- SECTION 6. Appropriations of federal funds.
- SECTION 7. Appropriations from federal block grants.
- SECTION 8. Awards for claims against the state.
- SECTION 9. Appropriations from general revenue surplus accrued.
- SECTION 10. Appropriations from lottery net profits surplus accrued.
- SECTION 11. Appropriations from state excess lottery revenue surplus accrued.
- SECTION 12. Special revenue appropriations.
- SECTION 13. State improvement fund appropriations.
- SECTION 14. Specific funds and collection accounts.
- SECTION 15. Appropriations for refunding erroneous payment.
- SECTION 16. Sinking fund deficiencies.
- SECTION 17. Appropriations for local governments.
- SECTION 18. Total appropriations.
- SECTION 19. General school fund.

1 **Section 1. Appropriations from general revenue.** – From the
2 State Fund, General Revenue, there are hereby appropriated
3 conditionally upon the fulfillment of the provisions set forth in
4 Article 2, Chapter 11B the following amounts, as itemized, for
5 expenditure during the fiscal year 2018.

LEGISLATIVE*1 - Senate*Fund 0165 FY 2018 Org 2100

	General Revenue Fund	Appro- priation
1 Compensation of Members (R).....00300	\$	1,010,000
2 Compensation and Per Diem of Officers 3 and Employees (R)00500		4,011,332
4 Current Expenses and 5 Contingent Fund (R).....02100		276,392
6 Repairs and Alterations (R)06400		50,000
7 Computer Supplies (R)10100		20,000
8 Computer Systems (R).....10200		60,000
9 Printing Blue Book (R).....10300		125,000
10 Expenses of Members (R).....39900		370,000
11 BRIM Premium (R)91300		<u>29,482</u>
12 Total.....	\$	5,952,206

13 The appropriations for the Senate for the fiscal year 2017 are
14 to remain in full force and effect and are hereby reappropriated to
15 June 30, 2018; Provided that on July 1, 2017, the following
16 reappropriated funds and amounts be transferred to the Division of
17 Human Services - Medical Services Trust Fund, fund 5185: Fund
18 0165, fiscal year 2012, appropriation 00500, Compensation and
19 Per Diem of Officers and Employees, \$2,855,443.90; fund 0165,
20 fiscal year 2012, appropriation 39900, Expenses of Members,
21 \$2,846,352.39; fund 0165, fiscal year 2012, appropriation 10200,
22 Computer Systems, \$2,475,425.32; fund 0165, fiscal year 2012,
23 appropriation 00300, Compensation of Members, \$1,994,589.96;
24 fund 0165, fiscal year 2012, appropriation 01000, Employee
25 Benefits, \$1,075,030.30; fund 0165, fiscal year 2012, appropriation
26 06400, Repairs and Alterations, \$752,131.08; and fund 0165, fiscal
27 year 2012, appropriation 02100, Current Expenses and Contingent
28 Fund, \$98,653.36. Any balances so reappropriated may be
29 transferred and credited to the fiscal year 2017 accounts.

30 Upon the written request of the Clerk of the Senate, the Auditor
31 shall transfer amounts between items of the total appropriation in
32 order to protect or increase the efficiency of the service.

33 The Clerk of the Senate, with the approval of the President, is
34 authorized to draw his or her requisitions upon the Auditor, payable
35 out of the Current Expenses and Contingent Fund of the Senate, for
36 any bills for supplies and services that may have been incurred by
37 the Senate and not included in the appropriation bill, for supplies
38 and services incurred in preparation for the opening, the conduct of
39 the business and after adjournment of any regular or extraordinary
40 session, and for the necessary operation of the Senate offices, the
41 requisitions for which are to be accompanied by bills to be filed
42 with the Auditor.

43 The Clerk of the Senate, with the approval of the President, or
44 the President of the Senate shall have authority to employ such staff
45 personnel during any session of the Legislature as shall be needed
46 in addition to staff personnel authorized by the Senate resolution
47 adopted during any such session. The Clerk of the Senate, with the
48 approval of the President, or the President of the Senate shall have
49 authority to employ such staff personnel between sessions of the
50 Legislature as shall be needed, the compensation of all staff
51 personnel during and between sessions of the Legislature,
52 notwithstanding any such Senate resolution, to be fixed by the
53 President of the Senate. The Clerk is hereby authorized to draw his
54 or her requisitions upon the Auditor for the payment of all such
55 staff personnel for such services, payable out of the appropriation
56 for Compensation and Per Diem of Officers and Employees or
57 Current Expenses and Contingent Fund of the Senate.

58 For duties imposed by law and by the Senate, the Clerk of the
59 Senate shall be paid a monthly salary as provided by the Senate
60 resolution, unless increased between sessions under the authority
61 of the President, payable out of the appropriation for Compensation
62 and Per Diem of Officers and Employees or Current Expenses and
63 Contingent Fund of the Senate.

64 The distribution of the blue book shall be by the office of the
65 Clerk of the Senate and shall include 75 copies for each member of

66 the Legislature and two copies for each classified and approved
67 high school and junior high or middle school and one copy for each
68 elementary school within the state.

69 Included in the above appropriation for Senate (fund 0165,
70 appropriation 02100), an amount not less than \$5,000 is to be used
71 for the West Virginia Academy of Family Physicians - Doc of the
72 Day Program.

2 - House of Delegates

Fund 0170 FY 2018 Org 2200

1	Compensation of Members (R).....	00300	\$	3,000,000
2	Compensation and Per Diem of Officers			
3	and Employees (R)	00500		575,000
4	Current Expenses and			
5	Contingent Fund (R)	02100		3,929,031
6	Expenses of Members (R).....	39900		1,350,000
7	BRIM Premium (R)	91300		<u>50,000</u>
8	Total.....		\$	8,904,031

9 The appropriations for the House of Delegates for the fiscal
10 year 2017 are to remain in full force and effect and are hereby
11 reappropriated to June 30, 2018. Any balances so reappropriated
12 may be transferred and credited to the fiscal year 2017 accounts.

13 Upon the written request of the Clerk of the House of
14 Delegates, the Auditor shall transfer amounts between items of the
15 total appropriation in order to protect or increase the efficiency of
16 the service.

17 The Clerk of the House of Delegates, with the approval of the
18 Speaker, is authorized to draw his or her requisitions upon the
19 Auditor, payable out of the Current Expenses and Contingent Fund
20 of the House of Delegates, for any bills for supplies and services
21 that may have been incurred by the House of Delegates and not
22 included in the appropriation bill, for bills for services and supplies
23 incurred in preparation for the opening of the session and after
24 adjournment, and for the necessary operation of the House of

25 Delegates’ offices, the requisitions for which are to be
26 accompanied by bills to be filed with the Auditor.

27 The Speaker of the House of Delegates, upon approval of the
28 House committee on rules, shall have authority to employ such
29 staff personnel during and between sessions of the Legislature as
30 shall be needed, in addition to personnel designated in the House
31 resolution, and the compensation of all personnel shall be as fixed
32 in such House resolution for the session, or fixed by the Speaker,
33 with the approval of the House committee on rules, during and
34 between sessions of the Legislature, notwithstanding such House
35 resolution. The Clerk of the House of Delegates is hereby
36 authorized to draw requisitions upon the Auditor for such services,
37 payable out of the appropriation for the Compensation and Per
38 Diem of Officers and Employees or Current Expenses and
39 Contingent Fund of the House of Delegates.

40 For duties imposed by law and by the House of Delegates,
41 including salary allowed by law as keeper of the rolls, the Clerk
42 of the House of Delegates shall be paid a monthly salary as
43 provided in the House resolution, unless increased between
44 sessions under the authority of the Speaker, with the approval of
45 the House committee on rules, and payable out of the
46 appropriation for Compensation and Per Diem of Officers and
47 Employees or Current Expenses and Contingent Fund of the
48 House of Delegates.

49 Included in the above appropriation for House of Delegates
50 (fund 0170, appropriation 02100), an amount not less than \$5,000
51 is to be used for the West Virginia Academy of Family Physicians
52 - Doc of the Day Program.

3 - Joint Expenses

(WV Code Chapter 4)

Fund 0175 FY 2018 Org 2300

1	Joint Committee on Government		
2	and Finance (R).....	10400	\$ 5,725,138
3	Legislative Printing (R).....	10500	760,000

4	Legislative Rule-Making		
5	Review Committee (R).....	10600	147,250
6	Legislative Computer System (R).....	10700	1,447,500
7	BRIM Premium (R)	91300	<u>60,569</u>
8	Total.....		\$ 8,140,457

9 The appropriations for the Joint Expenses for the fiscal year
 10 2017 are to remain in full force and effect and are hereby
 11 reappropriated to June 30, 2018. Any balances reappropriated may
 12 be transferred and credited to the fiscal year 2017 accounts.

13 Upon the written request of the Clerk of the Senate, with the
 14 approval of the President of the Senate, and the Clerk of the House
 15 of Delegates, with the approval of the Speaker of the House of
 16 Delegates, and a copy to the Legislative Auditor, the Auditor shall
 17 transfer amounts between items of the total appropriation in order
 18 to protect or increase the efficiency of the service.

JUDICIAL

4 - Supreme Court –

General Judicial

Fund 0180 FY 2018 Org 2400

1	Personal Services and		
2	Employee Benefits (R)	00100	\$ 101,924,358
3	Children’s Protection Act (R)	09000	3,000,000
4	Current Expenses (R)	13000	32,274,266
5	Repairs and Alterations (R)	06400	636,450
6	Equipment (R).....	07000	1,800,000
7	Judges’ Retirement System (R).....	11000	900,000
8	Buildings (R).....	25800	100,000
9	Other Assets (R).....	69000	500,000
10	BRIM Premium (R)	91300	<u>624,596</u>
11	Total.....		\$ 141,759,670

12 The appropriations to the Supreme Court of Appeals for the
 13 fiscal years 2016 and 2017 are to remain in full force and effect and
 14 are hereby reappropriated to June 30, 2018. Any balances so

15 reappropriated may be transferred and credited to the fiscal year
16 2017 accounts.

17 This fund shall be administered by the Administrative Director
18 of the Supreme Court of Appeals, who shall draw requisitions for
19 warrants in payment in the form of payrolls, making deductions
20 there from as required by law for taxes and other items.

21 The appropriation for the Judges' Retirement System (fund
22 0180, appropriation 11000) is to be transferred to the Consolidated
23 Public Retirement Board, in accordance with the law relating
24 thereto, upon requisition of the Administrative Director of the
25 Supreme Court of Appeals.

EXECUTIVE

5 - Governor's Office

(WV Code Chapter 5)

Fund 0101 FY 2018 Org 0100

1	Personal Services and		
2	Employee Benefits.....00100	\$	3,098,903
3	Current Expenses (R).....13000		571,648
4	Repairs and Alterations.....06400		2,000
5	National Governors Association.....12300		60,700
6	Herbert Henderson		
7	Office of Minority Affairs13400		146,726
8	BRIM Premium.....91300		<u>169,079</u>
9	Total.....	\$	4,049,056

10 Any unexpended balances remaining in the appropriations for
11 Unclassified (fund 0101, appropriation 09900), and Current
12 Expenses (fund 0101, appropriation 13000) at the close of the fiscal
13 year 2017 are hereby reappropriated for expenditure during the
14 fiscal year 2018.

15 Included in the above appropriation to Personal Services and
16 Employee Benefits (fund 0101, appropriation 00100), is \$150,000
17 for the Salary of the Governor.

18 The above appropriation for Herbert Henderson Office of
19 Minority Affairs (fund 0101, appropriation 13400) shall be
20 transferred to the Minority Affairs Fund (fund 1058).

6 - Governor's Office –

Custodial Fund

(WV Code Chapter 5)

Fund 0102 FY 2018 Org 0100

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 351,089
3	Current Expenses (R).....	13000	182,708
4	Repairs and Alterations.....	06400	<u>5,000</u>
5	Total.....		\$ 538,797

6 Any unexpended balance remaining in the appropriation for
7 Current Expenses (fund 0102, appropriation 13000) at the close of
8 the fiscal year 2017 is hereby reappropriated for expenditure during
9 the fiscal year 2018, with the exception of fund 0102, fiscal year
10 2017, appropriation 13000 (\$20,000) which shall expire June 30,
11 2017.

12 Appropriations are to be used for current general expenses,
13 including compensation of employees, household maintenance,
14 cost of official functions and additional household expenses
15 occasioned by such official functions.

7 - Governor's Office –

Civil Contingent Fund

(WV Code Chapter 5)

Fund 0105 FY 2018 Org 0100

1 Any unexpended balances remaining in the appropriations for
2 Business and Economic Development Stimulus – Surplus (fund
3 0105, appropriation 08400), Civil Contingent Fund – Total (fund
4 0105, appropriation 11400), 2012 Natural Disasters – Surplus

5 (fund 0105, appropriation 13500), Civil Contingent Fund – Total –
 6 Surplus (fund 0105, appropriation 23800), Civil Contingent Fund
 7 – Surplus (fund 0105, appropriation 26300), Business and
 8 Economic Development Stimulus (fund 0105, appropriation
 9 58600), Civil Contingent Fund (fund 0105, appropriation 61400),
 10 and Natural Disasters – Surplus (fund 0105, appropriation 76400)
 11 at the close of the fiscal year 2017 are hereby reappropriated for
 12 expenditure during the fiscal year.

13 From this fund there may be expended, at the discretion of the
 14 Governor, an amount not to exceed \$1,000 as West Virginia’s
 15 contribution to the interstate oil compact commission.

16 The above fund is intended to provide contingency funding for
 17 accidental, unanticipated, emergency or unplanned events which
 18 may occur during the fiscal year and is not to be expended for the
 19 normal day-to-day operations of the Governor’s Office.

8 - Auditor’s Office –

General Administration

(WV Code Chapter 12)

Fund 0116 FY 2018 Org 1200

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,620,288
3	Current Expenses (R).....	13000	10,622
4	BRIM Premium.....	91300	<u>11,287</u>
5	Total.....		\$ 2,642,197

6 Any unexpended balance remaining in the appropriation for
 7 Current Expenses (fund 0116, appropriation 13000) at the close of
 8 the fiscal year 2017 is hereby reappropriated for expenditure during
 9 the fiscal year 2018.

10 Included in the above appropriation to Personal Services and
 11 Employee Benefits (fund 0116, appropriation 00100), is \$95,000
 12 for the Salary of the Auditor.

9 - Treasurer's Office

(WV Code Chapter 12)

Fund 0126 FY 2018 Org 1300

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,424,551
3	Unclassified.....	09900	30,963
4	Current Expenses (R).....	13000	472,377
5	Abandoned Property Program.....	11800	41,794
6	Other Assets.....	69000	10,000
7	ABLE Program.....	69201	150,000
8	BRIM Premium.....	91300	54,409
9	Total.....		\$ 3,184,094

10 Any unexpended balances remaining in the appropriation for
 11 Current Expenses (fund 0126, appropriation 13000) at the close of
 12 the fiscal year 2017 are hereby reappropriated for expenditure
 13 during the fiscal year 2018.

14 Included in the above appropriation to Personal Services and
 15 Employee Benefits (fund 0126, appropriation 00100), is \$95,000
 16 for the Salary of the Treasurer.

10 - Department of Agriculture

(WV Code Chapter 19)

Fund 0131 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 5,105,550
3	Animal Identification Program.....	03900	121,528
4	State Farm Museum.....	05500	87,759
5	Current Expenses (R).....	13000	135,155
6	Gypsy Moth Program (R).....	11900	917,769
7	Huntington Farmers Market.....	12800	37,142
8	Black Fly Control.....	13700	450,434
9	Donated Foods Program.....	36300	45,000
10	Predator Control (R).....	47000	176,400

11	Logan Farmers Market.....	50100	40,988
12	Bee Research.....	69100	65,470
13	Charleston Farmers Market.....	74600	71,429
14	Microbiology Program.....	78500	97,126
15	Moorefield Agriculture Center	78600	905,605
16	Chesapeake Bay Watershed.....	83000	102,023
17	Livestock Care Standards Board.....	84300	8,820
18	BRIM Premium.....	91300	129,818
19	State FFA-FHA Camp and		
20	Conference Center	94101	586,215
21	Threat Preparedness	94200	68,987
22	WV Food Banks.....	96900	126,000
23	Senior's Farmers' Market		
24	Nutrition Coupon Program	97000	<u>55,840</u>
25	Total.....		\$ 9,335,058

26 Any unexpended balances remaining in the appropriations for
27 Unclassified – Surplus (fund 0131, appropriation 09700), Gypsy
28 Moth Program (fund 0131, appropriation 11900), Current Expenses
29 (fund 0131, appropriation 13000), Predator Control (fund 0131,
30 appropriation 47000), and Agricultural Disaster and Mitigation Needs
31 – Surplus (fund 0131, appropriation 85000) at the close of the fiscal
32 year 2017 are hereby reappropriated for expenditure during the fiscal
33 year 2018, with the exception of fund 0131, fiscal year 2017,
34 appropriation 11900 (\$18,859), fund 0131, fiscal year 2017,
35 appropriation 13000 (\$19,343), and fund 0131, fiscal year 2017,
36 appropriation 47000 (\$3,600) which shall expire on June 30, 2017.

37 Included in the above appropriation to Personal Services and
38 Employee Benefits (fund 0131, appropriation 00100), is \$95,000
39 for the Salary of the Commissioner.

40 The above appropriation for Predator Control (fund 0131,
41 appropriation 47000) is to be made available to the United States
42 Department of Agriculture, Wildlife Services to administer the
43 Predator Control Program.

44 A portion of the Current Expenses appropriation may be
45 transferred to a special revenue fund for the purpose of matching
46 federal funds for marketing and development activities.

47 From the above appropriation for WV Food Banks (fund 0131,
 48 appropriation 96900), \$20,000 is for House of Hope and the
 49 remainder of the appropriation shall be allocated to the Huntington
 50 Food Bank and the Mountaineer Food Bank in Braxton County.

11 - West Virginia Conservation Agency

(WV Code Chapter 19)

Fund 0132 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 725,163
3	Unclassified (R)	09900	77,808
4	Current Expenses (R).....	13000	316,049
5	Soil Conservation Projects (R).....	12000	6,536,679
6	BRIM Premium.....	91300	<u>30,213</u>
7	Total.....		\$ 7,685,912

8 Any unexpended balances remaining in the appropriations for
 9 Unclassified (fund 0132, appropriation 09900), Soil Conservation
 10 Projects (fund 0132, appropriation 12000), and Current Expenses
 11 (fund 0132, appropriation 13000) at the close of the fiscal year
 12 2017 are hereby reappropriated for expenditure during the fiscal
 13 year 2018, with the exception of fund 0132, fiscal year 2017,
 14 appropriation 12000 (\$157,439) which shall expire on June 30,
 15 2017.

12 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 0135 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 620,127
3	Unclassified.....	09900	7,090
4	Current Expenses	13000	<u>81,880</u>
5	Total.....		\$ 709,097

6 Any part or all of this appropriation may be transferred to a
 7 special revenue fund for the purpose of matching federal funds for
 8 the above-named program.

13 - Department of Agriculture –

Agricultural Awards Fund

(WV Code Chapter 19)

Fund 0136 FY 2018 Org 1400

1	Programs and Awards for		
2	4-H Clubs and FFA/FHA.....	57700	\$ 15,000
3	Commissioner's Awards and Programs.....	73700	<u>39,250</u>
4	Total.....		\$ 54,250

14 - Department of Agriculture –

West Virginia Agricultural Land Protection Authority

(WV Code Chapter 8A)

Fund 0607 FY 2018 Org 1400

1	Personal Services and Employee Benefits.00100		\$ 94,823
2	Unclassified.....	09900	<u>950</u>
3	Total.....		\$ 95,773

15 - Attorney General

(WV Code Chapters 5, 14, 46A and 47)

Fund 0150 FY 2018 Org 1500

1	Personal Services and		
2	Employee Benefits (R)	00100	\$ 2,281,145
3	Unclassified (R)	09900	24,428
4	Current Expenses (R).....	13000	752,408
5	Repairs and Alterations.....	06400	1,000
6	Equipment.....	07000	1,000

7	Criminal Convictions and		
8	Habeas Corpus Appeals (R).....	26000	908,529
9	Better Government Bureau	74000	271,991
10	BRIM Premium.....	91300	<u>112,761</u>
11	Total.....		\$ 4,353,262

12 Any unexpended balances remaining in the above
13 appropriations for Personal Services and Employee Benefits (fund
14 0150, appropriation 00100), Unclassified (fund 0150,
15 appropriation 09900), Current Expenses (fund 0150, appropriation
16 13000), Criminal Convictions and Habeas Corpus Appeals (fund
17 0150, appropriation 26000), and Agency Client Revolving
18 Liquidity Pool (fund 0150, appropriation 36200) at the close of the
19 fiscal year 2017 are hereby reappropriated for expenditure during
20 the fiscal year 2018, with the exception of fund 0150, fiscal year
21 2017, appropriation 09900 (\$20,000), and fund 0150, fiscal year
22 2017, appropriation 26000 (\$69,575) which shall expire on June
23 30, 2017.

24 Included in the above appropriation to Personal Services and
25 Employee Benefits (fund 0150, appropriation 00100), is \$95,000
26 for the Salary of the Attorney General.

27 When legal counsel or secretarial help is appointed by the
28 Attorney General for any state spending unit, this account shall be
29 reimbursed from such spending units specifically appropriated
30 account or from accounts appropriated by general language
31 contained within this bill: *Provided*, That the spending unit shall
32 reimburse at a rate and upon terms agreed to by the state spending
33 unit and the Attorney General: *Provided, however*, That if the
34 spending unit and the Attorney General are unable to agree on the
35 amount and terms of the reimbursement, the spending unit and the
36 Attorney General shall submit their proposed reimbursement rates
37 and terms to the Governor for final determination.

16 - Secretary of State

(WV Code Chapters 3, 5 and 59)

Fund 0155 FY 2018 Org 1600

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 117,213
3	Unclassified (R).....	09900	9,731
4	Current Expenses (R).....	13000	805,697
5	BRIM Premium.....	91300	<u>21,695</u>
6	Total.....		\$ 954,336

7 Any unexpended balances remaining in the appropriations for
8 Unclassified (fund 0155, appropriation 09900) and Current
9 Expenses (fund 0155, appropriation 13000) at the close of the fiscal
10 year 2017 are hereby reappropriated for expenditure during the fiscal
11 year 2018, with the exception of fund 0155, fiscal year 2017
12 appropriation 13000 (\$19,613) which shall expire on June 30, 2017.

13 Included in the above appropriation to Personal Services and
14 Employee Benefits (fund 0155, appropriation 00100), is \$95,000
15 for the Salary of the Secretary of State.

17 - State Election Commission

(WV Code Chapter 3)

Fund 0160 FY 2018 Org 1601

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,477
3	Unclassified.....	09900	75
4	Current Expenses	13000	<u>4,956</u>
5	Total.....		\$ 7,508

DEPARTMENT OF ADMINISTRATION

18 - Department of Administration –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0186 FY 2018 Org 0201

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 580,647

3	Unclassified.....	09900	9,177
4	Current Expenses	13000	84,883
5	Repairs and Alterations.....	06400	100
6	Equipment.....	07000	1,000
7	Financial Advisor (R)	30400	27,546
8	Lease Rental Payments	51600	15,000,000
9	Design-Build Board	54000	4,000
10	Other Assets.....	69000	100
11	BRIM Premium.....	91300	<u>5,887</u>
12	Total.....		\$ 15,713,340

13 Any unexpended balance remaining in the appropriation for
 14 Financial Advisor (fund 0186, appropriation 30400) at the close of
 15 the fiscal year 2017 is hereby reappropriated for expenditure during
 16 the fiscal year 2018, with the exception of fund 0186, fiscal year
 17 2017, appropriation 30400 (\$73,000) which shall expire on June
 18 30, 2017.

19 The appropriation for Lease Rental Payments (fund 0186,
 20 appropriation 51600) shall be disbursed as provided by W.Va.
 21 Code §31-15-6b.

19 - Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund 0195 FY 2018 Org 0205

1 The Division of Highways, Division of Motor Vehicles, Public
 2 Service Commission and other departments, bureaus, divisions, or
 3 commissions operating from special revenue funds and/or federal
 4 funds shall pay their proportionate share of the retirement costs for
 5 their respective divisions. When specific appropriations are not
 6 made, such payments may be made from the balances in the various
 7 special revenue funds in excess of specific appropriations.

20 - Division of Finance

(WV Code Chapter 5A)

Fund 0203 FY 2018 Org 0209

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 65,574
3	Unclassified.....	09900	1,400
4	Current Expenses	13000	68,083
5	GAAP Project (R).....	12500	591,072
6	BRIM Premium.....	91300	<u>5,625</u>
7	Total.....		\$ 731,754

8 Any unexpended balance remaining in the appropriation for
9 GAAP Project (fund 0203, appropriation 12500) at the close of the
10 fiscal year 2017 is hereby reappropriated for expenditure during the
11 fiscal year 2018.

21 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,504,207
3	Unclassified.....	09900	20,000
4	Current Expenses	13000	725,024
5	Repairs and Alterations.....	06400	500
6	Equipment.....	07000	5,000
7	Fire Service Fee	12600	14,000
8	Buildings (R).....	25800	500
9	Preservation and Maintenance of		
10	Statues and Monuments		
11	on Capitol Grounds.....	37100	68,000
12	Capital Outlay, Repairs		
13	and Equipment (R).....	58900	4,122,932
14	Other Assets.....	69000	500
15	Land (R).....	73000	500
16	BRIM Premium.....	91300	<u>121,479</u>
17	Total.....		\$ 7,582,642

18 Any unexpended balances remaining in the above
19 appropriations for Buildings (fund 0230, appropriation 25800),
20 Capital Outlay, Repairs and Equipment (fund 0230, appropriation

21 58900), Capital Outlay, Repairs and Equipment – Surplus (fund
 22 0230, appropriation 67700), and Land (fund 0230, appropriation
 23 73000) at the close of the fiscal year 2017 are hereby
 24 reappropriated for expenditure during the fiscal year 2018.

25 From the above appropriation for Preservation and
 26 Maintenance of Statues and Monuments on Capitol Grounds (fund
 27 0230, appropriation 37100), the Division shall consult the Division
 28 of Culture and History and Capitol Building Commission in all
 29 aspects of planning, assessment, maintenance and restoration.

30 The above appropriation for Capital Outlay, Repairs and
 31 Equipment (fund 0230, appropriation 58900) shall be expended for
 32 capital improvements, maintenance, repairs and equipment for
 33 state-owned buildings.

22 - Division of Purchasing

(WV Code Chapter 5A)

Fund 0210 FY 2018 Org 0213

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 997,906
3	Unclassified.....	09900	144
4	Current Expenses	13000	250
5	Repairs and Alterations.....	06400	200
6	BRIM Premium.....	91300	<u>6,469</u>
7	Total.....		\$ 1,004,969

8 The Division of Highways shall reimburse Fund 2031 within
 9 the Division of Purchasing for all actual expenses incurred
 10 pursuant to the provisions of W.Va. Code §17-2A-13.

23 - Travel Management

(WV Code Chapter 5A)

Fund 0615 FY 2018 Org 0215

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 762,556

2017]

HOUSE OF DELEGATES

3989

3	Unclassified.....	09900		12,032
4	Current Expenses	13000		430,532
5	Repairs and Alterations.....	06400		1,000
6	Equipment.....	07000		5,000
7	Buildings (R).....	25800		100
8	Other Assets.....	69000		<u>100</u>
9	Total.....		\$	1,211,320

10 Any unexpended balance remaining in the appropriation for
 11 Buildings (fund 0615, appropriation 25800) at the close of the
 12 fiscal year 2017 is hereby reappropriated for expenditure during the
 13 fiscal year 2018.

24 - Commission on Uniform State Laws

(WV Code Chapter 29)

Fund 0214 FY 2018 Org 0217

1	Current Expenses	13000	\$	45,550
2	To pay expenses for members of the commission on uniform			
3	state laws.			

25 - West Virginia Public Employees Grievance Board

(WV Code Chapter 6C)

Fund 0220 FY 2018 Org 0219

1	Personal Services and			
2	Employee Benefits.....	00100	\$	911,114
3	Unclassified.....	09900		1,000
4	Current Expenses	13000		142,854
5	Equipment.....	07000		50
6	BRIM Premium.....	91300		<u>9,608</u>
7	Total.....		\$	1,064,626

26 - Ethics Commission

(WV Code Chapter 6B)

Fund 0223 FY 2018 Org 0220

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 575,930
3	Unclassified.....	09900	2,200
4	Current Expenses	13000	104,637
5	Repairs and Alterations.....	06400	500
6	Other Assets.....	69000	100
7	BRIM Premium.....	91300	<u>4,473</u>
8	Total.....		\$ 687,840

27 - Public Defender Services

(WV Code Chapter 29)

Fund 0226 FY 2018 Org 0221

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,322,946
3	Unclassified.....	09900	314,700
4	Current Expenses	13000	11,165
5	Public Defender Corporations.....	35200	19,198,028
6	Appointed Counsel Fees (R).....	78800	10,723,115
7	BRIM Premium.....	91300	<u>9,594</u>
8	Total.....		\$ 31,579,548

9 Any unexpended balance remaining in the above appropriation
10 for Appointed Counsel Fees (fund 0226, appropriation 78800) at
11 the close of the fiscal year 2017 is hereby reappropriated for
12 expenditure during the fiscal year 2018.

13 The director shall have the authority to transfer funds from the
14 appropriation to Public Defender Corporations (fund 0226,
15 appropriation 35200) to Appointed Counsel Fees (fund 0226,
16 appropriation 78800).

*28 - Committee for the Purchase of**Commodities and Services from the Handicapped*

(WV Code Chapter 5A)

Fund 0233 FY 2018 Org 0224

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,187
3	Current Expenses	13000	<u>868</u>
4	Total.....		\$ 4,055

29 - Public Employees Insurance Agency

(WV Code Chapter 5)

Fund 0200 FY 2018 Org 0225

- 1 The Division of Highways, Division of Motor Vehicles, Public
 2 Service Commission and other departments, bureaus, divisions, or
 3 commissions operating from special revenue funds and/or federal
 4 funds shall pay their proportionate share of the public employees
 5 health insurance cost for their respective divisions.

30 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 0557 FY 2018 Org 0228

1	Forensic Medical Examinations (R)	68300	\$ 137,954
2	Federal Funds/Grant Match (R)	74900	<u>98,443</u>
3	Total.....		\$ 236,397

- 4 Any unexpended balances remaining in the appropriations for
 5 Forensic Medical Examinations (fund 0557, appropriation 68300)
 6 and Federal Funds/Grant Match (fund 0557, appropriation 74900)
 7 at the close of the fiscal year 2017 are hereby reappropriated for
 8 expenditure during the fiscal year 2018.

31 - Real Estate Division

(WV Code Chapter 5A)

Fund 0610 FY 2018 Org 0233

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 642,679
3	Unclassified.....	09900	1,000

4	Current Expenses	13000	137,926
5	Repairs and Alterations.....	06400	100
6	Equipment.....	07000	2,500
7	BRIM Premium.....	91300	<u>7,976</u>
8	Total.....		\$ 792,181

DEPARTMENT OF COMMERCE

32 - Division of Forestry

(WV Code Chapter 19)

Fund 0250 FY 2018 Org 0305

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,451,074
3	Unclassified.....	09900	21,435
4	Current Expenses	13000	334,903
5	Repairs and Alterations.....	06400	80,000
6	Equipment (R).....	07000	2,061
7	BRIM Premium.....	91300	<u>92,293</u>
8	Total.....		\$ 2,981,766

9 Any unexpended balance remaining in the appropriation for
 10 Equipment (fund 0250, appropriation 07000) at the close of the
 11 fiscal year 2017 is hereby reappropriated for expenditure during the
 12 fiscal year 2018.

13 Out of the above appropriations a sum may be used to match
 14 federal funds for cooperative studies or other funds for similar
 15 purposes.

33 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 0253 FY 2018 Org 0306

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,561,820
3	Unclassified.....	09900	28,173
4	Current Expenses	13000	49,140

5	Repairs and Alterations.....	06400	968
6	Mineral Mapping System (R)	20700	1,096,873
7	BRIM Premium.....	91300	<u>22,766</u>
8	Total.....		\$ 2,759,740

9 Any unexpended balance remaining in the appropriation for
 10 Mineral Mapping System (fund 0253, appropriation 20700) at the
 11 close of the fiscal year 2017 is hereby reappropriated for
 12 expenditure during the fiscal year 2018, with the exception of fund
 13 0253, fiscal year 2017, appropriation 20700 (\$57,599) which shall
 14 expire on June 30, 2017.

15 The above Unclassified and Current Expense appropriations
 16 include funding to secure federal and other contracts and may be
 17 transferred to a special revolving fund (fund 3105) for the purpose
 18 of providing advance funding for such contracts.

34 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 0256 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 4,261,006
3	Unclassified.....	09900	108,687
4	Save Our State (SOS).....	05050	0
5	Current Expenses	13000	3,763,900
6	National Youth Science Camp.....	13200	241,570
7	Local Economic Development		
8	Partnerships (R)	13300	792,000
9	ARC Assessment	13600	152,585
10	Guaranteed Work Force Grant (R).....	24200	969,633
11	Mainstreet Program.....	79400	163,758
12	BRIM Premium.....	91300	2,345
13	Hatfield McCoy Recreational Trail.....	96000	<u>198,415</u>
14	Total.....		\$ 10,653,899

15 Any unexpended balances remaining in the appropriations for
 16 Unclassified – Surplus (fund 0256, appropriation 09700),
 17 Partnership Grants (fund 0256, appropriation 13100), Local

18 Economic Development Partnerships (fund 0256, appropriation
 19 13300), Guaranteed Work Force Grant (fund 0256, appropriation
 20 24200), Industrial Park Assistance (fund 0256, appropriation
 21 48000), Small Business Development (fund 0256, appropriation
 22 70300), Local Economic Development Assistance (fund 0256,
 23 appropriation 81900), and 4-H Camp Improvements (fund 0256,
 24 appropriation 94100) at the close of the fiscal year 2017 are hereby
 25 reappropriated for expenditure during the fiscal year 2018.

26 The above appropriation to Local Economic Development
 27 Partnerships (fund 0256, appropriation 13300) shall be used by the
 28 West Virginia Development Office for the award of funding
 29 assistance to county and regional economic development
 30 corporations or authorities participating in the Certified
 31 Development Community Program developed under the provisions
 32 of W.Va. Code §5B-2-14. The West Virginia Development Office
 33 shall award the funding assistance through a matching grant
 34 program, based upon a formula whereby funding assistance may
 35 not exceed \$34,000 per county served by an economic
 36 development or redevelopment corporation or authority.

35 - Division of Natural Resources

(WV Code Chapter 20)

Fund 0265 FY 2018 Org 0310

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 15,476,492
3	Unclassified.....	09900	184,711
4	Current Expenses	13000	170,047
5	Repairs and Alterations.....	06400	100
6	Equipment.....	07000	100
7	Buildings.....	25800	100
8	Litter Control Conservation Officers	56400	139,877
9	Upper Mud River Flood Control.....	65400	159,762
10	Other Assets.....	69000	100
11	Land (R).....	73000	100
12	Law Enforcement.....	80600	2,413,523
13	BRIM Premium.....	91300	<u>23,470</u>

14 Total..... \$ 18,568,382

15 Any unexpended balances remaining in the appropriations for
 16 Buildings (fund 0265, appropriation 25800), Land (fund 0265,
 17 appropriation 73000), and State Park Improvements – Surplus
 18 (fund 0265, appropriation 76300) at the close of the fiscal year
 19 2017 are hereby reappropriated for expenditure during the fiscal
 20 year 2018.

21 Any revenue derived from mineral extraction at any state park
 22 shall be deposited in a special revenue account of the Division of
 23 Natural Resources, first for bond debt payment purposes and with
 24 any remainder to be for park operation and improvement purposes.

36 - Division of Miners' Health, Safety and Training

(WV Code Chapter 22)

Fund 0277 FY 2018 Org 0314

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 9,205,577
3	Unclassified.....	09900	120,000
4	Current Expenses	13000	1,378,532
5	Coal Dust and Rock Dust Sampling	27000	474,050
6	BRIM Premium.....	91300	<u>75,110</u>
7	Total.....		\$ 11,253,269

8 Included in the above appropriation for Current Expenses (fund
 9 0277, appropriation 13000) is \$500,000 to be used for coal mine
 10 training activities at an established mine training facility in
 11 southern West Virginia.

37 - Board of Coal Mine Health and Safety

(WV Code Chapter 22)

Fund 0280 FY 2018 Org 0319

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 226,550
3	Unclassified.....	09900	3,551

4	Current Expenses	13000		<u>117,917</u>
5	Total.....		\$	348,018

38 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 0572 FY 2018 Org 0323

1	Personal Services and			
2	Employee Benefits.....	00100	\$	51,728
3	Unclassified.....	09900		596
4	Current Expenses	13000		<u>7,334</u>
5	Total.....		\$	59,658

39 - Department of Commerce –

Office of the Secretary

(WV Code Chapter 19)

Fund 0606 FY 2018 Org 0327

1	Personal Services and			
2	Employee Benefits.....	00100	\$	398,752
3	Unclassified.....	09900		3,500
4	Current Expenses	13000		<u>14,725</u>
5	Total.....		\$	416,977

40 - Office of Energy

(WV Code Chapter 5B)

Fund 0612 FY 2018 Org 0328

1	Personal Services and			
2	Employee Benefits.....	00100	\$	194,457
3	Unclassified.....	09900		15,204
4	Current Expenses	13000		1,026,720
5	BRIM Premium.....	91300		<u>3,604</u>
6	Total.....		\$	1,239,985

7 From the above appropriation for Current Expenses (fund
 8 0612, appropriation 13000) \$558,247 is for West Virginia
 9 University and \$308,247 is for Southern West Virginia Community
 10 and Technical College for the Mine Training and Energy
 11 Technologies Academy.

DEPARTMENT OF EDUCATION

41 - State Board of Education –

School Lunch Program

(WV Code Chapters 18 and 18A)

Fund 0303 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....00100	\$	321,931
3	Current Expenses13000		2,118,490
4	Total.....	\$	2,440,421

42 - State Board of Education –

State Department of Education

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....00100	\$	4,278,989
3	Technology System Specialist06200		0
4	Teachers' Retirement Savings Realized09500		34,638,000
5	Unclassified (R)09900		300,000
6	Current Expenses (R)13000		2,518,992
7	Equipment.....07000		5,000
8	Increased Enrollment14000		2,650,000
9	Safe Schools.....14300		4,911,959
10	Teacher Mentor.....15800		550,000
11	National Teacher Certification (R)16100		300,000
12	Buildings (R).....25800		1,000
13	Allowance for County Transfers.....26400		64,212

14	Technology Repair and Modernization.....	29800	951,003
15	HVAC Technicians.....	35500	495,507
16	Early Retirement Notification Incentive	36600	300,000
17	MATH Program.....	36800	336,532
18	Assessment Programs	39600	1,339,588
19	21 st Century Fellows	50700	274,899
20	English as a Second Language.....	52800	96,000
21	Teacher Reimbursement	57300	297,188
22	Hospitality Training.....	60000	267,123
23	Hi-Y Youth in Government	61600	100,000
24	High Acuity Special Needs (R).....	63400	1,500,000
25	Foreign Student Education.....	63600	150,000
26	Principals Mentorship	64900	69,250
27	State Board of Education		
28	Administrative Costs	68400	266,152
29	Other Assets.....	69000	1,000
30	IT Academy (R)	72100	500,000
31	Land (R).....	73000	1,000
32	Early Literacy Program.....	75600	5,700,000
33	School Based Truancy Prevention (R).....	78101	2,000,000
34	Innovation in Education.....	78102	0
35	21 st Century Learners (R).....	88600	1,706,441
36	BRIM Premium.....	91300	320,429
37	21 st Century Assessment and		
38	Professional Development.....	93100	1,999,007
39	21 st Century Technology		
40	Infrastructure Network		
41	Tools and Support.....	93300	7,636,586
42	Educational Program Allowance	99600	<u>516,250</u>
43	Total.....		\$ 77,042,107

44 The above appropriations include funding for the state board of
45 education and their executive office.

46 Any unexpended balances remaining in the appropriations for
47 Unclassified (fund 0313, appropriation 09900), Current Expenses
48 (fund 0313, appropriation 13000), National Teacher Certification
49 (fund 0313, appropriation 16100), Buildings (fund 0313,
50 appropriation 25800), High Acuity Special Needs (fund 0313,

51 appropriation 63400), IT Academy (fund 0313, appropriation
 52 72100), Land (fund 0313, appropriation 73000), School Based
 53 Truancy Prevention (fund 0313, appropriation 78101), and 21st
 54 Century Learners (fund 0313, appropriation 88600) at the close of
 55 the fiscal year 2017 are hereby reappropriated for expenditure
 56 during the fiscal year 2018.

57 The above appropriation for Teachers' Retirement Savings
 58 Realized (fund 0313, appropriation 09500) shall be transferred to
 59 the Employee Pension and Health Care Benefit Fund (fund 2044).

60 The above appropriation for Hospitality Training (fund 0313,
 61 appropriation 60000), shall be allocated only to entities that have a
 62 plan approved for funding by the Department of Education, at the
 63 funding level determined by the State Superintendent of Schools.
 64 Plans shall be submitted to the State Superintendent of Schools to
 65 be considered for funding.

66 From the above appropriation for Educational Program
 67 Allowance (fund 0313, appropriation 99600), \$100,000 shall be
 68 expended for Webster County Board of Education for Hacker
 69 Valley; \$150,000 shall be for the Randolph County Board of
 70 Education for Pickens School; \$100,000 shall be for the Preston
 71 County Board of Education for the Aurora School; \$100,000
 72 shall be for the Fayette County Board of Education for Meadow
 73 Bridge; and \$66,250 is for Project Based Learning in STEM
 74 fields.

43 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 0314 FY 2018 Org 0402

1	Special Education – Counties	15900	\$	7,271,757
2	Special Education – Institutions.....	16000		3,748,794
3	Education of Juveniles			
4	Held in Predispositional			
5	Juvenile Detention Centers	30200		591,646

6	Education of Institutionalized		
7	Juveniles and Adults (R).....	47200	<u>17,736,957</u>
8	Total.....		\$ 29,349,154

9 Any unexpended balance remaining in the appropriation for
 10 Education of Institutionalized Juveniles and Adults (fund 0314,
 11 appropriation 47200) at the close of the fiscal year 2017 is hereby
 12 reappropriated for expenditure during the fiscal year 2018.

13 From the above appropriations, the superintendent shall have
 14 authority to expend funds for the costs of special education for
 15 those children residing in out-of-state placements.

44 - State Board of Education –

State Aid to Schools

(WV Code Chapters 18 and 18A)

Fund 0317 FY 2018 Org 0402

1	Other Current Expenses	02200	\$ 149,939,086
2	Advanced Placement.....	05300	553,954
3	Professional Educators.....	15100	843,200,570
4	Service Personnel.....	15200	286,915,321
5	Fixed Charges	15300	100,484,631
6	Transportation.....	15400	70,276,078
7	Professional Student Support Services	65500	36,952,999
8	Improved Instructional Programs.....	15600	49,131,108
9	21 st Century Strategic		
10	Technology Learning Growth.....	93600	<u>20,756,981</u>
11	Basic Foundation Allowances.....		1,558,210,728
12	Less Local Share		(454,486,958)
13	Adjustments		<u>(2,441,341)</u>
14	Total Basic State Aid		
15	1,101,282,429		
16	Public Employees' Insurance Matching	01200	242,714,967
17	Teachers' Retirement System	01900	72,125,000
18	School Building Authority	45300	23,424,770
19	Retirement Systems – Unfunded Liability.....	77500	<u>343,963,000</u>
20	Total.....		\$1,783,510,166

*45 - State Board of Education –**Vocational Division*

(WV Code Chapters 18 and 18A)

Fund 0390 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,275,473
3	Unclassified.....	09900	268,800
4	Current Expenses	13000	882,131
5	Wood Products – Forestry		
6	Vocational Program	14600	68,993
7	Albert Yanni Vocational Program	14700	131,951
8	Vocational Aid.....	14800	22,440,602
9	Adult Basic Education	14900	4,591,896
10	Program Modernization	30500	884,313
11	High School Equivalency		
12	Diploma Testing (R)	72600	778,815
13	FFA Grant Awards.....	83900	11,496
14	Pre-Engineering Academy Program	84000	<u>265,294</u>
15	Total.....		\$ 31,599,764

16 Any unexpended balances remaining in the appropriations for
 17 GED Testing (fund 0390, appropriation 33900) and High School
 18 Equivalency Diploma Testing (fund 0390, appropriation 72600) at
 19 the close of the fiscal year 2017 is hereby reappropriated for
 20 expenditure during the fiscal year 2018.

*46 - State Board of Education –**West Virginia Schools for the Deaf and the Blind*

(WV Code Chapters 18 and 18A)

Fund 0320 FY 2018 Org 0403

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 11,304,805
3	Unclassified.....	09900	110,000

4	Current Expenses	13000	1,988,129
5	Repairs and Alterations	06400	85,000
6	Equipment	07000	70,000
7	Buildings (R).....	25800	85,000
8	Capital Outlay and Maintenance (R)	75500	82,500
9	BRIM Premium.....	91300	<u>124,890</u>
10	Total.....		\$ 13,850,324

11 Any unexpended balances remaining in the appropriations for
 12 Buildings (fund 0320, appropriation 25800) and Capital Outlay and
 13 Maintenance (fund 0320, appropriation 75500) at the close of the
 14 fiscal year 2017 are hereby reappropriated for expenditure during
 15 the fiscal year 2018.

DEPARTMENT OF EDUCATION AND THE ARTS

47 - Department of Education and the Arts –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0294 FY 2018 Org 0431

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 514,428
3	Unclassified.....	09900	35,000
4	Center for		
5	Professional Development (R).....	11500	1,490,833
6	Current Expenses	13000	6,562
7	WV Humanities Council.....	16800	250,000
8	Benedum Professional		
9	Development Collaborative (R).....	42700	429,116
10	Governor's Honors Academy (R)	47800	1,059,270
11	Educational Enhancements	69500	196,000
12	S.T.E.M. Education and Grant Program	71900	490,286
13	Energy Express	86100	382,935
14	BRIM Premium.....	91300	4,870
15	Special Olympic Games.....	96600	<u>25,000</u>
16	Total.....		\$ 4,884,300

17 Any unexpended balances remaining in the appropriations for
 18 Center for Professional Development (fund 0294, appropriation
 19 11500), Benedum Professional Development Collaborative (fund
 20 0294, appropriation 42700), Governor’s Honors Academy (fund
 21 0294, appropriation 47800), and S.T.E.M. Education and Grant
 22 Program (fund 0294, appropriation 71900) at the close of the fiscal
 23 year 2017 are hereby reappropriated for expenditure during the
 24 fiscal year 2018, with the exception of fund 0294, fiscal year 2017,
 25 appropriation 42700 (\$66,416) which shall expire on June 30,
 26 2017.

27 From the above appropriation for Educational Enhancements
 28 (fund 0294, appropriation 69500), \$73,500 shall be used for the
 29 Clay Center and \$122,500 for Reconnecting McDowell – Save the
 30 Children.

48 - Division of Culture and History

(WV Code Chapter 29)

Fund 0293 FY 2018 Org 0432

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,148,509
3	Current Expenses	13000	605,585
4	Repairs and Alterations.....	06400	1,000
5	Equipment.....	07000	1
6	Unclassified.....	09900	28,483
7	Buildings (R).....	25800	1
8	Other Assets.....	69000	1
9	Land (R).....	73000	1
10	Culture and History Programming.....	73200	231,573
11	Capital Outlay and Maintenance (R)	75500	19,600
12	Historical Highway Marker Program.....	84400	57,548
13	BRIM Premium.....	91300	<u>36,371</u>
14	Total.....		\$ 4,128,673

15 Any unexpended balances remaining in the appropriations for
 16 Unclassified (fund 0293, appropriation 09900), Buildings (fund
 17 0293, appropriation 25800), Capital Outlay, Repairs and

18 Equipment (fund 0293, appropriation 58900), Capital
 19 Improvements – Surplus (fund 0293, appropriation 66100), Capital
 20 Outlay, Repairs and Equipment – Surplus (fund 0293,
 21 appropriation 67700), Land (fund 0293, appropriation 73000), and
 22 Capital Outlay and Maintenance (fund 0293, appropriation 75500)
 23 at the close of the fiscal year 2017 are hereby reappropriated for
 24 expenditure during the fiscal year 2018.

25 The Current Expense appropriation includes funding for the
 26 arts funds, department programming funds, grants, fairs and
 27 festivals and Camp Washington Carver and shall be expended only
 28 upon authorization of the Division of Culture and History and in
 29 accordance with the provisions of Chapter 5A, Article 3, and
 30 Chapter 12 of the Code.

49 - Library Commission

(WV Code Chapter 10)

Fund 0296 FY 2018 Org 0433

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,208,032
3	Current Expenses	13000	137,674
4	Repairs and Alterations.....	06400	6,500
5	Services to Blind & Handicapped.....	18100	161,717
6	BRIM Premium.....	91300	<u>16,734</u>
7	Total.....		\$ 1,530,657

50 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 0300 FY 2018 Org 0439

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,245,141
3	Current Expenses	13000	20,146
4	Mountain Stage	40700	300,000
5	Capital Outlay and Maintenance.....	75500	10,000
6	BRIM Premium.....	91300	<u>45,283</u>

7 Total..... \$ 3,620,570

8 Any unexpended balance remaining in the appropriation for
 9 Capital Outlay and Maintenance (fund 0300, appropriation 75500)
 10 at the close of the fiscal year 2017 is hereby reappropriated for
 11 expenditure during the fiscal year 2018.

51 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 0310 FY 2018 Org 0932

1	Personal Services and		
2	Employee Benefits.....00100	\$	10,590,552
3	Independent Living Services.....00900		429,418
4	Current Expenses13000		545,202
5	Workshop Development16300		1,817,427
6	Supported Employment		
7	Extended Services.....20600		77,960
8	Ron Yost Personal Assistance Fund40700		333,828
9	Employment Attendant Care Program.....59800		131,575
10	BRIM Premium.....91300		<u>72,396</u>
11	Total.....	\$	<u>13,998,358</u>

12 From the above appropriation for Workshop Development
 13 (fund 0310, appropriation 16300), funds shall be used exclusively
 14 with the private nonprofit community rehabilitation program
 15 organizations known as work centers or sheltered workshops. The
 16 appropriation shall also be used to continue the support of the
 17 program, services, and individuals with disabilities currently in
 18 place at those organizations.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

52 - Environmental Quality Board

(WV Code Chapter 20)

Fund 0270 FY 2018 Org 0311

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 72,067
3	Current Expenses	13000	29,203
4	Repairs and Alterations.....	06400	100
5	Equipment.....	07000	300
6	Other Assets.....	69000	400
7	BRIM Premium.....	91300	<u>739</u>
8	Total.....		\$ 102,809

53 - Division of Environmental Protection

(WV Code Chapter 22)

Fund 0273 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,926,093
3	Water Resources Protection and		
4	Management	06800	566,284
5	Current Expenses	13000	96,242
6	Repairs and Alterations.....	06400	4,950
7	Unclassified.....	09900	25,049
8	Dam Safety.....	60700	210,959
9	West Virginia Stream Partners Program....	63700	77,396
10	Meth Lab Cleanup.....	65600	200,073
11	Other Assets.....	69000	1,000
12	WV Contributions to		
13	River Commissions.....	77600	148,485
14	Office of Water Resources		
15	Non-Enforcement Activity	85500	<u>908,854</u>
16	Total.....		\$ 6,165,385

17 A portion of the appropriations for Current Expense (fund
 18 0273, appropriation 13000) and Dam Safety (fund 0273,
 19 appropriation 60700) may be transferred to the special revenue
 20 fund Dam Safety Rehabilitation Revolving Fund (fund 3025) for
 21 the state deficient dams rehabilitation assistance program.

54 - Air Quality Board

(WV Code Chapter 16)

Fund 0550 FY 2018 Org 0325

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 61,108
3	Current Expenses	13000	12,462
4	Repairs and Alterations.....	06400	50
5	Equipment.....	07000	300
6	Other Assets.....	69000	200
7	BRIM Premium.....	91300	<u>2,153</u>
8	Total.....		\$ 76,273

DEPARTMENT OF HEALTH AND HUMAN RESOURCES*55 - Department of Health and Human Resources –**Office of the Secretary*

(WV Code Chapter 5F)

Fund 0400 FY 2018 Org 0501

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 373,601
3	Unclassified.....	09900	8,014
4	Current Expenses	13000	48,833
5	Women's Commission (R)	19100	0
6	Commission for the Deaf and		
7	Hard of Hearing	70400	<u>215,479</u>
8	Total.....		\$ 645,927

9 Any unexpended balance remaining in the appropriation for the
10 Women's Commission (fund 0400, appropriation 19100) at the
11 close of the fiscal year 2017 is hereby reappropriated for
12 expenditure during the fiscal year 2018.

*56 - Division of Health –**Central Office*

(WV Code Chapter 16)

Fund 0407 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 12,048,586
3	Chief Medical Examiner.....	04500	5,954,317
4	Unclassified.....	09900	691,862
5	Current Expenses.....	13000	4,640,355
6	State Aid for Local and		
7	Basic Public Health Services.....	18400	12,645,160
8	Safe Drinking Water Program (R).....	18700	2,167,723
9	Women, Infants and Children.....	21000	38,621
10	Early Intervention.....	22300	8,134,060
11	Cancer Registry.....	22500	195,868
12	Statewide EMS Program Support (R).....	38300	1,824,458
13	Black Lung Clinics.....	46700	170,885
14	Center for End of Life.....	54500	150,000
15	Vaccine for Children.....	55100	332,942
16	Tuberculosis Control.....	55300	364,556
17	Maternal and Child Health Clinics, Clinicians		
18	Medical Contracts and Fees (R).....	57500	6,327,015
19	Epidemiology Support.....	62600	1,492,573
20	Primary Care Support.....	62800	4,665,575
21	Sexual Assault Intervention		
22	and Prevention.....	72300	125,000
23	Health Right Free Clinics.....	72700	2,750,000
24	Capital Outlay and Maintenance (R).....	75500	100,000
25	Maternal Mortality Review.....	83400	46,563
26	Diabetes Education and Prevention.....	87300	97,125
27	BRIM Premium.....	91300	228,111
28	State Trauma and Emergency		
29	Care System.....	91800	<u>1,986,847</u>
30	Total.....		\$ 67,178,202

31 Any unexpended balances remaining in the appropriations for
32 Safe Drinking Water Program (fund 0407, appropriation 18700),
33 Statewide EMS Program Support (fund 0407, appropriation
34 38300), Maternal and Child Health Clinics, Clinicians and Medical
35 Contracts and Fees (fund 0407, appropriation 57500), Capital
36 Outlay and Maintenance (fund 0407, appropriation 75500),
37 Emergency Response Entities – Special Projects (fund 0407,
38 appropriation 82200), Assistance to Primary Health Care Centers

39 Community Health Foundation (fund 0407, appropriation 84500),
40 and Tobacco Education Program (fund 0407, appropriation 90600)
41 at the close of the fiscal year 2017 are hereby reappropriated for
42 expenditure during the fiscal year 2018; Provided that on July 1,
43 2017, the following reappropriated funds and amounts are to be
44 transferred to the Division of Human Services - Medical Services
45 Trust Fund, fund 5185: Fund 0407, fiscal year 2007, appropriation
46 84500, Assistance to Primary Health Care Centers Community
47 Health Foundation, \$400,000; fund 0407, fiscal year 2008,
48 appropriation 84500, Assistance to Primary Health Care Centers -
49 Community Health Foundation \$840,000; fund 0407, fiscal year
50 2009, appropriation 84500, Assistance to Primary Health Care
51 Centers - Community Health Foundation, \$675,000; fund 0407,
52 fiscal year 2010, appropriation 84500 Assistance to Primary Health
53 Care Centers - Community Health Foundation, \$558,236.61; fund
54 0407, fiscal year 2008, appropriation 82200, Emergency Response
55 Entities – Special Projects, \$77,062; fund 0407, fiscal year 2009,
56 appropriation 82200, Emergency Response Entities – Special
57 Projects \$81,176; fund 0407, fiscal year 2010, appropriation
58 82200, Emergency Response Entities – Special Projects
59 \$40,141.23; fund 0407, fiscal year 2011, appropriation 82200,
60 Emergency Response Entities – Special Projects \$93,192.02; fund
61 0407, fiscal year 2012, appropriation 82200, Emergency Response
62 Entities – Special Projects \$50,610.02; fund 0407, fiscal year 2013,
63 appropriation 82200, Emergency Response Entities – Special
64 Projects \$67,152; fund 0407, fiscal year 2014, appropriation
65 82200, Emergency Response Entities – Special Projects
66 \$31,969.73; fund 0407, fiscal year 2007, appropriation 75500,
67 Capital Outlay and Maintenance, \$91,095.33; fund 0407, fiscal
68 year 2009, appropriation 75500, Capital Outlay and Maintenance,
69 \$128,084; fund 0407, fiscal year 2010, appropriation 75500,
70 Capital Outlay and Maintenance, \$518,934.53; fund 0407, fiscal
71 year 2011, appropriation 75500, Capital Outlay and Maintenance,
72 \$2,125,000; fund 0407, fiscal year 2012, appropriation 75500,
73 Capital Outlay and Maintenance, \$2,125,000; and fund 0407, fiscal
74 year 2013, appropriation 75500, Capital Outlay and Maintenance,
75 \$1,011,886.14.

76 From the above appropriation for Current Expenses (fund
 77 0407, appropriation 13000), an amount not less than \$100,000 is
 78 for the West Virginia Cancer Coalition; \$50,000 shall be expended
 79 for the West Virginia Aids Coalition; \$100,000 is for Adolescent
 80 Immunization Education; \$73,065 is for informal dispute
 81 resolution relating to nursing home administrative appeals; and
 82 \$50,000 is for Hospital Hospitality House of Huntington.

83 From the above appropriation for Maternal and Child Health
 84 Clinics, Clinicians and Medical Contracts and Fees (fund 0407,
 85 appropriation 57500) up to \$400,000 may be transferred to the
 86 Breast and Cervical Cancer Diagnostic Treatment Fund (fund
 87 5197) and \$11,000 is for the Marshall County Health Department
 88 for dental services.

57 - Consolidated Medical Services Fund

(WV Code Chapter 16)

Fund 0525 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,554,852
3	Current Expenses	13000	12,463
4	Behavioral Health Program (R)	21900	64,415,611
5	Family Support Act.....	22100	251,226
6	Institutional Facilities Operations (R).....	33500	100,067,434
7	Substance Abuse Continuum of Care (R)..	35400	5,000,000
8	Capital Outlay and Maintenance (R)	75500	950,000
9	Renaissance Program	80400	165,996
10	BRIM Premium.....	91300	<u>1,211,307</u>
11	Total.....		\$ 173,628,889

12 Any unexpended balances remaining in the appropriations for
 13 Behavioral Health Program (fund 0525, appropriation 21900),
 14 Institutional Facilities Operations (fund 0525, appropriation
 15 33500), Substance Abuse Continuum of Care (fund 0525,
 16 appropriation 35400), Capital Outlay (fund 0525, appropriation
 17 51100), Behavioral Health Program – Surplus (fund 0525,
 18 appropriation 63100), Institutional Facilities Operations – Surplus

19 (fund 0525, appropriation 63200), Substance Abuse Continuum of
20 Care – Surplus (fund 0525, appropriation 72200), and Capital
21 Outlay and Maintenance (fund 0525, appropriation 75500) at the
22 close of the fiscal year 2017 are hereby reappropriated for
23 expenditure during the fiscal year 2018.

24 Notwithstanding the provisions of Title I, section three of this
25 bill, the secretary of the Department of Health and Human
26 Resources shall have the authority to transfer funds within the
27 above appropriations: *Provided*, That no more than five percent of
28 the funds appropriated to one appropriation may be transferred to
29 other appropriations: *Provided, however*, That no funds from other
30 appropriations shall be transferred to the personal services and
31 employee benefits appropriation.

32 Included in the above appropriation for Behavioral Health
33 Program (fund 0525, appropriation 21900) is \$100,000 for the
34 Healing Place of Huntington.

35 From the above appropriation for Institutional Facilities
36 Operations (fund 0525, appropriation 33500), together with
37 available funds from the Division of Health – Hospital Services
38 Revenue Account (fund 5156, appropriation 33500), on July 1,
39 2017, the sum of \$160,000 shall be transferred to the Department
40 of Agriculture – Land Division – Farm Operating Fund (1412) as
41 advance payment for the purchase of food products; actual
42 payments for such purchases shall not be required until such credits
43 have been completely expended.

44 The above appropriation for Institutional Facilities Operations
45 (fund 0525, appropriation 33500) contains prior year salary
46 increases due to the Hartley court order in the amount of
47 \$2,202,013 for William R. Sharpe Jr. Hospital, and \$2,067,984 for
48 Mildred Mitchel-Bateman Hospital.

49 From the above appropriation for Substance Abuse Continuum
50 of Care (fund 0525, appropriation 35400), the funding will be
51 consistent with the goal areas outlined in the Comprehensive
52 Substance Abuse Strategic Action Plan.

53 Additional funds have been appropriated in fund 5156, fiscal
 54 year 2018, organization 0506, for the operation of the institutional
 55 facilities. The secretary of the Department of Health and Human
 56 Resources is authorized to utilize up to ten percent of the funds
 57 from the Institutional Facilities Operations appropriation to
 58 facilitate cost effective and cost saving services at the community
 59 level.

58 - Division of Health –

West Virginia Drinking Water Treatment

(WV Code Chapter 16)

Fund 0561 FY 2018 Org 0506

1	West Virginia Drinking Water Treatment		
2	Revolving Fund-Transfer.....	68900	\$ 647,500

3 The above appropriation for Drinking Water Treatment
 4 Revolving Fund – Transfer shall be transferred to the West Virginia
 5 Drinking Water Treatment Revolving Fund or appropriate bank
 6 depository and the Drinking Water Treatment Revolving –
 7 Administrative Expense Fund as provided by Chapter 16 of the
 8 Code.

59 - Human Rights Commission

(WV Code Chapter 5)

Fund 0416 FY 2018 Org 0510

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,002,668
3	Unclassified.....	09900	4,024
4	Current Expenses	13000	330,029
5	BRIM Premium.....	91300	<u>10,056</u>
6	Total.....		\$ 1,346,777

60 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 43,080,824
3	Unclassified.....	09900	5,688,944
4	Current Expenses	13000	11,315,095
5	Child Care Development.....	14400	9,079,268
6	Medical Services Contracts and		
7	Office of Managed Care	18300	1,835,469
8	Medical Services.....	18900	448,532,081
9	Social Services.....	19500	145,947,791
10	Family Preservation Program	19600	1,565,000
11	Family Resource Networks.....	27400	1,762,464
12	Domestic Violence Legal Services Fund ...	38400	400,000
13	James “Tiger” Morton		
14	Catastrophic Illness Fund	45500	101,005
15	I/DD Waiver.....	46600	88,753,483
16	Child Protective Services Case Workers ...	46800	22,446,545
17	OSCAR and RAPIDS	51500	6,405,873
18	Title XIX Waiver for Seniors.....	53300	13,593,620
19	WV Teaching Hospitals		
20	Tertiary/Safety Net	54700	6,356,000
21	Child Welfare System	60300	1,250,959
22	In-Home Family Education.....	68800	1,000,000
23	WV Works Separate State Program.....	69800	1,935,000
24	Child Support Enforcement	70500	6,260,676
25	Medicaid Auditing	70600	606,750
26	Temporary Assistance for		
27	Needy Families/Maintenance		
28	of Effort	70700	22,969,096
29	Child Care – Maintenance of Effort Match	70800	5,693,743
30	Child and Family Services	73600	2,850,000
31	Grants for Licensed Domestic Violence		
32	Programs and Statewide Prevention	75000	2,500,000
33	Capital Outlay and Maintenance (R)	75500	11,875
34	Community Based Services and		
35	Pilot Programs for Youth.....	75900	1,000,000
36	Medical Services Administrative Costs	78900	35,609,925
37	Traumatic Brain Injury Waiver.....	83500	800,000

38	Indigent Burials (R)	85100	2,050,000
39	BRIM Premium.....	91300	834,187
40	Rural Hospitals Under 150 Beds.....	94000	2,596,000
41	Children’s Trust Fund – Transfer.....	95100	<u>220,000</u>
42	Total.....		\$ 895,051,673

43 Any unexpended balances remaining in the appropriations for
 44 Capital Outlay and Maintenance (fund 0403, appropriation 75500)
 45 and Indigent Burials (fund 0403, appropriation 85100) at the close
 46 of the fiscal year 2017 are hereby reappropriated for expenditure
 47 during the fiscal year 2018.

48 Notwithstanding the provisions of Title I, section three of this
 49 bill, the secretary of the Department of Health and Human
 50 Resources shall have the authority to transfer funds within the
 51 above appropriations: *Provided*, That no more than five percent of
 52 the funds appropriated to one appropriation may be transferred to
 53 other appropriations: *Provided, however*, That no funds from other
 54 appropriations shall be transferred to the personal services and
 55 employee benefits appropriation.

56 The secretary shall have authority to expend funds for the
 57 educational costs of those children residing in out-of-state
 58 placements, excluding the costs of special education programs.

59 Included in the above appropriation for Social Services (fund
 60 0403, appropriation 19500) is funding for continuing education
 61 requirements relating to the practice of social work.

62 The above appropriation for Domestic Violence Legal Services
 63 Fund (fund 0403, appropriation 38400) shall be transferred to the
 64 Domestic Violence Legal Services Fund (fund 5455).

65 The above appropriation for James “Tiger” Morton
 66 Catastrophic Illness Fund (fund 0403, appropriation 45500) shall
 67 be transferred to the James “Tiger” Morton Catastrophic Illness
 68 Fund (fund 5454) as provided by Article 5Q, Chapter 16 of the
 69 Code.

70 The above appropriation for WV Works Separate State
 71 Program (fund 0403, appropriation 69800), shall be transferred to

72 the WV Works Separate State College Program Fund (fund 5467),
 73 and the WV Works Separate State Two-Parent Program Fund (fund
 74 5468) as determined by the secretary of the Department of Health
 75 and Human Resources.

76 From the above appropriation for Child Support Enforcement
 77 (fund 0403, appropriation 70500) an amount not to exceed
 78 \$300,000 may be transferred to a local banking depository to be
 79 utilized to offset funds determined to be uncollectible.

80 From the above appropriation for the Grants for Licensed
 81 Domestic Violence Programs and Statewide Prevention (fund
 82 0403, appropriation 75000), 50% of the total shall be divided
 83 equally and distributed among the fourteen (14) licensed programs
 84 and the West Virginia Coalition Against Domestic Violence
 85 (WVCADV). The balance remaining in the appropriation for
 86 Grants for Licensed Domestic Violence Programs and Statewide
 87 Prevention (fund 0403, appropriation 75000), shall be distributed
 88 according to the formula established by the Family Protection
 89 Services Board.

90 The above appropriation for Children's Trust Fund – Transfer
 91 (fund 0403, appropriation 95100) shall be transferred to the
 92 Children's Trust Fund (fund 5469, org 0511).

DEPARTMENT OF MILITARY AFFAIRS

AND PUBLIC SAFETY

61 - Department of Military Affairs and Public Safety –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0430 FY 2018 Org 0601

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 711,738
3	Unclassified (R)	09900	21,719
4	Current Expenses	13000	66,492

5	Repairs and Alterations.....	06400	6,000
6	Equipment.....	07000	3,000
7	Fusion Center (R).....	46900	534,332
8	Other Assets.....	69000	3,000
9	Directed Transfer.....	70000	32,000
10	BRIM Premium.....	91300	11,938
11	WV Fire and EMS Survivor Benefit (R) ...	93900	200,000
12	Homeland State Security		
13	Administrative Agency (R).....	95300	<u>531,683</u>
14	Total.....		\$ 2,121,902

15 Any unexpended balances remaining in the appropriations for
16 Unclassified (fund 0430, appropriation 09900), Fusion Center
17 (fund 0430, appropriation 46900), Substance Abuse Program –
18 Surplus (fund 0430, appropriation 69600), Justice Reinvestment
19 Training – Surplus (fund 0430, appropriation 69900), WV Fire and
20 EMS Survivor Benefit (fund 0430, appropriation 93900), and
21 Homeland State Security Administrative Agency (fund 0430,
22 appropriation 95300) at the close of the fiscal year 2017 are hereby
23 reappropriated for expenditure during the fiscal year 2018, with the
24 exception of fund 0430, fiscal year 2017, appropriation 93900
25 (\$50,000) which shall expire on June 30, 2017.

26 The above appropriation for Directed Transfer (fund 0430,
27 appropriation 70000) shall be transferred to the Law-Enforcement,
28 Safety and Emergency Worker Funeral Expense Payment Fund
29 (fund 6003).

62 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 0433 FY 2018 Org 0603

1	Unclassified.....	09900	\$ 106,798
2	College Education Fund.....	23200	4,000,000
3	Civil Air Patrol.....	23400	249,219
4	Mountaineer ChalleNGe Academy.....	70900	1,500,000
5	Armory Board Transfer.....	70015	2,317,555

6	Military Authority.....	74800		5,857,390
7	Total.....			\$ 14,030,962

8 Any unexpended balance remaining in the appropriations for
 9 Unclassified (fund 0433, appropriation 09900) and Military
 10 Authority (fund 0433, appropriation 74800) at the close of the
 11 fiscal year 2017 is hereby reappropriated for expenditure during the
 12 fiscal year 2018.

13 From the above appropriations an amount approved by the
 14 Adjutant General and the secretary of Military Affairs and Public
 15 Safety may be transferred to the State Armory Board for operation
 16 and maintenance of National Guard Armories.

17 The adjutant general shall have the authority to transfer
 18 between appropriations.

19 From the above appropriation and other state and federal
 20 funding, the Adjutant General shall provide an amount not less than
 21 \$4,500,000 to the Mountaineer ChalleNGe Academy to meet
 22 anticipated program demand.

63 - Adjutant General –

Military Fund

(WV Code Chapter 15)

Fund 0605 FY 2018 Org 0603

1	Personal Services and			
2	Employee Benefits.....	00100	\$	100,000
3	Current Expenses	13000		57,775
4	Total.....		\$	157,775

64 - West Virginia Parole Board

(WV Code Chapter 62)

Fund 0440 FY 2018 Org 0605

1	Personal Services and			
2	Employee Benefits.....	00100	\$	382,952

3	Current Expenses	13000	294,559
4	Salaries of Members of		
5	West Virginia Parole Board.....	22700	593,029
6	BRIM Premium.....	91300	<u>5,747</u>
7	Total.....		\$ 1,276,287

8 The above appropriation for Salaries of Members of West
9 Virginia Parole Board (fund 0440, appropriation 22700) includes
10 funding for salary, annual increment (as provided for in W.Va.
11 Code §5-5-1), and related employee benefits of board members.

65 - Division of Homeland Security and

Emergency Management

(WV Code Chapter 15)

Fund 0443 FY 2018 Org 0606

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,006,489
3	Unclassified.....	09900	26,342
4	Current Expenses	13000	51,674
5	Repairs and Alterations.....	06400	600
6	Radiological Emergency Preparedness.....	55400	17,230
7	Federal Funds/Grant Match (R).....	74900	660,991
8	Mine and Industrial Accident Rapid		
9	Response Call Center.....	78100	450,539
10	Early Warning Flood System (R)	87700	466,845
11	BRIM Premium.....	91300	20,786
12	WVU Charleston Poison		
13	Control Hotline	94400	<u>712,942</u>
14	Total.....		\$ 3,414,438

15 Any unexpended balances remaining in the appropriations for
16 Federal Funds/Grant Match (fund 0443, appropriation 74900),
17 Early Warning Flood System (fund 0443, appropriation 87700),
18 and Disaster Mitigation (fund 0443, appropriation 95200) at the
19 close of the fiscal year 2017 are hereby reappropriated for
20 expenditure during the fiscal year 2018, with the exception of fund

21 0443, fiscal year 2017, appropriation 87700 (\$9,500) which shall
 22 expire on June 30, 2017.

66 - Division of Corrections -

Central Office

(WV Code Chapters 25, 28, 49 and 62)

Fund 0446 FY 2018 Org 0608

1	Personal Services and		
2	Employee Benefits.....00100	\$	593,431
3	Current Expenses13000		<u>1,800</u>
4	Total.....	\$	595,231

67 - Division of Corrections -

Correctional Units

(WV Code Chapters 25, 28, 49 and 62)

Fund 0450 FY 2018 Org 0608

1	Employee Benefits.....01000	\$	1,258,136
2	Children's Protection Act (R).....09000		838,437
3	Unclassified (R).....09900		1,578,800
4	Current Expenses (R).....13000		21,151,011
5	Facilities Planning and		
6	Administration (R).....38600		1,274,200
7	Charleston Correctional Center.....45600		2,585,251
8	Beckley Correctional Center.....49000		1,780,425
9	Huntington Work Release Center49500		965,100
10	Anthony Correctional Center.....50400		5,009,807
11	Huttonsville Correctional Center51400		19,760,309
12	Northern Correctional Center.....53400		6,738,979
13	Inmate Medical Expenses (R).....53500		21,226,064
14	Pruntytown Correctional Center54300		6,939,316
15	Corrections Academy.....56900		1,556,666
16	Information Technology Services.....59901		1,616,491
17	Martinsburg Correctional Center66300		3,515,195

18	Parole Services.....	68600	4,945,361
19	Special Services	68700	6,654,557
20	Investigative Services	71600	2,980,734
21	Capital Outlay and Maintenance (R)	75500	2,000,000
22	Salem Correctional Center.....	77400	9,530,531
23	McDowell County Correctional Center	79000	2,542,590
24	Stevens Correctional Center.....	79100	7,863,195
25	Parkersburg Correctional Center.....	82800	2,501,777
26	St. Mary's Correctional Center.....	88100	11,958,071
27	Denmar Correctional Center	88200	4,334,308
28	Ohio County Correctional Center	88300	1,753,224
29	Mt. Olive Correctional Complex	88800	18,789,864
30	Lakin Correctional Center.....	89600	8,658,905
31	BRIM Premium.....	91300	<u>2,359,770</u>
32	Total.....		\$ 184,667,074

33 Any unexpended balances remaining in the appropriations for
34 Children's Protection Act (fund 0450, appropriation 09000),
35 Unclassified – Surplus (fund 0450, appropriation 09700), Current
36 Expenses (fund 0450, appropriation 13000), Facilities Planning
37 and Administration (fund 0450, appropriation 38600), Inmate
38 Medical Expenses (fund 0450, appropriation 53500), Capital
39 Improvements – Surplus (fund 0450, appropriation 66100), Capital
40 Outlay, Repairs and Equipment – Surplus (fund 0450,
41 appropriation 67700), Capital Outlay and Maintenance (fund 0450,
42 appropriation 75500), Security System Improvements – Surplus
43 (fund 0450, appropriation 75501), and Operating Expenses –
44 Surplus (fund 0450, appropriation 77900) at the close of the fiscal
45 year 2017 are hereby reappropriated for expenditure during the
46 fiscal year 2018, with the exception of fund 0450, fiscal year 2017,
47 appropriation 09000 (\$100,000) which shall expire on June 30,
48 2017.

49 The Commissioner of Corrections shall have the authority to
50 transfer between appropriations to the individual correctional units
51 above and may transfer funds from the individual correctional units
52 to Current Expenses (fund 0450, appropriation 13000) or Inmate
53 Medical Expenses (fund 0450, appropriation 53500).

54 From the above appropriation to Unclassified (fund 0450,
55 appropriation 09900), on July 1, 2017, the sum of \$300,000 shall
56 be transferred to the Department of Agriculture – Land Division –
57 Farm Operating Fund (1412) as advance payment for the purchase
58 of food products; actual payments for such purchases shall not be
59 required until such credits have been completely expended.

60 From the above appropriation to Current Expenses (fund 0450,
61 appropriation 13000) payment shall be made to house Division of
62 Corrections inmates in federal, county, and /or regional jails.

63 Any realized savings from Energy Savings Contract may be
64 transferred to Facilities Planning and Administration (fund 0450,
65 appropriation 38600).

68 - West Virginia State Police

(WV Code Chapter 15)

Fund 0453 FY 2018 Org 0612

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 56,281,783
3	Children’s Protection Act	09000	948,101
4	Current Expenses	13000	10,309,769
5	Repairs and Alterations.....	06400	450,523
6	Barracks Lease Payments	55600	237,898
7	Communications and		
8	Other Equipment (R)	55800	70,968
9	Trooper Retirement Fund.....	60500	4,565,197
10	Handgun Administration Expense	74700	67,179
11	Capital Outlay and Maintenance (R)	75500	250,000
12	Retirement Systems –		
13	Unfunded Liability.....	77500	24,675,000
14	Automated Fingerprint		
15	Identification System	89800	723,064
16	BRIM Premium.....	91300	<u>5,368,150</u>
17	Total.....		\$ 103,947,632

18 Any unexpended balances remaining in the appropriations for
19 Communications and Other Equipment (fund 0453, appropriation

20 55800), and Capital Outlay and Maintenance (fund 0453,
 21 appropriation 75500) at the close of the fiscal year 2017 are hereby
 22 reappropriated for expenditure during the fiscal year 2018.

23 From the above appropriation for Personal Services and
 24 Employee Benefits (fund 0453, appropriation 00100), an amount
 25 not less than \$25,000 shall be expended to offset the costs
 26 associated with providing police services for the West Virginia
 27 State Fair.

69 - Fire Commission

(WV Code Chapter 29)

Fund 0436 FY 2018 Org 0619

1	Current Expenses	13000	\$	64,021
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70 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 0546 FY 2018 Org 0620

1	Personal Services and			
2	Employee Benefits.....	00100	\$	531,051
3	Current Expenses	13000		132,696
4	Repairs and Alterations.....	06400		1,804
5	Child Advocacy Centers (R).....	45800		1,701,671
6	Community Corrections (R)	56100		6,905,614
7	Statistical Analysis Program.....	59700		46,381
8	Sexual Assault Forensic			
9	Examination Commission.....	71400		76,231
10	Qualitative Analysis and			
11	Training for Youth Services (R)	76200		332,018
12	Law Enforcement Professional Standards .	83800		154,471
13	BRIM Premium.....	91300		1,788
14	Total.....		\$	9,883,725

15 Any unexpended balances remaining in the appropriations for
 16 Child Advocacy Centers (fund 0546, appropriation 45800),

17 Community Corrections (fund 0546, appropriation 56100), and
 18 Qualitative Analysis and Training for Youth Services (fund 0546,
 19 appropriation 76200) at the close of the fiscal year 2017 are hereby
 20 reappropriated for expenditure during the fiscal year 2018, with the
 21 exception of fund 0546, fiscal year 2017, appropriation 56100
 22 (\$172,000), and fund 0546, fiscal year 2017, appropriation 76200
 23 (\$29,878) which shall expire on June 30, 2017.

24 From the above appropriation for Child Advocacy Centers
 25 (fund 0546, appropriation 45800), the division may retain an
 26 amount not to exceed four percent of the appropriation for
 27 administrative purposes.

71 - Division of Juvenile Services

(WV Code Chapter 49)

Fund 0570 FY 2018 Org 0621

1	Statewide Reporting Centers.....	26200	\$	6,279,447
2	Robert L. Shell Juvenile Center	26700		1,956,950
3	Resident Medical Expenses (R)	53501		3,604,999
4	Central Office.....	70100		2,307,517
5	Capital Outlay and Maintenance (R)	75500		250,000
6	Gene Spadaro Juvenile Center	79300		2,128,385
7	BRIM Premium.....	91300		108,380
8	Kenneth Honey Rubenstein			
9	Juvenile Center (R)	98000		4,926,863
10	Vicki Douglas Juvenile Center	98100		1,870,388
11	Northern Regional Juvenile Center	98200		2,876,302
12	Lorrie Yeager Jr. Juvenile Center	98300		1,909,246
13	Sam Perdue Juvenile Center	98400		2,003,196
14	Tiger Morton Center	98500		2,114,663
15	Donald R. Kuhn Juvenile Center	98600		4,057,994
16	J.M. "Chick" Buckbee Juvenile Center	98700		<u>2,017,395</u>
17	Total.....		\$	38,411,725

18 Any unexpended balances remaining in the appropriations
 19 for Resident Medical Expenses (fund 0570, appropriation
 20 53501), Capital Outlay and Maintenance (fund 0570,

21 appropriation 75500), and Kenneth Honey Rubenstein Juvenile
 22 Center (fund 0570, appropriation 98000) at the close of the fiscal
 23 year 2017 are hereby reappropriated for expenditure during the
 24 fiscal year 2018.

25 From the above appropriations, on July 1, 2017, the sum of
 26 \$50,000 shall be transferred to the Department of Agriculture –
 27 Land Division – Farm Operating Fund (1412) as advance payment
 28 for the purchase of food products; actual payments for such
 29 purchases shall not be required until such credits have been
 30 completely expended.

31 The Director of Juvenile Services shall have the authority to
 32 transfer between appropriations to the individual juvenile
 33 centers above and may transfer funds from the individual
 34 juvenile centers to Resident Medical Expenses (fund 0570,
 35 appropriation 53501).

72 - Division of Protective Services

(WV Code Chapter 5F)

Fund 0585 FY 2018 Org 0622

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,772,420
3	Unclassified (R)	09900	21,991
4	Current Expenses	13000	139,232
5	Repairs and Alterations.....	06400	8,500
6	Equipment (R).....	07000	64,171
7	BRIM Premium.....	91300	<u>11,426</u>
8	Total.....		\$ 3,017,740

9 Any unexpended balances remaining in the appropriations for
 10 Equipment (fund 0585, appropriation 07000), and Unclassified
 11 (fund 0585, appropriation 09900) at the close of the fiscal year
 12 2017 are hereby reappropriated for expenditure during the fiscal
 13 year 2018.

DEPARTMENT OF REVENUE*73 - Office of the Secretary*

(WV Code Chapter 11)

Fund 0465 FY 2018 Org 0701

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 486,146
3	Unclassified.....	09900	5,954
4	Current Expenses	13000	80,780
5	Repairs and Alterations.....	06400	1,262
6	Equipment.....	07000	8,000
7	Other Assets.....	69000	500
8	State Road fund – Transfer	70017	<u>0</u>
9	Total.....		\$ 582,642

10 Any unexpended balance remaining in the appropriation for
 11 Unclassified – Total (fund 0465, appropriation 09600) at the close
 12 of the fiscal year 2017 is hereby reappropriated for expenditure
 13 during the fiscal year 2018.

74 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2018 Org 0702

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 16,265,639
3	Unclassified (R)	09900	224,578
4	Current Expenses (R).....	13000	5,245,381
5	Repairs and Alterations.....	06400	10,000
6	Equipment.....	07000	50,000
7	Tax Technology Upgrade	09400	2,700,000
8	Multi State Tax Commission	65300	77,958
9	Other Assets.....	69000	10,000
10	BRIM Premium.....	91300	<u>14,560</u>
11	Total.....		\$ 24,598,116

12 Any unexpended balances remaining in the appropriations for
 13 Personal Services and Employee Benefits (fund 0470,
 14 appropriation 00100), Unclassified (fund 0470, appropriation
 15 09900), and Current Expenses (fund 0470, appropriation 13000) at
 16 the close of the fiscal year 2017 are hereby reappropriated for
 17 expenditure during the fiscal year 2018.

75 - State Budget Office

(WV Code Chapter 11B)

Fund 0595 FY 2018 Org 0703

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 630,702
3	Unclassified (R)	09900	<u>449</u>
4	Total.....		\$ 631,151

5 Any unexpended balance remaining in the appropriation for
 6 Unclassified (fund 0595, appropriation 09900) at the close of the
 7 fiscal year 2017 is hereby reappropriated for expenditure during the
 8 fiscal year 2018.

76 - West Virginia Office of Tax Appeals

(WV Code Chapter 11)

Fund 0593 FY 2018 Org 0709

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 424,872
3	Current Expenses (R).....	13000	92,572
4	Unclassified.....	09900	5,255
5	BRIM Premium.....	91300	<u>2,862</u>
6	Total.....		\$ 525,561

7 Any unexpended balance remaining in the appropriation for
 8 Current Expenses (fund 0593, appropriation 13000) at the close of
 9 the fiscal year 2017 is hereby reappropriated for expenditure during
 10 the fiscal year 2018.

*77 - Division of Professional and Occupational Licenses –**State Athletic Commission*

(WV Code Chapter 29)

Fund 0523 FY 2018 Org 0933

1	Personal Services and		
2	Employee Benefits.....00100	\$	7,200
3	Current Expenses13000		<u>29,611</u>
4	Total.....	\$	36,811

DEPARTMENT OF TRANSPORTATION*78 - State Rail Authority*

(WV Code Chapter 29)

Fund 0506 FY 2018 Org 0804

1	Personal Services and		
2	Employee Benefits.....00100	\$	314,113
3	Current Expenses13000		287,332
4	Other Assets (R).....69000		1,303,277
5	BRIM Premium.....91300		<u>188,356</u>
6	Total.....	\$	2,093,078

7 Any unexpended balance remaining in the appropriation Other
8 Assets (fund 0506, appropriation 69000) at the close of the fiscal
9 year 2017 is hereby reappropriated for expenditure during the fiscal
10 year 2018, with the exception of fund 0506, fiscal year 2017,
11 appropriation 69000 (\$32,483) which shall expire on June 30,
12 2017.

79 - Division of Public Transit

(WV Code Chapter 17)

Fund 0510 FY 2018 Org 0805

1	Equipment (R).....07000	\$	384,710
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2	Current Expenses (R).....	13000	<u>1,878,279</u>
3	Total.....		\$ 2,262,989

4 Any unexpended balances remaining in the appropriations for
5 Equipment (fund 0510, appropriation 07000), Current Expenses
6 (fund 0510, appropriation 13000), Buildings (fund 0510,
7 appropriation 25800), and Other Assets (fund 0510, appropriation
8 69000) at the close of the fiscal year 2017 are hereby
9 reappropriated for expenditure during the fiscal year 2018, with the
10 exception of fund 0510, fiscal year 2017, appropriation 07000
11 (\$22,203), fund 0510, fiscal year 2017, appropriation 25800
12 (\$5,281), and fund 0510, fiscal year 2017, appropriation 69000
13 (\$5,000) which shall expire on June 30, 2017.

80 - Aeronautics Commission

(WV Code Chapter 29)

Fund 0582 FY 2018 Org 0807

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 166,719
3	Current Expenses (R).....	13000	591,614
4	Repairs and Alterations.....	06400	100
5	BRIM Premium.....	91300	<u>4,148</u>
6	Total.....		\$ 762,581

7 Any unexpended balances remaining in the appropriations for
8 Unclassified (fund 0582, appropriation 09900) and Current
9 Expenses (fund 0582, appropriation 13000) at the close of the fiscal
10 year 2017 are hereby reappropriated for expenditure during the
11 fiscal year 2018.

DEPARTMENT OF VETERANS' ASSISTANCE

81 - Department of Veterans' Assistance

(WV Code Chapter 9A)

Fund 0456 FY 2018 Org 0613

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,807,393

3	Unclassified.....	09900	20,000
4	Current Expenses	13000	137,189
5	Repairs and Alterations.....	06400	5,000
6	Veterans' Field Offices.....	22800	248,345
7	Veterans' Nursing Home (R).....	28600	5,527,826
8	Veterans' Toll Free Assistance Line.....	32800	2,015
9	Veterans' Reeducation Assistance (R).....	32900	29,502
10	Veterans' Grant Program (R).....	34200	30,741
11	Veterans' Grave Markers.....	47300	10,254
12	Veterans' Transportation	48500	625,000
13	Veterans' Outreach Programs.....	61700	160,001
14	Memorial Day Patriotic Exercise.....	69700	20,000
15	Veterans Cemetery.....	80800	375,428
16	BRIM Premium.....	91300	<u>23,860</u>
17	Total.....		\$ 9,022,554

18 Any unexpended balances remaining in the appropriations for
19 Veterans' Nursing Home (fund 0456, appropriation 28600),
20 Veterans' Reeducation Assistance (fund 0456, appropriation
21 32900), Veterans' Grant Program (fund 0456, appropriation
22 34200), Veterans' Bonus – Surplus (fund 0456, appropriation
23 34400), and Educational Opportunities for Children of Deceased
24 Veterans (fund 0456, appropriation 85400) at the close of the fiscal
25 year 2017 are hereby reappropriated for expenditure during the
26 fiscal year 2018, with the exception of fund 0456, fiscal year 2017,
27 appropriation 28600 (\$8,794), fund 0456, fiscal year 2017,
28 appropriation 32900 (\$1,702), and fund 0456, fiscal year 2017,
29 appropriation 34200 (\$29,000) which shall expire on June 30,
30 2017.

82 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 0460 FY 2018 Org 0618

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,093,492

3	Current Expenses	13000		<u>44,576</u>
4	Total.....		\$	1,138,068

BUREAU OF SENIOR SERVICES

83 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 0420 FY 2018 Org 0508

1	Transfer to Division of Human Services			
2	for Health Care and Title XIX			
3	Waiver for Senior Citizens	53900	\$	21,583,766

4 The above appropriation for Transfer to Division of Human
5 Services for Health Care and Title XIX Waiver for Senior Citizens
6 (fund 0420, appropriation 53900) along with the federal moneys
7 generated thereby shall be used for reimbursement for services
8 provided under the program.

9 The above appropriation is in addition to funding provided in
10 fund 5405 for this program.

WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION

84 - West Virginia Council for

Community and Technical College Education –

Control Account

(WV Code Chapter 18B)

Fund 0596 FY 2018 Org 0420

1	West Virginia Council for Community			
2	and Technical Education (R)	39200	\$	723,410
3	Transit Training Partnership	78300		34,293
4	Community College			
5	Workforce Development (R)	87800		784,901

6	College Transition Program.....	88700	278,222
7	West Virginia Advance		
8	Workforce Development (R)	89300	3,116,749
9	Technical Program Development (R)	89400	<u>1,800,735</u>
10	Total.....		\$ 6,738,310

11 Any unexpended balances remaining in the appropriations for
 12 West Virginia Council for Community and Technical Education
 13 (fund 0596, appropriation 39200), Capital Improvements – Surplus
 14 (fund 0596, appropriation 66100), Community College Workforce
 15 Development (fund 0596, appropriation 87800), West Virginia
 16 Advance Workforce Development (fund 0596, appropriation
 17 89300), and Technical Program Development (fund 0596,
 18 appropriation 89400) at the close of the fiscal year 2017 are hereby
 19 reappropriated for expenditure during the fiscal year 2018, with the
 20 exception of fund 0596, fiscal year 2017, appropriation 39200
 21 (\$14,000), fund 0596, fiscal year 2017, appropriation 89300
 22 (\$69,244), and fund 0596, fiscal year 2017, appropriation 89400
 23 (\$45,964) which shall expire on June 30, 2017.

24 From the above appropriation for the Community College
 25 Workforce Development (fund 0596, appropriation 87800),
 26 \$200,000 shall be expended on the Mine Training Program in
 27 Southern West Virginia.

28 Included in the above appropriation for West Virginia Advance
 29 Workforce Development (fund 0596, appropriation 89300) is
 30 \$200,000 to be used exclusively for advanced manufacturing and
 31 energy industry specific training programs.

85 - Mountwest Community and Technical College

(WV Code Chapter 18B)

Fund 0599 FY 2018 Org 0444

1	Mountwest Community and		
2	Technical College	48700	\$ 5,314,947

86 - New River Community and Technical College

(WV Code Chapter 18B)

Fund 0600 FY 2018 Org 0445

1	New River Community and		
2	Technical College	35800	\$ 5,247,765

87 - Pierpont Community and Technical College

(WV Code Chapter 18B)

Fund 0597 FY 2018 Org 0446

1	Pierpont Community and		
2	Technical College	93000	\$ 6,989,036

88 - Blue Ridge Community and Technical College

(WV Code Chapter 18B)

Fund 0601 FY 2018 Org 0447

1	Blue Ridge Community and		
2	Technical College	88500	\$ 4,880,509

89 - West Virginia University at Parkersburg

(WV Code Chapter 18B)

Fund 0351 FY 2018 Org 0464

1	West Virginia University – Parkersburg....	47100	\$ 9,086,528
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90 - Southern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0380 FY 2018 Org 0487

1	Southern West Virginia Community		
2	and Technical College	44600	\$ 7,626,471

91 - West Virginia Northern Community and Technical College

(WV Code Chapter 18B)

Fund 0383 FY 2018 Org 0489

1	West Virginia Northern Community		
2	and Technical College	44700	\$ 6,583,128

92 - Eastern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0587 FY 2018 Org 0492

1	Eastern West Virginia Community		
2	and Technical College	41200	\$ 1,751,421

93 - BridgeValley Community and Technical College

(WV Code Chapter 18B)

Fund 0618 FY 2018 Org 0493

1	BridgeValley Community and		
2	Technical College	71700	\$ 7,158,055

HIGHER EDUCATION POLICY COMMISSION*94 - Higher Education Policy Commission –**Administration –**Control Account*

(WV Code Chapter 18B)

Fund 0589 FY 2018 Org 0441

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,471,913
3	Current Expenses	13000	13,212
4	Higher Education Grant Program	16400	39,019,864

5	Tuition Contract Program (R).....	16500	1,224,564
6	Underwood-Smith Scholarship		
7	Program-Student Awards.....	16700	328,349
8	Facilities Planning		
9	and Administration (R).....	38600	1,749,992
10	PROMISE Scholarship – Transfer.....	80000	18,500,000
11	HEAPS Grant Program (R).....	86700	5,007,764
12	BRIM Premium.....	91300	<u>16,651</u>
13	Total.....		\$ 68,332,309

14 Any unexpended balances remaining in the appropriations for
15 Unclassified – Surplus (fund 0589, appropriation 09700), Tuition
16 Contract Program (fund 0589, appropriation 16500), Capital
17 Improvements – Surplus (fund 0589, appropriation 66100), Capital
18 Outlay and Maintenance (fund 0589, appropriation 75500), and
19 HEAPS Grant Program (fund 0589, appropriation 86700) at the
20 close of the fiscal year 2017 are hereby reappropriated for
21 expenditure during the fiscal year 2018, with the exception of fund
22 0589, fiscal year 2017, appropriation 16500 (\$24,991) which shall
23 expire on June 30, 2017.

24 The above appropriation for Facilities Planning and
25 Administration (fund 0589, appropriation 38600) is for operational
26 expenses of the West Virginia Education, Research and
27 Technology Park between construction and full occupancy.

28 The above appropriation for Higher Education Grant Program
29 (fund 0589, appropriation 16400) shall be transferred to the Higher
30 Education Grant Fund (fund 4933, org 0441) established by W.Va.
31 Code §18C-5-3.

32 The above appropriation for Underwood-Smith Scholarship
33 Program-Student Awards (fund 0589, appropriation 16700) shall
34 be transferred to the Underwood-Smith Teacher Scholarship and
35 Loan Assistance Fund (fund 4922, org 0441) established by W.Va.
36 Code §18C-4-1.

37 The above appropriation for PROMISE Scholarship – Transfer
38 (fund 0589, appropriation 80000) shall be transferred to the

39 PROMISE Scholarship Fund (fund 4296, org 0441) established by
 40 W.Va. Code §18C-7-7.

95 - Higher Education Policy Commission –

Administration -

West Virginia Network for Educational Telecomputing (WVNET)

(WV Code Chapter 18B9)

Fund 0551 FY 2018 Org 0495

1	WVNET	16900	\$	1,578,941
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96 - West Virginia University –

School of Medicine

Medical School Fund

(WV Code Chapter 18B)

Fund 0343 FY 2018 Org 0463

1	WVU School of Health Science –			
2	Eastern Division.....	05600	\$	2,093,146
3	WVU – School of Health Sciences.....	17400		14,443,996
4	WVU – School of Health Sciences –			
5	Charleston Division	17500		2,152,767
6	Rural Health Outreach Programs	37700		158,372
7	West Virginia University			
8	School of Medicine BRIM Subsidy.....	46000		<u>1,203,087</u>
9	Total.....		\$	<u>20,051,368</u>

10 The above appropriation for Rural Health Outreach Programs
 11 (fund 0343, appropriation 37700) includes rural health activities
 12 and programs; rural residency development and education; and
 13 rural outreach activities.

14 The above appropriation for West Virginia University School
 15 of Medicine BRIM Subsidy (fund 0343, appropriation 46000) shall

16 be paid to the Board of Risk and Insurance Management as a
 17 general revenue subsidy against the “Total Premium Billed” to the
 18 institution as part of the full cost of their malpractice insurance
 19 coverage.

97 - West Virginia University –

General Administrative Fund

(WV Code Chapter 18B)

Fund 0344 FY 2018 Org 0463

1	West Virginia University	45900	\$ 91,057,983
2	Jackson’s Mill	46100	472,960
3	West Virginia University		
4	Institute of Technology.....	47900	7,436,007
5	State Priorities – Brownfield		
6	Professional Development.....	53100	314,188
7	West Virginia University –		
8	Potomac State	99400	<u>3,650,589</u>
9	Total.....		\$ 102,931,727

10 From the above appropriation for Jackson’s Mill (fund 0344,
 11 appropriation 46100) \$250,000 shall be used for the West Virginia
 12 State Fire Training Academy.

98 - Marshall University –

School of Medicine

(WV Code Chapter 18B)

Fund 0347 FY 2018 Org 0471

1	Marshall Medical School	17300	\$ 11,859,733
2	Rural Health Outreach Programs (R).....	37700	163,219
3	Forensic Lab.....	37701	235,104
4	Center for Rural Health.....	37702	155,964
5	Marshall University Medical School		
6	BRIM Subsidy	44900	<u>909,673</u>
7	Total.....		\$ 13,323,693

8 Any unexpended balance remaining in the appropriation for
 9 Rural Health Outreach Program (fund 0347, appropriation 37700)
 10 at the close of the fiscal year 2017 is hereby reappropriated for
 11 expenditure during the fiscal year 2018, with the exception of fund
 12 0347, fiscal year 2017, appropriation 37700 (\$3,352) which shall
 13 expire on June 30, 2017.

14 The above appropriation for Rural Health Outreach Programs
 15 (fund 0347, appropriation 37700) includes rural health activities
 16 and programs; rural residency development and education; and
 17 rural outreach activities.

18 The above appropriation for Marshall University Medical
 19 School BRIM Subsidy (fund 0347, appropriation 44900) shall be
 20 paid to the Board of Risk and Insurance Management as a general
 21 revenue subsidy against the “Total Premium Billed” to the
 22 institution as part of the full cost of their malpractice insurance
 23 coverage.

99 - Marshall University –

General Administration Fund

(WV Code Chapter 18B)

Fund 0348 FY 2018 Org 0471

1	Marshall University	44800	\$ 42,171,166
2	Luke Lee Listening Language		
3	and Learning Lab	44801	93,441
4	Vista E-Learning (R).....	51900	229,019
5	State Priorities – Brownfield		
6	Professional Development (R).....	53100	309,606
7	Marshall University Graduate College		
8	Writing Project (R)	80700	25,412
9	WV Autism Training Center (R)	93200	<u>1,671,280</u>
10	Total.....		\$ 44,499,924

11 Any unexpended balances remaining in the appropriations for
 12 Vista E-Learning (fund 0348, appropriation 51900), State Priorities
 13 – Brownfield Professional Development (fund 0348, appropriation

14 53100), Marshall University Graduate College Writing Project (fund
 15 0348, appropriation 80700), and WV Autism Training Center (fund
 16 0348, appropriation 93200) at the close of the fiscal year 2017 are
 17 hereby reappropriated for expenditure during the fiscal year 2018,
 18 with the exception of fund 0348, fiscal year 2017, appropriation
 19 51900 (\$4,982), fund 0348, fiscal year 2017, appropriation 53100
 20 (\$6,687), fund 0348, fiscal year 2017, appropriation 80700 (\$415),
 21 and fund 0348, fiscal year 2017, appropriation 93200 (\$35,906)
 22 which shall expire on June 30, 2017.

100 - West Virginia School of Osteopathic Medicine

(WV Code Chapter 18B)

Fund 0336 FY 2018 Org 0476

1	West Virginia School of		
2	Osteopathic Medicine	17200	\$ 6,487,489
3	Rural Health Outreach Programs (R).....	37700	160,659
4	West Virginia School of		
5	Osteopathic Medicine		
6	BRIM Subsidy	40300	153,405
7	Rural Health Initiative –		
8	Medical Schools Support.....	58100	<u>386,457</u>
9	Total.....		\$ 7,188,010

10 Any unexpended balance remaining in the appropriation for
 11 Rural Health Outreach Programs (fund 0336, appropriation 37700)
 12 at the close of fiscal year 2017 is hereby reappropriated for
 13 expenditure during the fiscal year 2018, with the exception of fund
 14 0336, fiscal year 2017, appropriation 37700 (\$3,367) which shall
 15 expire on June 30, 2017.

16 The above appropriation for Rural Health Outreach Programs
 17 (fund 0336, appropriation 37700) includes rural health activities
 18 and programs; rural residency development and education; and
 19 rural outreach activities.

20 The above appropriation for West Virginia School of
 21 Osteopathic Medicine BRIM Subsidy (fund 0336, appropriation

22 40300) shall be paid to the Board of Risk and Insurance
 23 Management as a general revenue subsidy against the “Total
 24 Premium Billed” to the institution as part of the full cost of their
 25 malpractice insurance coverage.

101 - Bluefield State College

(WV Code Chapter 18B)

Fund 0354 FY 2018 Org 0482

1 Bluefield State College40800 \$ 5,379,199

102 - Concord University

(WV Code Chapter 18B)

Fund 0357 FY 2018 Org 0483

1 Concord University.....41000 \$ 8,278,077

103 - Fairmont State University

(WV Code Chapter 18B)

Fund 0360 FY 2018 Org 0484

1 Fairmont State University.....41400 \$ 14,579,417

104 - Glenville State College

(WV Code Chapter 18B)

Fund 0363 FY 2018 Org 0485

1 Glenville State College42800 \$ 5,622,099

105 - Shepherd University

(WV Code Chapter 18B)

Fund 0366 FY 2018 Org 0486

1 Shepherd University.....43200 \$ 9,360,954

106 - West Liberty University

(WV Code Chapter 18B)

Fund 0370 FY 2018 Org 0488

1 West Liberty University.....43900 \$ 7,592,683

107 - West Virginia State University

(WV Code Chapter 18B)

Fund 0373 FY 2018 Org 0490

1	West Virginia State University	44100	\$	9,514,960
2	West Virginia State University			
3	Land Grant Match.....	95600		<u>1,584,947</u>
4	Total.....		\$	<u>11,099,907</u>

5 Total TITLE II, Section 1 – General Revenue
 6 (Including claims against the state) \$4,225,050,000

1 **Sec. 2. Appropriations from state road fund.** — From the
 2 state road fund there are hereby appropriated conditionally upon
 3 the fulfillment of the provisions set forth in Article 2, Chapter 11B
 4 of the Code the following amounts, as itemized, for expenditure
 5 during the fiscal year 2018.

DEPARTMENT OF TRANSPORTATION

108 - Division of Motor Vehicles

(WV Code Chapters 17, 17A, 17B, 17C, 17D, 20 and 24A)

Fund 9007 FY 2018 Org 0802

			State Road Fund	Appro- priation
1	Personal Services and			
2	Employee Benefits.....	00100	\$	23,278,949
3	Current Expenses	13000		16,192,150

4	Repairs and Alterations.....	06400	144,000
5	Equipment.....	07000	1,080,000
6	Buildings.....	25800	10,000
7	Other Assets.....	69000	2,600,000
8	BRIM Premium.....	91300	<u>73,630</u>
9	Total.....		\$ 43,378,729

109 - Division of Highways

(WV Code Chapters 17 and 17C)

Fund 9017 FY 2018 Org 0803

1	Debt Service.....	04000	\$ 24,000,000
2	Maintenance.....	23700	359,278,000
3	Nonfederal Improvements	23701	231,400,000
4	Inventory Revolving	27500	4,000,000
5	Equipment Revolving	27600	15,000,000
6	General Operations	27700	45,995,000
7	Interstate Construction	27800	100,000,000
8	Other Federal Aid Programs	27900	362,000,000
9	Appalachian Programs	28000	120,000,000
10	Highway Litter Control.....	28200	1,727,000
11	Courtesy Patrol.....	28201	<u>5,000,000</u>
12	Total.....		\$1,268,400,000

13 The above appropriations are to be expended in accordance
14 with the provisions of Chapters 17 and 17C of the code.

15 The Commissioner of Highways shall have the authority to
16 operate revolving funds within the State Road Fund for the
17 operation and purchase of various types of equipment used directly
18 and indirectly in the construction and maintenance of roads and for
19 the purchase of inventories and materials and supplies.

20 There is hereby appropriated in addition to the above
21 appropriations, sufficient money for the payment of claims,
22 accrued or arising during this budgetary period, to be paid in
23 accordance with Sections 17 and 18, Article 2, Chapter 14 of the
24 code.

25 It is the intent of the Legislature to capture and match all federal
 26 funds available for expenditure on the Appalachian highway
 27 system at the earliest possible time. Therefore, should amounts in
 28 excess of those appropriated be required for the purposes of
 29 Appalachian programs, funds in excess of the amount appropriated
 30 may be made available upon recommendation of the commissioner
 31 and approval of the Governor. Further, for the purpose of
 32 Appalachian programs, funds appropriated by appropriation may
 33 be transferred to other appropriations upon recommendation of the
 34 commissioner and approval of the Governor.

110 - Office of Administrative Hearings

(WV Code Chapter 17C)

Fund 9027 FY 2018 Org 0808

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,585,201
3	Current Expenses	13000	338,278
4	Repairs and Alterations.....	06400	3,000
5	Equipment.....	07000	15,500
6	BRIM Premium.....	91300	<u>10,000</u>
7	Total.....		\$ 1,951,979
8	Total TITLE II, Section 2 – State Road Fund		
9	(Including claims against the state)		<u>\$1,314,293,957</u>

1 **Sec. 3. Appropriations from other funds.** — From the funds
 2 designated there are hereby appropriated conditionally upon the
 3 fulfillment of the provisions set forth in Article 2, Chapter 11B of
 4 the Code the following amounts, as itemized, for expenditure
 5 during the fiscal year 2018.

LEGISLATIVE

111 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 1731 FY 2018 Org 2300

	Appropriation		Other Funds
1 Personal Services and			
2 Employee Benefits.....	00100	\$	498,020
3 Current Expenses	13000		133,903
4 Repairs and Alterations.....	06400		1,000
5 Economic Loss Claim Payment Fund.....	33400		2,360,125
6 Other Assets.....	69000		<u>3,700</u>
7 Total.....		\$	2,996,748

JUDICIAL

112 - Supreme Court –

Family Court Fund

(WV Code Chapter 51)

Fund 1763 FY 2018 Org 2400

1 Current Expenses	13000	\$	1,600,000
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113 - Supreme Court –

Court Advanced Technology Subscription Fund

(WV Code Chapter 51)

Fund 1704 FY 2018 Org 2400

1 Current Expenses	13000	\$	500,000
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114 - Supreme Court –

Adult Drug Court Participation Fund

(WV Code Chapter 62)

Fund 1705 FY 2018 Org 2400

1 Current Expenses	13000	\$	300,000
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EXECUTIVE*115 - Governor's Office –**Minority Affairs Fund*

(WV Code Chapter 5)

Fund 1058 FY 2018 Org 0100

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 172,800
3	Current Expenses	13000	503,200
4	Martin Luther King, Jr.		
5	Holiday Celebration.....	03100	<u>8,926</u>
6	Total.....		\$ 684,926

*116 - Auditor's Office –**Land Operating Fund*

(WV Code Chapters 11A, 12 and 36)

Fund 1206 FY 2018 Org 1200

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 749,297
3	Unclassified.....	09900	15,139
4	Current Expenses	13000	715,291
5	Repairs and Alterations.....	06400	2,600
6	Equipment.....	07000	426,741
7	Cost of Delinquent Land Sales.....	76800	<u>1,341,168</u>
8	Total.....		\$ 3,250,236

9 There is hereby appropriated from this fund, in addition to the
10 above appropriations if needed, the necessary amount for the
11 expenditure of funds other than Personal Services and Employee
12 Benefits to enable the division to pay the direct expenses relating
13 to land sales as provided in Chapter 11A of the West Virginia
14 Code.

15 The total amount of these appropriations shall be paid from the
 16 special revenue fund out of fees and collections as provided by law.

117 - Auditor's Office –

Local Government Purchasing Card Expenditure Fund

(WV Code Chapter 6)

Fund 1224 FY 2018 Org 1200

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 588,283
3	Current Expenses	13000	282,030
4	Repairs and Alterations.....	06400	6,000
5	Equipment.....	07000	10,805
6	Other Assets.....	69000	50,000
7	Statutory Revenue Distribution.....	74100	<u>2,000,000</u>
8	Total.....		\$ 2,937,118

9 There is hereby appropriated from this fund, in addition to the
 10 above appropriations if needed, the amount necessary to meet the
 11 transfer of revenue distribution requirements to provide a
 12 proportionate share of rebates back to the general fund of local
 13 governments based on utilization of the program in accordance
 14 with W.Va. Code §6-9-2b.

118 - Auditor's Office –

Securities Regulation Fund

(WV Code Chapter 32)

Fund 1225 FY 2018 Org 1200

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,375,836
3	Unclassified.....	09900	31,866
4	Current Expenses	13000	1,463,830
5	Repairs and Alterations.....	06400	12,400
6	Equipment.....	07000	394,700
7	Other Assets.....	69000	<u>900,000</u>

8 Total..... \$ 5,178,632

119 - Auditor's Office –

Technology Support and Acquisition Fund

(WV Code Chapter 12)

Fund 1233 FY 2018 Org 1200

1	Current Expenses	13000	\$	160,000
2	Other Assets	69000		<u>100,000</u>
3	Total		\$	260,000

4 Fifty percent of the deposits made into this fund shall be
5 transferred to the Treasurer's Office – Technology Support and
6 Acquisition Fund (fund 1329, org 1300) for expenditure for the
7 purposes described in W.Va. Code §12-3-10c.

120 - Auditor's Office –

Purchasing Card Administration Fund

(WV Code Chapter 12)

Fund 1234 FY 2018 Org 1200

1	Personal Services and			
2	Employee Benefits.....	00100	\$	2,667,397
3	Current Expenses	13000		2,303,622
4	Repairs and Alterations.....	06400		5,500
5	Equipment.....	07000		650,000
6	Other Assets.....	69000		308,886
7	Statutory Revenue Distribution.....	74100		<u>4,000,000</u>
8	Total.....		\$	9,935,405

9 There is hereby appropriated from this fund, in addition to the
10 above appropriations if needed, the amount necessary to meet the
11 transfer and revenue distribution requirements to the Purchasing
12 Improvement Fund (fund 2264), the Hatfield-McCoy Regional
13 Recreation Authority, and the State Park Operating Fund (fund
14 3265) per W.Va. Code §12-3-10d.

*121 - Auditor's Office –**Chief Inspector's Fund*

(WV Code Chapter 6)

Fund 1235 FY 2018 Org 1200

1	Personal Services and		
2	Employee Benefits.....00100	\$	3,405,512
3	Current Expenses13000		765,915
4	Equipment.....07000		<u>50,000</u>
5	Total.....	\$	4,221,427

*122 - Auditor's Office –**Volunteer Fire Department Workers'**Compensation Premium Subsidy Fund*

(WV Code Chapters 12 and 33)

Fund 1239 FY 2018 Org 1200

1	Volunteer Fire Department		
2	Workers' Compensation Subsidy83200	\$	2,500,000

*123 - Treasurer's Office**College Prepaid Tuition and Savings Program**Administrative Account*

(WV Code Chapter 18)

Fund 1301 FY 2018 Org 1300

1	Personal Services and		
2	Employee Benefits.....00100	\$	774,769
3	Unclassified.....09900		14,000
4	Current Expenses13000		<u>619,862</u>
5	Total.....	\$	1,408,631

*124 - Department of Agriculture –**Agriculture Fees Fund*

(WV Code Chapter 19)

Fund 1401 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,244,245
3	Unclassified.....	09900	37,425
4	Current Expenses	13000	1,356,184
5	Repairs and Alterations.....	06400	58,500
6	Equipment.....	07000	36,209
7	Other Assets.....	69000	<u>10,000</u>
8	Total.....		\$ 3,742,563

*125 - Department of Agriculture –**West Virginia Rural Rehabilitation Program*

(WV Code Chapter 19)

Fund 1408 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 73,807
3	Unclassified.....	09900	10,476
4	Current Expenses	13000	<u>963,404</u>
5	Total.....		\$ 1,047,687

*126 - Department of Agriculture –**General John McCausland Memorial Farm Fund*

(WV Code Chapter 19)

Fund 1409 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 67,000
3	Unclassified.....	09900	2,100

4	Current Expenses	13000		89,500
5	Repairs and Alterations.....	06400		36,400
6	Equipment.....	07000		<u>15,000</u>
7	Total.....		\$	210,000

8 The above appropriations shall be expended in accordance with
9 Article 26, Chapter 19 of the Code.

127 - Department of Agriculture –

Farm Operating Fund

(WV Code Chapter 19)

Fund 1412 FY 2018 Org 1400

1	Personal Services and			
2	Employee Benefits.....	00100	\$	309,248
3	Unclassified.....	09900		15,173
4	Current Expenses	13000		1,167,464
5	Repairs and Alterations.....	06400		238,722
6	Equipment.....	07000		249,393
7	Other Assets.....	69000		<u>20,000</u>
8	Total.....		\$	2,000,000

128 - Department of Agriculture –

Donated Food Fund

(WV Code Chapter 19)

Fund 1446 FY 2018 Org 1400

1	Personal Services and			
2	Employee Benefits.....	00100	\$	958,864
3	Unclassified.....	09900		45,807
4	Current Expenses	13000		3,410,542
5	Repairs and Alterations.....	06400		128,500
6	Equipment.....	07000		10,000
7	Other Assets.....	69000		<u>27,000</u>
8	Total.....		\$	4,580,713

*129 - Department of Agriculture –
Integrated Predation Management Fund*

(WV Code Chapter 7)

Fund 1465 FY 2018 Org 1400

1	Current Expenses	13000	\$	100,000
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*130 - Department of Agriculture –
West Virginia Spay Neuter Assistance Fund*

(WV Code Chapter 19)

Fund 1481 FY 2018 Org 1400

1	Current Expenses	13000	\$	100
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*131 - Department of Agriculture –
Veterans and Warriors to Agriculture Fund*

(WV Code Chapter 19)

Fund 1483 FY 2018 Org 1400

1	Current Expenses	13000	\$	7,500
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*132 - Department of Agriculture –
State FFA-FHA Camp and Conference Center*

(WV Code Chapters 18 and 18A)

Fund 1484 FY 2018 Org 1400

1	Personal Services and			
2	Employee Benefits.....	00100	\$	1,169,194
3	Unclassified.....	09900		17,000
4	Current Expenses	13000		707,223
5	Repairs and Alterations.....	06400		57,500
6	Equipment.....	07000		1,000

7	Buildings.....	25800		1,000
8	Other Assets.....	69000		10,000
9	Land.....	73000		1,000
10	Total.....		\$	1,963,917

*133 - Attorney General –**Antitrust Enforcement Fund*

(WV Code Chapter 47)

Fund 1507 FY 2018 Org 1500

1	Personal Services and			
2	Employee Benefits.....	00100	\$	356,900
3	Current Expenses.....	13000		148,803
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		1,000
6	Total.....		\$	507,703

*134 - Attorney General –**Preneed Burial Contract Regulation Fund*

(WV Code Chapter 47)

Fund 1513 FY 2018 Org 1500

1	Personal Services and			
2	Employee Benefits.....	00100	\$	210,226
3	Current Expenses.....	13000		54,615
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		1,000
6	Total.....		\$	266,841

*135 - Attorney General –**Preneed Funeral Guarantee Fund*

(WV Code Chapter 47)

Fund 1514 FY 2018 Org 1500

1	Current Expenses.....	13000	\$	901,135
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*136 - Secretary of State –**Service Fees and Collection Account*

(WV Code Chapters 3, 5, and 59)

Fund 1612 FY 2018 Org 1600

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 991,051
3	Unclassified.....	09900	4,524
4	Current Expenses	13000	<u>8,036</u>
5	Total.....		\$ 1,003,611

*137 - Secretary of State –**General Administrative Fees Account*

(WV Code Chapters 3, 5, and 59)

Fund 1617 FY 2018 Org 1600

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,769,898
3	Unclassified.....	09900	25,529
4	Current Expenses	13000	796,716
5	Technology Improvements	59900	<u>750,000</u>
6	Total.....		\$ 4,342,143

DEPARTMENT OF ADMINISTRATION*138 - Department of Administration –**Office of the Secretary –**Tobacco Settlement Fund*

(WV Code Chapter 4)

Fund 2041 FY 2018 Org 0201

1	Tobacco Settlement Securitization		
2	Trustee Pass Thru	65000	\$ 80,000,000

*139 - Department of Administration –**Office of the Secretary –**Employee Pension and Health Care Benefit Fund*

(WV Code Chapter 18)

Fund 2044 FY 2018 Org 0201

- 1 Current Expenses 13000 \$ 34,638,000
- 2 The above appropriation for Current Expenses (fund 2044,
3 appropriation 13000) shall be transferred to the Consolidated
4 Public Retirement Board – West Virginia Teachers’ Retirement
5 System Employers Accumulation Fund (fund 2601).

140 - Division of Information Services and Communications

(WV Code Chapter 5A)

Fund 2220 FY 2018 Org 0210

- | | | | |
|---|------------------------------|-------|------------------|
| 1 | Personal Services and | | |
| 2 | Employee Benefits..... | 00100 | \$ 21,378,322 |
| 3 | Unclassified..... | 09900 | 382,354 |
| 4 | Current Expenses | 13000 | 13,378,766 |
| 5 | Repairs and Alterations..... | 06400 | 1,000 |
| 6 | Equipment..... | 07000 | 2,050,000 |
| 7 | Other Assets..... | 69000 | <u>1,045,000</u> |
| 8 | Total..... | | \$ 38,235,442 |
- 9 The total amount of these appropriations shall be paid from a
10 special revenue fund out of collections made by the Division of
11 Information Services and Communications as provided by law.

- 12 Each spending unit operating from the General Revenue Fund,
13 from special revenue funds or receiving reimbursement for postage
14 from the federal government shall be charged monthly for all
15 postage meter service and shall reimburse the revolving fund
16 monthly for all such amounts.

*141 - Division of Purchasing –**Vendor Fee Fund*

(WV Code Chapter 5A)

Fund 2263 FY 2018 Org 0213

1	Personal Services and		
2	Employee Benefits.....00100	\$	655,208
3	Unclassified.....09900		2,382
4	Current Expenses13000		238,115
5	Repairs and Alterations.....06400		5,000
6	Equipment.....07000		2,500
7	Other Assets.....69000		2,500
8	BRIM Premium.....91300		810
9	Total.....	\$	906,515

*142 - Division of Purchasing –**Purchasing Improvement Fund*

(WV Code Chapter 5A)

Fund 2264 FY 2018 Org 0213

1	Personal Services and		
2	Employee Benefits.....00100	\$	540,889
3	Unclassified.....09900		5,562
4	Current Expenses13000		393,066
5	Repairs and Alterations.....06400		500
6	Equipment.....07000		500
7	Other Assets.....69000		500
8	BRIM Premium.....91300		850
9	Total.....	\$	941,867

*143 - Travel Management –**Fleet Management Office Fund*

(WV Code Chapter 5A)

Fund 2301 FY 2018 Org 0215

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 722,586
3	Unclassified.....	09900	4,000
4	Current Expenses	13000	8,130,614
5	Repairs and Alterations.....	06400	12,000
6	Equipment.....	07000	800,000
7	Other Assets.....	69000	2,000
8	Total.....		\$ 9,671,200

*144 - Travel Management -**Aviation Fund*

(WV Code Chapter 5A)

Fund 2302 FY 2018 Org 0215

1	Unclassified.....	09900	\$ 1,000
2	Current Expenses	13000	149,700
3	Repairs and Alterations.....	06400	400,237
4	Equipment.....	07000	1,000
5	Buildings.....	25800	100
6	Other Assets.....	69000	100
7	Land	73000	100
8	Total.....		\$ 552,237

145 - Division of Personnel

(WV Code Chapter 29)

Fund 2440 FY 2018 Org 0222

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,942,590
3	Unclassified.....	09900	51,418
4	Current Expenses	13000	1,062,813
5	Repairs and Alterations.....	06400	5,000
6	Equipment.....	07000	20,000
7	Other Assets.....	69000	60,000

8 Total..... \$ 5,141,821

9 The total amount of these appropriations shall be paid from a
10 special revenue fund out of fees collected by the Division of
11 Personnel.

146 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 2521 FY 2018 Org 0228

1	Personal Services and		
2	Employee Benefits.....00100	\$	249,242
3	Unclassified.....09900		4,023
4	Current Expenses13000		297,528
5	Repairs and Alterations.....06400		600
6	Equipment.....07000		500
7	Other Assets.....69000		<u>500</u>
8	Total.....	\$	552,393

147 - Office of Technology –

Chief Technology Officer Administration Fund

(WV Code Chapter 5A)

Fund 2531 FY 2018 Org 0231

1	Personal Services and		
2	Employee Benefits.....00100	\$	399,911
3	Unclassified.....09900		6,949
4	Current Expenses13000		227,116
5	Repairs and Alterations.....06400		1,000
6	Equipment.....07000		50,000
7	Other Assets.....69000		<u>10,000</u>
8	Total.....	\$	694,976

9 From the above fund, the provisions of W.Va. Code §11B-2-
10 18 shall not operate to permit expenditures in excess of the funds
11 authorized for expenditure herein.

DEPARTMENT OF COMMERCE*148 - Division of Forestry*

(WV Code Chapter 19)

Fund 3081 FY 2018 Org 0305

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,464,328
3	Current Expenses	13000	282,202
4	Repairs and Alterations.....	06400	<u>53,000</u>
5	Total.....		\$ 1,799,530

*149 - Division of Forestry –**Timbering Operations Enforcement Fund*

(WV Code Chapter 19)

Fund 3082 FY 2018 Org 0305

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 224,433
3	Current Expenses	13000	87,036
4	Repairs and Alterations.....	06400	<u>11,250</u>
5	Total.....		\$ 322,719

*150 - Division of Forestry –**Severance Tax Operations*

(WV Code Chapter 11)

Fund 3084 FY 2018 Org 0305

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 859,626
3	Current Expenses	13000	<u>435,339</u>
4	Total.....		\$ 1,294,965

*151 - Geological and Economic Survey –**Geological and Analytical Services Fund*

(WV Code Chapter 29)

Fund 3100 FY 2018 Org 0306

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 37,966
3	Unclassified.....	09900	2,182
4	Current Expenses	13000	141,631
5	Repairs and Alterations.....	06400	50,000
6	Equipment.....	07000	20,000
7	Other Assets.....	69000	<u>10,000</u>
8	Total.....		\$ 261,779

9 The above appropriations shall be used in accordance with
 10 W.Va. Code §29-2-4.

*152 - West Virginia Development Office –**Department of Commerce –**Marketing and Communications Operating Fund*

(WV Code Chapter 5B)

Fund 3002 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,528,219
3	Unclassified.....	09900	30,000
4	Current Expenses	13000	<u>1,482,760</u>
5	Total.....		\$ 3,040,979

*153 - West Virginia Development Office –**Office of Coalfield Community Development*

(WV Code Chapter 5B)

Fund 3162 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 430,724
3	Unclassified.....	09900	8,300
4	Current Expenses	13000	<u>399,191</u>
5	Total.....		\$ 838,215

*154 - Division of Labor –**HVAC Fund*

(WV Code Chapter 21)

Fund 3186 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 300,000
3	Unclassified.....	09900	4,000
4	Current Expenses	13000	85,000
5	Repairs and Alterations.....	06400	1,500
6	Buildings	25800	1,000
7	BRIM Premium.....	91300	<u>8,500</u>
8	Total.....		\$ 400,000

*155 - Division of Labor –**Contractor Licensing Board Fund*

(WV Code Chapter 21)

Fund 3187 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,019,374
3	Unclassified.....	09900	21,589
4	Current Expenses	13000	597,995
5	Repairs and Alterations.....	06400	15,000
6	Buildings	25800	5,000
7	BRIM Premium.....	91300	<u>8,500</u>
8	Total.....		\$ 3,667,458

*156 - Division of Labor –**Elevator Safety Fund*

(WV Code Chapter 21)

Fund 3188 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 376,772
3	Unclassified.....	09900	2,261
4	Current Expenses	13000	44,112
5	Repairs and Alterations.....	06400	2,000
6	Buildings	25800	1,000
7	BRIM Premium.....	91300	8,500
8	Total.....		\$ 434,645

*157 - Division of Labor –**Steam Boiler Fund*

(WV Code Chapter 21)

Fund 3189 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 80,000
3	Unclassified.....	09900	1,000
4	Current Expenses	13000	15,000
5	Repairs and Alterations.....	06400	2,000
6	Buildings	25800	1,000
7	BRIM Premium.....	91300	1,000
8	Total.....		\$ 100,000

*158 - Division of Labor –**Crane Operator Certification Fund*

(WV Code Chapter 21)

Fund 3191 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 184,380
3	Unclassified.....	09900	1,380
4	Current Expenses	13000	49,765
5	Repairs and Alterations.....	06400	1,500
6	Buildings.....	25800	1,000
7	BRIM Premium.....	91300	8,500
8	Total.....		\$ 246,525

159 - Division of Labor –

Amusement Rides and Amusement Attraction Safety Fund

(WV Code Chapter 21)

Fund 3192 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 179,316
3	Unclassified.....	09900	1,281
4	Current Expenses	13000	44,520
5	Repairs and Alterations.....	06400	2,000
6	Buildings.....	25800	1,000
7	BRIM Premium.....	91300	8,500
8	Total.....		\$ 236,617

160 - Division of Labor –

State Manufactured Housing Administration Fund

(WV Code Chapter 21)

Fund 3195 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 283,768
3	Unclassified.....	09900	1,847
4	Current Expenses	13000	43,700
5	Repairs and Alterations.....	06400	1,000
6	Buildings.....	25800	1,000
7	BRIM Premium.....	91300	3,404
8	Total.....		\$ 334,719

*161 - Division of Labor –**Weights and Measures Fund*

(WV Code Chapter 47)

Fund 3196 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 424,965
3	Current Expenses	13000	227,000
4	Repairs and Alterations.....	06400	28,000
5	Equipment.....	07000	15,000
6	BRIM Premium.....	91300	<u>8,500</u>
7	Total.....		\$ 703,465

*162 - Division of Labor –**Bedding and Upholstery Fund*

(WV Code Chapter 21)

Fund 3198 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 150,000
3	Unclassified.....	09900	2,000
4	Current Expenses	13000	43,000
5	Repairs and Alterations.....	06400	2,000
6	Buildings.....	25800	1,000
7	BRIM Premium.....	91300	<u>2,000</u>
8	Total.....		\$ 200,000

*163 - Division of Labor –**Psychophysiological Examiners Fund*

(WV Code Chapter 21)

Fund 3199 FY 2018 Org 0308

1	Current Expenses	13000	\$ 4,000
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*164 - Division of Natural Resources –**License Fund – Wildlife Resources*

(WV Code Chapter 20)

Fund 3200 FY 2018 Org 0310

1	Wildlife Resources.....	02300	\$	5,551,895
2	Administration	15500		1,387,974
3	Capital Improvements and			
4	Land Purchase (R)	24800		1,387,973
5	Law Enforcement.....	80600		<u>5,551,895</u>
6	Total.....		\$	13,879,737

7 The total amount of these appropriations shall be paid from a
8 special revenue fund out of fees collected by the Division of
9 Natural Resources.

10 Any unexpended balance remaining in the appropriation for
11 Capital Improvements and Land Purchase (fund 3200,
12 appropriation 24800) at the close of the fiscal year 2017 is hereby
13 reappropriated for expenditure during the fiscal year 2018.

*165 - Division of Natural Resources –**Natural Resources Game Fish and Aquatic Life Fund*

(WV Code Chapter 22)

Fund 3202 FY 2018 Org 0310

1	Current Expenses	13000	\$	125,000
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*166 - Division of Natural Resources –**Nongame Fund*

(WV Code Chapter 20)

Fund 3203 FY 2018 Org 0310

1	Personal Services and			
2	Employee Benefits.....	00100	\$	678,109

3	Current Expenses	13000		201,930
4	Equipment.....	07000		<u>106,615</u>
5	Total.....		\$	986,654

167 - Division of Natural Resources –

Planning and Development Division

(WV Code Chapter 20)

Fund 3205 FY 2018 Org 0310

1	Personal Services and			
2	Employee Benefits.....	00100	\$	289,167
3	Current Expenses	13000		157,864
4	Repairs and Alterations.....	06400		15,016
5	Equipment.....	07000		8,300
6	Buildings.....	25800		8,300
7	Other Assets.....	69000		2,000,000
8	Land	73000		<u>31,700</u>
9	Total.....		\$	2,510,347

168 - Division of Natural Resources –

Whitewater Study and Improvement Fund

(WV Code Chapter 20)

Fund 3253 FY 2018 Org 0310

1	Personal Services and			
2	Employee Benefits.....	00100	\$	62,704
3	Current Expenses	13000		64,778
4	Equipment.....	07000		1,297
5	Buildings.....	25800		<u>6,969</u>
6	Total.....		\$	135,748

169 - Division of Natural Resources –

Whitewater Advertising and Promotion Fund

(WV Code Chapter 20)

Fund 3256 FY 2018 Org 0310

1	Unclassified.....	09900	\$	200
2	Current Expenses	13000		<u>19,800</u>
3	Total.....		\$	20,000

170 - Division of Miners' Health, Safety and Training –

Special Health, Safety and Training Fund

(WV Code Chapter 22A)

Fund 3355 FY 2018 Org 0314

1	Personal Services and			
2	Employee Benefits.....	00100	\$	471,606
3	WV Mining Extension Service	02600		150,000
4	Unclassified.....	09900		40,985
5	Current Expenses	13000		1,954,557
6	Buildings	25800		481,358
7	Land	73000		<u>1,000,000</u>
8	Total.....		\$	4,098,506

171 - Department of Commerce –

Office of the Secretary –

Broadband Enhancement Fund

Fund 3013 FY 2018 Org 0327

1	Current Expenses	13000	\$	1,887,000
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172 - Office of Energy –

Energy Assistance

(WV Code Chapter 5B)

Fund 3010 FY 2018 Org 0328

1	Energy Assistance – Total	64700	\$	62,000
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DEPARTMENT OF EDUCATION*173 - State Board of Education –**Strategic Staff Development*

(WV Code Chapter 18)

Fund 3937 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 134,000
3	Unclassified.....	09900	1,000
4	Current Expenses	13000	<u>265,000</u>
5	Total.....		\$ 400,000

*174 - State Board of Education –**School Construction Fund*

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

1	SBA Construction Grants	24000	\$ 35,845,818
2	Directed Transfer	70000	<u>1,371,182</u>
3	Total.....		\$ 37,217,000

4 The above appropriation for Directed Transfer (fund 3951,
5 appropriation 70000) shall be transferred to the School Building
6 Authority Fund (3959) for the administrative expenses of the
7 School Building Authority.

175 - School Building Authority

(WV Code Chapter 18)

Fund 3959 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,085,152
3	Current Expenses	13000	246,880
4	Repairs and Alterations.....	06400	13,150

5	Equipment.....	07000		<u>26,000</u>
6	Total.....		\$	1,371,182

DEPARTMENT OF EDUCATION AND THE ARTS

176 - Office of the Secretary –

Lottery Education Fund Interest Earnings –

Control Account

(WV Code Chapter 29)

Fund 3508 FY 2018 Org 0431

1 Any unexpended balance remaining in the appropriation for
 2 Educational Enhancements (fund 3508, appropriation 69500) at the
 3 close of the fiscal year 2017 is hereby reappropriated for
 4 expenditure during the fiscal year 2018.

177 - Division of Culture and History –

Public Records and Preservation Revenue Account

(WV Code Chapter 5A)

Fund 3542 FY 2018 Org 0432

1	Personal Services and			
2	Employee Benefits.....	00100	\$	211,418
3	Current Expenses	13000		862,241
4	Equipment.....	07000		75,000
5	Buildings.....	25800		1,000
6	Other Assets.....	69000		52,328
7	Land	73000		<u>1,000</u>
8	Total.....		\$	1,202,987

178 - State Board of Rehabilitation –

Division of Rehabilitation Services –

West Virginia Rehabilitation Center Special Account

(WV Code Chapter 18)

Fund 8664 FY 2018 Org 0932

1	Personal Services and		
2	Employee Benefits.....00100	\$	119,738
3	Current Expenses13000		2,180,122
4	Repairs and Alterations.....06400		85,500
5	Equipment.....07000		220,000
6	Buildings.....25800		150,000
7	Other Assets.....69000		<u>150,000</u>
8	Total.....	\$	2,905,360

DEPARTMENT OF ENVIRONMENTAL PROTECTION*179 - Solid Waste Management Board*

(WV Code Chapter 22C)

Fund 3288 FY 2018 Org 0312

1	Personal Services and		
2	Employee Benefits.....00100	\$	802,209
3	Current Expenses13000		2,061,057
4	Repairs and Alterations.....06400		1,000
5	Equipment.....07000		5,000
6	Other Assets.....69000		<u>4,403</u>
7	Total.....	\$	2,873,669

*180 - Division of Environmental Protection –**Hazardous Waste Management Fund*

(WV Code Chapter 22)

Fund 3023 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....00100	\$	692,784
3	Current Expenses13000		195,569
4	Repairs and Alterations.....06400		500
5	Equipment.....07000		1,505

6	Unclassified.....	09900		3,072
7	Other Assets.....	69000		<u>2,000</u>
8	Total.....		\$	895,430

181 - Division of Environmental Protection –

Air Pollution Education and Environment Fund

(WV Code Chapter 22)

Fund 3024 FY 2018 Org 0313

1	Personal Services and			
2	Employee Benefits.....	00100	\$	935,324
3	Current Expenses	13000		1,238,610
4	Repairs and Alterations.....	06400		13,000
5	Equipment.....	07000		53,105
6	Unclassified.....	09900		2,900
7	Other Assets.....	69000		<u>20,000</u>
8	Total.....		\$	2,262,939

182 - Division of Environmental Protection –

Special Reclamation Fund

(WV Code Chapter 22)

Fund 3321 FY 2018 Org 0313

1	Personal Services and			
2	Employee Benefits.....	00100	\$	1,350,829
3	Current Expenses	13000		16,402,506
4	Repairs and Alterations.....	06400		79,950
5	Equipment.....	07000		130,192
6	Other Assets.....	69000		<u>32,000</u>
7	Total.....		\$	17,995,477

183 - Division of Environmental Protection –

Oil and Gas Reclamation Fund

(WV Code Chapter 22)

Fund 3322 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 143,906
3	Current Expenses	13000	<u>356,094</u>
4	Total.....		\$ 500,000

184 - Division of Environmental Protection –

Oil and Gas Operating Permit and Processing Fund

(WV Code Chapter 22)

Fund 3323 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,321,164
3	Current Expenses	13000	1,257,758
4	Repairs and Alterations.....	06400	20,600
5	Equipment.....	07000	8,000
6	Unclassified.....	09900	44,700
7	Other Assets.....	69000	<u>15,000</u>
8	Total.....		\$ 4,667,222

185 - Division of Environmental Protection –

Mining and Reclamation Operations Fund

(WV Code Chapter 22)

Fund 3324 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 4,035,449
3	Current Expenses	13000	2,300,097
4	Repairs and Alterations.....	06400	60,260
5	Equipment.....	07000	85,134
6	Unclassified.....	09900	920
7	Other Assets.....	69000	<u>57,500</u>
8	Total.....		\$ 6,539,360

*186 - Division of Environmental Protection –**Underground Storage Tank**Administrative Fund*

(WV Code Chapter 22)

Fund 3325 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 466,543
3	Current Expenses	13000	318,420
4	Repairs and Alterations.....	06400	5,350
5	Equipment.....	07000	3,610
6	Unclassified.....	09900	7,520
7	Other Assets.....	69000	<u>3,500</u>
8	Total.....		\$ 804,943

*187 - Division of Environmental Protection –**Hazardous Waste Emergency Response Fund*

(WV Code Chapter 22)

Fund 3331 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 643,319
3	Current Expenses	13000	422,386
4	Repairs and Alterations.....	06400	7,014
5	Equipment.....	07000	9,000
6	Unclassified.....	09900	10,616
7	Other Assets.....	69000	<u>11,700</u>
8	Total.....		\$ 1,104,035

*188 - Division of Environmental Protection –**Solid Waste Reclamation and**Environmental Response Fund*

(WV Code Chapter 22)

Fund 3332 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 793,967
3	Current Expenses	13000	3,605,237
4	Repairs and Alterations.....	06400	25,000
5	Equipment.....	07000	31,500
6	Unclassified.....	09900	22,900
7	Other Assets.....	69000	<u>1,000</u>
8	Total.....		\$ 4,479,604

*189 - Division of Environmental Protection –**Solid Waste Enforcement Fund*

(WV Code Chapter 22)

Fund 3333 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,041,424
3	Current Expenses	13000	1,020,229
4	Repairs and Alterations.....	06400	30,930
5	Equipment.....	07000	23,356
6	Unclassified.....	09900	37,145
7	Other Assets.....	69000	<u>25,554</u>
8	Total.....		\$ 4,178,638

*190 - Division of Environmental Protection –**Air Pollution Control Fund*

(WV Code Chapter 22)

Fund 3336 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 5,667,421
3	Current Expenses	13000	1,518,704
4	Repairs and Alterations.....	06400	84,045

5	Equipment.....	07000		115,356
6	Unclassified.....	09900		5,580
7	Other Assets.....	69000		<u>52,951</u>
8	Total.....		\$	7,444,057

191 - Division of Environmental Protection –

Environmental Laboratory

Certification Fund

(WV Code Chapter 22)

Fund 3340 FY 2018 Org 0313

1	Personal Services and			
2	Employee Benefits.....	00100	\$	295,444
3	Current Expenses	13000		216,288
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		6,500
6	Unclassified.....	09900		1,120
7	Other Assets.....	69000		<u>179,000</u>
8	Total.....		\$	699,352

192 - Division of Environmental Protection –

Stream Restoration Fund

(WV Code Chapter 22)

Fund 3349 FY 2018 Org 0313

1	Current Expenses	13000	\$	9,298,205
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193 - Division of Environmental Protection –

Litter Control Fund

(WV Code Chapter 22)

Fund 3486 FY 2018 Org 0313

1	Current Expenses	13000	\$	60,000
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*194 - Division of Environmental Protection –**Recycling Assistance Fund*

(WV Code Chapter 22)

Fund 3487 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 646,395
3	Current Expenses	13000	2,735,112
4	Repairs and Alterations.....	06400	800
5	Equipment.....	07000	500
6	Unclassified.....	09900	400
7	Other Assets.....	69000	<u>2,500</u>
8	Total.....		\$ 3,385,707

*195 - Division of Environmental Protection –**Mountaintop Removal Fund*

(WV Code Chapter 22)

Fund 3490 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,228,345
3	Current Expenses	13000	638,729
4	Repairs and Alterations.....	06400	30,112
5	Equipment.....	07000	23,725
6	Unclassified.....	09900	1,180
7	Other Assets.....	69000	<u>15,500</u>
8	Total.....		\$ 1,937,591

*196 - Oil and Gas Conservation Commission –**Special Oil and Gas Conservation Fund*

(WV Code Chapter 22C)

Fund 3371 FY 2018 Org 0315

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 157,224
3	Current Expenses	13000	161,225
4	Repairs and Alterations.....	06400	1,000
5	Equipment.....	07000	9,481
6	Other Assets.....	69000	<u>1,500</u>
7	Total.....		\$ 330,430

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

197 - Division of Health –

Ryan Brown Addiction Prevention and Recovery Fund

(WV Code Chapter 19)

Fund 5111 FY 2018 Org 0506

1	Current Expenses	13000	\$ 22,000,000
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198 - Division of Health –

The Vital Statistics Account

(WV Code Chapter 16)

Fund 5144 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 876,771
3	Unclassified.....	09900	15,500
4	Current Expenses	13000	<u>1,257,788</u>
5	Total.....		\$ 2,150,059

199 - Division of Health –

Hospital Services Revenue Account

Special Fund

Capital Improvement, Renovation and Operations

(WV Code Chapter 16)

Fund 5156 FY 2018 Org 0506

1	Institutional Facilities Operations	33500	\$ 56,708,911
2	Medical Services Trust Fund – Transfer....	51200	<u>27,800,000</u>
3	Total.....		\$ 84,508,911

4 The total amount of these appropriations shall be paid from the
 5 Hospital Services Revenue Account Special Fund created by
 6 W.Va. Code §16-1-13, and shall be used for operating expenses
 7 and for improvements in connection with existing facilities.

8 Additional funds have been appropriated in fund 0525, fiscal
 9 year 2018, organization 0506, for the operation of the institutional
 10 facilities. The Secretary of the Department of Health and Human
 11 Resources is authorized to utilize up to ten percent of the funds
 12 from the appropriation for Institutional Facilities Operations to
 13 facilitate cost effective and cost saving services at the community
 14 level.

15 Necessary funds from the above appropriation may be used for
 16 medical facilities operations, either in connection with this fund or
 17 in connection with the appropriation designated Institutional
 18 Facilities Operations in the Consolidated Medical Service Fund
 19 (fund 0525, organization 0506).

20 From the above appropriation to Institutional Facilities
 21 Operations, together with available funds from the Consolidated
 22 Medical Services Fund (fund 0525, appropriation 33500) on July
 23 1, 2017, the sum of \$160,000 shall be transferred to the Department
 24 of Agriculture – Land Division – Farm Operating Fund (1412) as
 25 advance payment for the purchase of food products; actual
 26 payments for such purchases shall not be required until such credits
 27 have been completely expended.

200 - Division of Health –

Laboratory Services Fund

(WV Code Chapter 16)

Fund 5163 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 862,657
3	Unclassified.....	09900	18,114
4	Current Expenses	13000	<u>930,716</u>
5	Total.....		\$ 1,811,487

201 - Division of Health –

The Health Facility Licensing Account

(WV Code Chapter 16)

Fund 5172 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 605,950
3	Unclassified.....	09900	7,113
4	Current Expenses	13000	<u>98,247</u>
5	Total.....		\$ 711,310

202 - Division of Health –

Hepatitis B Vaccine

(WV Code Chapter 16)

Fund 5183 FY 2018 Org 0506

1	Current Expenses	13000	\$ 13,800
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203 - Division of Health –

Lead Abatement Account

(WV Code Chapter 16)

Fund 5204 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 19,100
3	Unclassified.....	09900	373
4	Current Expenses	13000	<u>17,875</u>
5	Total.....		\$ 37,348

*204 - Division of Health –**West Virginia Birth-to-Three Fund*

(WV Code Chapter 16)

Fund 5214 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 707,545
3	Unclassified.....	09900	223,999
4	Current Expenses	13000	<u>27,993,549</u>
5	Total.....		\$ 28,925,093

*205 - Division of Health –**Tobacco Control Special Fund*

(WV Code Chapter 16)

Fund 5218 FY 2018 Org 0506

1	Current Expenses	13000	\$ 7,579
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*206 - West Virginia Health Care Authority –**Health Care Cost Review Fund*

(WV Code Chapter 16)

Fund 5375 FY 2018 Org 0507

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,033,821
3	Hospital Assistance.....	02500	600,000
4	Unclassified.....	09900	67,000
5	Current Expenses	13000	2,837,945
6	Repairs and Alterations.....	06400	25,000
7	Equipment.....	07000	50,000
8	Buildings.....	25800	25,000
9	Other Assets.....	69000	<u>100,000</u>
10	Total.....		\$ 6,738,766

11 The above appropriation is to be expended in accordance with
 12 and pursuant to the provisions of W.Va. Code §16-29B and from
 13 the special revolving fund designated Health Care Cost Review
 14 Fund.

15 The Health Care Authority is authorized to transfer up to
 16 \$1,500,000 from fund 5375 to the West Virginia Health
 17 Information Network Account (fund 5380) as authorized per
 18 W.Va. Code §16-29G-4.

207 - West Virginia Health Care Authority –

Certificate of Need Program Fund

(WV Code Chapter 16)

Fund 5377 FY 2018 Org 0507

1	Personal Services and		
2	Employee Benefits.....00100	\$	805,113
3	Current Expenses13000		<u>774,967</u>
4	Total.....	\$	1,580,080

208 - West Virginia Health Care Authority –

West Virginia Health Information Network Account

(WV Code Chapter 16)

Fund 5380 FY 2018 Org 0507

1	Personal Services and		
2	Employee Benefits.....00100	\$	729,000
3	Unclassified.....09900		20,000
4	Current Expenses13000		1,251,000
5	Technology Infrastructure Network.....35100		<u>3,500,000</u>
6	Total.....	\$	5,500,000

209 - Division of Human Services –

Health Care Provider Tax –

Medicaid State Share Fund

(WV Code Chapter 11)

Fund 5090 FY 2018 Org 0511

1	Medical Services.....	18900	\$ 198,381,008
2	Medical Services Administrative Costs	78900	<u>418,992</u>
3	Total.....		\$ 198,800,000

4 The above appropriation for Medical Services Administrative
 5 Costs (fund 5090, appropriation 78900) shall be transferred to a
 6 special revenue account in the treasury for use by the Department
 7 of Health and Human Resources for administrative purposes. The
 8 remainder of all moneys deposited in the fund shall be transferred
 9 to the West Virginia Medical Services Fund (fund 5084).

*210 - Division of Human Services –**Child Support Enforcement Fund*

(WV Code Chapter 48A)

Fund 5094 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 24,809,509
3	Unclassified.....	09900	380,000
4	Current Expenses	13000	<u>12,810,491</u>
5	Total.....		\$ 38,000,000

*211 - Division of Human Services –**Medical Services Trust Fund*

(WV Code Chapter 9)

Fund 5185 FY 2018 Org 0511

1	Medical Services.....	18900	\$ 56,318,952
2	Medical Services Administrative Costs	78900	<u>548,723</u>
3	Total.....		\$ 56,867,675

4 The above appropriation to Medical Services shall be used to
 5 provide state match of Medicaid expenditures as defined and
 6 authorized in subsection (c) of W.Va. Code §9-4A-2a.
 7 Expenditures from the fund are limited to the following: payment
 8 of backlogged billings, funding for services to future federally
 9 mandated population groups and payment of the required state
 10 match for Medicaid disproportionate share payments. The
 11 remainder of all moneys deposited in the fund shall be transferred
 12 to the Division of Human Services accounts.

212 - Division of Human Services –

James “Tiger” Morton Catastrophic Illness Fund

(WV Code Chapter 16)

Fund 5454 FY 2018 Org 0511

1	Unclassified.....	09900	\$	7,000
2	Current Expenses	13000		<u>693,000</u>
3	Total.....		\$	700,000

213 - Division of Human Services –

Domestic Violence Legal Services Fund

(WV Code Chapter 48)

Fund 5455 FY 2018 Org 0511

1	Current Expenses	13000	\$	900,000
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214 - Division of Human Services –

West Virginia Works Separate State College Program Fund

(WV Code Chapter 9)

Fund 5467 FY 2018 Org 0511

1	Current Expenses	13000	\$	1,000,000
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215 - Division of Human Services –

West Virginia Works Separate State Two-Parent Program Fund

(WV Code Chapter 9)

Fund 5468 FY 2018 Org 0511

1	Current Expenses	13000	\$	2,000,000
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216 - Division of Human Services –

Marriage Education Fund

(WV Code Chapter 9)

Fund 5490 FY 2018 Org 0511

1	Personal Services and			
2	Employee Benefits.....	00100	\$	10,000
3	Current Expenses	13000		25,000
4	Total.....		\$	35,000

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY

217 - Department of Military Affairs and Public Safety –

Office of the Secretary –

Law-Enforcement, Safety and Emergency Worker

Funeral Expense Payment Fund

(WV Code Chapter 15)

Fund 6003 FY 2018 Org 0601

1	Current Expenses	13000		32,000
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218 - State Armory Board –

General Armory Fund

(WV Code Chapter 15)

Fund 6057 FY 2018 Org 0603

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,643,528
3	Current Expenses	13000	650,000
4	Repairs and Alterations.....	06400	485,652
5	Equipment.....	07000	300,000
6	Buildings.....	25800	770,820
7	Other Assets.....	69000	100,000
8	Land	73000	<u>50,000</u>
9	Total.....		\$ 4,000,000

10 From the above appropriations, the Adjutant General may
 11 receive and expend funds to conduct operations and activities to
 12 include functions of the Military Authority. The Adjutant General
 13 may transfer funds between appropriations, except no funds may
 14 be transferred to Personal Services and Employee Benefits (fund
 15 6057, appropriation 00100).

*219 - Division of Homeland Security and**Emergency Management –**West Virginia Interoperable Radio Project*

(WV Code Chapter 24)

Fund 6295 FY 2018 Org 0606

1	Current Expenses	13000	\$ 2,000,000
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2 Any unexpended balance remaining in the appropriation for
 3 Unclassified – Total (fund 6295, appropriation 09600) at the close
 4 of fiscal year 2017 is hereby reappropriated for expenditure during
 5 the fiscal year 2018.

*220 - West Virginia Division of Corrections –**Parolee Supervision Fees*

(WV Code Chapter 62)

Fund 6362 FY 2018 Org 0608

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,013,793
3	Unclassified.....	09900	9,804
4	Current Expenses	13000	758,480
5	Equipment.....	07000	30,000
6	Other Assets.....	69000	40,129
7	Total.....		<u>\$ 1,852,206</u>

221 - West Virginia State Police –

Motor Vehicle Inspection Fund

(WV Code Chapter 17C)

Fund 6501 FY 2018 Org 0612

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,786,923
3	Current Expenses	13000	1,488,211
4	Repairs and Alterations.....	06400	204,500
5	Equipment.....	07000	3,770,751
6	Buildings.....	25800	534,000
7	Other Assets.....	69000	5,000
8	BRIM Premium.....	91300	302,432
9	Total.....		<u>\$ 8,091,817</u>

10 The total amount of these appropriations shall be paid from the
 11 special revenue fund out of fees collected for inspection stickers as
 12 provided by law.

222 - West Virginia State Police –

Drunk Driving Prevention Fund

(WV Code Chapter 15)

Fund 6513 FY 2018 Org 0612

1	Current Expenses	13000	\$	1,327,000
2	Equipment.....	07000		3,491,895
3	BRIM Premium.....	91300		<u>154,452</u>
4	Total.....		\$	4,973,347

5 The total amount of these appropriations shall be paid from the
6 special revenue fund out of receipts collected pursuant to W.Va.
7 Code §11-15-9a and 16 and paid into a revolving fund account in
8 the State Treasury.

223 - West Virginia State Police –

Surplus Real Property Proceeds Fund

(WV Code Chapter 15)

Fund 6516 FY 2018 Org 0612

1	Buildings.....	25800	\$	443,980
2	Land	73000		1,000
3	BRIM Premium.....	91300		<u>77,222</u>
4	Total.....		\$	522,202

224 - West Virginia State Police –

Surplus Transfer Account

(WV Code Chapter 15)

Fund 6519 FY 2018 Org 0612

1	Current Expenses	13000	\$	225,000
2	Repairs and Alterations.....	06400		20,000
3	Equipment.....	07000		250,000
4	Buildings.....	25800		40,000
5	Other Assets.....	69000		45,000
6	BRIM Premium.....	91300		<u>5,000</u>
7	Total.....		\$	585,000

225 - West Virginia State Police –

Central Abuse Registry Fund

(WV Code Chapter 15)

Fund 6527 FY 2018 Org 0612

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 236,881
3	Current Expenses	13000	51,443
4	Repairs and Alterations.....	06400	500
5	Equipment.....	07000	300,500
6	Other Assets.....	69000	300,500
7	BRIM Premium.....	91300	<u>18,524</u>
8	Total.....		\$ 908,348

*226 - West Virginia State Police –**Bail Bond Enforcer Account*

(WV Code Chapter 15)

Fund 6532 FY 2018 Org 0612

1	Current Expenses	13000	\$ 8,300
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*227 - West Virginia State Police –**State Police Academy Post Exchange*

(WV Code Chapter 15)

Fund 6544 FY 2018 Org 0612

1	Current Expenses	13000	\$ 160,000
2	Repairs and Alterations.....	06400	<u>40,000</u>
3	Total.....		\$ 200,000

228 - Regional Jail and Correctional Facility Authority

(WV Code Chapter 31)

Fund 6675 FY 2018 Org 0615

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,971,039

3	Debt Service.....	04000	9,000,000
4	Current Expenses	13000	495,852
5	Repairs and Alterations.....	06400	4,000
6	Equipment.....	07000	<u>1,743</u>
7	Total.....		\$ 11,472,634

229 - Fire Commission –

Fire Marshal Fees

(WV Code Chapter 29)

Fund 6152 FY 2018 Org 0619

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,033,683
3	Unclassified.....	09900	3,800
4	Current Expenses	13000	1,249,550
5	Repairs and Alterations.....	06400	58,500
6	Equipment.....	07000	140,800
7	Other Assets.....	69000	12,000
8	BRIM Premium.....	91300	<u>50,000</u>
9	Total.....		\$ 4,548,333

230 - Division of Justice and Community Services –

WV Community Corrections Fund

(WV Code Chapter 62)

Fund 6386 FY 2018 Org 0620

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 152,000
3	Unclassified.....	09900	750
4	Current Expenses	13000	1,846,250
5	Repairs and Alterations.....	06400	<u>1,000</u>
6	Total.....		\$ 2,000,000

231 - Division of Justice and Community Services –

Court Security Fund

(WV Code Chapter 51)

Fund 6804 FY 2018 Org 0620

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 21,865
3	Current Expenses	13000	<u>1,478,135</u>
4	Total.....		\$ 1,500,000

*232 - Division of Justice and Community Services –**Second Chance Driver's License Program Account*

(WV Code Chapter 17B)

Fund 6810 FY 2018 Org 0620

1	Current Expenses	13000	\$ 25,000
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DEPARTMENT OF REVENUE*233 - Division of Financial Institutions*

(WV Code Chapter 31A)

Fund 3041 FY 2018 Org 0303

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,503,751
3	Unclassified.....	09900	1,000
4	Current Expenses	13000	695,225
5	Repairs and Alterations.....	06400	100
6	Equipment.....	07000	14,000
7	Other Assets.....	69000	<u>15,000</u>
8	Total.....		\$ 3,229,076

*234 - Office of the Secretary –**State Debt Reduction Fund*

(WV Code Chapter 29)

Fund 7007 FY 2018 Org 0701

1 Directed Transfer 70000 \$ 20,000,000

2 The above appropriation for Directed Transfer shall be
3 transferred to the Consolidated Public Retirement Board – West
4 Virginia Public Employees Retirement System Employers
5 Accumulation Fund (fund 2510).

235 - Tax Division –

Cemetery Company Account

(WV Code Chapter 35)

Fund 7071 FY 2018 Org 0702

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 23,459
3	Current Expenses	13000	<u>7,717</u>
4	Total.....		\$ 31,176

236 - Tax Division –

Special Audit and Investigative Unit

(WV Code Chapter 11)

Fund 7073 FY 2018 Org 0702

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 655,203
3	Unclassified.....	09900	9,500
4	Current Expenses	13000	273,297
5	Repairs and Alterations.....	06400	7,000
6	Equipment.....	07000	<u>5,000</u>
7	Total.....		\$ 950,000

237 - Tax Division –

Wine Tax Administration Fund

(WV Code Chapter 60)

Fund 7087 FY 2018 Org 0702

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 254,162
3	Current Expenses	13000	<u>5,406</u>
4	Total.....		\$ 259,568

238 - Tax Division –

Reduced Cigarette Ignition Propensity

Standard and Fire Prevention Act Fund

(WV Code Chapter 47)

Fund 7092 FY 2018 Org 0702

1	Current Expenses	13000	\$ 35,000
2	Equipment.....	07000	<u>15,000</u>
3	Total.....		\$ 50,000

239 - Tax Division –

Local Sales Tax and Excise Tax

Administration Fund

(WV Code Chapter 11)

Fund 7099 FY 2018 Org 0702

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,508,968
3	Unclassified.....	09900	10,000
4	Current Expenses	13000	784,563
5	Repairs and Alterations.....	06400	1,000
6	Equipment.....	07000	<u>5,000</u>
7	Total.....		\$ 2,309,531

240 - State Budget Office –

Public Employees Insurance Reserve Fund

(WV Code Chapter 11B)

Fund 7400 FY 2018 Org 0703

1	Public Employees Insurance		
2	Reserve Fund – Transfer.....	90300	\$ 6,800,000

3 The above appropriation for Public Employees Insurance
 4 Reserve Fund – Transfer shall be transferred to the Medical
 5 Services Trust Fund (fund 5185, org 0511) for expenditure.

241 - State Budget Office –

Public Employees Insurance Agency Financial Stability Fund

(WV Code Chapter 11B)

Fund 7401 FY 2018 Org 0703

1	Retiree Premium Offset	80101	\$ 5,000,000
2	PEIA Reserve.....	80102	<u>10,000,000</u>
3	Total.....		\$ 15,000,000

4 The above appropriation shall be transferred to special revenue
 5 funds to be utilized by the West Virginia Public Employees
 6 Insurance Agency for the purposes of permitting the PEIA Finance
 7 Board to offset \$5 million in retiree premium increases.
 8 Additionally, \$10 million will be put into a reserve fund to stabilize
 9 and preserve the future solvency of PEIA. Such amount shall not
 10 be included in the calculation of the plan year aggregate premium
 11 cost-sharing percentages between employers and employees.

242 - Insurance Commissioner –

Examination Revolving Fund

(WV Code Chapter 33)

Fund 7150 FY 2018 Org 0704

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 721,117
3	Current Expenses	13000	1,357,201
4	Repairs and Alterations.....	06400	3,000

5	Equipment.....	07000	81,374
6	Buildings.....	25800	8,289
7	Other Assets.....	69000	<u>11,426</u>
8	Total.....		\$ 2,182,407

243 - Insurance Commissioner –

Consumer Advocate

(WV Code Chapter 33)

Fund 7151 FY 2018 Org 0704

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 552,228
3	Current Expenses.....	13000	202,152
4	Repairs and Alterations.....	06400	5,000
5	Equipment.....	07000	34,225
6	Buildings.....	25800	4,865
7	Other Assets.....	69000	<u>19,460</u>
8	Total.....		\$ 817,930

244 - Insurance Commissioner –

Insurance Commission Fund

(WV Code Chapter 33)

Fund 7152 FY 2018 Org 0704

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 23,039,727
3	Current Expenses.....	13000	8,797,758
4	Repairs and Alterations.....	06400	68,614
5	Equipment.....	07000	1,728,240
6	Buildings.....	25800	25,000
7	Other Assets.....	69000	<u>340,661</u>
8	Total.....		\$ 34,000,000

245 - Insurance Commissioner –

Workers' Compensation Old Fund

(WV Code Chapter 23)

Fund 7162 FY 2018 Org 0704

1	Employee Benefits	01000	\$	50,000
2	Current Expenses	13000		<u>250,500,000</u>
3	Total.....		\$	250,550,000

246 - Insurance Commissioner –

Workers' Compensation Uninsured Employers' Fund

(WV Code Chapter 23)

Fund 7163 FY 2018 Org 0704

1	Current Expenses	13000	\$	15,000,000
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247 - Insurance Commissioner –

Self-Insured Employer Guaranty Risk Pool

(WV Code Chapter 23)

Fund 7164 FY 2018 Org 0704

1	Current Expenses	13000	\$	9,000,000
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248 - Insurance Commissioner –

Self-Insured Employer Security Risk Pool

(WV Code Chapter 23)

Fund 7165 FY 2018 Org 0704

1	Current Expenses	13000	\$	14,000,000
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249 - Municipal Bond Commission

(WV Code Chapter 13)

Fund 7253 FY 2018 Org 0706

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 247,523
3	Current Expenses	13000	144,844
4	Equipment.....	07000	<u>100</u>
5	Total.....		\$ 392,467

250 - Racing Commission –

Relief Fund

(WV Code Chapter 19)

Fund 7300 FY 2018 Org 0707

1	Medical Expenses – Total.....	24500	\$ 57,000
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2 The total amount of this appropriation shall be paid from the
 3 special revenue fund out of collections of license fees and fines as
 4 provided by law.

5 No expenditures shall be made from this fund except for
 6 hospitalization, medical care and/or funeral expenses for persons
 7 contributing to this fund.

251 - Racing Commission –

Administration and Promotion Account

(WV Code Chapter 19)

Fund 7304 FY 2018 Org 0707

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 256,665
3	Current Expenses	13000	93,335
4	Other Assets.....	69000	<u>5,000</u>
5	Total.....		\$ 355,000

252 - Racing Commission –

General Administration

(WV Code Chapter 19)

Fund 7305 FY 2018 Org 0707

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,271,339
3	Current Expenses	13000	566,248
4	Repairs and Alterations.....	06400	7,000
5	Other Assets.....	69000	<u>50,000</u>
6	Total.....		\$ 2,894,587

253 - Racing Commission –

*Administration, Promotion, Education, Capital Improvement
and Greyhound Adoption Programs*

to include Spaying and Neutering Account

(WV Code Chapter 19)

Fund 7307 FY 2018 Org 0707

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 864,474
3	Current Expenses	13000	214,406
4	Other Assets.....	69000	<u>200,000</u>
5	Total.....		\$ 1,278,880

254 - Alcohol Beverage Control Administration –

Wine License Special Fund

(WV Code Chapter 60)

Fund 7351 FY 2018 Org 0708

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 122,339
3	Current Expenses	13000	69,186
4	Repairs and Alterations.....	06400	7,263
5	Equipment.....	07000	10,000
6	Buildings.....	25800	100,000
7	Other Assets.....	69000	<u>100</u>

8 Total..... \$ 308,888

9 To the extent permitted by law, four classified exempt
 10 positions shall be provided from Personal Services and Employee
 11 Benefits appropriation for field auditors.

255 - Alcohol Beverage Control Administration

(WV Code Chapter 60)

Fund 7352 FY 2018 Org 0708

1	Personal Services and		
2	Employee Benefits.....00100	\$	5,413,237
3	Current Expenses13000		2,890,577
4	Repairs and Alterations.....06400		91,000
5	Equipment.....07000		108,000
6	Buildings.....25800		375,100
7	Purchase of Supplies for Resale.....41900		72,500,000
8	Transfer Liquor Profits and Taxes42500		20,800,000
9	Other Assets.....69000		125,100
10	Land73000		<u>100</u>
11	Total.....	\$	102,303,114

12 The total amount of these appropriations shall be paid from a
 13 special revenue fund out of liquor revenues and any other revenues
 14 available.

15 The above appropriations include the salary of the
 16 commissioner and the salaries, expenses and equipment of
 17 administrative offices, warehouses and inspectors.

18 The above appropriations include funding for the
 19 Tobacco/Alcohol Education Program.

20 There is hereby appropriated from liquor revenues, in addition
 21 to the above appropriations as needed, the necessary amount for
 22 the purchase of liquor as provided by law and the remittance of
 23 profits and taxes to the General Revenue Fund.

256 - State Athletic Commission Fund

(WV Code Chapter 29)

Fund 7009 FY 2018 Org 0933

1	Current Expenses	13000	\$	30,000
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DEPARTMENT OF TRANSPORTATION*257 - Division of Motor Vehicles –**Dealer Recovery Fund*

(WV Code Chapter 17)

Fund 8220 FY 2018 Org 0802

1	Current Expenses	13000	\$	189,000
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*258 - Division of Motor Vehicles –**Motor Vehicle Fees Fund*

(WV Code Chapter 17B)

Fund 8223 FY 2018 Org 0802

1	Personal Services and			
2	Employee Benefits.....	00100	\$	3,362,799
3	Current Expenses	13000		4,374,083
4	Repairs and Alterations.....	06400		16,000
5	Equipment.....	07000		75,000
6	Other Assets.....	69000		10,000
7	BRIM Premium.....	91300		<u>73,629</u>
8	Total.....		\$	7,911,511

*259 - Division of Highways –**A. James Manchin Fund*

(WV Code Chapter 22)

Fund 8319 FY 2018 Org 0803

1 Current Expenses 13000 \$ 1,650,000

DEPARTMENT OF VETERANS' ASSISTANCE

260 - Veterans' Facilities Support Fund

(WV Code Chapter 9A)

Fund 6703 FY 2018 Org 0613

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 94,210
3	Current Expenses	13000	2,255,997
4	Repairs and Alterations.....	06400	10,000
5	Equipment.....	07000	10,000
6	Other Assets.....	69000	<u>10,000</u>
7	Total.....		\$ 2,380,207

261 - Department of Veterans' Assistance –

WV Veterans' Home –

Special Revenue Operating Fund

(WV Code Chapter 9A)

Fund 6754 FY 2018 Org 0618

1	Current Expenses	13000	\$ 700,000
2	Repairs and Alterations.....	06400	<u>50,000</u>
3	Total.....		\$ 750,000

BUREAU OF SENIOR SERVICES

262 - Bureau of Senior Services –

Community Based Service Fund

(WV Code Chapter 22)

Fund 5409 FY 2018 Org 0508

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 151,290
3	Current Expenses	13000	<u>10,348,710</u>
4	Total.....		\$ 10,500,000

5 The total amount of these appropriations are funded from
6 annual table game license fees to enable the aged and disabled
7 citizens of West Virginia to stay in their homes through the
8 provision of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION

263 - Higher Education Policy Commission –

System –

Tuition Fee Capital Improvement Fund

(Capital Improvement and Bond Retirement Fund)

Control Account

(WV Code Chapters 18 and 18B)

Fund 4903 FY 2018 Org 0442

1	Debt Service.....	04000	\$ 27,716,974
2	General Capital Expenditures	30600	5,000,000
3	Facilities Planning and Administration.....	38600	<u>421,082</u>
4	Total.....		\$ 33,138,056

5 The total amount of these appropriations shall be paid from the
6 Special Capital Improvement Fund created in W.Va. Code §18B-
7 10-8. Projects are to be paid on a cash basis and made available on
8 July 1.

9 The above appropriations, except for Debt Service, may be
10 transferred to special revenue funds for capital improvement
11 projects at the institutions.

264 - Tuition Fee Revenue Bond Construction Fund

(WV Code Chapters 18 and 18B)

Fund 4906 FY 2018 Org 0442

1 Any unexpended balance remaining in the appropriation for
2 Capital Outlay (fund 4906, appropriation 51100) at the close of the
3 fiscal year 2017 is hereby reappropriated for expenditure during the
4 fiscal year 2018.

5 The appropriation shall be paid from available unexpended
6 cash balances and interest earnings accruing to the fund. The
7 appropriation shall be expended at the discretion of the Higher
8 Education Policy Commission and the funds may be allocated to
9 any institution within the system.

10 The total amount of this appropriation shall be paid from the
11 unexpended proceeds of revenue bonds previously issued pursuant
12 to W.Va. Code §18-12B-8, which have since been refunded.

*265 - Community and Technical College –**Capital Improvement Fund*

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

1 Any unexpended balance remaining in the appropriation for
2 Capital Improvements – Total (fund 4908, appropriation 95800) at
3 the close of fiscal year 2017 is hereby reappropriated for
4 expenditure during the fiscal year 2018.

5 The total amount of this appropriation shall be paid from the
6 sale of the 2009 Series A Community and Technical College
7 Capital Improvement Revenue Bonds and anticipated interest
8 earnings.

*266 - West Virginia University –**West Virginia University Health Sciences Center*

(WV Code Chapters 18 and 18B)

Fund 4179 FY 2018 Org 0463

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 10,274,340
3	Current Expenses	13000	4,524,300
4	Repairs and Alterations.....	06400	425,000
5	Equipment.....	07000	512,000
6	Buildings.....	25800	150,000
7	Other Assets.....	69000	50,000
8	Total.....		\$ 15,935,640

MISCELLANEOUS BOARDS AND COMMISSIONS

267 - Board of Barbers and Cosmetologists –

Barbers and Beauticians Special Fund

(WV Code Chapters 16 and 30)

Fund 5425 FY 2018 Org 0505

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 504,497
3	Current Expenses	13000	239,969
4	Total.....		\$ 744,466

5 The total amount of these appropriations shall be paid from a
6 special revenue fund out of collections made by the Board of
7 Barbers and Cosmetologists as provided by law.

268 - Hospital Finance Authority –

Hospital Finance Authority Fund

(WV Code Chapter 16)

Fund 5475 FY 2018 Org 0509

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 85,981
3	Unclassified.....	09900	1,450
4	Current Expenses	13000	57,740
5	Total.....		\$ 145,171

6 The total amount of these appropriations shall be paid from the
 7 special revenue fund out of fees and collections as provided by
 8 Article 29A, Chapter 16 of the Code.

269 - WV State Board of Examiners for Licensed Practical Nurses –

Licensed Practical Nurses

(WV Code Chapter 30)

Fund 8517 FY 2018 Org 0906

1	Personal Services and		
2	Employee Benefits.....00100	\$	430,324
3	Current Expenses13000		<u>53,133</u>
4	Total.....	\$	483,457

270 - WV Board of Examiners for Registered Professional Nurses –

Registered Professional Nurses

(WV Code Chapter 30)

Fund 8520 FY 2018 Org 0907

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,081,694
3	Current Expenses13000		295,339
4	Repairs and Alterations.....06400		3,000
5	Equipment.....07000		19,500
6	Other Assets.....69000		<u>4,500</u>
7	Total.....	\$	1,404,033

271 - Public Service Commission

(WV Code Chapter 24)

Fund 8623 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits.....00100	\$	11,807,314
3	Unclassified.....09900		147,643

4	Current Expenses	13000	2,594,398
5	Repairs and Alterations	06400	55,000
6	Equipment	07000	160,000
7	PSC Weight Enforcement	34500	4,370,453
8	Debt Payment/Capital Outlay	52000	350,000
9	BRIM Premium	91300	<u>150,040</u>
10	Total		\$ 19,634,848

11 The total amount of these appropriations shall be paid from a
 12 special revenue fund out of collections for special license fees from
 13 public service corporations as provided by law.

14 The Public Service Commission is authorized to transfer up to
 15 \$500,000 from this fund to meet the expected deficiencies in the
 16 Motor Carrier Division (fund 8625, org 0926) due to the
 17 amendment and reenactment of W.Va. Code §24A-3-1 by Enrolled
 18 House Bill Number 2715, Regular Session, 1997.

272 - Public Service Commission –

Gas Pipeline Division –

Public Service Commission Pipeline Safety Fund

(WV Code Chapter 24B)

Fund 8624 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits	00100	\$ 284,198
3	Unclassified	09900	3,851
4	Current Expenses	13000	93,115
5	Repairs and Alterations	06400	<u>4,000</u>
6	Total		\$ 385,164

7 The total amount of these appropriations shall be paid from a
 8 special revenue fund out of receipts collected for or by the Public
 9 Service Commission pursuant to and in the exercise of regulatory
 10 authority over pipeline companies as provided by law.

273 - *Public Service Commission* –*Motor Carrier Division*

(WV Code Chapter 24A)

Fund 8625 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,243,526
3	Unclassified.....	09900	29,233
4	Current Expenses	13000	577,557
5	Repairs and Alterations.....	06400	23,000
6	Equipment.....	07000	<u>50,000</u>
7	Total.....		\$ 2,923,316

8 The total amount of these appropriations shall be paid from a
9 special revenue fund out of receipts collected for or by the Public
10 Service Commission pursuant to and in the exercise of regulatory
11 authority over motor carriers as provided by law.

274 - *Public Service Commission* –*Consumer Advocate Fund*

(WV Code Chapter 24)

Fund 8627 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 743,372
3	Current Expenses	13000	276,472
4	Equipment.....	07000	9,872
5	BRIM Premium.....	91300	<u>4,660</u>
6	Total.....		\$ 1,034,376

7 The total amount of these appropriations shall be supported by
8 cash from a special revenue fund out of collections made by the
9 Public Service Commission.

*275 - Real Estate Commission –**Real Estate License Fund*

(WV Code Chapter 30)

Fund 8635 FY 2018 Org 0927

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 582,413
3	Current Expenses	13000	285,622
4	Repairs and Alterations.....	06400	5,000
5	Equipment.....	07000	<u>10,000</u>
6	Total.....		\$ 883,035

7 The total amount of these appropriations shall be paid out of
8 collections of license fees as provided by law.

*276 - WV Board of Examiners for Speech-Language**Pathology and Audiology –**Speech-Language Pathology and Audiology Operating Fund*

(WV Code Chapter 30)

Fund 8646 FY 2018 Org 0930

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 73,190
3	Current Expenses	13000	<u>65,623</u>
4	Total.....		\$ 138,813

*277 - WV Board of Respiratory Care –**Board of Respiratory Care Fund*

(WV Code Chapter 30)

Fund 8676 FY 2018 Org 0935

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 79,643

3	Current Expenses	13000		51,047
4	Repairs and Alterations.....	06400		400
5	Total.....		\$	131,090

278 - WV Board of Licensed Dietitians –

Dietitians Licensure Board Fund

(WV Code Chapter 30)

Fund 8680 FY 2018 Org 0936

1	Personal Services and			
2	Employee Benefits.....	00100	\$	15,950
3	Current Expenses	13000		17,050
4	Total.....		\$	33,000

279 - Massage Therapy Licensure Board –

Massage Therapist Board Fund

(WV Code Chapter 30)

Fund 8671 FY 2018 Org 0938

1	Personal Services and			
2	Employee Benefits.....	00100	\$	104,418
3	Current Expenses	13000		22,648
4	Total.....		\$	127,066

280 - Economic Development Authority –

Cacapon and Beech Fork State Parks –

Lottery Revenue Debt Service

Fund 9067 FY 2018 Org 0944

1	Debt Service.....	04000	\$	1,400,000
2	The above appropriation for Debt Service (fund 9067,			
3	appropriation 04000) shall be paid from the cash balance remaining			

4 in the Cacapon and Beech Fork State Parks Lottery Revenue Debt
5 Service Fund (9067).

281 - Board of Medicine –

Medical Licensing Board Fund

(WV Code Chapter 30)

Fund 9070 FY 2018 Org 0945

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,187,752
3	Current Expenses13000		988,789
4	Repairs and Alterations.....06400		<u>20,000</u>
5	Total.....	\$	2,196,541

282 - West Virginia Enterprise Resource Planning Board –

Enterprise Resource Planning System Fund

(WV Code Chapter 12)

Fund 9080 FY 2018 Org 0947

1	Personal Services and		
2	Employee Benefits.....00100	\$	6,713,066
3	Unclassified.....09900		232,000
4	Current Expenses13000		20,140,134
5	Repairs and Alterations.....06400		300
6	Equipment.....07000		213,000
7	Buildings.....25800		2,000
8	Other Assets.....69000		<u>199,500</u>
9	Total.....	\$	27,500,000

283 - Board of Treasury Investments –

Board of Treasury Investments Fee Fund

(WV Code Chapter 12)

Fund 9152 FY 2018 Org 0950

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 782,889
3	Unclassified.....	09900	14,850
4	Current Expenses	13000	650,714
5	BRIM Premium.....	91300	36,547
6	Fees of Custodians, Fund Advisors		
7	and Fund Managers.....	93800	<u>3,500,000</u>
8	Total.....		\$ 4,985,000

9 There is hereby appropriated from this fund, in addition to the
10 above appropriation if needed, an amount of funds necessary for
11 the Board of Treasury Investments to pay the fees and expenses of
12 custodians, fund advisors and fund managers for the consolidated
13 fund of the State as provided in Article 6C, Chapter 12 of the Code.

14 The total amount of these appropriations shall be paid from the
15 special revenue fund out of fees and collections as provided by law.

16 Total TITLE II, Section 3 – Other Funds
17 (Including claims against the state) \$1,491,985,711

1 **Sec. 4. Appropriations from lottery net profits.** — Net
2 profits of the lottery are to be deposited by the Director of the
3 Lottery to the following accounts in the amounts indicated. The
4 Director of the Lottery shall prorate each deposit of net profits in
5 the proportion the appropriation for each account bears to the total
6 of the appropriations for all accounts.

7 After first satisfying the requirements for Fund 2252, Fund
8 3963, and Fund 4908 pursuant to W.Va. Code §29-22-18, the
9 Director of the Lottery shall make available from the remaining net
10 profits of the lottery any amounts needed to pay debt service for
11 which an appropriation is made for Fund 9065, Fund 4297, Fund
12 3390, and Fund 3514 and is authorized to transfer any such
13 amounts to Fund 9065, Fund 4297, Fund 3390, and Fund 3514 for
14 that purpose. Upon receipt of reimbursement of amounts so
15 transferred, the Director of the Lottery shall deposit the
16 reimbursement amounts to the following accounts as required by
17 this section.

*284 - Education, Arts, Sciences and Tourism –
Debt Service Fund*

(WV Code Chapter 5)

Fund 2252 FY 2018 Org 0211

	Appropriation	Lottery Funds
1 Debt Service – Total	31000	\$ 10,000,000

*285 - West Virginia Development Office –
West Virginia Tourism Office*

(WV Code Chapter 5B)

Fund 3067 FY 2018 Org 0304

1 Tourism – Telemarketing Center	46300	\$ 82,080
2 Tourism – Advertising (R).....	61800	2,422,407
3 Tourism – Operations (R).....	66200	<u>3,951,872</u>
4 Total.....		\$ 6,456,359

5 From the above appropriation for Tourism – Operations (fund
6 3067, appropriation 66200) funding shall be provided for the
7 operation of the WV Film Office.

8 Any unexpended balances remaining in the appropriations for
9 Tourism – Advertising (fund 3067, appropriation 61800), and
10 Tourism – Operations (fund 3067, appropriation 66200) at the
11 close of the fiscal year 2017 are hereby reappropriated for
12 expenditure during the fiscal year 2018.

286 - Division of Natural Resources

(WV Code Chapter 20)

Fund 3267 FY 2018 Org 0310

1 Personal Services and		
2 Employee Benefits.....	00100	\$ 2,090,941

3	Current Expenses	13000	23,000
4	Pricketts Fort State Park.....	32400	106,560
5	Non-Game Wildlife (R).....	52700	365,540
6	State Parks and Recreation		
7	Advertising (R).....	61900	<u>494,578</u>
8	Total.....		\$ 3,080,619

9 Any unexpended balances remaining in the appropriations for
10 Unclassified (fund 3267, appropriation 09900), Capital Outlay –
11 Parks (fund 3267, appropriation 28800), Non-Game Wildlife (fund
12 3267, appropriation 52700), and State Parks and Recreation
13 Advertising (fund 3267, appropriation 61900) at the close of the
14 fiscal year 2017 are hereby reappropriated for expenditure during
15 the fiscal year 2018.

287 - State Board of Education

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

1	FBI Checks.....	37200	\$ 108,860
2	Vocational Education		
3	Equipment Replacement.....	39300	800,000
4	Assessment Program (R).....	39600	2,946,059
5	21 st Century Technology Infrastructure		
6	Network Tools and Support (R)	93300	<u>14,151,287</u>
7	Total.....		\$ 18,006,206

8 Any unexpended balances remaining in the appropriations for
9 Unclassified (fund 3951, appropriation 09900), Current Expenses
10 (fund 3951, appropriation 13000), Assessment Program (fund
11 3951, appropriation 39600), and 21st Century Technology
12 Infrastructure Network Tools and Support (fund 3951,
13 appropriation 93300) at the close of the fiscal year 2017 are hereby
14 reappropriated for expenditure during the fiscal year 2018.

288 - State Department of Education –

School Building Authority –

Debt Service Fund

(WV Code Chapter 18)

Fund 3963 FY 2018 Org 0402

1	Debt Service – Total	31000	\$	6,414,437
2	Directed Transfer	70000		<u>11,585,563</u>
3	Total.....		\$	18,000,000

4 The School Building Authority shall have the authority to
 5 transfer between the above appropriations in accordance with
 6 W.Va. Code §29-22-18.

*289 - Department of Education and the Arts –**Office of the Secretary –**Control Account –**Lottery Education Fund*

(WV Code Chapter 5F)

Fund 3508 FY 2018 Org 0431

1	Unclassified (R)	09900	\$	9,483
2	Current Expenses	13000		110,617
3	Commission for National and			
4	Community Service	19300		348,254
5	Statewide STEM 21 st Century Academy ...	89700		130,000
6	Literacy Project (R).....	89900		<u>350,000</u>
7	Total.....		\$	948,354

8 Any unexpended balances remaining in the appropriations for
 9 Unclassified (fund 3508, appropriation 09900), Governor's Honors
 10 Academy (fund 3508, appropriation 47800), Arts Programs (fund
 11 3508, appropriation 50000), and Literacy Project (fund 3508,
 12 appropriation 89900) at the close of fiscal year 2017 are hereby
 13 reappropriated for expenditure during the fiscal year 2018.

*290 - Division of Culture and History –**Lottery Education Fund*

(WV Code Chapter 29)

Fund 3534 FY 2018 Org 0432

1	Huntington Symphony	02700	\$	59,058
2	Preservation WV (R).....	09200		491,921
3	Fairs and Festivals (R)	12200		1,346,814
4	Archeological Curation/Capital			
5	Improvements (R).....	24600		30,074
6	Historic Preservation Grants (R).....	31100		294,742
7	West Virginia Public Theater.....	31200		120,019
8	Greenbrier Valley Theater	42300		99,543
9	Theater Arts of West Virginia.....	46400		90,000
10	Marshall Artists Series.....	51800		36,005
11	Grants for Competitive			
12	Arts Program (R)	62400		580,800
13	West Virginia State Fair.....	65700		31,241
14	Save the Music.....	68000		24,000
15	Contemporary American			
16	Theater Festival	81100		57,281
17	Independence Hall	81200		27,277
18	Mountain State Forest Festival	86400		38,187
19	WV Symphony.....	90700		59,058
20	Wheeling Symphony.....	90800		59,058
21	Appalachian Children's Chorus.....	91600		54,554
22	Total.....		\$	3,499,632

23 From the above appropriation for Preservation West Virginia
24 (fund 3534, appropriation 09200) funding shall be provided to the
25 African-American Heritage Family Tree Museum (Fayette)
26 \$2,673, Aracoma Story (Logan) \$29,703, Arts Monongahela
27 (Monongalia) \$11,881, Barbour County Arts and Humanities
28 Council \$891, Beckley Main Street (Raleigh) \$2,970, Buffalo
29 Creek Memorial (Logan) \$2,970, Carnegie Hall (Greenbrier)
30 \$46,899, Ceredo Historical Society (Wayne) \$1,166, Ceredo
31 Kenova Railroad Museum (Wayne) \$1,166, Ceredo Museum
32 (Wayne) \$720, Children's Theatre of Charleston (Kanawha)
33 \$3,127, Chuck Mathena Center (Mercer) \$62,532, Collis P.
34 Huntington Railroad Historical Society (Cabell) \$5,940, Country
35 Music Hall of Fame and Museum (Marion) \$4,158, First Stage

36 Children's Theater Company \$1,166, Flannigan Murrell House
37 (Summers) \$3,780, Fort Ashby Fort (Mineral) \$891, Fort New
38 Salem (Harrison) \$2,198, Fort Randolph (Mason) \$2,970,
39 General Adam Stephen Memorial Foundation (Berkeley)
40 \$11,005, Grafton Mother's Day Shrine Committee (Taylor)
41 \$5,049, Hardy County Tour and Crafts Association \$11,881,
42 Heartwood in the Hills (Calhoun) \$5,040, Heritage Farm Museum
43 & Village (Cabell) \$29,703, Historic Fayette Theater (Fayette)
44 \$3,267, Historic Middleway Conservancy (Jefferson) \$594,
45 Jefferson County Black History Preservation Society \$2,970,
46 Jefferson County Historical Landmark Commission \$4,752,
47 Maddie Carroll House (Cabell) \$4,455, Marshall County
48 Historical Society \$5,049, McCoy Theater (Hardy) \$11,881,
49 Morgantown Theater Company (Monongalia) \$11,881,
50 Mountaineer Boys' State (Lewis) \$5,940, Nicholas Old Main
51 Foundation (Nicholas) \$1,188, Norman Dillon Farm Museum
52 (Berkeley) \$5,940, Old Opera House Theater Company
53 (Jefferson) \$8,910, Parkersburg Arts Center (Wood) \$11,881,
54 Pocahontas Historic Opera House \$3,564, Raleigh County All
55 Wars Museum \$5,940, Rhododendron Girl's State (Ohio)
56 \$5,940, Roane County 4-H and FFA Youth Livestock Program
57 \$2,970, Scottish Heritage Society/N. Central WV (Harrison)
58 \$2,970, Society for the Preservation of McGrew House (Preston)
59 \$2,079, Southern West Virginia Veterans' Museum \$3,393,
60 Summers County Historic Landmark Commission \$2,970, Those
61 Who Served War Museum (Mercer) \$2,376, Three Rivers Avian
62 Center (Summers) \$5,310, Tug Valley Arts Council (Mingo)
63 \$2,970, Tug Valley Chamber of Commerce Coal House (Mingo)
64 \$1,188, Tunnelton Historical Society (Preston) \$1,188, Veterans
65 Committee for Civic Improvement of Huntington (Wayne)
66 \$2,970, West Virginia Museum of Glass (Lewis) \$3,713, West
67 Virginia Music Hall of Fame (Kanawha) \$20,792, YMCA Camp
68 Horseshoe (Tucker) \$59,405, Youth Museum of Southern West
69 Virginia (Raleigh) \$7,128, Z.D. Ramsdell House (Wayne) \$720.

70 From the above appropriation for Fairs and Festivals (fund
71 3534, appropriation 12200) funding shall be provided to A
72 Princeton 4th (Mercer) \$1,800, African-American Cultural
73 Heritage Festival (Jefferson) \$2,970, Alderson 4th of July

74 Celebration (Greenbrier) \$2,970, Allegheny Echo (Pocahontas)
75 \$4,456, Alpine Festival/Leaf Peepers Festival (Tucker) \$6,683,
76 American Civil War (Grant) \$3,127, American Legion Post 8
77 Veterans Day Parade (McDowell) \$1,250, Angus Beef and Cattle
78 Show (Lewis) \$891, Annual Birch River Days (Nicholas) \$1,296,
79 Annual Don Redman Heritage Concert & Awards (Jefferson)
80 \$938, Annual Ruddle Park Jamboree (Pendleton) \$4,690, Antique
81 Market Fair (Lewis) \$1,188, Apollo Theater-Summer Program
82 (Berkeley) \$1,188, Apple Butter Festival (Morgan) \$3,564,
83 Arkansaw Homemaker's Heritage Weekend (Hardy) \$2,079,
84 Armed Forces Day-South Charleston (Kanawha) \$1,782,
85 Arthurdale Heritage New Deal Festival (Preston) \$2,970, Athens
86 Town Fair (Mercer) \$1,188, Augusta Fair (Randolph) \$2,970,
87 Autumn Harvest Fest (Monroe) \$2,448, Barbour County Fair
88 \$14,851, Barboursville Octoberfest (Cabell) \$2,970, Bass Festival
89 (Pleasants) \$1,099, Battelle District Fair (Monongalia) \$2,970,
90 Battle of Dry Creek (Greenbrier) \$891, Battle of Point Pleasant
91 Memorial Committee (Mason) \$2,970, Belle Town Fair
92 (Kanawha) \$2,673, Belleville Homecoming (Wood) \$11,881,
93 Bergoo Down Home Days (Webster) \$1,485, Berkeley County
94 Youth Fair \$10,990, Black Bear 4K Mountain Bike Race
95 (Kanawha) \$684, Black Heritage Festival (Harrison) \$3,564,
96 Black Walnut Festival (Roane) \$5,940, Blast from the Past
97 (Upshur) \$1,440, Blue-Gray Reunion (Barbour) \$2,079, Boone
98 County Fair \$5,940, Boone County Labor Day Celebration
99 \$2,376, Bradshaw Fall Festival (McDowell) \$1,188, Brandonville
100 Heritage Day (Preston) \$1,048, Braxton County Fair \$6,832,
101 Braxton County Monster Fest / West Virginia Autumn Festival
102 \$1,485, Brooke County Fair \$2,079, Bruceton Mills Good
103 Neighbor Days (Preston) \$1,188, Buckwheat Festival (Preston)
104 \$5,050, Buffalo 4th of July Celebration (Putnam) \$400, Buffalo
105 October Fest (Putnam) \$3,240, Burlington Apple Harvest Festival
106 (Mineral) \$17,821, Burlington Pumpkin Harvest Festival
107 (Raleigh) \$2,970, Burnsville Harvest Festival (Braxton) \$1,407,
108 Cabell County Fair \$5,940, Calhoun County Wood Festival
109 \$1,188, Campbell's Creek Community Fair (Kanawha) \$1,485,
110 Cape Coalwood Festival Association (McDowell) \$1,485, Capon
111 Bridge Founders Day Festival (Hampshire) \$1,188, Capon
112 Springs Ruritan 4th of July (Hampshire) \$684, Cass Homecoming

113 (Pocahontas) \$1,188, Cedarville Town Festival (Gilmer) \$684,
114 Celebration in the Park (Wood) \$2,376, Celebration of America
115 (Monongalia) \$3,564, Ceredo Freedom Festival (Wayne) \$700,
116 Chapmanville Apple Butter Festival (Logan) \$684, Chapmanville
117 Fire Department 4th of July (Logan) \$1,782, Charles Town
118 Christmas Festival (Jefferson) \$2,970, Charles Town Heritage
119 Festival (Jefferson) \$2,970, Cherry River Festival (Nicholas)
120 \$3,861, Chester Fireworks (Hancock) \$891, Chester 4th of July
121 Festivities (Hancock) \$2,970, Chief Logan State Park-Civil War
122 Celebration (Logan) \$4,752, Chilifest West Virginia State Chili
123 Championship (Cabell) \$1,563, Christmas In Our Town (Marion)
124 \$3,127, Christmas in Shepherdstown (Jefferson) \$2,376,
125 Christmas in the Park (Brooke) \$2,970, Christmas in the Park
126 (Logan) \$14,851, City of Dunbar Critter Dinner (Kanawha)
127 \$5,940, City of Logan Polar Express (Logan) \$4,456, City of New
128 Martinsville Festival of Memories (Wetzel) \$6,534, Clay County
129 Golden Delicious Apple Festival \$4,158, Clay District Fair
130 (Monongalia) \$1,080, Coal Field Jamboree (Logan) \$20,792,
131 Coalton Days Fair (Randolph) \$4,158, Country Roads Festival
132 (Fayette) \$1,188, Cowen Railroad Festival (Webster) \$2,079,
133 Craigsville Fall Festival (Nicholas) \$2,079, Cruise into Princeton
134 (Mercer) \$2,160, Culturefest World Music & Arts Festival
135 (Mercer) \$4,690, Delbarton Homecoming (Mingo) \$2,079,
136 Doddridge County Fair \$4,158, Dorcas Ice Cream Social (Grant)
137 \$3,564, Durbin Days (Pocahontas) \$2,970, Elbert/Filbert Reunion
138 Festival (McDowell) \$891, Elkins Randolph County 4th of July
139 Car Show (Randolph) \$1,188, Fairview 4th of July Celebration
140 (Marion) \$684, Farm Safety Day (Preston) \$1,188, Farmer's Day
141 Festival (Monroe) \$2,330, Farmers' Day Parade (Wyoming)
142 \$720, Fenwick Mountain Old Time Community Festival
143 (Nicholas) \$2,880, FestivALL Charleston (Kanawha) \$11,881,
144 Flatwoods Days (Braxton) \$700, Flemington Day Fair and
145 Festival (Taylor) \$2,079, Follansbee Community Days (Brooke)
146 \$4,900, Fort Gay Mountain Heritage Days (Wayne) \$2,970, Fort
147 Henry Days (Ohio) \$3,148, Fort Henry Living History (Ohio)
148 \$1,563, Fort New Salem Spirit of Christmas Festival (Harrison)
149 \$2,432, Frankford Autumnfest (Greenbrier) \$2,970, Franklin
150 Fishing Derby (Pendleton) \$4,456, Freshwater Folk Festival
151 (Greenbrier) \$2,970, Friends Auxiliary of W.R. Sharpe Hospital

152 (Lewis) \$2,970, Frontier Days (Harrison) \$1,782, Frontier
153 Fest/Canaan Valley (Taylor) \$2,970, Fund for the Arts-Wine &
154 All that Jazz Festival (Kanawha) \$1,485, Gassaway Days
155 Celebration (Braxton) \$2,970, Gilbert Elementary Fall Blast
156 (Mingo) \$2,188, Gilbert Kiwanis Harvest Festival (Mingo)
157 \$2,376, Gilbert Spring Fling (Mingo) \$3,595, Gilmer County
158 Farm Show \$2,376, Grant County Arts Council \$1,188, Grape
159 Stomping Wine Festival (Nicholas) \$1,188, Great Greenbrier
160 River Race (Pocahontas) \$5,940, Greater Quinwood Days
161 (Greenbrier) \$781, Guyandotte Civil War Days (Cabell) \$5,940,
162 Hamlin 4th of July Celebration (Lincoln) \$2,970, Hampshire Civil
163 War Celebration Days (Hampshire) \$684, Hampshire County 4th
164 of July Celebration \$11,881, Hampshire County Fair \$5,002,
165 Hampshire Heritage Days (Hampshire) \$2,376, Hancock County
166 Oldtime Fair \$2,970, Hardy County Commission - 4th of July
167 \$5,940, Hatfield McCoy Matewan Reunion Festival (Mingo)
168 \$12,330, Hatfield McCoy Trail National ATV and Dirt Bike
169 Weekend (Wyoming) \$2,970, Heat'n the Hills Chilifest (Lincoln)
170 \$2,970, Heritage Craft Festival (Monroe) \$1,044, Heritage Days
171 Festival (Roane) \$891, Hilltop Festival (Cabell) \$684, Hilltop
172 Festival of Lights (McDowell) \$1,188, Hinton Railroad Days
173 (Summers) \$4,347, Holly River Festival (Webster) \$891,
174 Hometown Mountain Heritage Festival (Fayette) \$2,432,
175 Hundred 4th of July (Wetzel) \$4,307, Hundred American Legion
176 Earl Kiger Post Bluegrass Festival (Wetzel) \$1,188, Hurricane 4th
177 of July Celebration (Putnam) \$2,970, Jaeger Town Fair
178 (McDowell) \$891, Irish Heritage Festival of West Virginia
179 (Raleigh) \$2,970, Irish Spring Festival (Lewis) \$684, Italian
180 Heritage Festival-Clarksburg (Harrison) \$17,821, Jackson County
181 Fair \$2,970, Jamboree (Pocahontas) \$2,970, Jane Lew Arts and
182 Crafts Fair (Lewis) \$684, Jefferson County Fair Association
183 \$14,851, Jersey Mountain Ruritan Pioneer Days (Hampshire)
184 \$684, John Henry Days Festival (Monroe) \$4,698, Johnnie
185 Johnson Blues and Jazz Festival (Marion) \$2,970, Johnstown
186 Community Fair (Harrison) \$1,485, Junior Heifer Preview Show
187 (Lewis) \$1,188, Kanawha Coal Riverfest-St. Albans 4th of July
188 Festival (Kanawha) \$2,970, Keeper of the Mountains-Kayford
189 (Kanawha) \$1,485, Kenova Autumn Festival (Wayne) \$4,377,
190 Kermit Fall Festival (Mingo) \$1,782, Keystone Reunion Gala

191 (McDowell) \$1,563, King Coal Festival (Mingo) \$2,970,
192 Kingwood Downtown Street Fair and Heritage Days (Preston)
193 \$1,188, L.Z. Rainelle West Virginia Veterans Reunion
194 (Greenbrier) \$2,970, Lady of Agriculture (Preston) \$684, Larry
195 Joe Harless Center Octoberfest Hatfield McCoy Trail (Mingo)
196 \$5,940, Larry Joe Harless Community Center Spring Middle
197 School Event (Mingo) \$2,970, Last Blast of Summer (McDowell)
198 \$2,970, Lewis County Fair Association \$2,079, Lewisburg
199 Shanghai (Greenbrier) \$1,188, Lincoln County Fall Festival
200 \$4,752, Lincoln County Winterfest \$2,970, Lindsie Veterans'
201 Day Parade \$720, Little Levels Heritage Festival (Pocahontas)
202 \$1,188, Lost Creek Community Festival (Harrison) \$4,158, Main
203 Street Arts Festival (Upshur) \$3,127, Main Street Martinsburg
204 Chocolate Fest and Book Fair (Berkeley) \$2,813, Mannington
205 District Fair (Marion) \$3,564, Maple Syrup Festival (Randolph)
206 \$684, Marion County FFA Farm Fest \$1,485, Marmet Labor Day
207 Celebration (Kanawha) \$3,078, Marshall County Antique Power
208 Show \$1,485, Marshall County Fair \$4,456, Mason County Fair
209 \$2,970, Mason Dixon Festival (Monongalia) \$4,158, Matewan
210 Massacre Reenactment (Mingo) \$5,004, Matewan-Magnolia Fair
211 (Mingo) \$15,932, McARTS-McDowell County \$11,881,
212 McDowell County Fair \$1,485, McGrew House History Day
213 (Preston) \$1,188, McNeill's Rangers (Mineral) \$4,752, Meadow
214 Bridge Hometown Festival (Fayette) \$743, Meadow River Days
215 Festival (Greenbrier) \$1,782, Mercer Bluestone Valley Fair
216 (Mercer) \$1,188, Mercer County Fair \$1,188, Mercer County
217 Heritage Festival \$3,474, Mid Ohio Valley Antique Engine
218 Festival (Wood) \$1,782, Milton Christmas in the Park (Cabell)
219 \$1,485, Milton 4th of July Celebration (Cabell) \$1,485, Mineral
220 County Fair \$1,040, Mineral County Veterans Day Parade \$891,
221 Molasses Festival (Calhoun) \$1,188, Monongahfest (Marion)
222 \$3,752, Moon Over Mountwood Fishing Festival (Wood) \$1,782,
223 Morgan County Fair-History Wagon \$891, Moundsville Bass
224 Festival (Marshall) \$2,376, Moundsville July 4th Celebration
225 (Marshall) \$2,970, Mount Liberty Fall Festival (Barbour)
226 \$1,485, Mountain Fest (Monongalia) \$11,881, Mountain Festival
227 (Mercer) \$2,747, Mountain Heritage Arts and Crafts Festival
228 (Jefferson) \$2,970, Mountain Music Festival (McDowell) \$1,485,
229 Mountain State Apple Harvest Festival (Berkeley) \$4,456,

230 Mountain State Arts & Crafts Fair Cedar Lakes (Jackson)
231 \$26,732, Mountaineer Hot Air Balloon Festival (Monongalia)
232 \$2,376, Mullens Dogwood Festival (Wyoming) \$4,158, Multi-
233 Cultural Festival of West Virginia (Kanawha) \$11,881, Music and
234 Barbecue - Banks District VFD (Upshur) \$1,278, New
235 Cumberland Christmas Parade (Hancock) \$1,782, New
236 Cumberland 4th of July (Hancock) \$2,970, New River Bridge Day
237 Festival (Fayette) \$23,762, Newburg Volunteer Fireman's Field
238 Day (Preston) \$684, Nicholas County Fair \$2,970, Nicholas
239 County Potato Festival \$2,079, Oak Leaf Festival (Fayette)
240 \$6,253, Oceana Heritage Festival (Wyoming) \$3,564, Oglebay
241 City Park - Festival of Lights (Ohio) \$47,524, Oglebay Festival
242 (Ohio) \$5,940, Ohio County Country Fair \$5,346, Ohio River
243 Fest (Jackson) \$4,320, Ohio Valley Beef Association (Wood)
244 \$1,485, Ohio Valley Black Heritage Festival (Ohio) \$3,267, Old
245 Central City Fair (Cabell) \$2,970, Old Century City Fair
246 (Barbour) \$1,250, Old Tyme Christmas (Jefferson) \$1,425,
247 Paden City Labor Day Festival (Wetzel) \$3,861, Parkersburg
248 Homecoming (Wood) \$8,754, Patty Fest (Monongalia) \$1,188,
249 Paw Paw District Fair (Marion) \$2,079, Pax Reunion Committee
250 (Fayette) \$2,970, Pendleton County 4-H Weekend \$1,188,
251 Pendleton County Committee for Arts \$8,910, Pendleton County
252 Fair \$6,253, Pennsboro Country Road Festival (Ritchie) \$1,188,
253 Petersburg 4th of July Celebration (Grant) \$11,881, Petersburg
254 HS Celebration (Grant) \$5,940, Piedmont-Annual Back Street
255 Festival (Mineral) \$2,376, Pinch Reunion (Kanawha) \$891, Pine
256 Bluff Fall Festival (Harrison) \$2,376, Pine Grove 4th of July
257 Festival (Wetzel) \$4,158, Pineville Festival (Wyoming) \$3,564,
258 Pleasants County Agriculture Youth Fair \$2,970, Poca Heritage
259 Days (Putnam) \$1,782, Pocahontas County Pioneer Days \$4,158,
260 Point Pleasant Stern Wheel Regatta (Mason) \$2,970, Pratt Fall
261 Festival (Kanawha) \$1,485, Princeton Autumnfest (Mercer)
262 \$1,563, Princeton Street Fair (Mercer) \$2,970, Putnam County
263 Fair \$2,970, Quartets on Parade (Hardy) \$2,376, Rainelle Fall
264 Festival (Greenbrier) \$3,127, Rand Community Center Festival
265 (Kanawha) \$1,485, Randolph County Community Arts Council
266 \$1,782, Randolph County Fair \$4,158, Randolph County Ramp
267 and Rails \$1,188, Ranson Christmas Festival (Jefferson) \$2,970,
268 Ranson Festival (Jefferson) \$2,970, Renick Liberty Festival

269 (Greenbrier) \$684, Ripley 4th of July (Jackson) \$8,910, Ritchie
270 County Fair and Exposition \$2,970, Ritchie County Pioneer Days
271 \$684, River City Festival (Preston) \$684, Roane County
272 Agriculture Field Day \$1,782, Rock the Park (Kanawha) \$3,240,
273 Rocket Boys Festival (Raleigh) \$1,710, Romney Heritage Days
274 (Hampshire) \$1,876, Ronceverte River Festival (Greenbrier)
275 \$2,970, Rowlesburg Labor Day Festival (Preston) \$684, Rupert
276 Country Fling (Greenbrier) \$1,876, Saint Spyridon Greek Festival
277 (Harrison) \$1,485, Salem Apple Butter Festival (Harrison)
278 \$2,376, Sistersville 4th of July (Tyler) \$3,267, Skirmish on the
279 River (Mingo) \$1,250, Smoke on the Water (Wetzel) \$1,782,
280 South Charleston Summerfest (Kanawha) \$5,940, Southern
281 Wayne County Fall Festival \$684, Spirit of Grafton Celebration
282 (Taylor) \$5,940, Springfield Peach Festival (Hampshire) \$738,
283 St. Albans City of Lights - December (Kanawha) \$2,970,
284 Sternwheel Festival (Wood) \$1,782, Stoco Reunion (Raleigh)
285 \$1,485, Stonewall Jackson Heritage Arts & Crafts Jubilee (Lewis)
286 \$6,534, Stonewall Jackson's Roundhouse Raid (Berkeley) \$7,200,
287 Storytelling Festival (Lewis) \$400, Strawberry Festival (Upshur)
288 \$17,821, Sylvester Big Coal River Festival \$1,944, Tacy Fair
289 (Barbour) \$684, Taste of Parkersburg (Wood) \$2,970, Taylor
290 County Fair \$3,267, Terra Alta VFD 4th of July Celebration
291 (Preston) \$684, The Gathering at Sweet Creek (Wood) \$1,782,
292 Three Rivers Coal Festival (Marion) \$4,604, Thunder on the
293 Tygart - Mothers' Day Celebration (Taylor) \$8,910, Town of
294 Delbarton 4th of July Celebration (Mingo) \$1,782, Town of
295 Fayetteville Heritage Festival (Fayette) \$4,456, Town of Matoaka
296 Hog Roast (Mercer) \$684, Town of Rivesville 4th of July Festival
297 (Marion) \$3,127, Town of Winfield - Putnam County
298 Homecoming \$3,240, St. Albans Train Fest (Kanawha) \$6,120,
299 Treasure Mountain Festival (Pendleton) \$14,851, Tri-County Fair
300 (Grant) \$22,548, Tucker County Arts Festival and Celebration
301 \$10,692, Tucker County Fair \$2,821, Tucker County Health Fair
302 \$1,188, Tunnelton Depot Days (Preston) \$684, Tunnelton
303 Volunteer Fire Department Festival (Preston) \$684, Turkey
304 Festival (Hardy) \$1,782, Tyler County Fair \$3,088, Tyler County
305 4th of July \$400, Tyler County OctoberFest \$720, Union
306 Community Irish Festival (Barbour) \$648, Uniquely West
307 Virginia Festival (Morgan) \$1,188, Upper Kanawha Valley

308 Oktoberfest (Kanawha) \$1,485, Upper Ohio Valley Italian
309 Festival (Ohio) \$7,128, Upshur County Youth Livestock Show
310 \$1,440, Valley District Fair (Preston) \$2,079, Veterans Welcome
311 Home Celebration (Cabell) \$938, Vietnam Veterans of America
312 # 949 Christmas Party (Cabell) \$684, Volcano Days at
313 Mountwood Park (Wood) \$2,970, War Homecoming Fall Festival
314 (McDowell) \$891, Wardensville Fall Festival (Hardy) \$2,970,
315 Wayne County Fair \$2,970, Wayne County Fall Festival \$2,970,
316 Webster County Fair \$3,600, Webster County Wood Chopping
317 Festival \$8,910, Webster Wild Water Weekend \$1,188, Weirton
318 July 4th Celebration (Hancock) \$11,881, Welcome Home Family
319 Day (Wayne) \$1,900, Wellsburg 4th of July Celebration (Brooke)
320 \$4,456, Wellsburg Apple Festival of Brooke County \$2,970, West
321 Virginia Blackberry Festival (Harrison) \$2,970, West Virginia
322 Chestnut Festival (Preston) \$684, West Virginia Coal Festival
323 (Boone) \$5,940, West Virginia Coal Show (Mercer) \$1,563,
324 West Virginia Dairy Cattle Show (Lewis) \$5,940, West Virginia
325 Dandelion Festival (Greenbrier) \$2,970, West Virginia Day at the
326 Railroad Museum (Mercer) \$1,800, West Virginia Fair and
327 Exposition (Wood) \$4,812, West Virginia Fireman's Rodeo
328 (Fayette) \$1,485, West Virginia Oil and Gas Festival (Tyler)
329 \$6,534, West Virginia Peach Festival (Hampshire) \$3,240, West
330 Virginia Polled Hereford Association (Braxton) \$891, West
331 Virginia Poultry Festival (Hardy) \$2,970, West Virginia Pumpkin
332 Festival (Cabell) \$5,940, West Virginia State Folk Festival
333 (Gilmer) \$2,970, West Virginia Water Festival - City of Hinton
334 (Summers) \$9,144, Weston VFD 4th of July Firemen Festival
335 (Lewis) \$1,188, Wetzel County Autumnfest \$3,267, Wetzel
336 County Town and Country Days \$10,098, Wheeling Celtic
337 Festival (Ohio) \$1,166, Wheeling City of Lights (Ohio) \$4,752,
338 Wheeling Sternwheel Regatta (Ohio) \$5,940, Wheeling Vintage
339 Raceboat Regatta (Ohio) \$11,881, Whipple Community Action
340 (Fayette) \$1,485, Wileyville Homecoming (Wetzel) \$2,376,
341 Wine Festival and Mountain Music Event (Harrison) \$2,970,
342 Winter Festival of the Waters (Berkeley) \$2,970, Wirt County
343 Fair \$1,485, Wirt County Pioneer Days \$1,188, Wyoming
344 County Civil War Days \$1,296, Youth Stockman Beef Expo
345 (Lewis) \$1,188.

346 Any unexpended balances remaining in the appropriations for
 347 Preservation West Virginia (fund 3534, appropriation 09200),
 348 Fairs and Festivals (fund 3534, appropriation 12200),
 349 Archeological Curation/Capital Improvements (fund 3534,
 350 appropriation 24600), Historic Preservation Grants (fund 3534,
 351 appropriation 31100), Grants for Competitive Arts Program (fund
 352 3534, appropriation 62400), and Project ACCESS (fund 3534,
 353 appropriation 86500) at the close of the fiscal year 2017 are hereby
 354 reappropriated for expenditure during the fiscal year 2018.

355 Any Fairs & Festivals awards shall be funded in addition to,
 356 and not in lieu of, individual grant allocations derived from the Arts
 357 Council and the Cultural Grant Program allocations.

291 - Library Commission –

Lottery Education Fund

(WV Code Chapter 10)

Fund 3559 FY 2018 Org 0433

1	Books and Films	17900	\$	360,784
2	Services to Libraries	18000		550,000
3	Grants to Public Libraries	18200		9,439,571
4	Digital Resources	30900		219,992
5	Infomine Network	88400		852,729
6	Total		\$	<u>11,423,076</u>

7 Any unexpended balance remaining in the appropriation for
 8 Libraries – Special Projects (fund 3559, appropriation 62500) at
 9 the close of fiscal year 2017 is hereby reappropriated for
 10 expenditure during the fiscal year 2018.

292 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 193,505
3	Current Expenses	13000	332,095
4	Repairs and Alterations.....	06400	1,000
5	Local Programs Service Delivery Costs	20000	2,435,250
6	Silver Haired Legislature	20200	18,500
7	Transfer to Division of Human Services		
8	for Health Care		
9	and Title XIX Waiver		
10	for Senior Citizens	53900	12,982,692
11	Roger Tompkins Alzheimer's		
12	Respite Care.....	64300	2,296,601
13	WV Alzheimer's Hotline	72400	45,000
14	Regional Aged and Disabled		
15	Resource Center.....	76700	425,000
16	Senior Services Medicaid Transfer	87100	14,502,312
17	Legislative Initiatives for the Elderly.....	90400	9,671,239
18	Long Term Care Ombudsman.....	90500	297,226
19	BRIM Premium.....	91300	7,152
20	In-Home Services and		
21	Nutrition for Senior Citizens	91700	<u>4,320,941</u>
22	Total.....		\$ 47,528,513

23 Any unexpended balance remaining in the appropriation for
 24 Senior Citizen Centers and Programs (fund 5405, appropriation
 25 46200) at the close of the fiscal year 2017 is hereby reappropriated
 26 for expenditure during the fiscal year 2018.

27 Included in the above appropriation for Current Expenses (fund
 28 5405, appropriation 13000), is funding to support an in-home direct
 29 care workforce registry.

30 The above appropriation for Transfer to Division of Human
 31 Services for Health Care and Title XIX Waiver for Senior Citizens
 32 (appropriation 53900) along with the federal moneys generated
 33 thereby shall be used for reimbursement for services provided
 34 under the program.

293 - Higher Education Policy Commission –

Lottery Education –

Higher Education Policy Commission –

Control Account

(WV Code Chapters 18B and 18C)

Fund 4925 FY 2018 Org 0441

1	RHI Program and Site Support (R).....03600	\$	1,912,491
2	RHI Program and Site Support –		
3	RHEP Program Administration.....03700		146,653
4	RHI Program and Site Support – Grad Med		
5	Ed and Fiscal Oversight (R)03800		87,110
6	Minority Doctoral Fellowship (R)16600		129,604
7	Health Sciences Scholarship (R).....17600		220,690
8	Vice Chancellor for Health Sciences –		
9	Rural Health Residency Program (R)..60100		62,725
10	WV Engineering, Science, and		
11	Technology Scholarship Program.....86800		<u>452,831</u>
12	Total.....	\$	3,012,104

13 Any unexpended balances remaining in the appropriations for
 14 RHI Program and Site Support (fund 4925, appropriation 03600),
 15 RHI Program and Site Support – Grad Med Ed and Fiscal
 16 Oversight (fund 4925, appropriation 03800), Minority Doctoral
 17 Fellowship (fund 4925, appropriation 16600), Health Sciences
 18 Scholarship (fund 4925, appropriation 17600), and Vice
 19 Chancellor for Health Sciences – Rural Health Residency Program
 20 (fund 4925, appropriation 60100) at the close of fiscal year 2017
 21 are hereby reappropriated for expenditure during the fiscal year
 22 2018.

23 The above appropriation for WV Engineering, Science, and
 24 Technology Scholarship Program (appropriation 86800) shall be
 25 transferred to the West Virginia Engineering, Science and
 26 Technology Scholarship Fund (fund 4928, org 0441) established
 27 by W.Va. Code §18C-6-1.

*294 - Community and Technical College –**Capital Improvement Fund*

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

1 Debt Service – Total31000 \$ 5,000,000

2 Any unexpended balance remaining in the appropriation for
3 Capital Outlay and Improvements – Total (fund 4908,
4 appropriation 84700) at the close of fiscal year 2017 is hereby
5 reappropriated for expenditure during the fiscal year 2018.

*295 - Higher Education Policy Commission –**Lottery Education –**West Virginia University – School of Medicine*

(WV Code Chapter 18B)

Fund 4185 FY 2018 Org 0463

1	WVU Health Sciences –		
2	RHI Program and Site Support (R).....	03500	\$ 1,107,466
3	MA Public Health Program and		
4	Health Science Technology (R).....	62300	52,387
5	Health Sciences Career Opportunities		
6	Program (R)	86900	319,587
7	HSTA Program (R)	87000	1,630,169
8	Center for Excellence in Disabilities (R) ...	96700	<u>292,554</u>
9	Total.....		\$ 3,402,163

10 Any unexpended balances remaining in the appropriations for
11 WVU Health Sciences – RHI Program and Site Support (fund
12 4185, appropriation 03500), MA Public Health Program and
13 Health Science Technology (fund 4185, appropriation 62300),
14 Health Sciences Career Opportunities Program (fund 4185,
15 appropriation 86900), HSTA Program (fund 4185, appropriation
16 87000), and Center for Excellence in Disabilities (fund 4185,

17 appropriation 96700) at the close of fiscal year 2017 are hereby
 18 reappropriated for expenditure during the fiscal year 2018.

296 - Higher Education Policy Commission –

Lottery Education –

Marshall University – School of Medicine

(WV Code Chapter 18B)

Fund 4896 FY 2018 Org 0471

1	Marshall Medical School –		
2	RHI Program and Site Support (R).....03300	\$	396,249
3	Vice Chancellor for Health Sciences –		
4	Rural Health Residency Program (R)..60100		<u>163,858</u>
5	Total.....	\$	<u>560,107</u>

6 Any unexpended balances remaining in the appropriations for
 7 Marshall Medical School – RHI Program and Site Support (fund
 8 4896, appropriation 03300) and Vice Chancellor for Health
 9 Sciences – Rural Health Residency Program (fund 4896,
 10 appropriation 60100) at the close of fiscal year 2017 are hereby
 11 reappropriated for expenditure during the fiscal year 2018.

12 Total TITLE II, Section 4 – Lottery Revenue..... \$ 130,917,133

1 **Sec. 5. Appropriations from state excess lottery revenue**
 2 **fund.** — In accordance with W.Va. Code §29-22-18a, §29-22A-
 3 10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the following
 4 appropriations shall be deposited and disbursed by the Director of
 5 the Lottery to the following accounts in this section in the amounts
 6 indicated.

7 After first funding the appropriations required by W.Va. Code
 8 §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-
 9 25-22b, the Director of the Lottery shall provide funding from the
 10 State Excess Lottery Revenue Fund for the remaining
 11 appropriations in this section to the extent that funds are available.
 12 In the event that revenues to the State Excess Lottery Revenue

13 Fund are sufficient to meet all the appropriations required made
 14 pursuant to this section, then the Director of the Lottery shall then
 15 provide the funds available for fund 5365, appropriation 18900.

297 - Lottery Commission –

Refundable Credit

Fund 7207 FY 2018 Org 0705

	Excess Lottery Funds	Appro- priation
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1	Directed Transfer	70000	\$	10,000,000
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2 The above appropriation shall be transferred to the General
 3 Revenue Fund to provide reimbursement for the refundable credit
 4 allowable under W.Va. Code §11-21-21. The amount of the
 5 required transfer shall be determined solely by the State Tax
 6 Commissioner and shall be completed by the Director of the
 7 Lottery upon the commissioner’s request.

298 - Lottery Commission –

General Purpose Account

Fund 7206 FY 2018 Org 0705

1	General Revenue Fund – Transfer	70011	\$	65,000,000
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2 The above appropriation shall be transferred to the General
 3 Revenue Fund as determined by the Director of the Lottery in
 4 accordance with W.Va. Code §29-22-18a.

299 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2018 Org 0441

1	PROMISE Scholarship – Transfer	80000	\$	29,000,000
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2 The above appropriation shall be transferred to the PROMISE
3 Scholarship Fund (fund 4296, org 0441) established by W.Va.
4 Code §18C-7-7.

5 The Legislature has explicitly set a finite amount of available
6 appropriations and directed the administrators of the Program to
7 provide for the award of scholarships within the limits of available
8 appropriations.

300 - Economic Development Authority –

Economic Development Project Fund

Fund 9065 FY 2018 Org 0944

1 Debt Service – Total31000 \$ 19,000,000

2 Pursuant to W.Va. Code §29-22-18a, subsection (f), excess
3 lottery revenues are authorized to be transferred to the lottery fund
4 as reimbursement of amounts transferred to the economic
5 development project fund pursuant to section four of this title and
6 W.Va. Code §29-22-18, subsection (f).

301 - Department of Education –

School Building Authority

Fund 3514 FY 2018 Org 0402

1 Debt Service – Total31000 \$ 19,000,000

302 - West Virginia Infrastructure Council –

West Virginia Infrastructure Transfer Fund

Fund 3390 FY 2018 Org 0316

1 Directed Transfer70000 \$ 46,000,000

2 The above appropriation shall be allocated pursuant to W.Va.
3 Code §29-22-18d and §31-15-9.

*303 - Higher Education Policy Commission –
Higher Education Improvement Fund*

Fund 4297 FY 2018 Org 0441

- | | | | | |
|---|--|-------|----|------------|
| 1 | Directed Transfer | 70000 | \$ | 15,000,000 |
| 2 | The above appropriation shall be transferred to fund 4903, org | | | |
| 3 | 0442 as authorized by Senate Concurrent Resolution No. 41. | | | |

304 - Division of Natural Resources –

State Park Improvement Fund

Fund 3277 FY 2018 Org 0310

1	Current Expenses (R)	13000	\$	2,438,300
2	Repairs and Alterations (R)	06400		2,161,200
3	Equipment (R).....	07000		200,000
4	Buildings (R).....	25800		100,000
5	Other Assets (R).....	69000		<u>100,500</u>
6	Total.....		\$	5,000,000

7 Any unexpended balances remaining in the above
8 appropriations for Repairs and Alterations (fund 3277,
9 appropriation 06400), Equipment (fund 3277, appropriation
10 07000), Unclassified – Total (fund 3277, appropriation 09600),
11 Unclassified (fund 3277, appropriation 09900), Current Expenses
12 (fund 3277, appropriation 13000), Buildings (fund 3277,
13 appropriation 25800), and Other Assets (fund 3277, appropriation
14 69000) at the close of the fiscal year 2017 are hereby
15 reappropriated for expenditure during the fiscal year 2018.

305 - Racing Commission –

Fund 7308 FY 2018 Org 0707

- | | | | | |
|---|--|-------|----|-----------|
| 1 | Special Breeders Compensation | | | |
| 2 | (WVC §29-22-18a, subsection (1)) | 21800 | \$ | 2,000,000 |

*306 - Lottery Commission –**Distributions to Statutory Funds and Purposes*Fund 7213 FY 2018 Org 0705

1	Parking Garage Fund – Transfer	70001	\$	500,000
2	2004 Capitol Complex Parking Garage			
3	Fund – Transfer	70002		254,147
4	Capitol Dome and Improvements			
5	Fund – Transfer	70003		2,155,201
6	Capitol Renovation and Improvement			
7	Fund – Transfer	70004		2,795,627
8	Development Office Promotion			
9	Fund – Transfer	70005		1,524,887
10	Research Challenge Fund – Transfer	70006		2,033,184
11	Tourism Promotion Fund – Transfer	70007		5,659,115
12	Cultural Facilities and Capitol Resources			
13	Matching Grant Program			
14	Fund – Transfer	70008		1,433,371
15	Workers' Compensation Debt Reduction			
16	Fund – Transfer	70009		2,750,000
17	State Debt Reduction Fund – Transfer	70010		20,000,000
18	General Revenue Fund – Transfer	70011		9,763,472
19	West Virginia Racing Commission			
20	Racetrack Video Lottery Account	70012		4,066,363
21	Historic Resort Hotel Fund	70013		34,200
22	Licensed Racetrack Regular Purse Fund ...	70014		<u>10,111,678</u>
23	Total		\$	63,081,245

307 - Governor's Office

(WV Code Chapter 5)

Fund 1046 FY 2018 Org 0100

- 1 Any unexpended balance remaining in the appropriation for
- 2 Publication of Papers and Transition Expenses – Lottery Surplus
- 3 (fund 1046, appropriation 06600) at the close of the fiscal year
- 4 2017 is hereby reappropriated for expenditure during the fiscal year
- 5 2018.

308 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 3170 FY 2018 Org 0307

1 Any unexpended balances remaining in the appropriations for
2 Unclassified – Total (fund 3170, appropriation 09600),
3 Recreational Grants or Economic Development Loans (fund 3170,
4 appropriation 25300), and Connectivity Research and
5 Development – Lottery Surplus (fund 3170, appropriation 92300)
6 at the close of the fiscal year 2017 are hereby reappropriated for
7 expenditure during the fiscal year 2018.

309 - Higher Education Policy Commission –

Administration –

Control Account

(WV Code Chapter 18B)

Fund 4932 FY 2018 Org 0441

1 Any unexpended balance remaining in the appropriation for
2 Advanced Technology Centers (fund 4932, appropriation 02800)
3 at the close of the fiscal year 2017 is hereby reappropriated for
4 expenditure during the fiscal year 2018.

310 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

1 Medical Services.....18900 \$ 24,506,170

311 - Division of Corrections –

Correctional Units

(WV Code Chapters 25, 28, 49 and 62)

Fund 6283 FY 2018 Org 0608

1 Any unexpended balance remaining in the appropriation for
 2 Capital Outlay and Maintenance (fund 6283, appropriation 75500)
 3 at the close of the fiscal year 2017 is hereby reappropriated for
 4 expenditure during the fiscal year 2018.

5 Total TITLE II, Section 5 –

6 Excess Lottery Funds..... \$ 297,587,415

1 **Sec. 6. Appropriations of federal funds.** — In accordance
 2 with Article 11, Chapter 4 of the Code from federal funds there are
 3 hereby appropriated conditionally upon the fulfillment of the
 4 provisions set forth in Article 2, Chapter 11B of the Code the
 5 following amounts, as itemized, for expenditure during the fiscal
 6 year 2018.

LEGISLATIVE

312 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 8738 FY 2018 Org 2300

	Appro- p-riation	Federal Funds
1 Economic Loss Claim Payment Fund.....33400	\$	2,360,125

JUDICIAL

313 - Supreme Court

Fund 8867 FY 2018 Org 2400

1 Personal Services and		
2 Employee Benefits.....00100	\$	2,008,000
3 Current Expenses13000		<u>1,992,000</u>
4 Total.....	\$	4,000,000

EXECUTIVE*314 - Governor's Office*

(WV Code Chapter 5)

Fund 8742 FY 2018 Org 0100

1	Current Expenses – Total.....	13000	\$	225,000
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315 - Department of Agriculture

(WV Code Chapter 19)

Fund 8736 FY 2018 Org 1400

1	Personal Services and			
2	Employee Benefits.....	00100	\$	1,563,760
3	Unclassified.....	09900		50,534
4	Current Expenses	13000		3,828,661
5	Repairs and Alterations.....	06400		650,000
6	Equipment.....	07000		910,500
7	Other Assets.....	69000		<u>50,000</u>
8	Total.....		\$	7,053,455

*316 - Department of Agriculture –**Meat Inspection Fund*

(WV Code Chapter 19)

Fund 8737 FY 2018 Org 1400

1	Personal Services and			
2	Employee Benefits.....	00100	\$	610,830
3	Unclassified.....	09900		8,755
4	Current Expenses	13000		136,012
5	Repairs and Alterations.....	06400		5,500
6	Equipment.....	07000		<u>114,478</u>
7	Total.....		\$	875,575

*317 - Department of Agriculture –**State Conservation Committee*

(WV Code Chapter 19)

Fund 8783 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....00100	\$	97,250
3	Current Expenses13000		<u>14,099,974</u>
4	Total.....	\$	14,197,224

*318 - Department of Agriculture –**Land Protection Authority*Fund 8896 FY 2018 Org 1400

1	Personal Services and		
2	Employee Benefits.....00100	\$	46,526
3	Unclassified.....09900		5,004
4	Current Expenses13000		<u>448,920</u>
5	Total.....	\$	500,450

*319 - Secretary of State –**State Election Fund*

(WV Code Chapter 3)

Fund 8854 FY 2018 Org 1600

1	Personal Services and		
2	Employee Benefits.....00100	\$	210,240
3	Unclassified.....09900		7,484
4	Current Expenses13000		415,727
5	Repairs and Alterations.....06400		15,000
6	Other Assets.....69000		<u>100,000</u>
7	Total.....	\$	748,451

DEPARTMENT OF COMMERCE*320 - Division of Forestry*

(WV Code Chapter 19)

Fund 8703 FY 2018 Org 0305

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,578,347
3	Unclassified.....	09900	51,050
4	Current Expenses	13000	5,232,560
5	Repairs and Alterations.....	06400	155,795
6	Equipment.....	07000	100,000
7	Other Assets.....	69000	<u>1,808,300</u>
8	Total.....		\$ 8,926,052

321 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 8704 FY 2018 Org 0306

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 54,432
3	Unclassified.....	09900	2,803
4	Current Expenses	13000	195,639
5	Repairs and Alterations.....	06400	5,000
6	Equipment.....	07000	7,500
7	Other Assets.....	69000	<u>15,000</u>
8	Total.....		\$ 280,374

322 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 8705 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 745,981
3	Unclassified.....	09900	50,000
4	Current Expenses	13000	<u>4,504,019</u>

5 Total..... \$ 5,300,000

323 - West Virginia Development Office –

Office of Economic Opportunity

(WV Code Chapter 5)

Fund 8901 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....00100	\$	497,289
3	Repairs and Alterations.....06400		250
4	Equipment.....07000		6,000
5	Unclassified.....09900		106,795
6	Current Expenses.....13000		<u>10,069,166</u>
7	Total.....	\$	10,679,500

324 - Division of Labor

(WV Code Chapters 21 and 47)

Fund 8706 FY 2018 Org 0308

1	Personal Services and		
2	Employee Benefits.....00100	\$	384,072
3	Unclassified.....09900		5,572
4	Current Expenses.....13000		167,098
5	Repairs and Alterations.....06400		<u>500</u>
6	Total.....	\$	557,242

325 - Division of Natural Resources

(WV Code Chapter 20)

Fund 8707 FY 2018 Org 0310

1	Personal Services and		
2	Employee Benefits.....00100	\$	7,912,218
3	Unclassified.....09900		107,693
4	Current Expenses.....13000		5,556,594
5	Repairs and Alterations.....06400		289,400

6	Equipment.....	07000	1,815,182
7	Buildings.....	25800	951,000
8	Other Assets.....	69000	4,951,000
9	Land.....	73000	<u>6,001,000</u>
10	Total.....		\$ 27,584,087

326 - Division of Miners' Health,

Safety and Training

(WV Code Chapter 22)

Fund 8709 FY 2018 Org 0314

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 613,177
3	Current Expenses.....	13000	<u>150,000</u>
4	Total.....		\$ 763,177

327 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 8835 FY 2018 Org 0323

1	Unclassified.....	09900	\$ 5,127
2	Current Expenses.....	13000	507,530
3	Reed Act 2002 – Unemployment Compensation	62200	
4	2,850,000		
5	Reed Act 2002 – Employment Services	63000	<u>1,650,000</u>
6	Total.....		\$ 5,012,657

7 Pursuant to the requirements of 42 U.S.C. 1103, Section 903 of
8 the Social Security Act, as amended, and the provisions of W.Va.
9 Code §21A-9-9, the above appropriation to Unclassified and
10 Current Expenses shall be used by WorkForce West Virginia for
11 the specific purpose of administration of the state's unemployment
12 insurance program or job service activities, subject to each and
13 every restriction, limitation or obligation imposed on the use of the
14 funds by those federal and state statutes.

328 - Office of Energy

(WV Code Chapter 5B)

Fund 8892 FY 2018 Org 0328

1	Personal Services and		
2	Employee Benefits.....00100	\$	411,574
3	Unclassified.....09900		7,350
4	Current Expenses13000		<u>2,816,076</u>
5	Total.....	\$	3,235,000

DEPARTMENT OF EDUCATION*329 - State Board of Education –**State Department of Education*

(WV Code Chapters 18 and 18A)

Fund 8712 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....00100	\$	5,628,855
3	Unclassified.....09900		2,000,000
4	Current Expenses13000		212,367,820
5	Repairs and Alterations.....06400		10,000
6	Equipment.....07000		10,000
7	Other Assets.....69000		<u>10,000</u>
8	Total.....	\$	220,026,675

*330 - State Board of Education –**School Lunch Program*

(WV Code Chapters 18 and 18A)

Fund 8713 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,812,648
3	Unclassified.....09900		1,150,500

4	Current Expenses	13000	143,281,265
5	Repairs and Alterations.....	06400	20,000
6	Equipment.....	07000	100,000
7	Other Assets.....	69000	<u>25,000</u>
8	Total.....		\$ 146,389,413

331 - State Board of Education –

Vocational Division

(WV Code Chapters 18 and 18A)

Fund 8714 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,519,972
3	Unclassified.....	09900	155,000
4	Current Expenses	13000	14,320,081
5	Repairs and Alterations.....	06400	10,000
6	Equipment.....	07000	10,000
7	Other Assets.....	69000	<u>10,000</u>
8	Total.....		\$ 16,025,053

332 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 8715 FY 2018 Org 0402

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 3,344,940
3	Unclassified.....	09900	1,000,000
4	Current Expenses	13000	108,346,390
5	Repairs and Alterations.....	06400	10,000
6	Equipment.....	07000	10,000
7	Other Assets.....	69000	<u>10,000</u>
8	Total.....		\$ 112,721,330

DEPARTMENT OF EDUCATION AND THE ARTS*333 - Department of Education and the Arts –**Office of the Secretary*

(WV Code Chapter 5F)

Fund 8841 FY 2018 Org 0431

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 416,675
3	Current Expenses	13000	5,587,325
4	Repairs and Alterations.....	06400	<u>1,000</u>
5	Total.....		\$ 6,005,000

334 - Division of Culture and History

(WV Code Chapter 29)

Fund 8718 FY 2018 Org 0432

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 743,046
3	Current Expenses	13000	1,947,372
4	Repairs and Alterations.....	06400	1,000
5	Equipment.....	07000	1,000
6	Buildings	25800	1,000
7	Other Assets.....	69000	1,000
8	Land	73000	<u>360</u>
9	Total.....		\$ 2,694,778

335 - Library Commission

(WV Code Chapter 10)

Fund 8720 FY 2018 Org 0433

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 333,648
3	Current Expenses	13000	1,076,162
4	Equipment.....	07000	<u>543,406</u>

5	Total.....		\$	1,953,216
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336 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 8721 FY 2018 Org 0439

1	Equipment.....	07000	\$	750,000
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337 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 8734 FY 2018 Org 0932

1	Personal Services and			
2	Employee Benefits.....	00100	\$	11,248,930
3	Current Expenses	13000		54,485,940
4	Repairs and Alterations.....	06400		350,400
5	Equipment.....	07000		<u>1,275,870</u>
6	Total.....		\$	67,361,140

338 - State Board of Rehabilitation –

Division of Rehabilitation Services –

Disability Determination Services

(WV Code Chapter 18)

Fund 8890 FY 2018 Org 0932

1	Personal Services and			
2	Employee Benefits.....	00100	\$	13,730,634
3	Current Expenses	13000		11,383,206
4	Repairs and Alterations.....	06400		1,100
5	Equipment.....	07000		<u>83,350</u>
6	Total.....		\$	25,198,290

DEPARTMENT OF ENVIRONMENTAL PROTECTION*339 - Division of Environmental Protection*

(WV Code Chapter 22)

Fund 8708 FY 2018 Org 0313

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 29,177,068
3	Current Expenses	13000	190,201,007
4	Repairs and Alterations.....	06400	738,283
5	Equipment.....	07000	1,725,238
6	Unclassified.....	09900	2,201,827
7	Other Assets.....	69000	2,154,416
8	Land	73000	<u>100,000</u>
9	Total.....		\$ 226,297,839

DEPARTMENT OF HEALTH AND HUMAN RESOURCES*340 - Consolidated Medical Service Fund*

(WV Code Chapter 16)

Fund 8723 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 750,876
3	Unclassified.....	09900	73,307
4	Current Expenses	13000	<u>6,630,103</u>
5	Total.....		\$ 7,454,286

*341 - Division of Health –**Central Office*

(WV Code Chapter 16)

Fund 8802 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 13,744,404

3	Unclassified.....	09900	947,948
4	Current Expenses	13000	79,110,551
5	Equipment.....	07000	456,972
6	Buildings	25800	155,000
7	Other Assets.....	69000	<u>380,000</u>
8	Total.....		\$ 94,794,875

342 - Division of Health –

West Virginia Safe Drinking Water Treatment

(WV Code Chapter 16)

Fund 8824 FY 2018 Org 0506

1	West Virginia Drinking Water Treatment		
2	Revolving Fund – Transfer.....	68900	\$ 16,000,000

343 - West Virginia Health Care Authority

(WV Code Chapter 16)

Fund 8851 FY 2018 Org 0507

1	Unclassified.....	09900	\$ 9,966
2	Current Expenses	13000	<u>986,649</u>
3	Total.....		\$ 996,615

344 - Human Rights Commission

(WV Code Chapter 5)

Fund 8725 FY 2018 Org 0510

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 625,349
3	Unclassified.....	09900	5,482
4	Current Expenses	13000	<u>140,389</u>
5	Total.....		\$ 771,220

345 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 8722 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 68,943,213
3	Unclassified.....	09900	22,855,833
4	Current Expenses	13000	72,070,005
5	Medical Services.....	18900	3,234,265,405
6	Medical Services Administrative Costs	78900	132,045,119
7	CHIP Administrative Costs.....	85601	3,333,752
8	CHIP Services.....	85602	47,422,974
9	Federal Economic Stimulus	89100	<u>20,000,000</u>
10	Total.....		\$3,600,936,301

**DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC
SAFETY**

346 - Office of the Secretary

(WV Code Chapter 5F)

Fund 8876 FY 2018 Org 0601

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 439,636
3	Unclassified.....	09900	250,000
4	Current Expenses	13000	24,307,690
5	Repairs and Alterations.....	06400	3,000
6	Other Assets.....	69000	<u>5,000</u>
7	Total.....		\$ 25,005,326

*347 - Adjutant General –**State Militia*

(WV Code Chapter 15)

Fund 8726 FY 2018 Org 0603

1	Unclassified.....	09900	\$ 982,705
2	Mountaineer ChalleNGe Academy	70900	4,550,000
3	Martinsburg Starbase	74200	410,000
4	Charleston Starbase.....	74300	400,000

5	Military Authority.....	74800	<u>91,927,900</u>
6	Total.....		\$ 98,270,605

7 The Adjutant General shall have the authority to transfer
8 between appropriations.

348 - Adjutant General –

West Virginia National Guard Counterdrug Forfeiture Fund

(WV Code Chapter 15)

Fund 8785 FY 2018 Org 0603

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,350,000
3	Current Expenses	13000	300,000
4	Equipment.....	07000	<u>350,000</u>
5	Total.....		\$ 2,000,000

349 - Division of Homeland Security and

Emergency Management

(WV Code Chapter 15)

Fund 8727 FY 2018 Org 0606

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 721,650
3	Current Expenses	13000	20,429,281
4	Repairs and Alterations.....	06400	5,000
5	Equipment.....	07000	<u>100,000</u>
6	Total.....		\$ 21,255,931

350 - Division of Corrections

(WV Code Chapters 25, 28, 49 and 62)

Fund 8836 FY 2018 Org 0608

1	Unclassified.....	09900	\$ 1,100
2	Current Expenses	13000	<u>108,900</u>

2017] HOUSE OF DELEGATES 4145

3 Total..... \$ 110,000

351 - West Virginia State Police

(WV Code Chapter 15)

Fund 8741 FY 2018 Org 0612

1	Personal Services and		
2	Employee Benefits.....00100	\$	2,435,539
3	Current Expenses13000		2,125,971
4	Repairs and Alterations.....06400		42,000
5	Equipment.....07000		2,502,285
6	Buildings.....25800		750,500
7	Other Assets.....69000		144,500
8	Land73000		<u>500</u>
9	Total.....	\$	8,001,295

352 - Fire Commission

(WV Code Chapter 29)

Fund 8819 FY 2018 Org 0619

1 Current Expenses13000 \$ 80,000

353 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 8803 FY 2018 Org 0620

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,056,170
3	Unclassified.....09900		25,185
4	Current Expenses13000		18,774,373
5	Repairs and Alterations.....06400		<u>1,750</u>
6	Total.....	\$	19,857,478

DEPARTMENT OF REVENUE

354 - Insurance Commissioner

(WV Code Chapter 33)

Fund 8883 FY 2018 Org 0704

1 Current Expenses13000 \$ 3,000,000

DEPARTMENT OF TRANSPORTATION

355 - Division of Motor Vehicles

(WV Code Chapter 17B)

Fund 8787 FY 2018 Org 0802

1	Personal Services and		
2	Employee Benefits.....00100	\$	501,394
3	Current Expenses13000		13,671,640
4	Repairs and Alterations.....06400		<u>500</u>
5	Total.....	\$	<u>14,173,534</u>

356 - Division of Public Transit

(WV Code Chapter 17)

Fund 8745 FY 2018 Org 0805

1	Personal Services and		
2	Employee Benefits.....00100	\$	702,637
3	Current Expenses13000		9,161,605
4	Repairs and Alterations.....06400		2,500
5	Equipment.....07000		4,726,958
6	Buildings.....25800		750,000
7	Other Assets.....69000		<u>250,000</u>
8	Total.....	\$	<u>15,593,700</u>

357 - Public Port Authority

(WV Code Chapter 17)

Fund 8830 FY 2018 Org 0806

1 Current Expenses13000 \$ 200,000

DEPARTMENT OF VETERANS' ASSISTANCE*358 - Department of Veterans' Assistance*

(WV Code Chapter 9A)

Fund 8858 FY 2018 Org 0613

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 2,751,100
3	Current Expenses	13000	3,925,900
4	Repairs and Alterations.....	06400	50,000
5	Equipment.....	07000	200,000
6	Buildings.....	25800	600,000
7	Other Assets.....	69000	100,000
8	Land	73000	<u>100,000</u>
9	Total.....		\$ 7,727,000

*359 - Department of Veterans' Assistance -**Veterans' Home*

(WV Code Chapter 9A)

Fund 8728 FY 2018 Org 0618

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 877,915
3	Current Expenses	13000	844,092
4	Repairs and Alterations.....	06400	220,000
5	Equipment.....	07000	198,000
6	Buildings.....	25800	296,000
7	Other Assets.....	69000	20,000
8	Land	73000	<u>10,000</u>
9	Total.....		\$ 2,466,007

BUREAU OF SENIOR SERVICES*360 - Bureau of Senior Services*

(WV Code Chapter 29)

Fund 8724 FY 2018 Org 0508

1	Personal Services and		
2	Employee Benefits.....00100	\$	721,393
3	Current Expenses13000		13,811,853
4	Repairs and Alterations.....06400		<u>3,000</u>
5	Total.....	\$	14,536,246

MISCELLANEOUS BOARDS AND COMMISSIONS*361 - Public Service Commission –**Motor Carrier Division*

(WV Code Chapter 24A)

Fund 8743 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,286,913
3	Current Expenses13000		368,953
4	Repairs and Alterations.....06400		40,000
5	Equipment.....07000		<u>750,000</u>
6	Total.....	\$	2,445,866

*362 - Public Service Commission –**Gas Pipeline Division*

(WV Code Chapter 24B)

Fund 8744 FY 2018 Org 0926

1	Personal Services and		
2	Employee Benefits.....00100	\$	596,600
3	Current Expenses13000		124,628
4	Equipment.....07000		3,000
5	Unclassified.....09900		<u>4,072</u>
6	Total.....	\$	728,300

363 - National Coal Heritage Area Authority

(WV Code Chapter 29)

Fund 8869 FY 2018 Org 0941

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 159,235
3	Current Expenses	13000	631,365
4	Repairs and Alterations.....	06400	5,000
5	Equipment.....	07000	3,000
6	Other Assets.....	69000	2,000
7	Total.....		<u>\$ 800,600</u>
8	Total TITLE II, Section 6 - Federal Funds		<u>\$4,874,926,288</u>

1 **Sec. 7. Appropriations from federal block grants.** — The
2 following items are hereby appropriated from federal block grants
3 to be available for expenditure during the fiscal year 2018.

364 - West Virginia Development Office –

Community Development

Fund 8746 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 648,117
3	Unclassified.....	09900	375,000
4	Current Expenses	13000	<u>36,476,883</u>
5	Total.....		<u>\$ 37,500,000</u>

365 - Department of Commerce

West Virginia Development Office –

Office of Economic Opportunity –

Community Services

Fund 8902 FY 2018 Org 0307

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 362,389
3	Unclassified.....	09900	125,000
4	Current Expenses	13000	12,002,111

5	Repairs and Alterations.....	06400		1,500
6	Equipment.....	07000		<u>9,000</u>
7	Total.....		\$	12,500,000

366 - WorkForce West Virginia –

Workforce Investment Act

Fund 8749 FY 2018 Org 0323

1	Personal Services and			
2	Employee Benefits.....	00100	\$	2,112,606
3	Unclassified.....	09900		23,023
4	Current Expenses	13000		39,263,511
5	Repairs and Alterations.....	06400		1,600
6	Equipment.....	07000		500
7	Buildings.....	25800		<u>1,100</u>
8	Total.....		\$	41,402,340

367 - Division of Health –

Maternal and Child Health

Fund 8750 FY 2018 Org 0506

1	Personal Services and			
2	Employee Benefits.....	00100	\$	2,124,294
3	Unclassified.....	09900		110,017
4	Current Expenses	13000		<u>8,767,420</u>
5	Total.....		\$	11,001,731

368 - Division of Health –

Preventive Health

Fund 8753 FY 2018 Org 0506

1	Personal Services and			
2	Employee Benefits.....	00100	\$	162,320
3	Unclassified.....	09900		22,457
4	Current Expenses	13000		1,895,366
5	Equipment.....	07000		<u>165,642</u>

6 Total..... \$ 2,245,785

369 - Division of Health –

Substance Abuse Prevention and Treatment

Fund 8793 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....00100	\$	822,766
3	Unclassified.....09900		115,924
4	Current Expenses13000		<u>10,653,740</u>
5	Total.....	\$	11,592,430

370 - Division of Health –

Community Mental Health Services

Fund 8794 FY 2018 Org 0506

1	Personal Services and		
2	Employee Benefits.....00100	\$	936,557
3	Unclassified.....09900		33,533
4	Current Expenses13000		<u>2,383,307</u>
5	Total.....	\$	3,353,397

371 - Division of Human Services –

Energy Assistance

Fund 8755 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....00100	\$	1,514,312
3	Unclassified.....09900		350,000
4	Current Expenses13000		<u>33,181,300</u>
5	Total.....	\$	35,045,612

372 - Division of Human Services –

Social Services

Fund 8757 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 14,231,684
3	Unclassified.....	09900	171,982
4	Current Expenses	13000	<u>2,870,508</u>
5	Total.....		\$ 17,274,174

373 - Division of Human Services –

Temporary Assistance for Needy Families

Fund 8816 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 18,297,327
3	Unclassified.....	09900	1,250,000
4	Current Expenses	13000	<u>105,847,136</u>
5	Total.....		\$ 125,394,463

374 - Division of Human Services –

Child Care and Development

Fund 8817 FY 2018 Org 0511

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 4,676,841
3	Unclassified.....	09900	350,000
4	Current Expenses	13000	<u>31,999,456</u>
5	Total.....		\$ 37,026,297

375 - Division of Justice and Community Services –

Juvenile Accountability Incentive

Fund 8829 FY 2018 Org 0620

1	Personal Services and		
2	Employee Benefits.....	00100	\$ 1,648
3	Current Expenses	13000	48,351
4	Repairs and Alterations.....	06400	<u>1</u>
5	Total.....		\$ 50,000

6 Total TITLE II, Section 7 –

7 Federal Block Grants \$ 334,386,229

1 **Sec. 8. Awards for claims against the state.** — There are
2 hereby appropriated for fiscal year 2018, from the fund as
3 designated, in the amounts as specified, general revenue funds in
4 the amount of \$930,144, special revenue funds in the amount of
5 \$458,734, and state road funds in the amount of \$563,249 for
6 payment of claims against the state.

1 **Sec. 9. Appropriations from general revenue surplus**
2 **accrued.** — The following item is hereby appropriated from the
3 state fund, general revenue, and is to be available for expenditure
4 during the fiscal year 2018 out of surplus funds only, accrued from
5 the fiscal year ending June 30, 2017, subject to the terms and
6 conditions set forth in this section.

7 It is the intent and mandate of the Legislature that the following
8 appropriation be payable only from surplus as of July 31, 2017
9 from the fiscal year ending June 30, 2017, only after first meeting
10 requirements of W.Va. Code §11B-2-20(b).

11 In the event that surplus revenues available on July 31, 2017,
12 are not sufficient to meet the appropriation made pursuant to this
13 section, then the appropriation shall be made to the extent that
14 surplus funds are available as of the date mandated to meet the
15 appropriation in this section and shall be allocated first to provide
16 the necessary funds to meet the first appropriation of this section
17 and each subsequent appropriation in the order listed in this
18 section.

376 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

1 Capital Outlay, Repairs and

2 Equipment – Surplus.....67700 \$ 8,000,000

377 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

1 Medical Services – Surplus.....63300 \$ 30,159,358

*378 - State Auditor –**General Administration*

(WV Code Chapter 12)

Fund 0116 FY 2018 Org 1200

1 Volunteer Fire Department Workers’

2 Compensation Subsidy – Surplus##### \$ 2,000,000

379 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2018 Org 0702

1 Enhanced Enforcement and

2 Auditing - Surplus.....##### \$ 750,0003 Total TITLE II, Section 9 – Surplus Accrued \$ 40,909,3581 **Sec. 10. Appropriations from lottery net profits surplus**2 **accrued.** — The following item is hereby appropriated from the

3 lottery net profits, and is to be available for expenditure during the

4 fiscal year 2018 out of surplus funds only, as determined by the

5 director of lottery, accrued from the fiscal year ending June 30,

6 2017, subject to the terms and conditions set forth in this section.

7 It is the intent and mandate of the Legislature that the following

8 appropriation be payable only from surplus accrued from the fiscal

9 year ending June 30, 2017.

10 In the event that surplus revenues available from the fiscal year

11 ending June 30, 2017, are not sufficient to meet the appropriation

12 made pursuant to this section, then the appropriation shall be made
13 to the extent that surplus funds are available.

380 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

1	Senior Services Medicaid Transfer –		
2	Lottery Surplus	68199	\$ <u>15,500,000</u>
3	Total TITLE II, Section 10 –		
4	Surplus Accrued.....		\$ <u>15,500,000</u>

1 **Sec. 11. Appropriations from state excess lottery revenue**
2 **surplus accrued.** — The following item is hereby appropriated
3 from the state excess lottery revenue fund, and is to be available
4 for expenditure during the fiscal year 2018 out of surplus funds
5 only, as determined by the director of lottery, accrued from the
6 fiscal year ending June 30, 2017, subject to the terms and
7 conditions set forth in this section.

8 It is the intent and mandate of the Legislature that the following
9 appropriation be payable only from surplus accrued from the fiscal
10 year ending June 30, 2017.

11 In the event that surplus revenues available from the fiscal year
12 ending June 30, 2017, are not sufficient to meet the appropriation
13 made pursuant to this section, then the appropriation shall be made
14 to the extent that surplus funds are available.

381 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

1	Medical Services – Lottery Surplus	68100	\$ <u>26,900,000</u>
2	Total TITLE II, Section 11 –		

3 Surplus Accrued..... \$ 26,900,000

1 **Sec. 12. Special revenue appropriations.** — There are hereby
2 appropriated for expenditure during the fiscal year 2018
3 appropriations made by general law from special revenues which
4 are not paid into the state fund as general revenue under the
5 provisions of W.Va. Code §12-2-2: *Provided*, That none of the
6 money so appropriated by this section shall be available for
7 expenditure except in compliance with the provisions of W.Va.
8 Code §12-2 and 3, and W.Va. Code §11B-2, unless the spending
9 unit has filed with the director of the budget and the legislative
10 auditor prior to the beginning of each fiscal year:

11 (a) An estimate of the amount and sources of all revenues
12 accruing to such fund; and

13 (b) A detailed expenditure schedule showing for what purposes
14 the fund is to be expended.

15 During Fiscal Year 2018, the following funds are hereby
16 available and are to be transferred to the Department of Health and
17 Human Resources, Division of Human Services – Medical
18 Services Trust Fund (fund 5185) from available balances per the
19 following:

382 - Treasurer’s Office –

Banking Services Fund

(WV Code Chapter 12)

Fund 1322 FY 2018 Org 1300

1 Directed Transfer70000 \$1,209,197.40

383 - Department of Administration -

Office of the Secretary -

State Employee Sick Leave Fund

(WV Code Chapter 5)

Fund 2045 FY 2018 Org 0201

1 Directed Transfer70000 \$ 454,906.67

384 - Department of Administration -

Office of the Secretary -

Gifts, Grants and Donations

(WV Code Chapter 5A)

Fund 2046 FY 2018 Org 0201

1 Directed Transfer70000 \$ 80,000

385 - Department of Administration -

Division of Personnel -

Civil Service Emergency Employment Fund

(WV Code Chapter 29)

Fund 2444 FY 2018 Org 0222

1 Directed Transfer70000 \$ 264.96

386 - Department of Health and Human Resources -

Division of Health -

Breast and Cervical Diagnostic and Treatment Fund

(WV Code Chapter 16)

Fund 5197 FY 2018 Org 0506

1 Directed Transfer70000 \$1,393,767.75

2 Total TITLE II, Section 12 –

3 Directed Transfer \$3,138,136.78

1 **Sec. 13. State improvement fund appropriations.** —
2 Bequests or donations of nonpublic funds, received by the
3 Governor on behalf of the state during the fiscal year 2018, for the
4 purpose of making studies and recommendations relative to
5 improvements of the administration and management of spending
6 units in the executive branch of state government, shall be
7 deposited in the state treasury in a separate account therein
8 designated state improvement fund.

9 There are hereby appropriated all moneys so deposited during
10 the fiscal year 2018 to be expended as authorized by the Governor,
11 for such studies and recommendations which may encompass any
12 problems of organization, procedures, systems, functions, powers
13 or duties of a state spending unit in the executive branch, or the
14 betterment of the economic, social, educational, health and general
15 welfare of the state or its citizens.

1 **Sec. 14. Specific funds and collection accounts.** — A fund or
2 collection account which by law is dedicated to a specific use is
3 hereby appropriated in sufficient amount to meet all lawful
4 demands upon the fund or collection account and shall be expended
5 according to the provisions of Article 3, Chapter 12 of the Code.

1 **Sec. 15. Appropriations for refunding erroneous payment.**
2 — Money that has been erroneously paid into the state treasury is
3 hereby appropriated out of the fund into which it was paid, for
4 refund to the proper person.

5 When the officer authorized by law to collect money for the
6 state finds that a sum has been erroneously paid, he or she shall
7 issue his or her requisition upon the Auditor for the refunding of
8 the proper amount. The Auditor shall issue his or her warrant to the
9 Treasurer and the Treasurer shall pay the warrant out of the fund
10 into which the amount was originally paid.

1 **Sec. 16. Sinking fund deficiencies.** — There is hereby
2 appropriated to the Governor a sufficient amount to meet any
3 deficiencies that may arise in the mortgage finance bond insurance
4 fund of the West Virginia housing development fund which is
5 under the supervision and control of the municipal bond

6 commission as provided by W.Va. Code §31-18-20b, or in the
7 funds of the municipal bond commission because of the failure of
8 any state agency for either general obligation or revenue bonds or
9 any local taxing district for general obligation bonds to remit funds
10 necessary for the payment of interest and sinking fund
11 requirements. The Governor is authorized to transfer from time to
12 time such amounts to the municipal bond commission as may be
13 necessary for these purposes.

14 The municipal bond commission shall reimburse the state of
15 West Virginia through the Governor from the first remittance
16 collected from the West Virginia housing development fund or
17 from any state agency or local taxing district for which the
18 Governor advanced funds, with interest at the rate carried by the
19 bonds for security or payment of which the advance was made.

1 **Sec. 17. Appropriations for local governments.** — There are
2 hereby appropriated for payment to counties, districts and
3 municipal corporations such amounts as will be necessary to pay
4 taxes due counties, districts and municipal corporations and which
5 have been paid into the treasury:

- 6 (a) For redemption of lands;
- 7 (b) By public service corporations;
- 8 (c) For tax forfeitures.

1 **Sec. 18. Total appropriations.** — Where only a total sum is
2 appropriated to a spending unit, the total sum shall include personal
3 services and employee benefits, annual increment, current
4 expenses, repairs and alterations, buildings, equipment, other
5 assets, land, and capital outlay, where not otherwise specifically
6 provided and except as otherwise provided in TITLE I –
7 GENERAL PROVISIONS, Sec. 3.

1 **Sec. 19. General school fund.** — The balance of the proceeds
2 of the general school fund remaining after the payment of the
3 appropriations made by this act is appropriated for expenditure in
4 accordance with W.Va. Code §18-9A-16.

TITLE III – ADMINISTRATION

1 **Sec. 1. Appropriations conditional.** — The expenditure of the
2 appropriations made by this act, except those appropriations made
3 to the legislative and judicial branches of the state government, are
4 conditioned upon the compliance by the spending unit with the
5 requirements of Article 2, Chapter 11B of the Code.

6 Where spending units or parts of spending units have been
7 absorbed by or combined with other spending units, it is the intent
8 of this act that appropriations and reappropriations shall be to the
9 succeeding or later spending unit created, unless otherwise
10 indicated.

1 **Sec. 2. Constitutionality.** — If any part of this act is declared
2 unconstitutional by a court of competent jurisdiction, its decision
3 shall not affect any portion of this act which remains, but the
4 remaining portion shall be in full force and effect as if the portion
5 declared unconstitutional had never been a part of the act.

On the motion to concur, Delegate Caputo demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 670**), and there were—yeas 55, nays 31, absent and not voting 14, with the nays and absent and not voting being as follows:

Nays: Baldwin, Barrett, Bates, Boggs, Brewer, Byrd, Canestraro, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hicks, Hornbuckle, Isner, Longstreth, Lovejoy, Marcum, Miley, R. Miller, Moye, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaugle, Thompson and Williams.

Absent and Not Voting: Ambler, Arvon, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquinta, C. Miller, Phillips, R. Romine, Summers and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the House concurred in the amendment of the bill by the Senate.

The bill, as amended by the House, and further amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 671**), and there were, including pairs—yeas 64, nays 25, absent and not voting 11, with the paired, nays and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairings were announced by the Clerk:

Paired:

Yea: Butler Nay: Longstreth

Yea: C. Miller Nay: Miley

Yea: Westfall Nay: Rodighiero

Nays: Baldwin, Barrett, Bates, Boggs, Brewer, Byrd, Canestraro, Caputo, Diserio, Eldridge, Ferro, Fleischauer, Fluharty, Hornbuckle, Lovejoy, Marcum, R. Miller, Pushkin, Pyles, Robinson, Sponaugle and Williams.

Absent and Not Voting: Ambler, Arvon, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquinta, Phillips, R. Romine and Summers.

So, a majority of the members elected having voted in the affirmative, the Speaker declared the bill (S. B. 1013) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 672**), and there were—yeas 86, nays none, absent and not voting 14, with the absent and not voting being as follows:

Absent and Not Voting: Ambler, Arvon, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquinta, C. Miller, Phillips, R. Romine, Summers and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1013) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates, with further amendment, and the passage, as amended, to take effect from passage, of

S. B. 1006, Increasing funding for State Road Fund.

Delegate Cowles moved that the House concur in the following amendment of the bill by the Senate:

On page thirty-four, section three, line five, by striking out “\$40” and inserting in lieu thereof “\$50”.

On the motion to concur, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken, (**Roll No. 673**), and there were—yeas 62, nays 24, absent and not voting 14, with the nays and absent and not voting being as follows:

Nays: Barrett, Eldridge, Fast, Fluharty, Folk, Frich, Gearheart, Harshbarger, Hill, Howell, Kessinger, Lynch, Marcum, Martin, Maynard, McGeehan, Moye, Overington, Paynter, Robinson, Sobonya, Sponaugle, Upson and Ward.

Absent and Not Voting: Ambler, Arvon, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquinta, C. Miller, Phillips, R. Romine, Summers and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the House concurred in the amendment of the bill by the Senate.

The bill, as amended by the House, and further amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 674**), and there were—yeas 54, nays 32, absent and not voting 14, with the nays and absent and not voting being as follows:

Nays: Barrett, Blair, Cooper, Eldridge, Espinosa, Fast, Folk, G. Foster, Frich, Gearheart, Hamrick, Harshbarger, Higginbotham, Hill, Howell, Kessinger, Lynch, Marcum, Martin, Maynard, McGeehan, Moye, O'Neal, Overington, Paynter, Robinson, Rodighiero, Sobonya, Sponaugle, Upton, Ward and Wilson.

Absent and Not Voting: Ambler, Arvon, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine, Summers and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 1006) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 675**), and there were—yeas 74, nays 12, absent and not voting 14, with the nays and absent and not voting being as follows:

Nays: Barrett, Folk, Gearheart, Hill, Kessinger, Marcum, Martin, McGeehan, Paynter, Upton, Ward and Wilson.

Absent and Not Voting: Ambler, Arvon, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine, Summers and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1006) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the rejection, as amended, of

Com. Sub. for S. B. 1011, Selling Hopemont Hospital.

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

S. B. 1003, Relating generally to WV Parkways Authority,

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

Delegate Cowles asked unanimous consent that the bill be taken up for immediate consideration and read a first time, which consent was not given, objection being heard.

Delegate Cowles then so moved.

On this question, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 676**), and there were—yeas 70, nays 15, absent and not voting 15, with the nays and absent and not voting being as follows:

Nays: Dean, Eldridge, Fast, Folk, Gearheart, Hill, Kessinger, Marcum, Martin, Maynard, McGeehan, Paynter, Rodighiero, Ward and Wilson.

Absent and Not Voting: Ambler, Arvon, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine, Rowe, Summers and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the motion was adopted.

The bill was then read a first time and ordered to second reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 677**), and there were—yeas 73, nays 13, absent and not voting 14, with the nays and absent and not voting being as follows:

Nays: Fast, Folk, Gearheart, Hicks, Hill, Kessinger, Marcum, Martin, Maynard, McGeehan, Paynter, Ward and Wilson.

Absent and Not Voting: Ambler, Arvon, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquina, C. Miller, Phillips, R. Romine, Summers and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time.

An amendment, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the bill on page two, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

“That §17-16A-18a and §17-16A-23 of the Code of West Virginia, 1931, as amended, be repealed; that §17-16A-5, §17-16A-6, §17-16A-10, §17-16A-11, §17-16A-13, §17-16A-13a, §17-16A-18, §17-16A-21, §17-16A-22, §17-16A-29 and §17-16A-30 of said code be amended and reenacted; that said code be amended by adding thereto a new section, designated §17-16A-

11a; that §17-16D-3 of said code be amended and reenacted; that said code be amended by adding thereto a new section, designated §17A-2-25; that §17A-3-7 of said code be amended and reenacted; and that said code be amended by adding thereto a new section, designated §17A-10-17, all to read as follows:

CHAPTER 17. ROADS AND HIGHWAYS.

ARTICLE 16A. WEST VIRGINIA PARKWAYS AUTHORITY.

§17-16A-5. Definitions.

As used in this article, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

(a) ‘Cost’ means the cost of construction, reconstruction, maintenance, improvement, repair and operation of the project, the cost of the acquisition of all land, rights-of-way, property, rights, easements and interests acquired by the Parkways Authority or the Department of Transportation for such construction, reconstruction, maintenance, improvement and repair, the cost of all machinery, equipment, material and labor which are deemed essential thereto, the cost of improvements, the cost of financing charges, interest prior to and during construction and for one year after completion of construction, the cost of traffic estimates and of engineering, consultant, accounting, architects’, trustees’ and legal fees and expenses, plans, specifications, surveys, estimates of cost and of revenues, other costs and expenses necessary or incident to determining the feasibility or practicability of constructing any such project, administrative expenses and such other costs and expenses as may be necessary or incident to the construction of the project, the financing of such construction and the placing of the project in operation or to the operation of the project. Any obligation or expense hereafter incurred by the Department of Transportation with the approval of the Parkways Authority, regardless of whether the approval was authorized before or after the obligation or expense was incurred, for traffic surveys, borings, preparation of plans and specifications, and other engineering and consulting services in connection with the

construction of a parkway project shall be regarded as a part of the cost of such project and may be reimbursed to the state out of the proceeds of parkway revenue bonds or revenue refunding bonds hereinafter authorized.

(b) ‘Department of Transportation’ means the West Virginia Department of Transportation and each of its respective divisions and subordinate agencies, including, without limitation, the Division of Highways.

(c) ‘Economic development project’ means any land or water site, structure, facility or equipment which the Parkways Authority may acquire, create, develop, construct, reconstruct, improve or repair, or previously may have acquired, created, developed, constructed, reconstructed, improved or repaired under the provisions of this article to promote the agricultural, economic or industrial development of the state, together with all property rights, easements and interests which may be acquired by the Parkways Authority for the development, construction or operation of such project.

(d) ‘Expressway’ means any road serving major intrastate and interstate travel, including federal interstate routes.

(e) ‘Feeder roads’ means any road serving community to community travel or collects and feeds traffic to an expressway or turnpike.

(f) ‘Local service road’ means any local arterIALIZED and spur roads which provide land access and socioeconomic benefits to abutting properties.

(g) ‘Owner’ means all individuals, co-partnerships, associations or corporations having any title or interest in any property, rights, easements and interests authorized to be acquired by this article.

(h) ‘Park and forest roads’ means any road serving travel within state parks, state forests and public hunting and fishing areas.

(i) 'Parkways Authority' or 'authority' means the West Virginia Parkways Authority, or if the Parkways Authority is abolished, the board, body, commission or authority succeeding to the principal functions thereof or to whom the powers given by this article to the Parkways Authority shall be given by law.

(j) 'Parkway project' means any expressway, turnpike, bridge, tunnel, trunk line, feeder road, state local service road or park and forest road, or any portion or portions of any expressway, turnpike, trunk line, feeder road, state local service road or park and forest road, whether contiguous or noncontiguous to the West Virginia Turnpike or to any such portion or portions thereof, which the Parkways Authority or the Department of Transportation may acquire, construct, reconstruct, maintain, operate, improve, ~~or~~ repair or finance under the provisions of this article, which shall include for all purposes of this article, any acquisition, construction, reconstruction, maintenance, operation, improvement, ~~or~~ repair or financing that the authority may undertake by agreement with the Department of Transportation, or any expressway, turnpike or other road constructed by the West Virginia Turnpike Commission pursuant to the authority granted to it under the laws of this state prior to June 1, 1989, and shall embrace all bridges, tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, toll houses, service stations and administration, storage and other buildings, which the Parkways Authority or the Department of Transportation may deem necessary for the operation of ~~the~~ a parkway project, or which is used in the operation of a parkway project, ~~constructed prior to June 1, 1989~~ together with all property, rights, easements and interests which may be acquired by the Parkways Authority or the Department of Transportation for the construction or the operation of ~~the~~ a parkway project or which were acquired in connection with or are used in the operation of ~~a~~ the turnpike or any other existing parkway project. ~~constructed prior to June 1, 1989~~ A parkway project shall also include any enhancements or improvements to the turnpike or any parkway project, including, without limitation, projects involving lane widening, resurfacing, surface replacement, bridge replacement, bridge improvements and enhancements, other bridge work, drainage system improvements and enhancements,

drainage system replacements, safety improvements and enhancements, and traffic flow improvements and enhancements, which have been recommended by the authority's or the Department of Transportation's consulting engineers or traffic engineers, or both.

(k) 'Project' or 'projects' means a parkway project, economic development project or tourism project, or any combination thereof.

(l) 'Public meeting' means a meeting designed to solicit input and provide information sufficient to allow the public to understand the scope and the costs of a particular project.

(m) 'State Road Fund' means the State Road Fund created in article three, chapter seventeen of this code.

(+) (n) 'Transportation secretary' means the Secretary of the Department of Transportation.

(o) 'Toll revenues' means any amount received by the Parkways Authority from any source as a fee for the right of transit over the West Virginia Turnpike or any other parkway project and any fees paid by owners of registered motor vehicles in the state or any other state collected pursuant to section seventeen, article ten, chapter seventeen-a of this code.

~~(m)~~ (p) 'Tourism project' means:

(1) Any park or tourist facility and attraction which the Parkways Authority may create, develop, construct, reconstruct, improve, maintain or repair or may have previously created, developed, constructed, reconstructed, improved, maintained or repaired under the provisions of this article, and shall include all roads, interchanges, entrance plazas, approaches, service stations, administration, storage and any other buildings or service stations, structures which the Parkways Authority may deem necessary for the operation of the tourism project, together with all property rights, easements and interests which may be acquired by the Parkways Authority for the construction or operation of the tourism project; and

(2) The construction, reconstruction, improvement, maintenance and repair of any park or tourist facility and attraction owned by the state as of June 1, 1989.

~~(h)~~ (q) "Tourist facility and attraction" mean cabins, lodges, recreational facilities, restaurants and other revenue producing facilities, any land or water site, and any information center, visitors' center or rest stop which the Parkways Authority determines may improve, enhance or contribute to the development of the tourism industry in the state.

~~(e)~~ (r) 'Trunk line' means any road serving major city-to-city travel.

~~(p)~~ (s) 'Turnpike' means the West Virginia Turnpike or any other toll road in the state.

~~(e)~~ (t) 'West Virginia Turnpike Commission' means the State Turnpike Commission existing as of June 1, 1989.

~~(f)~~ (u) 'West Virginia Turnpike' means the turnpike from Charleston to a point approximately one mile south of the intersection of Interstate 77 and U. S. Route 460 near Princeton in Mercer County, West Virginia, which road is presently a part of the Federal Interstate Highway System.

§17-16A-6. Parkways Authority's powers.

(a) The Parkways Authority is hereby authorized and empowered:

(1) To adopt bylaws for the regulation of its affairs and the conduct of its business;

(2) To adopt an official seal and alter the same at pleasure;

(3) To maintain an office at such place or places within the state as it may designate;

(4) To sue and be sued in its own name, plead and be impleaded. Any and all actions against the Parkways Authority

shall be brought only in the county in which the principal office of the Parkways Authority is located;

(5) To construct, reconstruct, improve, maintain, repair, ~~and~~ operate or finance projects, at such locations within the state or adjacent to the state pursuant to a reciprocal toll enforcement agreement as may be determined by the Parkways Authority: ~~subject to the provisions of section thirty of this article~~ *Provided*, That after July 1, 2010, the Parkways Authority is prohibited from constructing new tourism projects or new economic development projects, but this prohibition shall not prevent the authority from entering into lease agreements, development agreements or other agreements with private businesses or companies allowing and providing for such private businesses or companies to acquire, develop, construct and operate motels, lodging facilities or other businesses and business facilities on land owned by the authority and located adjacent to the Tamarack project and facilities at Exit 45 of the West Virginia Turnpike;

(6) To issue parkway revenue bonds of the State of West Virginia, payable solely from toll revenues, for the purpose of paying all or any part of the cost of any one or more parkway projects; ~~which costs may include, with respect to the West Virginia Turnpike, such funds as are necessary to repay to the State of West Virginia all or any part of the state funds used to upgrade the West Virginia Turnpike to federal interstate standards~~

(7) To issue parkway revenue refunding bonds of the State of West Virginia, payable solely from toll revenues, for any one or more of the following purposes.

(A) Refunding any bonds which shall have been issued under the provisions of this article or any predecessor thereof; and

(B) Repaying to the state all or any part of the state funds used to upgrade the West Virginia Turnpike to federal interstate standards;

(8) To charge, fix and revise, from time to time, tolls or fees for transit over each parkway project constructed or improved or

financed by it, by the Department of Transportation or by the West Virginia Turnpike Commission: Provided, That the Parkways Authority may not charge tolls or fees for transit over an existing road without express legislative authorization for the charging of such tolls or fees: Provided, however, That an existing road does not include the West Virginia Turnpike, new lanes or sections of an existing road, the replacement or construction of any bridge or tunnel, or related facilities;

(9) To fix and revise, rents, fees or other charges, of whatever kind or character, for the use of each tourism project or economic development project constructed by it or for the use of any building, structure or facility constructed by it or financed in connection with a parkway project;

(10) To acquire, hold, lease and dispose of real and personal property in the exercise of its powers and the performance of its duties under this article;

(11) To acquire in the name of the state by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the right of condemnation in the manner hereinafter provided, such public or private lands, including public parks, playgrounds or reservations, or parts thereof or rights therein, rights-of-way, property, rights, easements and interests, as it may deem necessary for carrying out the provisions of this article. No compensation shall be paid for public lands, playgrounds, parks, parkways or reservations so taken, and all public property damaged in carrying out the powers granted by this article shall be restored or repaired and placed in its original condition as nearly as practicable;

(12) To designate the locations of, and establish, limit and control such points of ingress to and egress from, each project as may be necessary or desirable in the judgment of the Parkways Authority to ensure the proper operation and maintenance of such project and to prohibit entrance to such project from any point or points not so designated;

(13) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this article, and to employ consulting engineers, attorneys, accountants, architects, construction and financial experts, trustees, superintendents, managers and such other employees and agents as may be necessary in its judgment, and to fix their compensation. All such expenses shall be payable solely from the proceeds of parkway revenue bonds or parkway revenue refunding bonds issued under the provisions of this article; or from tolls or from toll revenues;

(14) To make and enter into all contracts, agreements or other arrangements with any agency, department, division, board, bureau, commission, authority or other governmental unit of the state to operate, maintain or repair any project;

(15) To receive and accept from any federal agency grants for or in aid of the construction of any project, and to receive and accept aid or contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made;

(16) To study, investigate, evaluate and, if feasible, develop and implement a 'single fee' program the purpose of which is to charge a flat fee to owners of motor vehicles registered in this state who opt into any such program or any other state which opts into any such program: which would produce on an annual basis a sum of money equal to the total toll revenue received from all West Virginia drivers on West Virginia toll roads during the Authority's preceding fiscal year, divided into at least three classes based upon usage, size and number of axles *Provided, That any single fee program shall apply only to passenger motor vehicles, divided into classes based on size and usage, and shall not apply to commercial motor vehicles. The flat fee shall be set by the authority at a rate or amount so that the aggregate of all toll revenues estimated to be received by the authority at the time of fixing any such rate or amount, or any increase thereof, provides sufficient toll revenues consistent with the purposes set forth in section thirteen of this article and to cover the administrative costs of any such single fee*

~~program. Said sum, plus an amount necessary to cover the expected costs of such program. The separate fee shall be collected produced by adding it to either the annual cost of vehicle registration or of vehicle inspection a single fee equal to the proportionate share of that vehicle owner of the total toll revenue needed to be produced from all vehicles within that class as an additional fee payable solely to the authority pursuant to section seventeen, article ten, chapter seventeen-a of this code. A registered motor vehicle for which such single program fee has been paid shall be entitled to traverse all toll roads within the state without stopping to pay individual tolls during the effective period of said vehicle registration. or said inspection: *Provided, however,* That if the single fee proposed to be charged under said program exceeds the standard round trip toll for that vehicle over the entire length of the West Virginia Turnpike, the Authority shall not implement such program without the prior approval of both Houses of the Legislature: *Provided further,* That any such The single fee program may shall also include comparable provisions which would allow vehicles registered in other states to traverse West Virginia toll roads in like fashion to West Virginia vehicles as set forth in this section upon the payment of a single fee for each and every vehicle registered in such state, in accordance with the same classification system adopted for West Virginia vehicles. The Parkways Authority, in consultation with the Division of Motor Vehicles, shall propose rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code to implement any single fee program under this subdivision (16);~~

(17) To enter into reciprocal toll enforcement agreements with other toll agencies in this state or in any other state or foreign country;

~~(17)~~ (18) To do all acts and things necessary or convenient to carry out the powers expressly granted in this article; and

~~(18)~~ (19) To file the necessary petition or petitions pursuant to federal bankruptcy laws. Title 11, United States Code, Sec. 401 (being section 81 of the Act of Congress entitled 'An act to establish a uniform system of bankruptcy throughout the United

States', approved July 1, 1898, as amended) and to prosecute to completion all proceedings permitted by Title 11, United States Code, Sees. 401-403 (being sections 81 to 83, inclusive, of said Act of Congress). The State of West Virginia hereby consents to the application of said Title 11; of the United States Code, Sees. 401-403, to the Parkways Authority.

(b) Nothing in this article shall be construed to prohibit the issuance of parkway revenue refunding bonds in a common plan of financing with the issuance of parkway revenue bonds.

§17-16A-10. Parkway revenue bonds, generally.

(a) The Parkways Authority is authorized to provide by resolution for the issuance of parkway revenue bonds of the state for the purpose of paying all or any part of the cost of one or more parkway projects. ~~Provided, That this section shall not be construed as authorizing the issuance of parkway revenue bonds for the purpose of paying the cost of the West Virginia Turnpike, which parkway revenue bonds may be issued only as authorized under section eleven of this article~~ The principal of and the interest on bonds shall be payable solely from the funds provided for payment, except that:

(1) None of the proceeds of the issuance of parkway revenue bonds under this section shall be used to pay all or any part of the cost of any economic development project or tourism project;

(2) Nothing in this section shall be construed as prohibiting the Parkways Authority from issuing additional parkway revenue bonds to the extent permitted by applicable federal law for the purpose of constructing, maintaining and operating any highway constructed, in whole or in part, with money obtained from the Appalachian Regional Commission; and

(3) The authorization to issue bonds under this section is in addition to the authorization and power to issue bonds under any other section of this code.

(b) The bonds of each issue shall be dated, shall bear interest at a rate as may be determined by the Parkways Authority in its sole

discretion, shall mature at a time not exceeding forty years from their date ~~or~~ of issue as may be determined by the Parkways Authority, and may be made redeemable before maturity, at the option of the Parkways Authority at a price and under the terms and conditions as may be fixed by the Parkways Authority prior to the issuance of the bonds.

(c) The Parkways Authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination of the bonds and the place of payment of principal and interest, which may be at any bank or trust company or securities depository within or without the state.

(d) The bonds shall be executed by manual or facsimile signature by the chair of the Parkways Authority, and the official seal of the Parkways Authority shall be affixed to or printed on each bond, and attested, manually or by facsimile signature, by the Secretary and Treasurer of the Parkways Authority. Any coupons attached to any bond shall bear the manual or facsimile signature of the chair of the Parkways Authority.

(e) In case any officer whose signature or a facsimile of whose signature appears on any bonds or coupons shall cease to be an officer before the delivery of the bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery. In case the seal of the Parkways Authority has been changed after a facsimile has been imprinted on the bonds, then the facsimile seal will continue to be sufficient for all purposes.

(f) All bonds issued under the provisions of this article shall have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the state. The bonds may be issued in coupon or in registered form, or both, as the Parkways Authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the recorders into coupon bonds of any bonds registered as to both principal and interest.

(g) The Parkways Authority may sell the bonds at a public or private sale at a price it determines to be in the best interests of the state.

(h) The proceeds of the bonds of each issue shall be used solely for the payment of the cost of the parkway project or parkway projects and by the Division of Highways for any acquisition, construction, reconstruction, maintenance, improvement or repair of public highways and bridges as provided for in this article sixteen-a for which the bonds were issued, and shall be disbursed in a manner consistent with the resolution authorizing the issuance of the bonds or in the trust agreement securing the bonds.

(i) If the proceeds of the bonds of any issue, by error of estimates or otherwise, shall be less than the cost, then additional bonds may in like manner be issued to provide the amount of the deficit. Unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust agreement securing the bonds, the additional bonds shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued.

(j) If the proceeds of the bonds of any issue exceed the cost of the parkway project or parkway projects for which the bonds were issued, then the surplus shall be deposited to the credit of the sinking fund for the bonds.

(k) Prior to the preparation of definitive bonds, the Parkways Authority may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when the bonds have been executed and are available for delivery. The Parkways Authority may also provide for the replacement of any bonds that become mutilated or are destroyed or lost.

(l) All or any portion of the proceeds of any parkway revenue bonds issued pursuant to this section may be credited to the special revenue account within the State Road Fund created in section eleven of this article. Moneys in such fund shall be used by the Division of Highways for any acquisition, construction,

reconstruction, maintenance, improvement or repair of public highways and bridges in this state.

(4) ~~(m)~~ Bonds may be issued under the provisions of this article without obtaining the consent of any department, division, commission, board, bureau or agency of the state in accordance with this article: *Provided*, That the Parkways Authority shall comply with the provisions of section twenty-eight, article one, chapter five of this code.

§17-16A-11. ~~Parkway revenue bonds — West Virginia Turnpike; related projects~~ State Road Construction Account.

~~(a) The Parkways Authority is authorized to provide by resolution, at one time or from time to time, for the issuance of parkway revenue bonds of the state in an aggregate outstanding principal amount not to exceed, from time to time, \$200 million for the purpose of paying:~~

~~(1) All or any part of the cost of the West Virginia Turnpike, which may include, but not be limited to, an amount equal to the state funds used to upgrade the West Virginia Turnpike to federal interstate standards;~~

~~(2) All or any part of the cost of any one or more parkway projects that involve improvements to or enhancements of the West Virginia Turnpike, including, without limitation, lane-widening on the West Virginia Turnpike and that are or have been recommended by the Parkways Authority's traffic engineers or consulting engineers or by both of them prior to the issuance of parkway revenue bonds for the project or projects; and~~

~~(3) To the extent permitted by federal law, all or any part of the cost of any related parkway project.~~

~~(b) For purposes of this section only, a 'related parkway project' means any information center, visitors' center or rest stop, or any combination thereof, and any expressway, turnpike, trunkline, feeder road, state local service road or park and forest road which connects to or intersects with the West Virginia~~

Turnpike and is located within seventy five miles of the turnpike as it existed on June 1, 1989, or any subsequent expressway, trunkline, feeder road, state local service road or park and forest road constructed pursuant to this article: *Provided*, That nothing in this section shall be construed as prohibiting the Parkways Authority from issuing parkway revenue bonds pursuant to section ten of this article for the purpose of paying all or any part of the cost of any related parkway project: *Provided, however*, That none of the proceeds of the issuance of parkway revenue bonds under this section shall be used to pay all or any part of the cost of any economic development project, except as provided in section twenty three of this article: *Provided further*, That nothing in this section shall be construed as prohibiting the Parkways Authority from issuing additional parkway revenue bonds to the extent permitted by applicable federal law for the purpose of constructing, maintaining and operating any highway constructed, in whole or in part, with money obtained from the Appalachian Regional Commission as long as the highway connects to the West Virginia Turnpike as it existed on June 1, 1989: *And provided further*, That, for purposes of this section, in determining the amount of bonds outstanding, from time to time, within the meaning of this section: Original par amount or original stated principal amount at the time of issuance of bonds shall be used to determine the principal amount of bonds outstanding, except that the amount of parkway revenue bonds outstanding under this section may not include any bonds that have been retired through payment, defeased through the deposit of funds irrevocably set aside for payment or otherwise refunded so that they are no longer secured by toll revenues of the West Virginia Turnpike: *And provided further*, That the authorization to issue bonds under this section is in addition to the authorization and power to issue bonds under any other section of this code: *And provided further*, That, without limitation of the authorized purposes for which parkway revenue bonds are otherwise permitted to be issued under this section, and without increasing the maximum principal par amount of parkway revenue bonds permitted to be outstanding, from time to time, under this section, the Authority is specifically authorized by this section to issue, at one time or from time to time, by resolution or resolutions under this section, parkway revenue bonds under this section for

the purpose of paying all or any part of the cost of one or more parkway projects that:

~~(1) Consist of enhancements or improvements to the West Virginia Turnpike, including, without limitation, projects involving lane widening, resurfacing, surface replacement, bridge replacement, bridge improvements and enhancements, other bridge work, drainage system improvements and enhancements, drainage system replacements, safety improvements and enhancements, and traffic flow improvements and enhancements; and~~

~~(2) Have been recommended by the Authority's consulting engineers or traffic engineers, or both, prior to the issuance of the bonds.~~

~~(c) Except as otherwise specifically provided in this section, the issuance of parkway revenue bonds pursuant to this section, the maturities and other details of the bonds, the rights of the holders of the bonds, and the rights, duties and obligations of the Parkways Authority in respect of the bonds shall be governed by the provisions of this article insofar as the provisions are applicable.~~

~~(d) Notwithstanding any other provision of this code to the contrary, the Authority may not issue parkway revenue bonds under this section for projects on the West Virginia Turnpike after June 30, 2010: *Provided*, That the authority may issue revenue refunding bonds pursuant to sections twenty one and twenty two of this article.~~

(a) There is hereby created within the State Road Fund a special revenue account to be known as the State Road Construction Account held in the State Treasury to be expended by the Division of Highways for construction, maintenance and repair of public highways and bridges in this state. The State Road Construction Account created in this section is a special revenue account in the State Treasury and is not part of the state General Revenue Fund.

(b) The State Road Construction Account shall consist of:

(1) All or any portion of the proceeds of any parkway revenue bonds issued pursuant to section ten of this article that the

Parkways Authority, in its discretion, may credit to the State Road Construction Account, notwithstanding any provision of section ten of this article to the contrary;

(2) Any appropriations, grants, gifts, contributions or other revenues received by the State Road Construction Account from any source; and

(3) All interest earned on moneys held in the account.

(c) The funds in the special revenue account created by this section will be expended by the Division of Highways for the costs of acquisition, construction, reconstruction, maintenance, improvement or repair of public highways and bridges, as contained in the Division of Highways' Statewide Transportation Improvement Plan as it existed on June 1, 2017, or the West Virginia Division of Highways SOS Transportation Investment Program Candidate Project List dated May 3, 2017, in the following counties:

(1) Raleigh County;

(2) Fayette County;

(3) Wyoming County;

(4) Mercer County;

(5) Kanawha County;

(6) Greenbrier County;

(7) Monroe County;

(8) Summers County;

(9) McDowell County; and

(10) Nicholas County.

§17-16A-11a. West Virginia Parkways Authority Single Fee Program Fund.

There is hereby created within the State Treasury a special account within the state road fund, designated the West Virginia Parkways Authority Single Fee Program Fund. The account shall consist of any fees received from owners of registered motor vehicles in the state or any other state that have opted in under any single fee program that may be created and implemented by the authority pursuant to section six of this article. The account shall be administered by the Parkways Authority and expenditures from the fund shall be used exclusively by the Authority for the purposes authorized in section thirteen of this article and for administrative costs related to any single fee program implemented by the Parkways Authority under subdivision (16), subsection (a), section six of this article.

§17-16A-13. Tolls, rents, fees, charges and revenues; competitive bidding on contracts.

(a)(1) The Parkways Authority is hereby authorized to fix, revise, charge and collect tolls and fees for the use of each parkway project and the different parts or sections thereof and to fix, revise, charge and collect rents, fees, charges and other revenues, of whatever kind or character, for the use of each economic development project or tourism project, or any part or section thereof, and to contract with any person, partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining the paved portion, for placing thereon telephone, ~~telegraph~~ fiber optic or other data transmission lines or devices, electric light, power or other utility lines, gas stations, garages, stores, hotels, restaurants and advertising signs, or for any other purpose except for tracks for railroad or railway use, and to fix the terms, conditions, rents and rates of charges for such use: Provided, That the Parkways Authority may not charge tolls or fees for transit over an existing road without express legislative authorization for the charging of such tolls or fees: Provided, however, That an existing road does not include the West Virginia Turnpike, new lanes or new sections of an existing road, the replacement or construction of any bridge or tunnel, or related

facilities. Such tolls, rents, fees and charges shall be so fixed and adjusted in respect of the aggregate of tolls, or in respect of the aggregate rents, fees and charges, from the project or projects in connection with which the bonds of any issue shall have been issued as to provide a fund sufficient with other revenues, if any: ~~to pay:~~ ~~(A) The~~ (1) To pay the cost of acquiring, constructing, reconstructing, maintaining, repairing, improving and operating such project or projects and to create reserves therefor; and ~~(B) (2)~~ to pay the principal of and the interest on such bonds and related costs and expenses as the same shall become due and payable, and to create reserves for such purposes; and (3) to comply with any covenants under any trust agreement securing any bonds issued by the Parkways Authority, or any predecessor thereof, or to maintain bond credit ratings. Such tolls, rents, fees and other charges shall not be subject to supervision or regulation by any other commission, board, bureau, department or agency of the state. The tolls, rents, fees, charges and all other revenues derived from the project or projects in connection with which the bonds of any issue shall have been issued, except such part thereof as may be necessary to pay the cost of ~~maintenance, repair and operation~~ acquiring, constructing, reconstructing, maintaining, improving, repairing and operating such project or projects and to provide such reserves therefor as may be provided in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same, shall be set aside at regular intervals as may be provided in the resolution or the trust agreement in a sinking fund which is hereby pledged to, and charged with, the payment of: (i) The interest upon the bonds as such interest shall fall due; (ii) the principal of the bonds as the same shall fall due; (iii) the necessary charges of paying agents and trustees for paying principal and interest; and (iv) the redemption price or the purchase price of bonds retired by call or purchase as therein provided. The use and disposition of moneys to the credit of such sinking fund shall be subject to the provisions of the resolution authorizing the issuance of the bonds or of the trust agreement. Except as may otherwise be provided in the resolution or the trust agreement, such sinking fund shall be a fund for all bonds without distinction or priority of one over another. The moneys in the sinking fund, less such reserve as may be provided in the resolution or trust agreement, if not used

within a reasonable time for the purchase of bonds for cancellation as above provided, shall be applied to the redemption of bonds at the redemption price then applicable.

~~(2)(A) In fiscal year one thousand nine hundred ninety eight, after the parkways authority has met or provided for the satisfaction of each requirement imposed by the provisions of subdivision (1) of this subsection, the parkways authority shall pay two hundred fifty thousand dollars to the Hatfield McCoy regional recreation authority from any remaining balance of revenues received from economic development projects and tourism projects.~~

~~(B) Upon the effective date of this act, the parkways authority shall seek authorization from the federal highway administration, the state Department of Transportation and the trustee under any trust indenture or agreement existing as the result of the issuance of any revenue bonds under the provisions of this article to issue additional revenue bonds in a total amount not to exceed six million dollars for the purpose of funding projects of the Hatfield McCoy regional recreation authority. Upon the agreement of all of such entities that the parkways authority be authorized to do so, as certified to the parkways authority, the Governor and the Joint Committee on Government and Finance, the parkways authority is authorized to issue additional revenue bonds in a total amount not to exceed six million dollars. The proceeds of the revenue bonds shall be used to fund projects of the Hatfield McCoy regional recreation authority. Each issuance of such revenue bonds and the application of the proceeds thereof shall be subject to each condition, restriction or other provision of this article applicable to the issuance of parkway revenue bonds. In the event the agreement is not certified as required by this subsection, and until the same is certified, the parkways authority shall pay two hundred fifty thousand dollars to the Hatfield McCoy regional recreation authority in the fiscal year ending the thirtieth day of June, two thousand, and in each fiscal year thereafter, for a total of nine consecutive years, for the purpose of funding projects of the Hatfield McCoy regional recreation authority. These amounts shall be paid in quarterly installments from remaining balances in each fiscal year of revenues received from economic development~~

~~projects and tourism projects as determined in the manner provided in paragraph (A) of this subdivision.~~

(b) The Parkways Authority shall cause, as soon as it is legally able to do so, all contracts to which it is a party and which relate to the operation, maintenance or use of any restaurant, motel or other lodging facility, truck and automobile service facility, food vending facility or any other service facility located along the West Virginia Turnpike, to be renewed on a competitive bid basis. All contracts relating to any facility or services entered into by the Parkways Authority with a private party with respect to any project constructed after the effective date of this legislation shall be let on a competitive bid basis only. If the Parkways Authority receives a proposal for the development of a project, except for a parkway project, such proposal shall be made available to the public in a convenient location in the county wherein the proposed facility may be located. The Parkways Authority shall publish a notice of the proposal by a Class I legal advertisement in accordance with the provisions of article three, chapter fifty-nine of this code. The publication area shall be the county in which the proposed facility would be located. Any citizen may communicate by writing to the Parkways Authority his or her opposition to or approval to such proposal within a period of time not less than forty-five days from the publication of the notice. No contract for the development of an economic development project or a tourism project may be entered into by the Parkways Authority until a public hearing is held in the vicinity of the location of the proposed economic development project or tourism project with at least twenty days' notice of such hearing by a Class I publication pursuant to section two of said article. The Parkways Authority shall make written findings of fact prior to rendering a decision on any such proposed project. All studies, records, documents and other materials which are considered by the Parkways Authority in making such findings shall be made available for public inspection at the time of the publication of the notice of public hearing and at a convenient location in the county where the proposed economic development project or tourism project may be located. The Parkways Authority shall promulgate rules in accordance with chapter twenty-nine-a of this code for the conduct of any hearing required by this section.

Persons attending any such hearing shall be afforded a reasonable opportunity to speak and be heard on the proposed economic development project or tourism project.

§17-16A-13a. Public notice and ~~hearing~~ meeting requirements.

(a) Notwithstanding any provision of the law to the contrary, on and after ~~July 1, 2010~~ the effective date of the amendment and reenactment of this section in 2017, the Parkways Authority is authorized after prior public notice and ~~hearing~~ meeting, as set forth in this section, to:

(1) Fix initial rates, tolls or charges along any portion of a parkway project and fix fees for any single fee program implemented in accordance with section six of this article including, without limitation, fixing initial rates, tolls or charges that may be subject to adjustment or escalation from time to time, or approve any proposal or contract that would require the Parkways Authority to fix any initial rates, tolls or charges along any portion of a parkway project or any fees under any single fee program;

(2) Increase any rates, tolls or charges along any portion of the parkway project, increase fees for any single fee program implemented in accordance with section six of this article, or approve any proposal or contract that would result in or require an increase in any rates or tolls along any portion of the parkway project or any fees under any single fee program: *Provided*, That the Parkways Authority may not increase any passenger vehicle rates, tolls or charges without establishing either a single fee program pursuant to subdivision (16), subsection (a), section six of this article or a passenger motor vehicle unlimited use single fee EZ Pass transponder discount program pursuant to section twenty-nine of this article: *Provided, however*, That the program shall extend at least through the period that any rates, tolls or charges are imposed: *Provided further*, That the single annual fee proposed to be charged under either such program may not exceed:

(A) An amount of \$25 per year: *Provided*, That the Parkways Authority may adjust this amount every three years: *Provided*,

however, That an increase in such amount may not exceed five percent of the amount at each adjustment; and

(B) A usage fee for the EZ Pass transponder, radio frequency identifying tag or other device issued by the Parkways Authority to participate in such program, which fee shall not exceed the actual cost of issuing such device;

(3) Issue any parkway revenue bond pursuant to section ten of this article or any parkway revenue refunding bond pursuant to sections twenty-one and twenty-two of this article which would require the Parkways Authority to increase or adjust rates, tolls, fees under any single fee program, or charges whether at the time of issuance of the bonds or at any time during the term of any bonds;

(4) Approve any contract or project which would require or result in an increase in the rates, tolls or charges along any portion of the parkway project or fees under any single fee program implemented in accordance with section six of this article; or

(5) Take any other action which would require or result in an increase in the rates, tolls or charges along any portion of the parkway project or fees under any single fee program implemented in accordance with section six of this article.

(b) The Parkways Authority shall publish notice of any proposed contract, project or bond which would require the Parkways Authority to fix any initial toll rates or charges or fees or result in an increase of any toll rates or charges or fees, or extend any bond repayment obligation along with the associated initial rate or fee and rate or fee increase, or revised bond repayment period by a Class II legal advertisement in accordance with the provisions of article three, chapter fifty-nine of this code, published and of general circulation in each county which borders the parkway project or proposed parkway project affected by the proposed contract, project or bond.

(c) Once notice has been provided in accordance with the provisions of this section, the Parkways Authority shall conduct a

~~public hearing in each county which borders the parkway project or proposed parkway project affected by the proposed contract, project or bond, and any~~ at least one public meeting at a reasonable time and location in any county which borders the parkway project or proposed parkway project affected by the proposed contract, project or bond, to allow interested members of the public an opportunity to ask questions and give written comments during the meeting respecting the proposed contract, project or bond which would require the Parkways Authority to fix any initial toll rates or charges or fees or result in an increase of any toll rates or charges or fees. Any citizen may also communicate by writing to the Parkways Authority his or her opposition to or approval of such proposal, initial rate or toll or fee, rate or toll or fee increase or amended bond terms. The public notice and written public comment period shall be conducted not less than forty-five days from the publication of the notice and the affected public must be provided with at least twenty days' notice of ~~each~~ any scheduled public ~~hearing meeting~~.

(d) All studies, records, documents and other materials which were considered by the Parkways Authority before recommending the approval of any such project or recommending the adoption of any such initial rate or increase shall be made available for public inspection for a period of at least twenty days prior to the scheduled ~~hearing meeting~~ at a convenient location in each county where a public ~~hearing meeting~~ is held or online.

~~(e) At the conclusion of all required public hearings, the Parkways Authority shall render a final decision which shall include written findings of fact supporting its final decision on any proposed project which would result in or require initial rates, a rate increase, or prior to finally approving any proposed initial rate or toll or rate or toll increase, and such required findings and conclusions must reference and give due consideration to the public comments and additional evidence offered during the public hearings.~~

~~(f) (e)~~ On and after July 1, 2010, any Any final action taken by the Parkways Authority to approve or implement any proposed initial rate or fee, rate or fee increase, contract or project which

would require or result in a proposed initial rate or toll or fee or a proposed increase of any rate or tolls along any portion of ~~the a~~ parkway project or fee for any single fee program without first satisfying the public notice and ~~hearing~~ meeting requirements of this section, shall be null and void.

(f) Nothing in this section shall be construed to permit or authorize the Parkways Authority to charge tolls or fees on any existing road without express legislative authorization for the charging of such tolls or fees: *Provided*, That an existing road does not include the West Virginia Turnpike, new lanes or new sections of an existing road, the replacement or construction of any bridge or tunnel, or related facilities.

§17-16A-18. Cessation of tolls Corridor L toll fees authorized; commuter pass.

~~(a) Except as provided herein, when all bonds issued under the provisions of this article in connection with any parkway project or projects and the interest thereon shall have been paid or a sufficient amount for the payment of all such bonds and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the bondholders, such project or projects, if then in good condition and repair to the satisfaction of the Commissioner of the state Division of Highways, shall be transferred to the state Division of Highways and shall thereafter be maintained by the state Division of Highways free of tolls.~~

~~(b) No later than February 1, 1990, the parkways authority shall discontinue, remove and not relocate all toll collection facilities on the West Virginia Turnpike as the same existed on June 1, 1989, except for the three main toll barriers and collection facilities and, provided solely that the provisions of section eighteen-a are complied with, the toll collection facilities at the intersection of U.S. Route 19 (Corridor 'L') and said turnpike.~~

(a) The Parkways Authority is hereby authorized to operate the currently existing toll collection facility located at the interchange of U. S. Route 19 (Corridor L) and to fix, revise, charge and collect tolls for the use of such toll collection facility in accordance with

the provisions of section thirteen of this article. Any proposed increase of any rate or toll for use of the toll collection facility located at Corridor L shall be subject to the public notice and meeting requirements of section thirteen-a of this article.

(1) The Parkways Authority shall maintain, advertise, implement and otherwise make generally available to all qualified members of the public, resident or nonresident, a system of commuter passes, in a form to be determined by the authority. Applications for these commuter passes are to be made available by the Parkways Authority to Division of Motor Vehicles offices in the state;

(2) The system of commuter passes implemented in accordance with the provisions of subdivision (1), subsection (a) of this section, shall be available only for use when operating or traveling in a Class A motor vehicle as herein defined. Any person who knowingly or intentionally utilizes any commuter pass issued in accordance with this section while operating a vehicle other than a Class A motor vehicle, as herein defined, at the U. S. Route 19 (Corridor L) turnpike toll facility, or any other toll facility at or upon which such pass may later be usable, is guilty of a misdemeanor and, for every such offense, upon conviction thereof, shall be punished in accordance with the provisions of section seventeen, article sixteen-a of this chapter; and the Parkways Authority shall hereafter be authorized and empowered to cancel any such commuter pass or passes improperly used in accordance with this section;

(3) For the purpose of this section, a 'Class A vehicle' shall be defined as a motor vehicle of passenger type and truck with a gross weight of ten thousand pounds or less and registered or eligible for registration as a Class A vehicle in accordance with section one, article ten, chapter seventeen-a of this code as the same is currently constituted; and

(4) Notwithstanding any other provisions of this code to the contrary, the Parkways Authority may not promulgate emergency rules in accordance with section fifteen, article three, chapter

twenty-nine-a of this code to increase or decrease tolls, 'single program' fees or the commuter pass fee established herein.

(b) Nothing in this section is to be construed to apply to, regulate or in any manner affect the operation of the three main line toll barriers and toll collection facilities currently located on the West Virginia Turnpike and operated by the Parkways Authority as Barrier A, Barrier B and Barrier C (I-64, I-77).

§17-16A-21. Parkway revenue refunding bonds, generally.

The Parkways Authority is hereby authorized to provide by resolution for the issuance of parkway revenue refunding bonds of the state for the purpose of refunding any bonds then outstanding which shall have been issued or may be issued under the provisions of this article in connection with the construction of any parkway project, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds; and, if deemed advisable by the Parkways Authority, for the additional purpose of constructing improvements, extensions or enlargements of the project or projects in connection with which the bonds to be refunded shall have been issued: *Provided*, That this section shall not be construed as authorizing the issuance of parkway revenue refunding bonds for the purpose of refunding any bonds then outstanding which shall have been issued under the provisions of this article, or any predecessor thereof, in connection with the construction of the West Virginia Turnpike, which revenue refunding bonds may be issued only as authorized under section twenty-two of this article. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof and the rights, duties and obligations of the Parkways Authority in respect of the same shall be governed by the provisions of this article insofar as the same may be applicable. ~~After the effective date of the amendments to this article enacted by the Legislature during the regular session in two thousand six,~~ ~~no~~ No issuance of a refunding bond may extend the maturity date of such bond being refunded and may not exceed the outstanding principal of such bond being refunded. Any refunding bond ~~issued after the effective date of the amendments to this article enacted by the Legislature during the regular session in two thousand six~~ shall

be structured to provide for approximately level annual debt service savings each fiscal year through the final maturity or structured to approximate the level of debt service that would have been paid prior to the refunding, with a preponderance of the savings being deferred toward eliminating or reducing the most distant maturities. For purposes of this section, the outstanding principal is to be determined as of the date on which the revenue bond is refinanced.

§17-16A-22. Parkway revenue refunding bonds—West Virginia Turnpike.

The Parkways Authority is hereby authorized to provide by resolution for the issuance of parkway revenue refunding bonds of the state ~~in an aggregate principal amount not to exceed \$60,000,000~~ for the purpose of refunding any bonds which shall have been issued under this article, or any predecessor thereof, in connection with the construction of the West Virginia Turnpike, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, to the extent permissible under federal law and if deemed advisable by the ~~parkways authority~~ Parkways Authority, for repaying to the state all or any part of the state funds used to upgrade the West Virginia Turnpike to federal interstate standards: ~~Provided, That any proceeds derived from the issuance of such bonds which are used on any parkway project other than the West Virginia Turnpike must be used solely on parkway projects: (i) Which are either connected to or intersect with the West Virginia Turnpike and are within seventy five air miles of said turnpike as it exists on the first day of June, one thousand nine hundred eighty-nine, or any subsequent expressway, trunkline, turnpike, feeder road, state local service road or park and forest road constructed pursuant to this article; and (ii) which involve the upgrading or addition of interchanges, the construction of expressways or feeder roads, or the upgrading or construction of information centers, visitors' centers, rest stops or any combination thereof: Provided, however~~ That none of the proceeds of the issuance of parkway revenue refunding bonds issued under this section shall be used to pay all or any part of the cost of any economic development project

or tourism project. Except as otherwise specifically provided in this section, the issuance of parkway revenue refunding bonds pursuant to this section, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties and obligations of the parkways authority in respect of the same, shall be governed by the provisions of this article insofar as the same may be applicable.

The authority to issue parkway revenue refunding bonds under the provisions of this section and section twenty-one of this article does not extend to the refunding of any parkway revenue refunding bonds outstanding on the effective date of the amendment and reenactment of such sections in 2017.

~~After the effective date of the amendments to this article enacted by the Legislature during the regular session in two thousand six, no~~ No issuance of a refunding bond may extend the maturity date of such bond being refunded and may not exceed the outstanding principal of such bond being refunded. Any refunding bond ~~issued after the effective date of the amendments to this article enacted by the Legislature during the regular session in two thousand six~~ shall be structured to provide for approximately level annual debt service savings each fiscal year through the final maturity or structured to approximate the level of debt service that would have been paid prior to the refunding, with a preponderance of the savings being deferred toward eliminating or reducing the most distant maturities. For purposes of this section, the outstanding principal is to be determined as of the date on which the revenue bond is refinanced.

§17-16A-29. Discount program for purchasers of West Virginia EZ Pass transponders.

(a) The Parkways Authority is hereby authorized to create a discount program for purchasers of West Virginia EZ Pass transponders: *Provided*, That prior to the fixation of any initial rates, tolls or charges or any increase in any rates, tolls or charges along any portion of the parkway project, the Parkways Authority ~~shall~~ may create a discount program for purchasers of West Virginia EZ Pass transponders. Any discount program created pursuant to this section shall provide discounts for each class of

motor vehicles: Provided, however, That any single fee program implemented by the authority pursuant to subdivision (16), subsection (a), section six of this article shall apply only to passenger motor vehicles.

(b) The Authority shall provide public notice and hold a public hearings meeting on any proposed discount program as required in section thirteen-a of this article prior to implementation of such program.

~~(c) Annually, the Parkways Authority shall hold at least one public informational session in each of the following counties: Kanawha, Fayette, Raleigh and Mercer counties. The Authority is to distribute educational materials and other information concerning the discount program for purchasers of West Virginia EZ Pass transponders described in this section.~~

~~(d) Upon the effective date of the amendments to this section enacted during the regular session of the Legislature in the year 2010, the Authority shall make available West Virginia EZ Pass transponders to the public without the payment of any monetary security deposit. The Authority shall credit any individual that has paid a security deposit for a West Virginia EZ Pass transponder prior to July 1, 2010, on the individual's next billing statement~~

~~(e)~~ (c) For purposes of this section, a 'West Virginia EZ Pass transponder' means a device issued ~~sold~~ by the Parkways Authority which allows the purchaser to attach the device to his or her motor vehicle and travel through a Parkways Authority toll facility and be billed for such travel by the Authority.

§17-16A-30. Coordination with county commission in counties where a parkway project may be located.

Once a parkway project for a new toll road is identified by the Authority, the Governor shall appoint, with the advice and consent of the Senate, two persons from each county where the parkway project for the new toll road is located to serve on a local committee to provide recommendations and suggestions to the Authority on all matters regarding the local identified project. The local

committee shall also report any of its findings to the county commission or county commissions of the counties in which the parkway project for the new toll road is located. Prior to any final approval of ~~the a~~ parkway project for a new toll road, the county commissions of the counties in which ~~a the~~ parkway project road is located shall by resolution approve the parkway project: Provided, That a resolution approving the parkway project for a new toll road is only required from a simple majority of the county commissions of the counties in which the parkway project for a new toll road is located.

ARTICLE 16D. ELECTRONIC TOLL COLLECTION.

§17-16D-3. Electronic toll collection authorized.

Notwithstanding the provisions of article sixteen-a and section five-b, article seventeen-a of this chapter and section seven-a, article six, chapter seventeen-c of this code to the contrary, the collection and enforcement of tolls for the use of roads, highways and bridges may be accomplished by electronic toll collection as provided in this article and in rules promulgated by authority of this article. ~~Provided, That the application of this article should not apply to~~

~~(1) Future highway construction provided for in the Division of Highways' Statewide Transportation Improvement Plan at the time of the enactment of this article; and~~

~~(2) Existing toll roads: Provided, That this section may not be construed to prohibit the collection and enforcement of tolls pursuant to article sixteen a, chapter seventeen of this code~~

CHAPTER 17A. MOTOR VEHICLE ADMINISTRATION, REGISTRATION, CERTIFICATE OF TITLE AND ANTITHEFT PROVISIONS.

ARTICLE 2. DIVISION OF MOTOR VEHICLES.

§17A-2-25. Agreements with West Virginia Parkways Authority.

The Division is hereby authorized, directed and empowered to enter into all necessary agreements with the West Virginia Parkways Authority to collect road user fees imposed by the Authority under subdivision (16), subsection (a), section six, article sixteen-a, chapter seventeen of this code, or any other applicable section of its enabling legislation, and to deposit the fees collected by the Division into the West Virginia Parkways Authority Single Fee Program Fund established under section eleven-a, article sixteen-a, chapter seventeen of this code.

ARTICLE 3. ORIGINAL AND RENEWAL OF REGISTRATION; ISSUANCE OF CERTIFICATES OF TITLE.

§17A-3-7. Grounds for refusing registration or certificate of title.

The division shall refuse registration or issuance of a certificate of title or any transfer of registration upon any of the following grounds:

(1) That the application contains any false or fraudulent statement or that the applicant has failed to furnish required information or reasonable additional information requested by the division or that the applicant is not entitled to the issuance of a certificate of title or registration of the vehicle under this chapter;

(2) That the applicant fails to present a statement of insurance or proof of other security as required pursuant to the provisions of section three of this article;

(3) That the vehicle is mechanically unfit or unsafe to be operated or moved upon the highways;

(4) That the division has reasonable grounds to believe that the vehicle is a stolen or embezzled vehicle or that the granting of registration or the issuance of certificate of title would constitute a

fraud against the rightful owner or other person having a valid lien upon such vehicle;

(5) That the registration of the vehicle stands suspended or revoked for any reason as provided in the motor vehicle laws of this state;

(6) That the required fee has not been paid; ~~or~~

(7) That the vehicle is operated by a commercial motor carrier who has failed to provide a federal motor carrier identification number (USDOT number) or whose authority to operate in interstate commerce has been denied or suspended by the federal Motor Carrier Safety Administration; or

(8) That any road user fee due under a single fee program imposed by the West Virginia Parkways Authority has not been paid.

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

§17A-10-17. Fee for West Virginia Parkways Authority Single Fee Program.

In addition to each fee provided in this article, an additional fee for any single fee program that may be implemented by the West Virginia Parkways Authority pursuant to section six, article sixteen-a, chapter seventeen of this code shall be payable upon the issuance of each certificate of registration and renewal thereof issued pursuant to article three of this chapter. The Division shall collect and deposit all the additional fees into the West Virginia Parkways Authority Single Fee Program Fund created in section eleven-a, article sixteen-a, chapter seventeen of this code. The additional fee provided herein may be imposed for each application for such certificate and renewal thereof made on or after July 1, 2017.”

The bill was read a third time.

Delegate Gearheart was addressing the House when Delegate Marcum arose to a point of order regarding the content of his remarks.

The Speaker reminded the Delegate to confine his remarks to the question before the House.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 678**), and there were, including pairs—yeas 64, nays 24, absent and not voting 12, with the paired, nays and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairings were announced by the Clerk:

Paired:

Yea: Boggs	Nay: Moore
Yea: Iaquinta	Nay: Paynter
Yea: Lane	Nay: Butler
Yea: Miley	Nay: Martin
Yea: C. Miller	Nay: Maynard

Nays: Barrett, Blair, Espinosa, Fast, Folk, Frich, Gearheart, Hamrick, Harshbarger, Hill, Howell, Kessinger, McGeehan, Overington, Sobonya, Storch, Upson, Ward and Wilson.

Absent and Not Voting: Ambler, Arvon, Deem, Ellington, A. Evans, N. Foster, Householder, O'Neal, Phillips, R. Romine, Summers and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 1003) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted amending the title to read as follows:

S. B. 1003 – “A Bill to repeal §17-16A-18a and §17-16A-23 of the Code of West Virginia, 1931, as amended; to amend and reenact §17-16A-5, §17-16A-6, §17-16A-10, § 17-16A-11, §17-16A-13, §17-16A-13a, §17-16A-18, §17-16A-21, §17-16A-22, §17-16A-29 and §17-16A-30 of said code; to amend said code by adding thereto a new section, designated §17-16A-11a; to amend and reenact §17-16D-3 of said code; to amend said code by adding thereto a new section, designated §17A-2-25; to amend and reenact §17A-3-7 of said code; and to amend said code by adding thereto a new section, designated §17A-10-17, all relating generally to the West Virginia Parkways Authority; defining terms; enlarging, restricting and otherwise modifying the powers of the Parkways Authority relating to the issuance of parkways bonds and the authority to charge tolls or fees; permitting the authority to study and evaluate, and, if feasible, develop and implement a single fee program; authorizing the authority to promulgate rules; permitting the authority to impose in connection with any single fee program a flat fee in connection with any or all certificates of passenger motor vehicle registration and renewal thereof by the Division of Motor Vehicles; clarifying that Parkways Authority may not charge tolls on certain existing roads absent express legislative authorization; providing for the use of proceeds of fee collections; adding the power of the authority to enter into reciprocal toll enforcement agreements; creating and designating a special revenue account within the State Road Fund known as the State Road Construction Account; authorizing the deposit of proceeds of parkway revenue bonds to the State Road Construction Account; requiring the expenditure of the account’s funds for construction, maintenance and repair of public highways and bridges in certain counties within the state; creating and designating a special revenue account within the State Treasury known as the West Virginia Parkways Authority Single Fee Program Fund; clarifying notice and public meeting requirements and procedures; requiring either a single fee program or unlimited use single fee EZ Pass transponder discount program before any increase in vehicle rates, tolls or charges may be instituted; establishing limitations on the amounts of the single annual fee that may be charged; clarifying the power of the Parkways Authority to fix rates or tolls for Corridor L toll collection facility; expanding the authority of the

Parkways Authority to issue revenue bonds or refunding revenue bonds for parkways' projects and for the West Virginia Turnpike; modifying approval required of certain county commissions prior to approval of any parkway project; authorizing electronic toll collection and enforcement of tolls on roads, highways and bridges; authorizing implementation and collection of a fee for the single fee program; modifying requirements for reports of local committees and resolutions of approval by county commissions; authorizing the Division of Motor Vehicles to enter into agreements with the authority to collect and remit certain fees; expanding the grounds for refusing to register a motor vehicle; and creating a misdemeanor offense and providing for criminal penalties.”

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 679**), and there were—yeas 73, nays 10, absent and not voting 17, with the nays and absent and not voting being as follows:

Nays: Folk, Gearheart, Harshbarger, Hill, Kessinger, Martin, McGeehan, Paynter, Ward and Wilson.

Absent and Not Voting: Ambler, Arvon, Boggs, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquina, Miley, C. Miller, O'Neal, Phillips, R. Romine, Summers and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1003) takes effect from its passage.

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

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the

adoption of the following concurrent resolution, which was read by the Clerk as follows:

S. C. R. 105 – “Suspending provisions of Joint Rule 3 relating to committees of conference and reports relative thereto.”

Resolved by the Legislature of West Virginia, two thirds of the members present and voting in each house agreeing thereto:

That pursuant to Rule 25 of the Joint Rules of the Senate and House of Delegates, the provisions of Joint Rule 3, paragraph (b) are suspended as follows: the committee of conference on the disagreeing votes of the two houses, as to Engrossed Committee Substitute for House Bill 106 (*Relating generally to the furlough of public employees during a declared fiscal emergency*), is hereby extended until Tuesday, June 27, 2017.

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the resolution (S. C. R. 105) to a committee was dispensed with, and it was taken up for immediate consideration.

The question now being on the adoption of the resolution, the yeas and nays were taken (**Roll No. 680**), and there were—yeas 83, nays none, absent and not voting 17, with the absent and not voting being as follows:

Absent and Not Voting: Ambler, Arvon, Boggs, Butler, Deem, Ellington, A. Evans, N. Foster, Householder, Iaquina, Miley, C. Miller, O’Neal, Phillips, R. Romine, Summers and Westfall.

So, two thirds of the members present and voting having voted in the affirmative, the Speaker declared the resolution (S. C. R. 105) adopted.

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

At the request of Delegate Cowles, and by unanimous consent, the House of Delegates returned to the Seventh Order of Business for the purpose of introducing a resolution.

Resolutions Introduced

Mr. Speaker, Mr. Armstead, offered the following resolution, which was reported by the Clerk:

H. C. R. 2 – “Providing for an adjournment of the Legislature until June 26, 2017.”

Resolved by the Legislature of West Virginia:

That when adjournment is taken by each house of the Legislature at the close of their respective sessions in which they adopt this resolution, such adjournment shall be until 11:00 a.m. on June 26, 2017, pursuant to Section 23, Article VI of the Constitution of the State of West Virginia, unless called prior to that time by the Speaker of the House of Delegates and the President of the Senate.

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the resolution (H. C. R. 2) to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

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

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Ambler, Butler, Ellington, A. Evans, N. Foster, Householder, Iaquinta, C. Miller, Phillips, R. Romine and Summers.

Miscellaneous Business

Delegate Frich asked and obtained unanimous consent that the remarks of Delegate Butler during Remarks by Members on Monday, June 12, 2017 be printed in the Appendix to the Journal.

Delegate Longstreth asked and obtained unanimous consent that the remarks of Delegate Caputo regarding Com. Sub. for S. B. 1011 today be printed in the Appendix to the Journal.

Delegate Eldridge asked and obtained unanimous consent that the remarks of Delegate Lovejoy regarding the amendment to the amendment on S. B. 1013 on Wednesday, June 14, 2017 be printed in the Appendix to the Journal.

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegate Sponaugle during Remarks by Members on Wednesday, June 14, 2017 be printed in the Appendix to the Journal.

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegates Pethtel, Robinson, Pushkin, R. Miller, Boggs, Diserio, Canestraro, Marcum and Rowe regarding S. B. 1013 on today, and the remarks of Delegate Robinson during Remarks by Members on Tuesday, June 13, 2017 be printed in the Appendix to the Journal.

Delegate Fast asked and obtained unanimous consent that all remarks regarding S. B. 1003 on today be printed in the Appendix to the Journal.

At 11:37 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 11:50 p.m.

* * * * *

Evening Session

* * * * *

-continued-

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, without amendment, of a concurrent resolution of the House of Delegates as follows:

H. C. R. 2, Providing for an adjournment of the Legislature until June 26, 2017.

Pursuant to H. C. R. 2, at 11:50 p.m., the House of Delegates adjourned until 11:00 a.m., Monday, June 26, 2017.

Monday, June 26, 2017

TWENTY-FIRST DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

Pursuant to H. C. R. 2, adopted on the sixteenth day of June, 2017, the House of Delegates met at 11:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 681**), and 58 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Baldwin, Barrett, Butler, Canestraro, Caputo, Diserio, Ellington, A. Evans, E. Evans, Fast, Fluharty, Folk, N. Foster, Hicks, Higginbotham, Hill, Hornbuckle, Householder, Iaquina, Isner, Lane, Lewis, Longstreth, Lovejoy, Lynch, Marcum, McGeehan, Miley, Moore, Moye, Rodighiero, C. Romine, Rowe, Sponaugle, Statler, Storch, Summers, Walters, Westfall, White, Williams and Wilson.

The Clerk proceeded to read the Journal of Friday, June 16, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Hanshaw, Chair of the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 19th day of June, 2017, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

S. B. 1003, Relating generally to WV Parkways Authority,

S. B. 1006, Increasing funding for State Road Fund,

S. B. 1013, Budget Bill,

Com. Sub. for H. B. 113, Relating to the sale of Jackie Withrow Hospital by the DHHR,

And,

Com. Sub. for H. B. 117, Relating to West Virginia Health Care Authority.

Messages from the Executive

Mr. Speaker, Mr. Armstead, presented a communication from His Excellency, the Governor, advising that on June 19, 2017, he approved **S. B. 1014**, **H. B. 111** and **Com. Sub. for H. B. 117**; and on June 22, 2017, he approved **S. B. 1003** and **S. B. 1006**.

The Clerk reported that His Excellency, the Governor had allowed **S. B. 1013**, Budget Bill, to become law without his signature.

The Speaker then laid before the House of Delegates a communication from His Excellency, the Governor, setting forth his disapproval of a bill heretofore passed by both houses, as follows:

STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
CHARLESTON

June 23, 2017

Veto Message

The Honorable Tim Armstead
Speaker of the House of Delegates
Building 1, Room 228M
State Capitol
Charleston, West Virginia 25305

Re: Enrolled House Bill 113

Dear Speaker Armstead:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 113. This bill authorizes the Secretary of the Department of Health and Human Resources (DHHR) to divest ownership of the long-term care facility known as Jackie Withrow Hospital in Raleigh County. While I support the intent of this legislation, I believe that the potential transition of any of our state hospitals to private ownership needs to be part of an overall strategy and comprehensive plan that includes all of the facilities, rather than through a piecemeal approach. With the failure of the companion legislation affecting Hopemont Hospital in Preston County, I am reluctant to single out one hospital at a time.

I have directed the Secretary of DHHR to develop a revised strategic plan over the next six months that evaluates our needs across the entire State. I will ask the Legislature to reconsider certain elements of this plan during the 2018 Regular Session. I want the residents and the staff at these facilities to rest assured that I am dedicated to providing the best care possible and to do so in a manner that is the most efficient and effective for the communities and patients throughout the State that rely on these services.

For the foregoing reasons, I disapprove and return Enrolled Committee Substitute for House Bill 113.

Sincerely,

Jim Justice,
Governor.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Baldwin, Barrett, Butler, Canestraro, Caputo, Diserio, Ellington, A. Evans, E. Evans, Fast, Fluharty, Folk, N. Foster, Hicks, Higginbotham,

Hill, Hornbuckle, Householder, Iaquinta, Isner, Lane, Lewis, Longstreth, Lovejoy, Lynch, Marcum, McGeehan, Miley, Moore, Moye, Rodighiero, C. Romine, Rowe, Sponaugle, Statler, Storch, Summers, Walters, Westfall, White, Williams and Wilson.

Miscellaneous Business

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three to notify the Senate that the House of Delegates had completed the business of this First Extraordinary Session of the 83rd Legislature and was ready to adjourn *sine die*.

Whereupon,

The Speaker appointed as members of said committee the following:

Delegates Hamrick, Dean and Hartman.

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three on the part of the House of Delegates, to join with a similar committee of the Senate, to inform His Excellency, the Governor, that the Legislature was ready to adjourn *sine die*.

The Speaker appointed as members of such committee the following:

Delegates Wagner, Sypolt and Thompson.

Messages from the Senate

A message from the Senate, by

Senator Maynard announced that the Senate had completed the business of this First Extraordinary Session and was ready to adjourn *sine die*.

There being no further business to come before the House, at 11:27 a.m., on motion of Delegate Cowles, the House of Delegates adjourned *sine die*.



We hereby certify that the forgoing record of the proceedings of the House of Delegates, First Extraordinary Session, 2017, is the Official Journal of the House of Delegates for said session.

Tim Armstead
Speaker of the House of Delegates

Stephen J. Harrison
Clerk of the House of Delegates



West Virginia Legislature
Journal
of the
House of Delegates

Eighty-Third Legislature
Second Extraordinary Session

Charleston, Monday, October 16, 2017

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

Pursuant to the Proclamation of His Excellency, the Governor, issued the twelfth day of October, 2017, and hereinafter set forth, convening the Legislature in Extraordinary Session on the sixteenth day of October, 2017, the House of Delegates assembled in its Chamber in the Capitol Building in the City of Charleston at 12:00 noon, and was called to order by the Speaker, the Honorable Tim Armstead.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

**Messages from the Executive
and other Communications**

Various communications were laid before the House of Delegates, which were read by the Clerk as follows:

House of Delegates
West Virginia Legislature
Building 1, Room 258-M
1900 Kanawha Blvd., East
Charleston, WV 25305

September 1, 2017

The Honorable Stephen Harrison
Clerk of the West Virginia House of Delegates
Office of the Clerk
West Virginia House of Delegates
West Virginia Capitol
Charleston, West Virginia 25305

Dear Mr. Harrison,

Please allow this letter to serve as my official resignation notice to the West Virginia House of Delegates serving the 38th District. Please accept my resignation, effective September 1, 2017.

Thank you for your kindness and service to the members of the House. It was a pleasure to serve with you. I wish you all the best going forward.

Respectfully,

Nancy Reagan Foster

State of West Virginia
Office of the Governor

September 19, 2017

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Pursuant to W. Va. Code § 3-10-5, I have this day appointed Dianna L. Graves, 5014 Ann Lee Drive, Cross Lanes, Kanawha County, West Virginia 25313, as a Delegate representing the Thirty-Eighth District of the House of Delegates, to fill the vacancy created by the resignation of the Honorable Nancy Foster.

Sincerely,

Jim Justice,
Governor.

The Clerk announced that Delegate Graves had taken the oath of office as prescribed by Section 16, Article VI of the Constitution of the State of West Virginia on September 29, 2017.

The Speaker then asked the Members to stand for a moment of silence in memory of Delegate Tony Lewis, who died after a long and courageous battle with cancer on September 24, 2017.

State of West Virginia
Office of the Governor

October 10, 2017

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Pursuant to W. Va. Code § 3-10-5, I have this day appointed D. Rolland Jennings, 1526 George Washington Highway, Thornton, Preston County, West Virginia 26440, as a Delegate representing the Fifty-Third District of the House of Delegates, to fill the vacancy created by the passing of the Honorable Tony Lewis.

Sincerely,

Jim Justice,
Governor.

The Clerk announced that Delegate Jennings had taken the oath of office as prescribed by Section 16, Article VI of the Constitution of the State of West Virginia on October 14, 2017.

House of Delegates
West Virginia Legislature
Building 1, Room 258-M
1900 Kanawha Blvd., East
Charleston, WV 25305

October 16, 2017

The Honorable Steve Harrison
Clerk of the House
1900 Kanawha Boulevard, East
Building 1, Room 212M
Charleston, West Virginia 25305

Dear Mr. Clerk,

Due to my recent appointment to the State Senate to fill the vacancy created by the resignation of Senator Ron Miller, I am hereby resigning my seat in the West Virginia House of Delegates.

I have been honored to serve in the House of Delegates, and I look forward to continuing to serve my constituents as a member of the Senate.

Sincerely,

Delegate Stephen Baldwin

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 682**), and 94 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Higginbotham, Isner, Summers, Upson and Wilson.

Proclamations of His Excellency, the Governor, convening the Legislature in extraordinary session, were then read by the Clerk, as follows:

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
Charleston

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at Noon on the sixteenth day of October, Two Thousand Seventeen, in its chambers in the State Capitol, City of Charleston, for the limited purpose of considering and acting upon the following matters:

FIRST: A bill exempting military retirement from state personal income tax after specified date.

SECOND: A bill increasing amount of credit allowed against personal and corporation net income taxes for qualified historic rehabilitation expenditures.

THIRD: Legislation authorizing and appropriating the expenditure of public funds to pay the expenses for the Extraordinary Session.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this twelfth day of October, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fifth year of the State.

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
Charleston

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the Proclamation dated the twelfth day of October, Two Thousand Seventeen, calling the Legislature of West Virginia to convene in Extraordinary Session at Noon on the sixteenth day of October, Two Thousand Seventeen, by adding items four, five, and six:

FOURTH: A bill allowing certain tax information to be shared with designated employees of Commissioner of Highways.

FIFTH: A bill implementing special hiring procedures for personnel positions in the Division of Highways and the Tax Commissioner.

SIXTH: A bill amending the West Virginia Jobs Act.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this thirteenth day of October, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fifth year of the State.

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
Charleston

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the Proclamation dated the twelfth day of October, Two Thousand Seventeen, calling the Legislature of West Virginia to convene in Extraordinary Session at Noon on

the sixteenth day of October, Two Thousand Seventeen, and amended by subsequent Proclamation dated the thirteenth day of October, Two Thousand Seventeen by adding items seven, as follows:

SEVENTH: A bill finding and declaring certain claims against the state and its agencies to be moral obligations of the state.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this sixteenth day of October, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fifth year of the State.

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three to notify the Senate that the House of Delegates had assembled in extraordinary session and was ready to enter upon the business stated in the Proclamations by which it had been called together.

Whereupon,

The Speaker appointed as members of such committee:

Delegates Harshbarger, Sypolt and Hartman.

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three, to join with a similar committee on

the part of the Senate, to inform His Excellency, the Governor, that the Legislature had assembled in extraordinary session and was ready to enter upon the business stated in the Proclamations.

Whereupon,

The Speaker appointed as members of such committee:

Delegates Blair, Frich and Lynch.

Bills Introduced

Bills were introduced, pursuant to House Rule 92, as follows:

**By Mr. Speaker (Mr. Armstead) and Delegate Miley
[By Request of the Executive]:**

H. B. 201 – “A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to exempting military retirement income from personal income tax after specified date.”

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (H. B. 201) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

**By Mr. Speaker (Mr. Armstead) and Delegate Miley
[By Request of the Executive]:**

H. B. 202 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-10-5cc, relating generally to allowing certain tax information to be shared with designated employees of Commissioner of Highways pursuant to written agreement”; which was referred to the Committee on the Judiciary.

At 12:25 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 5:00 p.m.

* * * * *

Evening Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2002 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-10-5cc, relating generally to allowing certain tax information to be shared with designated employees of Commissioner of Highways pursuant to written agreement.”

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (S. B. 2002) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 683**), and there were—yeas 94, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Love, Summers, Thompson, Upson and Wilson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time.

On motion of Delegate Folk, the bill was amended on page one, section 5cc, line four, by striking out the word “may” and inserting in lieu thereof the word “shall”.

On page two, section 5cc, line fifteen, by striking out the words “appears to be” and inserting in lieu thereof the word “is”.

And,

On page two, section 5cc, line twenty-two, by striking out the words “appears to be” and inserting in lieu thereof the word “is”.

The bill was then ordered to third reading.

The bill was then read a third time, and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 684**), and there were—yeas 94, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Love, Summers, Thompson, Upson and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 2002) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 685**), and there were—yeas 94, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Love, Summers, Thompson, Upson and Wilson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2002) takes effect from its passage.

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

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Eighth Order of Business for the purpose of introducing bills.

Bills Introduced

Bills were introduced, pursuant to House Rule 92, as follows:

By Mr. Speaker (Mr. Armstead) and Delegate Miley

[By Request of the Executive]:

H. B. 203 - “A Bill to amend and reenact §11-21-8a and §11-21-8e of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-24-23a and §11-24-23e of said code, all relating generally to tax credits for rehabilitation of historic buildings and structures; increasing the amount of tax credit against personal and corporate net income taxes from ten percent to twenty-five percent for expenditures made on or after December 31, 2017; providing for the use of tax credit on or after January 1, 2020; prohibiting eligibility for credit if the taxpayer is in arrears on certain tax payments; providing rule-making authority to the Tax Commissioner; amending carryback and carryforward provisions for tax credit; limiting the maximum amount available for tax credit per project and in the aggregate per West Virginia state fiscal year; requiring the state historic preservation officer to reserve a certain amount of available tax credits for projects where proposed tax credits will not exceed \$500,000 per project; authorizing the state historic preservation officer to reallocate unused credits reserved for certain projects; providing procedures for the issuance of tax credit reservations and certificates by the state historic preservation officer; requiring the state historic preservation officer to prescribe and publish a form and instructions for applications for credits; providing for an application fee payable to the state historic preservation officer; requiring the state historic preservation officer to review and act upon applications within thirty days of receipt; and providing a sunset provision.”

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (H. B. 203) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

**By Mr. Speaker (Mr. Armstead) and Delegate Miley
[By Request of the Executive]:**

H. B. 204 - “A Bill finding and declaring a claim against the state and its agency to be a moral obligation of the state; and directing the Auditor to issue warrants for the payment thereof”; to the Committee on Finance.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Summers, Upson and Wilson.

Miscellaneous Business

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegate Pushkin during Remarks by Members today be printed in the Appendix to the Journal.

At 5:51 p.m., the House of Delegate adjourned until 12:00 noon, Tuesday, October 17, 2017.

Tuesday, October 17, 2017

SECOND DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 12:00 noon, and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Monday, October 16, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Special Calendar

Second Reading

H. B. 201, Exempting military retirement income from personal income tax; on second reading, coming up in regular order, was read a second time.

There being two strike and insert amendments in possession of the Clerk, the Speaker explained to the members that the sponsors would be allowed to explain their amendments but the adoption of one would preclude the consideration of the other.

Delegates Sponaugle, Barrett, Bates, Boggs, Brewer, Canestraro, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fluharty, Hartman, Hicks, Hornbuckle, Isner, Longstreth, Love, Lovejoy, Lynch, Marcum, Miley, R. Miller, Pushkin, Pyles, Robinson, Rodighiero, Thompson and Williams offered an amendment for which Delegate Sponaugle was recognized to explain, as follows:

On page one, following the enacting clause, by striking out the remainder of the bill, and inserting in lieu thereof the following:

“That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §11-21-4g; and that §11-21-12 of said code be amended and reenacted, all to read as follows:

CHAPTER 11. TAXATION.

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-4g. Rate of tax — Taxable years beginning after December 31, 2018.

(a) Rate of tax on individuals (except married individuals filing separate returns), individuals filing joint returns, heads of households, estates and trusts. — The tax imposed by section three of this article on the West Virginia taxable income of every individual (except married individuals filing separate returns); every individual who is a head of a household in the determination of his or her federal income tax for the taxable year; every husband and wife who file a joint return under this article; every individual who is entitled to file his or her federal income tax return for the taxable year as a surviving spouse; and every estate and trust shall be determined in accordance with the following table:

The West Virginia taxable income is: The tax is:

<u>Not over \$10,000</u>	<u>3% of the taxable income</u>
<u>Over \$10,000 but not over \$25,000</u>	<u>\$300.00 plus 4% of excess over \$10,000</u>
<u>Over \$25,000 but not over \$40,000</u>	<u>\$900.00 plus 4.5% of excess over \$25,000</u>
<u>Over \$40,000 but not over \$60,000</u>	<u>\$1,575.00 plus 6% of excess over \$40,000</u>
<u>Over \$60,000.....</u>	<u>\$2,775.00 plus 6.5% of excess over \$60,000</u>
<u>Over \$10,000,000.....</u>	<u>\$648,875.00 plus 10% of excess over \$10,000,000</u>

(b) Rate of tax on married individuals filing separate returns. — In the case of husband and wife filing separate returns under this article for the taxable year, the tax imposed by section three of this article on the West Virginia taxable income of each spouse shall be determined in accordance with the following table:

If the West Virginia taxable income is: The tax is:

<u>Not over \$5,000</u>	<u>3% of the taxable income</u>
<u>Over \$5,000 but not over \$12,500</u>	<u>\$150.00 plus 4% of excess over \$5,000</u>
<u>Over \$12,500 but not over \$20,000</u>	<u>\$450.00 plus 4.5% of excess over \$12,500</u>
<u>Over \$20,000 but not over \$30,000</u>	<u>\$787.50 plus 6% of excess over \$20,000</u>
<u>Over \$30,000.....</u>	<u>\$1,387.50 plus 6.5% of excess over \$30,000</u>
<u>Over \$5,000,000.....</u>	<u>\$324,438.00 plus 10% of excess over \$5,000,000</u>

(c) Applicability of this section. — The provisions of this section, as amended by this act, shall be applicable in determining the rate of tax imposed by this article for all taxable years beginning after December 31, 2017, and shall be in lieu of the rates of tax specified in section four-e of this article.”

§11-21-12. West Virginia adjusted gross income of resident individual.

(a) *General.* The West Virginia adjusted gross income of a resident individual means his or her federal adjusted gross income as defined in the laws of the United States for the taxable year with the modifications specified in this section.

(b) *Modifications increasing federal adjusted gross income.* There shall be added to federal adjusted gross income unless already included therein the following items:

(1) Interest income on obligations of any state other than this state or of a political subdivision of any other state unless created by compact or agreement to which this state is a party;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

(3) Any deduction allowed when determining federal adjusted gross income for federal income tax purposes for the taxable year that is not allowed as a deduction under this article for the taxable year;

(4) Interest on indebtedness incurred or continued to purchase or carry obligations or securities the income from which is exempt from tax under this article, to the extent deductible in determining federal adjusted gross income;

(5) Interest on a depository institution tax-exempt savings certificate which is allowed as an exclusion from federal gross income under Section 128 of the Internal Revenue Code, for the federal taxable year;

(6) The amount of a lump sum distribution for which the taxpayer has elected under Section 402(e) of the Internal Revenue Code of 1986, as amended, to be separately taxed for federal income tax purposes; and

(7) Amounts withdrawn from a medical savings account established by or for an individual under section twenty, article fifteen, chapter thirty-three of this code or section fifteen, article sixteen of said chapter that are used for a purpose other than payment of medical expenses, as defined in those sections.

(c) *Modifications reducing federal adjusted gross income.* There shall be subtracted from federal adjusted gross income to the extent included therein:

(1) Interest income on obligations of the United States and its possessions to the extent includable in gross income for federal income tax purposes;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States or of the State of West Virginia to the extent includable in gross income for federal income tax purposes but exempt from state income taxes under the laws of the United States or of the State of West Virginia, including federal interest or dividends paid to shareholders of a regulated investment company, under Section 852 of the Internal Revenue Code for taxable years ending after the thirtieth day of June, one thousand nine hundred eighty-seven;

(3) Any amount included in federal adjusted gross income for federal income tax purposes for the taxable year that is not included in federal adjusted gross income under this article for the taxable year;

(4) The amount of any refund or credit for overpayment of income taxes imposed by this state, or any other taxing jurisdiction, to the extent properly included in gross income for federal income tax purposes;

(5) Annuities, retirement allowances, returns of contributions and any other benefit received under the West Virginia Public Employees Retirement System, and the West Virginia State Teachers Retirement System ~~and all forms of military retirement, including regular armed forces, reserves and National Guard,~~ including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes: *Provided*, That notwithstanding any provisions in this code to the contrary this modification shall be limited to the first two thousand dollars of benefits received under the West Virginia Public Employees Retirement System, the West Virginia State Teachers Retirement System and, including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes for taxable years beginning after the thirty-first day of December, one thousand nine hundred eighty-six; and the first two thousand dollars of benefits received under

any federal retirement system to which Title 4 U.S.C. §111 applies: *Provided, however,* That the total modification under this paragraph shall not exceed two thousand dollars per person receiving retirement benefits and this limitation shall apply to all returns or amended returns filed after the last day of December, one thousand nine hundred eighty-eight;

(6) Retirement income received in the form of pensions and annuities after the thirty-first day of December, one thousand nine hundred seventy-nine, under any West Virginia police, West Virginia Firemen's Retirement System or the West Virginia State Police Death, Disability and Retirement Fund, the West Virginia State Police Retirement System or the West Virginia Deputy Sheriff Retirement System, including any survivorship annuities derived from any of these programs, to the extent includable in gross income for federal income tax purposes;

(7) (A) For taxable years beginning after the thirty-first day of December, two thousand, and ending prior to the first day of January, two thousand three, an amount equal to two percent multiplied by the number of years of active duty in the armed forces of the United States of America with the product thereof multiplied by the first thirty thousand dollars of military retirement income, including retirement income from the regular armed forces, reserves and National Guard paid by the United States or by this state after the thirty-first day of December, two thousand, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(B) For taxable years beginning after the thirty-first day of December, two thousand two, the first twenty thousand dollars of military retirement income, including retirement income from the regular armed forces, reserves and National Guard paid by the United States or by this state after the thirty-first day of December, two thousand two, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(C) For taxable years beginning after December 31, 2017, military retirement income, including retirement income from the

regular armed forces, reserves and National Guard paid by the United States or by this state after December 31, 2017, including any survivorship annuities, to the extent included in federal adjusted gross income for the taxable year.

(D) In the event that any of the provisions of this subdivision are found by a court of competent jurisdiction to violate either the Constitution of this state or of the United States, or is held to be extended to persons other than specified in this subdivision, this subdivision shall become null and void by operation of law.

(8) Income received as social security benefits pursuant to Title 42 U.S.C. Chapter 7 for retired military personnel from the regular armed forces, reserves and National Guard, and all other residents when such retired military personnel and other residents have federal adjusted gross incomes of less than \$50,000 for federal tax purposes.

~~(8)~~ (9) Federal adjusted gross income in the amount of eight thousand dollars received from any source after the thirty-first day of December, one thousand nine hundred eighty-six, by any person who has attained the age of sixty-five on or before the last day of the taxable year, or by any person certified by proper authority as permanently and totally disabled, regardless of age, on or before the last day of the taxable year, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That if a person has a medical certification from a prior year and he or she is still permanently and totally disabled, a copy of the original certificate is acceptable as proof of disability. A copy of the form filed for the federal disability income tax exclusion is acceptable: *Provided, however*, That:

(i) Where the total modification under subdivisions (1), (2), (5), (6) and (7) of this subsection is eight thousand dollars per person or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6) and (7) of this subsection is less than eight thousand dollars per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the

difference between eight thousand dollars and the sum of modifications under subdivisions (1), (2), (5), (6) and (7) of this subsection;

~~(9)~~ (10) Federal adjusted gross income in the amount of eight thousand dollars received from any source after the thirty-first day of December, one thousand nine hundred eighty-six, by the surviving spouse of any person who had attained the age of sixty-five or who had been certified as permanently and totally disabled, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That:

(i) Where the total modification under subdivisions (1), (2), (5), (6), (7) and (8) of this subsection is eight thousand dollars or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6), (7) and (8) of this subsection is less than eight thousand dollars per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between eight thousand dollars and the sum of subdivisions (1), (2), (5), (6), (7) and (8) of this subsection;

~~(10)~~ (11) Contributions from any source to a medical savings account established by or for the individual pursuant to section twenty, article fifteen, chapter thirty-three of this code or section fifteen, article sixteen of said chapter, plus interest earned on the account, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That the amount subtracted pursuant to this subdivision for any one taxable year may not exceed two thousand dollars plus interest earned on the account. For married individuals filing a joint return, the maximum deduction is computed separately for each individual;

~~(11)~~ (12) For the two thousand six taxable year only, severance wages received by a taxpayer from an employer as the result of the taxpayer's permanent termination from employment through a reduction in force and through no fault of the employee, not to exceed thirty thousand dollars. For purposes of this subdivision:

(i) The term ‘severance wages’ means any monetary compensation paid by the employer in the taxable year as a result of permanent termination from employment in excess of regular annual wages or regular annual salary;

(ii) The term ‘reduction in force’ means a net reduction in the number of employees employed by the employer in West Virginia, determined based on total West Virginia employment of the employer’s controlled group;

(iii) The term ‘controlled group’ means one or more chains of corporations connected through stock ownership with a common parent corporation if stock possessing at least fifty percent of the voting power of all classes of stock of each of the corporations is owned directly or indirectly by one or more of the corporations and the common parent owns directly stock possessing at least fifty percent of the voting power of all classes of stock of at least one of the other corporations;

(iv) The term ‘corporation’ means any corporation, joint-stock company or association and any business conducted by a trustee or trustees wherein interest or ownership is evidenced by a certificate of interest or ownership or similar written instrument; and

~~(12)~~(13) Any other income which this state is prohibited from taxing under the laws of the United States.

(d) *Modification for West Virginia fiduciary adjustment.* There shall be added to or subtracted from federal adjusted gross income, as the case may be, the taxpayer’s share, as beneficiary of an estate or trust, of the West Virginia fiduciary adjustment determined under section nineteen of this article.

(e) *Partners and S corporation shareholders.* — The amounts of modifications required to be made under this section by a partner or an S corporation shareholder, which relate to items of income, gain, loss or deduction of a partnership or an S corporation, shall be determined under section seventeen of this article.

(f) *Husband and wife.* If husband and wife determine their federal income tax on a joint return but determine their West

Virginia income taxes separately, they shall determine their West Virginia adjusted gross incomes separately as if their federal adjusted gross incomes had been determined separately.

(g) *Effective date.* (1) Changes in the language of this section enacted in the year two thousand shall apply to taxable years beginning after the thirty-first day of December, two thousand.

(2) Changes in the language of this section enacted in the year two thousand two shall apply to taxable years beginning after the thirty-first day of December, two thousand two.”

And to amend the title of the bill to read as follows:

H. B. 201 - “A Bill to amend the Code of West Virginia, 1931 by adding thereto a new section, designated §11-21-4g; and to amend and reenact §11-21-12 of said code, all relating to exempting certain income from state personal income tax after specified date.”

Delegate Folk was then recognized to explain his strike and insert amendment, as follows:

On page one, following the enacting section, by striking out the remainder of the bill and inserting in lieu thereof the following:

“ARTICLE 21. PERSONAL INCOME TAX.

§11-21-12. West Virginia adjusted gross income of resident individual.

(a) *General.* — The West Virginia adjusted gross income of a resident individual means his or her federal adjusted gross income as defined in the laws of the United States for the taxable year with the modifications specified in this section.

(b) *Modifications increasing federal adjusted gross income.* — There shall be added to federal adjusted gross income, unless already included therein, the following items:

(1) Interest income on obligations of any state other than this state or of a political subdivision of any other state unless created by compact or agreement to which this state is a party;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

(3) Any deduction allowed when determining federal adjusted gross income for federal income tax purposes for the taxable year that is not allowed as a deduction under this article for the taxable year;

(4) Interest on indebtedness incurred or continued to purchase or carry obligations or securities the income from which is exempt from tax under this article, to the extent deductible in determining federal adjusted gross income;

(5) Interest on a depository institution tax-exempt savings certificate which is allowed as an exclusion from federal gross income under Section 128 of the Internal Revenue Code, for the federal taxable year;

(6) The amount of a lump sum distribution for which the taxpayer has elected under Section 402(e) of the Internal Revenue Code of 1986, as amended, to be separately taxed for federal income tax purposes; and

(7) Amounts withdrawn from a medical savings account established by or for an individual under section twenty, article fifteen, chapter thirty-three of this code or section fifteen, article sixteen of said chapter that are used for a purpose other than payment of medical expenses, as defined in those sections.

(c) *Modifications reducing federal adjusted gross income.* — There shall be subtracted from federal adjusted gross income to the extent included therein:

(1) Interest income on obligations of the United States and its possessions to the extent includable in gross income for federal income tax purposes;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States or of the State of West Virginia to the extent includable in gross income for federal income tax purposes but exempt from state income taxes under the laws of the United States or of the State of West Virginia, including federal interest or dividends paid to shareholders of a regulated investment company, under Section 852 of the Internal Revenue Code for taxable years ending after June 30, 1987;

(3) Any amount included in federal adjusted gross income for federal income tax purposes for the taxable year that is not included in federal adjusted gross income under this article for the taxable year;

(4) The amount of any refund or credit for overpayment of income taxes imposed by this state, or any other taxing jurisdiction, to the extent properly included in gross income for federal income tax purposes;

(5) Annuities, retirement allowances, returns of contributions and any other benefit received under the West Virginia Public Employees Retirement System, and the West Virginia State Teachers Retirement System, ~~and all forms of military retirement, including regular Armed Forces, reserves and National Guard~~ including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes: *Provided*, That notwithstanding any provisions in this code to the contrary this modification shall be limited to the first \$2,000 of benefits received under the West Virginia Public Employees Retirement System, the West Virginia State Teachers Retirement System and, including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes for taxable years beginning after December 31, 1986; and the first \$2,000 of benefits received under any federal retirement system to which Title 4 U.S.C. §111 applies: *Provided*,

however, That the total modification under this paragraph shall not exceed \$2,000 per person receiving retirement benefits and this limitation shall apply to all returns or amended returns filed after December 31, 1988;

(6) Retirement income received in the form of pensions and annuities after December 31, 1979, under any West Virginia police, West Virginia Firemen's Retirement System or the West Virginia State Police Death, Disability and Retirement Fund, the West Virginia State Police Retirement System or the West Virginia Deputy Sheriff Retirement System, including any survivorship annuities derived from any of these programs, to the extent includable in gross income for federal income tax purposes;

(7) (A) For taxable years beginning after December 31, 2000, and ending prior to January 1, 2003, an amount equal to two percent multiplied by the number of years of active duty in the Armed Forces of the United States of America with the product thereof multiplied by the first-\$30,000 of military retirement income, including retirement income from the regular Armed Forces, reserves and National Guard paid by the United States or by this state after December 31, 2000, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(B) For taxable years beginning after December 31, 2000, the first \$20,000 of military retirement income, including retirement income from the regular Armed Forces, Reserves and National Guard paid by the United States or by this state after December 31, 2002, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(C) For taxable years beginning after December 31, 2017, military retirement income, including retirement income from the regular Armed Forces, Reserves and National Guard paid by the United States or by this state after December 31, 2017, including any survivorship annuities, to the extent included in federal adjusted gross income for the taxable year.

(D) In the event that any of the provisions of this subdivision are found by a court of competent jurisdiction to violate either the Constitution of this state or of the United States, or is held to be extended to persons other than specified in this subdivision, this subdivision shall become null and void by operation of law.

(8) Social security income for those with federal adjusted gross incomes of less than \$50,000 received by any person after December 31, 2017, to the extent included in gross income for federal income tax purposes.

(9) Federal adjusted gross income in the amount of \$8,000 received from any source after December 31, 1986, by any person who has attained the age of sixty-five on or before the last day of the taxable year, or by any person certified by proper authority as permanently and totally disabled, regardless of age, on or before the last day of the taxable year, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That if a person has a medical certification from a prior year and he or she is still permanently and totally disabled, a copy of the original certificate is acceptable as proof of disability. A copy of the form filed for the federal disability income tax exclusion is acceptable: *Provided, however*, That:

(i) Where the total modification under subdivisions (1), (2), (5), (6) and (7) of this subsection is \$8,000 per person or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6) and (7) of this subsection is less than \$8,000 per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between \$8,000 and the sum of modifications under subdivisions (1), (2), (5), (6) and (7) of this subsection;

~~(9)~~ (10) Federal adjusted gross income in the amount of \$8,000 received from any source after December 31, 1986, by the surviving spouse of any person who had attained the age of sixty-five or who had been certified as permanently and totally disabled,

to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That:

(i) Where the total modification under subdivisions (1), (2), (5), (6), (7) and (8) of this subsection is \$8,000 or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6), (7) and (8) of this subsection is less than \$8,000 per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between \$8,000 and the sum of subdivisions (1), (2), (5), (6), (7) and (8) of this subsection;

~~(10)~~ (11) Contributions from any source to a medical savings account established by or for the individual pursuant to section twenty, article fifteen, chapter thirty-three of this code or section fifteen, article sixteen of said chapter, plus interest earned on the account, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That the amount subtracted pursuant to this subdivision for any one taxable year may not exceed \$2,000 plus interest earned on the account. For married individuals filing a joint return, the maximum deduction is computed separately for each individual;

~~(11)~~ (12) For the 2006 taxable year only, severance wages received by a taxpayer from an employer as the result of the taxpayer's permanent termination from employment through a reduction in force and through no fault of the employee, not to exceed \$30,000. For purposes of this subdivision:

(i) The term 'severance wages' means any monetary compensation paid by the employer in the taxable year *as a result of* permanent termination from employment in excess of regular annual wages or regular annual salary;

(ii) The term 'reduction in force' means a net reduction in the number of employees employed by the employer in West Virginia, determined based on total West Virginia employment of the employer's controlled group;

(iii) The term ‘controlled group’ means one or more chains of corporations connected through stock ownership with a common parent corporation if stock possessing at least fifty percent of the voting power of all classes of stock of each of the corporations is owned directly or indirectly by one or more of the corporations and the common parent owns directly stock possessing at least fifty percent of the voting power of all classes of stock of at least one of the other corporations;

(iv) The term ‘corporation’ means any corporation, joint-stock company or association and any business conducted by a trustee or trustees wherein interest or ownership is evidenced by a certificate of interest or ownership or similar written instrument; and

~~(12)~~ (13) Any other income which this state is prohibited from taxing under the laws of the United States.

(d) *Modification for West Virginia fiduciary adjustment.* — There shall be added to or subtracted from federal adjusted gross income, as the case may be, the taxpayer’s share, as beneficiary of an estate or trust, of the West Virginia fiduciary adjustment determined under section nineteen of this article.

(e) *Partners and S corporation shareholders.* — The amounts of modifications required to be made under this section by a partner or an S corporation shareholder, which relate to items of income, gain, loss or deduction of a partnership or an S corporation, shall be determined under section seventeen of this article.

(f) *Husband and wife.* — If husband and wife determine their federal income tax on a joint return but determine their West Virginia income taxes separately, they shall determine their West Virginia adjusted gross incomes separately as if their federal adjusted gross incomes had been determined separately.

(g) *Effective date.* —

(1) Changes in the language of this section enacted in the year 2000 shall apply to taxable years beginning after December 31, 2000.

(2) Changes in the language of this section enacted in the year 2002 shall apply to taxable years beginning after December 31, 2002.”

Delegate Cowles arose to a point of order as to the germaneness of the amendment offered by Delegates Sponaugle, Barrett, Bates, Boggs, Brewer, Canestraro, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fluharty, Hartman, Hicks, Hornbuckle, Isner, Longstreth, Love, Lovejoy, Lynch, Marcum, Miley, R. Miller, Pushkin, Pyles, Robinson, Rodighiero, Thompson and Williams.

To the point of order, the Speaker replied that the purpose of the amendment went beyond the fundamental purpose of the bill and ruled that the amendment was not germane.

Delegate Cowles arose to a point of order as to the germaneness of the amendment offered by Delegate Folk.

To the point of order, the Speaker replied that the purpose of the amendment went beyond the fundamental purpose of the bill and ruled that the amendment was not germane.

Delegate Folk arose to appeal the ruling of the Chair.

At 12:50 p.m., on motion of Delegate Cowles, the House of Delegates recessed for fifteen minutes.

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Afternoon Session

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The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

The appeal of the ruling of the Chair by Delegate Folk was sustained by more than the requisite number of members.

Speaker Pro Tempore Overington in the Chair

During the debate, Delegate Folk was addressing the House when Delegate Cowles arose to a point of order regarding the content of the Gentleman's remarks to which point the Speaker Pro Tempore asked the Gentleman from the 63rd to confine his remarks to the question before the House.

During the debate, Delegate Sponaugle was addressing the House when Delegate Cowles arose to a point of order regarding the content of the Gentleman's remarks to which point the Speaker Pro Tempore asked the Gentleman from the 55th to confine his remarks to the question before the House.

The question before the House being, "Shall the decision of the Chair be and remain the decision of the House?"

Delegate Cowles demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 686**), and there were —yeas 63, nays 33, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Barrett, Boggs, Brewer, Byrd, Canestraro, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Folk, Hartman, Hicks, Hornbuckle, Iaquinta, Isner, Longstreth, Lovejoy, Lynch, Marcum, McGeehan, Miley, R. Miller, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaugle, Thompson and Williams.

Absent and Not Voting: Bates, Upson and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the decision of the Chair was sustained.

Mr. Speaker, Mr. Armstead, in the Chair

The bill was then ordered to engrossment and third reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 687**), and there were—yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Bates, Upson and Wilson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

Having been engrossed, the bill was read a third time and put upon its passage.

Delegates Cooper, Hartman, Hollen and Kelly requested to be excused from voting on the passage of H. B. 201 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegates would be as members of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Members from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 688**), and there were—yeas 95, nays 1, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Blair.

Absent and Not Voting: Bates, Upson and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 201) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 689**), and there were—yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Bates, Lynch, Upson and Wilson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 201) takes effect from its passage.

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

H. B. 203, Relating generally to tax credits for rehabilitation of historic buildings and structures; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Nelson, the bill was amended on page two, section eight-a, line nine, following the word “expenditure”, by striking out the colon and inserting a comma and the words “subject to the limitations and other provisions of section twenty-three-a, article twenty-four of this chapter”, followed by a colon.

On page two, section eight-a, line fourteen, following the words “by the Tax Division”, by inserting the words “or the taxpayer is delinquent in the payment of any local or municipal tax” and a comma.

On page two, section eight-a, line twenty, following the words “by the Tax Division”, by inserting a comma and the words “is not delinquent in the payment of any local or municipal tax” and a comma.

On page two, section eight-a, line twenty-seven, by striking out subsection (b) in its entirety and inserting in lieu thereof the following:

“(b) The tax credit allowed by this section is eliminated after December 31, 2022: *Provided*, That any tax credits authorized by the state historic preservation officer and eligible to be claimed prior to January 1, 2023, shall continue to be eligible to be claimed subject to the provisions of law governing those tax credits that were in effect prior to January 1, 2023.”

On page four, section twenty-three-a, line twenty, following the words “by the Tax Division”, by inserting a comma and the

words “is not delinquent in the payment of any local or municipal tax” and a comma.

On page five, section twenty-three-a, line thirty-six, by striking out subdivision (3) in its entirety and inserting in lieu thereof the following:

“(3) At the beginning of each fiscal year, no less than \$5 million of the tax credits authorized by this section and section eight-a, article twenty-one of this chapter shall be set aside for reservation and the issuance of tax credits for certified rehabilitation projects with proposed tax credits of \$500,000. The balance of any amount set aside for these projects that has not been reserved pursuant to the procedures in subsection (c) of this section by the end of the fiscal year shall be allocated by the state historic preservation officer for the projects in any amount of other pending applicants otherwise eligible for the issuance of tax credits under this section and section eight-a, article twenty-one of this chapter in the order that the applications for those projects were received.”

On page five, section twenty-three-a, line forty-six, following the words “for the tax”, by striking out the word “credit” and inserting in lieu thereof the word “credits”.

On page six, section twenty-three-a, line fifty-six, following the words “National Park Service” and the comma, by striking out the words “a fee request will be sent” and inserting in lieu thereof the words “the state historic preservation officer shall send a request for the fee prescribed in subsection (e) of this section”.

On page seven, section twenty-three-a, line eighty-three, by striking out the words “shall be accompanied by” and inserting in lieu thereof the words “and section eight-a, article twenty-one of this chapter shall require”.

On page seven, section twenty-three-a, beginning on line eighty-five, following the words “within 30 days of receipt” and the period, by creating a new paragraph to read as follows:

“Fees collected under this subsection shall be deposited into a special revenue account which is hereby created. The fund shall be

administered by the state historic preservation officer and expended for the purposes of administering the provisions of this section and section eight-a, article twenty-one of this chapter.”

On page seven, section twenty-three-a, line eighty-seven, by striking out subsection (f) in its entirety and inserting in lieu thereof the following:

“(f) The tax credit allowed by this section is eliminated after December 31, 2022: *Provided*, That any tax credits authorized by the state historic preservation officer and eligible to be claimed prior to January 1, 2023, shall continue to be eligible to be claimed subject to the provisions of law governing those tax credits that were in effect prior to January 1, 2023.”

Delegates Robinson, Pushkin, Canestraro and Rowe moved to amend the bill on page five, section twenty-three-a, lines thirty-two and thirty-four, by striking out the number “30” and inserting in lieu thereof, the number “50”.

On the adoption of the amendment, Delegate Robinson demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 690**), and there were—yeas 40, nays 55, absent and not voting 4, with the yeas and absent and not voting being as follows:

Yeas: Barrett, Boggs, Brewer, Byrd, Canestraro, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Graves, Hartman, Hicks, Hornbuckle, Iaquina, Isner, Kessinger, Longstreth, Love, Lovejoy, Marcum, Miley, R. Miller, Moore, Moye, Paynter, Pethel, Pushkin, Pyles, Robinson, Rodighiero, C. Romine, Rowe, Sobonya, Sponaugle, Thompson, Ward and Williams.

Absent and Not Voting: Bates, Lynch, Upson and Wilson.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

The bill was then ordered to engrossment and third reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 691**), and there were—yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Bates, Lynch, Upson and Wilson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

Having been engrossed, the bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 692**), and there were—yeas 91, nays 3, absent and not voting 5, with the nays and absent and not voting being as follows:

Nays: Blair, Cowles and Foster.

Absent and Not Voting: Ambler, Bates, Lynch, Upson and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 203) passed.

On motion of Delegate Nelson, the title of the bill was amended to read as follows:

H. B. 203 - “A Bill to amend and reenact §11-21-8a and §11-21-8e of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-24-23a and §11-24-23e of said code, all relating generally to tax credits for rehabilitation of historic buildings and structures; increasing the amount of tax credit against personal and corporate net income taxes from ten percent to twenty-five percent for expenditures made on or after December 31, 2017; providing for the use of tax credit on or after January 1, 2020; prohibiting eligibility for credit if the taxpayer is in arrears

or delinquent on certain tax payments; directing rule-making by the Tax Commissioner; eliminating allowance of tax credits after December 31, 2022; allowing prior authorized tax credits to be claimed; limiting the maximum amount available for tax credit per project and in the aggregate per West Virginia state fiscal year; requiring the state historic preservation officer to reserve a certain amount of available tax credits for projects where proposed tax credits will not exceed \$500,000 per project; authorizing the state historic preservation officer to reallocate unused credits reserved for certain projects; modifying carry-back and carry-forward provisions for tax credits; providing requirements and procedures for the allocation and issuance of tax credit reservations and certificates by the state historic preservation officer; establishing requirements to claim tax credits; requiring the state historic preservation officer to prescribe and publish a form and instructions for applications for credits; providing for an application fee payable to the state historic preservation officer; establishing and providing for the administration of and expenditures from a special revenue account; and providing time limits for certain actions of the state historic preservation officer.”

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 693**), and there were—yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Bates, Lynch, Upson and Wilson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 203) takes effect from its passage.

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

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Eighth Order of Business for the purpose of introducing bills.

Bills Introduced

Pursuant to House Rule 92, the following bill was introduced:

**By Mr. Speaker (Mr. Armstead) and Delegate Miley
[By Request of the Executive]:**

H. B. 205 - “A Bill to amend and reenact §21-1C-2, §21-1C-4, and §21-1C-6 of the Code of West Virginia, 1931, as amended, all relating generally to the West Virginia Jobs Act; defining terms; requiring Workforce West Virginia to provide a waiver to an employer if unable to refer certain amount of qualified job applicants to the employer within three business days; increasing and adding civil penalties for violations; providing for written notice of violation to employer for violations; creating a special revenue account; and other technical corrections.”

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (H. B. 205) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 694**), and there were—yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Bates, Lynch, Upson and Wilson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

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

Having been engrossed, the bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 695**), and there were—yeas 94, nays 1, absent and not voting 4, with the nays and absent and not voting being as follows:

Nays: Gearheart.

Absent and Not Voting: Bates, Lynch, Upson and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 205) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 696**), and there were—yeas 94, nays 1, absent and not voting 4, with the nays and absent and not voting being as follows:

Nays: Gearheart.

Absent and Not Voting: Bates, Lynch, Upson and Wilson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 205) takes effect from its passage.

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

Miscellaneous Business

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegate Sponaugle regarding amending H. B. 201 and the remarks of Delegate Sponaugle and Delegate Boggs during Remarks by Members today be printed in the Appendix to the Journal.

Delegate Cowles asked and obtained unanimous consent that all remarks during the debate regarding the decision of the Chair today be printed in the Appendix to the Journal.

At 2:43 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 5:30 p.m.

* * * * *

Evening Session

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The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the House of Delegates amendment, with amendment, and the passage, as amended, to take effect from passage, of

S. B. 2002, Allowing certain tax information be shared with designated DOH employees.

On motion of Delegate Cowles, the House concurred in the following amendment of the bill by the Senate:

On page two, section five-cc, subsection (a), subdivision (4), by striking out the word “is” and inserting in lieu thereof the words “appears to be”.

And,

On page two, section five-cc, subsection (a), subdivision (6), by striking out the word “is” and inserting in lieu thereof the words “appears to be”.

The bill, as amended by the House, and further amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 697**), and there were—yeas 91, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Bates, Hornbuckle, Iaquina, Moore, Storch, Summers, Upson and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 2002) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 698**), and there were—yeas 91, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Bates, Hornbuckle, Iaquina, Moore, Storch, Summers, Upson and Wilson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2002) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2003 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §29-6-4a and §29-6-4b, all relating generally to requiring the Commissioner of Highways and Tax Commissioner to implement special hiring procedure for personnel positions in their respective divisions; establishing requirements for this special hiring procedure; exempting Division of Highways and Tax Division from certain hiring procedures; instituting new procedures; authorizing new schedules of compensation; exempting Division of Personnel from certain grievance claims; providing for retention of due process, anti-favoritism and anti-discrimination requirements; requiring the Commissioner of Highways to propose

legislative rules; and authorizing the Tax Commissioner to propose emergency rules.”

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (S. B. 2003) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 699**), and there were—yeas 91, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Bates, Hornbuckle, Iaquina, Moore, Storch, Summers, Upson and Wilson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time.

On motion of Delegate Howell, the bill was amended on page six, section eight, line seventy-seven, after the words “provisions of”, by striking out the words “articles six and six-a” and inserting in lieu thereof the words “article six”.

On page six, section eight, beginning on line eighty-six, after the words “provisions of article six”, by striking out the words “or article six-a”.

On page nine, section twenty-four, line seventy-three, after the words “provisions of”, by striking out the words “articles six and six-a” and inserting in lieu thereof the words “article six”.

And,

On page nine, section twenty-four; line eighty-six, after the words “provisions of article six”, by striking out the words “or article six-a”.

The bill was then ordered to third reading.

The bill was then read a third time.

During debate on passage of the bill, Delegate Marcum was ruled out of order by the Speaker.

Delegate Byrd moved to postpone the bill to a date certain of November 13, 2017.

Delegate Byrd subsequently asked and obtained unanimous consent that the motion be withdrawn.

At the request of Delegate Cowles, and by unanimous consent, further consideration of the bill was postponed until 8:30 p.m.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2005 - “A Bill finding and declaring a claim against the state and its agency to be a moral obligation of the state; and directing the Auditor to issue warrants for the payment thereof.”

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (S. B. 2005) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 700**), and there were—yeas 88, nays 2, absent and not voting 9, with the nays and absent and not voting being as follows:

Nays: Caputo and Marcum.

Absent and Not Voting: Bates, Hornbuckle, Iaquinta, Moore, Storch, Summers, Upson, Williams and Wilson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time.

Delegates Kelly and Criss moved to amend the bill on page one following section one, by inserting the following:

“§2. Finding and declaring a certain claim against the Division of Highways to be a moral obligation of the state and directing payment thereof.

The Legislature has considered the findings of fact and recommendations reported to it by the Court of Claims concerning various claims against the state and agencies thereof and in respect to each of the following claims, the Legislature adopts the findings of fact as its own and in respect of certain claims herein, the Legislature has independently made findings of fact and determinations of award and hereby declares it to be the moral obligation of the state to pay each such claim in the amount specified below and directs the Auditor to issue warrants for the payment thereof out of any fund appropriated and available for the purpose; specifically the Court of Claims found and ordered on December 6, 2016, in the case of *Steven Mohwish and Debra Mohwish and Christian Life Center and Martha Moyers v. Division of Highways* an award for damages of \$215,000.00 to Steven Mohwish and Debra Mohwish, an award of \$8,500.00 to Christian Life Center, and an award of \$42,750.00 to Martha Moyers.

(TO BE PAID FROM STATE ROAD FUND)

Steven Mohwish and Debra Mohwish.....	\$215,000.00
Christian Life Center	\$8,500.00
Martha Moyers.....	\$42,750.00”

Delegate Cowles arose to a point of order as to the germaneness of the amendment offered by Delegates Kelly and Criss.

To the point of order, the Speaker replied that claims of the type proposed in the amendment are done in another type of claims bill and ruled that the amendment was not germane.

The bill was then ordered to third reading.

The bill was then read a third time and put upon its passage.

Delegate Hanshaw requested to be excused from voting on S. B. 2005 under the provisions of House Rule 49.

The Speaker replied that Delegate Hanshaw may exhibit direct personal or pecuniary interest therein and not as a member of a class of persons, and excused the Gentleman from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 701**), and there were—yeas 90, nays none, excused 1, absent and not voting 8, with the excused and absent and not voting being as follows:

Excused: Hanshaw.

Absent and Not Voting: Bates, Hornbuckle, Iaquina, Moore, Storch, Summers, Upson and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 2005) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 702**), and there were—yeas 90, nays none, excused 1, absent and not voting 8, with the excused and absent and not voting being as follows:

Excused: Hanshaw.

Absent and Not Voting: Bates, Hornbuckle, Iaquina, Moore, Storch, Summers, Upson and Wilson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2005) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, bills of the House of Delegates as follows:

H. B. 201, Exempting military retirement income from personal income tax,

H. B. 203, Relating generally to tax credits for rehabilitation of historic buildings and structures,

And,

H. B. 205, Relating to the West Virginia Jobs Act.

At 7:18 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 8:30 p.m.

* * * * *

Evening Session

* * * * *

-continued-

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

The House of Delegates resumed consideration of **S. B. 2003**, Implementing special hiring procedures for DOH and Tax Division, which had earlier been postponed.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 703**), and there were, including 2 paired—

yeas 59, nays 31, absent and not voting 9, with the paired, nays and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairing was filed and announced by the Clerk:

Paired:

Yea: Anderson Nay: Sponaugle

Nays: Barrett, Brewer, Canestraro, Caputo, Dean, Diserio, Eldridge, Ferro, Fluharty, Folk, Graves, Hicks, Hill, Kessinger, Lane, Lovejoy, Lynch, Marcum, Martin, McGeehan, R. Miller, Moye, Paynter, Robinson, Rodighiero, Rohrbach, Sobonya, Thompson, Wagner and Ward.

Absent and Not Voting: Bates, Deem, Hornbuckle, Iaquinta, Moore, Storch, Summers, Upson and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 2003) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 704**), and there were—yeas 82, nays 7, absent and not voting 10, with the nays and absent and not voting being as follows:

Nays: Barrett, Diserio, Folk, Hicks, Lynch, Marcum and McGeehan.

Absent and Not Voting: Bates, Deem, Hornbuckle, Iaquinta, Moore, Sponaugle, Storch, Summers, Upson and Wilson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2003) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title as follows:

S. C. R. 201 – “Authorizing adjournments of the Senate and House of Delegates.”

Resolved by the Legislature of West Virginia:

That during this Second Extraordinary Session of the Eighty-Third Legislature, the House of Delegates is hereby authorized to adjourn *sine die* in advance of the Senate, and while remaining in session to consider executive nominations, the Senate is hereby authorized to adjourn, as needed, for more than three days, pursuant to Section 23, Article VI of the Constitution of the State of West Virginia.

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the resolution (S. C. R. 201) to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

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

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Bates, Upson and Wilson.

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three to notify the Senate that the House of Delegates had completed the business of this Second Extraordinary Session of the 83rd Legislature and was ready to adjourn *sine die*.

Whereupon,

The Speaker appointed as members of said committee the following:

Delegates Hamrick, Dean and Longstreth.

Committee Reports

In accordance with House Rule 68, Delegate Hanshaw, Chair of the Joint Committee on Enrolled Bills, filed the following report with the Clerk:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 20th day of October, 2017, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

H. B. 201, Exempting military retirement income from personal income tax,

H. B. 203, Relating generally to tax credits for rehabilitation of historic buildings and structures,

H. B. 205, Relating to the West Virginia Jobs Act,

S. B. 2002, Allowing certain tax information be shared with designated DOH employees,

S. B. 2003, Implementing special hiring procedures for DOH and Tax Division,

And,

S. B. 2005, Finding and declaring a claim against state.

Messages from the Executive

Subsequent to the adjournment of the session, a communication was received from His Excellency, the Governor, advising that on October 24, 2017, he approved H. B. 201, H. B. 203, H. B. 205, S. B. 2002, S. B. 2003 and S. B. 2005.

There being no further business to come before the House, at 9:07 p.m., on motion of Delegate Cowles, the House of Delegates adjourned *sine die*.

We hereby certify that the forgoing record of the proceedings of the House of Delegates, Second Extraordinary Session, 2017, is the Official Journal of the House of Delegates for said session.

Tim Armstead
Speaker of the House of Delegates

Stephen J. Harrison
Clerk of the House of Delegates



West Virginia Legislature
Journal
of the
House of Delegates

Eighty-Third Legislature
Third Extraordinary Session

Charleston, Monday, December 4, 2017

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

Pursuant to the Proclamation of His Excellency, the Governor, issued the first day of December, 2017, and hereinafter set forth, convening the Legislature in Extraordinary Session on the 4th day of December, 2017, the House of Delegates assembled in its Chamber in the Capitol Building in the City of Charleston at 1:00 p.m., and was called to order by the Speaker, the Honorable Tim Armstead.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Messages from the Executive

A communication was laid before the House of Delegates, which was read by the Clerk, as follows:

State of West Virginia
Office of the Governor

October 30, 2017

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, WV 25305

Dear Secretary Warner:

Pursuant to W. Va. Code §3-10-5, I have this day appointed Jeffrey Campbell, 144 Old Oak Lane, Lewisburg, Greenbrier County, West Virginia 24901, as a Delegate representing the Forty-Second District of the House of Delegates, to fill the vacancy created by the resignation of the Honorable Stephen Baldwin.

Sincerely,

Jim Justice,
Governor.

The Clerk announced that Delegate Campbell had taken the oath of office as prescribed by Section 16, Article VI of the Constitution of the State of West Virginia on November 9, 2017.

Delegate Cowles arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 705**), and 89 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Boggs, Canestraro, Caputo, Hill, Hornbuckle, Laguinta, R. Miller, Moore, Phillips, Robinson and Upson.

A proclamation of His Excellency, the Governor, convening the Legislature in extraordinary session, was then read by the Clerk, as follows:

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at 1 p.m. on the fourth day of December, Two Thousand Seventeen, in its chambers in the State Capitol, City of Charleston, for the limited purpose of considering and acting upon the following matters:

FIRST: A bill authorizing the sale of state bonds in conjunction with the “Roads to Prosperity Amendment of 2017”.

SECOND: A concurrent resolution providing for the issuance of not to exceed eight hundred million dollars of bonds pursuant to the “Roads to Prosperity Amendment of 2017” and article twenty-six-a, chapter seventeen of the code of West Virginia.

THIRD: Legislation authorizing and appropriating the expenditure of public funds to pay the expenses for the Extraordinary Session.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this first day of December, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fifth year of the State.

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three to notify the Senate that the House of Delegates had assembled in extraordinary session and was ready to enter upon the business stated in the Proclamation by which it had been called together.

Whereupon,

The Speaker appointed as members of such committee:

Delegates Dean, Summers and Lynch.

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three, to join with a similar committee on the part of the Senate, to inform His Excellency, the Governor, that the Legislature had assembled in extraordinary session and was ready to enter upon the business stated in the Proclamation.

Whereupon,

The Speaker appointed as members of such committee:

Delegates Capito, Westfall and Hartman.

Message from the Senate

A message from the Senate, by

Senators Boso, Smith and Baldwin, announced that the Senate had assembled with a quorum present, and was ready to proceed with the business of this session.

At 1:59 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 2:15 p.m.

* * * * *

Afternoon Session

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The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 3001 – “A Bill to amend and reenact §17-3-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §17-26A-1, §17-26A-2, §17-26A-3, §17-26A-4, §17-26A-5, §17-26A-6, §17-26A-7, §17-26A-8, §17-26A-9, §17-26A-10, §17-26A-11, §17-26A-12, §17-26A-13 and §17-26A-14, all relating generally to state road bonds; requiring proceeds from the sale of state road bonds issued pursuant to Roads to Prosperity Amendment of 2017 to be kept in separate and distinct account in the State Road Fund; authorizing cost of issuance to be paid from State Road Fund; providing definitions; authorizing sale of bonds; providing schedule for sale of bonds; providing amount of bonds to be sold; providing conditions on the sale and issuance of bonds; creating the Roads to Prosperity Bond Debt Service Fund; authorizing investment of the fund; providing bond covenants; requiring certification of annual debt service amount; prohibiting conflicts of interest; creating a criminal misdemeanor offense and providing penalties for the proceeds from the sale of bonds to inure to the benefit of or be distributed to officers or employees of the state except to pay reasonable compensation for services rendered; declaring state road bonds lawful investments; allowing for the refund of bonds; allowing for continuity of debt service in termination or dissolution; authorizing the Treasurer to select financial advisor; authorizing the Governor to select bond counsel and underwriter; allowing for payment of necessary expenses for issuance from funds; dedicating tax and fee collections for debt service; and setting a schedule for certain deposits into the Roads to Prosperity Bond Debt Service Fund.”

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (S. B. 3001) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Cowles moved that the constitutional rule requiring the bill to be fully and distinctly read on three different days be dispensed with.

On this question, the yeas and nays were taken (**Roll No. 706**), and there were--yeas 83, nays 1, absent and not voting 16, with the nays and absent and not voting being as follows:

Nays: Gearheart.

Absent and Not Voting: Arvon, Boggs, Canestraro, Caputo, Eldridge, Fleischauer, Hicks, Hill, Hornbuckle, Jaquinta, R. Miller, Moore, Phillips, Robinson, Rodighiero and Upson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time.

Delegates Brewer, Storch, Eldridge, Lovejoy, Lynch, Diserio and Bates moved to amend the bill on page eight, following section 14, by inserting a new section 15, to read as follows:

“§17-26A-15. Road construction contracts to follow wage and benefit rates for federal highway contracts.

The Governor shall assure that all construction contracts issued using bond proceeds for general highway and secondary roads and bridge construction or improvements shall require the same wage and fringe benefit rates as required for projects utilizing federal matching funds for highway and bridge construction projects for that local area, as established for each classification of laborers and mechanics by the Administrator of the Wage and Hour Division of the U.S. Department of Labor.”

Delegate Cowles arose to a point of order as to the germaneness of the amendment.

To the point of order, the Speaker replied that the bill does not deal with specific issues addressed in the amendment and, therefore, ruled that the amendment was not germane.

Delegates Fleischauer, Rowe, Ward and Frich moved to amend the bill on page seven, section eleven, line three, following the period, by inserting the following:

“The selection of financial advisor shall be competitively bid by the Treasurer through a request for proposals process, unless there is already a contract competitively bid by the Purchasing Division of the Department of Administration that the Treasurer elects to use. Notwithstanding article one, chapter twenty-nine-b provisions to the contrary, copies of all bid documents, including bidding criteria, shall be available for public inspection immediately after the opening of the proposals.”

And,

On page seven, section twelve, line eight, following the period, by inserting the following:

“The selection of bond counsel and underwriter shall be competitively bid by the Governor through a request for proposals process. Copies of all bid documents, including bidding criteria, shall be available for public inspection immediately after the opening of the proposals.”

On the adoption of the amendment, Delegate Fleischauer demanded the yeas and nays, which demand was sustained.

Delegate Hanshaw requested to be excused from voting on the amendment and passage of S. B. 3001 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Member from voting.

The yeas and nays having been ordered, they were taken (**Roll No. 707**), and there were--yeas 41, nays 47, absent and not voting 12, with the yeas and absent and not voting being as follows:

Yeas: Barrett, Bates, Brewer, Butler, Byrd, Campbell, Diserio, E. Evans, Fast, Ferro, Fleischauer, Fluharty, Folk, Frich, Gearheart,

Hartman, Hicks, Isner, Kessinger, Lane, Longstreth, Love, Lovejoy, Lynch, Marcum, Martin, McGeehan, Miley, Moye, Paynter, Pethtel, Pushkin, Pyles, Rodighiero, Rohrbach, Rowe, Sponaugle, Thompson, Ward, Williams and Wilson.

Absent and Not Voting: Boggs, Canestraro, Caputo, Eldridge, Hill, Hornbuckle, Iaquinta, R. Miller, Moore, Phillips, Robinson and Upson.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was not adopted.

The bill was then ordered to third reading.

The bill was then read a third time, and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 708**), and there were--yeas 82, nays 6, absent and not voting 12, with the nays and absent and not voting being as follows:

Nays: Butler, Folk, Gearheart, Kessinger, McGeehan and Wilson.

Absent and Not Voting: Boggs, Canestraro, Caputo, Eldridge, Hill, Hornbuckle, Iaquinta, R. Miller, Moore, Phillips, Robinson and Upson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 3001) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 709**), and there were--yeas 84, nays 4, absent and not voting 12, with the nays and absent and not voting being as follows:

Nays: Butler, Folk, McGeehan and Wilson.

Absent and Not Voting: Boggs, Canestraro, Caputo, Eldridge, Hill, Hornbuckle, Iaquinta, R. Miller, Moore, Phillips, Robinson and Upton.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 3001) takes effect from its passage.

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

At 3:20 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 5:30 p.m.

* * * * *

Evening Session

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The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Delegate Hanshaw, Chair of the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 4th day of December, 2017, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

S. B. 3001, Authorizing sale of bonds pursuant to Roads to Prosperity Amendment of 2017.

Messages from the Executive

A communication was received from His Excellency, the Governor, advising that on December 4, 2017, he approved S. B. 3001.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title as follows:

S. C. R. 301 – “Providing for the issuance of not to exceed \$800 million of bonds pursuant to the Roads to Prosperity Amendment of 2017 and article twenty-six-a, chapter seventeen of the Code of West Virginia.”

Providing for the issuance of not to exceed \$800 million of bonds pursuant to the Roads to Prosperity Amendment of 2017 and article twenty-six-a, chapter seventeen of the Code of West Virginia.

Resolved by the Legislature of West Virginia:

That state road bonds in the principal amount not to exceed \$800 million are authorized to be sold by the Governor during the fiscal year ending June 30, 2018. The bonds shall be issued in registered form and may be issued by the Governor in such amounts and in one or more series, in such denominations, at such times during that fiscal year and bearing the date or dates as the Governor may determine; and, be it

Further Resolved, That all bonds shall be payable at the Office of the Treasurer of the State of West Virginia or at a paying agent designated by the Treasurer. The bonds shall mature on dates and at times as the Governor shall determine. The bonds shall bear interest at rates not exceeding seven percent per annum, payable semiannually. The Treasurer of the State of West Virginia shall issue his or her check for the interest and principal then due on the

same dates each year and mail it to the registered owner at the addresses shown by the record of registration or shall provide the requisite funds by electronic means acceptable to the public municipal finance industry. The bonds may be redeemable on a date or dates prior to maturity as determined by the Governor; and, be it

Further Resolved, That the bonds shall be signed on behalf of the State of West Virginia as provided under section two, article twenty-six-a, chapter seventeen of the Code of West Virginia; and, be it

Further Resolved, That the Governor shall sell the bonds herein mentioned at a time or times during the fiscal year as he may determine necessary to provide funds for matching available federal funds for highway and bridge construction and for general highway and secondary roads and bridge construction or improvements in this state, as herein provided, upon recommendation of the Commissioner of Highways; and, be it

Further Resolved, That the proceeds of all sales of bonds herein authorized shall be paid into the State Road Fund created by section one, article three, chapter seventeen of the Code of West Virginia, 1931, as amended, and used for the purposes set forth in article twenty-six-a of said chapter and in the Roads to Prosperity Amendment of 2017; and, be it

Further Resolved, That this resolution constitutes affirmative official intent of the State of West Virginia toward the issuance of the bonds as contemplated herein in accordance with the purposes of the laws of the State of West Virginia and the United States Internal Revenue Code and the regulations issued thereunder. The State of West Virginia reasonably expects, as of the date thereof, to timely reimburse the State Road Fund for certain costs of the highway and bridge projects described above paid from the State Road Fund prior to the issuance of the bonds with the proceeds of the bonds.

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the resolution (S. C. R. 301) to a

committee was dispensed with, and it was taken up for immediate consideration and adopted.

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

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Boggs, Canestraro, Caputo, Hill, Hornbuckle, Iaquina, R. Miller, Moore, Phillips, Robinson and Upson.

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three to notify the Senate that the House of Delegates had completed the business of this Third Extraordinary Session of the 83rd Legislature and was ready to adjourn *sine die*.

Whereupon,

The Speaker appointed as members of said committee the following:

Delegates Dean, Summers and Lynch.

On motion of Delegate Cowles, the Speaker was authorized to appoint a committee of three on the part of the House of Delegates, to join with a similar committee of the Senate, to inform His Excellency, the Governor, that the Legislature was ready to adjourn *sine die*.

The Speaker appointed as members of such committee the following:

Delegates Capito, Westfall and Hartman.

There being no further business to come before the House, at 5:43 p.m., on motion of Delegate Cowles, the House of Delegates adjourned *sine die*.



We hereby certify that the forgoing record of the proceedings of the House of Delegates, Third Extraordinary Session, 2017, is the Official Journal of the House of Delegates for said session.

Tim Armstead
Speaker of the House of Delegates

Stephen J. Harrison
Clerk of the House of Delegates

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Rules	878, 879, 975, 1137, 1208, 1285, 1286, 1870, 1939, 2331, 2565, 2719, 3183
Senior Citizen Issues	370, 371, 700, 1111
Small Business, Entrepreneurship and Economic Development.....	533, 699, 700, 851, 1644
Veterans' Affairs and Homeland Security	647, 820, 1007, 1008, 1829
Votes, missed due to Conference Committees	2765

COOPER, ROY, a Delegate from the Twenty-eighth Delegate District:	
Added as cosponsor	365, 876
Bills introduced by	150, 164, 172, 181, 183, 184, 185, 196, 197, 199, 200, 201, 253, 261, 279, 284, 286, 296, 299, 309, 311, 312, 334, 347, 348, 351, 352, 355, 356, 361, 380, 381, 397, 404, 405, 409, 412, 457, 459, 461, 471, 473, 476, 505, 506, 508, 551, 552, 596, 626, 629, 631, 632, 633, 634, 704, 705, 800, 805, 807, 808, 838, 839, 843, 862, 863, 894, 895, 940, 941, 956, 961, 964
Excused from voting, requested	3534, 3538, 4243
Leave of absence granted to	3546
Nominated Marshall Clay for Sergeant-at-Arms	24
Remarks by, ordered printed	642, 2566
Reports by, as Chair of the Committee on Veterans' Affair and Homeland Security	647, 820, 1007, 1008, 1829
Resolutions offered by	272, 274, 304, 322, 323, 669, 784, 796, 826, 832, 927, 1153, 1377, 1609, 2330, 2623, 2626, 2756, 2752
Service pin presented to	2900
COWLES, DARYL E., the Delegate from the Fifty-eighth Delegate District:	
Bills introduced by	155, 170, 178, 285, 328, 329, 351, 396, 397, 400, 403, 409, 412, 457, 458, 510, 512, 526, 547, 595, 630, 720, 838, 867, 902, 905, 941
Excused from voting, requested	2281, 2632
Leave of absence granted to	3651
Motions by	502, 503, 634, 1589, 1615, 2312, 2765
Point of order raised by	346, 361, 581, 728, 1067, 1733, 4241, 4242, 4255, 4268
Remarks by, ordered printed	3673
Resolutions offered by	267, 322, 660, 669, 671, 673, 822, 1153, 1600, 1609, 1763, 2326, 2588, 2623, 2626, 2759
CRISS, VERNON, a Delegate from the Tenth Delegate District:	
Added as cosponsor	876
Announcement concerning vote	3266
Appointed on Conference Committee as to S. B. 172	2695
Report from	3248
Bills introduced by	250, 309, 348, 349, 350, 352, 356, 380, 381, 404, 470, 472, 507, 547, 568, 569, 576, 628, 630, 631, 802, 803, 804, 826, 837, 839, 841, 843, 894, 895, 903, 932, 954, 960, 3550
Excused from voting, requested	723, 3650
Paired	3958
Resolutions offered by	322, 754, 927, 1153, 1227, 1377, 1508, 1609, 1929, 1931, 1932, 1933, 1935, 1936, 1938, 2584, 2585, 2587, 2592, 2623, 2626, 2756, 2759
DEAN, MARK, the Delegate from the Twenty-first Delegate District:	
Added as cosponsor	301, 480, 531, 876
Announcement concerning vote	2721
Appointed on special committees:	
To notify the Senate the House had assembled in extraordinary session	4266
To notify the Senate the House was ready to adjourn <i>sine die</i>	4208, 4260, 4274
Bills introduced by	288, 307, 308, 312, 347, 351, 355, 356, 357, 397, 404, 405, 407, 408, 413, 459, 460, 462, 471, 473, 475, 505, 506, 507, 508, 509, 512, 525, 527, 547, 551, 552, 554, 567, 568, 569, 596, 626, 632, 703, 705, 802, 803, 804, 805, 807, 835, 837, 838, 862, 863, 930, 933, 954, 960, 963, 964, 968
Excused from voting, requested	2696
Remarks by, ordered printed	1170
Resolutions offered by	278, 395, 501, 564, 617, 668, 687, 754, 784, 792, 824, 826, 927, 1153, 1226, 1322, 1377, 1508, 1609, 2584, 2585, 2587, 2592, 2623, 2626, 2756, 2762
DEEM, FRANK, a Delegate from the Tenth Delegate District:	
Added as cosponsor	876
Bills introduced by	307, 381, 396, 404, 457, 473, 501, 508, 527, 550, 689, 869, 896, 3627
Paired	2281

Remarks by, ordered printed.....	415
Resolutions offered by.....	322, 423, 617, 792,
826, 927, 1153, 1226, 1609, 2623, 2626, 2756	
DISCHARGE, MOTION TO:	
H. B. 2355.....	502
H. B. 110 (1 st Extraordinary Session).....	3670
DISERIO, PHILLIP W., the Delegate from the Second Delegate District:	
Added as cosponsor.....	365, 876
Bills introduced by.....	462, 467, 470, 507, 508,
510, 634, 718, 800, 840, 897, 939	
Excused from voting, requested.....	2281
Leave of absence granted to.....	3546, 4207
Remarks by, ordered printed.....	4203
Resolutions offered by.....	669, 754, 784, 826, 827, 924, 1097, 1129, 1153,
1226, 1377, 1508, 1609, 1929, 1931, 1932, 1933, 1935, 1936, 1938, 2623, 2626, 2756	
DOORKEEPER:	
Larese, Frank	
Elected.....	26
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Oath of office administered to.....	26
ELDRIDGE, JEFF, a Delegate from the Twenty-second Delegate District:	
Added as cosponsor.....	361, 364, 605, 770, 850,
876, 974, 1002, 1171, 2721	
Announcement concerning vote.....	1425
Bills introduced by.....	172, 173, 174, 175, 185,
187, 190, 192, 200, 256, 264, 284, 285, 293, 296, 313, 326, 335, 352, 360, 401, 402, 404, 405, 407,	
408, 463, 466, 468, 469, 473, 476, 477, 508, 509, 548, 549, 550, 555, 594, 628, 631, 634, 690, 703,	
705, 806, 839, 840, 843, 863, 865, 866, 905, 941, 953, 958, 959, 968	
Excused from voting, requested.....	765, 2281, 2696
Remarks by, ordered printed.....	531, 769, 1355, 1602
Removed as cosponsor.....	908
Resolutions offered by.....	275, 389, 426, 493, 494,
496, 497, 499, 620, 665, 666, 669, 674, 675, 677, 680, 683, 684, 685, 687, 746, 780, 784, 787, 796,	
824, 826, 827, 859, 861, 923, 924, 1097, 1129, 1153, 1162, 1226, 1230, 1309, 1322, 1376, 1377, 1379,	
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ELLINGTON, JR., JOE C., a Delegate from the Twenty-seventh Delegate District:	
Added as cosponsor.....	517
Appointed on special committee to notify the	
Senate that the House was ready to adjourn <i>sine die</i>	3454
Bills introduced by.....	165, 171, 176, 177, 188,
197, 199, 250, 262, 284, 285, 287, 288, 296, 300, 306, 307, 308, 310, 311, 328, 331, 347, 349, 350,	
351, 352, 355, 356, 357, 360, 381, 397, 400, 409, 457, 466, 467, 468, 471, 472, 473, 506, 526, 547,	
548, 550, 577, 594, 596, 597, 627, 628, 630, 718, 757, 800, 844, 963, 980, 1174	
Leave of absence granted to.....	383, 415, 584, 712, 731, 769, 815, 849, 875,
1109, 1425, 3528, 3540, 3547, 3625, 3630, 3645, 3651, 3654, 3673, 3881, 4202, 4207	
Reports by, as Chair of the Committee on Health and Human Resources.....	267, 318,
319, 320, 373, 374, 490, 491, 535, 536, 537, 611, 612, 701, 702, 980, 981, 1082, 1083, 1084, 1173,	
1178, 1180, 1222, 1223, 1542, 1765, 1766, 1975, 2085, 3631, 3632	
Reports by, as Chair of the Committee on Prevention and Treatment	
of Substance Abuse.....	376, 377, 489, 490, 538, 610, 701, 1177
Resolutions offered by.....	274, 322, 679, 750, 784,
792, 832, 1153, 1226, 1377, 1609, 2326, 2327, 2584, 2585, 2587, 2589, 2591, 2592, 2623, 2626, 2756,	
2758, 2760	

EMPLOYEES:

Resolution authorizing appointment of (H. R. 4)	133
Adopted	139

ESPINOSA, PAUL, the Delegate from the Sixty-sixth Delegate District:

Added as cosponsor	383, 876, 1077, 1078, 1355
Announcement concerning vote	3630, 3652
Appointed on Conference Committee as to Com. Sub. for H. B. 107	3641
Appointed on special committee to inform His Excellency, the Governor, that the Legislature was ready to adjourn <i>sine die</i>	3455
Bills introduced by	178, 278, 282, 287, 288, 290, 291, 306, 334, 357, 397, 400, 405, 409, 412, 458, 474, 501, 504, 505, 506, 546, 551, 552, 554, 595, 596, 631, 632, 634, 705, 764, 801, 807, 835, 838, 839, 864, 895, 905, 934, 956, 961, 963, 964, 967, 1174
Excused from voting, requested	1334, 2130, 2281, 3534
Leave of absence granted to	3625
Point of order raised by	1444, 1445
Remarks by, ordered printed	1135
Reports by, as Chair of the Committee on Education	341, 417, 520, 533, 588, 589, 652, 735, 736, 777, 818, 878, 1010, 1011, 1117, 1118, 1144, 1145, 1151, 1152, 1222, 1223, 1338, 1339, 1346, 1358, 1767, 1820, 2223, 2225, 2331
Resolutions offered by	149, 267, 304, 671, 673, 784, 1153, 1508, 1609, 2326, 2330, 2623, 2626, 2762
Service pin presented to	2900

EVANS, ALLEN V., the Delegate from the Fifty-fourth Delegate District:

Added as cosponsor	642, 697, 876, 1001, 1077, 2721
Announcement concerning vote	517
Bills introduced by	285, 381, 395, 402, 459, 471, 475, 476, 504, 507, 508, 509, 527, 547, 548, 549, 550, 554, 555, 594, 628, 633, 719, 799, 843, 867, 927, 930, 942, 1080, 1174
Excused from voting, requested	2696
Leave of absence granted to	712, 3522, 3540, 3630, 3632, 3642, 3645, 3651, 3654, 3673, 3877, 3881, 4202, 4207
Paired	3876
Petitions presented by	324, 1100
Reports by, as Chair of the Committee on Agriculture and Natural Resources	487, 488, 608, 610, 737, 771, 772, 977, 1006, 1080, 1540
Resolutions offered by	267, 274, 744, 784, 792, 826, 1153, 1226, 1323, 1374, 1377, 1508, 1609, 1773, 2326, 2623, 2626, 2756

EVANS, ED, the Delegate from the Twenty-sixth Delegate District:

Added as cosponsor	876
Bills introduced by	283, 284, 287, 408, 460, 463, 464, 467, 473, 506, 510, 703, 799, 801, 807, 897, 941, 961
Excused from voting, requested	1070, 1164, 1528, 2281, 2696
Leave of absence granted to	3547, 4207
Remarks by, ordered printed	383, 604, 712, 973, 1170
Resolutions offered by	322, 679, 784, 826, 827, 859, 924, 1097, 1129, 1153, 1609, 2623, 2626, 2756, 2762

FAST, TOM, a Delegate from the Thirty-second Delegate District:

Added as cosponsor	301, 974
Announcement concerning vote	2077
Bills introduced by	163, 171, 183, 184, 197, 250, 261, 292, 298, 308, 309, 311, 355, 395, 400, 401, 403, 409, 412, 466, 510, 511, 512, 525, 527, 547, 626, 632, 720, 797, 803, 805, 808, 864, 865, 867, 868, 893, 895, 896, 901, 934, 940, 3627
Excused from voting, requested	646, 1070, 1168, 2281, 3534
Leave of absence granted to	3547, 3630, 3632, 3654, 3881, 4207
Paired	3508
Removed as cosponsor	642
Reports by, as Chair of the Committee on Industry and Labor	318, 609, 774, 983, 984
Resolutions offered by	274, 754, 792, 827, 1097, 1153, 1226, 1337, 1508, 1609, 2369, 2623, 2626

FERRO, MICHAEL T., a Delegate from the Fourth Delegate District:
 Added as cosponsor 339, 480, 876, 2721
 Bills introduced by 157, 183, 195, 196, 284,
 291, 292, 309, 310, 314, 467, 469, 470, 471, 472, 507, 631, 634, 690, 722, 800, 835, 839, 840, 902,
 955, 958
 Excused from voting, requested 692, 1164, 2281, 2696, 3535
 Leave of absence granted to 973, 1001, 3547, 3625
 Remarks by, ordered printed 642, 1170, 3266
 Resolutions offered by 149, 456, 545, 754, 784,
 827, 924, 1097, 1129, 1153, 1226, 1377, 1609, 1929, 1931, 1932, 1933, 1935, 1936, 1938, 2623, 2626,
 2756, 2762

FLEISCHAUER, BARBARA EVANS, a Delegate from the Fifty-first Delegate District:
 Added as cosponsor 315, 480, 2721
 Appointed on Conference Committees as to:
 Com. Sub. for S.B. 224 2698
 S.B. 554 2699
 Bills introduced by 149, 165, 166, 169, 174, 177,
 178, 179, 180, 185, 187, 188, 189, 190, 193, 195, 196, 200, 258, 261, 262, 283, 287, 289, 352, 354,
 355, 356, 402, 470, 477, 511, 550, 593, 625, 626, 628, 704, 722, 806, 811, 862, 897, 902, 903, 905,
 933, 934, 939, 940, 941, 952, 955, 961, 3505
 Leave of absence granted to 769, 3547, 3625
 Petitions presented by 2596
 Remarks by, ordered printed 642, 1355
 Resolutions offered by 322, 543, 545, 658, 663,
 784, 827, 890, 921, 922, 924, 1097, 1129, 1153, 1226, 1377, 1609, 2584, 2587, 2592, 2623, 2626, 2756,
 2762

FLUHARTY, SHAWN, a Delegate from the Third Delegate District:
 Added as cosponsor 480, 1110
 Bills introduced by 174, 177, 179, 180, 183,
 186, 187, 195, 196, 263, 283, 286, 287, 294, 354, 379, 505, 510, 626, 627, 628, 722, 810, 811, 862,
 897, 905, 934, 939, 955, 957, 958, 961, 3505
 Leave of absence granted to 4207
 Point of order raised by 1642
 Remarks by, ordered printed 584, 642, 731, 769, 3266, 3645
 Resolutions offered by 148, 322, 784, 826, 827,
 922, 924, 1097, 1129, 1153, 1226, 1337, 1609, 2584, 2623, 2626, 2756

FOLK, MICHAEL “MIKE”, the Delegate from the Sixty-third Delegate District:
 Abstained from voting 15
 Added as cosponsor 876, 1110
 Appeal ruling of Chair 4241
 Bills introduced by 150, 154, 155, 156, 167,
 170, 171, 176, 179, 180, 182, 185, 186, 188, 189, 196, 197, 199, 200, 201, 250, 252, 254, 286, 289,
 294, 295, 299, 300, 307, 309, 311, 313, 347, 357, 360, 404, 413, 460, 463, 464, 473, 474, 507, 509,
 525, 527, 550, 568, 569, 625, 633, 688, 718, 806, 835, 839, 840, 863, 894, 895, 933, 938, 940, 948,
 3550
 Excused from voting, requested 1332
 Leave of absence granted to 2566, 3540, 3654, 4207
 Motions by 346
 Parliamentary inquiry 503
 Point of order raised by 1733, 3946
 Remarks by, ordered printed 642, 875, 1135
 Resolutions offered by 267, 274, 564, 687, 784,
 792, 824, 826, 1153, 1225, 1377, 1609, 2623, 2626, 2756, 2762
 Service pin presented to 2900

FOSTER, GEOFF, the Delegate from the Fifteenth Delegate District:
 Added as cosponsor 301, 876
 Appointed on Conference Committee as to Com. Sub. for S. B. 224 2698
 Bills introduced by 177, 181, 188, 261, 263,
 291, 297, 307, 324, 334, 351, 400, 401, 403, 407, 412, 413, 457, 458, 466, 472, 476, 510, 512, 525,
 630, 632, 719, 720, 758, 802, 803, 804, 805, 809, 810, 834, 837, 841, 843, 862, 869, 896, 901, 944,
 954, 955, 968
 Leave of absence, granted to 1425
 Remarks by, ordered printed 2567
 Resolutions offered by 147, 274, 275, 687, 754,
 784, 792, 822, 826, 1153, 1322, 1377, 1508, 1609, 2626

FOSTER, NANCY, the Delegate from the Thirty-eighth District:	
Added as cosponsor	584
Announcement concerning vote	3630
Appointed on special committee to notify the Senate that the House was ready to adjourn <i>sine die</i>	3454
Bills introduced by.....	282, 287, 305, 307, 309, 396, 405, 412, 455, 457, 460, 462, 467, 472, 476, 504, 506, 509, 512, 527, 555, 567, 568, 569, 595, 624, 719, 720, 805, 811, 843, 896, 901, 905, 934, 954, 955
Excused from voting, requested	1513, 2632, 2696, 3528, 3625, 3632, 3877
Leave of absence, granted to	3504, 3522, 3540, 3547, 3642, 3645, 3651, 3654, 3673, 3881, 4202, 4207
Resignation from House	4212
Resolutions offered by	322, 346, 564, 687, 927, 1153, 1322, 1377, 1508, 1609, 2624, 2626, 2756, 2762
FRICH, CINDY, a Delegate from the Fifty-first Delegate District:	
Added as cosponsor	315, 339, 364, 383, 416, 480, 517, 531, 556, 584, 605, 642, 697, 712, 816, 850, 875, 876, 908, 974, 1002, 1077, 1110, 1355, 3875
Announcement concerning vote	2721, 3541
Appointed on special committee to inform the Governor that the House had assembled in extraordinary session	3500, 4219
Bills introduced by.....	170, 171, 176, 182, 183, 186, 188, 193, 254, 261, 263, 264, 285, 286, 291, 295, 296, 307, 308, 309, 311, 312, 334, 336, 347, 349, 351, 355, 381, 395, 400, 403, 405, 407, 408, 457, 466, 468, 504, 505, 506, 508, 511, 525, 526, 527, 547, 570, 594, 595, 624, 628, 688, 718, 719, 720, 722, 798, 801, 802, 803, 804, 807, 836, 837, 838, 839, 867, 869, 895, 929, 930, 938, 939, 954, 955, 959, 963, 964, 1174, 1220, 1221, 3627, 3649
Excused from voting, requested	2281, 2696
Remarks by, ordered printed	1495, 2566, 3266, 3645
Reports by, as Chair of the Committee on Banking and Insurance	733, 852, 1081
Resolutions offered by	149, 275, 276, 304, 395, 455, 543, 617, 754, 784, 786, 792, 824, 862, 890, 924, 1129, 1153, 1226, 1377, 1609, 2326, 2327, 2624, 2626, 2756, 2759
GEARHEART, MARTY, a Delegate from the Twenty-seventh Delegate District:	
Added as cosponsor	301, 816, 876
Appointed on Conference Committees as to:	
Com. Sub. for H. B. 2721	2729
Com. Sub. for H. B. 2722	2730
Bills introduced by.....	150, 153, 155, 156, 176, 188, 195, 197, 199, 201, 285, 289, 295, 297, 298, 308, 310, 311, 347, 351, 357, 399, 400, 404, 459, 473, 527, 548, 568, 631, 688, 801, 806, 834, 845, 863, 894, 933, 934, 939, 957, 959, 1174, 3550
Excused from voting, requested	2696
Leave of absence, granted to	1494
Paired	2281
Remarks by, ordered printed	364, 712, 1001
Reports by, as Chair of the Committee on Roads and Transportation	303, 489, 608, 609, 773, 978, 979, 980, 1113, 1114, 1542, 1543, 1544, 2081, 2083
Resolutions offered by	275, 276, 668, 679, 750, 1154, 1227, 1508, 1609, 2326, 2327, 2624, 2626, 2756
GOVERNOR:	
Addressed Joint Assembly	33, 204
Appointment to fill vacancy in House	4213, 4214, 4264
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Action on bills	915, 1121, 1297, 1366, 1547, 1768, 1825, 2227, 2570, 3475, 3653, 4206, 4260, 4272
Annual reports received	3471
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Adjustments and revisions	1085, 3635, 3658
Became law without signature	4206
Submitted	33, 221

Estimates of revenues	1085
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Amended	3511, 3543, 3655, 4216, 4217
Proclamation of, extending session	2333
Veto messages –	
H. B. 2018 , Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution	3479
H. B. 2196 , Relating to the secondary schools athletic commission	3493
H. B. 2446 , Relating to the requirement that all executive branch agencies maintain a website that contains specific information	3484
H. B. 2589 , Permitting students who are homeschooled or attend private schools to enroll and take classes at the county’s vocational school	3494
H. B. 2646 , Terminating the Women’s Commission and discontinuing its functions	3495
S. B. 28 , Creating new system for certain contiguous counties to establish regional recreation authorities	3482
S. B. 172 , Eliminating salary for Water Development Authority board members	3486
S. B. 239 , Limiting use of wages by employers and labor organizations for political activities	3487
S. B. 248 , Clarifying composition and chairmanship of Commission on Special Investigations	3481
S. B. 255 , Relating generally to filling vacancies in elected office	3488
S. B. 330 , Relating to WV Workplace Freedom Act	2663
S. B. 347 , Relating to modernization of Physician Assistant Practice Act	3477
S. B. 437 , Discontinuing WV Greyhound Breeding Development Fund	3473
S. B. 441 , Establishing Municipal Home Rule Pilot Program	3489
S. B. 606 , Relating to minimum wage and maximum hours for employees	3490
S. B. 622 , Relating generally to tax procedures and administration	3485
S. B. 656 , Relating to Student Data Accessibility, Transparency and Accountability Act	3492
 GRAVES, DIANNA, the Delegate from the Thirty-eighth Delegate District:	
Appointed to House	4213
Oath of office administered to	4213
 HAMILTON, BILL, the Delegate from the Forty-fifth Delegate District:	
Added as cosponsor	339, 365, 697, 876
Announcement concerning vote	641
Bills introduced by	163, 176, 178, 179, 181, 186, 187, 193, 200, 201, 202, 250, 262, 284, 285, 291, 293, 295, 309, 310, 311, 313, 381, 397, 408, 409, 459, 460, 463, 464, 471, 473, 475, 476, 505, 507, 508, 548, 549, 550, 554, 555, 594, 628, 703, 719, 722, 799, 800, 812, 894, 896, 902, 933, 952
Excused from voting, requested	1289, 2696, 3534
Petitions presented by	1100, 1192
Reports by, as Chair of the Committee on Agriculture and Natural Resources	487, 607, 737, 771, 772, 977, 978, 1079, 1540, 1541, 1603
Resolutions offered by	149, 279, 540, 754, 784, 824, 826, 827, 924, 927, 1097, 1129, 1153, 1225, 1323, 1377, 1508, 1609, 1763, 2326, 2327, 2623, 2626, 2756
Service pin presented to	2900
 HAMRICK, DANNY, a Delegate from the Forty-eighth Delegate District:	
Added as cosponsor	876

Appointed on special committee to notify the Senate the House was ready to adjourn <i>sine die</i>	4208, 4260
Bills introduced by.....	150, 156, 167, 171, 172, 181, 182, 189, 195, 200, 201, 202, 250, 254, 255, 259, 279, 280, 281, 285, 289, 300, 307, 308, 309, 310, 311, 312, 313, 314, 334, 351, 396, 400, 401, 403, 404, 407, 412, 413, 469, 470, 471, 472, 473, 505, 509, 526, 547, 548, 570, 576, 577, 628, 688, 703, 718, 722, 758, 798, 799, 802, 803, 804, 805, 806, 807, 810, 811, 837, 839, 863, 867, 894, 904, 928, 932, 939, 947, 954, 957
Excused from voting, requested.....	2281, 3957
Remarks by, ordered printed.....	1077
Resolutions offered by.....	267, 274, 323, 346, 501, 617, 668, 781, 784, 792, 826, 920, 1095, 1153, 1226, 1227, 1320, 1377, 1508, 1609, 1763, 1929, 1931, 1932, 1933, 1935, 1936, 1938, 2624, 2626, 2756
Service pin presented to.....	2900
HANSHAW, ROGER, the Delegate from the Thirty-third Delegate District:	
Added as cosponsor.....	315, 415, 480
Appointed on Conference Committee as to:	
Com. Sub. for H. B. 2028.....	1288
Com. Sub. for H. B. 2631.....	3001
Report from.....	3021
Com. Sub. for S. B. 204.....	2698
Com. Sub. for S. B. 224.....	2698
Report from.....	3237
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Bills introduced by.....	149, 166, 258, 311, 400, 412, 459, 463, 468, 472, 510, 511, 512, 577, 593, 626, 631, 632, 717, 719, 758, 812, 834, 865, 867, 870, 894, 896, 901, 905, 928, 929, 931, 932, 934, 955, 961, 965
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Appointed on special committee to notify the Senate the House had assembled in extraordinary session.....	3499, 4218
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Excused from voting, requested.....	1105
Leave of absence granted to.....	3654
Resolutions introduced by.....	274, 754, 793, 796, 826, 1153, 1377, 1508, 1609, 2624, 2626, 2762
HARTMAN, WILLIAM G., a Delegate from the Forty-third Delegate District:	
Added as cosponsor.....	876, 1077
Announcement concerning vote.....	696
Appointed on special committees:	
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To notify the Senate that the House had assembled in extraordinary session.....	3499, 4218, 4266
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Bills introduced by.....	285, 293, 309, 312, 314, 402, 412, 467, 469, 476, 526, 631, 758, 799, 800, 840, 843, 905, 954, 960, 1221, 3505
Excused from voting, requested.....	723, 3538, 3650, 4243

Leave of absence granted to.....	3547
Resolutions offered by.....	456, 545, 743, 754, 784, 823, 826, 827, 921, 924, 927, 1097, 1129, 1153, 1226, 1609, 2327, 2624, 2626, 2756
Service pin presented to.....	2900
 HICKS, KENNETH P., a Delegate from the Nineteenth Delegate District:	
Added as cosponsor.....	416
Bills introduced by.....	173, 174, 175, 176, 178, 187, 190, 191, 197, 256, 283, 285, 287, 335, 349, 352, 360, 378, 380, 402, 404, 405, 408, 463, 468, 473, 507, 508, 509, 548, 625, 628, 631, 703, 705, 720, 800, 839, 865, 866, 902, 968
Leave of absence granted to.....	139, 1425, 3522, 3547, 3642, 4207
Point of order raised by.....	2503
Remarks by, ordered printed.....	1170
Resolutions offered by.....	275, 276, 395, 542, 617, 661, 668, 748, 784, 827, 829, 924, 1097, 1129, 1153, 1155, 1377, 1508, 1609, 1943, 1945, 2624, 2626, 2756, 2762
 HIGGINBOTHAM, JOSHUA, a Delegate from the Thirteenth Delegate District:	
Added as cosponsor.....	876
Bills introduced by.....	259, 278, 279, 280, 281, 282, 287, 300, 306, 309, 313, 334, 348, 351, 356, 378, 401, 403, 404, 407, 409, 412, 457, 458, 460, 472, 474, 476, 504, 505, 506, 512, 525, 527, 546, 551, 552, 554, 568, 569, 593, 596, 627, 632, 720, 810, 837, 839, 843, 930, 956, 960, 963, 964, 968
Excused from voting, requested.....	1332
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 HILL, JORDAN, the Delegate from the Forty-first Delegate District:	
Added as cosponsor.....	315, 876, 3626
Bills introduced by.....	149, 278, 282, 287, 288, 306, 311, 334, 378, 405, 460, 461, 462, 463, 470, 472, 475, 504, 505, 506, 512, 525, 547, 567, 568, 569, 576, 577, 626, 627, 628, 705, 718, 720, 756, 797, 798, 799, 802, 803, 804, 805, 806, 807, 811, 837, 840, 845, 867, 870, 895, 932, 933, 934, 954, 957
Excused from voting, requested.....	2281
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 HOLLEN, RAY, the Delegate from the Ninth Delegate District:	
Added as cosponsor.....	517
Appointed on Conference Committees as to:	
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Excused from voting, requested.....	1332, 2281, 2696, 3538, 3645, 4243
Leave of absence granted to.....	3547, 3630, 3632, 3642, 3651, 3881
Remarks by, ordered printed.....	769
Resolutions offered by.....	322, 455, 687, 826, 1153, 1609, 2584, 2585, 2587, 2592, 2624, 2626, 2756, 2762

HORNBUCKLE, SEAN, a Delegate from the Sixteenth Delegate District:

Added as cosponsor	876
Announcement concerning vote	1761
Bills introduced by	174, 175, 183, 196, 187, 192, 195, 196, 197, 285, 290, 295, 307, 352, 379, 462, 470, 509, 548, 550, 593, 625, 627, 628, 631, 722, 799, 800, 804, 806, 839, 897, 902, 903, 934, 939, 940, 941, 949, 952, 957, 958, 959, 961
Excused from voting, requested	1558, 2281
Leave of absence, granted to	3540, 3547, 3625, 3645, 3651, 4208, 4274
Remarks by, ordered printed	769, 974
Resolutions offered by	148, 258, 322, 389, 425, 493, 620, 663, 669, 680, 746, 748, 784, 796, 826, 827, 921, 922, 924, 1097, 1129, 1153, 1159, 1226, 1230, 1376, 1377, 1507, 1609, 1763, 1943, 2624, 2626, 2756

HOUSEHOLDER, ERIC L., the Delegate from the Sixty-fourth Delegate District:

Added as cosponsor	480, 974, 1001
Bills introduced by	300, 305, 306, 307, 311, 347, 357, 400, 457, 458, 468, 472, 506, 508, 525, 526, 527, 547, 550, 551, 577, 594, 595, 624, 631, 634, 688, 703, 720, 801, 805, 806, 811, 834, 835, 837, 838, 863, 864, 866, 870, 893, 895, 898, 954, 961, 962, 980
Excused from voting, requested	2696
Leave of absence, granted to	383, 3651, 3654, 3673, 3877, 3881, 4202, 4208
Paired	3876
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Remarks by, ordered printed	974
Resolutions offered by	267, 272, 274, 671, 679, 788, 793, 826, 862, 1153, 1322, 1377, 1609, 2326, 2585, 2587, 2592, 2624, 2626, 2756, 2759

HOWELL, GARY G., the Delegate from the Fifty-sixth Delegate District:

Added as cosponsor	876
Announcement concerning vote	1546
Bills introduced by	156, 176, 201, 259, 261, 264, 278, 279, 280, 281, 282, 284, 290, 292, 296, 300, 307, 308, 309, 311, 313, 314, 347, 351, 353, 354, 357, 396, 400, 401, 403, 405, 407, 413, 466, 468, 469, 470, 471, 472, 476, 511, 525, 526, 547, 548, 570, 576, 577, 597, 627, 628, 629, 688, 703, 705, 758, 797, 798, 799, 802, 803, 804, 805, 807, 937, 839, 863, 893, 903, 932, 933, 934, 939, 941, 954, 962, 1115, 1340, 3627, 3629
Excused from voting, requested	723, 1101, 2304, 2381, 3070, 3534
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Removed as cosponsor	3645
Reports by, as Chair of the Committee on Government Organization	367, 368, 417, 418, 491, 559, 589, 590, 651, 714, 715, 736, 819, 879, 880, 881, 909, 910, 1008, 1009, 1081, 1115, 1116, 1147, 1148, 1177, 1211, 1224, 1341, 1357, 1498, 1499, 1544, 1646, 1820, 1821, 1823, 1824, 1929, 1940, 3516
Resolutions offered by	267, 274, 304, 323, 428, 501, 673, 744, 747, 754, 788, 793, 822, 826, 862, 920, 1153, 1158, 1377, 1508, 1609, 1929, 1931, 1932, 1933, 1935, 1936, 1938, 2589, 2624, 2626

IAQUINTA, RICHARD, a Delegate from the Forty-eighth Delegate District:

Added as cosponsor	876, 1077
Bills introduced by	470, 471, 507, 550, 554, 555, 631, 688, 705, 722, 799, 800, 810, 812, 835, 843, 904, 927, 939, 947, 960, 1115
Excused from voting, requested	1164, 1528, 2626, 3535
Leave of absence, granted to	3547, 4202, 4208, 4274
Paired	3958, 3962, 4198
Remarks by, ordered printed	642, 974, 1135, 1170, 1335
Resolutions offered by	456, 545, 669, 754, 781, 823, 827, 921, 924, 1097, 1129, 1153, 1226, 1320, 1377, 1508, 1609, 1763, 1932, 1935, 1938, 2587, 2624, 2626, 2756

ISNER, PHIL, a Delegate from the Forty-third Delegate District:

Added as cosponsor	480, 531, 584, 642, 646, 876, 1002
Announcement concerning vote	3877

Appointed to Conference Committees as to:
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 865, 904, 940
 Excused from voting, requested..... 1168, 2281
 Leave of absence granted to.....4208
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 Remarks by, ordered printed.....3881
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KESSINGER, KAYLA, a Delegate from the Thirty-second Delegate District:

Added as cosponsor 384, 3626, 3656
 Bills introduced by..... 170, 197, 258, 282, 287,
 305, 311, 351, 395, 397, 407, 457, 458, 460, 461, 462, 466, 467, 468, 476, 504, 509, 510, 511, 512,
 525, 526, 527, 567, 593, 594, 595, 596, 624, 626, 627, 630, 632, 634, 719, 720, 757, 797, 805, 808,
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 Excused from voting, requested.....2281
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LANE, CHARLOTTE R., a Delegate from the Thirty-fifth Delegate District:

Added as cosponsor384, 876, 1002, 1110, 3534
 Announcement concerning vote..... 2721, 3877
 Appointed on Conference Committee as to Com. Sub. for S. B. 5542699
 Bills introduced by..... 305, 309, 379, 395, 396,
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Removed as cosponsor	557
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LONGSTRETH, LINDA, a Delegate from the Fiftieth Delegate District:	
Added as cosponsor	480, 875, 876, 1170
Announcement concerning vote.....	2077
Appointed on special committee to notify the	
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Leave of absence, granted to.....	383, 4208
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Remarks by, ordered printed.....	3671
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LOVE, SHIRLEY, a Delegate from the Thirty-second Delegate District:	
Added as cosponsor	2721
Appointed on special committees to inform the Governor that the	
Legislature was ready to adjourn <i>sine die</i>	3455
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Excused from voting, requested.....	1070, 3535
Leave of absence, granted to.....	3547
Remarks by, ordered printed.....	642, 2566, 3266, 3642
Resolutions offered by.....	456, 545, 784, 826, 827, 832, 876, 924, 1097, 1129, 1153, 1377, 1508, 1609, 2584, 2592, 2624, 2626, 2756
Service pin presented to.....	2900
LOVEJOY, CHAD, a Delegate from the Seventeenth Delegate District:	
Added as cosponsor	315, 364, 383, 480, 518, 585, 697, 732, 875, 876, 908, 1135, 1171, 2721
Appointed on Conference Committee as to	
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 Excused from voting, requested.....3535
 Leave of absence, granted to.....3547, 4208
 Paired3508
 Remarks by, ordered printed.....4203
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LYNCH, DANA, the Delegate from the Forty-fourth Delegate District:

Added as cosponsor339, 481
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 Appointed on special committees:
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 Excused from voting, requested..... 2281, 2696, 3535
 Leave of absence, granted to.....3547, 4208
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 Resolutions offered by 456, 540, 543, 545, 663,
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MARCUM, JUSTIN J., the Delegate from the Twentieth Delegate District:

Added as cosponsor416, 908
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 2364, 2624, 2626, 2756, 2762

MARTIN, PATRICK S., the Delegate from the Forty-sixth Delegate District:

Added as cosponsor 480, 517, 876, 2721
 Bills introduced by..... 288, 300, 312, 313, 351,
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MAYNARD, ZACK, a Delegate from the Twenty-second Delegate District:

Added as cosponsor556, 697, 850, 876, 2721, 3625

Bills introduced by.....	260, 278, 280, 281, 282, 287, 293, 308, 312, 347, 396, 397, 399, 401, 403, 405, 408, 466, 470, 471, 475, 476, 477, 505, 508, 510, 512, 550, 568, 569, 576, 594, 628, 629, 633, 634, 690, 703, 705, 722, 806, 807, 837, 839, 843, 863, 864, 866, 868, 869, 932, 933, 939, 953, 954, 959, 960, 961, 968
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McGEEHAN, PAT, a Delegate from the First Delegate District:	
Added as cosponsor	480, 876
Bills introduced by.....	150, 156, 164, 171, 172, 173, 174, 175, 177, 180, 181, 182, 185, 187, 188, 189, 192, 198, 201, 252, 254, 260, 261, 263, 280, 281, 287, 289, 300, 312, 313, 353, 357, 360, 379, 405, 413, 463, 466, 467, 470, 471, 473, 507, 509, 525, 547, 550, 570, 628, 633, 718, 758, 805, 806, 811, 835, 840, 843, 863, 868, 894, 895, 933, 934, 938, 940, 948, 954, 3550
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MILLER, CAROL, a Delegate from the Sixteenth Delegate District:	
Added as cosponsor	480, 531, 584, 876, 1077
Appointed on Conference Committee as to Com. Sub. for H. B. 107 (1 st Extraordinary Session).....	3641
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 2326, 2624, 2626, 2756

MILLER, RODNEY, the Delegate from the Twenty-third Delegate District:

Added as cosponsor 361, 481, 531, 850, 876,
 908, 974, 1077
 Appointed on Conference Committees as to:
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 631, 632, 634, 690, 703, 718, 720, 800, 806, 839, 843, 863, 865, 866, 867, 904, 929, 940, 952, 953,
 959, 968, 3505
 Excused from voting, requested..... 2281, 2696, 3535, 3874
 Leave of absence granted to..... 4274
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 3877, 4203
 Resolutions offered by..... 322, 389, 426, 493, 494,
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 1129, 1153, 1226, 1230, 1507, 1609, 1763, 1943, 2624, 2626, 2756, 3179

MOORE, RILEY, the Delegate from the Sixty-seventh Delegate District:

Added as cosponsor 531, 585, 875, 876
 Announcement concerning vote..... 2720
 Appointed on Conference Committee as to Com. Sub. for H. B. 2028..... 1288
 Bills introduced by..... 288, 305, 311, 312, 378,
 412, 457, 459, 461, 472, 505, 510, 525, 527, 595, 596, 629, 630, 631, 632, 634, 705, 718, 806, 807,
 809, 835, 838, 864, 867, 869, 894, 895, 898, 905, 930, 955
 Leave of absence granted to..... 3522, 3528, 3540, 3547, 3630,
 3651, 3654, 4208, 4274
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MOYE, RICKY, the Delegate from the Twenty-ninth Delegate District:

Added as cosponsor 876, 1438, 2721
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 835, 838, 840, 929, 941, 961
 Excused from voting, requested..... 1070, 1101, 1514, 2281, 2696
 Leave of absence granted to..... 3630, 3632, 3642, 3645, 4208
 Remarks by, ordered printed..... 314, 1170, 1355
 Resolutions offered by..... 272, 275, 784, 796, 826,
 827, 832, 859, 924, 1097, 1129, 1153, 1377, 1609, 2624, 2626, 2756

NELSON, ERIC, a Delegate from the Thirty-fifth Delegate District:

Added as cosponsor	642, 697, 815, 1355
Announcement concerning vote	1109, 1924, 3266
Appointed on Conference Committee as to Com. Sub. for H. B. 107 (1 st Extraordinary Session)	3641
Bills introduced by	172, 178, 357, 396, 409, 458, 511, 526, 555, 631, 722, 758, 764, 834, 864, 867, 870, 893, 898, 900, 901, 964, 1174, 1221
Excused from voting, requested	2281, 2696
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Resolutions offered by	657, 826, 1153, 1377, 1609, 2326, 2327, 2329, 2624, 2626

O'NEAL, IV, JOHN D., a Delegate from the Twenty-eighth Delegate District:

Added as cosponsor	416, 876
Appointed on Conference Committee as to Com. Sub. for H. B. 2447	2123
Bills introduced by	178, 284, 311, 351, 400, 460, 463, 464, 473, 510, 511, 512, 527, 547, 595, 632, 719, 797, 799, 805, 806, 807, 808, 811, 837, 901, 905, 934, 961
Resolutions offered by	657, 673, 822, 832, 1153, 1226, 1377, 1609, 2624, 2626, 2762, 3179

OVERINGTON, JOHN, the Delegate from the Sixty-second Delegate District:

Addressed House	301, 876, 974, 1208
Bills introduced by	170, 176, 177, 178, 180, 197, 251, 260, 263, 291, 293, 296, 297, 307, 308, 309, 310, 311, 324, 357, 404, 409, 413, 457, 458, 466, 504, 509, 510, 525, 527, 632, 719, 834, 838, 866, 894, 895, 901, 931, 934, 955, 957, 961, 3627, 3649
Excused from voting, requested	3534, 3957
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Resolutions offered by	149, 275, 276, 673, 788, 792, 822, 826, 862, 1153, 1227, 1508, 1609, 2623, 2626, 2756, 3179

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PAYNTER, TONY, the Delegate from the Twenty-fifth Delegate District:

Added as cosponsor	314, 480, 697, 876, 2721
Announcement concerning vote	2720
Bills introduced by	288, 293, 309, 312, 313, 357, 395, 396, 397, 399, 404, 409, 413, 457, 460, 462, 466, 472, 473, 475, 504, 508, 509, 512, 525, 548, 550, 554, 555, 568, 569, 570, 576, 594, 628, 629, 705, 798, 799, 801, 802, 803, 806, 807, 841, 863, 866, 894, 895, 896, 929, 931, 932, 933, 938, 941, 954, 955, 960, 961, 968, 3550
Paired	3958, 4198
Remarks by, ordered printed	1425, 3541
Resolutions offered by	564, 679, 687, 750, 754, 784, 793, 796, 826, 827, 862, 1097, 1153, 1226, 1508, 1609, 1929, 1931, 1932, 1933, 1935, 1936, 1938, 2624, 2626, 2756

PETHTEL, DAVE, the Delegate from the Fifth Delegate District:

Added as cosponsor	339, 365, 2721
Appointed on Conference Committee as to Com. Sub. for H. B. 107 (1 st Extraordinary Session)	3641
Bills introduced by.....	284, 291, 310, 460, 463, 464, 467, 470, 476, 506, 507, 722, 757, 799, 812, 865, 939, 947, 958
Excused from voting, requested.....	1164, 2696, 3535
Remarks by, ordered printed.....	1135, 4203
Resolutions offered by	149, 456, 543, 545, 784, 827, 890, 924, 1097, 1129, 1153, 1609, 2327, 2624, 2626, 2756
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PHILLIPS, RUPERT, a Delegate from the Twenty-fourth Delegate District:

Added as cosponsor	301, 815
Bills introduced by.....	150, 156, 187, 200, 202, 250, 285, 292, 293, 295, 296, 297, 306, 307, 308, 310, 313, 335, 351, 357, 360, 404, 405, 407, 408, 466, 468, 471, 472, 473, 506, 507, 508, 512, 569, 631, 705, 718, 722, 758, 801, 811, 835, 839, 843, 863, 865, 866, 867, 894, 899, 944, 953, 962, 965, 968
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Resolutions offered by	149, 258, 276, 322, 426, 455, 493, 494, 496, 497, 499, 617, 620, 668, 671, 674, 675, 677, 679, 680, 683, 684, 685, 687, 746, 750, 780, 784, 787, 793, 824, 826, 827, 859, 861, 862, 924, 927, 1097, 1129, 1153, 1162, 1226, 1227, 1309, 1322, 1377, 1507, 1609, 2624, 2626, 2756, 2759, 2762, 3523

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PUSHKIN, MIKE, the Delegate from the Thirty-seventh District:

Added as cosponsor	315, 339, 480, 512, 876, 1077
Bills introduced by.....	149, 169, 172, 174, 175, 176, 180, 185, 186, 187, 189, 190, 195, 255, 258, 261, 263, 285, 289, 294, 295, 307, 349, 352, 378, 379, 401, 467, 469, 472, 555, 593, 626, 627, 628, 799, 800, 801, 804, 805, 811, 838, 840, 897, 939, 942, 957, 958, 961, 3518, 3529
Excused from voting, requested.....	2281, 2615, 2696
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Paired	3876
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PYLES, RODNEY, a Delegate from the Fifty-first Delegate District:	
Added as cosponsor	364, 416, 697, 2721
Announcement concerning vote	1110
Bills introduced by	281, 283, 287, 300, 301, 334, 467, 470, 704, 722, 801, 806, 812, 835, 836, 838, 865, 897, 930, 939, 960
Excused from voting, requested	2281, 2696
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Resolutions offered by	276, 456, 543, 545, 663, 784, 823, 827, 890, 924, 1097, 1129, 1153, 1226, 1377, 1508, 1609, 1929, 1931, 1932, 1933, 1935, 1936, 1938, 2330, 2624, 2626, 2756, 2762
QUEEN, BEN, a Delegate from the Forty-eighth Delegate District:	
Added as cosponsor	876, 2721
Bills introduced by	351, 527, 547, 576, 626, 688, 722, 810, 811, 867, 932, 939, 947, 954, 959
Excused from voting, requested	2281
Leave of absence granted to	3645, 3651
Resolutions offered by	322, 744, 781, 784, 793, 920, 1095, 1153, 1226, 1320, 1377, 1508, 1609, 1929, 1931, 1933, 1935, 1936, 1938, 2584, 2585, 2587, 2592, 2624, 2626, 2756, 2762
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ROBINSON, ANDREW, a Delegate from the Thirty-sixth Delegate District:	
Added as cosponsor	365, 1002, 1110
Announcement concerning vote	1354
Bills introduced by	283, 287, 306, 307, 349, 401, 412, 467, 470, 506, 527, 555, 593, 626, 634, 690, 722, 799, 801, 804, 805, 839, 895, 903, 905, 940, 942, 961, 3505
Leave of absence granted to	4274
Remarks by, ordered printed	974, 1601, 4203
Removed as cosponsor	850, 876
Resolutions offered by	322, 657, 663, 687, 784, 826, 827, 857, 859, 924, 1097, 1129, 1153, 1226, 1377, 1609, 2584, 2624, 2626, 2756, 3523
RODIGHIERO, RALPH, a Delegate from the Twenty-fourth Delegate District:	
Added as cosponsor	416, 815, 816, 876
Announcement concerning vote	1355, 1924, 2567
Appointed on Conference Committee as to Com. Sub. for H. B. 2589	3001
Bills introduced by	151, 152, 153, 157, 160, 161, 165, 166, 168, 169, 175, 190, 191, 192, 285, 293, 308, 360, 380, 381, 401, 402, 404, 405, 407, 408, 409, 463, 466, 468, 473, 507, 508, 548, 550, 554, 625, 628, 703, 705, 718, 806, 840, 865, 866, 895, 896, 902, 959
Excused from voting, requested	1070
Leave of absence granted to	3547, 3642, 4208
Paired	4161
Resolutions offered by	275, 389, 395, 426, 455, 493, 494, 496, 497, 499, 544, 618, 620, 674, 675, 677, 678, 680, 681, 683, 684, 685, 746, 780, 784, 787, 796, 826, 827, 861, 924, 1097, 1129, 1153, 1155, 1226, 1230, 1505, 1508, 1609, 1943, 1945, 2585, 2587, 2592, 2624, 2626, 2756, 2758, 2762
ROHRBACH, MATTHEW, a Delegate from the Seventeenth Delegate District:	
Added as cosponsor	265, 339, 384, 876, 1077, 1289, 2721
Bills introduced by	164, 167, 175, 176, 177, 186, 188, 194, 197, 201, 259, 261, 262, 290, 307, 308, 310, 328, 331, 334, 349, 350, 351, 354, 355, 356, 360, 381, 396, 397, 401, 402, 405, 409, 412, 457, 471, 472, 504, 505, 506, 509, 547, 548, 551, 552, 554, 624, 626, 628, 631, 690, 703, 705, 720, 757, 758, 800, 803, 804, 806, 808, 837, 839, 862, 865, 867, 903, 932, 934, 939, 941, 942, 945, 963

Excused from voting, requested.....	723, 2281
Leave of absence granted to.....	3630, 3645
Remarks by, ordered printed.....	696, 1355
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ROMINE, CHUCK, a Delegate from the Sixteenth Delegate District:	
Added as cosponsor.....	339, 365, 697, 876, 2721
Announcement concerning vote.....	1546, 3509
Bills introduced by.....	468, 527, 547, 548, 550, 595, 626, 633, 799, 804, 808, 839, 903, 942
Leave of absence granted to.....	4208
Remarks by, ordered printed.....	3877
Resolutions offered by.....	346, 425, 456, 493, 545, 620, 665, 666, 679, 680, 746, 748, 784, 793, 1153, 1226, 1230, 1377, 1507, 1508, 1610, 1929, 1931, 1932, 1933, 1935, 1936, 1938, 1943, 2624, 2626, 2756
ROMINE, WILLIAM ROGER, the Delegate from the Sixth Delegate District:	
Added as cosponsor.....	339, 697, 876, 2721
Announcement concerning vote.....	1109
Bills introduced by.....	284, 285, 310, 347, 380, 381, 395, 404, 405, 409, 457, 459, 474, 505, 506, 509, 525, 527, 548, 549, 550, 551, 552, 554, 555, 628, 703, 704, 719, 800, 812, 838, 930, 941, 947, 956, 962, 1080
Leave of absence granted to.....	3504, 3509, 4202
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Removed as cosponsor.....	585
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ROWAN, RUTH, the Delegate from the Fifty-seventh Delegate District:	
Added as cosponsor.....	301, 365, 697, 876, 2721
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Removed as cosponsor.....	1078
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ROWE, LARRY L., a Delegate from the Thirty-sixth Delegate District:	
Added as cosponsor.....	365, 876, 1110
Appointed on special committee to inform the Governor that the House had assembled.....	27
Bills introduced by.....	158, 186, 195, 262, 263, 284, 289, 401, 467, 470, 555, 593, 626, 633, 757, 801, 805, 809, 811, 835, 836, 838, 841, 866, 894, 897, 898, 902, 930, 934, 941, 942, 952, 955, 957, 958, 960, 961, 963, 964, 1174, 3529
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Resolutions offered by	657, 679, 750, 832, 1153, 1377, 1610, 2363, 2624, 2626, 2756, 3179
SOBONYA, KELLI, the Delegate from the Eighteenth Delegate District:	
Added as cosponsor	315, 416, 480, 517, 1077
Appointed on Conference Committees as to:	
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 S. B. 4373473
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Appointed.....	133
Parliamentary inquiry.....	361, 502, 503
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Reports by, as Chairman of the Committee on Rules.....	878, 879, 975, 1137, 1208, 1285, 1286, 1870, 1939, 2331, 2565, 2719, 3183
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SPONAUGLE, ISAAC, the Delegate from the Fifty-fifth Delegate District:	
Added as cosponsor.....	876
Announcement concerning vote.....	2721
Bills introduced by.....	152, 173, 174, 179, 187, 193, 195, 250, 255, 262, 283, 285, 381, 466, 467, 510, 625, 628, 631, 705, 722, 799, 843, 902, 904, 942, 948, 950, 954, 1080, 1174
Leave of absence granted to.....	3547, 3625, 4208
Motions by.....	502, 503
Paired.....	1867, 1896
Petitions presented by.....	324, 1100, 2370
Point of order raised by.....	1977
Remarks by.....	2569
Remarks by, ordered printed.....	769, 1355
Resolutions offered by.....	148, 258, 276, 322, 621, 743, 754, 784, 823, 826, 827, 921, 924, 927, 1097, 1129, 1153, 1226, 1374, 1377, 1508, 1610, 2327, 2624, 2626, 2756
Service pin presented to.....	2900
STATLER, JOE, a Delegate from the Fifty-first Delegate District:	
Added as cosponsor.....	383
Bills introduced by.....	180, 182, 188, 200, 250, 255, 259, 261, 264, 278, 280, 281, 282, 284, 285, 287, 300, 306, 334, 348, 355, 357, 397, 404, 405, 412, 413, 457, 463, 465, 471, 474, 506, 546, 548, 551, 552, 554, 596, 597, 632, 634, 688, 703, 757, 806, 838, 839, 863, 904, 933, 934, 941, 955, 956, 963, 964
Excused from voting, request.....	3534
Leave of absence granted to.....	4208
Resolutions offered by.....	543, 784, 890, 891, 1153, 1508, 1610, 2330, 2624, 2626, 2756, 2762
STORCH, ERIKKA, a Delegate from the Third Delegate District:	
Added as cosponsor.....	365, 876
Bills introduced by.....	189, 258, 300, 307, 308, 311, 332, 333, 334, 337, 347, 349, 351, 378, 380, 397, 400, 401, 404, 407, 408, 413, 457, 459, 468, 471, 472, 504, 508, 511, 547, 594, 624, 627, 628, 633, 634, 688, 718, 720, 722, 798, 799, 805, 807, 835, 839, 862, 863, 864, 868, 893, 894, 895, 898, 939, 954, 961, 1174
Excused from voting, requested.....	2696
Leave of absence granted to.....	907, 3547, 4208
Remarks by, ordered printed.....	584, 3266
Removed as cosponsor.....	643
Reports by, as Chair of the Committee on Political Subdivisions.....	317, 610, 776, 777, 981, 982, 983, 1111, 1112, 1113, 1144, 1175
Resolutions offered by.....	322, 423, 784, 793, 924, 1129, 1153, 1227, 1230, 1377, 1610, 2326, 2327, 2624, 2626, 2756, 2759, 2762

SUMMERS, AMY, the Delegate from the Forty-ninth Delegate District:

Added as cosponsor 1077, 1289

Appointed on special committees:

 To inform His Excellency, the Governor, that the Legislature had assembled in extraordinary session 3500, 4266

 To inform His Excellency, the Governor, that the Legislature was ready to adjourn *sine die* 3455

 To notify the Senate the House was ready to adjourn *sine die* 4274

Bills introduced by 176, 177, 188, 250, 258, 278, 280, 282, 284, 285, 288, 294, 296, 307, 324, 325, 328, 331, 350, 351, 352, 355, 356, 360, 381, 396, 402, 403, 407, 457, 459, 460, 467, 471, 472, 473, 504, 525, 527, 547, 550, 595, 597, 624, 628, 632, 688, 720, 757, 800, 806, 809, 839, 866, 901, 905, 938, 940, 947, 948, 959, 980, 3649

Excused from voting, requested 1070, 1558, 2281, 3534

Leave of absence granted to 3547, 3625, 3654, 3673, 3877, 3881, 4202, 4208, 4223

Paired 3876

Remarks by, ordered printed 1135, 3645

Reports from, as Vice Chair of the Committee on Health and Human Resources 774, 775, 852, 853

Resolutions offered by 144, 274, 322, 346, 543, 752, 784, 786, 793, 890, 1153, 1226, 1508, 1610, 2386, 2584, 2585, 2587, 2591, 2593, 2624, 2626, 2758

SYPOLT, TERRI, the Delegate from the Fifty-second Delegate District:

Added as cosponsor 697, 876, 2336, 2721

Announcement concerning vote 1602

Appointed on special committees:

 To inform the Governor that the Legislature was ready to adjourn *sine die* 4208

 To notify the Senate that the House had assembled in extraordinary session 4218

Bills introduced by 260, 279, 280, 281, 311, 396, 457, 459, 467, 504, 505, 551, 703, 722, 798, 802, 803, 804, 806, 807, 811, 826, 837, 843, 896, 903, 929, 938, 939, 954, 968, 3627

Excused from voting, requested 2696

Leave of absence granted to 3547

Resolutions offered by 274, 346, 455, 754, 1153, 1226, 1508, 1610, 1929, 1931, 1932, 1933, 1935, 1936, 1938, 2624, 2626, 2756, 2759

THOMPSON, ROBERT, a Delegate from the Nineteenth Delegate District:

Added as cosponsor 850, 876

Announcement concerning vote 1546

Appointed on special committee to inform the Governor that the Legislature was ready to adjourn *sine die* 4208

Bills introduced 283, 287, 402, 408, 412, 468, 473, 508, 509, 527, 548, 631, 703, 705, 801, 807, 839, 865, 866, 902, 968

Excused from voting, requested 2281, 2696, 3535

Remarks by, ordered printed 1110

Removed as cosponsor 518, 908

Resolutions offered by 322, 542, 617, 661, 748, 827, 829, 924, 1097, 1129, 1153, 1155, 1377, 1508, 1610, 1943, 1945, 2624, 2626, 2756, 2762

UPSON, JILL, the Delegate from the Sixty-fifth Delegate District:

Appointed on Conference Committee as to Com. Sub. for H. B. 2589 3001

Bills introduced by 162, 174, 177, 185, 200, 259, 260, 262, 278, 279, 280, 281, 282, 287, 288, 290, 291, 293, 300, 301, 306, 307, 313, 357, 396, 397, 405, 409, 457, 458, 463, 474, 504, 505, 506, 511, 525, 546, 547, 551, 552, 554, 596, 632, 634, 719, 722, 798, 800, 805, 808, 811, 835, 837, 838, 839, 864, 895, 898, 905, 906, 954, 955, 956, 961, 964

Excused from voting, requested 3538

Leave of absence granted to 1425, 3654, 4223, 4259, 4274

Remarks by, ordered printed 314

Removed as cosponsor 584, 974

Resolutions offered by 149, 267, 275, 322, 455, 543, 671, 673, 784, 826, 922, 1153, 1322, 1377, 1610, 2624, 2626, 2760

WAGNER, DANNY, the Delegate from the Forty-seventh Delegate District:

Added as cosponsor	876, 1110
Appointed on special committee to inform the Governor that the Legislature was ready to adjourn <i>sine die</i>	4208
Bills introduced by.....	171, 185, 200, 201, 250, 278, 284, 287, 296, 309, 334, 347, 381, 402, 409, 471, 476, 505, 549, 551, 552, 628, 703, 805, 843, 930, 947, 961
Excused from voting, requested.....	1164, 1518, 1528, 2281, 2696
Resolutions offered by.....	323, 423, 671, 673, 927, 1153, 1322, 1377, 1508, 1610, 2330, 2624, 2626, 2756, 2762

WALTERS, RON, the Delegate from the Thirty-ninth Delegate District:

Added as cosponsor	301, 1077, 2721
Announcement concerning vote.....	712, 1546
Appointed on Conference Committees as to:	
Com. Sub. for H. B. 2721	2729
Report from:.....	3075
Com. Sub. for H. B. 2722	2730
Report from:.....	3077
Bills introduced by.....	260, 280, 281, 300, 308, 310, 311, 349, 357, 378, 379, 380, 399, 401, 404, 407, 409, 413, 457, 458, 460, 463, 464, 466, 505, 509, 511, 555, 576, 577, 626, 627, 629, 631, 688, 690, 705, 718, 720, 722, 758, 764, 798, 799, 800, 801, 805, 806, 809, 834, 837, 839, 862, 863, 864, 867, 868, 869, 893, 895, 898, 899, 904, 935, 940, 949, 950, 951, 952, 954, 960, 961, 962, 963, 964, 1174, 3649
Excused from voting, requested.....	1332, 1558, 1612, 2635, 2696
Nominated Stephen J. Harrison for Clerk	22
Leave of absence granted to.....	338, 3877, 4208
Paired	3876
Remarks by, ordered printed.....	2566
Reports by, as Chair of the Committee on Pensions and Retirement.....	612, 613, 774
Resolutions offered by.....	267, 428, 657, 747, 782, 784, 788, 822, 826, 827, 1097, 1153, 1226, 1227, 1377, 1508, 1610, 2326, 2588, 2624, 2626, 2756

WARD, GUY, a Delegate from the Fiftieth Delegate District:

Added as cosponsor	517, 584, 876, 908
Announcement concerning vote.....	2721, 3535
Bills introduced by.....	250, 278, 279, 280, 282, 287, 288, 308, 309, 311, 312, 334, 351, 352, 380, 381, 396, 400, 413, 461, 504, 547, 548, 570, 576, 628, 688, 718, 798, 799, 801, 805, 807, 837, 839, 843, 866, 896, 903, 928, 929, 932, 938, 942, 947, 949, 3649
Petitions presented by.....	1065
Resolutions offered by.....	274, 323, 501, 752, 786, 793, 827, 924, 1097, 1129, 1153, 1226, 1377, 1610, 2368, 2624, 2627, 2756

WESTFALL, STEVE, the Delegate from the Twelfth Delegate District:

Added as cosponsor	301, 314, 585, 731, 876, 974, 1002, 1208
Appointed on special committees:	
To inform the Governor the Legislature had assembled in extraordinary session	4266
To inform the Governor the Legislature was ready to adjourn <i>sine die</i>	4274
Bills introduced by.....	150, 179, 181, 250, 260, 280, 281, 282, 287, 288, 297, 300, 306, 308, 312, 313, 335, 337, 347, 348, 349, 351, 361, 378, 397, 404, 405, 407, 408, 412, 413, 457, 459, 461, 467, 468, 472, 473, 474, 504, 505, 506, 508, 511, 512, 526, 527, 547, 550, 551, 594, 595, 596, 627, 628, 629, 631, 632, 688, 703, 705, 718, 719, 720, 758, 801, 804, 807, 809, 812, 835, 836, 838, 840, 863, 866, 867, 893, 894, 902, 939, 941, 942, 952, 956, 960, 962, 968, 1174, 1221
Excused from voting, requested.....	1070, 1558, 2281, 2696, 3535
Leave of absence granted to.....	3645, 3651, 3654, 4208
Paired	4161
Remarks by, ordered printed.....	849
Removed as cosponsor	642, 1078
Reports by, as Chair of the Committee on Banking and Insurance.....	371, 534, 535, 699, 853, 1081, 1645
Reports by, as Vice Chair of the Joint Committee on Enrolled Bills.....	2079, 2080

Resolutions offered by	323, 423, 617, 673, 687, 746, 747, 748, 784, 824, 826, 1153, 1227, 1377, 1610, 2326, 2330, 2588, 2624, 2627, 2756
Service pin presented by	2900
 WHITE, BRAD, a Delegate from the Thirty-sixth Delegate District:	
Added as cosponsor	480, 585, 697, 876, 1110, 1171, 1495, 2721
Announcement concerning vote	2721
Bills introduced by	306, 312, 313, 348, 349, 378, 401, 407, 408, 466, 468, 506, 511, 512, 526, 550, 555, 595, 628, 718, 719, 804, 807, 808, 809, 836, 930, 942
Leave of absence granted to	1288, 3642, 3645, 3651, 4208
Removed as cosponsor	481
Requested to be added as cosponsor	1495
Resolutions offered by	389, 663, 679, 784, 859, 1153, 1226, 1507, 1508, 1610, 2584, 2587, 2624, 2627, 2756
 WHOLE, COMMITTEE OF THE:	
Motion for	346
 WILLIAMS, JOHN, a Delegate from the Fifty-first Delegate District:	
Announcement concerning vote	815
Appointment on Conference Committee as to S. B. 172	2695
Bills introduced by	278, 282, 287, 334, 378, 470, 506, 527, 548, 631, 722, 799, 812, 835, 840, 843, 862, 902, 903, 904, 939, 954, 955, 958, 960
Leave of absence granted to	3547, 3625, 3630, 3632, 4208
Resolutions offered by	543, 668, 754, 784, 827, 890, 891, 924, 1097, 1129, 1153, 1226, 1508, 1610, 1938, 2624, 2627, 2756
 WILSON, MARSHALL, the Delegate from the Sixtieth Delegate District:	
Added as cosponsor	301, 314, 339, 480
Announcement concerning vote	696, 2567
Bills introduced by	307, 308, 309, 312, 313, 357, 395, 397, 400, 401, 403, 404, 412, 413, 460, 462, 470, 472, 473, 474, 475, 476, 505, 506, 509, 510, 527, 546, 549, 551, 552, 553, 567, 568, 569, 570, 596, 628, 631, 632, 633, 805, 806, 811, 835, 838, 839, 868, 894, 895, 898, 930, 960, 968, 3649
Excused from voting, requested	1774, 1955, 3538, 3874
Leave of absence granted to	3547, 3625, 3630, 3632, 3642, 3651, 3654, 3673, 4208, 4223, 4259
Paired	3538
Remarks by, ordered printed	364
Resolutions offered by	455, 501, 564, 671, 673, 687, 784, 793, 826, 927, 1153, 1226, 1377, 1508, 1610, 2330, 2624, 2627, 2756
 ZATEZALO, MARK, a Delegate from the First Delegate District:	
Added as cosponsor	850, 1011, 2721
Announcement concerning vote	2567
Appointed on Conference Committees as to:	
Com. Sub. for H. B. 2099	1288
Com. Sub. for H. B. 2447	2123
Report from:	2765
Com. Sub. for S. B. 204	2698
Bills introduced by	279, 311, 347, 351, 360, 396, 400, 401, 403, 404, 407, 412, 413, 457, 459, 510, 511, 512, 527, 548, 633, 688, 703, 718, 811, 835, 864, 868, 895, 896, 902, 944, 959, 968
Excused from voting, requested	1070, 2696, 3535
Leave of absence granted to	415, 3651
Nominated Frank Lares for Doorkeeper	27
Point of order raised by	2063
Remarks by, ordered printed	339, 642, 973
Resolutions offered by	274, 322, 423, 657, 687, 784, 826, 1226, 1322, 1377, 1610, 2624, 2627, 2756, 2762, 3179

REGULAR SESSION, 2017

*Denotes Committee Substitute

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2001 -	By Delegates Lane, Sobonya, Moore, Kessinger, N. Foster and Householder: Relating to ethics and transparency in government (Chapter 94, Acts, Regular Session, 2017)	305	484	3122	3122	577, 3166	306, 530, 555, 577, 3166, 3463, 3476
*2002 -	By Delegates Kessinger, Fast, A. Evans, R. Romine, Frich, Arvon, Butler, Rowan, Wilson, Paynter and Lane: Relating to parental notification of abortions performed on unemancipated minors (Chapter 186, Acts, Regular Session, 2017)	395	1084, 1345	2904	2904	1509, 2915	396, 1084, 1421, 1437, 1509, 1510, 2915, 3463, 3476
2003 -	By Delegates Hollen, Anderson, Sobonya, Rowan, N. Foster, Rohrbach, Butler, Paynter, Maynard, Upson and Mr. Speaker (Mr. Armstead): Creating a new felony offense for a drug delivery that results in the death of another person	396					396
*2004 -	By Delegates Howell, Nelson, Cowles, Zatezalo, Hamrick, Ward, Deem, Summers, Sypolt, Lane and Atkinson: Creating and maintaining a centralized state vehicle inventory system	396	491, 1138	1393, 1431		1430	397, 492, 1187, 1291, 1337, 1392, 1430, 1432
*2006 -	By Delegates Shott, Mr. Speaker (Mr. Armstead), Hanshaw, Sobonya, Atkinson, Hill, Fleischauer, Pushkin, Lovejoy and Canestraro: Increasing the penalties for violating the Whistle-blower Law (Chapter 184, Acts, Regular Session, 2017)	149	257		2337	338	150, 301, 314, 338, 3456, 3475
*2007 -	By Delegates Gearheart, Cooper, McGeehan, Hamrick, Westfall and Frich: Eliminating courtesy patrol programs	150	303, 818	970		970	150, 304, 875, 906, 969, 970
2008 -	By Delegates Gearheart and Hamrick: Relating to the Dealer Recovery Program	150					150
2009 -	By Delegates Gearheart and Cooper: Making changes to the definition of electrical contractor	150					150

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2010 -	By Delegates Folk and McGeehan: Requiring authorization from the Legislature before submitting an application for an MS-4 permit to the United States Environmental Protection Agency	150					150
2011 -	By Delegate Phillips: Prohibiting state agencies and departments from acting outside their statutory scopes of authority	150					151
2012 -	By Delegate Rodighiero: Reducing state income taxes for state and federal retirees by increasing the exemption on retirement income	151					151
2013 -	By Delegate Rodighiero: Relating to replacing the present crime of burglary with the crime of home invasion	151					151
2014 -	By Delegate Rodighiero: Allowing parents or the school to serve sweets during the holidays if the school receives parental or guardian consent	151					151
2015 -	By Delegate Rodighiero: Establishing seniority rights for public employees	151					151
2016 -	By Delegate Rodighiero: Providing state health care services for all active and inactive duty military personnel	152					152
2017 -	By Delegate Rodighiero: Relating to minimum wage and maximum hours standards for employers	152					152
*2018 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution	221	2065	2068, 2069, 2070, 2072, 2073, 2074, 2075, 2279, 3267	3267	2282, 3453	221, 2066, 2246, 2280, 2282, 3267, 3454, 3457, 3479
2019 -	By Delegate Rodighiero: Relating to salary increase for school personnel	152					152
2020 -	By Delegate Rodighiero: Freezing PEIA employee premiums for three years	152					152

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2021 -	By Delegate Sponaugle: Relating to penalties incurred from obstructing, fleeing from and making false statements to law-enforcement	152					152
2022 -	By Delegate Rodighiero: Relating to public health	152					153
2023 -	By Delegate Rodighiero: Changing the way that the costs of incarcerating inmates in regional jails is collected	153					153
2024 -	By Delegate Rodighiero: Creating a criminal felony offense of aggravated assault or battery of a child or a person who is mentally incapacitated	153					153
2025 -	By Delegate Rodighiero: Providing one-time supplements to all annuitants when they reach the age of seventy	153					153
2026 -	By Delegate Rodighiero: Providing a maximum repair cost for insured owners of motor vehicles if a collision with a deer caused the damage	153					153
2027 -	By Delegate Gearheart: Providing for the transfer of ownership, operation and maintenance of certain assets of the West Virginia Parkways Authority to the Division of Highways	153	489				154, 489
*2028 -	By Delegates Folk, Hanshaw, Shott, Butler, Dean, Fleischauer, Fluharty, McGeehan, Paynter, Martin and Wilson: Relating to the venue for suits and other actions against the state	154	489		1123	578	155, 530, 555, 577, 578, 1125, 1287, 1288, 1601
2029 -	By Delegate Gearheart: Permitting counties to adopt certain ordinances relating to dogs and cats	155					155
2030 -	By Delegate Folk: Eliminating the requirement that proceedings against the State, a state agency or state officer be brought and prosecuted in the circuit court of Kanawha County	155					155
2031 -	By Delegate Folk: Eliminating requirements that state provide for professional training and development of teachers	155					155
2032 -	By Delegate Cowles: Prohibiting a chief deputy sheriff from engaging in certain political activities	155					156

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2033 -	By Delegates Hamrick, Howell, Gearheart, Phillips and Folk: Permitting the resident lineal descendants of landowners to hunt, trap or fish on that resident landowner's property without a license	156					156
2034 -	By Delegate McGeehan: Relating to county budget stabilization funds	156	317				156, 317
2035 -	By Delegate Shott: Relating generally to purchasing	156					156
2036 -	By Delegate Shott: Allowing counties and municipalities to levy a sales tax on food and beverages sold at restaurants	156					157
2037 -	By Delegates Shott, Hanshaw, Fleischauer, Canestraro and Frich: Relating to juvenile proceedings	157	483				157, 483
2038 -	By Delegate Rodighiero: Changing the way the cost of incarcerating inmates in regional jails is collected	157					157
2039 -	By Delegate Rodighiero: Establishing a tax credit for new businesses that locate in the state	157					157
2040 -	By Delegate Ferro: Updating the Uniform Common Interest Ownership Act	157					158
2041 -	By Delegate Rowe: Providing a discount program for certain workers and students who purchase West Virginia EZ Pass transponders	158					158
2042 -	By Delegate Caputo: Relating to pension benefits exempt from state income taxation	158					158
2043 -	By Delegates Caputo and Baldwin: Placing penalty points on driver's licenses for using electronic communications devices while operating a motor vehicle	158					158
2044 -	By Delegate Moye: Relating to the Senior Farmers' Market Nutrition Program	158					159
2045 -	By Delegate Caputo: Giving the Insurance Commissioner the power to regulate and penalize self-insured employers	159					159

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2046 -	By Delegate Caputo: Requiring county boards of education to provide released time for professional educators and service personnel when serving in an elected municipal or county office	159					159
2047 -	By Delegate Caputo: Increasing compensation for conservation officers	159					159
2048 -	By Delegates Caputo and Isner: Providing meetings and conference rights for members of municipal fire departments	159					160
2049 -	By Delegate Caputo: Providing for career development and establishing a pay scale for Alcohol Beverage Commission inspectors, enforcement agents and supervisors	160					160
2050 -	By Delegates Caputo and Isner: Allowing state employees to take paid leave to attend parent-teacher conference for their children	160					160
2051 -	By Delegate Rodighiero: Authorizing insurance to married workers without children at reduced rates under the West Virginia Public Employees Insurance Act	160					160
2052 -	By Delegate Rodighiero: Increasing criminal penalties for the illegal killing, taking, or possessing of certain wildlife	160					160
2053 -	By Delegate Rodighiero: Requiring facilities providing abortions to obtain parental notification or consent in writing	160					161
2054 -	By Delegate Rodighiero: Relating to rules governing the operation of motorboats on lakes	161					161
2055 -	By Delegate Rodighiero: Including volunteer firefighters within the Public Employees Insurance Act	161					161
2056 -	By Delegate Caputo: Providing for the use of neck braces by football players	161					161
2057 -	By Delegates Caputo and Isner: Increasing benefits of retired state personnel and retired teachers	161					161

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2058 -	By Delegate Caputo: Prohibiting the use of a credit score in casualty insurance rate filings	161					162
2059 -	By Delegate Caputo: Providing a ten percent discount to residents at state parks and forests	162					162
2060 -	By Delegate Shott: Relating to enhanced penalties for use of a firearm during commission of a felony	162					162
2061 -	By Delegate Upson: Relating to inspection of vehicles and providing that defects in windshields and windows that do not obscure vision are not unsafe conditions	162					162
2062 -	By Delegate Rowan: Deaf Children's Bill of Rights Act	162					163
2063 -	By Delegates Hamilton and Rowan: Extending the expiration of driver's licenses for active military members' spouses	163	773				163, 773
2064 -	By Delegate Fast: Defining the term minor boundary adjustment	163					163
2065 -	By Delegate Fast: Requiring all local special elections to be held on the days and hours of general, primary or state-wide elections	163					163
2066 -	By Delegate Cooper: Providing a fee discount for certain nonresident hunting, fishing and trapping licenses for native nonresidents	164					164
2067 -	By Delegate McGeehan: Relating to the transfer of certain revenues derived from lottery activities generally, restoring distribution to the West Virginia Infrastructure Fund to 2013 rates and decreasing the funds available for grants therefrom	164					164
2068 -	By Delegate Rohrbach: Operating and maintaining a fully interoperable statewide network to facilitate public and private use of health care information in the state	164	701				165, 701
2069 -	By Delegate Rodighiero: Providing cost-of-living adjustments for certain current and former public employees	165					165

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2070 -	By Delegate Rodighiero: Prohibiting the establishment of methadone treatment programs and clinics in this state; providing exceptions	165					165
2071 -	By Delegates Bates, Ellington and Fleischauer: Authorizing the medical use of cannabis based pharmaceutical products	165					166
2072 -	By Delegate Rodighiero: Relating to qualifying children of state employees, receiving income of \$25,000 per year or less, for the West Virginia Children's Health Insurance Program	166					166
2073 -	By Delegate Rodighiero: Making available elective courses on the history of the Old and New Testaments of the Bible	166					166
2074 -	By Delegate Caputo: Establishing seniority rights for public employees	166					166
2075 -	By Delegates Hanshaw and Fleischauer: Providing the Auditor with greater oversight of advance allowance accounts	166					167
2076 -	By Delegate Caputo: Establishing the Legislative Oversight Commission on Energy Workers Safety	167					167
2077 -	By Delegate Rohrbach: West Virginia Native American Tribes Unique Recognition, Authentication and Listing Act	167					167
2078 -	By Delegate Hamrick: Making special registration plates for volunteer fire fighters	167					167
2079 -	By Delegate Folk: Abolishing the West Virginia Higher Education Policy Commission	167					168
2080 -	By Delegate Caputo: Increasing the amount of annual and incremental salary increases for eligible state employees	168					168
2081 -	By Delegate Rodighiero: Prohibiting the establishment of new methadone treatment programs and clinics; providing exceptions	168					168
2082 -	By Delegate Rodighiero: Prohibiting state funding of abortions	168					168

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2083 -	By Delegates Rodighiero and Frich: Increasing the felony criminal penalties for exposing children to methamphetamine manufacturing (Chapter 44, Acts, Regular Session, 2017)	168	377, 522	2769	2768	598, 2770	168, 378, 556, 579, 597, 598, 2770, 3463, 3476
2084 -	By Delegate Rodighiero: Requiring the assessor of each county to, within three months of a deed filing in the county clerk's office of each county, prepare a new property tax ticket	169					169
2085 -	By Delegate Rodighiero: Ensuring Patient Safety Act	169					169
2086 -	By Delegate Rodighiero: Allowing the Executive Director of the West Virginia Regional Jail and Correctional Facility Authority to establish a work program	169					169
2087 -	By Delegates Fleischauer and Pushkin: Prohibiting blasting within six hundred twenty-five feet of an occupied dwelling	169					169
2088 -	By Delegate Cowles: Establishing a bill of rights for children in foster care	170					170
2089 -	By Delegate Cowles: Establishing a bill of rights for foster parents	170					170
2090 -	By Delegate Cowles: Increasing the minimum number of magisterial districts in a county	170					170
2091 -	By Delegates Kessinger and Folk: Prohibiting contracting with a state agency unless business entity submits disclosure of interested parties	170					170
2092 -	By Delegates Overington, Frich, Folk and Sobonya: Creating an additional penalty for use of a firearm in furtherance of a drug offense	170					171
2093 -	By Delegates McGeehan and Wagner: Exempting personal income earned by individuals working as teachers at primary and secondary schools from personal income tax	171					171
2094 -	By Delegates McGeehan and Folk: Home Instruction Tax Relief Act	171					171

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2095 -	By Delegates McGeehan and Folk: Relating to the rule-making authority of local boards of health	171					171
2096 -	By Delegates Hamrick and Folk: Exempting commercial airlines from obtaining licenses to serve liquor, beer or wine on flights	171					172
2097 -	By Delegates Ellington, Nelson, Hamrick and Cooper: Permitting community and technical colleges and universities to charge students half the cost of a credit for every credit taken over the fifteenth hour	172					172
2098 -	By Delegates Folk, Frich and Sobonya: Requiring the issuance of a search warrant before a driver of a motor vehicle can be made to submit to a secondary blood test	172					172
*2099 -	By Delegate McGeehan: Defining the act of leaving the scene of a crash involving death or serious bodily injury as a felony; Erin's Law	172	304	362, 382	1035	382	172, 338, 362, 382, 1035, 1037, 1288, 1600
2100 -	By Delegates Pushkin, Folk, Blair and Fast: Recognizing those in active military service as residents for the purpose of obtaining concealed carry permits while stationed at a West Virginia military installation	172	647				172, 647
2101 -	By Delegates Pushkin and Eldridge: Relating to the juvenile justice reform oversight committee	172					173
2102 -	By Delegates McGeehan and Sponaule: Allowing a group of affiliated voters to become a recognized political party under certain criteria	173					173
2103 -	By Delegates Eldridge and Hicks: Making changes to the definition of contractor for purposes of the West Virginia Contractor Licensing Act	173	318				173, 318
2104 -	By Delegates Eldridge and Hicks: Requiring that public schools provide facilities for students of all faiths and religions to have a place of fellowship, prayer and worship	173					173

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2105 -	By Delegates Eldridge and Hicks: Establishing the state parks instant lottery scratch-off game	174					174
2106 -	By Delegates Pushkin, Upson and Fleischauer: Creating a domestic violence registry	174					174
2107 -	By Delegates Pushkin, Sponaugle, Fluharty, Hornbuckle, Fleischauer and McGeehan: Creating the Second Chance for Employment Act	174					174
2108 -	By Delegates Rodighiero, Hicks and Eldridge: Requiring school bus aides, who are trained in preventing bullying and providing a safe environment for students while being transported on a school bus, to be present on school buses	175					175
*2109 -	By Delegates Rohrbach, Hornbuckle and Lovejoy: Relating to the West Virginia Land Reuse Agency Authorization Act (Chapter 162, Acts, Regular Session, 2017)	175	1112, 1292	3081	3081	1529, 3087	175, 1112, 1421, 1437, 1497, 1529, 1530, 3087, 3463, 3476
2110 -	By Delegates Rodighiero, Hicks and Eldridge: Increasing the amount of retirement income to be excluded from the gross income of individuals receiving retirement benefits under the West Virginia Public Employees Retirement System	175					175
2111 -	By Delegate Miley: Exempting certified professional estimator services from consumer sales and service tax	175					175
2112 -	By Delegates McGeehan and Pushkin: Exempting all monetary benefits derived from military retirement from personal income tax obligations	175					176
2113 -	By Delegates Ellington, Summers and Rohrbach: Providing that the Secretary of the Department of Health and Human Resources may not change the state Medicaid program plan	176	320				176, 320

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2114 -	By Delegates Overington, Gearheart, Frich, Howell and Sobonya: Providing a procedure for West Virginia to select delegates to an Article V convention for proposing amendments to the Constitution of the United States of America	176					176
2115 -	By Delegates Rowan and Sobonya: Prohibiting sexual offenders from residing within one thousand feet of a school or childcare facility	176					176
2116 -	By Delegates Howell, Frich and Hamilton: Establishing a policy for formal recognition of Indian tribes	176					177
2117 -	By Delegates Overington, Rohrbach, Upson, Frich and G. Foster: Removing the requirement that home schooled students have to acquire a general equivalency degree (GED) in order to qualify for the promise scholarship	177					177
2118 -	By Delegates Folk, McGeehan and Kelly: Abolishing the West Virginia Council for Community and Technical College Education	177					177
2119 -	By Delegates Ellington and Summers: Repealing West Virginia Health Benefit Exchange Act (Chapter 35, Acts, Regular Session, 2017)	177	320, 817		2337	971	177, 320, 875, 906, 970, 971, 3460, 3475
2120 -	By Delegates Ellington and Summers: Exempting managed care contracts from the bidding process	177					177
2121 -	By Delegates Fleischauer, Pushkin, Hicks and Fluharty: West Virginia Residential Furniture and Children's Products Flame Retardants Act	177					178
2122 -	By Delegates Byrd and Fleischauer: Providing a tax credit for first time home buyers	178					178

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2123 -	By Delegates Rowan, Mr. Speaker (Mr. Armstead), Cowles, Hamilton, Espinosa, O'Neal, Anderson and Nelson: Making the West Virginia Schools for the Deaf and Blind eligible to participate in any and all funding administered or distributed by the West Virginia School Building Authority	178	341, 519			598	178, 341, 556, 579, 598, 599
2124 -	By Delegates Overington, Shott, Hicks and Nelson: Providing that members of the House of Delegates in districts having more than one delegate be elected from numbered divisions	178					178
2125 -	By Delegate Hamilton: Reinstating service credit to certain members of the Public Employees Retirement System	179					179
2126 -	By Delegate Westfall: Guaranteed Asset Protection Waiver Act	179					179
2127 -	By Delegates Sponaugle and Fluharty: Relating to personal income taxes	179					179
2128 -	By Delegates Fleischauer and Folk: Requiring persons who are in the business of purchasing precious metals and precious gems to photograph those purchases and to transmit the photographs to law-enforcement	179					180
*2129 -	By Delegates Fleischauer, Sobonya, Statler, Overington, Frich and Pyles: Relating to the powers and authority of state and local law enforcement to enforce underage drinking laws at private clubs	180	1365		2724	1555	180, 1493, 1531, 1554, 1555, 2726
2130 -	By Delegates Fluharty, Pushkin and Baldwin: Relating to drug testing of legislators	180					180
2131 -	By Delegates Folk and McGeehan: Prohibiting the state from requiring persons with oil or gas rights connected to deep oil or gas wells to involuntarily integrate their interests	180					180
2132 -	By Delegates Folk, McGeehan and Sobonya: Limiting able-bodied adults without dependents receipt of SNAP benefits to three months in a thirty-six month period	180	775				181, 775

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2133 -	By Delegates Shott and Hamrick: Relating to assessment value of certain motor vehicles for purposes of ad valorem property taxes	181					181
2134 -	By Delegates Hamilton and Westfall: Relating generally to workers' compensation	181					181
2135 -	By Delegates Kelly, Cooper, McGeehan and Sobonya: Permitting persons who are twenty-one years of age or older to operate or be a passenger on a motorcycle without a helmet	181					181
2136 -	By Delegates Hamrick, G. Foster, Rowan and Westfall: Removing restrictions for hunting or trapping on private lands on Sundays	181					182
2137 -	By Delegates Hamrick, Statler, Rowan and Frich: Making it a misdemeanor for a person to impersonate a veteran	182					182
2138 -	By Delegates McGeehan and Folk: Right to keep and bear arms	182					183
2139 -	By Delegate Fast: Providing an exemption from regulation by the Public Service Commission for motor vehicles used exclusively in the transportation of roll-off solid waste containers	183					183
2140 -	By Delegates Fast and Frich: Modifying the definition of child abuse or neglect to exclude accidental injury	183					183
2141 -	By Delegates Cooper and Ambler: Expanding the authority of motor carrier inspectors	183					183
2142 -	By Delegates Cooper, Ambler and Rowan: Providing a salary increase for special education teachers	183					183
2143 -	By Delegates Ferro, Fluharty and Hornbuckle: Requiring reports to the Governor from state agencies to be made available electronically via the internet	183					183
2144 -	By Delegate Fast: Relating to relocation or closure of state higher education institutions	184					184

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2145 -	By Delegate Fast: Repealing provision prohibiting employers from discriminating for use of tobacco products	184					184
2146 -	By Delegate Fast: Allowing a home improvement transaction to be performed under an oral contract	184					184
2147 -	By Delegates Cooper and Ambler: Permitting county boards of education to accumulate instructional days and use them when needed	184					184
2148 -	By Delegates Byrd, Pushkin, Fleischauer and Espinosa: Providing taxpayers repaying their own student loans a modification reducing federal adjusted gross in the amount of the interest paid	185					185
2149 -	By Delegates Caputo and Isner: Establishing a minimum number of troopers to provide basic law enforcement services, and providing members of the West Virginia State Police a \$580 salary increase at the end of two years of service	185					185
2150 -	By Delegates McGeehan, Kelly and Folk: Relating to the hunting of coyotes	185					185
2151 -	By Delegates Cooper, Ambler, Moye, Kelly, Wagner and Rowan: Prohibiting the use of the Smarter Balanced Assessment	185					185
2152 -	By Delegates Ambler, Cooper, Upson, Rowan and Eldridge: Removing restrictions for hunting or trapping on private lands on Sundays	185					186
2153 -	By Delegates Rowe, Sobonya, Pushkin and Rohrbach: Relating to designation of social workers in the Department of Health and Human Services to promote better student school attendance	186					186
2154 -	By Delegates Moye, Rohrbach and Frich: Relating to sanctions for recipients of benefits from the Temporary Assistance for Needy Families Program	186					186

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2155 -	By Delegates Caputo, Hamilton, Hornbuckle and Fluharty: Relating to career progression of members of the State Police	186					186
2156 -	By Delegates Hamilton, Frich and Folk: Relating to certain members of the Legislature and certain service by members of the Legislature	187					187
2157 -	By Delegates Sponaugle, Phillips, Hamilton, Rowan, McGeehan and Baldwin: Relating to school calendar	187					187
2158 -	By Delegates Sponaugle, Eldridge, Caputo, Fluharty, Pushkin and Hicks: Prohibiting drilling units from being established without consent of all owners	187					187
2159 -	By Delegates Fleischauer, Caputo and Hornbuckle: The Healthy and Safe Workplace Act	187					187
2160 -	By Delegates Eldridge and Hicks: Providing that paid county or municipal fire departments and duly incorporated volunteer fire departments pay reduced workers' compensation premiums when not actively engaged in fire fighting	187					188
2161 -	By Delegates Statler and Rohrbach: Relating to purchasing requirements for the Division of Highways	188					188
2162 -	By Delegates McGeehan and Folk: Exempting motor vehicles from personal property tax	188					188
2163 -	By Delegates McGeehan and Folk: Abolishing the Personal Income Tax	188					188
2164 -	By Delegates Statler, Gearheart and G. Foster: Prohibiting the placement of the name or likeness of public officials on state road signs	188	773				188, 773
2165 -	By Delegates Statler, Rohrbach, Sobonya, Summers, Ellington, Frich and Fleischauer: Relating to out of state physicians and surgeons traveling with sports teams within this state	188					189

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2166 -	By Delegates Caputo and Rowan: Requiring county boards of education to employ a certified library media specialist in each county school	189					189
*2167 -	By Delegates Storch and Eldridge: Creating a Silver Alert program for senior citizens (Chapter 207, Acts, Regular Session, 2017)	189	370	990	989	513, 994	189, 415, 477, 513, 994, 1114, 1297
2168 -	By Delegates McGeehan, Hamrick and Folk: Prohibiting counties and municipalities from adopting ordinances or regulations that base restrictions on the breed of a dog	189					189
2169 -	By Delegates Fleischauer and Pushkin: Clarifying that the county or regional solid waste authority that may impose and collect an additional solid waste assessment fee is the county or region where the waste originates	189					189
2170 -	By Delegates Fleischauer and Pushkin: Relating generally to horizontal well control standards	190					190
2171 -	By Delegate Eldridge: Permitting contractors to perform work on a construction project without having a contractor's license under certain circumstances	190					190
2172 -	By Delegates Rodighiero, Hicks, Marcum and Eldridge: Providing that school nutrition plans include take home meals for low income students	190					190
2173 -	By Delegates Rodighiero and Hicks: Providing benefits for those who have served in the military service	190					191
2174 -	By Delegates Rodighiero and Hicks: Granting all public employees, all teachers, all service employees, all public employee retirees, all teacher retirees and all service employee retirees a \$1,000 per year permanent pay increase	191					191

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2175 -	By Delegates Rodighiero and Hicks: Requiring recipients of Supplemental Nutrition Assistance Program be issued a photo identification card	191					191
2176 -	By Delegates Rodighiero and Hicks: Prohibiting the number of inquiries reflected in a credit report, credit score report or CLUE report from adversely affecting an application for insurance	191					191
2177 -	By Delegates Rodighiero and Marcum: Exempting all veterans of the Armed Forces or any reserve component thereof from having to obtain a hunting, trapping fishing license	192					192
2178 -	By Delegate Rodighiero: Relating to quarterly payment of real and personal property taxes	192					192
2179 -	By Delegates Rodighiero, Hornbuckle and Eldridge: Issuing a special registration plate for persons who are residents of this state and who have a family member diagnosed with autism spectrum disorder	192					192
*2180 -	By Delegates Rodighiero, Marcum, Eldridge, Phillips, Maynard and Westfall: Authorizing the issuance of special "In God We Trust" motor vehicle registration plates (Chapter 153, Acts, Regular Session, 2017)	192	773, 1150	2086	2086	1326, 2123	192, 773, 1205, 1238, 1326, 2123, 2723, 3475
2181 -	By Delegate Caputo: Creating an additional magistrate court deputy clerk position for Marion County	192					192
2182 -	By Delegate McGeehan: Continuing personal income tax adjustment to gross income of certain retirees receiving pensions from defined pension plans	192					193
2183 -	By Delegates Hamilton and Frich: Relating to appointment of Public Service Commissioners	193					193
2184 -	By Delegate Sponaugle: Permitting teachers under the State Teachers Retirement System to teach college level courses without loss of benefits	193					193

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2185 -	By Delegates Caputo and Ward: Giving local authorities the authority to decrease the speed limit on streets and highways where school buses travel in its jurisdiction	193					193
2186 -	By Delegates Fleischauer, Shott, Hamilton and Sobonya: Relating generally to human trafficking	193					194
2187 -	By Delegates Rohrbach and Pyles: Establishing an advisory council on rare diseases	194	1180				194, 1180
2188 -	By Delegates Rowe, Pushkin, Sobonya, Fleischauer and Hornbuckle: Extending the length of time for the special Community-Based Pilot Demonstration Project to Improve Outcomes for At-Risk Youth (Chapter 81, Acts, Regular Session, 2017)	195	1364		2188	1530	195, 1364, 1438, 1497, 1530, 2723, 3475
2189 -	By Delegate Moye: Exempting disabled veterans from campground rental fees during certain times	195					195
2190 -	By Delegates Ferro, Hornbuckle and Fluharty: Creating the Uniform Real Property Electronic Recording Act	195					196
2191 -	By Delegates Ferro, Hornbuckle, Fleischauer, Sponaule and Fluharty: Relating to educational benefits for dependents of deceased or disabled veterans	196					196
2192 -	By Delegate Ferro: Adding pharmacist and pharmacy to the definition of "health care provider" as used in the Medical Professional Liability Act	196					196
2193 -	By Delegate Folk: Relating to the West Virginia Future Fund	196					196
2194 -	By Delegates Gearheart, Ambler, Cooper, Hamrick and Baldwin: Reducing personnel employed by the West Virginia Department of Education	196					197

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2195 -	By Delegates Rohrbach, Cooper, Rowan, Hornbuckle, Ambler, Hicks, Sobonya, Frich and Thompson: Relating to requiring comprehensive drug awareness and prevention program in all public schools (Chapter 69, Acts, Regular Session, 2017)	197	612, 1358		2506	1555	197, 612, 1494, 1532, 1555, 3460, 3476
*2196 -	By Delegates Ellington, Gearheart and Overington: Relating to the secondary schools athletic commission	197	1346	1493, 3166, 3168	3166	1510, 3169	197, 1421, 1438, 1439, 1493, 1510, 3169, 3469, 3493
2197 -	By Delegate Caputo: Requiring retail establishments offering gasoline or other motor fuel to provide refueling assistance and refueling access to persons with a disability	197					197
2198 -	By Delegates McGeehan and Folk: Redirecting certain funds of the West Virginia Department of Education	198					198
2199 -	By Delegate Kessinger: Creating a digital learning pilot project	198					198
2200 -	By Delegates Kessinger and Baldwin: Requiring that four members of the State Board of Education be elected on a nonpartisan basis	198					198
2201 -	By Delegate McGeehan: Save the Hospitals Act	198					198
2202 -	By Delegate Fast: Requiring the Human Rights Commission, when investigating a complaint of discrimination, to specifically include an examination of the intent of the person	198					199
2203 -	By Delegates Ellington, Cooper, Shott and Folk: Reducing the motor fuel excise tax	199					199
2204 -	By Delegate Gearheart: Removing limitations on advertising and promotional activities by limited video lottery retailers	199					199
2205 -	By Delegates Gearheart, Cooper and Ambler: Exempting heating oil for residential use from the Motor Fuel Excise Tax	199	303				199, 303
2206 -	By Delegate Gearheart: Work/Incarceration Prison pilot program	199					199

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2207 -	By Delegates Hamilton and Sobonya: Relating to licenses to sell paraphernalia for use with controlled substances	200					200
*2208 -	By Delegates Fleischauer, Hamrick, Statler, Folk and Pyles: Authorizing counties and municipalities to establish a joint airport hazard comprehensive plan	200	776, 1147			1327	200, 776, 1205, 1238, 1327
2209 -	By Delegates Phillips, Folk, Eldridge and Sobonya: Limiting the authority of municipalities to regulate the purchasing, possessing, transferring, owning, carrying, transporting, selling and storing of knives	200	983				200, 983
2210 -	By Delegates Ambler, Cooper, Wagner, Upson, Rowan and Moye: Increasing pay to teachers and service personnel	200					200
2211 -	By Delegates Kelly, Cooper, Wagner, Hamrick and Rohrbach: Increasing salaries for teachers	201					201
2212 -	By Delegates Howell and Hamilton: West Virginia Firearms Freedom Act	201					201
2213 -	By Delegate Gearheart: Relating to compulsory school attendance	201					201
2214 -	By Delegates McGeehan and Folk: West Virginia Educational Restoration Act	201					201
2215 -	By Delegates Howell, Pushkin and Baldwin: Issuing identification documents to homeless individuals residing at homeless shelters	201					202
2216 -	By Delegates Phillips, Hamrick and Sobonya: Making individuals responsible for the costs relating to the filing of excessive false complaints	202					202
2217 -	By Delegates Moye, Hamilton and Marcum: Increasing the maximum personal income tax exemption for persons over the age of sixty-five and for persons who are totally disabled	202					202

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2218 -	By Delegate Sobonya: Agriculture, Department of, Dangerous Wild Animals	235	488				235, 489
*2219 -	By Delegate Sobonya: Authorizing miscellaneous boards and agencies to promulgate legislative rules (Chapter 144, Acts, Regular Session, 2017)	235	488, 1183	3014	3014	1381, 3035	235, 489, 1283, 1334, 1380, 1381, 3036, 3463, 3476
2220 -	By Delegate Sobonya: Barbers and Cosmetologists, W.Va. Board of, Licensing Schools of Barbering, Cosmetology, Nail Technology and Aesthetics	235	368, 1183				235, 368
2221 -	By Delegate Sobonya: DEP Air Quality Board, Alternative Emission Limitations During Startup, Shutdown and Maintenance Operations	235	372				235, 373
2222 -	By Delegate Sobonya: DEP Air Quality Board, Ambient Air Quality Standards	235	372				236, 373
2223 -	By Delegate Sobonya: DEP Air Quality Board, Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Admin. Updates, Temporary Permits, General Permits, Permission to Commence Construction and Procedures for Evaluation	236	372				236, 373
2224 -	By Delegate Sobonya: DEP Air Quality Board, Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality	236	372				236, 373
2225 -	By Delegate Sobonya: DEP Air Quality Board, Standards of Performance for New Stationary Sources	236	372				236, 373
2226 -	By Delegate Sobonya: DEP Air Quality Board, Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities	236	372				236, 373
2227 -	By Delegate Sobonya: DEP Air Quality Board, Emission Standards for Hazardous Air Pollutants	236	372				237, 373
2228 -	By Delegate Sobonya: DEP Secretary's Office, Voluntary Remediation and Redevelopment Rule	237	372				237, 373

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2229 -	By Delegate Sobonya: DEP Water and Waste Management, Awarding of Matching Grants for Local Litter Control Programs	237	373				237, 373
2230 -	By Delegate Sobonya: Insurance Commission, Adoption of Valuation Manual	237	371				237, 372
2231 -	By Delegate Sobonya: Natural Resources, Division of, Point System for the Revocation of Hunting - Repeal	237	487				237, 488
2232 -	By Delegate Sobonya: Physical Therapy, W.Va. Board of, Fees for Physical Therapist and Physical Therapist Assistant	237	418, 1183				237, 419
2233 -	By Delegate Sobonya: Agriculture, Department of, Animal Disease Control	238	488, 1183				238, 488
2234 -	By Delegate Sobonya: Agriculture, Department of, Captive Cervid	238	487, 1183				238, 487
2235 -	By Delegate Sobonya: Architects, W.Va. Board of, Registration of Architects	238	418, 1183				238, 419
2236 -	By Delegate Sobonya: Athletic Commission, W.Va. State Administrative Rules of the WV State Athletic Commission	238	418, 1183				238, 418
2237 -	By Delegate Sobonya: Athletic Commission, W.Va. State Regulation of Mixed Martial Arts	238	418, 1183				238, 419
2238 -	By Delegate Sobonya: Auditor, W.Va. State Auditor, Procedure for Local Levying Bodies to Apply for Permission to Extend Time to Meet as Levying Body	238	317				239, 318
2239 -	By Delegate Sobonya: Barbers and Cosmetologists, W.Va. Board of Qualifications, Training, Examination and Certification of Instructors in Barbering and Cosmetology	239	368, 1183				239, 368
2240 -	By Delegate Sobonya: Barbers and Cosmetologists, W.Va. Board of, Operational Standards for Schools of Barbering, Cosmetology, Hair Styling, Nail Technology and Aesthetics	239	369, 1183				239, 369
2241 -	By Delegate Sobonya: Barbers and Cosmetologists, W.Va. Board of Operation of Barber, Beauty, Nail and Aesthetic Shops/Salons, and Schools of Barbering and Beauty Culture	239	369, 1183				239, 369

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2242 -	By Delegate Sobonya: Barbers and Cosmetologists, W.Va. Board of Schedule of Fees	239	369, 1183				239, 369
2243 -	By Delegate Sobonya: Barbers and Cosmetologists, W.Va. Board of Barber Apprenticeship	239	369, 1183				240, 369
2244 -	By Delegate Sobonya: Counseling, W.Va. Board of Examiners in Licensed Professional Counselor Fees	240	418, 1183				240, 419
2245 -	By Delegate Sobonya: Counseling, W.Va. Board of Examiners in Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements	240	418, 1183				240, 419
2246 -	By Delegate Sobonya: Counseling, W.Va. Board of Examiners in Marriage and Family Therapists Fees	240	418, 1183				240, 418
2247 -	By Delegate Sobonya: Counseling, W.Va. Board of Examiners in Marriage and Family Therapist License Renewal and Continuing Professional Education Requirements	240	418, 1183				240, 418
2248 -	By Delegate Sobonya: Dangerous Wild Animals, W.Va. Board of Dangerous Wild Animals	240	487, 1183				240, 488
2249 -	By Delegate Sobonya: Dentistry, W.Va. Board of Rule for the WV Board of Dentistry	241	319, 1183				241, 319
2250 -	By Delegate Sobonya: Ethics Commission, W.Va. State Private Gain	241	419				241, 419
2251 -	By Delegate Sobonya: Fire Marshall, W.Va. State Regulation of Fireworks and Related Explosive Materials	241					241
2252 -	By Delegate Sobonya: Governor's Committee on Crime, Delinquency and Correction, Law Enforcement Training and Certification Standards	241					241
2253 -	By Delegate Sobonya: Governor's Committee on Crime, Delinquency and Correction, William R. Laird IV - Second Chance Driver's License Program	241					241

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2254 -	By Delegate Sobonya: Health and Human Resources, WV Department of Clinical Laboratory Technician and Technologist Licensure and Certification	241	318				242, 319
2255 -	By Delegate Sobonya: Health and Human Resources, WV Department of Clandestine Drug Laboratory Remediation	242					242
2256 -	By Delegate Sobonya: Health and Human Resources, WV Department of Expedited Partner Therapy	242	318				242, 319
2257 -	By Delegate Sobonya: Health and Human Resources, WV Department of Medication - Assisted Treatment - Opioid Treatment Programs	242	490				242, 490
2258 -	By Delegate Sobonya: Health and Human Resources, WV Department of Medication - Assisted Treatment - Office - Based Medication Assisted Treatment	242	490				242, 490
2259 -	By Delegate Sobonya: Health Care Authority, W.Va. State Exemption From Certificate of Need	242	490				242, 491
2260 -	By Delegate Sobonya: Health Care Authority, W.Va. State Rural Health Systems Grant Program	243	490				243, 491
2261 -	By Delegate Sobonya: Health Care Authority, W.Va. State Hospital Assistance Grant Program	243	490				243, 491
2262 -	By Delegate Sobonya: Health Care Authority, W.Va. State Certificate of Need Rule	243	490				243, 491
2263 -	By Delegate Sobonya: Lottery Commission, W.Va. State Limited Video Lottery	243	519				243, 520
2264 -	By Delegate Sobonya: Medicine, WV Board of Licensing and Disciplinary Procedures: Physicians; Podiatrists	243	375, 1183				243, 375
2265 -	By Delegate Sobonya: Medicine, WV Board of Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants	243	375, 1183				244, 375
2266 -	By Delegate Sobonya: Medicine, WV Board of Dispensing of Legend Drugs by Practitioners	244	375, 1183				244, 375

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2267 -	By Delegate Sobonya: Miners' Health, Safety and Training, W.Va. Office of, Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors	244	373				244, 373
2268 -	By Delegate Sobonya: Natural Resources, WV Division of Revocation of Hunting and Fishing Licenses	244	488				244, 488
2269 -	By Delegate Sobonya: Natural Resources, WV Division of Special Waterfowl Hunting	244	488				244, 488
2270 -	By Delegate Sobonya: Natural Resources, WV Division of Commercial Sale of Wild Life	244	488				244, 488
2271 -	By Delegate Sobonya: Natural Resources, WV Division of Miscellaneous Permits and Licenses	245	488				245, 488
2272 -	By Delegate Sobonya: Optometry, W.Va. Board of, Continuing Education	245	318, 1183				245, 319
2273 -	By Delegate Sobonya: Osteopathic Medicine, W.Va. Board of, Licensing Procedures for Osteopathic Physicians	245	318, 1183				245, 319
2274 -	By Delegate Sobonya: Osteopathic Medicine, W.Va. Board of Osteopathic Physician Assistants	245	319, 1183				245, 319
2275 -	By Delegate Sobonya: Pharmacy, WV Board of Licensure and Practice of Pharmacy	245	491, 1183				245, 491
2276 -	By Delegate Sobonya: Pharmacy, WV Board of Mail-Order and Non-Resident Pharmacies	245	491, 1183				246, 491
2277 -	By Delegate Sobonya: Pharmacy, WV Board of Controlled Substances Monitoring Program	246	377, 1183				246, 377
2278 -	By Delegate Sobonya: Public Service Commission, W.Va. Telephone Conduit Occupancy	246	419, 1183				246, 419
2279 -	By Delegate Sobonya: Racing Commission, W.Va. Thoroughbred Racing	246	420				246, 420
2280 -	By Delegate Sobonya: Racing Commission, W.Va. Pari-Mutuel Wagering	246	420				246, 420

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2281 -	By Delegate Sobonya: Registered Professional Nurses, W.Va. Board of Examiners for, Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct	246	319, 1183				246, 319
2282 -	By Delegate Sobonya: Registered Professional Nurses, W.Va. Board of Examiners for Limited Prescriptive Authority for Nurses in Advanced Practice	247	319, 1183				247, 319
2283 -	By Delegate Sobonya: Risk and Insurance Management, W.Va. State Board of Mine Subsidence Insurance	247	371				247, 372
2284 -	By Delegate Sobonya: Risk and Insurance Management, W.Va. State Board of Patient Injury Compensation Fund	247					247
2285 -	By Delegate Sobonya: Sanitarians, W.Va. State Board of Practice of Public Health Sanitation	247	419, 1183				247, 419
2286 -	By Delegate Sobonya: Secretary of State Voter Registration at the Division of Motor Vehicles	247	419, 1183				247, 419
2287 -	By Delegate Sobonya: Secretary of State Voter Registration List Maintenance by the Secretary of State	247	419, 1183				248, 419
2288 -	By Delegate Sobonya: Social Work, W.Va. Board of Continuing Education for Social Workers and Providers	248	419, 1183				248, 419
2289 -	By Delegate Sobonya: Speech Language Pathology and Audiology, WV Board of Examiners for Licensure of Speech-Pathology and Audiology	248	419, 1183				248, 419
2290 -	By Delegate Sobonya: Treasurer's Office, W.Va. State Procedures for Deposit of Monies with the State Treasurer's Office by State Agencies	248	342				248, 342
2291 -	By Delegate Sobonya: Treasurer's Office, W.Va. State Selection of State Depositories for Disbursement Accounts through Competitive Bidding	248	342				248, 342
2292 -	By Delegate Sobonya: Treasurer's Office, W.Va. State Selection of State Depositories for Receipt Accounts	248	342				248, 342

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2293 -	By Delegate Sobonya: Treasurer's Office, W.Va. State Procedures for Processing Payments from the State Treasury	249	342, 1183				249, 342
2294 -	By Delegate Sobonya: Treasurer's Office, W.Va. State Procedure for Fees in Collections by Charge, Credit or Debit Card or by Electronic Payment	249	342, 1183				249, 342
2295 -	By Delegate Sobonya: Treasurer's Office, W.Va. State Procedures for Providing Services to Political Subdivisions	249	342, 1183				249, 342
2296 -	By Delegate Sobonya: Veterinary Medicine, W.Va. Board of Standards of Practice	249	487, 1183				249, 487
2297 -	By Delegate Sobonya: Auditor, W.Va. State, Standards for Requisitions for Payment Issued by State Officers on the Auditor	249	420, 1183				249, 420
2298 -	By Delegate Sobonya: Barbers and Cosmetologists, W.Va. Board of Continuing Education	250	369, 1183				250, 369
2299 -	By Delegate Sobonya: Barbers and Cosmetologists, W.Va. Board of Waxing Specialist	250	369, 1183				250, 369
2300 -	By Delegates Kelly, Ellington, Summers, Criss, Wagner, Ward, Atkinson and Rohrbach: Regulating step therapy protocols (Chapter 131, Acts, Regular Session, 2017)	250	373		1187	514	250, 415, 477, 513, 514, 1358, 1768
*2301 -	By Delegates Summers and Ellington: Relating to direct primary care (Chapter 175, Acts, Regular Session, 2017)	250	267, 369	477, 988	988	514, 989	251, 267, 415, 477, 514, 989, 1114, 1297
2302 -	By Delegate Sponaugle: Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists	251					251
*2303 -	By Delegates Phillips, Westfall, Folk, Sobonya, Overington, Paynter, Eldridge and R. Miller: Increasing criminal penalties for littering (Chapter 150, Acts, Regular Session, 2017)	251	320	3097	3097	414, 3104	251, 364, 383, 414, 3104, 3463, 3476

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2304 -	By Delegates Fast and Overington: Relating to gasoline and fuel excise tax	251					251
2305 -	By Delegates Hamrick, Westfall and Statler: Relating to the issuance, expiration and renewal of driver's license	251					251
2306 -	By Delegates Folk and McGeehan: Establishing new procedures for courts with criminal jurisdiction to suspend and revoke driver's licenses based on D.U.I.	252					252
2307 -	By Delegate Sobonya: Terminating the Municipal Home Rule Pilot Program and Municipal Home Rule Board	253					253
2308 -	By Delegates Shott, Cooper and Ambler: Requiring the Parkways Authority to provide free daily toll passes for veterans under certain circumstances	253					254
2309 -	By Delegates McGeehan, Folk and Kelly: Discontinuing the use of common core standards and assessments in the state	254					254
2310 -	By Delegates Folk and Hamrick: Requiring regional airport authority board members to include persons of area expertise	254					254
2311 -	By Delegates Folk and Frich: Making all future federal and local statutes, ordinances, laws, orders and rules concerning firearms, firearm accessories, ammunition and their accouterments invalid and unenforceable	254					255
2312 -	By Delegates Hamrick and Statler: Relating to appointment of, conduct of and training of poll watchers	255					255
2313 -	By Delegates Byrd and Westfall: Providing that the statewide summative assessment only be administered in grades three through eight and once at the high school level	255					255
2314 -	By Delegate Sponagle: Removing the compensation caps entirely for secretary-clerks and case coordinators	255					255

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2315 -	By Delegate Pushkin: Relating to the Herbert Henderson Office of Minority Affairs	255					256
2316 -	By Delegate Caputo: Requiring the Superintendent of the State Police to implement a plan to increase the number of troopers	256					256
2317 -	By Delegates Eldridge and Hicks: Establishing a retired teachers instant lottery scratch-off game	256					256
*2318 -	By Delegates Shott, Fleischauer, Hanshaw, Summers, Sobonya, C. Miller, Kessinger, Canestraro, Longstreth, Pushkin and Storch: Relating generally to human trafficking (Chapter 129, Acts, Regular Session, 2017)	258	375	1038, 1063	1038, 1121	514, 1063	259, 415, 478, 514, 1497, 1825
*2319 -	By Delegates Upson, Mr. Speaker (Mr. Armstead), Hamilton, Rohrbach and Baldwin: Relating to candidates or candidate committees for legislative office disclosing contributions (Chapter 85, Acts, Regular Session, 2017)	259	321	2338	2337	414, 2339	260, 364, 383, 414, 2339, 3461, 3476
2320 -	By Delegates Howell, Upson, Maynard, Statler, Walters, McGeehan, C. Miller, Sypolt, Westfall, Hamrick and Higginbotham: Allowing nonmembers of a political party to request that party's partisan ballot at a primary election	260					260
2321 -	By Delegate Overington: Requiring private clubs to be closed from two o'clock a.m. to seven o'clock a.m. on weekdays	260					260
2322 -	By Delegates Upson, Blair and Statler: Prohibiting sex offender registrants from having Halloween related contact with children	260					261
2323 -	By Delegates McGeehan, Howell, Shott and Frich: Exempting social security benefits from personal income tax	261					261
2324 -	By Delegate Fast: Requiring that patching repair of hard surfaced roads, highways and streets be by use of mechanical rollers	261					261

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2325 -	By Delegates Fast and G. Foster: Limiting supervision of laying of lines on state rights-of-way	261					261
2326 -	By Delegates Rohrbach, Statler, Pushkin, Fleischauer, Baldwin, Lovejoy and Sypolt: West Virginia Earned Income Tax Credit	261					261
2327 -	By Delegates Fleischauer, Pushkin and Cooper: Protecting consumers from surprise bills by health care providers	261					262
2328 -	By Delegate Sponaugle: Exempting Class X vehicles from the tax provisions of this section	262					262
*2329 -	By Delegates Rohrbach, Sobonya, Ellington, Upson, Lovejoy, Frich, Canestraro, Isner, N. Foster, Ward and C. Miller: Prohibiting the production, manufacture or possession of fentanyl (Chapter 38, Acts, Regular Session, 2017)	262	378, 560		2506, 3265	691, 3217	262, 378, 604, 638, 691, 2506, 2530, 2900, 2901, 3075, 3190, 3217, 3469, 3476
2330 -	By Delegates Arvon and Hamilton: Prohibiting the sale of paraphernalia designed or marketed for use with controlled substances	262					262
2331 -	By Delegates Rowe, Rohrbach, Ellington and Fleischauer: Raising the legal age for purchase of tobacco and tobacco products	262					262
2332 -	By Delegates Rowe, Pushkin, Fluharty and Sobonya: Requiring the Library Commission to survey the libraries of the state and develop a ten year plan for construction and maintenance of public libraries	263					263
2333 -	By Delegates Byrd and Westfall: Relating to the administration of the statewide summative assessment	263					263
2334 -	By Delegate McGeehan: Relating to school curricular standards and assessments	263					263
2335 -	By Delegates Overington, Rowan, Frich, G. Foster, Kelly and Sobonya: Protecting academic freedom in higher education	263					264

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2336 -	By Delegate Eldridge: Reducing the number of pupils per school nurses	264					264
2337 -	By Delegates Howell, Frich and Eldridge: Requiring each public high school to offer a course in computer science	264					264
2338 -	By Delegate Rowan: Relating to domestic violence victims' eligibility for unemployment compensation benefits	264					264
2339 -	By Delegates Howell and Statler: Intrastate Coal and Use Act	264					264
2340 -	By Delegates Statler, Maynard, Howell, Espinosa, Upson, Hill, Wagner, Higginbotham, Ward, Summers and Williams: Relating to performance metrics for the West Virginia Division of Highways	278					279
2341 -	By Delegate Sobonya: Relating to the right of the Department of Health and Human Resources to subrogation for third-party liability settlements, by recipients who receive assistance under the Medicaid Program	279					279
2342 -	By Delegates Rowan and Sobonya: Redefining the parameters for the offense of human trafficking	279					279
2343 -	By Delegates Howell, Hamrick, Sypolt, Higginbotham, Harshbarger, Atkinson, Ward, Upson, Butler, Zatezalo and Cooper: Requiring the State Police to lease rather than buy vehicles if cost effective	279	590				279, 590
2344 -	By Delegates Howell, Hamrick, Sypolt, Higginbotham, Harshbarger, Atkinson, Ward, Upson, Butler, Kelly and Cooper: Transferring the assets of the Library Commission relating to media broadcasting to the Educational Broadcasting Authority	279	880				279, 880

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2345 -	By Delegates Hamrick, Maynard, Walters, McGeehan, Sypolt, Howell, Higginbotham, Harshbarger, Atkinson, Ward and Summers: Transferring all duties and powers previously belonging to the West Virginia State Board of Examiners for Licensed Practical Nurses to the West Virginia Board of Examiners for Registered Professional Nurses	280					280
*2346 -	By Delegates Howell, Upson, Maynard, Statler, Walters, McGeehan, Sypolt, Westfall, Hamrick, Higginbotham and Harshbarger: Relating to motor vehicle license plates	280	608, 1211			1382	280, 608, 1283, 1334, 1381, 1382
*2347 -	By Delegates Howell, Maynard, Walters, McGeehan, Sypolt, C. Miller, Westfall, Hamrick, Higginbotham, Harshbarger and Atkinson: Allowing schools licensed to provide barber, cosmetology and related training to hold theory classes and clinical classes at different locations (Chapter 181, Acts, Regular Session, 2017)	281	367		886	515	281, 415, 478, 515, 1006, 1121
2348 -	By Delegates Howell, Maynard, Walters, McGeehan, Sypolt, Westfall, C. Miller, Hamrick, Higginbotham, Harshbarger and Ward: Eliminating any requirement that class hours of students be consecutive (Chapter 180, Acts, Regular Session, 2017)	281	368		2530	515	281, 415, 478, 515, 3461, 3476
2349 -	By Delegates Howell, Upson, Maynard, Statler, Walters, C. Miller, Westfall, Hamrick, Higginbotham, Harshbarger and Atkinson: Relating to driving on the right side of the roadway, overtaking and passing	281					281
2350 -	By Delegates Pyles, Statler and Frich: Deleting the language that remitted a portion of the alcoholic beverage tax to municipalities	281					281
2351 -	By Delegate Pyles: Providing for a sales tax of five percent for over the counter medicines and nutritional supplements	281					281

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2352 -	By Delegates Statler, Westfall, Maynard, Howell, Upson, Hill, Kessinger, N. Foster, Higginbotham, Ward and Williams: Relating to the criminal offense of desecration of graves and vandalizing cemeteries	282					282
2353 -	By Delegates Statler, Maynard, Espinosa, Upson, Hill, N. Foster, Higginbotham, Ward, Summers and Williams: Requiring the Commissioner of Highways to develop a formula for allocating road funds among districts	282					282
2354 -	By Delegates Statler, Westfall, Maynard, Howell, Upson, Hill, Kessinger, Higginbotham, Ward and Williams: Requiring the Commissioner of Highways to develop a statewide communications plan known as the Comprehensive Public Involvement Plan	282					283
2355 -	By Delegates Fleischauer, Pyles, Canestraro, Lovejoy, Baldwin, Thompson, Hicks, Robinson, Isner, E. Evans and Fluharty: Repealing the West Virginia Workplace Freedom Act and restoring prior law	283					283
2356 -	By Delegate Pyles: Relating to the approval of the Historic Landmarks Commission	283	610				283, 610
2357 -	By Delegate Pyles: Relating to the power of local government authorities to regulate vehicular traffic within their borders	283					283
2358 -	By Delegates Sponaugle and Fluharty: Exempting a percentage of social security benefits from personal income tax	283					284
*2359 -	By Delegate Arvon: Relating to offenses and penalties for practicing osteopathic medicine without a license (Chapter 174, Acts, Regular Session, 2017)	284	375, 483	578, 3036	3036	578, 3038	284, 375, 530, 555, 578, 579, 3038, 3464, 3476
2360 -	By Delegates Ellington and Summers: Exempting certain contracts from the bidding process	284	374				284, 374

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2361 -	By Delegates Hamilton, Wagner, Statler, A. Evans, Ambler, R. Romine, Eldridge, Lynch, Ferro, Pethtel and Rowe: Relating to the surcharge on fire and casualty insurance policies	284					284
2362 -	By Delegates Cooper and O'Neal: Relating to the beginning and expiration of hunting and fishing licenses	284					284
*2363 -	By Delegates Cooper, Howell, Ambler, Rowan and Moye: Requiring that a state employee with a commercial driver's license have a current medical evaluation certification	284	609, 1365			1556	284, 609, 1494, 1533, 1555, 1556
*2364 -	By Delegates Hamilton, Ambler, A. Evans, Statler, R. Romine, Hicks, Rodighiero, Hamrick, Eldridge, Lynch and Frich: Prohibiting electioneering within or near early voting locations during early voting periods (Chapter 83, Acts, Regular Session, 2017)	285	587	2530	2530	706, 2534	285, 641, 693, 705, 706, 2534, 3461, 3476
2365 -	By Delegates Hamilton, A. Evans, Ambler, Statler, Cowles, Gearheart, Butler, Hamrick, Eldridge, Lynch and Frich: Relating to outdoor advertising regulated by the Commissioner of Highways	285					285
*2366 -	By Delegates Ellington and Summers: Relating to selling Jackie Withrow Hospital	285	701, 1143			1328	285, 701, 1205, 1238, 1327, 1328
*2367 -	By Delegates R. Miller, Marcum, Eldridge, Rodighiero, Phillips, Sobonya, Lovejoy and Hicks: Establishing a criminal offense of organized retail crime (Chapter 53, Acts, Regular Session, 2017)	285	649	2771	2770	765, 2773	285, 711, 727, 764, 765, 2773, 3464, 3476
2368 -	By Delegates Moye, Hornbuckle, Ambler, Cooper, Rowan, Hartman and Boggs: Relating to candidates for professional employee positions involving supervision of a county transportation department	286					286
2369 -	By Delegates Frich, Folk, Butler, Wilson and Paynter: Firearm Protection Act	286					286

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2370 -	By Delegates Moye, Hornbuckle, Ambler, Cooper, Rowan, Hartman, Boggs, Brewer, Wagner, Pethel and Westfall: Restoring the ability of new hires to use accrued annual and sick leave for retirement service credit	286					286
2371 -	By Delegates Pushkin, Fluharty and Sponaugle: Relating to consumer protection of new manufactured home warranties	286					286
2372 -	By Delegates Fleischauer, Pyles, Canestraro, Lovejoy, Baldwin, Thompson, Hicks, Robinson, Isner, E. Evans and Fluharty: Reestablishing prevailing wages for certain state government contracts	287					287
*2373 -	By Delegates Statler, Hill, Espinosa, Kessinger, N. Foster, Wagner, McGeehan, Higginbotham, Ward, Williams and Ellington: Authorizing school bus drivers trained in administration of epinephrine auto-injectors to administer auto-injectors (Chapter 75, Acts, Regular Session, 2017)	287	589, 882	1068, 2339	2339	1068, 2344	287, 589, 972, 998, 1068, 1069, 2344, 3461, 3476
2374 -	By Delegates Statler, Westfall, Maynard, Espinosa, Upson, Hill, Kessinger, N. Foster, Wagner, Higginbotham and Ward: Requiring schools post signs displaying the Childhelp National Child Abuse Hotline	287					288
2375 -	By Delegates Moore, Hill, Martin, Dean, Paynter, Upson, Atkinson, Ward, Espinosa, Westfall and C. Miller: Establishing a Small Business Empowerment and Economic Expansion Program providing tax relief to newly-established small businesses	288	700				288, 700
*2376 -	By Delegates Ellington and Summers: Relating to the organizational structure of state government	288	491, 1342			1511	289, 491, 1421, 1439, 1510, 1511
2377 -	By Delegates McGeehan, Hamrick, Gearheart and Folk: Requiring an official declaration of war or an action to call forth the West Virginia National Guard by the United States Congress	289					289

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2378 -	By Delegates Rowe, Pushkin and Fleischauer: Providing school days to register and transport students to vote	289					290
2379 -	By Delegate Howell: Providing a special method for valuation of certain wireless technology property for property taxes	290	341				290, 342
2380 -	By Delegates Upson, Blair, Espinosa, Hornbuckle, Lovejoy, Householder and C. Miller: Ban-the-Box Act	290					290
2381 -	By Delegate Shott: Raising the maximum personal income tax exemption for persons over the age of sixty-five and for persons who are totally disabled	290					290
2382 -	By Delegates Rohrbach and Sobonya: Relating to the purchase of scrap metal	290					290
2383 -	By Delegates Overington, G. Foster, Frich, Hamilton, Rowan, Espinosa, Upson and Sobonya: Providing for the redistricting office of the Joint Committee on Government and Finance to propose redistricting plans during census years	291					291
2384 -	By Delegate Caputo: Relating to the use of drone surveillance of private citizens	291					291
2385 -	By Delegates Ferro, Pethtel, Hamilton and Caputo: Reallocating and dedicating up to \$30 million to the natural gas and oil severance tax revenues annually to the natural gas and oil-producing counties of origin	291					292
2386 -	By Delegates Ferro, Storch, Canestraro, Hamilton, R. Romine, Diserio, Rowe, Pethtel, Ambler, Robinson and Cooper: Exempting recipients of the distinguished Purple Heart medal from payment of the vehicle registration fee	292					292
2387 -	By Delegates Byrd, Rohrbach, Kessinger, Lane, Ellington, Dean and Moore: Requiring the State Board of Education to prescribe a comprehensive drug awareness and prevention program	292					292
2388 -	By Delegates Byrd and Westfall: Relating to the comprehensive statewide student assessment	292					292

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2389 -	By Delegates Howell, Fast and Phillips: Allowing an employer to extend workers' compensation insurance coverage to an employee engaged in volunteer fire fighting and allowing employers a tax credit	292					293
2390 -	By Delegates Phillips, Marcum, Rodighiero, Eldridge, R. Miller, Maynard, Paynter, Hartman, Blair, Hamilton and Overington: Providing death penalty for first degree murder	293					293
2391 -	By Delegates Upson and Blair: Establishing an arborists program for inmates	293					294
2392 -	By Delegates Summers and Shott: Relating to truancy intervention	294					294
2393 -	By Delegates Shott and Folk: Adding violations of law upon which a public servant's retirement plan may be forfeited	294					294
2394 -	By Delegates Upson, Shott and Folk: Relating to the recusal of certain public officials from voting for appropriation of moneys to nonprofit entities	294					294
2395 -	By Delegates Fluharty, Pushkin and Miley: Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists	294					295
2396 -	By Delegates Folk, Hamilton, Frich and Gearheart: Requiring the circuit court, when appointing counsel for alleged protected persons, to make appointments from a listing of all interested attorneys in the circuit	295					295
2397 -	By Delegate Hamilton: Relating to donations of overpayment of fees to the Secretary of State	295					295
2398 -	By Delegate Pushkin: Extending funding for School Innovation and Local Solution Dropout Prevention and Recovery Innovation Zones	295					295
2399 -	By Delegates Sponaugle, Marcum and Pushkin: Creating the West Virginia Earned Income Tax Credit	295					295

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2400 -	By Delegates Sponaugle, Hornbuckle and Phillips: Reducing federal adjusted gross income for volunteer fire department and rescue squad members	295					296
2401 -	By Delegates Ellington, Cooper and Summers: Increasing teacher salaries	296					296
*2402 -	By Delegates Howell, Frich, Eldridge and Phillips: Relating to abandoned antique vehicles (Chapter 152, Acts, Regular Session, 2017)	296	609, 1003	2945	2945	1164, 2946	296, 609, 1108, 1134, 1163, 1164, 2946, 3464, 3476
2403 -	By Delegates Rowan, Cooper, Moye, Ambler, Wagner, Fast and Baldwin: Permitting county boards of education to accumulate instructional days and use them when needed	296					296
*2404 -	By Delegates Rowan, Moye, Overington, Phillips, Hamilton, R. Romine, Rohrbach, Kelly, Pethel, Lynch and Ferro: Barring persons who are convicted of certain criminal offenses from acquiring property from their victims (Chapter 90, Acts, Regular Session, 2017)	296	371, 387	528	2344	528, 2347	297, 371, 480, 516, 528, 529, 2347, 3457, 3475
2405 -	By Delegate Gearheart: Permitting licensed limited video lottery retailers to have up to seven video lottery terminals	297					297
2406 -	By Delegate Caputo: Providing an increase in compensation for natural resources police officers	297					297
2407 -	By Delegates Caputo and Moye: Requiring that State Police officers be compensated for time when they are required to be on standby and providing a stipend for housing cost for certain officers	297					297
2408 -	By Delegates Overington, Gearheart, Westfall, Phillips, G. Foster, Walters, Fast, Dean, Wilson, Rowan and Ambler: Relating to the death penalty for first degree murder	297					298
2409 -	By Delegate Gearheart: Relating to the School Building Authority	298					298
2410 -	By Delegate Folk: Relating to public sewage services	299					299

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2411 -	By Delegate Fast: Relating to Public Defender Services	299					299
2412 -	By Delegate Cooper: Relating to the public school calendar	299					300
2413 -	By Delegates Folk, McGeehan, Butler, Shott, Upson, Martin, Ellington, Walters, Householder, Storch and Howell: Requiring the comprehensive annual financial report to be published by the end of December	300					300
2414 -	By Delegate Caputo: Allowing quarterly payment of real and personal property taxes	300					300
2415 -	By Delegates Howell, Upson, Statler, Walters, McGeehan, Sypolt, C. Miller, Westfall, Hamrick, Higginbotham and Harshbarger: Relating to construction of industrial access roads with state funds	300	609				300, 609
2416 -	By Delegates Pyles, Upson, C. Romine, Lovejoy and Longstreth: Increasing the tax credits allowed for rehabilitation of certified historic structures	300					301
2417 -	By Delegates Pyles and Lynch: Exempting from personal income tax the entirety of any income received under the federal Social Security system for certain persons	301					301
2418 -	By Delegate Pyles: Prohibiting the performing of an onychectomy or flexor tendonectomy procedure on a cat	301					301
2419 -	By Delegates Upson, Espinosa, Householder, Longstreth, Robinson, Sobonya, Phillips, Hill, Ellington, Higginbotham and Frich: Defining and establishing the crime of cyberbullying	306					306
*2420 -	By Delegates Westfall, Statler, White, Atkinson and Maynard: Providing that the State Board of Education may delegate its Medicaid provider status and subsequent reimbursement to regional educational service agencies or county boards	306	417, 535				307, 417, 583, 601, 634

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2421 -	By Delegates Overington, Frich, G. Foster, Wilson, Householder, Upson, Deem, N. Foster, Butler, Folk and Phillips: Requiring the accumulation of one and one-half years of instruction in the study of the Declaration of Independence and other founding American historical documents	307					307
2422 -	By Delegates Robinson, Storch, Sobonya, Pushkin, Hornbuckle, Upson, Blair, Boggs, Lovejoy, Ellington and Isner: The Ryan Brown Addiction Prevention and Recovery Fund Act	307	377				307, 377
2423 -	By Delegates Howell, Arvon, Summers, Rohrbach, Ellington, Shott, Ward, Hamrick, Dean, Wilson and Atkinson: Relating to the criminal offense of therapeutic deception	307	373				308, 374
2424 -	By Delegates Howell, Hamrick, Arvon, Storch, Wilson, Ward, Ellington, Dean, Atkinson, Fast and Gearheart: Requiring that voter registration information appear on certain state issued identification cards	308					308
2425 -	By Delegates Walters, Howell, Rohrbach, Lewis, Frich, Blair, Hamrick, Kelly, Anderson and Gearheart: Authorizing licensees authorized to sell growlers of nonintoxicating beer to offer complimentary samples	308					308
2426 -	By Delegates Marcum, Phillips, Rodighiero, Sobonya, Rohrbach, Lovejoy, Maynard, Hamrick, Westfall and Overington: Requiring a minimum criminal penalty of life imprisonment for killing of an individual if based on his or her status as a law-enforcement officer	308					308
2427 -	By Delegates Howell, Arvon, Atkinson, Blair, Hamrick, Hartman, Lynch and Ferro: Requiring agencies listed in the online state phone directory to update certain employee information (Chapter 109, Acts, Regular Session, 2017)	309	880		2347	1069	309, 972, 998, 1069, 3457, 3475

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2428 -	By Delegates Kelly, Anderson, Criss, Higginbotham, Ambler, Hollen, Wagner, Ward, C. Romine, Cooper and Atkinson: Establishing additional substance abuse treatment facilities (Chapter 194, Acts, Regular Session, 2017)	309	611, 1359	2946	2946	1556, 2949	309, 611, 1494, 1533, 1556, 1557, 2949, 3464, 3476
2429 -	By Delegates Overington, Wilson, Paynter, Frich, N. Foster, Lane, Butler, Sobonya, Folk, Fast and Higginbotham: Granting tax credits for parents and legal guardians whose children are in a home schooling program or private school	309					309
2430 -	By Delegates Howell, Hamrick, Frich, Hamilton, Blair and Wilson: Permitting certain holders of concealed weapons permits to carry weapons of the grounds and buildings on the State Capitol Complex	309					310
2431 -	By Delegates Ellington and Rohrbach: Allowing influenza immunizations to be offered to patients and residents of specified facilities (Chapter 187, Acts, Regular Session, 2017)	310	374	478, 479, 516, 987	987	516, 988	310, 415, 478, 515, 516, 988, 1114, 1297
2432 -	By Delegates Rowan, R. Romine, Overington, Hamilton, Phillips, Moye, Kelly, Pethel, Rohrbach, Lynch and Ferro: Barring persons who are convicted of certain criminal offenses from acquiring property from their victims	310					310
2433 -	By Delegates Walters, Blair, Hamrick and Gearheart: Authorizing operators of a distillery or mini-distillery to offer for purchase and consumption liquor on the premises	310					311
2434 -	By Delegates Howell, Fast, Hanshaw, Kessinger, Hill, O'Neal, Lynch and Ambler: Relating to reevaluation of land damaged as a result of natural disaster	311	981				311, 982
2435 -	By Delegate Walters: Relating to the disqualification of an employee for unemployment benefits	311					311

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2436 -	By Delegates Gearheart, Householder, Storch, Butler, Folk, Howell and Ellington: Suspending the implementation of the school aid formula until the year 2021	311					311
2437 -	By Delegates Hamrick, Summers, Cooper, C. Miller, Overington, Hamilton, Moore, Zatezalo, Frich, Atkinson and Ward: Exempting persons practicing animal husbandry from provisions requiring licensing of veterinarians	311					311
2438 -	By Delegates Westfall and Cooper: Allowing county boards of education and regional educational service agencies to purchase computer technology from other than a state-wide contract	312					312
2439 -	By Delegates Westfall, White and Frich: Relating to insurance and unfair claim settlement practices	312					312
2440 -	By Delegates Westfall, White, Boggs, Hartman, Frich and Hamrick: Relating generally to guaranteed asset protection waivers	312					312
2441 -	By Delegates Wilson, Moore, McGeehan, Maynard, Paynter, Dean, Martin, Ward, Atkinson, Ambler and N. Foster: Permitting honorably discharged veterans to hunt, trap or fish in this state without first obtaining a license	312					312
2442 -	By Delegates Howell, Eldridge and Hamilton: Requiring a test that is identical to the civics portion of the naturalization test in order to graduate from high school or obtain a General Educational Development (GED) diploma	313					313
2443 -	By Delegates Folk, McGeehan, Butler, Upson, Hamrick, Wilson, Paynter, Higginbotham, Blair and Martin: Establishing academic standards and assessment methods	313					313
2444 -	By Delegates Howell, Atkinson, Blair, Hamrick and Lynch: Requiring county commissions to maintain websites with specific information	313					313

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2445 -	By Delegates Howell, Hamrick, Westfall and White: Allowing automobile auctions to obtain title to abandoned vehicles	313					313
2446 -	By Delegates Howell, Arvon, Atkinson, Blair, Hamrick, Hartman, Lynch and Ferro: Relating to the requirement that all executive branch agencies maintain a website that contains specific information	314	881	2534	2534	1070, 2535	314, 972, 998, 1069, 1070, 2535, 3461, 3484
*2447 -	By Mr. Speaker (Mr. Armstead), and Delegates Shott, Summers, Overington, G. Foster, Hollen, Sobonya and O'Neal: Renaming the Court of Claims the state Claims Commission (Chapter 29, Acts, Regular Session, 2017)	324	385	516, 1825, 1860	1783, 3265	529, 1860, 2768	325, 480, 516, 529, 530, 1825, 1861, 2123, 2335, 2765, 2767, 2768, 3464, 3476
2448 -	By Delegate Sobonya: Increasing the penalties for transporting controlled substances into the state	325					325
2449 -	By Delegate Sobonya: Requiring the West Virginia Secondary Schools Activities Commission to adopt certain safety standards for youth lacrosse	325					325
2450 -	By Delegate Sobonya: Increasing mandatory minimum sentences for trafficking drugs into the state	325					326
2451 -	By Delegates Sobonya, Ambler, Householder, Espinosa, C. Miller, Walters, Hartman, Lewis, A. Evans, Frich and Butler: Establishing a specific valuation of managed timberland and timberland that is not managed timberland for ad valorem property tax purposes	326					326
2452 -	By Delegate Sobonya: Relating to the pawn of gift cards	326					326
*2453 -	By Delegates Eldridge, Butler and Summers: Expanding the list of persons the Commissioner of Agriculture may license to grow or cultivate industrial hemp (Chapter 6, Acts, Regular Session, 2017)	326	610, 1345		2348	1511	326, 610, 1421, 1439, 1511, 3457, 3476

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2454 -	By Delegate Sobonya: Making the Department of Corrections and the Division of Health, and their respective workplaces, subject to the Occupational Safety and Health Act	326					326
2455 -	By Delegate Sobonya: Budget and Spending Transparency Act	327					327
2456 -	By Delegate Sobonya: Requiring the West Virginia Supreme Court of Appeals to maintain a searchable, criminal database containing copies of all arrests and convictions by all the courts in the state	327					327
2457 -	By Delegates Sobonya and Baldwin: Creating the West Virginia Addictions Treatment and Recovery Fund	327	611				327, 611
2458 -	By Delegates Sobonya and C. Miller: Exempting from food related laws or rules for certain individually produced agricultural products	327					327
*2459 -	By Delegates Ellington, Summers, Rohrbach and Hollen: Relating to regulation of health care and the certificate of need process (Chapter 185, Acts, Regular Session, 2017)	328	537, 614	724, 1647	1646	723, 1730	328, 537, 696, 711, 723, 724, 1731, 2459, 3475
2460 -	By Delegates Ellington, Summers, Rowan, Sobonya, Hollen, Rohrbach and Frich: Requiring insurance coverages to ensure telehealth parity	328	534				328, 534
2461 -	By Delegate Cowles: Relating to the excise tax on the privilege of transferring real property and using the tax to reimburse counties for regional jail fees	328					328
2462 -	By Delegates Cowles and Rowan: Relating to the compensation of personnel employed at the West Virginia Schools for the Deaf and the Blind	328					328
2463 -	By Delegate Cowles: Forfeiture Reporting Act	329					329
2464 -	By Delegate Cowles: Relating to disclaimers and exclusions of warranties in consumer transactions for goods	329					329

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2465 -	By Delegates Cowles and Sobonya: Modifying the requirements that allow a child witness to testify by closed circuit television	329	386			530	330, 480, 517, 530
2466 -	By Delegates Sobonya and Frich: Changing the way that the cost of incarcerating inmates in regional jails is collected	330					330
2467 -	By Delegate Sobonya: Prohibiting school employees from promoting abortion	330					331
2468 -	By Delegate Sobonya: Making it illegal to transport a minor across state lines to obtain an abortion without written consent of both parents	331					331
2469 -	By Delegates Sobonya and Frich: Requiring benefit access devices to benefits provided by the Department of Human Services, to have a photograph of the person to whom a device was issued	331					331
2470 -	By Delegate Sobonya: Making it a felony to knowingly house drug traffickers	331					331
*2471 -	By Delegates Ellington, Summers, Rowan, Sobonya, Hollen, Rohrbach, Longstreth and Frich: Relating to insurance coverage for breast cancer screening	331	535, 1004			1164	332, 535, 1108, 1134, 1164
2472 -	By Delegates Storch and Boggs: Creating a preference for certain limited video lottery current permit holders in bid process	332					332
2473 -	By Delegate Storch: Relating to the assessment of oil and gas mineral interests	332					332
2474 -	By Delegates Storch and Frich: Providing that rents and royalties from leases of the minerals under the state's rivers and streams shall be expended for road paving and maintenance	332					332
*2475 -	By Delegates Storch, Westfall, Moore, White, Frich and Ward: Authorizing the Tax Commissioner to collect tax, interest and penalties due and owing from payments to vendors and contractors from the Auditor and other state, county, district or municipal officers and agents (Chapter 28, Acts, Regular Session, 2017)	332	590, 1139		2348	1328	333, 590, 1206, 1238, 1328, 3461, 3476

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2476 -	By Delegates Storch and Boggs: Requiring each judicial circuit to have a court-appointed special advocate program and each county to have a special advocate for children in abuse and neglect proceedings	333					333
2477 -	By Delegates Statler, Hill, Espinosa, Wagner, Higginbotham, Ward, Williams, Pyles, G. Foster, Frich and Hamrick: Developing a special hiring procedure for personnel positions in the Division of Highways	334					334
2478 -	By Delegates Rohrbach and Cooper: Changing the age effective date of children for whom county boards of education must provide kindergarten programs	334					334
*2479 -	By Delegates Storch, Ferro, Longstreth, McGeehan, Fleischauer, Canestraro, Isner, Lovejoy, Pushkin and Frich: Uniform Deployed Parents Custody and Visitation Act (Chapter 66, Acts, Regular Session, 2017)	334	486	2949	2949	579, 2966	335, 530, 556, 579, 2966, 3464, 3476
2480 -	By Delegate Phillips: Changing the way counties pay for regional jail inmates	335					335
2481 -	By Delegate Hicks: Creating tax credits for new and/or existing small businesses	335					335
2482 -	By Delegate Westfall: Creating a period for reduced payments of traffic violations	335					335
*2483 -	By Delegates Eldridge, Butler, Rohrbach, R. Miller, Sobonya and Iaquina: 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	335	1366			1557	336, 1494, 1534, 1557
2484 -	By Delegates Frich and Butler: Preventing taxpayer subsidization of health insurance covering elective abortions	336					336
2485 -	By Delegates Frich and Butler: Decreasing the basic compensation paid to members of the Legislature and salaries paid to other state officers by five percent	336					337

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2486 -	By Delegate Westfall: Providing that when a party's health condition is at issue in a civil action, medical records and releases for medical information may be requested and required without court order (Chapter 130, Acts, Regular Session, 2017)	337	522	1818	1817	599, 1818	337, 556, 579, 599, 1818, 2080, 3475
2487 -	By Delegate Storch: Reallocating and dedicating three percent of oil and gas severance tax revenues up to \$20 million annually to the oil and gas producing counties of origin	337					337
2488 -	By Delegates Gearheart, Storch, Butler, Folk, Frich, Householder, Howell and Ellington: Relating to the forfeiture of unencumbered funds in special revenue accounts	347					347
2489 -	By Delegates Gearheart, Storch, Butler, Folk, Frich, Householder, Howell and Ellington: Requiring a transfer from reappropriated revenue accounts to General Revenue Fund	347					347
2490 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Allowing a Constitutional officer to waive his or her salary for any calendar year	347					347
2491 -	By Delegates Cooper, Ambler, Rowan, Dean, Maynard, Wagner, Morgan, Westfall, Kelly, Zatezalo and R. Romine: Relating to school calendar and testing	347					348
2492 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Creating the Fleet Management Office	348					348
2493 -	By Delegates Hollen, Criss, Cooper and Harshbarger: Granting a veteran with a hundred percent service-connected disability a \$10,000 exemption from the assessed value for one vehicle	348					348

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2494 -	By Delegates Westfall, Statler, White, Atkinson and Higginbotham: Providing that statewide school report cards are only to be made available to custodial parents and guardians of students upon request (Chapter 73, Acts, Regular Session, 2017)	348	1152	2536	2536	1328, 2536	349, 1152, 1206, 1239, 1328, 2536, 3461, 3476
2495 -	By Delegates Westfall, White and Frich: Relating to restrictions on the disclosure of nonpublic personal information	349					349
2496 -	By Delegates Hollen, Criss, Sobonya and Harshbarger: Relating to exemptions from certificate of need	349					349
2497 -	By Delegates Ellington, Criss and Rohrbach: Permitting medication administration by unlicensed personnel in nursing homes	349					349
2498 -	By Delegates Lovejoy, Rohrbach, Caputo, Storch, Brewer, Walters, Canestraro, Pushkin, R. Miller, Robinson and Hicks: Creating a rebuttable presumption that development of certain cancers by professional or volunteer firefighters arose out of the course of employment	349	1084				349, 1084
2499 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Supplementary appropriation to the Department of Commerce, Workforce West Virginia – Workforce Investment Act	350					350
2500 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Supplementary appropriation to the Department of Health and Human Resources, Division of Human Services	350	817				350, 851
2501 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program	350	817				350, 851
*2502 -	By Delegates Ellington, Summers, Rohrbach and Criss: Relating to reciprocity of occupational licenses with other states	350	589	693			350, 641, 693, 706

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2503 -	By Delegates Ellington, Summers, Dean, Rohrbach, Sobonya and Hollen: Relating to the rulemaking authority for Board of Osteopathic Medicine (Chapter 119, Acts, Regular Session, 2017)	351	715		2537	846	351, 768, 813, 845, 846, 3461, 3476
2504 -	By Delegates Hamrick, Howell, Storch, Frich, Atkinson, Ward, Higginbotham, Martin, Summers, Queen and Cowles: Prohibiting state nursing boards from limiting the number of students	351					351
2505 -	By Delegates Rowan, Arvon, Sobonya, Cooper, O'Neal, Shott, Storch, Gearheart and Ellington: Relating to Wiretapping and Electronic Surveillance Act	351					351
*2506 -	By Delegates Zatezalo, G. Foster, Kessinger, Summers, Atkinson, Ambler, Phillips, Westfall and Miley: Relating to the permit limit calculations and allowing overlapping mixing zones for calculating permit limits for drinking water criteria (Chapter 88, Acts, Regular Session, 2017)	351	539	602, 635	1548	635	352, 583, 602, 634, 635, 2079, 3475
2507 -	By Delegates Hollen, Criss, Cooper, Ward and Harshbarger: Relating to the West Virginia State Police	352					352
2508 -	By Delegate Hicks: Creating tax credits for small businesses	352					352
*2509 -	By Delegates Ellington, Summers, Rowan, Sobonya and Atkinson: Relating to the practice of telemedicine (Chapter 173, Acts, Regular Session, 2017)	352	536, 614	2647	2647	725, 2659	352, 536, 696, 711, 724, 725, 2659, 3469, 3476
2510 -	By Delegates Eldridge and Hicks: Permitting certain surface owners to purchase gas at market rates	352					352
2511 -	By Delegates Fleischauer, Pushkin and Hornbuckle: Establishing an industrial water extraction fee	352					353
2512 -	By Delegate McGeehan: Streamlining the process of abandoned mineral interests	353					353

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2513 -	By Delegate Howell: Relating generally to the tax treatment of manufacturing entities	353					353
2514 -	By Delegate Howell: Creating a special motor vehicle collector license plate	353	980				354, 980
*2515 -	By Delegates Howell and Rohrbach: West Virginia Monument and Memorial Protection Act of 2017	354	982, 1211			1382	354, 982, 1283, 1334, 1382
2516 -	By Delegates Byrd, Rohrbach, Fluharty, Fleischauer and Baldwin: Relating to substance abuse	354					355
2517 -	By Delegates Fleischauer, Fast, Statler and Frich: Requiring licensees authorized to serve alcoholic liquors or nonintoxicating beer to have certain liability insurance coverage	355					355
2518 -	By Delegates Ellington, Summers, Rohrbach, Rowan, Hollen and Atkinson: Creating a legislative rule to permit a pharmacist or pharmacy intern to administer certain immunizations (Chapter 176, Acts, Regular Session, 2017)	355	536, 820	971	2188	972	355, 537, 875, 906, 971, 972, 2723, 3475
*2519 -	By Delegates Ellington, Summers, Rohrbach, Cooper, Hollen, Sobonya, Dean, Rowan and Longstreth: Medicaid program compact (Chapter 127, Acts, Regular Session, 2017)	355	536, 1116	2188	2188	1234, 2189	356, 537, 1169, 1204, 1234, 2189, 2723, 3475
*2520 -	By Delegates Summers, Rohrbach, Criss, Atkinson, Higginbotham, Byrd, Lovejoy, Fleischauer and Rowan: Prohibiting the use of a tanning device by a person under the age of eighteen (Chapter 192, Acts, Regular Session, 2017)	356	611, 1293		3038	1531	356, 611, 1421, 1439, 1497, 1530, 1531, 3461, 3476
2521 -	By Delegates Summers, Ellington, Sobonya, Hollen, Rohrbach and Dean: Advanced Practice Registered Nurse Compact	356					356
2522 -	By Delegates Ellington, Summers, Rohrbach, Sobonya, Dean, Cooper, Hollen and Rowan: Nurse licensure compact (Chapter 178, Acts, Regular Session, 2017)	356	702, 882	1071, 2189	2189	1070, 2190	357, 702, 973, 999, 1070, 1071, 2190, 3455, 3476

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2523 -	By Delegates Folk, McGeehan, Paynter, Wilson, Gearheart, Overington, Walters, Phillips, Householder and Dean: Eliminating the certificate of need program	357					357
*2524 -	By Delegates Espinosa, Upson, Blair, Statler, Nelson, Shott, Howell, Ellington, Overington, Wilson and Householder: Improving the focus on school-level continuous improvement processes	357	534, 1140	1280		1329	360, 534, 1206, 1239, 1329, 1330
2525 -	By Delegates Marcum, Eldridge, Rodighiero, Hicks, Lynch, Folk, McGeehan, Zatezalo and Rohrbach: Relieving the county superintendent of schools of the duty of nominating personnel to be employed by the county board	360					360
*2526 -	By Delegates Ellington, Summers, Sobonya and Rohrbach: Classifying additional drugs to Schedules I, II, IV and V of controlled substances (Chapter 39, Acts, Regular Session, 2017)	360	536, 713	2966, 2999	2966, 3261	871, 3000	361, 536, 769, 813, 814, 847, 870, 871, 3000, 3469, 3476
2527 -	By Delegates Westfall and Cooper: Relating to public school support	361					361
2528 -	By Delegate Hicks: Requiring the amount of child support to be paid is effective from the date the petition for the modification was filed	378					378
2529 -	By Delegates Pushkin, Walters, Storch, Westfall, Moore, Miley, Williams, Hill and Higginbotham: Adding sexual orientation to the categories covered by the Human Rights Act	378					378
2530 -	By Delegate Walters: Relating to autocycles	378					379
2531 -	By Delegate Walters: Allowing military personnel and reservists the additional five-year period to enter upon or recover land already allowed to infants and the insane	379					379
2532 -	By Delegates Pushkin, Lane, McGeehan, Isner, Hornbuckle, Lovejoy, Brewer, Fluharty, Byrd and Ward: Allowing the expungement of certain felony convictions	379					379

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2533 -	By Delegate Sobonya: Increasing the penalties for transporting controlled substances into the state	379					379
2534 -	By Delegate Walters: Authorizing local units of government to adopt local energy efficiency partnership programs	379					380
2535 -	By Delegates Kelly, Criss, Ward, Cooper, Rowan, R. Romine, Harshbarger and Hollen: Making it a criminal offense to disturb the peace	380					380
2536 -	By Delegates Walters, Boggs, Bates, Storch, Criss, Lovejoy, Ambler, C. Miller, Blair, Zatezalo and Hill: West Virginia Second Chance for Employment Act	380					381
2537 -	By Delegates Kelly, Criss, Deem, Wagner, Ward, Atkinson, Cooper, Rowan, R. Romine, Harshbarger and Hollen: Relating to disability pensions of municipal employees	381					381
*2538 -	By Delegates Ellington, Summers, Rohrbach, Longstreth and Rodighiero: Relating to the licensure of physician assistants	381	536, 819				381, 537, 875, 907, 909
2539 -	By Delegates A. Evans, Hamilton, Ambler, Wagner, R. Romine, Frich, Sponaule, Lewis and Rowan: Permitting a housing authority to garnish delinquent rents and other amounts owed to the authority from the renter's income tax refund	381					381
*2540 -	By Delegates Ellington, Summers, Rohrbach, Cooper, Hollen, Sobonya and Rowan: Permitting a person to practice certain professions for limited time for a charitable function	381	715			846	381, 769, 814, 846
2541 -	By Delegates Maynard, Cooper, C. Miller, Westfall, Upson, Storch, Rohrbach, Shott, Paynter, Wilson and Sobonya: Creating the felony offense of conspiracy to commit violations of the Uniform Controlled Substances Act	397					397

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2542 -	By Delegates Statler, Espinosa, Cowles, Blair, Ambler, Shott, Kessinger, Hamilton, Dean, Ellington and Lewis: Relating to public higher education personnel (Chapter 123, Acts, Regular Session, 2017)	397	520	581	985	600	399, 556, 580, 599, 600, 1114, 1297
2543 -	By Delegates Butler, Gearheart, Walters, Maynard, Harshbarger, Paynter, Mr. Speaker (Mr. Armstead) and Sobonya: Preventing the State Board of Education from implementing common core academic standards and assessments	399					400
2544 -	By Delegates G. Foster, Howell, Wilson, Fast, Frich, Hanshaw, Shott, Cowles, Hamrick, C. Miller and Sobonya: Establishing that an employee's termination from employment for testing positive on a drug or alcohol test required by the employer disqualifies that employee for benefits	400					400
2545 -	By Delegates Storch, Gearheart, Householder, Ellington, Shott, Ward, C. Miller, Howell, Espinosa, Zatezalo and O'Neal: Increasing the allowable corporation net income tax credit for qualified rehabilitated buildings investments	400					401
*2546 -	By Delegates G. Foster, Higginbotham, Howell, Wilson, Fast, Zatezalo, Kelly, Hamrick, Harshbarger, Maynard and Walters: Allowing replacement costs of employer provided property to be deducted from an employee's final paycheck if the property is not returned	401	774, 911			1101	401, 774, 1000, 1075, 1100, 1101
2547 -	By Delegates Rodighiero, Lynch, Eldridge and Frich: Relating to grandparent's rights	401					401
2548 -	By Delegates Pushkin, Howell, Rowe, Lane, Hamrick, Storch, Byrd and Robinson: Relating to the use of outside speakers by persons licensed to manufacture, sell, possess for sale, transport or distribute nonintoxicating beer (Chapter 168, Acts, Regular Session, 2017)	401	699, 1224		2348	1432	401, 699, 1337, 1418, 1432, 3469, 3476

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2549 -	By Delegates Rohrbach, Lovejoy, Marcum, Sobonya and C. Miller: Requiring notice be given to cities of an increase to pension and relief funds	401					402
2550 -	By Delegates Rohrbach and Lovejoy: Authorizing a municipality to prohibit the sale of fireworks within its boundaries	402					402
2551 -	By Delegates Rodighiero, Thompson, Eldridge, Hicks and Lynch: Requiring the West Virginia Department of Education to create a Bible literacy course in public schools	402					402
*2552 -	By Delegates Rohrbach, Lovejoy, Wagner, Hartman, Ambler, Marcum, Rowan, Lynch, Fleischauer, Overington and White: Increasing the pet food registration fee and directing that the additional money be deposited into the West Virginia Spay Neuter Assistance Fund (Chapter 8, Acts, Regular Session, 2017)	402	1006, 1360	1439, 3039	3039	1531, 3039	402, 1006, 1364, 1439, 1497, 1531, 3039, 3469, 3476
2553 -	By Delegates Summers and A. Evans: Relating to an exemption from the consumers sales and service tax and use tax for sales of services and tangible personal property related to the activities of raising and training livestock	402					403
*2554 -	By Delegates G. Foster, Higginbotham, Frich, Cowles, Hamrick, Howell, Wilson, Harshbarger, Maynard and C. Miller: West Virginia Contractor Licensing Act	403	736			871	403, 736, 815, 849, 871, 872
*2555 -	By Delegates G. Foster, Fast, Higginbotham, Howell, Frich, Zatezalo, Kelly, Summers, Cowles, Hamrick and Wilson: Relating to tax credits for apprenticeship training in construction trades (Chapter 231, Acts, Regular Session, 2017)	403	609, 913		2727, 3262	1102	404, 610, 1000, 1075, 1101, 1102, 2727, 2728, 3469, 3476

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2556 -	By Delegates Hamrick, Storch, Phillips, Folk, Paynter, Overington, Statler, Walters, Westfall, Gearheart and Wilson: Requiring the Joint Committee on Government and Finance to prepare a “Coercive Federal Funds Report” on each budget bill	404					404
2557 -	By Delegates Kelly, Criss, Cooper, Rowan, R. Romine, Harshbarger, Hollen, Deem, Higginbotham, Anderson and Zatezalo: Relating to tuition and fees at community and technical colleges	404					404
2558 -	By Delegates Marcum, Eldridge, Rodighiero, Hicks and Dean: Transferring 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	404					405
2559 -	By Delegates Eldridge, Blair, N. Foster, Maynard, McGeehan, Phillips, Marcum, Butler, Howell, Martin and Hill: Relating to concealed carry on higher education campuses	405					405
2560 -	By Delegates Marcum, Phillips, Hicks, Rodighiero, Eldridge and Dean: Providing a free lunch to all employees in a school building	405					405
*2561 -	By Delegates Espinosa, Upson, Blair, Westfall, R. Romine, Rowan, Cooper, Statler, Kelly, Dean and Rohrbach: Relating to public school support (Chapter 79, Acts, Regular Session, 2017)	405	652, 1351		2773, 3262	1511	406, 652, 1421, 1427, 1458, 1511, 1512, 2773, 3464, 3476
2562 -	By Delegates G. Foster, Phillips, Kessinger, Blair, Higginbotham, Frich, Zatezalo, Kelly, Summers, Marcum and Isner: Making unlawful any employer policy or rule prohibiting an employee from possessing a firearm inside a vehicle	407					407
2563 -	By Delegates Walters, Howell, Ambler and Hamrick: Relating to complimentary samples of nonintoxicating beer or nonintoxicating craft beer	407	533				407, 533

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2564 -	By Delegates Marcum, Phillips, Rodighiero, Eldridge and White: Authorizing a special registration plate for elk	407					407
2565 -	By Delegates Marcum, Phillips, Sobonya, Summers, Dean, Storch, Eldridge, Frich, Westfall and Isner: Increasing the penalties for transporting controlled substances into the state	407					407
2566 -	By Delegates Thompson, E. Evans, Baldwin and Lovejoy: West Virginia Fresh Food Act	408	772				408, 772
2567 -	By Delegate Thompson: Relating to failure to maintain state and public roads	408					408
2568 -	By Delegates Eldridge, Rodighiero, Maynard, Marcum, Hicks, Storch, Hamilton, Dean, Westfall, Martin and Frich: Making the Holy Bible the official state book of West Virginia	408					408
2569 -	By Delegate Marcum: Relating to employment, promotion and transfer of professional personnel by county boards of education	408					408
2570 -	By Delegates Marcum, Rodighiero, Eldridge, Lovejoy, Westfall, White, Phillips, Lane and Frich: Creating tax credits for new and/or existing small businesses	408					408
*2571 -	By Delegates Rowan, Espinosa, R. Romine, Cooper, Hamilton, Mr. Speaker (Mr. Armstead), Wagner, Moye, Rohrbach, Kelly and Rodighiero: Developing a resource for use by parents to monitor and track deaf and hard-of-hearing children's expressive and receptive language acquisition	409	735			872	409, 815, 849, 872
2572 -	By Delegates Espinosa, Upson, Cowles, Blair, Overington, Paynter, Fast, Nelson, Walters, Ellington and Higginbotham: Providing for the authorization and oversight of public charter schools	409					412
2573 -	By Delegates G. Foster, Higginbotham, Fast, Zatezalo, Kelly, Hanshaw, Hamrick, Wilson and Harshbarger: Ensuring that local Convention and Visitor Center Bureaus have a board that is elected by a governing body	412					412

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2574 -	By Delegates Robinson, Thompson, Lovejoy, Cooper, Rowan, Hartman, Statler, Blair, Rohrbach, Canestraro and Espinosa: Middle School Technical Education Program Act	412	818				412, 819
2575 -	By Delegates Cowles, Moore, Westfall, N. Foster and Marcum: Relating to disqualification for unemployment benefits	412					412
2576 -	By Delegates Hamrick, Howell, Ward, Walters, Wilson, Barrett and G. Foster: Relating to autocycles	413	773				413, 773
2577 -	By Delegates Hamrick, Storch, Zatezalo, McGeehan and Dean: Prohibiting counties from regulating the sale and use of consumer fireworks within their boundaries	413					413
2578 -	By Delegates Hamrick, Storch, Folk, Paynter, Zatezalo, Overington, Statler, Westfall, Wilson, McGeehan and G. Foster: Relating to disclaimers of warranties with respect to goods which are the subject of or are intended to become the subject of a consumer transaction	413					413
*2579 -	By Delegates Sobonya, R. Romine, Upson, G. Foster, N. Foster, Summers, Storch, Arvon, C. Miller, Rohrbach and Zatezalo: Increasing the penalties for transporting controlled substances (Chapter 40, Acts, Regular Session, 2017)	457	489, 646		2570, 3266	765, 3188	457, 489, 711, 727, 765, 766, 2570, 2573, 2579, 3075, 3184, 3188, 3470, 3476
2580 -	By Delegates Higginbotham, Householder, Cooper, Arvon, Anderson, Deem, Ellington, N. Foster, Moore, Overington and Westfall: Relating to damages for medical monitoring	457					457
2581 -	By Delegates Anderson, Paynter, Overington, Harshbarger, Frich, Westfall, Cowles, Blair, Higginbotham and Atkinson: Relating to admissibility of certain evidence in a civil action for damages	457					457

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2582 -	By Delegates Householder, Walters, R. Romine, Frich, Westfall, Statler, Cowles, Kessinger, Blair, Sypolt and N. Foster: Relating to disqualification for unemployment benefits	457					458
2583 -	By Delegates G. Foster, Blair, Higginbotham, Kessinger, Upson, Householder, Nelson, Espinosa, Overington, Walters and Cowles: Relating to limitations on the use of wages and agency shop fees by employers and labor organization for political activities	458					458
2584 -	By Delegates Cooper, Westfall, Ambler, Hanshaw, Rowan, Hamilton, Dean, Gearheart, Summers, Sypolt and Atkinson: Relating to primary and secondary school instructional terms	459					459
*2585 -	By Delegates Storch, Arvon, R. Romine, A. Evans, Gearheart, Moore, Atkinson, Zatezalo, Shott, Hanshaw and Lewis: Creating felony crime of conducting financial transactions involving proceeds of criminal activity (Chapter 57, Acts, Regular Session, 2017)	459	523		2573, 3265	601, 3189	460, 556, 583, 601, 2573, 2902, 3075, 3188, 3189, 3470, 3476
*2586 -	By Delegates Walters, Folk, Anderson, Hamilton, O'Neal, E. Evans and Pethtel: Relating to required minimum distribution of retirement benefits of plans administered by the Consolidated Public Retirement Board (Chapter 216, Acts, Regular Session, 2017)	460	612, 913		2190	1102	460, 612, 1000, 1075, 1102, 2723, 3475
2587 -	By Delegate Summers: Clarifying that a firearm may be carried for self defense in state parks, state forests and state recreational areas	460					460
2588 -	By Delegates Kessinger, Higginbotham, Hill, Martin, Butler, Arvon, N. Foster, Paynter, Dean, Wilson and Sobonya: Simon's Law; life sustaining procedures	460					460

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2589 -	By Delegates Kessinger, Higginbotham, Paynter, Dean, Martin and Wilson: Permitting students who are homeschooled or attend private schools to enroll and take classes at the county's vocational school	460	1346		2578, 3265	1512, 3219	461, 1421, 1439, 1512, 3000, 3001, 3081, 3217, 3218, 3219, 3494
2590 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act (Chapter 236, Acts, Regular Session, 2017)	461	615		985	725	461, 696, 711, 725, 726, 1115, 1297
2591 -	By Delegates Atkinson, Hill, Ward, Kelly, Moore, Harshbarger, Ambler, Cooper, Hollen, Westfall and Kessinger: Small Business Tax Credit	461	851				461, 851
2592 -	By Delegates Canestraro, Isner, Lovejoy and Hollen: Annual retirement annuity adjustment West Virginia State Police Retirement System	461					461
2593 -	By Delegates Canestraro, Isner, Lovejoy and Marcum: Relating to the placement of juvenile status offenders	461					462
2594 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Updating the meaning of federal adjusted gross income and certain other terms used in the West Virginia Personal Income Tax Act (Chapter 234, Acts, Regular Session, 2017)	462	615		985	726	462, 696, 711, 726, 727, 1115, 1297
2595 -	By Delegates Kessinger, Martin, Hill, Arvon, N. Foster, Paynter, Dean, Wilson and Sobonya: Requiring abortions to be performed by a licensed physician	462					462
2596 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Incorporating changes to the Streamlined Sales and Use Tax Agreement	462					462
2597 -	By Delegates Moye, Hornbuckle, Diserio, Marcum, Isner, Baldwin, Canestraro, Lovejoy, Caputo and Lynch: Campaign Advertising Fairness Act	462					463

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2598 -	By Delegates Marcum, Hicks, Rodighiero, Eldridge, Hamilton, Upson, McGeehan and Canestraro: Requiring that senior status circuit judges only fill vacancies in districts or counties in which they were not previously elected	463					463
2599 -	By Delegates Statler, Hill and Hanshaw: Relating to safety of tow trucks, wreckers, and tilt-bed vehicles	463					463
2600 -	By Delegates Walters, Folk, Anderson, Hamilton, O'Neal, E. Evans and Pethtel: Relating to the Municipal Police and Fire Retirement System	463	613				463, 613
*2601 -	By Delegates Walters, Folk, Anderson, Hamilton, O'Neal, E. Evans and Pethtel: Relating to municipal policemen's or municipal firemen's pension and relief funds (Chapter 158, Acts, Regular Session, 2017)	463	613, 877	2818	2818	1072, 2819	463, 613, 973, 999, 1071, 1072, 2819, 3470, 3476
2602 -	By Delegates Canestraro and Lovejoy: Increasing penalties for transportation of controlled substances into the State of West Virginia	464					464
*2603 -	By Delegates Walters, Folk, Anderson, Hamilton, O'Neal, E. Evans and Pethtel: Relating to municipal policemen's or firemen's pension and relief funds that are funded at one hundred and twenty-five percent or more (Chapter 157, Acts, Regular Session, 2017)	464	613, 877		2537	1072	464, 613, 973, 999, 1072, 3456, 3475
2604 -	By Delegates Walters, Folk, Anderson, Hamilton, O'Neal, E. Evans and Pethtel: Relating to employee information reported to the Consolidated Public Retirement Board	464	613				464, 613
2605 -	By Delegate Walters: Requiring the Public Service Commission to create a plan within twelve months to consolidate all of the emergency communications centers	464					464
2606 -	By Delegate Walters: Maintaining status quo in the event bond indebtedness relative to Parkways Authority is eliminated	464					465

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2607 -	By Delegate Canestraro: Extending the maximum period of confinement a judge may impose for certain, first-time probationary violations	465					465
2608 -	By Delegate Statler: Requiring the Commissioner of Highways to contract with private providers or contractors for certain emergency maintenance operations	465					465
2609 -	By Delegates Kessinger, Paynter and Fast: Requiring county boards of education to conduct regular structural inspections of school facilities and structures	466					466
2610 -	By Delegates Kessinger and Paynter: Allowing private entities to lease buildings to local school boards in cases of emergency or condemnation	466					466
2611 -	By Delegates Walters and Phillips: Allowing a person to be both a limited video lottery operator and retailer	466					466
2612 -	By Delegates Walters and Howell: Repealing section relating to unattended motor vehicles and penalties	466					466
2613 -	By Delegates Phillips, Frich, G. Foster, Sponaugle, Maynard, Gearheart, R. Miller, McGeehan, Overington, Paynter and Blair: Allowing state, county or municipal employees with a license to carry a concealed weapon to possess a firearm at any time in this state	466					466
2614 -	By Delegates Phillips, Eldridge, R. Miller, Barrett, C. Miller, Maynard, Marcum, White, Ellington and Rodighiero: Prohibiting health care practitioners from knowingly and in bad faith prescribing or administering drugs	466					467
2615 -	By Delegates Pushkin, Rowe, Caputo and Robinson: Providing a tax credit for obtaining certain certifications by the United States Green Building Council Leadership in Energy and Environmental Design green building rating system	467					467

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2616 -	By Delegates Brewer, Ferro, Pethtel, Moye, Longstreth, Caputo, Hartman, E. Evans, Sponaugle, Diserio and Pyles: Decreasing the personal income tax rates for certain taxpayers and raising the personal income tax rates for certain other taxpayers	467					467
2617 -	By Delegate Westfall: Outlining the process by which certain insurance agencies may place the insured with an affiliate of the insurer	467					467
*2618 -	By Delegates Summers, Sypolt, Ellington, Blair, Kessinger, N. Foster and McGeehan: Relating to body mass index	467	777, 853			996	468, 777, 907, 972, 996, 997
*2619 -	By Delegates Westfall, C. Romine, White and Frich: Risk Management and Own Risk and Solvency Assessment Act (Chapter 133, Acts, Regular Session, 2017)	468	534, 588	2537	2537	706, 2546	468, 534, 641, 694, 706, 707, 2547, 3470, 3476
*2620 -	By Delegates Frich, Ellington, Shott, Howell, Householder, Storch, Hanshaw, Kessinger, Hollen, Sobonya and Mr. Speaker (Mr. Armstead): West Virginia Drug Overdose Monitoring Act (Chapter 188, Acts, Regular Session, 2017)	468	538, 560	3227	3227	692, 3233	468, 538, 604, 638, 691, 692, 3233, 3461, 3476
2621 -	By Delegates Marcum, Rodighiero, Eldridge, Phillips and Hicks: Providing for a scratch-off game to fund a drug treatment facility on post-mine land in Mingo and Logan Counties	468					469
2622 -	By Delegates Howell, Arvon, Atkinson, Blair, Hamrick, Hartman, Lynch, Pushkin, Ferro and Eldridge: Creating and maintaining a centralized state vehicle inventory system	469					470
2623 -	By Delegates Fleischauer, Pyles, Brewer, Hornbuckle, Byrd, Rowe, Robinson, Blair, Harshbarger and Pethtel: Prohibiting discrimination based upon age or sexual orientation	470					470

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2624 -	By Delegates Howell, Martin, Hill, Arvon, Lewis, Criss, Hamrick and Wilson: Relating generally to certification and qualifications of sanitarians	470					470
2625 -	By Delegates Brewer, Ferro, Caputo, McGeehan, Iaquina, Diserio, Longstreth, Lynch, Williams, Kelly and Hornbuckle: Returning Veterans and Displaced Miners Jobs Act	470					471
2626 -	By Delegates Ferro, Hamilton, Cooper, Canestraro, Brewer, Storch, Iaquina, Lynch, Longstreth and A. Evans: Extending the expiration of driver's licenses for active military members' spouses	471					471
2627 -	By Delegates Statler, Phillips, Lewis, Dean, Wagner and McGeehan: Requiring that open hunting season for big game begin on a Saturday	471					471
2628 -	By Delegates Howell, Hamrick, Summers, Ellington, Arvon, Rohrbach, Shott, C. Miller, Storch, Lewis and Maynard: Relating generally to the powers and duties of the Board of Medicine and the Board of Osteopathic Medicine (Chapter 172, Acts, Regular Session, 2017)	471	537, 714	2660	2660	847, 2662	472, 537, 769, 814, 846, 847, 3461, 3476
2629 -	By Delegates N. Foster, Higginbotham, G. Foster, Hill, Shott, Butler, Westfall, Phillips, Moore and Wilson: Permitting a corporation to be represented by an officer of that corporation	472					472
2630 -	By Delegates Howell, Arvon, Rohrbach, Summers, Pushkin, Householder, Storch, Martin, Ellington, Longstreth and Ferro: Authorizing the West Virginia Board of Medicine and the West Virginia Board of Osteopathic Medicine to share staff	472	590			707	472, 641, 694, 707
*2631 -	By Delegates Howell, Martin, Hill, Arvon, Shott, Hanshaw, Lewis, Criss, Hamrick, Paynter and Hollen: Relating to time standards for disposition of complaint proceedings (Chapter 169, Acts, Regular Session, 2017)	472	714, 883	999, 1073	2728, 3265	1072, 3122	472, 714, 973, 999, 1072, 1073, 2728, 2729, 3001, 3038, 3120, 3122, 3462, 3475

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2632 -	By Delegates Rodighiero, Westfall, R. Miller, Thompson, Eldridge, Lovejoy, Hicks, Marcum, Baldwin and Canestraro: Allowing children in the custody of the state in any foster home, group home or other facility or residence to hunt and fish without a license	473					473
2633 -	By Delegates Folk, McGeehan, Paynter, Hamrick, Miley, Barrett, Phillips, Summers and Wilson: Requiring state institutions of higher education to conduct Phase 3 clinical research studies for any cancer treatment	473					473
2634 -	By Delegates Marcum, Phillips, Hicks, Eldridge, Westfall, Deem, Hollen, Hamilton and Dean: Prohibiting a court from giving a jury an instruction commonly known as the “Allen Charge” to break a deadlock	473					473
2635 -	By Delegate Deem: Relating to nonpartisan election of justices of the Supreme Court of Appeals	473					473
2636 -	By Delegates Marcum, O’Neal, Phillips, Gearheart, E. Evans, Ellington, Shott, Hicks, Hamrick, Paynter and Cooper: Relating to construction of a modern highway from Pikeville, Kentucky to Beckley, West Virginia	473					474
*2637 -	By Delegates Espinosa, Statler, Upson, Blair, Wilson, Westfall, R. Romine, Higginbotham, Harshbarger, Cooper and Folk: Relating to employment of retired teachers and prospective employable professional personnel in areas of critical need and shortage (Chapter 221, Acts, Regular Session, 2017)	474	652, 1005	3087	3087	1165, 3089	474, 652, 1108, 1134, 1164, 1165, 3087, 3089, 3464, 3476
2638 -	By Delegates Martin, Wilson, Dean, Hamilton, A. Evans, Paynter, Hill and Maynard: Relating to county commissions authorizing reasonable fees charged for fire department or fire company response	475					475

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2639 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Department of Administration, Division of Personnel	475					475
2640 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Supplementary appropriation to DHHR	475					475
2641 -	By Delegates Hamilton, A. Evans, Eldridge, Love, Brewer, Ambler, Pethel, Wagner, Rowan, Wilson and Cooper: Relating to pension benefits exempt from state income taxation	476	607				476, 607
2642 -	By Delegates Hamilton, Ambler, Kessinger, Rowan, Cooper, G. Foster, Howell, Higginbotham, Hartman, N. Foster and Isner: Removing restrictions for hunting or trapping on private lands on Sundays	476					476
2643 -	By Delegates R. Miller, Eldridge, Maynard, Sobonya and Isner: Creating a felony murder offense in the second degree for delivery of a controlled substance that causes death	476					476
2644 -	By Delegate Lewis: Requiring that Workers' Compensation funds be disbursed to firefighters, emergency medical technicians and first responders when those persons are killed or become injured	476					476
2645 -	By Delegates R. Miller, Eldridge, Maynard, Sobonya and Fleischauer: Creating a felony for failure to render aid by a culpable person in presence of a drug overdose	477					477
*2646 -	By Delegates Kessinger, N. Foster, Sypolt, Summers, Blair, Arvon, Rowan and C. Miller: Terminating the Women's Commission and discontinue its functions	504	559	2665	2665	693, 2667	504, 604, 638, 692, 693, 3462, 3495

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2647 -	By Delegates Westfall, Frich, Arvon, Butler, Espinosa, Hill, Kessinger, Higginbotham, Paynter, Overington and Anderson: Preventing compensatory damage awards for medical expenses from including sums that the claimant has not and will not pay	504					504
*2648 -	By Delegates Sypolt, Rowan, Westfall, A. Evans, Upson, C. Miller, Sobonya, Storch, Rohrbach, Hollen and Frich: Increasing penalties for manufacturing or transportation of a controlled substance in the presence of a minor	504	539, 561	639, 707, 708	3235	708	504, 539, 604, 639, 693, 707, 709
*2649 -	By Delegates Hamilton, Walters, Cooper, Maynard, Wilson, Moore, Hamrick, Frich, Hill, Shott and Sypolt: Adding violations of law upon which a public servant's retirement plan may be forfeited	505	774, 883			1073	505, 774, 973, 999, 1073
2650 -	By Delegates Shott, Fluharty, Hamilton, Walters, Lane, Moore, Higginbotham, Westfall, Blair and White: Youth Mental Health Protection Act	505					505
*2651 -	By Delegates Espinosa, R. Romine, Westfall, Dean, Upson, Higginbotham, Kelly, Harshbarger, Cooper, Wagner and Rohrbach: Relating generally to standardized testing requirements for nonpublic schools	505	588			710	505, 641, 694, 709, 710
2652 -	By Delegates Espinosa, Westfall, R. Romine, Dean, Blair, Upson, Higginbotham, Wilson, Rohrbach and Statler: Relating generally to school closing or consolidation requirements	506					506
2653 -	By Delegates Ellington, Sobonya and Cooper: Extending the Multi State Real-Time Tracking System (Chapter 45, Acts, Regular Session, 2017)	506	612		2191	727	506, 612, 696, 711, 727, 2724, 3475
*2654 -	By Delegates Statler, Miley, Lewis, E. Evans, Pethtel, Williams and Upson: Expanding county commissions' ability to dispose of county or district property	506	982, 1293			1513	506, 982, 1422, 1445, 1512, 1513

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2655 -	By Delegates Upson, Blair, Espinosa, Householder, Longstreth, Robinson, Sobonya, Phillips, Hill, Ellington and Higginbotham: Defining and establishing the crime of cyberbullying	506					506
2656 -	By Delegates Westfall, Lane, N. Foster, Frich and White: Relating to compensatory damage awards arising out of charges for medical, hospital and doctor services	506					506
2657 -	By Delegate Miley [By Request of the Executive]: West Virginia Second Chance Act	507					507
2658 -	By Delegates Marcum, Phillips, Hicks, Dean, Criss, McGeehan, A. Evans, Rowan, Lewis, Folk and Hamilton: Establishing that shared legal and physical custody of a child in cases of divorce is presumed to be in the best interests of the child	507					507
2659 -	By Delegates Brewer, Diserio, Pethtel, Ferro, Iaquina, R. Miller, Boggs, Rodighiero, Caputo, Miley and Moye: Reestablishing prevailing wages for certain state government contracts	507					508
2660 -	By Delegates Marcum, Hicks, Thompson, Frich, Deem, Cooper and Eldridge: Increasing criminal incarceration penalties for the transportation of controlled substances into the state	508					508
2661 -	By Delegates Eldridge, Maynard, Diserio, Ambler, Rodighiero, Westfall, Dean, Storch, Marcum, R. Miller and Phillips: Permitting recreational gold mining	508					508
2662 -	By Delegates Ambler, Cooper, Paynter, Westfall, Maynard, Householder, A. Evans, Hamilton, Hicks, Eldridge and Rodighiero: Prohibiting the waste of game animals, game birds or game fish	508	608				508, 608

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2663 -	By Delegates Ambler, Paynter, Cooper, Westfall, Maynard, Householder, A. Evans, Hamilton, Eldridge, Rodighiero and Hicks: Increasing the compensation for natural resources police officers	508	607				509, 607
2664 -	By Delegates Kessinger, Paynter, Overington, N. Foster, Martin and Isner: Prohibiting activities connected with bestiality	509					509
2665 -	By Delegates A. Evans and R. Romine: Requiring a person restraining a mentally ill or mentally challenged person in a "four point restraint" to administer sedation by injection at the time the patient is secured	509					509
2666 -	By Delegates Hicks, Rohrbach, R. Miller, Eldridge, Thompson, Marcum, Lovejoy and Hornbuckle: Providing for security of private, employer-sponsored insurance and/or retirement plans	509					509
2667 -	By Delegates Hamrick, Dean, Walters, Wilson, McGeehan and Folk: Relating to accreditation of nursing schools	509	775				509, 775
2668 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Increasing the minimum criminal penalty for transportation of a Schedule I or II narcotic drug into the state	510					510
2669 -	By Delegates O'Neal, Overington, Moore, Cowles, Hanshaw, Zatezalo, Kessinger, Fast, Sobonya, Wilson and G. Foster: Relating to eligibility to register to vote	510					510
2670 -	By Delegates Lane, Fluharty, R. Miller, Canestraro, Diserio, E. Evans, Love, Barrett, Sponaule, Baldwin and Caputo: Prohibiting discrimination based upon age or sexual orientation	510					510
2671 -	By Delegates R. Miller, Lovejoy, Sobonya and Maynard: Creating a new offense relating to the distribution of controlled substances	510					510

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2672 -	By Delegates Frich, Westfall, Upson and White: Eliminating conflicting provisions within current code relating to the application of payments and the assessment of delinquency fees on consumer credit sales	511	733				511, 733
2673 -	By Delegates Howell, Walters, Fast, Sobonya, Nelson and Storch: Transferring responsibility of all personnel and human resources matters that are currently provided by personnel sections or divisions to the Department of Administration	511					511
*2674 -	By Delegates Shott, Hanshaw, Arvon, Zatezalo, Sobonya, O'Neal, Fleischauer, Kessinger, Isner and Frich: Relating to access to and receipt of certain information regarding a protected person (Chapter 64, Acts, Regular Session, 2017)	511	650	3104	3104	766, 3105	512, 712, 730, 766, 3105, 3462, 3476
2675 -	By Delegates O'Neal, Hanshaw, Shott, Cowles, Sobonya, Phillips, N. Foster, Zatezalo, Kessinger, Hill and Fast: Relating to primary elections and nominating procedures	512	735			873	512, 815, 849, 872, 873
*2676 -	By Delegates White, Dean, Westfall, Blair, Paynter, Maynard, G. Foster, Hill, Harshbarger, Phillips and Higginbotham: Transferring the Security office under the Division of Culture and History to the Division of Protective Services (Chapter 206, Acts, Regular Session, 2017)	512	911		2378	1103	512, 1000, 1075, 1102, 1103, 3462, 3476
2677 -	By Delegate Pushkin: Patient Freedom Act	512					513
*2678 -	By Delegates Anderson, Arvon, Overington, G. Foster, R. Romine, Householder, Upson and Shott: Changing the amounts of prejudgment and post-judgment interest to reflect today's economic conditions (Chapter 4, Acts, Regular Session, 2017)	525	648		1121	766	525, 712, 730, 766, 767, 1358, 1768

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2679 -	By Delegates Summers, Frich, Overington, Paynter, Harshbarger, Moore, Dean, G. Foster, Higginbotham, Butler and Fast: Relating to the possession of firearms in parks and park facilities (Chapter 163, Acts, Regular Session, 2017)	525	978, 1151	2820	2820	1330, 2829	525, 978, 1207, 1280, 1330, 2830, 3464, 3476
2680 -	By Delegates Howell, McGeehan, Folk, Householder, Kessinger, Blair, Atkinson and Fast: Terminating the West Virginia Nursing Home Administrators Licensing Board	525					526
2681 -	By Delegates Hamrick, Kessinger, Howell, Blair, Atkinson, Hollen and Householder: Terminating the West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners	526					526
2682 -	By Delegates Ellington, Shott, Cowles, Rowan and Nelson: Relating to Medical Professional Liability	526					526
*2683 -	By Delegates Westfall, White, Hamrick, Hartman and Frich: Relating to West Virginia Insurance Guaranty Association Act (Chapter 132, Acts, Regular Session, 2017)	526	700, 884	2830	2830	1074, 2831	526, 700, 973, 1000, 1073, 1074, 2831, 3464, 3476
2684 -	By Delegates Canestraro, Lovejoy, Hollen, R. Miller, Shott and Isner: Imposing penalties for repeat violations of the prohibition against driving under the influence on a suspended license (Chapter 240, Acts, Regular Session, 2017)	527	591	710, 3169	3169	710, 3172	527, 641, 695, 710, 711, 3172, 3470, 3476
2685 -	By Delegates Sobonya, C. Romine, C. Miller, Westfall, Atkinson, Householder, Frich, Overington, Summers and Folk: Requiring that information regarding case delays in the courts is to be provided to the public on a regular basis	527					527

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2686 -	By Delegates Sobonya, Frich, N. Foster, C. Romine, Summers, Butler, Gearheart, Queen, Folk, O'Neal and C. Miller: Providing a mechanism for the independent evaluation of revenue estimates by West Virginia and Marshall Universities' business colleges	527					527
2687 -	By Delegates Robinson, Kessinger, Moore, R. Miller, Williams, Isner, Lovejoy, Canestraro, Wilson, Dean and Thompson: Providing that military veterans with a one hundred percent service related disability are exempt from property taxation	527					527
2688 -	By Delegates Anderson, Deem, Westfall, Lane, Higginbotham, Harshbarger and Zatezalo: Permitting natural gas companies to enter private property without prior consent from the owner for the limited purposes of obtaining data	527					528
2689 -	By Delegates Espinosa, Statler, Wilson, Higginbotham, Blair and Upson: Educational Savings Account Program	546					547
2690 -	By Delegates Howell, Arvon, Hamrick, Queen, Criss, Ward, C. Romine, Atkinson and Lewis: Terminating the West Virginia Board of Registration of Foresters while preserving essential protections against misrepresentation	547	714				547, 714
2691 -	By Delegates Hamrick, Martin, Ward, Howell, Boggs, Arvon, Storch, Westfall, Dean, McGeehan and Frich: Allowing a person who is qualified by training to be a barber and a cosmetologist to elect to practice solely as a barber (Chapter 179, Acts, Regular Session, 2017)	547	651		2547	767	547, 712, 731, 767, 3456, 3475
2692 -	By Delegates O'Neal, Ellington, Summers, Sobonya, Howell, Arvon, Householder, Upson, Cowles, Rohrbach and Fast: Allowing licensed professionals to donate time to the care of indigent and needy	547					548

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2693 -	By Delegates Hamilton, A. Evans, Paynter, Ambler, Butler, R. Romine, Lewis, Rodighiero, Eldridge, Baldwin and Hornbuckle: Relating to state ownership of wildlife	548	738				548, 738
*2694 -	By Delegates Hamrick, Gearheart, Zatezalo, Howell, Atkinson, Ward, Williams, Statler, Moye, Sobonya and Butler: Relating to the development and implementation of a program to facilitate commercial sponsorship of rest areas	548	773, 913			1103	548, 774, 1000, 1075, 1103
2695 -	By Delegates Hornbuckle, Thompson, Moye, Hamilton, Hicks, Eldridge, Rohrbach, Ellington, C. Miller, Lovejoy and C. Romine: Creating a pilot program for expansion of school-based mental health and school-based diversion	548					549
2696 -	By Delegates Hamilton, Ambler, R. Romine, A. Evans, Eldridge, Wagner, Rowan, Wilson and Love: Relating to crossbow hunting	549	738				549, 738
2697 -	By Delegate Boggs: Establishing regional recreation authorities and areas	549					550
2698 -	By Delegate Deem: Providing certain notice to civil service exempt employees dismissed from employment due to change in administration	550	1009				550, 1009
2699 -	By Delegates Hamilton, A. Evans, Paynter, Ambler, Butler, Lynch, Iaquina, R. Romine, Lewis, Rodighiero and McGeehan: Making information about Division of Natural Resources licensees exempt from the provisions of the Freedom of Information Act	550	738				550, 738
2700 -	By Delegates Eldridge, McGeehan, Folk, Fleischauer, Isner, Baldwin, Marcum, Hornbuckle, Paynter, Iaquina and Maynard: Exempting industrial hemp from being a Schedule I drug	550					550

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2701 -	By Delegates Sobonya, C. Romine, Summers, C. Miller, Westfall, Butler, Atkinson, Hollen, White, Ellington and Householder: Prohibiting recipients of public assistance to return items for cash	550					551
*2702 -	By Delegates Westfall, Cooper, Ambler, Wagner, Moye, Atkinson, Marcum and Higginbotham: Relating to excused absences for personal illness from school (Chapter 78, Acts, Regular Session, 2017)	551	1010	1281, 2811	2811	1331, 2833	551, 1108, 1111, 1187, 1203, 1282, 1330, 1331, 2833, 3464, 3476
2703 -	By Delegates Upson, Sypolt, Wilson, Householder, Lewis, Dean and G. Foster: Providing that the court allocate time equally between parents	551					551
*2704 -	By Delegates Espinosa, Statler, Dean, Rohrbach, Wilson, Rowan, Harshbarger, R. Romine, Wagner, Cooper and Higginbotham: Prohibiting persons convicted of sexual offenses against children with whom they hold positions of trust from holding certification or license valid in public schools (Chapter 223, Acts, Regular Session, 2017)	551	736, 1291	1373	3173	1513, 3174	552, 736, 1422, 1445, 1513, 1514, 3174, 3464, 3476
2705 -	By Delegates Espinosa, Moye, Statler, Upson, Dean, Rohrbach, Wilson, R. Romine, Wagner, Cooper and Higginbotham: Eliminating obsolete, duplicate or unnecessary code language as it relates to higher education	552					554
2706 -	By Delegates Espinosa, Statler, Upson, Dean, Rohrbach, Wilson, Rowan, Harshbarger, R. Romine, Higginbotham and Kelly: Authorizing legislative rules regarding higher education (Chapter 124, Acts, Regular Session, 2017)	554	735		2191	873	554, 815, 849, 873, 2723, 3475
2707 -	By Delegates Hamilton, A. Evans, Paynter, Ambler, Butler, Lynch, Brewer, Iaquina, R. Romine, Lewis and Rodighiero: Relating to the collection, possession and sale of naturally shed deer antlers	554, 772					554, 772

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2708 -	By Delegates Hamilton, A. Evans, Paynter, Ambler, Butler, Brewer, Iaquina, R. Romine, Lewis, Rowan and Eldridge: Relating to a lawful method for a developmentally disabled person to purchase a base hunting license	555	772, 1360	3090	3090	1557	555, 773, 1494, 1534, 1557, 1558, 3120
*2709 -	By Delegates Nelson, Lane, Byrd, Walters, N. Foster, Rowe, Robinson, White, Pushkin, Capito and Mr. Speaker (Mr. Armstead): Authorizing the City of South Charleston to levy a special district excise tax (Chapter 160, Acts, Regular Session, 2017)	555	776, 1146		2547	1331	555, 776, 1207, 1282, 1331, 3456, 3476
2710 -	By Delegates Hill, Kessinger, N. Foster, Martin, Dean, Wilson, Sobonya, Arvon, Blair and C. Miller: Including unborn child or fetus in statute setting criminal penalties for child neglect resulting in death	567					567
*2711 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Abolishing regional educational service agencies and providing for the transfer of property and records (Chapter 72, Acts, Regular Session, 2017)	567	1223, 1361	1473, 2915, 2942	2915, 3261	1514, 2943	568, 1223, 1364, 1427, 1458, 1474, 1514, 2945, 3470, 3476
2712 -	By Delegates Wilson, Paynter, Maynard, Criss, Kelly, Dean and Folk: Permitting persons who have been issued state licenses to carry concealed deadly weapons to carry those weapons on the grounds of the State Capitol Complex	568					568
2713 -	By Delegates Wilson, Paynter, N. Foster, Hill, Kelly, Higginbotham, Dean, Folk, Gearheart and Maynard: Permitting the carrying of concealed weapons on the campus of a state institution of higher education	568					568

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2714 -	By Delegates Wilson, Paynter, Maynard, N. Foster, Hill, Criss, Higginbotham, Dean and Folk: Permitting a firearm or other deadly weapon on or in a private primary or secondary education building, structure or facility	569					569
2715 -	By Delegates Wilson, Phillips, Paynter, Higginbotham, Dean and Maynard: Establishing procedures for carrying out the death sentence	569					569
2716 -	By Delegates Ward, Howell, McGeehan, Hamrick, Miley, Wilson, Hollen, Paynter, Frich, Butler and Arvon: Imposing an indefinite moratorium on new business and occupancy or privilege taxes	570					570
2717 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Creating the Division of Multimodal Transportation	570					575
2718 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating generally to severance taxes imposed on the privilege of producing coal for sale	575					575
2719 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating generally to severance tax imposed on privilege of severing natural gas for sale	575					575
*2720 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Allowing the School Building Authority to transfer funds allocated into the School Construction Fund (Chapter 80, Acts, Regular Session, 2017)	575	818, 1295	2834	2834	1515, 2834	575, 818, 1422, 1445, 1514, 1515, 2835
*2721 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Removing the cost limitation on projects completed by the Division of Highways (Chapter 220, Acts, Regular Session, 2017)	575	1114, 1175		2348, 3265	1383, 3077	576, 1114, 1283, 1335, 1382, 1383, 2348, 2349, 2729, 3002, 3076, 3077, 3078, 3462, 3476

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2722 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Eliminating the financial limitations on utilizing the design-build program for highway construction (Chapter 218, Acts, Regular Session, 2017)	576	1114, 1175	2349	2349, 3266	1383, 3079	576, 1114, 1283, 1335, 1383, 2349, 2350, 2730, 3002, 3076, 3077, 3079, 3465, 3476
2723 -	By Delegates Howell, Hamrick, Blair, Maynard, Paynter, Walters, Arvon, Hill, Queen, Criss and Ward: Relating to primary elections for nonpartisan offices including Justices of the Supreme Court, circuit court judges, family court judges, and magistrates	576					576
*2724 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating to creating a pilot program under the Herbert Henderson Office of Minority Affairs (Chapter 104, Acts, Regular Session, 2017)	576	777, 1178		3264	1384	577, 777, 1284, 1335, 1383, 1384, 3465, 3476
2725 -	By Delegates Howell, Hamrick, Atkinson, Householder, Arvon, Ellington, Walters, Shott, Hanshaw, Hill and Martin: Restricting the authority of the Board of Barbers and Cosmetologists to regulate the use of commonly available, retail beauty products	577	651			768	577, 712, 731, 767, 768
*2726 -	By Delegates Shott, R. Miller, Kessinger, Lane, Byrd, Isner, Frich and Lovejoy: Authorizing home incarceration officers to arrest participants for violating the terms and conditions of his or her supervision with or without a court order (Chapter 60, Acts, Regular Session, 2017)	593	763		2350	874	593, 815, 849, 873, 874, 3462, 3476
2727 -	By Delegates Pushkin, Higginbotham, Hornbuckle, Shott, Miley, Hanshaw, Rowe, Lane, Fleischauer, Byrd and Robinson: Providing an identification card for released inmates who do not have a West Virginia identification card or driver's license	593					594

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2728 -	By Delegate Love: Creating the Medicaid Laboratory Reimbursement Data Consolidation and Redundancy Act	594					594
2729 -	By Delegates Frich, Storch, Butler, Householder, Ellington, Blair and Anderson: Giving the West Virginia State Police additional monies from the wireless enhanced 911 fee	594					594
2730 -	By Delegates Eldridge, Paynter, R. Miller, Marcum and Maynard: West Virginia Clearance for Access: Registry and Employment Screening Act	594					594
*2731 -	By Delegates Shott, R. Miller, Kessinger, Lane and Byrd: Clarifying civil actions heard in circuit court (Chapter 48, Acts, Regular Session, 2017)	594	734	2350	2350, 3261	874	595, 815, 849, 874, 2352, 3470, 3476
2732 -	By Delegates Shott, R. Miller, Kessinger, Lane, Byrd, Isner and Frich: Relating to standards for termination of parental rights in child abuse and neglect cases	595					595
2733 -	By Delegates Moore, Mr. Speaker (Mr. Armstead), O'Neal, Cowles, Householder and Espinosa: Requiring a detailed explanation of any appropriation designated as "Other assets" in the Governor's proposed budget expenditures	595					595
*2734 -	By Delegates Boggs, Westfall, Nelson and Frich: Authorizing a method for the collection and remittance of property taxes related to dealers' heavy equipment inventory (Chapter 228, Acts, Regular Session, 2017)	595	1146	2352	2352	1332, 2353	595, 1207, 1282, 1331, 1332, 2352, 2353, 3456, 3476
2735 -	By Delegates Sobonya, C. Romine, C. Miller, Westfall, Butler, Atkinson, White, Householder, Frich, N. Foster and Summers: Requiring the Board of Pharmacy to review, investigate and make appropriate referrals of reports of suspicious orders of controlled substances	595					596

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2736 -	By Delegates Ellington and Nelson: Selling of certain state owned long-term care facilities by the Secretary of the Department of Health and Human Resources	596					596
2737 -	By Delegates Shott, R. Miller, Kessinger, Lane, Byrd and Isner: Eliminating certain fees generated by suggestee executions	596					596
*2738 -	By Delegates Espinosa, Statler, Dean, Blair, Higginbotham, Moore, Wilson, Cooper and Upson: Providing flexibility in the transfer process of school personnel	596	1011			1165	595, 1109, 1134, 1165, 1166
*2739 -	By Delegates Summers, Ellington, Howell, Statler and Frich: Relating to supplemental Medicaid provider reimbursement (Chapter 128, Acts, Regular Session, 2017)	597	775, 914	2835	2835	1104, 2836	597, 775, 1000, 1076, 1104, 2835, 2836, 3465, 3476
*2740 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Department of Administration (Chapter 10, Acts, Regular Session, 2017)	597	645		777	647	597, 646, 647, 879, 915
2741 -	By Delegates Sobonya, Householder, Blair, Frich, Hollen, Storch, Kessinger, Summers, N. Foster, Rohrbach and C. Miller: Relating to eligibility and fraud requirements for public assistance	624					625
2742 -	By Delegates Fleischauer, Lynch, Boggs, Sponaugle, Hornbuckle, Bates, Marcum, Rodighiero, Hicks, Moye and Folk: School Consolidation Task Force	625					625
2743 -	By Delegates Rohrbach, Sobonya, C. Romine, C. Miller, Butler, Queen, Hill, Kessinger, Dean, Fast and Rowan: Requiring the release of an unemancipated minor's medical records for drug testing	626					626

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2744 -	By Delegates Hanshaw, Fleischauer, Lovejoy, Cooper, Ambler, Walters, Isner, Fluharty, R. Miller, Pushkin and Canestraro: Local Energy Efficiency Partnership Act	626	776				626, 776
2745 -	By Delegates R. Miller, Robinson, Lane and Rowe: Adding the examination of Advanced Care Technician	626	1113, 1180			1384	626, 1113, 1284, 1335, 1384
2746 -	By Delegate Howell: Requiring county commissions to maintain websites with specific information	627					627
2747 -	By Delegates Shott, R. Miller, Kessinger, Lane, Byrd and Isner: Updating the commitment order form sentencing courts are required to complete	627					627
2748 -	By Delegates Walters, Lane, Storch, Westfall, Higginbotham, Blair, Hornbuckle, Fluharty, Barrett, Pushkin and Hill: Prohibiting civil rights violations based on gender identity, or sexual orientation	627					627
2749 -	By Delegate Ellington: Exempting vehicles engaged in nonemergency transportation of Medicaid members from permit requirements	627					628
2750 -	By Delegates Howell, Martin, Hamrick, Hill, Maynard, Paynter, Lewis, Arvon, Criss, McGeehan and Atkinson: Establishing a system at the county level for the dispatching of emergency towing services	628					628
2751 -	By Delegates Fluharty, Hornbuckle, McGeehan, Storch, Barrett, Sponaugle, White, Bates, Canestraro, Wilson and Pushkin: <u>Legalizing sport pool betting</u>	628					628
2752 -	By Delegates A. Evans, Wagner, Summers, Ambler, Eldridge, R. Romine, Hamilton, Rowan and Lewis: Relating to abuse and neglect of livestock	628	737				628, 737
2753 -	By Delegates Rodighiero, Rohrbach, Ellington, Summers, Longstreth, Fleischauer, Pushkin, Westfall, Hicks, Frich and Ward: Relating to modernization of the Physician Assistant Practice Act	628					629

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2754 -	By Delegates Ambler, Westfall, Butler, Harshbarger, Cooper and Walters: Relating to fire fees on nonresidents of a municipality	629	983				629, 983
2755 -	By Delegates Walters, Howell, Lovejoy and Rohrbach: Requiring a seller of real property satisfy upon closing any unpaid charges owed	629	1112				629, 1112
2756 -	By Delegates Cooper, Maynard, Paynter, Harshbarger, Moore, Ambler, C. Miller and Nelson: Making Promise scholarships available for students pursuing certificates or degrees through an accredited community and technical college	629					630
2757 -	By Delegates Lane, Cowles, Criss, G. Foster, Hollen, Kessinger, Moore and Sobonya: Relating to Medical Professional Liability	630					630
2758 -	By Delegates Shott, R. Miller, Kessinger, Lane, Byrd and Isner: Amending the definition of "abused child" to include a child conceived as a result of an act of sexual assault	630					630
*2759 -	By Delegates Ellington, Espinosa and Frich: Creating Statewide Interoperable Radio Network (Chapter 199, Acts, Regular Session, 2017)	630	1148, 1362	2730	2730	1558, 2733	631, 1148, 1494, 1534, 1558, 2730, 2733, 3465, 3476
2760 -	By Delegates Walters, Nelson, Phillips, Marcum, Gearheart, Criss, Householder, Anderson, Westfall, Hartman and Hanshaw: Allowing state agencies to self-insure their own programs	631					631
2761 -	By Delegates Thompson, Caputo, R. Miller, Moye, Hornbuckle, Rohrbach and Marcum: Relating to qualifications of paraprofessionals, autism mentors and braille or sign support specialists	631					631
2762 -	By Delegates Marcum, Phillips, Eldridge, Hicks, Isner, Sponaugle, Williams, Iaquinta, Ferro, Brewer and Canestraro: Increasing the number of employees of the State Police Forensic Laboratory	631					631

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2763 -	By Delegates Espinosa, Moore, Wilson, Cooper and Harshbarger: Relating to the approval by the Council for Community and Technical College Education of acquisitions	631	878, 1209			1433	632, 878, 1283, 1291, 1337, 1419, 1432, 1433
2764 -	By Delegates Espinosa, Statler, Harshbarger, Dean, Blair, Higginbotham, Westfall, Wilson, Moore, Cooper and Upson: Allowing the State Building Commission or the Higher Education Policy Commission to request and receive money from the Investment Management Board	632					632
2765 -	By Delegates Shott, R. Miller, Kessinger, Lane, Byrd and Isner: Establishing a new special revenue fund, designated the Court Advanced Technology Subscription Fund	632	734				632, 734
2766 -	By Delegates Shott, R. Miller, Kessinger, Lane, Byrd, Isner and Frich: Establishing a new special revenue fund, designated the Adult Drug Court Participation Fund (Chapter 63, Acts, Regular Session, 2017)	632	701, 912	1187	1187	1104, 1188	632, 701, 1001, 1076, 1104, 1187, 1188, 1358, 1768
*2767 -	By Delegates O'Neal, Hanshaw, Sobonya, Hollen, Moore, Kessinger, Summers, Fast, Overington and G. Foster: Authorizing the Secretary of State to transmit electronic versions of undeliverable mail to the circuit clerks (Chapter 121, Acts, Regular Session, 2017)	632	880, 1012	2677	2677	1166, 2693	633, 880, 1109, 1134, 1166, 2677, 2693, 3465, 3476
2768 -	By Delegate A. Evans: Modifying the penalties imposed on debt collectors who violate the provisions of the West Virginia Consumer Credit and Protection Act	633					633
2769 -	By Delegates C. Miller, Sobonya, Wilson, Folk, Cooper, Zatezalo, McGeehan, C. Romine, Maynard and Butler: Relating to the preservation of rights guaranteed by the West Virginia Constitution and the United States Constitution when deciding the comity of a legal decision in a foreign country	633					633

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2770 -	By Delegate Rowe: Reducing regulatory control over academic programs of state institutions	633					633
*2771 -	By Delegates Upson, Espinosa, Statler, Blair, Cooper, Ambler, Householder, Moore, Butler, Kessinger and Lewis: Relating to temporary teaching certificates for Armed Forces spouses (Chapter 222, Acts, Regular Session, 2017)	634	820, 1339	2836	2836	1515, 2837	634, 820, 1421, 1446, 1515, 2836, 2837, 3465, 3476
2772 -	By Delegates Brewer, Storch, Diserio, Ferro, R. Miller, Lovejoy, Moye, Caputo, Eldridge, Maynard and Robinson: Requiring welders working in the State of West Virginia to meet certain certification requirements	634					634
2773 -	By Delegates Frich, Ward, Butler, Longstreth, Westfall, Gearheart, Storch, Walters, Householder, Arvon and C. Miller: Relating to purchase of inmate-made goods by state agencies	688	819				688, 819
2774 -	By Delegates Hamrick, Ward, Folk, Frich, Summers, Statler, Howell, Zatezalo, Queen, Iaquina and Miley: Defining special aircraft property (Chapter 229, Acts, Regular Session, 2017)	688	1143		1548	1332	688, 1207, 1282, 1332, 1333, 2079, 3475
2775 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating to imposing, administering, and collecting a license tax on successful bidders for road construction contracts	688					688
*2776 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Creating of special revenue funding sources for the Division of Labor	688	984, 1295				689, 984, 1422, 1446, 1515, 1547, 1589
2777 -	By Delegate Deem: Requiring all unclaimed oil and gas royalties due a leaseholder of the mineral estate shall be transferred and paid to the legal surface owner	689					689

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2778 -	By Delegate Walters: Relating to licensure of behavioral health centers and behavioral health consumer rights	690					690
2779 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Supplementing, amending, decreasing, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation	690					690
2780 -	By Delegates R. Miller, Rohrbach, Lovejoy, Ferro, Canestraro, Maynard, Marcum, Eldridge and Robinson: Clarifying existing language for those first responders who die as a direct result of their duties	690					690
*2781 -	By Delegates Blair, Zatezalo, Householder, Ambler, Hamrick, Anderson, Martin, Maynard and Lewis: Requiring a person desiring to vote to present documentation identifying the voter to one of the poll clerks (Chapter 84, Acts, Regular Session, 2017)	703	794	3219	3219	1516, 3224	703, 1422, 1446, 1516, 3220, 3225, 3462, 3476
2782 -	By Delegates Lewis, E. Evans, R. Romine, Hamilton, Rowan, Rohrbach, Statler, Dean, Howell, Sypolt and Wagner: Permitting a time-share managing entity to foreclose upon its statutory lien for assessments	703					703
2783 -	By Delegates Rodighiero, Lynch, Moye, Thompson, Hicks, R. Miller, Westfall, Marcum, Baldwin and Eldridge: Authorizing the Real Estate Division of the Department of Administration to develop policies and procedures for the leasing, at no cost, of unoccupied buildings	703					704
2784 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Maintaining the solvency of the Unemployment Compensation Fund	704					704

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2785 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Department of Military Affairs and Public Safety, Fire Commission	704					704
2786 -	By Delegates Moye, Lynch, Miley, Pyles, Fleischauer, Marcum, Isner, R. Romine, Ambler and Cooper: Authorizing the Public Service Commission to regulate the billing practices of utilities and other entities that utilize wired or wireless transmission	704					704
2787 -	By Delegates Thompson, Westfall, Rohrbach, Moye, Dean, Hicks, Marcum and Rodighiero: Creating an additional class of special education classroom aides	705					705
2788 -	By Delegates Howell, Shott, Arvon, Martin, Lewis, Hill, Walters, Phillips, Moore, Espinosa and Butler: Allowing military veterans with certain military ratings to qualify for examinations required of a probationary firefighter	705	1007, 1211			1385	705, 1007, 1284, 1335, 1384, 1385
2789 -	By Delegates Eldridge, Maynard, Walters, Paynter, Dean, Ambler, Cooper, Iaquina, Love, Lynch and Sponagle: Exempting all monetary benefits derived from retirement income from personal income tax obligations for individuals moving into the state	705					705
2790 -	By Delegates Hanshaw and Shott: Transferring the Division of Forestry from the Department of Commerce to the Department of Agriculture	717					717
2791 -	By Delegates White, Westfall, Moore, Lane, Marcum, Frich, Storch and Ward: Creating the Debt Resolution Services Division	718					718
*2792 -	By Delegates Arvon, Hill, Walters and Martin: Requiring the Library Commission to survey the libraries of the state (Chapter 198, Acts, Regular Session, 2017)	718	881		2574	1074	718, 973, 1000, 1074, 3456, 3475

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2793 -	By Delegates Ellington, Rodighiero, McGeehan, Folk, Walters, Hamrick, Diserio and Zatezalo: Relating to the nonpartisan election of county superintendents of schools	718					718
*2794 -	By Delegates Frich, Upson, Westfall, White and Marcum: Relating to the means of giving notice to a debt collector of a consumer's representation by legal counsel	719	852, 1214			1516	719, 852, 1283, 1380, 1422, 1446, 1516, 1517
2795 -	By Delegates A. Evans, R. Romine, Hamilton and Rowan: Clarifying a director of a multicounty vocational technical school is a principal	719					719
2796 -	By Delegate Hanshaw: Relating to the West Virginia National Guard entering into contracts and subcontracts for specialized technical services (Chapter 201, Acts, Regular Session, 2017)	719	882	2191	2191	1074, 2192	719, 973, 1000, 1074, 1075, 2191, 2192, 2724, 3475
*2797 -	By Delegates O'Neal, Shott, Hanshaw, Sobonya, Kessinger, N. Foster, G. Foster and Overington: Codifying statutory immunity for government agencies and officials from actions of third-parties using documents or records (Chapter 107, Acts, Regular Session, 2017)	719	1010		2547	1166	719, 1109, 1134, 1166, 1167, 3456, 3475
2798 -	By Delegates O'Neal, Shott, Hanshaw, Sobonya and Overington: Clarifying provisions relating to candidates unaffiliated with a political party	719	1009			1167	719, 1109, 1134, 1167
*2799 -	By Delegates G. Foster, Higginbotham, Householder, Kessinger, Hill, N. Foster, Cowles, Fast, Summers, R. Miller and Isner: Prohibiting the superintendent of schools from requiring a physical examination to be included to the application for a minor's work permit	720	1145, 1214			1433	720, 1145, 1283, 1291, 1337, 1419, 1433
2800 -	By Delegates Frich, Butler, Longstreth, Westfall, Storch, Walters, Ambler, Householder and C. Miller: Limiting access to state property and secured facilities to persons who have been screened and authorized through the Division of Protective Services	720					720

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2801 -	By Delegate Miley [By Request of the Executive]: Expiring funds to the unappropriated balance in the State Fund from the Department of Revenue, Office of the Secretary – Revenue Shortfall Reserve Fund (Chapter 11, Acts, Regular Session, 2017)	720	1872	3040	3040	1927, 3051	720, 1926, 1927, 3040, 3052, 3457, 3475
2802 -	By Delegates Rohrbach and Hicks: Permitting inspectors working within the Division of Dealer Services of the Division of Motor Vehicles to carry a concealed weapon on duty	720					721
2803 -	By Delegate Miley [By Request of the Executive]: Granting authority to the Parkways Authority to issue revenue bonds and refunding bonds for the purpose of financing parkway projects	721					722
*2804 -	By Delegates Lane, Ferro, Williams, Phillips, Maynard and Robinson: Removing chiropractors from the list of medical professions required to obtain continuing education on mental health conditions common to veterans and family members (Chapter 170, Acts, Regular Session, 2017)	722	1007, 1178	3002	3002	1517, 3003	722, 1008, 1287, 1380, 1422, 1446, 1517, 3003, 3465, 3476
*2805 -	By Delegates Nelson, Boggs, Ambler, Anderson, Frich, Hamilton, C. Miller, Walters, Longstreth, Pethel and Sponaugle: Finding and declaring certain claims against the state and its agencies to be moral obligations of the state (Chapter 26, Acts, Regular Session, 2017)	722	1146	2733	2733	1333, 3080	722, 1207, 1282, 1333, 2733, 3079, 3081, 3465, 3476
2806 -	By Delegates Hamrick, Miley, Iaquina and Queen: Specifying exemption from the consumers sales and service tax and use tax for purchases of certain services and tangible personal property	722					722
2807 -	By Delegates Storch, Fleischauer, Blair, Pyles, Frich, Longstreth, Hornbuckle, Fluharty, Upson, Sypolt and Hamilton: Equal Pay Act of 2017	722					723

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2808 -	By Delegates Summers, Atkinson, Ellington, Rohrbach and Shott: The West Virginia Assisted Outpatient Treatment Act (Chapter 68, Acts, Regular Session, 2017)	757	852, 1120			1235	757, 853, 1169, 1204, 1235
2809 -	By Delegates Statler, Pethtel, Moye, Hill and Kessinger: Relating to basic state aid to public education	757	1145				757, 1145
2810 -	By Delegate Rowe: Creating a litigation practice license for social workers	757					757
*2811 -	By Delegates Hanshaw, Hartman, Kelly, Boggs, Miley, Shott, Nelson, Anderson, Westfall and Hamrick: Relating to the definition of above ground storage tanks (Chapter 89, Acts, Regular Session, 2017)	758	852, 912		1427	1105	758, 852, 1001, 1076, 1105, 1604, 2227
2812 -	By Delegates Rohrbach, G. Foster, Lewis, Walters, Hanshaw and Boggs: Office of Rural Health Policy	758					758
2813 -	By Delegates Walters, Howell, Phillips, McGeehan and Barrett: Increasing number of limited video lottery terminals allowed at a retail location	758					758
2814 -	By Delegate Miley [By Request of the Executive]: Increasing the funding for the State Road Fund by increasing Division of Motor Vehicle administrative fees and motor fuel excise taxes	758					759
*2815 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating to higher education governance (Chapter 122, Acts, Regular Session, 2017)	759	1222, 1347	1517	2837	1518, 2846	763, 1222, 1422, 1447, 1518, 2837, 2846, 3470, 3476
*2816 -	By Delegate Miley [By Request of the Executive]: Eliminating new film tax credits	763	1350				764, 1422, 1427, 1474, 1518, 1519
*2817 -	By Delegates Walters, Nelson and Espinosa: Providing for the reduction of the unfunded liability in the teachers retirement system over a 30 year period	764	1353				764, 1422, 1427, 1492, 1519, 1521

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2818 -	By Delegates Fast, Kessinger, Arvon, Hill, O'Neal and Howell: Prohibiting West Virginia institutions of higher learning and state agencies from discriminating against graduates of private, nonpublic or home schools by requiring them to submit to alternative testing	797					798
2819 -	By Delegates Howell, Lewis, Paynter, Ward, Sypolt, Hamrick, Arvon, Hill, Martin, Storch and Sobonya: Terminating the State Agency for Surplus Property	798	1008				798, 1008
2820 -	By Delegates Howell, Hamrick, Paynter, Lewis, Arvon, Martin, Storch, Frich, Blair, Upson and Walters: Abolishing the Alcohol Beverage Control Commissioner	798	1177				799, 1177
2821 -	By Delegates Boggs, Sponaugle, Walters, Hartman, A. Evans, Anderson, Hamilton, Pethtel, C. Romine and Lovejoy: West Virginia Farm-to-Food Bank Tax Credit	799	977				799, 977
2822 -	By Delegates Howell, Shott, Lewis, Ward, Hamrick, Arvon, O'Neal, Storch, Martin, Hill and Paynter: Allowing honorably discharged veterans who possess certain military ratings to qualify to take an examination for licensing as a plumber, electrician, and sprinkler fitter	799					799
2823 -	By Delegates Miley, Longstreth, Baldwin, Iaquina, Pushkin, Isner, Hornbuckle, E. Evans, Barrett, Williams and Robinson: Establishing a statewide call-in center to receive assistance with healthcare	799					800
2824 -	By Delegates Lynch, Hartman, Iaquina, Ferro, Cooper, Pushkin, Caputo, Boggs, Diserio, R. Romine and Hamilton: Exempting State Teachers Retirement System pension benefits from West Virginia personal income taxation	800					800

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2825 -	By Delegates C. Miller, Sobonya, Upson, Ellington, Rohrbach, Shott, Hornbuckle, Lovejoy and Hicks: Requiring state institutions of higher education adopt policies concerning sexual assault, domestic violence, dating violence and stalking	800					800
2826 -	By Delegate Walters: Eliminating provisions and repealing statutes related to the West Virginia Health Information Network	800					800
*2827 -	By Delegates Ellington and Summers: Updating the all payor claims database	800	1082			1194	800, 1083, 1134, 1169, 1193, 1194
*2828 -	By Delegates Summers, Canestraro, R. Miller and Hollen: Changing the number of strikes in jury selection in felony cases	800	1013				801, 1109, 1134, 1167, 1168
2829 -	By Delegates Rowe, Pyles, Byrd, Phillips, Lane, Pushkin and Robinson: Establishing a toll-free phone line for receipt of comments from the public about state programs and services	801					801
2830 -	By Delegates Frich, Ward, Hollen, Butler, Walters, Barrett, Arvon, Householder, C. Miller, Espinosa and Westfall: Relating to agencies exempt from the state purchasing laws and providing for the appointment of the director of purchasing	801					801
2831 -	By Delegate Gearheart: Relating to the reconstitution of the Driver's Licensing Advisory Board	801	979				801, 979
2832 -	By Delegates E. Evans, Paynter, Baldwin and Rowe: Raising the amount required for competitive bidding of construction contracts by the state and its subdivisions	801					802
2833 -	By Delegates Howell, Frich, Dean, Hill, G. Foster, Martin, Hamrick, Arvon, Criss, Lewis and Sypolt: Specifying the contents and categories of information for inclusion in annual reports (Chapter 118, Acts, Regular Session, 2017)	802	909		2548	1132	802, 1001, 1076, 1107, 1132, 3456, 3475

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2834 -	By Delegates Howell, Frich, Dean, Hill, Martin, Hamrick, Arvon, Criss, Lewis, Sypolt and Paynter: Relating to unlawful employment practices involving unauthorized workers	802					802
2835 -	By Delegates Howell, Dean, Hill, G. Foster, Martin, Hamrick, Criss, Lewis, Sypolt, Fast and Paynter: Permitting an individual with a current West Virginia issued license to carry a concealed deadly weapon to carry such weapon on the campus of a state institution of higher education	803					803
2836 -	By Delegates Howell, Frich, Dean, Harshbarger, Hill, Martin, Hamrick, Criss, Arvon, Lewis and Sypolt: Allowing the owner of an antique military vehicle to display alternate registration insignia	803					803
2837 -	By Delegates Howell, Frich, Dean, Harshbarger, Hill, Martin, Hamrick, Criss, Lewis, Rohrbach and Fast: Relating to the collection of municipal sales tax by vendors of goods and services	803					803
*2838 -	By Delegates Howell, Shott, Frich, Dean, Harshbarger, Hill, G. Foster, Martin, Hamrick, Arvon and Criss: Allowing military veterans who meet certain qualifications to qualify for examination for license as an emergency medical technician	803	1007, 1197			1385	803, 1007, 1284, 1335, 1385
*2839 -	By Delegates Howell, Frich, Dean, Hill, G. Foster, Martin, Hamrick, Arvon, Lewis, Sypolt and Rohrbach: Updating the procedures for legislative review of departments and licensing boards (Chapter 148, Acts, Regular Session, 2017)	804	910		2548	1105, 2608	804, 1001, 1076, 1105, 1106, 2598, 2608, 3470, 3476
*2840 -	By Delegates Howell, Frich, Dean, Hill, G. Foster, Martin, Hamrick, Arvon, Criss, Lewis and Sypolt: Reorganizing the departments, agencies and commissions within the executive branch of state government	804	1081			1194	804, 1082, 1135, 1169, 1194

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2841 -	By Delegates Howell, Frich, Dean, Harshbarger, Hill, G. Foster, Martin, Hamrick, Arvon, Criss and Lewis: Requiring board members to have attended a board meeting in order to be compensated for the meeting	804	911			1386	804, 911, 1209, 1284, 1335, 1385, 1386
2842 -	By Delegates Hornbuckle, Pushkin, White, C. Romine, Rohrbach, C. Miller, Blair, Westfall, Canestraro and Lovejoy: Authorizing a temporary foreign brewers import license	804					805
2843 -	By Delegates Fast, Kessinger, Hill, Howell, Ward, Lane, Hamrick and Storch: Permitting Class III and Class IV municipalities to be included in the West Virginia Tax Increment Act	805	1113				805, 1113
2844 -	By Delegates Upson, Householder, O'Neal, Wilson, Cooper, Blair, McGeehan, Dean, Wagner, N. Foster and Hill: Relating to provisions applicable to military members and their spouses	805					805
2845 -	By Delegates Lane, Byrd, Walters, Robinson, Rowe, Pushkin, Mr. Speaker (Mr. Armstead), Canestraro, Lovejoy and Fast: Establishing that the Division of Corrections is responsible for the costs of housing and maintaining an inmate the day following an inmate's conviction	805	1012				805, 1012
*2846 -	By Delegates Fast, O'Neal, Kessinger, Sobonya, Rowan, G. Foster, Mr. Speaker (Mr. Armstead) and Frich: Including high school students participating in a competency based pharmacy technician education and training program as persons qualifying to be a pharmacy technician trainee (Chapter 177, Acts, Regular Session, 2017)	805	1118, 1179		3264	1386	805, 1118, 1284, 1335, 1338, 3462, 3477
2847 -	By Delegates Fleischauer, Rodighiero, Sobonya, McGeehan, Butler, Householder, R. Miller, Baldwin, Lovejoy, Hornbuckle and Longstreth: Relating to the state's Medicaid Home and Community-Based Services Intellectual/Developmental Disability Waiver	806					806

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2848 -	By Delegates Rowan, Rohrbach, Lewis, Lynch, Pyles, Sypolt, Maynard, Paynter, Eldridge, Martin and Boggs: Livable Home Tax Credit	806	1111				806, 1111
2849 -	By Delegates Folk, Wilson, Walters, Paynter, Butler, Summers, Gearheart, Hamrick, Martin, Statler and Hill: Providing that the compensation level of the Chancellor for Higher Education may be no more than the salary of the Governor	806					806
*2850 -	By Delegates Shott, O'Neal, Sobonya and Moore: Relating to product liability actions (Chapter 2, Acts, Regular Session, 2017)	806	1181		3265	1434	807, 1283, 1291, 1337, 1419, 1434, 3462, 3477
*2851 -	By Delegates White, Westfall, Moore, Dean, Lane, Ward and Frich: Updating fee structure provisions for broker-dealers (Chapter 225, Acts, Regular Session, 2017)	807	1081, 1363	3105	3105	1559, 3108	807, 1081, 1494, 1534, 1558, 3105, 3108, 3470, 3476
*2852 -	By Delegates Howell, Arvon, Hamrick, Hill, Martin, O'Neal, Storch, Sobonya, Frich, Sypolt and Ward: Relating to the preparation of a comprehensive annual financial report	807	910			1106	807, 1001, 1076, 1106
2853 -	By Delegates Rowan, Ambler, Cooper and Espinosa: Relating to more equitable disbursement of funds to county boards	807					807
2854 -	By Delegates E. Evans, Maynard and Paynter: Adding an annual annuity adjustment of one percent for eligible retirants or surviving spouses	807					808
2855 -	By Delegate Upson: Relating to care, custody and visitation of pets involved in separation and divorce proceedings	808					808
2856 -	By Delegates O'Neal, Cooper, Ambler, C. Miller, Boggs, Fast, Kessinger, White, Sobonya, C. Romine and Rohrbach: Declaring public policy and legislative intent for improving the marketing, quality and frequency of passenger rail service of the Cardinal Passenger Train (Chapter 67, Acts, Regular Session, 2017)	808	1079	2192	2192	1195, 2193	808, 1135, 1169, 1194, 1195, 2192, 2193, 2856, 3475

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2857 -	By Delegates G. Foster, Westfall, White, Walters, Moore and Summers: West Virginia Safer Workplaces Act (Chapter 136, Acts, Regular Session, 2017)	809	984, 1119	1119, 1235, 2846	2846	1235, 2848	809, 984, 1119, 1169, 1204, 1236, 2846, 2848, 3465, 3477
2858 -	By Delegate Rowe: Creating a loan tuition forgiveness program to encourage students in selected and necessary fields to remain in the state	809					809
2859 -	By Delegates Hamrick, Miley, Queen and Iaquina: Relating generally to tax increment financing districts	810					810
2860 -	By Delegates Hamrick, Miley, Queen and Iaquina: Relating to modification of assessments in a community enhancement district	810					810
2861 -	By Delegates G. Foster, Higginbotham, Kessinger and Lane: Authorizing a medical power of attorney representative to sign a binding arbitration agreement	810					810
2862 -	By Delegates Fluharty and Miley: Establishing the “Stay in State” tax credit (Chapter 122, Acts, Regular Session, 2017)	810					811
2863 -	By Delegates Fluharty, Pushkin, Fleischauer and Miley: Prohibiting use of a person's credit history in certain insurance transactions	811					811
2864 -	By Delegates O’Neal, Householder, Sypolt, Upson, Hill, Kessinger, Atkinson, C. Miller, Queen, Hamrick and N. Foster: Waiving certain business start-up and occupational licensing fees for low-income individuals	811					811
2865 -	By Delegates Anderson, Kelly, Zatezalo, Kessinger, Phillips, Butler, Wilson and McGeehan: Relating to erroneous tax assessments and overpayments to the county	811					811
2866 -	By Delegate Rowe: Relating to social determinants of health	811					812

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2867 -	By Delegates Hamilton, Miley, Pyles, R. Romine, Iaquina, Pethel and Williams: Increasing penalties for failure to use due caution when approaching an emergency vehicle	812					812
*2868 -	By Delegates Hanshaw, Westfall and Frich: Relating generally to Uniform Unclaimed Property Act	812	853, 914	1107, 2353	2353	1107	812, 853, 1001, 1076, 1106, 2353, 2354, 2358
2869 -	By Mr. Speaker (Mr. Armstead), and Delegates Hanshaw and Ambler: Providing for paid leave for certain state officers and employees during a declared state of emergency	834	1224	3003	3003	1434	834, 1337, 1419, 1434, 1435, 3004
2870 -	By Delegates G. Foster and Hanshaw: Addressing certain cross references in the code that are no longer correct with regard to definitions of child abuse and neglect, child abuse or neglect, juvenile offender, delinquent, child abuse and domestic violence	834					834
*2871 -	By Delegates Walters, Nelson, Gearheart, Householder and Overington: Eliminating the mandated employer versus employee cost share of eighty percent employer, twenty percent employee for Public Employee Insurance Agency	834	1081, 1147				835, 1081, 1147, 1207, 1219
2872 -	By Delegates Espinosa, Upson, Moore, Wilson, Zatezalo, Householder, Dean, Blair, Folk, McGeehan and Storch: Relating to changes in distribution of net terminal income, excess net terminal income and excess lottery fund	835					835
2873 -	By Delegate Rowe: Relating to alternate sentencing for nonviolent felony offenders	835					835
2874 -	By Delegates Lynch, Longstreth, Moye, Marcum, Dean, Pyles, Iaquina, Ferro, Williams, Hollen and Phillips: Relating to the definition of Managed Timberland	835					835
2875 -	By Delegate Westfall: Relating to the adoption of instructional educational resources	835					835
2876 -	By Delegates Rowe, Caputo, Pyles and White: Creating a loan tuition forgiveness program	836					836

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2877 -	By Delegates White and Westfall: Relating to fees collected to conduct criminal background checks	836					836
2878 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Increasing amount of authorized Federal Grant Anticipation Notes for which Division of Highways may apply (Chapter 219, Acts, Regular Session, 2017)	836	1174		1877	1519	836, 1263, 1381, 1422, 1447, 1519, 1520, 2080, 3455, 3475
2879 -	By Delegate Miley [By Request of the Executive]: Authorizing the Governor to issue executive orders to furlough state employees	836					836
2880 -	By Delegates Howell, Frich, Dean, Harshbarger, Hill, G. Foster, Martin, Hamrick, Arvon, Criss and Sypolt: Relating to a comprehensive inventory of state-managed areas open to off-highway vehicles	837					837
2881 -	By Delegates Howell, Frich, Dean, Hill, G. Foster, Martin, Hamrick, Arvon, Criss, Lewis and Rohrbach: Establishing minimum safety standards for the design of any robot operated in the state	837					837
2882 -	By Delegates Howell, Walters, Hamrick, Householder, Butler, Lewis, Atkinson, Maynard, Lynch and Criss: Changing the frequency with which vehicles must be inspected	837					837
2883 -	By Delegates Householder, O'Neal, Sypolt, Upson, G. Foster, Blair and Higginbotham: The Freedom to Prosper Act	837					838
2884 -	By Delegates Overington, Moore, Householder, Espinosa, Cowles, Blair, Upson, Barrett, Frich, Statler and Wilson: Requiring funding by the West Virginia Library Commission to local libraries be based on the population served by each respective library	838					838
2885 -	By Delegates Rowe, Pyles and Pushkin: Relating to designation of social workers in the Department of Health and Human Services	838					838

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2886 -	By Delegates Espinosa, Moye, Cooper, Wilson, Dean, R. Romine and Westfall: Relating to generally applied associate of science degrees that target workforce needs	838					838
*2887 -	By Delegates Espinosa, Statler, Walters, Upson, Blair, Wilson, Cooper and Higginbotham: Relating to retirement and separation incentives	839	1340			1520	839, 1340, 1423, 1447, 1520
2888 -	By Delegates Walters, Howell, Phillips, Folk, Hamrick, Frich and Wilson: Removing the restriction on liquor licensees from having speakers outside or playing music outdoors	839					839
2889 -	By Delegates Howell, Shott, Hamrick, Arvon, Storch, Ward, Lewis, Maynard, Ferro, Lynch and Criss: Allowing military veterans with certain military ratings to qualify for examinations required of a probationary police officer	839					839
2890 -	By Delegates Lovejoy, Sobonya, C. Romine, Rohrbach, Hornbuckle, Canestraro, Thompson, Hicks, Isner and Baldwin: Establishing a Library Facilities Improvement Fund that will serve to support library facilities construction, maintenance and improvement projects	839					839
2891 -	By Delegates R. Miller, Canestraro, Hollen, Summers, Marcum, Robinson, Eldridge and Isner: Including electronic communications to and from inmates with the types of communications that the Division of Corrections currently monitors and may record	839					840
2892 -	By Delegates Folk and McGeehan: Removing requirement that persons who pass the bar in West Virginia be members of the West Virginia State Bar in order to practice	840					840
2893 -	By Delegate Westfall: Relating to the Land Division of the Department of Agriculture	840					840
2894 -	By Delegates Hill, Martin, Atkinson and Caputo: Relating to the collection of taxes on wine and intoxicating liquors	840					840

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2895 -	By Delegates Brewer, Ferro, Boggs, Caputo, Moye, Eldridge, Hartman, Diserio, Pushkin, Williams and Rodighiero: Restoring employees' rights associated with agreeing to be represented by a labor organization	840					841
2896 -	By Delegates G. Foster, Lane, Paynter, Butler, Rowe and Criss: Requiring a warning light to be erected on certain roads to warn of a traffic light ahead	841					841
*2897 -	By Delegates Criss and Lane: Raising the amount required for competitive bidding of construction contracts by the state and its subdivisions (Chapter 103, Acts, Regular Session, 2017)	841	983, 1212	2848	2848	1521, 2850	841, 983, 1283, 1381, 1423, 1447, 1521, 2848, 2850, 3465, 3477
*2898 -	By Mr. Speaker (Mr. Armstead): Authorizing the Joint Committee on Government and Finance to request and obtain criminal background checks of employees of the Legislature (Chapter 147, Acts, Regular Session, 2017)	842	976		2358	1133	842, 977, 1077, 1107, 1132, 1133, 3462, 3477
2899 -	By Delegate Miley [By Request of the Executive]: Reorganizing the Division of Tourism	842					842
2900 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating to the Office of Technology	842					842
2901 -	By Delegates Sponaugle, Caputo, Hartman, Phillips, McGeehan, A. Evans, Longstreth, Baldwin, Iaquina, Butler and Williams: Giving all honorably discharged veterans ten extra points when successfully completing a civil service examination	843					843
2902 -	By Delegates Atkinson, Cooper, Ambler, Ward, Hollen, Wagner, Sypolt, Kelly, Eldridge, R. Miller and Criss: Requiring county school boards to provide adequate mental health and counseling services	843					843
2903 -	By Delegates G. Foster, N. Foster, Higginbotham, Butler and Maynard: Limiting the maximum number of appointees to certain county and municipal bodies	843					844

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2904 -	By Delegate Ellington: Reorganizing the West Virginia Health Care Authority	844					845
2905 -	By Delegates Kessinger, Isner, Gearheart, Blair and Byrd: Relating to animal cruelty	845					845
2906 -	By Delegates Kessinger, Hill and Lane: Emergency Medical Services Act of 2017	845					845
2907 -	By Delegates Ambler, Cooper, Fleischauer, Dean, Williams, Baldwin, Fluharty, Storch, Rohrbach, Rowan and Walters: Relating to real property option to purchase contracts executed with lease agreements	862					862
2908 -	By Delegates Folk and McGeehan: Making appropriations of public money out of the Treasury in accordance with section fifty-one, article VI of the Constitution	863					863
2909 -	By Delegates Phillips, Maynard, Paynter, Walters, Howell, McGeehan, Gearheart, Eldridge, R. Miller, Statler and Westfall: Abolishing the office environmental advocate within the Department of Environmental Protection	863					863
2910 -	By Delegates Hamrick, Howell, Walters, Westfall, Dean, Storch, McGeehan and Folk: Relating to autonomous vehicles	863					863
2911 -	By Delegates Barrett, Storch, Walters, Bates, Westfall, Ambler and Householder: Increasing the number of video lottery terminals authorized for retailers and fraternal societies or veteran's organizations	863					863
2912 -	By Delegates Walters, Ambler and Cooper: Abolishing regional service education agencies	863					864
2913 -	By Delegates Espinosa, Moore, Upson, Nelson, Storch, Zatezalo, Householder, Walters and Barrett: Relating to the licensing of advance deposit wagering	864					864
2914 -	By Delegates Walters and Fast: Relating to powers and duties of the Commissioner of Public Health	864	1112				865, 1112
2915 -	By Delegates Lynch, Fast, Hollen and Pyles: Relating to registration requirements of the sex offender registration act	865					865

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2916 -	By Delegates Pethtel, Hanshaw and Lovejoy: Authorizing certain first responders to carry firearms	865	976			1133	865, 1077, 1108, 1133
2917 -	By Delegates Marcum, Rodighiero, Eldridge, Phillips, Rohrbach, Sobonya, Isner and Hicks: Changing the Unborn Victims of Violence Act to the Unborn Victims of Abuse Act	865					865
2918 -	By Delegates Byrd, Phillips and Hanshaw: Creating a felony penalty of life without mercy for the first degree murder of a law-enforcement officer	865					865
2919 -	By Delegates Ward and Martin: Relating to parking along state highways	866					866
2920 -	By Delegates Marcum, Hicks, Westfall, Rodighiero, Eldridge and Thompson: Providing mandatory minimum sentences for trafficking drugs into the state and for other drug offenses	866					866
2921 -	By Delegates Rowe and Lynch: Establishing a website clearinghouse for sharing information about potential sources of revenue, financial, technical and legal assistance for government agencies	866					866
2922 -	By Delegates Barrett, Phillips, Blair, Summers, Maynard, Overington, Paynter, Eldridge and Householder: Reducing the cost of the fee for a state license to carry a concealed weapon	866					867
2923 -	By Delegates Boggs, Nelson, A. Evans, Miley, Cowles and Caputo: Requiring the Commissioner of Highways to verify legal employment status of contractors and vendor's employees for certain road and bridge contracts	867					867
2924 -	By Delegates Walters, Boggs, Miley, Ambler, Nelson, Blair, Hamrick, Queen, Fast, Hill and Moore: Relating to installation of conduit for fiber optic cable on state highway construction projects	867					867

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2925 -	By Delegates Phillips, Westfall, Hollen, Walters, Hanshaw, Lane, R. Miller and Rohrbach: Permitting a child sixteen years of age or older to petition for a change of parental custody	867					867
2926 -	By Delegates Walters and Fast: Relating to the comprehensive statewide student assessment	867					867
2927 -	By Delegates Walters, Frich and Butler: Transferring certain revenues derived from racetrack video lottery and racetrack table games	867					868
2928 -	By Delegates Walters, Boggs, Wilson, Fast and Maynard: Creating a low-interest student loan refinancing program for teachers	868					868
2929 -	By Delegates Zatezalo, Storch and McGeehan: Allowing an adjustment to gross income for calculating the personal income tax liability of certain retirees	868					868
*2930 -	By Delegates Shott and Lane: Allowing powerball, hot lotto, and mega millions winners to remain anonymous	868	1343			1522	868, 1423, 1447, 1521, 1522
2931 -	By Delegates Walters and Deem: Authorizing shut-in of oil and gas wells in West Virginia	869					869
2932 -	By Delegates Walters and Frich: Providing owner of conservation easement be given the right of first refusal	869					869
*2933 -	By Delegates Moore, Ambler, G. Foster, C. Miller, Arvon, Maynard and Shott: Relating to the consumers sales and service taxes and use taxes	869	1353				870, 1423, 1427, 1493, 1497, 1521, 1540, 1547, 1601, 1615
2934 -	By Delegates Nelson, Householder, Moore and Capito: Eliminating the tax brackets under the personal income tax and changing the rate of the tax	870					870
*2935 -	By Mr. Speaker (Mr. Armstead), and Delegates Hanshaw, Ambler, Hill, Boggs and Baldwin: Relating to state flood protection planning (Chapter 100, Acts, Regular Session, 2017)	870	1212	3004	3004	1387, 3010	870, 1284, 1336, 1386, 1387, 3010, 3462, 3477

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2936 -	By Delegates Fast, Howell, Arvon, Martin, Butler, Householder, Walters, C. Miller, Storch, Westfall and Rowan: Requiring purchases to be made at lowest retail price available at level of quality sought by the spending unit	893	1009, 1219			1435	893, 1009, 1337, 1419, 1435
2937 -	By Delegates Nelson and Boggs: Authorizing county assessors to make separate entries in their land books	893					893
2938 -	By Delegates Folk, McGeehan, Phillips, Blair, Wilson, Hamilton, Hamrick, Hanshaw, Overington, Paynter and Shott: Relating to deduction from jail sentence for litter cleanup	894					894
*2939 -	By Delegate Hamilton: Relating to the sale of items in the State Police Academy post exchange to the public (Chapter 205, Acts, Regular Session, 2017)	894	1224		2358	1435	894, 1224, 1337, 1420, 1435, 1436, 3462, 3476
2940 -	By Delegate Rowe: Creating a tax credit for improving facades in historic districts	894					894
*2941 -	By Delegates Gearheart, Storch, Hamrick, Criss, Hanshaw, Westfall, Paynter, Cooper, Moore, Ambler and White: Requiring the Commissioner of the Division of Highways to utilize the Attorney General for all legal assistance and services (Chapter 112, Acts, Regular Session, 2017)	894	1181		2548	1522	894, 1283, 1381, 1424, 1448, 1522, 3463, 3477
2942 -	By Delegates Westfall and Frich: Prohibiting insurers from cancelling or failing to renew insurance policies do to the mere filing of a claim that was later denied	894					895
2943 -	By Delegates Moore, Espinosa, Upson, Householder, Blair, Wilson, Zatezalo, Walters, McGeehan and Folk: Authorizing the Lottery Commission to introduce games whose winning tickets are determined by the outcome of a licensed horse race	895					895
2944 -	By Delegates Barrett, Householder, Overington, Canestraro and Robinson: Requiring the Insurance Commissioner to regulate professional bondsmen	895					895

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2945 -	By Delegates Folk, Wilson, Paynter, Storch, McGeehan, Kessinger, Sobonya, Rodighiero, Marcum and Fast: Relating to exemptions from mandated immunizations	895					895
2946 -	By Delegates Butler, Criss, Hollen, Paynter, Kelly, C. Miller, Wilson, Frich, Sobonya, Cooper and Hill: The West Virginia Refugee Absorptive Capacity Act	895					896
2947 -	By Delegates Rodighiero and Eldridge: Relating to salary increase for Regional Jail Authority employees	896					896
*2948 -	By Delegates Hanshaw, Sypolt, Zatezalo, Ward, Paynter, Harshbarger, G. Foster, Deem, Anderson, N. Foster and Fast: Establishing timelines for taking final action on certain permits (Chapter 113, Acts, Regular Session, 2017)	896	1083, 1182	2359, 2563	2359	1387, 2361	896, 1083, 1284, 1336, 1387, 2565, 3470, 3477
*2949 -	By Delegates Hamilton, Eldridge, Lewis, Ambler and R. Romine: Exempting specified Division of Natural Resources' contracts for some replacement, repair or design for repairs to facilities from review and approval requirements (Chapter 164, Acts, Regular Session, 2017)	896	978, 1213		2361	1388	897, 978, 1284, 1336, 1387, 1388, 3470, 3477
2950 -	By Delegate Kessinger: Requiring the State Superintendent of Schools to have a terminal degree	897					897
2951 -	By Delegates Fleischauer, Pushkin, Fluharty, Lovejoy, Hornbuckle, Longstreth, Diserio, Rowe and Pyles: Assessing the health impact of any new, or modification to, rule proposed by the Secretary of the Department of Environmental Protection	897					897
2952 -	By Delegate Rowe: Relating to the right of municipalities and counties to buy real estate for delinquent taxes	897					897
2953 -	By Delegates E. Evans, Bates and Eldridge: Establishing the Southern West Virginia Lake Development Study Commission	897					898

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2954 -	By Delegate Wilson: Establishing 1 a.m. as the cutoff time for selling liquor in retail establishments and private clubs	898					898
2955 -	By Delegates Walters, Storch, Byrd, Nelson and Ambler: Relating to advance deposit wagering	898					898
2956 -	By Delegates Walters, Boggs and Rowe: Establishing a new special revenue fund, designated the Adult Drug Court Participation Fund	898					898
2957 -	By Delegate Walters: Relating to labor; employer's bond for wages	898					898
2958 -	By Delegates Walters, Boggs and Phillips: Relating generally to development of infrastructure in the state	899					899
2959 -	By Delegate Walters: Requiring all pawnbrokers to upload pictures to their website of all pawned items	899					900
2960 -	By Delegates Nelson and Boggs: Providing additional circumstance allowing the Tax Commissioner to withdraw tax liens	900					900
*2961 -	By Delegates Nelson and Boggs: Relating generally to charitable bingo games and charitable raffles (Chapter 215, Acts, Regular Session, 2017)	900	1012, 1296	2548	2548	1523, 2549	900, 1012, 1424, 1448, 1522, 1523, 2548, 2549, 3462, 3476
2962 -	By Delegates Nelson and Boggs: Enlarging the authority of the Tax Commissioner to perform background investigations of employees and contractors (Chapter 110, Acts, Regular Session, 2017)	900	1297		2734	1523, 2734	900, 1424, 1448, 1523, 2734, 2735, 3471, 3477
2963 -	By Delegates Nelson and Boggs: Eliminating tax lien waiver requirement for estates of nonresidents (Chapter 230, Acts, Regular Session, 2017)	900	1297	1524	2362	1524	900, 1424, 1448, 1523, 1524, 3456, 3477
2964 -	By Delegate Bates: Budget Stabilization Act of 2017	900					901
2965 -	By Delegate Bates: Relating to Capitol Complex security access	901					901
*2966 -	By Mr. Speaker (Mr. Armstead), and Delegates Shott, Hanshaw, Summers, Sobonya, Lane, N. Foster, Overington, Fast, G. Foster and O'Neal: Creating the West Virginia Sentencing Commission	901	1286			1436	901, 1337, 1420, 1436

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2967 -	By Delegates Nelson and Boggs: Relating generally to administration of estates and trusts (Chapter 93, Acts, Regular Session, 2017)	901	1297	2735	2735	1524, 2748	902, 1424, 1448, 1524, 2735, 2748, 3465, 3476
2968 -	By Delegates Thompson, Marcum, Rodighiero and Hicks: Requiring moneys collected from the sale of timber realized through management of the state-owned forests and parks be distributed on a pro rata basis	902					902
2969 -	By Delegates Williams, Caputo, Ferro, Sponaule, Fleischauer, Miley, Canestraro, Hornbuckle, Rowe and Hamilton: Increasing the minimum wage based upon increases in the consumer price index	902					902
2970 -	By Delegates Cowles, Westfall, Kelly, Zatezalo and Boggs: Relating generally to additional county excise taxes on the privilege of transferring real property	902					902
2971 -	By Delegates Cowles, Westfall, Kelly, Zatezalo and Boggs: Granting the State Auditor the authority to audit the books and records of local economic development authorities	902	1144				903, 1144
2972 -	By Delegate Love: Requiring service stations that sell motor fuel to the public have backup generators for use during emergencies	903					903
2973 -	By Delegates Howell, Criss, Ward, C. Romine, Atkinson and Sypolt: Preserving and transferring firefighter training courses	903					903
2974 -	By Delegates Lovejoy, Rohrbach, Hornbuckle, Canestraro, Williams, Lane, Fleischauer and Robinson: Relating to public school education in dating violence, domestic abuse and sexual violence prevention	903					903
2975 -	By Delegates Caputo, Ward and Longstreth: Authorizing the change of charging 911 fees to land line telephone bills to being charged to electric bills	903					903

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2976 -	By Delegates Williams, Brewer, Caputo, Canestraro, R. Miller, Isner, Baldwin, Statler and Walters: Relating to the theft of consumer identity protections	904					904
2977 -	By Delegates Williams, Barrett, Statler, Lynch, Sponaugle, Iaquina, Hamrick and Frich: Pothole app and map	904					904
2978 -	By Delegate Shott: Relating generally to trusts and their administration	904					905
2979 -	By Delegates Moore, Barrett, Summers, Shott, Espinosa, Upson, C. Miller, Cowles, Kessinger, Miley and Fleischauer: Creating a resort license for the sale of alcoholic liquors and nonintoxicating beers	905					905
*2980 -	By Delegates Moore, Summers, Shott, Hollen, Sobonya, Hanshaw, C. Miller, Kessinger, N. Foster, O'Neal and Westfall: Relating to civil lawsuit filing fees for multiple defendant civil action (Chapter 96, Acts, Regular Session, 2017)	905	1118, 1210	2748	2748	1388, 2754	905, 1119, 1284, 1336, 1388, 2748, 2754, 3471, 3476
2981 -	By Delegates Miley, Bates, Fluharty, Baldwin, Fleischauer, Marcum, Eldridge, Brewer, Robinson, Love and Hartman: Limiting the number of days members of the Legislature may receive compensation during an extended and extraordinary session	905					905
2982 -	By Delegate Upson: Relating to allowing Powerball, Mega Millions and Hot Lotto ticket winners to remain anonymous	906					906
2983 -	By Mr. Speaker (Mr. Armstead), and Delegates Ambler and Hanshaw: Granting priority to roadway construction, reconstruction and maintenance for roadways prone to recurring floods that hinder ingress and egress	928					928
2984 -	By Delegate Hamrick: Occupational Board Reform Act	928					928
2985 -	By Delegate Ward: Relating to taxes on beer and nonintoxicating beer	928					929

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2986 -	By Delegates Shott, Frich and Hanshaw: Relating to involuntary custody of nonresidents for a mental hygiene examination	929					929
2987 -	By Delegates Frich, Ward, Ambler and Moye: Making PROMISE Scholarship funds available for use at community and technical colleges	929					929
2988 -	By Delegate R. Miller: Clarifying the penalties for embezzlement	929					929
2989 -	By Delegate Baldwin: Placing limitations on length of time that prescriptions may be issued for schedule II and III controlled substances	929					929
2990 -	By Delegates Sypolt, Ward, Paynter and Lewis: Requiring continuous monitoring of air, noise, dust and particulates	929					930
2991 -	By Delegates Rowe, Frich, Caputo, Pyles and White: Requiring the Commissioner of Highways to develop a state hotline for travelers to identify road hazards	930					930
2992 -	By Delegates Wilson, Moore, Dean, Wagner, A. Evans, R. Romine, Higginbotham and Martin: Relating to civil asset forfeiture	930					930
2993 -	By Delegate Wilson: Budget and Spending Transparency Act	930					930
2994 -	By Delegate Shott: Relating to public bidding thresholds	931					931
2995 -	By Delegates Overington, Paynter and Kessinger: Permitting certain animal euthanasia technicians who have been certified by other states be certified animal euthanasia technicians in West Virginia	931					931
2996 -	By Delegate Shott: Requiring motor carrier vehicle transporting solid waste to be equipped and operated with truck tarpaulins	931					931
2997 -	By Delegate Hanshaw: Relating generally to applied associate of science degrees that target workforce needs	931					931

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2998 -	By Delegates Hanshaw and Capito: Providing tax credits for providing broadband service and wireless broadband service to unserved areas	932					932
2999 -	By Delegate Rohrbach: Establishing a program for the licensing and regulation of out-patient substance abuse counseling programs	932					932
3000 -	By Delegates Howell, Arvon, Hill, Hamrick, Queen, Criss, Lewis, Paynter, Maynard, Ward and Atkinson: Authorizing a State Ombudsman position	932	1116				933, 1116
3001 -	By Delegates Folk and McGeehan: Abolishing the West Virginia Higher Education Policy Commission	933					933
3002 -	By Delegates Hill, Martin, Caputo, Fleischauer, Statler and Hamilton: Relating to special licenses for the retail sale of wine at festivals or fairs	933					933
3003 -	By Delegates Hill, Kessinger, Arvon, Howell, Paynter, Maynard, Gearheart and Dean: Allocating disability or death benefits resulting from an occupational pneumoconiosis claim among the claimant's employers on a proportional basis	933					933
3004 -	By Delegates Hill, Martin, Arvon, Howell, Kessinger, Statler, N. Foster, Shott, O'Neal, McGeehan and Espinosa: Relating to filling vacancies in offices of state officials, United States Senators, Justices, judges, and magistrates	934					934
3005 -	By Delegates Fast, Hanshaw, Overington, Kessinger, Lovejoy, Gearheart, Arvon and Hollen: Relating to regulation of unmanned aircraft systems	934					934
*3006 -	By Delegates Hornbuckle, C. Miller, Rohrbach, Fleischauer, Sobonya and Fluharty: Exempting certain contracts between the Department of Health and Human Resources and West Virginia University, Marshall University or the School for Osteopathic Medicine from state purchasing requirements	934	1339			1525	934, 1338, 1424, 1448, 1524, 1525

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3007 -	By Delegate Rowe: Requiring paving contracts for state highways to have special requirements to prevent potholes	934					934
3008 -	By Delegate Walters: Relating to eliminating county school systems and creating ten school districts	935					938
3009 -	By Delegate Summers: Relating to access by the Office of Health Facility Licensure and Certification to the Controlled Substances Monitoring Program database	938	1084, 1119			1237	938, 1084, 1169, 1204, 1236, 1237
3010 -	By Delegates Sypolt, Ward, Paynter, Frich, Rowan, Lewis and Sobonya: Making it a felony to knowingly expose another individual to HIV	938	1180				938, 1180
3011 -	By Delegates Ward, Caputo, McGeehan and Folk: Changing the determination of just compensation to be paid to the landowner when eminent domain is used for a pipeline	938					938
3012 -	By Delegates Fleischauer, Fluharty, Pethel, Longstreth, Pushkin, Caputo, Pyles, Hornbuckle, Diserio, Love and Iaquina: Family Protection Act	939					939
3013 -	By Delegates Hamrick, Howell, Butler, Mr. Speaker (Mr. Armstead), Blair, Gearheart, Westfall, Queen, Maynard, C. Miller and Storch: Requiring an inspection or inspections of any building prior to purchase or major renovation by the state	939	1116				939, 1116
3014 -	By Delegates Rowan, Rohrbach, Sypolt, Lewis, Lynch, Pyles, Kelly, Fleischauer and White: Prohibiting a person appointed agent under a power of attorney from exerting undue influence over the principal	939					939
3015 -	By Delegates Kelly, Lane, Frich, Pyles, Williams, Fleischauer and Hollen: Requiring all commercial and professional drivers be fingerprinted and undergo a background check	939					939

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3016 -	By Delegates Walters, Ambler, Cooper and Harshbarger: Relating to domestic violence victims' eligibility for unemployment compensation benefits	940					940
3017 -	By Delegates Hornbuckle and Fleischauer: Providing that a person when being attacked in a place that is not his or her home should retreat instead of using deadly force	940					940
3018 -	By Delegates Isner, Canestraro, Sobonya, Summers, Boggs, Fast, Kessinger, R. Miller, Capito, Robinson and Lovejoy: Adding definition of correctional employee to the list of persons against whom an assault is a felony (Chapter 51, Acts, Regular Session, 2017)	940	1181	1389, 2850	2850	1389, 2854	940, 1284, 1336, 1388, 1389, 2854, 3466, 3477
3019 -	By Delegates McGeehan and Folk: Relating to the West Virginia Contraband Forfeiture Act	940					941
*3020 -	By Delegates Harshbarger, Howell, Cowles, Ambler, Boggs, Paynter, Atkinson, Kessinger, Eldridge, Statler and Overington: Relating to criminal penalties for the offenses of hunting, trapping or fishing on the lands of another person	941	1079, 1215			1390	941, 1080, 1285, 1336, 1389, 1390
3021 -	By Delegates Hornbuckle, Longstreth, Fleischauer, Lovejoy, Rowan, Lynch, C. Miller and Sobonya: Relating to insurance coverage for breast cancer screening	941					941
3022 -	By Delegate Shott: Relating to the reporting of fraud, misappropriation of moneys, and other violations of law to the commission on special investigations (Chapter 211, Acts, Regular Session, 2017)	941	1344	3234, 3236	3234, 3261	1525, 3236	941, 1424, 1448, 1525, 3234, 3237, 3471, 3477
3023 -	By Delegates Barrett, Hornbuckle, Cooper, Rohrbach, Rowan, Moye, Baldwin, Westfall, E. Evans, Rowe and R. Romine: Relating to public school education assessment of students for dyslexia and dyscalculia	941					942

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3024 -	By Delegates Rohrbach, Sobonya, C. Miller and C. Romine: Limiting recoverable damages when a patient has been transferred from health care facility to another health care facility	942					942
3025 -	By Delegates Lane, White, Rowe, Robinson, Byrd, Pushkin, Ward and Westfall: Authorizing by ordinance a vacant building registration program	942					942
3026 -	By Delegate Lane: Providing that a vehicle driver who injures a “vulnerable road user” is guilty of reckless driving	942					942
3027 -	By Delegates Sponaugle and A. Evans: Imposing a tax on cattle which is to be used to help fund the U. S. Department of Agriculture's Wildlife Services Fund	942	1080				943, 1080
*3028 -	By Delegate Miley [By Request of the Executive]: Relating to the Comprehensive Substance Use Reduction Act	943	1177, 1223			1436	944, 1178, 1337, 1420, 1436, 1437
3029 -	By Delegates Phillips, Zatezalo and G. Foster: Relating generally to coal mining, coal mining safety and environmental protection	944					947
*3030 -	By Delegates Shott, Mr. Speaker (Mr. Armstead), Caputo and Lane: Relating to appeals as a matter of right in the West Virginia Supreme Court of Appeals	947	1013	1168, 3052	3052	1168	947, 1109, 1134, 1168, 1169, 3052
3031 -	By Delegates Miley, Summers, Iaquinta, Pethel, Hamrick, Longstreth, Ward, Caputo, R. Romine, Wagner and Queen: Creating a state program allowing high school students advance to getting a college degree or technical training while in high school	947					947
3032 -	By Delegate Summers: Relating to the practice of acupuncture	948					948
3033 -	By Delegates Sponaugle, Barrett, McGeehan and Folk: Relating to the procedures for driver's license suspension and revocation in criminal proceedings for driving under the influence of alcohol, controlled substances or drugs	948					948

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3034 -	By Delegates Atkinson, Ward, Frich, Baldwin and Pushkin: Exempting military retirement income from personal income tax after specified date	949	1008				949, 1008
3035 -	By Delegate Hornbuckle: Relating to the legalization of marijuana	949					949
3036 -	By Delegate Walters: Allowing county boards of education to hire retired teachers	949					949
3037 -	By Delegate Anderson: Removing the Division of Energy as an independent agency (Chapter 108, Acts, Regular Session, 2017)	950	1083, 1357	2549	2549	1526, 2556	950, 1083, 1357, 1448, 1526, 2549, 2557, 3463, 3476
3038 -	By Delegate Walters: Clarifying that merged care organizations are not exempt from payment of insurance premium taxes	950					950
3039 -	By Delegate Sponaugle: Allowing municipalities to cancel elections when only one person is running for each office	950					950
3040 -	By Delegate C. Miller: Creating a new court to be known as West Virginia Intermediate Court of Appeals	950					951
3041 -	By Delegate Walters: Relating to the classification plans for employees in the classified and classified-exempt service	951					952
3042 -	By Delegate Walters: Clarifying the intent of gas royalty leases which required not less than 1/8th (12.5%) of the total amount paid to, received by or delivered to the owner	952					952
3043 -	By Delegate Rowe: Increasing the corporation net income tax	952					952
3044 -	By Delegates Longstreth, Bates, Fleischauer, Lane, R. Miller, Baldwin, Byrd, Hamilton and Hornbuckle: Relating to the tax on soft drinks	952					952
3045 -	By Delegate Hornbuckle: Modifying the tax on soft drinks to only cover sugary drinks	952					952
3046 -	By Delegate Rowe: Imposing an additional excise tax on soft drinks	952					953
3047 -	By Delegate Eldridge: Extending the time that teachers may pay into the State Teachers Retirement System	953					953

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3048 -	By Delegates R. Miller, Marcum, Caputo and Phillips: Relating to collection of Tier II fees for chemical inventories (Chapter 97, Acts, Regular Session, 2017)	953	1148, 1296	2693	2693	1526, 2693	953, 1148, 1425, 1449, 1526, 2693, 3463, 3477
3049 -	By Delegate Maynard: West Virginia Counseling Protection Act	953					953
3050 -	By Delegate Maynard: Creating a special revenue account for each county in the State of West Virginia for coal severance taxes	953					953
3051 -	By Mr. Speaker (Mr. Armstead): Appropriation Supremacy Act of 2017	954					954
3052 -	By Delegates Arvon, Kessinger, Upson, Sobonya, Rowan, C. Miller, Blair, Sypolt, N. Foster and Frich: Prohibiting state funding of abortions	954					954
3053 -	By Delegates Howell, Dean, Maynard, Blair, N. Foster, G. Foster, Harshbarger, Hill, McGeehan, Paynter and Queen: Relating to motor vehicle lighting (Chapter 241, Acts, Regular Session, 2017)	954	1211		2557	1390	954, 1285, 1336, 1390, 3456, 3475
3054 -	By Delegates Sponaugle, Williams, Hartman and Lynch: Relating to a five percent bid preference on certain state contracts for businesses owned fifty-one percent by honorably discharged resident veterans	954					954
3055 -	By Delegates Howell, Walters, Hamrick, Householder, Criss, Arvon and Storch: Relating to the preparation of a comprehensive annual financial report	954					955
3056 -	By Delegates Overington, Rohrbach, Upson, Frich, G. Foster, Statler, C. Miller, Paynter, Moore, N. Foster and Sobonya: Relating to Promise scholarship program requirements for home schooled students	955					955
3057 -	By Delegates Fluharty, Fleischauer, Bates, Baldwin, Lovejoy, Ferro, Canestraro, Barrett and Williams: Prohibiting use of a person's credit history in certain insurance transactions	955					955

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3058 -	By Delegate Rowe: Raising the insurance premium tax for two years	955					955
3059 -	By Delegates Lane, Hanshaw, Butler, Byrd, Eldridge and White: Providing for the voluntary valuation of water and sewer systems for ratemaking purposes	955					955
3060 -	By Delegate Rowe: Increasing the business and occupation tax on generating electricity for two years	955					956
*3061 -	By Delegates Upson, Espinosa, Westfall, Statler, Cooper, Rowan, R. Romine, Higginbotham and Baldwin: Encouraging mastery-based education through the Innovation In Schools program	956	1117			1237	956, 1170, 1204, 1237
*3062 -	By Delegates Shott and Nelson: The state Settlement and Recovered Funds Accountability Act	956	1149, 1363	1559		1559	956, 1149, 1494, 1534, 1559, 1560
3063 -	By Delegate Rowe: Raising the tax on providers of inpatient and outpatient hospital services for two years	957					957
*3064 -	By Delegates Atkinson, Mr. Speaker (Mr. Armstead), Hill, Sobonya, Westfall and Frich: Allowing vehicles of a size and weight exceeding certain specifications to operate over specified routes (Chapter 243, Acts, Regular Session, 2017)	957	1182		3265	1391	957, 1285, 1336, 1390, 1391, 3466, 3477
3065 -	By Delegate Butler: Adding the classification and base salaries of certain civilian employees of the West Virginia State Police Forensic Laboratory	957					957
3066 -	By Delegates Sobonya, Overington, Shott, Hamrick, Gearheart, C. Miller and Kessinger: Redirecting certain racing and gaming revenues	957					957
3067 -	By Delegates Fluharty, Hornbuckle, Pushkin, Canestraro and Bates: Legalizing interactive gaming	957					958
3068 -	By Delegates Fluharty, Pushkin, Canestraro, Hornbuckle, Williams, Barrett, Baldwin and Rowe: Stay in State tax credit	958					958

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3069 -	By Delegates Eldridge, Ferro and Pethel: Permitting persons who voluntarily enroll in a drug rehabilitation program to be included in an existing pilot program	958					959
3070 -	By Delegates Eldridge, Hornbuckle, R. Miller, Rodighiero, Atkinson, Baldwin, Zatezalo, Maynard, Queen and Frich: Permitting parents to petition the court for visitation on Mother's Day and Father's Day	959					959
3071 -	By Delegate Summers: Relating to indigent burial	959					959
3072 -	By Delegate Gearheart: Relating to ending transfers to the Licensed Racetrack Modernization Fund	959					959
3073 -	By Delegates Rowe, White and Robinson: Relating generally to public service districts and their boards	960	1144				960, 1144
3074 -	By Delegates Walters, Ambler, Wilson, Maynard, Paynter and Rowe: Increasing the volume of alcohol that nonintoxicating beer and nonintoxicating craft beer may contain	960					960
3075 -	By Delegates Criss, Iaquina, Williams, Pyles, Higginbotham, Dean, Hartman, Blair, Westfall and Butler: Licensing the practice of athletic training	960					960
3076 -	By Delegate Westfall: Relating to immunity from liability to uninsured motorists	960					960
3077 -	By Delegates Walters, Fleischauer, Kessinger, Paynter, E. Evans, Storch, Fluharty, Longstreth, Pushkin, Lane and Rowe: Preventing discrimination on the basis of sex or marital status by a financial institution or person	961					961
3078 -	By Delegates Rowe, Miley, Espinosa, Cooper, Baldwin, Pushkin, Wagner, Fleischauer, Rowan, Hornbuckle and Robinson: Establishing a merit-based Katherine Johnson Hope Scholarship program to provide tuition and fee payments for certain qualified students	961					961

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3079 -	By Delegates O'Neal, Upson, Householder, Hanshaw and Sobonya: Relating to records of charitable institutions	961					961
*3080 -	By Mr. Speaker (Mr. Armstead), and Delegates Maynard, Cooper, Overington and Moye: Requiring instruction in the Declaration of Independence and the United States Constitution (Chapter 70, Acts, Regular Session, 2017)	961	1359	3010	3010	1560, 3010	962, 1494, 1535, 1560, 3010, 3466, 3477
3081 -	By Delegates Walters, Boggs, Bates, Westfall, Caputo, Howell, R. Romine, Phillips, Lane, Byrd and Anderson: Conducting a study to determine the amount of revenue to be derived from instituting tolls on I-70 and I-81	962					962
3082 -	By Delegate Walters: Establishing a different amount of annual leave for state employees	962					962
3083 -	By Delegate Walters: Replacing annual and sick leave for state employees with personal leave	962					962
3084 -	By Delegates Barrett, Householder and Walters: Repealing the article of the code related to unfair trade practices	962					962
3085 -	By Delegate Ellington: Relating to the tax on bottled soft drinks	963					963
3086 -	By Delegates Walters, Frich, Rohrbach, Lovejoy and Rowe: Relating to the West Virginia Economic Development Authority	963					963
3087 -	By Delegate Rowe: Economic and Community Development Task Force	963					963
3088 -	By Delegates Espinosa, Statler, Higginbotham and Dean: Relating generally to teacher-pupil ratios	963	1358				963, 1358, 1449, 1527
3089 -	By Delegates Espinosa, Statler, Higginbotham, Upson, Cooper, Rowan, Harshbarger and Dean: Relating to the adoption of instructional resources for use in the public schools	964	1117	1205		1238	964, 1170, 1205, 1237, 1238
3090 -	By Delegates Walters, Frich and Rowe: Relating to the maximum licensed school psychologist-pupil ratio	964					964
3091 -	By Delegates Nelson and Boggs: Relating generally to employer withholding taxes	965	1297			1527	964, 965, 1425, 1449, 1527, 1528

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3092 -	By Delegate Phillips: Relating to the valuation of oil and gas producing property	965					965
*3093 -	By Delegates Hanshaw, Shott, Capito, Byrd, Robinson, Summers, Fluharty, Lane, Zatezalo, N. Foster and Frich: Establishing Broadband Enhancement and Expansion Policies (Chapter 22, Acts, Regular Session, 2017)	965	1149	2854	2854	1334	966, 1207, 1282, 1333, 1334, 2854, 2899, 3466, 3477
3094 -	By Delegate Anderson: Cotenancy and Lease Integration Act	966					967
*3095 -	By Delegate Espinosa: Allowing retired teachers to be employed by a higher education institution	967	1339			1528	967, 1425, 1449, 1528
*3096 -	By Delegate Espinosa: Relating to operation and regulation of certain water and sewer utilities owned or operated by political subdivisions of the state (Chapter 161, Acts, Regular Session, 2017)	967	1176	3108	3108	1437, 3112	968, 1177, 1283, 1291, 1338, 1420, 1437, 3108, 3112, 3466, 3477
3097 -	By Delegates Butler, Kessinger and Arvon: Codifying the application of the compelling interest test and strict scrutiny standard involving rights enumerated under the First Amendment	968					968
3098 -	By Delegate G. Foster: Relating to the crime of defrauding drug and alcohol screening tests and its penalties	968					968
3099 -	By Delegates Kelly, Zatezalo, Hollen, Maynard, Sypolt and Higginbotham: Providing counties the power to establish a county sales tax under certain circumstances	968					968
3100 -	By Delegates Marcum, Maynard, Dean, Wilson, Paynter, Phillips, R. Miller, Hicks, Thompson, Eldridge and Westfall: Increasing penalties for public school employees that embezzle public funds	968					969
3101 -	By Delegates Atkinson, Harshbarger, Love, Lynch, R. Romine, Sponaugle and A. Evans: Creating a misdemeanor for violation of catching, taking or killing fish within two hundred feet of agency personnel stocking fish into public waters	1080	1213			1391	1080, 1285, 1336, 1391

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3102 -	By Delegates Ellington, Summers and Householder: Relating to selling Hopemont Hospital	980	1296			1561	980, 984, 1425, 1449, 1528, 1561
3103 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources (Chapter 12, Acts, Regular Session, 2017)	1100	1871	3065	3065	1928, 3066	1100, 1928, 1929, 3065, 3066, 3457, 3475
3104 -	By Delegates Arvon, Howell, Brewer and Iaquina: Transfer of the West Virginia Traumatic Brain and Spinal Cord Injury Rehabilitation Fund	1115					1115
3105 -	By Delegates Gearheart, Nelson, Anderson, Frich, Butler, Ellington, Westfall, Walters and C. Miller: Relating to the Licensed Racetrack Modernization Fund	1174				1392	1173, 1285, 1336, 1391, 1392
3106 -	By Delegates Barrett, Gearheart, Storch, Ambler, Espinosa, Rowe, Walters, Westfall, Sponaugle, Ellington and A. Evans: Relating to increasing the number of limited video lottery terminals (Chapter 117, Acts, Regular Session, 2017)	1174			1783	1392	1173, 1285, 1336, 1392, 2080, 3475
3107 -	By Delegates Frich and Butler: Relating generally to horse and dog racing lottery	1220					1220, 1338, 1421, 1457, 1497
3108 -	By Delegates Nelson, C. Miller, Boggs, Westfall, Anderson, Frich and Hartman: Relating to authorizing redirection of certain amounts to the General Revenue Fund	1221					1221, 1338, 1421, 1437, 1528, 1529, 1547, 1589
3109 -	By Delegate Howell: Relating to establishing a Board of Nursing and Health Services	1340					1340, 1425, 1457, 1497

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*Denotes Committee Substitute

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Mr. Speaker (Mr. Armstead): Raising a Joint Assembly to open and publish election returns	28			30	28	28
2 -	By Mr. Speaker (Mr. Armstead): Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor	29			31	29	29
3 -	By Mr. Speaker (Mr. Armstead): Providing for an adjournment of the Legislature until February 8, 2017	30			31	30	30
4 -	By Mr. Speaker (Mr. Armstead): Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor	141			203	142	142
5 -	By Delegate Summers: U. S. Navy Rear Admiral Frederick Burdett Warder Memorial Bridge	144	878	2230	2227	969, 2230	144, 969, 2230
6 -	By Mr. Speaker (Mr. Armstead): U.S. Army SPC 4 Thurman 'Duwayne' Young Memorial Road	146	878			969	146, 969
7 -	By Delegates Howell, Upton, Cowles, Walters, Folk, A. Evans, Rowan, Householder, Espinosa, Blair and Hamrick: Extending West Virginia Route 9	268					267
8 -	By Delegate Butler: Dr. Roy and Marian Eshenaur Bridge	269	979, 1208	2230	2230	1231, 2230	269, 979, 1232, 2230
9 -	By Delegate Rowan: Frenchburg Bridge	271	1544, 1870		1973	1947	271, 1947
10 -	By Delegates Ambler, Cooper, Moye, Householder and Rowan: John Cameron Brown Bridge	272	979, 1137	2231	2231	1192, 2231	272, 979, 1193, 2231

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
11 -	By Delegates Howell, Ambler, Arvon, Atkinson, Blair, Butler, Cooper, Ellington, A. Evans, Fast, Folk, G. Foster, Sypolt, Hamrick, Harshbarger, Higginbotham, Householder, Marcum, McGeehan, Rowan, Summers, Ward and Zatezalo: Environmental Protection Agency's Chesapeake Bay Initiative	274					274
12 -	By Delegates Robinson, Baldwin, Barrett, Bates, Blair, Boggs, Brewer, Byrd, Canestraro, Cooper, Cowles, Criss, Deem, Ellington, E. Evans, Fleischauer, Fluharty, N. Foster, Hollen, Hornbuckle, Isner, Kelly, Kessinger, Lane, Longstreth, Lovejoy, Miley, R. Miller, Moore, Phillips, Pushkin, Queen, Rowe, Sobonya, Sponaule, Storch, Summers, Thompson, Upson and Zatezalo: Overdose Awareness Day	322					322
13 -	By Delegates Atkinson, Kelly, Ward, Westfall, Cooper, Butler, Hamrick, Hill, Howell, Martin and Wagner: U.S. Army SSG Brian Curtis Rogers Memorial Bridge	323	878		2231	969	323, 969
14 -	By Delegates Eldridge, Lovejoy, Rodighiero, R. Miller, Atkinson, Baldwin, Hornbuckle, Maynard, Rohrbach, White and Canestraro: Proclaiming and making the fiddle the official musical instrument of the State of West Virginia	389					389
15 -	By Delegates C. Miller, Sobonya, McGeehan, Storch, Deem, Wagner, Rohrbach, Kelly, Zatezalo and Westfall: Requesting Congress to fully support the National Park Service's recommendations to extend the Lewis and Clark National Historic Trail to include additional sites along the Expedition's Eastern Legacy	423	975		2557	1065	423, 1065
16 -	By Delegates C. Miller, Maynard, Butler, Rohrbach, Sobonya, C. Romine, Hornbuckle and Higginbotham: Charles Ranauld Bannerman & Beatrice 'Billy' Bannerman Memorial Bridge	425					425

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
17 -	By Delegates Phillips, Eldridge, R. Miller, Rodighiero, Marcum and Maynard: Betty Jo Delong Memorial Bridge	426					427
18 -	By Delegates Walters and Howell: Assembly of State Legislatures Official Rules	428					428
19 -	By Delegates Eldridge, Maynard, R. Miller, Rodighiero, Marcum, Phillips, C. Miller, C. Romine and Hornbuckle: U.S. Army PFC Freeman Ray Meade Memorial Road	493	1137, 1192			1192	493
20 -	By Delegates Phillips, Eldridge, R. Miller, Rodighiero, Marcum and Maynard: US Army PVT James Earl Pelfrey Memorial Bridge	494	1137		2232	1192	494, 1193
21 -	By Delegates Phillips, Eldridge, Maynard and Rodighiero: 1SG Carl J. Crabtree Memorial Road	496	1137	3174, 3176	3174	1192, 3176	496, 1193, 3176
22 -	By Delegates Phillips, Eldridge, R. Miller, Rodighiero and Maynard: U.S. Air Force MSgt Johnny Baxter Clark and U.S. Air Force MSgt Carl Richard (Dick) Clark Memorial Bridge	497	1137		2232	1193	497, 1193
23 -	By Delegates Phillips, Eldridge, R. Miller, Rodighiero, Marcum and Maynard: U.S. Army SSG Styish R. Morris Memorial Road	499	1137			1193	499, 1193
24 -	By Delegates Hamilton and Lynch: SGT. Eugene E. Arbogast Memorial Bridge	540	975	2232	2232	1065, 2233	540, 1065, 2233
25 -	By Delegates Hicks and Thompson: U.S. Army PVT Charles E. Ellis and U.S. Army PVT Ira V. Ellis Memorial Bridge	542	1208			1231	542, 1232

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
26 -	By Delegates Pyles, Caputo, Pethtel, Longstreth, Upson, Fleischauer, Lynch, Williams, Summers, Statler, Frich, Mr. Speaker (Mr. Armstead), Ambler, Arvon, Atkinson, Baldwin, Barrett, Blair, Boggs, Brewer, Butler, Byrd, Canestraro, Cooper, Criss, Dean, Deem, Diserio, Eldridge, Espinosa, A. Evans, E. Evans, Ferro, Folk, G. Foster, Gearheart, Hamilton, Hamrick, Hartman, Higginbotham, Hill, Hornbuckle, Howell, Iaquina, Isner, Kelly, Lane, Lewis, Love, Lovejoy, Martin, Maynard, McGeehan, Miley, C. Miller, R. Miller, Moore, Moye, O'Neal, Overington, Paynter, Pushkin, Queen, Rodighiero, Rohrbach, C. Romine, R. Romine, Rowan, Rowe, Shott, Sponaugle, Storch, Sypolt, Thompson, Wagner, Ward, Westfall and White: Naming the NASA IV & V Facility at Fairmont for West Virginia mathematician Katherine Coleman Johnson	543	1870		1973	1925	543, 1925, 1926
27 -	By Delegate Rodighiero: U.S. Army 1LT Patricia Simon Bridge	544	1208	2233	2233	1231, 2233	544, 1232, 2233, 2234
28 -	By Delegates Marcum, Phillips, Hicks, Thompson, Hamrick, Dean, Westfall, Frich and Deem: Johnny O'Dell Linville Memorial Bridge	617					617
29 -	By Delegate Rodighiero: U.S. Army SGT Denver E. Short Memorial Bridge	618					618
30 -	By Delegates Eldridge, Maynard, R. Miller, Rodighiero, Marcum, Phillips, C. Miller, C. Romine and Hornbuckle: U.S. Army PFC Cornelious Wiley Memorial Bridge	620	1137			1193	620, 1193
*31 -	By Delegates Walters, Marcum, Robinson, Zatezalo, Hanshaw, Shott, Nelson and O'Neal: Requesting the Joint Committee on Government and Finance study the possibility of reducing the number of county boards of education in the state along with other educational reorganization	657	2331, 2565			2597	657, 2331, 2598

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
32 -	By Delegates Pushkin, Fleischauer, Brewer and Bates: Requesting the Joint Committee on Government and Finance study the economic and fiscal impacts of the reduction of the Corporation Net Income Tax	658					658
33 -	By Delegates Rowan and Cowles: Gunsmiths Trace	660					660
34 -	By Delegates Thompson and Hicks: Curtis 'Pap' and Millie 'Mammie' Asbury Bridge	661					661
35 -	By Delegates Rowe, Caputo, Robinson, White, Brewer, Byrd, Hornbuckle, Fleischauer, Pyles and Lynch: Arnold Miller Memorial Bridge	663	979, 1138	3176	3176	1193, 3177	663, 979, 1193, 3177
36 -	By Delegates C. Miller, Hornbuckle, Eldridge, Lovejoy, Brewer, Butler, Rohrbach, R. Romine, C. Romine and Sobonya: U.S. Army PFC John Ira Pinkerman Memorial Bridge	665	878		2234	969	665, 969
*37 -	By Delegates C. Miller, Maynard, Eldridge, Lovejoy, Brewer, Butler, Rohrbach, C. Romine and Sobonya: U.S. Army SPC William L. Amos Memorial Bridge	666	879			969	666, 969
38 -	By Delegates Marcum, Dean, Hamrick, Gearheart, Hicks, Phillips and Williams: Tug Valley Students Memorial Bridge	668					668
39 -	By Delegates Iaquina, Diserio, Cowles, Hornbuckle, Cooper, Eldridge and Ambler: Requesting the Joint Committee on Government and Finance authorize a study on whether to establish a bank operated by the state	669					669
40 -	By Delegates Upson, Moore, Espinosa, Householder, Barrett, Hill, Cowles, Kessinger, Phillips, Wagner, Westfall and Wilson: John Hancock Hall Memorial Bridge	671					671
41 -	By Delegates Upson, Cowles, Espinosa, Howell, Kessinger, Moore, O'Neal, Overington, Wagner, Westfall and Wilson: Major Martin Robison Delany Memorial Bridge	643	1544, 1870			1947	673, 1544, 1947

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
42 -	By Delegates Phillips, Eldridge, Rodighiero, Maynard and R. Miller: John B. Short Memorial Bridge	674					674
43 -	By Delegates Phillips, Eldridge, Rodighiero, Maynard and R. Miller: U. S. Army CPL F. Lee Noel Memorial Bridge	675					675
44 -	By Delegates Phillips, Eldridge, R. Miller, Rodighiero and Maynard: Balentine Brothers Bridge	677					677
45 -	By Delegate Rodighiero: Lando Adkins, Sr. Memorial Road	678					678
46 -	By Delegates Gearheart, Householder, C. Romine, Phillips, White, Ellington, Paynter, Martin, Shott and E. Evans: Blue Demon Bridge	679	979, 1208			1231	679, 979, 1232
47 -	By Delegates Eldridge, Maynard, R. Miller, Rodighiero, Phillips, Marcum, Hornbuckle, C. Romine and C. Miller: U. S. Army CPL Wilson B. Lambert, Jr. Memorial Road	680	2082, 2332			2374	680, 2082, 2374
48 -	By Delegate Rodighiero: U.S. Army SPC David H. Stamper Memorial Bridge	681	1209			1231	681, 1232
49 -	By Delegates Phillips, Marcum, Rodighiero, R. Miller, Eldridge and Maynard: U.S. Army PFC Donald Ray Cochran Memorial Bridge	683	1138		2234	1193	683, 1193
*50 -	By Delegates Phillips, Eldridge, R. Miller, Rodighiero and Maynard: Lowe Mountain Memorial Highway	684	1542, 1870			1947	684, 1543, 1947
51 -	By Delegates Phillips, Eldridge, Rodighiero, Maynard and R. Miller: Toby Runyon Memorial Bridge	685	1138		2234	1193	685, 1193
52 -	By Delegate Rowe: Costs of crisis response programs and institutions	741					741
*53 -	By Mr. Speaker (Mr. Armstead) and Delegate Boggs: US Army Corporal Jerry Lee Noble Memorial Bridge	742	2083, 2332			2374	742, 2085, 2374
54 -	By Delegates Hartman, Isner, Sponaugle and Lynch: U.S. Army PVT Preston D. Vanscoy Memorial Bridge	743	1138		2234	1193	743, 1193

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
55 -	By Delegates Butler, Rohrbach, Queen, Martin, Higginbotham, Brewer, Howell, Arvon, Rowan, R. Romine and A. Evans: Dr. John McClure Grubb Memorial Bridge	744					744
56 -	By Delegates Eldridge, Maynard, R. Miller, Rodighiero, Marcum, Hornbuckle, Phillips, C. Romine, C. Miller and Westfall: U. S. Army CPL George Browning Memorial Road	746	1138			1193	746, 1193
57 -	By Delegates Walters, Westfall and Howell: Requesting the Joint Committee on Government and Finance study closing the West Virginia Public Employees Retirement System and the West Virginia Teachers Retirement System to employees newly hired on or after July 1, 2018 and providing new 401K type retirement plans for those employees	747					747
58 -	By Delegates C. Miller, C. Romine, Lovejoy, Rohrbach, Sobonya, Hicks, Thompson, Hornbuckle and Westfall: William C. Campbell Memorial Highway	748	979, 1209	3177	3177	1232, 3177	748, 979, 1232, 3177
59 -	By Delegates Gearheart, Phillips, Butler, Ellington, McGeehan, Shott, O'Neal, Paynter and Longstreth: USMC LCpl Timothy J. Dunnigan Memorial Intersection	750	975			1065	750, 1065
60 -	By Delegates Summers, Ward, Caputo and Longstreth: William "Bill" R. VanGilder Memorial Bridge	754	879		2234	969	752, 969
61 -	By Delegates Howell, Arvon, Criss, Dean, Fast, G. Foster, Frich, Sypolt, Harshbarger, Hill, Lewis, Martin and Paynter: State Medicaid expansion contracts	754					754
62 -	By Delegates Lynch, Hartman, Iaquinta, Ferro, Williams, Sponaugle, Caputo, Boggs, Diserio, R. Romine and Hamilton: Webster County Veterans Highway	755	1138	3112	3112	1193, 3112	755, 1193, 3112
63 -	By Delegates Phillips, Maynard, Marcum, Rodighiero, R. Miller and Eldridge: William B. Burgess Memorial Road	780	1138	3113	3113	1193, 3113	780, 1193, 3113

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
*64 -	By Delegates Miley, Hamrick, Queen and Iaquina: Gill Brothers World War II Veterans' Memorial Bridge	781	2083, 2332			2374	781, 2085, 2374
*65 -	By Delegate Walters: Hobert G. 'Hobie' Underwood Memorial Bridge	783	2083, 2332	3113	3113	2374, 3114	783, 2085, 2374, 3113
66 -	By Delegates Miley, Ambler, Anderson, Baldwin, Barrett, Bates, Byrd, Canestraro, Caputo, Cooper, Dean, Diserio, Eldridge, Ellington, Espinosa, A. Evans, E. Evans, Ferro, Fleischauer, Fluharty, Folk, G. Foster, Frich, Hamilton, Hamrick, Hartman, Hicks, Hornbuckle, Isner, Lane, Longstreth, Love, Lovejoy, Lynch, Marcum, R. Miller, Moye, Paynter, Pethtel, Phillips, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rohrbach, C. Romine, R. Romine, Sponaule, Statler, Storch, Summers, Upson, Walters, Westfall, White, Williams, Wilson, Zatezalo and Rowe: Sustainability of the state's current system of higher education	784	1118, 1208			1232	784, 1118, 1232
67 -	By Delegates Caputo, Miley, Longstreth, Summers, Ward and Frich: Pastor Robert L. "Bob" Barker Memorial Bridge	786					786
68 -	By Delegates Phillips, Eldridge, Marcum, Rodighiero and Maynard: James Earl Gibson Memorial Road	787	1138	3114	3114	1193, 3114	787, 1193, 3114
69 -	By Delegates Overington, Householder, Howell, Butler and Walters: Selecting and Instructing Commissioners to an Article V Convention for Proposing a United States Balanced Budget Amendment	788					788

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
70 -	By Delegates Overington, Anderson, Arvon, Blair, Butler, Dean, Deem, Ellington, A. Evans, Fast, Folk, G. Foster, Frich, Hamrick, Harshbarger, Householder, Howell, Lewis, Martin, Maynard, C. Miller, Paynter, Phillips, Queen, Rohrbach, C. Romine, R. Romine, Sobonya, Storch, Summers, Walters, Ward, Wilson, Gearheart, Zatezalo and Hill: Applying to the Congress of the United States to call a convention for proposing amendments pursuant to Article V of the United States Constitution	793					793
71 -	By Delegates Hornbuckle, Eldridge, Moyer, Paynter, Cooper, Harshbarger, Ambler, Rohrbach, Miley, Caputo and Rodighiero: Disability Advocacy Day	796					796
72 -	By Delegates G. Foster, Cowles, O'Neal, Walters, Overington, Howell and Hanshaw: Feasibility study of authorizing the House Clerk to make nonsubstantive alterations to the code	822					822
73 -	By Delegates Hartman, Iaquinta, Lynch, Sponaugle and Pyles: U S Army Air Corps PVT William James Irwin, Memorial Bridge	823	1138	3177	3177	1193, 3178	823, 1193, 3178
74 -	By Delegates Marcum, Phillips, Westfall, R. Miller, Frich, Dean, McGeehan, Folk, Butler, Hamilton and Eldridge: James L. 'Bud' Hall, Sr. Memorial Bridge	824					824

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
*75 -	By Delegates Walters, Maynard, Folk, McGeehan, Dean, Ambler, Bates, Blair, Boggs, Butler, Byrd, Canestraro, Cooper, Criss, Deem, Diserio, Eldridge, A. Evans, E. Evans, Fluharty, G. Foster, Sypolt, Hamilton, Hamrick, Harshbarger, Hartman, Hollen, Hornbuckle, Householder, Howell, Lane, Lewis, Longstreth, Love, Lynch, Marcum, C. Miller, R. Miller, Moye, Nelson, Overington, Paynter, Phillips, Pushkin, Robinson, Rodighiero, Rowe, Sponaugle, Upson, Westfall, Wilson and Zatezalo: Increasing the speed limit on highways to 75 miles per hour	826	1543, 2565			2597	826, 1543, 2598
76 -	By Delegates Caputo, Ferro, Ward, Paynter, Maynard, Lane, Sponaugle, Miley, Pethel, Hornbuckle, Thompson, Ambler, Atkinson, Baldwin, Barrett, Bates, Blair, Boggs, Brewer, Byrd, Canestraro, Diserio, Eldridge, E. Evans, Fast, Fleischauer, Fluharty, Hamilton, Hartman, Hicks, Hill, Iaquina, Isner, Longstreth, Love, Lovejoy, Lynch, Marcum, R. Miller, Moye, Phillips, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sobonya, Walters and Williams: Relating to the Miners Protection Act	827					827
77 -	By Delegates Marcum, Thompson and Hicks: US Army SGT Benny Fleming Memorial Bridge	829					829
*78 -	By Delegates Moye, Bates, Arvon, Ellington, Love, O'Neal, Kessinger, Shott and Cooper: Almond Brothers and Family Veterans Bridge	832	1543, 1939	2125		2127	832, 1543, 2127
79 -	By Delegates Rowe, Pushkin, Robinson and Isner: Study of the costs and benefits of medicinal marijuana	857					857
80 -	By Delegates Rowe, E. Evans, Moye, White, Eldridge, Bates, Phillips, Byrd and Robinson: Diversification of the economies of West Virginia's southern coalfield communities	859					859

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
81 -	By Delegates Rodighiero, R. Miller, Phillips and Eldridge: U.S. Army SPC Larry E. Nunnery, Sr. Memorial Highway	861					861
82 -	By Delegates Statler, Summers, Frich, Fleischauer, Pethel, Pyles and Williams: U.S. Marine Sergeant David Paul McCord Memorial Bridge	890	975		2235	1065	890, 1065
83 -	By Delegates Statler and Williams: U.S. Army SPC John R. Tennant Memorial Bridge	891	975		1731	1065	891, 1065
*84 -	By Delegates Hamrick, Queen and Howell: U.S. Army Air Force S/SGT Harold 'Dean' Baker Memorial Bridge	920	2084, 2382			2374	920, 2085, 2374
85 -	By Delegates Longstreth, Iaquina, Lynch, Hartman, Fleischauer, McGeehan, Sponaugle, Hornbuckle and Rowe: Requesting Congress to enact legislation to allow any honorably discharged military reservist regardless of whether he or she was called to active duty to have access to a veterans hospital health services and that veterans hospitals determine fees based upon ability to pay	921					921
86 -	By Delegates Hornbuckle, Upson, Blair, Longstreth, Fleischauer, Lovejoy, Rowan, Lynch, Fluharty, C. Miller and Sobonya: Requesting the Joint Committee on Government and Finance study post-treatment protocols for a person diagnosed with triple negative breast cancer	922					922
87 -	By Delegate Eldridge: Deputy Sheriff SGT. Justin Alan Thompson Memorial Highway	923	1209			1232	923, 1232

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
88 -	By Delegates Caputo, Baldwin, Barrett, Bates, Boggs, Brewer, Byrd, Canestraro, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Frich, Hamilton, Hartman, Hicks, Hornbuckle, Iaquina, Isner, Lane, Longstreth, Love, Lovejoy, Lynch, Marcum, Maynard, Miley, R. Miller, Moye, Pethel, Phillips, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaule, Storch, Thompson, Ward and Williams: Urging the United States Congress to pass, and the President to sign into law, legislation to extend and expand the current federal tax credit for carbon capture, utilization and storage	924					924
89 -	By Delegates Hamrick and Queen: Michael Angiulli Memorial Bridge	1095					1095
90 -	By Delegates Storch, Deem, Folk, Ambler, Anderson, Arvon, Atkinson, Baldwin, Barrett, Bates, Blair, Boggs, Brewer, Butler, Byrd, Canestraro, Caputo, Caputo, Cooper, Cowles, Criss, Dean, Diserio, Eldridge, Ellington, Espinosa, A. Evans, E. Evans, Fast, Ferro, Fleischauer, Fluharty, G. Foster, N. Foster, Frich, Gearheart, Hamilton, Hamrick, Hanshaw, Harshbarger, Hartman, Hicks, Higginbotham, Hill, Hollen, Hornbuckle, Householder, Howell, Iaquina, Isner, Kelly, Kessinger, Lane, Lewis, Longstreth, Love, Lovejoy, Lynch, Marcum, Martin, Maynard, Miley, C. Miller, R. Miller, Moye, Nelson, O'Neal, Overington, Paynter, Pethel, Phillips, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rohrbach, C. Romine, R. Romine, Rowan, Rowe, Shott, Sobonya, Sponaule, Statler, Summers, Sypolt, Thompson, Upson, Wagner, Walters, Ward, Westfall, White, Williams and Wilson: Study on the feasibility of light fidelity ("Li-Fi")	1154	1285			1325	1154, 1325

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
91 -	By Delegates Marcum, Rodighiero, Thompson and Hicks: Allen Ledson Memorial Bridge	1155	1285			1325	1155
92 -	By Delegate Hanshaw: U.S. Army SGT Eugene Dawson Memorial Highway	1157	1285			1325	1157, 1325
*93 -	By Delegate Howell: Extending WV Route 93	1158	2084, 2332			2374	1158, 2085, 2374
94 -	By Delegate Hornbuckle: Katherine Johnson Day	1159	1870		1973	1926	1159, 1925, 1926
95 -	By Delegates Phillips, Maynard and Eldridge: PFC O. T. (Teaberry) Mullins Memorial Bridge	1162					1162
96 -	By Delegates McGeehan, Hamilton and Folk: U. S. Marine Corps Cpl Mark Douglas Cool Memorial Bridge	1225	1939			2127	1225, 2127
97 -	By Delegates Eldridge, Maynard, C. Miller, Hornbuckle, C. Romine, Lovejoy, R. Miller, Rodighiero, Lane, White, Rohrbach, Ambler, Anderson, Arvon, Baldwin, Bates, Blair, Boggs, Brewer, Butler, Byrd, Canestraro, Dean, Deem, Diserio, Ellington, A. Evans, Fast, Ferro, Fleischauer, Fluharty, Frich, Sypolt, Hamrick, Hartman, Hill, Iaquina, Isner, Kelly, Longstreth, Lynch, Marcum, O'Neal, Paynter, Phillips, Pushkin, Pyles, Queen, Robinson, R. Romine, Rowan, Rowe, Sponaugle, Summers, Walters, Ward, Williams, Wilson and Zatezalo: Feasibility study of building a road to connect Lincoln County to Cabell County	1226					1226
*98 -	By Delegates Gearheart, Criss, Storch, Longstreth, Westfall, Hamrick, Phillips, Overington, C. Miller, Walters and Ambler: John H. Reed, Jr. Memorial Bridge	1227	2084, 2332			2374	1227, 2085, 2374
99 -	By Delegates Eldridge, Maynard, R. Romine, C. Romine, Hornbuckle, C. Miller, R. Miller, Rodighiero, Marcum, Atkinson and Storch: Designating the 38th parallel north in honor of the Veterans of the Korean War	1230					1230

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
100 -	By Delegates Phillips, Eldridge and Maynard: U.S. Air Force CMSgt Charlie Randolph Hopkins and U.S. Air Force MSgt James Paul Hopkins Road	1309					1309
101 -	By Delegates Iaquina, Hamrick and Queen: Declaring and making the blackberry the official state berry of West Virginia	1320					1320
102 -	By Delegates G. Foster, Isner, Marcum, Wagner, Upson, N. Foster, Householder, Phillips, Dean, Zatezalo and Eldridge: Study of imposing a presumption in West Virginia Family Courts that 50/50 shared parenting be awarded in child custody cases	1322					1322
103 -	By Delegates A. Evans, Hamilton, Rowan and R. Romine: US Army PFC Tracy Victor Rohrbaugh Memorial Bridge	1323	1939			2127	1323, 2127
104 -	By Delegates Sponagle and A. Evans: Dr. H. Luke Eye Memorial Bridge	1374					1374
105 -	By Delegates Maynard, Eldridge, C. Miller and Hornbuckle: Army SSG Arthur N. McMellon Memorial Bridge	1376	1870			1947	1376, 1947

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
106 -	By Delegates Walters, Phillips, Rowe, Hornbuckle, Eldridge, Mr. Speaker (Mr. Armstead), Ambler, Arvon, Atkinson, Baldwin, Blair, Brewer, Butler, Byrd, Canestraro, Capito, Caputo, Cooper, Criss, Dean, Diserio, Ellington, A. Evans, Fast, Ferro, Fleischauer, Fluharty, Folk, G. Foster, N. Foster, Frich, Hamilton, Hamrick, Hanshaw, Harshbarger, Hicks, Higginbotham, Hill, Householder, Howell, Iaquina, Isner, Kelly, Kessinger, Lane, Lewis, Longstreth, Love, Lovejoy, Miley, Moore, Moye, Nelson, O'Neal, Pushkin, Pyles, Queen, Robinson, Rohrbach, C. Romine, R. Romine, Rowan, Shott, Sponaugle, Storch, Thompson, Upson, Wagner, Ward, Westfall, Wilson and Zatezalo: Placing appropriate supplemental signs on Interstate 77 at Exits 111 and 114 to direct travelers to the Sissonville Business District	1377					1377
107 -	By Delegates Maynard, Moye, Eldridge and Arvon: U.S. Air Force SMSgt Billie E. 'Bunky' Hodge Bridge	1379					1379
108 -	By Delegates Eldridge, Maynard, Hornbuckle, C. Romine, Lovejoy, R. Miller, Rodighiero, Lane, White, C. Miller, Rohrbach and Phillips: Feasibility study of building a road to best connect the Rock Creek Development Park area in Lincoln County to Cabell County	1507					1507
109 -	By Delegate Cowles: Extending the Committee of Conference relating to consideration of Com Sub for H. B. 2099	1600			731	1600	1600
110 -	By Delegate Cowles: Extending the Committee of Conference relating to consideration of Com Sub for H. B. 2028	1601			1731	1601	1601

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
111 -	By Delegates Howell, Arvon, Atkinson, Caputo, Criss, Diserio, Eldridge, Ferro, Hamrick, Hill, Lewis, Lynch, Marcum, Martin, Maynard, Paynter, Pyles, Queen, C. Romine and Sybolt: Study of the Office of Technology and the Information Services and Communications Division	1929	2565			2597	1929, 1939, 2598
112 -	By Delegates Howell, Arvon, Atkinson, Criss, Diserio, Eldridge, Ferro, Hamrick, Hill, Lewis, Lynch, Marcum, Martin, Maynard, Paynter, Pyles, Queen, C. Romine and Sybolt: Study of occupational licensing requirements	1931	2565			2597	1929, 1939, 2598
113 -	By Delegates Howell, Arvon, Atkinson, Criss, Diserio, Eldridge, Ferro, Hamrick, Hill, Iaquinta, Lewis, Lynch, Marcum, Martin, Paynter, Pyles, C. Romine and Sybolt: Study of the Alcohol Beverage Control Administration	1932	2565			2597	1929, 1939, 2598
114 -	By Delegates Howell, Arvon, Atkinson, Criss, Diserio, Eldridge, Ferro, Hamrick, Hill, Lewis, Lynch, Marcum, Martin, Maynard, Paynter, Pyles, Queen, C. Romine and Sybolt: Study of the West Virginia Division of Labor	1033	2565			2597	1929, 1939, 2598
115 -	By Delegates Howell, Arvon, Atkinson, Caputo, Criss, Diserio, Eldridge, Ferro, Hamrick, Hill, Lewis, Lynch, Marcum, Martin, Maynard, Paynter, Pyles, Queen, C. Romine and Sybolt: Study of the Board of Examiners for Registered Professional Nurses and the Board of Examiners for Licensed Practical Nurses	1935	2565			2597	1929, 1939, 2597
116 -	By Delegates Howell, Arvon, Atkinson, Caputo, Criss, Diserio, Eldridge, Ferro, Hamrick, Hill, Lewis, Lynch, Marcum, Martin, Maynard, Paynter, Pyles, Queen, C. Romine and Sybolt: Study of the Real Estate Division within the Department of Administration	1936	2565			2597	1929, 1939, 2598

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
117 -	By Delegates Howell, Arvon, Atkinson, Caputo, Criss, Diserio, Eldridge, Ferro, Hamrick, Hill, Lewis, Lynch, Marcum, Martin, Maynard, Paynter, Pyles, Queen, C. Romine and Sybolt: Study of the Fleet Management Office and Travel Management Office	1938	2565			2597	1929, 1939, 2598
118 -	By Delegate Hanshaw: Craddock Brothers Bridge	1942	2082, 2332		3115	2374, 3115	1942, 2082, 2374, 3115
119 -	By Delegates Marcum, Hornbuckle, Lovejoy, C. Romine, Rohrbach, C. Miller, Thompson, Hicks, Rodighiero and R. Miller: Donald Tackett Jr. Memorial Road	1944					1944
120 -	By Delegates Marcum, Thompson, Hicks and Rodighiero: Eugene Jack Brewer Memorial Road	1945					1945
121 -	By Delegates Nelson, Householder, Anderson, C. Miller, A. Evans, Walters, Bates, Westfall, Hamilton, Ellington, Espinosa, Ambler, Butler, Frich, Storch, Gearheart and Cowles: Feasibility study for transfer of the Division of Forestry to the Department of Agriculture	2326	2566			2597	2326, 2329, 2598
122 -	By Delegates Nelson, Walters, Ellington, Boggs, Sponaugle, Bates, Hamilton, Pethtel, Frich, Storch, Gearheart, Barrett, Rowe and Hartman: Interim study for increase of funding for West Virginia's Medicaid program	2327	2566			2597	2326, 2598
124 -	By Delegates Hanshaw and Shott: Study relating to power generation facilities	2363	2720			2763	2363, 2764
125 -	By Delegate Marcum: US Army SGT Benny Fleming Memorial Bridge	2364				2763	2364
126 -	By Delegates Ward, Caputo, Longstreth and Summers: Pastor Robert L. "Bob" Barker Memorial Bridge	2368	2720			2763	2368
127 -	By Delegates Westfall, Cooper, Wilson, Rowan, Pyles, R. Romine, E. Evans, Statler, Espinosa, Wagner and Blair: Interim study relating to public schools	2329	2566			2593	2330, 2331, 2598

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
128 -	By Delegates Fast and Ambler: Study relating to maintenance and custodial work on state and county buildings, facilities and equipment to be done under private contract	2369	2720			2764	2369, 2764
129 -	By Delegates Ellington, Arvon, Atkinson, Baldwin, Bates, Criss, Dean, Fleischauer, Fluharty, Hill, Hollen, Love, Pushkin, Queen, Robinson, Rohrbach, Rowan, Sobonya, Summers and White: Study of the West Virginia Office on Drug Policy	2584	3183			3184	2584, 3184
130 -	By Delegates Ellington, Arvon, Atkinson, Criss, Dean, Hill, Hollen, Householder, Longstreth, Queen, Rodighiero, Rowan and Summers: Feasibility study of selling West Virginia's state owned mental health facilities	2585	3183			3184	2585, 3184
131 -	By Delegates Ellington, Arvon, Atkinson, Bates, Criss, Dean, Fleischauer, Hill, Hollen, Householder, Jaquinta, Longstreth, Queen, Rodighiero, Rohrbach, Sobonya, Summers and White: Study for Preauthorization procedures legislation	2587	3183			3184	2587, 3184
132 -	By Delegates Rohrbach, Cowles, Maynard, Walters and Westfall: Feasibility study of the creation of an "Advisory Council on Rare Diseases	2588	3183			3184	2588, 3184
133 -	By Delegates Howell, Ellington, Arvon and Butler: Study of tobacco/smoking harm reduction policies	2589	3183			3184	2589, 3184
134 -	By Delegates Ellington and Summers: Feasibility study of dividing the Department of Health and Human Resources	2591	3183			3184	2591, 3184
135 -	By Delegates Ellington, Arvon, Atkinson, Bates, Criss, Dean, Fleischauer, Hill, Hollen, Householder, Love, Queen, Rodighiero, Rohrbach and Summers: Study of the structure and duties of the West Virginia Medical Examiner's Office	2593	3183			3184	2593, 3184

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
136 -	By Delegates Rowan, Boggs, Eldridge, A. Evans, Ferro, Fleischauer, Kelly, Lewis, Love, Lovejoy, Lynch, Martin, Maynard, Moye, Paynter, Pethtel, Pyles, Queen, Rohrbach, C. Romine, R. Romine, Sypolt, Walters, White and Zatezalo: Study of the issues, needs and challenges facing senior citizens	2594	3183			3184	2594, 3184
137 -	By Delegates Robinson, Arvon, Atkinson, Baldwin, Bates, Blair, Boggs, Brewer, Butler, Byrd, Canestraro, Capito, Caputo, Cooper, Criss, Dean, Deem, Diserio, Eldridge, Ellington, A. Evans, E. Evans, Ferro, Fleischauer, Fluharty, Folk, N. Foster, Frich, Gearheart, Hamilton, Hamrick, Hanshaw, Hartman, Hicks, Higginbotham, Hill, Hollen, Hornbuckle, Householder, Iaquinta, Isner, Kelly, Kessinger, Lane, Lewis, Longstreth, Love, Lovejoy, Lynch, Marcum, Maynard, Miley, C. Miller, R. Miller, Moore, Moye, Overington, Paynter, Pethtel, Phillips, Pushkin, Pyles, Queen, Rodighiero, Rohrbach, C. Romine, R. Romine, Rowan, Rowe, Shott, Sobonya, Sponaugle, Statler, Storch, Sypolt, Thompson, Wagner, Walters, Ward, Westfall, White, Williams, Wilson and Zatezalo: Study of methods to incentivize and advise middle and high school students to participate in career and technical education programs	2756					2756
138 -	By Delegates Summers, Caputo, Ellington, Pushkin, Rodighiero and Rohrbach: Study of the nursing shortage in West Virginia	2758					2758
139 -	By Delegates Sobonya, Cowles, Criss, Frich, Sypolt, Householder, McGeehan, Moore, Phillips and Storch: Study of the tax on sales of tobacco products other than cigarettes and the excise tax on e-cigarette liquid	2759					2759

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
140 -	By Delegates Upson, Blair and Ellington: Study of legislation to prohibit “cyberbullying” and electronic harassment of minors	2761					2761
141 -	By Delegates Dean, Mr. Speaker (Mr. Armstead), Atkinson, Baldwin, Brewer, Byrd, Capito, Cooper, Espinosa, E. Evans, Ferro, Fleischauer, Folk, N. Foster, Harshbarger, Hicks, Hill, Hollen, Lane, Lewis, Lovejoy, Lynch, Marcum, Martin, Maynard, McGeehan, O’Neal, Phillips, Pyles, Queen, Rodighiero, Rohrbach, R. Romine, Rowan, Rowe, Statler, Storch, Thompson, Wagner and Zatezalo: Study nationally certified or licensed athletic trainers	2762					2762
142 -	By Delegates Shott, Hanshaw, Overington, Lovejoy, Sobonya, O’Neal, Canestraro, R. Miller and Zatezalo: Study of certain topic areas prior to the next Regular Session of the Legislature	3179				3183	3179, 3183

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*Denotes Committee Substitute

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Delegate Rodighiero: Citizens' Redistricting Commission Amendment	147					147
2 -	By Delegate Bates: Term Limits for Senators and Delegates in the West Virginia Legislature	147					147
3 -	By Delegate G. Foster: Manufacturing Inventory and Equipment Tax Exemption Amendment	147					148
4 -	By Delegates Sponaugle, Fluharty, Hornbuckle, Marcum and Pushkin: Veteran's Property Tax Exemption Amendment	148					148
5 -	By Delegate Caputo: Homestead Exemption Increase Amendment	148					148
6 -	By Delegates Bates and Pushkin: State Apportionment Commission	148					148
7 -	By Delegates Overington, Espinosa, Upson, Frich and Phillips: Homestead Exemption Increase Amendment	149					149
8 -	By Delegates Ferro, Pethel, Hamilton and Caputo: The Simple Majority Levy Approval Amendment	149					149
9 -	By Delegates Sponaugle, Hornbuckle, Pushkin and Phillips: Volunteer Emergency Service Personnel Property Tax Exemption Amendment	258					258
10 -	By Delegates Rodighiero, Hicks, Marcum, Eldridge and Moye: Homestead Exemption Increase Amendment	275					275
11 -	By Delegates Overington, G. Foster and Upson: Prohibiting the Governmental Taking of Private Property for Private Use Amendment	275					275
12 -	By Delegates Overington, Frich and Gearheart: Super-Majority Required for Passage of Tax Bill Amendment	275					276

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
13 -	By Delegates Overington, Gearheart, Frich and Sobonya: Initiative, Referendum, and Recall Amendment	276					276
14 -	By Delegates Sponaule, Marcum, Hicks, Hamilton and Phillips: Right to Hunt and Fish in West Virginia Amendment	276					276
15 -	By Delegates Howell, Mr. Speaker (Mr. Armstead), Espinosa, Frich, Cooper and Blair: Senior Citizen Homestead Valuation Amendment	304					305
16 -	By Delegate Sobonya: Amend Supervision of Free Schools Amendment	324					324
17 -	By Delegates Sobonya, C. Miller, Moore, Higginbotham, Maynard, Butler, C. Romine, N. Foster, Hamrick, Summers and Sypolt: Amend Supervision of Free Schools Amendment	346					346
18 -	By Delegates Marcum, Rodighiero, Hicks, Dean and Frich: Constitutional Officers Term Limit Amendment	395					395
19 -	By Delegates Wilson, Upson, Sypolt, Kessinger, Phillips, C. Miller, Rodighiero, N. Foster, Hollen, Rowan and Frich: Life Begins at Conception Amendment	455					456
20 -	By Delegates Espinosa, Howell, Deem, Butler, Ward, Sobonya, Dean, Hamrick, Blair, Wilson and Mr. Speaker (Mr. Armstead): Modern Public Educational Quality and Equity Amendment	501					502
21 -	By Delegates Wilson, Paynter, Dean, Maynard, Higginbotham, Folk, N. Foster and Bates: Senators and Delegates Service Limit Amendment	564					564
22 -	By Miley [By Request of the Executive]: Roads to Prosperity Amendment of 2017	717					717

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
23 -	By Delegates Overington, Householder, Howell, Paynter, G. Foster, Sobonya, C. Miller, Phillips, Moore, Blair and Frich: Relating to the establishment of a general fund expenditure limit	862					862
24 -	By Delegates Cooper, Mr. Speaker (Mr. Armstead), Ambler, Kessinger, N. Foster, Butler, Dean, Deem and Espinosa: Proposing an amendment to the Constitution of the State of West Virginia relating to education, and providing for the election of members of the State Board of Education	927					927
25 -	By Delegates Sponaule, Iaquinta, Hartman, Lynch, Longstreth, Phillips, McGeehan, A. Evans, Rowan, R. Romine and Hamilton: Proposing an amendment to the Constitution of the State of West Virginia relating to exempting honorably discharged veterans of the Armed Forces of the United States	927					927
26 -	By Delegates Wilson, Dean, N. Foster, Hill, Wagner, Criss and Higginbotham: Proposing an amendment to the Constitution of the State of West Virginia, relating to education, supervision of free schools and organization of the West Virginia Board of Education	927					927

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Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
1 -	By Mr. Speaker (Mr. Armstead): Adopting Rules of the House of Delegates	59			131	131
2 -	By Mr. Speaker (Mr. Armstead): Authorizing the publication of a Legislative Manual and authorizing payment of travel and other expenses of the House	131			132	132
3 -	By Mr. Speaker (Mr. Armstead): Authorizing printing and distribution of Acts of the Legislature and Journals of the House of Delegates	132			133	133
4 -	By Mr. Speaker (Mr. Armstead): Authorizing the appointment of employees for this, the First Regular Session of the Eighty-third Legislature, two thousand seventeen	133			139	139
5 -	By Mr. Speaker (Mr. Armstead): Amending House Rules 63 and 84a, relating to the previous question and witnesses before committees	142			144	144
6 -	By Delegate Pyles: Preservation and Continued Operation of the Warner Theater	276				276
7 -	By Delegates Pyles, C. Romine, Lynch, Pethtel, R. Romine, Boggs, Ferro, Hartman, Brewer, Iaquinta and Love: Congress to Protect Social Security and Medicare	456				456
8 -	By Delegates Pyles, Lynch, Iaquinta, Hartman, Love, Caputo, Ferro, C. Romine, Rowe, Fleischauer, Pethtel, Boggs, Lewis, Lovejoy, Maynard, Paynter, Rohrbach, R. Romine, Rowan, Sypolt, White, Eldridge and Longstreth: Increasing the Social Security Cost of Living Adjustment	545	700			545, 701

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
9 -	<p>By Mr. Speaker (Mr. Armstead), Ambler, Anderson, Arvon, Atkinson, Baldwin, Barrett, Bates, Blair, Boggs, Brewer, Butler, Byrd, Canestraro, Caputo, Caputo, Cooper, Cowles, Criss, Dean, Deem, Diserio, Eldridge, Ellington, Espinosa, A. Evans, E. Evans, Fast, Ferro, Fleischauer, Fluharty, Folk, G. Foster, N. Foster, Frich, Gearheart, Hamilton, Hamrick, Hanshaw, Harshbarger, Hartman, Hicks, Higginbotham, Hill, Hollen, Hornbuckle, Householder, Howell, Iaquinta, Isner, Kelly, Kessinger, Lane, Lewis, Longstreth, Love, Lovejoy, Lynch, Marcum, Martin, Maynard, McGeehan, Miley, C. Miller, R. Miller, Moore, Moye, Nelson, O'Neal, Overington, Paynter, Pethtel, Phillips, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rohrbach, C. Romine, R. Romine, Rowan, Rowe, Shott, Sobonya, Sponaugle, Statler, Storch, Summers, Sypolt, Thompson, Upson, Wagner, Walters, Ward, Westfall, White, Williams, Wilson and Zatezalo: Memorializing the life and lamenting the death of Dr. Ken Hechler</p>	564			566	566
10 -	<p>By Delegates Sponaugle, Barrett, Miley, Caputo, Pushkin and Hanshaw: Relating to empowering the House Committee on the Judiciary to investigate allegations of impeachable offenses against Steven O. Callaghan, Circuit Judge-Elect of the Twenty-Eighth Judicial Circuit</p>	621	1286			621, 1286
11 -	<p>By Delegates Phillips, Hollen, Arvon, Atkinson, Barrett, Blair, Butler, Byrd, Dean, Eldridge, Folk, N. Foster, G. Foster, Higginbotham, Hill, Kelly, Kessinger, Marcum, Maynard, McGeehan, Miley, R. Miller, Paynter, Robinson, Westfall, Wilson and Zatezalo: Supporting and encouraging the enactment of the federal Hearing Protection Act of 2017</p>	687	1871		1947	687, 1947
12 -	<p>By Delegate Rowe: Standards of accessibility to the public</p>	756				755

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
13 -	<p>By Delegates Caputo, Ferro, Ward, Paynter, Maynard, Lane, Sponaugle, Miley, Pethtel, Hornbuckle, Thompson, Ambler, Atkinson, Baldwin, Barrett, Bates, Blair, Boggs, Brewer, Byrd, Canestraro, Diserio, Eldridge, E. Evans, Fast, Fleischauer, Fluharty, Hamilton, Hartman, Hicks, Hill, Iaquina, Isner, Longstreth, Love, Lovejoy, Lynch, Marcum, R. Miller, Moye, Phillips, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sobonya, Walters, Williams, Higginbotham, Anderson, Arvon, Capito, Kelly, Zatezalo, Storch and Sypolt: America’s promise to our retired coal miners and widows and to pass the Miners Protection Act as soon as possible and provide the full measure of benefits these retirees were promised and have earned.</p>	1098				1098
14 -	<p>By Delegates Caputo, Baldwin, Barrett, Bates, Boggs, Brewer, Byrd, Canestraro, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Frich, Hamilton, Hartman, Hicks, Hornbuckle, Iaquina, Isner, Lane, Longstreth, Love, Lovejoy, Lynch, Marcum, Maynard, Miley, R. Miller, Moye, Pethtel, Phillips, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaugle, Storch, Thompson, Ward and Williams: Urging the United States Congress to pass, and the President to sign into law, legislation to extend and expand the current federal tax credit for carbon capture, utilization and storage</p>	1129				1129

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
15 -	<p>By Delegates Howell, Ambler, Arvon, Baldwin, Blair, Brewer, Butler, Criss, Dean, Diserio, Eldridge, Espinosa, A. Evans, Fast, G. Foster, N. Foster, Gearheart, Hamilton, Hamrick, Harshbarger, Hicks, Higginbotham, Hill, Iaquina, Kessinger, Love, Lynch, Martin, Maynard, Overington, Paynter, Pyles, Queen, Rodighiero, Rohrbach, C. Romine, R. Romine, Rowan, Sobonya, Sponaugle, Statler, Summers, Sypolt, Thompson, Wagner, Walters, White, Williams and Wilson:</p> <p>Supporting the passage of HR 1315 introduced in the United States House of Representatives to roll back ethanol fuel requirements</p>	1508	2333		2374	1508
16 -	<p>By Delegates Ambler, Anderson, Arvon, Atkinson, Baldwin, Barrett, Bates, Blair, Boggs, Brewer, Butler, Byrd, Canestraro, Capito, Caputo, Cooper, Cowles, Criss, Dean, Deem, Diserio, Eldridge, Ellington, Espinosa, A. Evans, E. Evans, Fast, Ferro, Fleischauer, Fluharty, Folk, G. Foster, N. Foster, Frich, Gearheart, Hamilton, Hamrick, Hanshaw, Harshbarger, Hartman, Hicks, Higginbotham, Hill, Hollen, Hornbuckle, Householder, Howell, Iaquina, Isner, Kelly, Kessinger, Lane, Lewis, Longstreth, Love, Lovejoy, Lynch, Marcum, Martin, Maynard, McGeehan, Miley, C. Miller, R. Miller, Moore, Moye, Mr. Speaker (Mr. Armstead), Nelson , O'Neal, Overington, Paynter, Pethtel, Phillips, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rohrbach, C. Romine, R. Romine, Rowan, Rowe, Shott, Sobonya, Sponaugle, Statler, Storch, Summers, Sypolt, Thompson, Upson, Wagner, Walters, Ward, Westfall, White, Williams, Wilson and Zatezalo:</p> <p>Honoring and memorializing the life of Gerald "Jerry" L. Crosier</p>	1610			1611	1611

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
17 -	By Delegates R. Miller, A. Evans, Hamilton, Hornbuckle, Iaquinta, Pushkin, R. Romine, Rowe, Cowles and Hamrick: Expressing support for Taiwan’s signing of a Free Trade Agreement	1765			1765	1765
18 -	By Delegates A. Evans, R. Romine, Overington, Hamilton, Ambler, Anderson, Arvon, Atkinson, Baldwin, Barrett, Bates, Blair, Boggs, Brewer, Butler, Byrd, Canestraro, Capito, Caputo, Cooper, Cowles, Criss, Dean, Deem, Diserio, Eldridge, Ellington, Espinosa, E. Evans, Fast, Ferro, Fleischauer, Fluharty, Folk, G. Foster, N. Foster, Frich, Gearheart, Hamrick, Hanshaw, Harshbarger, Hartman, Hicks, Higginbotham, Hill, Hollen, Hornbuckle, Householder, Howell, Iaquinta, Isner, Kelly, Kessinger, Lane, Lewis, Longstreth, Love, Lovejoy, Lynch, Marcum, Martin, Maynard, McGeehan, Miley, C. Miller, R. Miller, Moore, Moye, Mr. Speaker (Mr. Armstead), Nelson , O’Neal, Paynter, Pethtel, Phillips, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rohrbach, C. Romine, Rowan, Rowe, Shott, Sobonya, Sponaugle, Statler, Storch, Summers, Sypolt, Thompson, Upson, Wagner, Walters, Ward, Westfall, White, Williams, Wilson and Zatezalo: Memorializing the life of the Honorable Otis Anderson Leggett	2624			2626	2626

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
19 -	By Mr. Speaker (Mr. Armstead), Hanshaw, Ambler, Baldwin, Hill, Atkinson, Anderson, Arvon, Barrett, Bates, Blair, Boggs, Brewer, Butler, Byrd, Canestraro, Capito, Caputo, Cooper, Cowles, Criss, Dean, Deem, Diserio, Eldridge, Ellington, Espinosa, A. Evans, E. Evans, Fast, Ferro, Fleischauer, Fluharty, Folk, G. Foster, N. Foster, Frich, Gearheart, Hamilton, Hamrick, Harshbarger, Hartman, Hicks, Higginbotham, Hollen, Hornbuckle, Householder, Howell, Iaquina, Isner, Kelly, Kessinger, Lane, Lewis, Longstreth, Love, Lovejoy, Lynch, Marcum, Martin, Maynard, McGeehan, Miley, C. Miller, R. Miller, Moore, Moye, Nelson, O'Neal, Overington, Paynter, Pethel, Phillips, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rohrbach, C. Romine, R. Romine, Rowan, Rowe, Shott, Sobonya, Sponaugle, Statler, Storch, Summers, Sypolt, Thompson, Upson, Wagner, Walters, Ward, Westfall, White, Williams, Wilson and Zatezalo: Recognizing and honoring the heroic efforts of West Virginia first responders during the state's unprecedented and historic flooding of June 2016	2627			2628	2628

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Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*4 -	By Senators Gaunch, Trump, Boso, Blair, Rucker, Jeffries, Stollings, Woelfel and Sypolt: Allowing licensed professionals donate time to care of indigent and needy in clinical setting (Chapter 171, Acts, Regular Session, 2017)	716, 2557	981, 1822	2145, 2182, 2240, 2557	2240, 2558	716, 981, 1922, 1955, 2145, 2240, 2558, 3457, 3475
*5 -	By Senators Trump and Sypolt: Disqualifying CDL for DUI conviction in certain cases (Chapter 244, Acts, Regular Session, 2017)	652	1599		1861	653, 1643, 1779, 1861, 2718, 3475
*9 -	By Senators Trump and Jeffries: Regulating unmanned aircraft systems	653				654
*16 -	By Senators Sypolt and Smith: Repealing section related to wind power projects	1125				1125
*18 -	By Senators Sypolt, Smith and Blair: Requiring new comprehensive statewide student assessment	1367				1367
25 -	By Senators Karnes, Rucker and Sypolt: Creating farm-to-food bank tax credit (Chapter 232, Acts, Regular Session, 2017)	985	1540, 2224		2764	985, 1540, 2319, 2391, 2570, 2763, 2764, 3457, 3475
*27 -	By Senators Karnes, Trump, Rucker and Sypolt: Relating to microprocessor permit	1188	2085	2494, 2497, 2612, 2716	2612	1188, 2085, 2391, 2494, 2611, 2716
28 -	By Senator Karnes: Creating new system for certain contiguous counties to establish regional recreation authorities	1014, 2693	1542, 1823	1955, 2694	2128, 2694	1014, 1542, 1922, 1955, 2127, 3482
*36 -	By Senators Stollings, Gaunch, Ojeda, Facemire, Jeffries and Beach: Permitting school nurses to possess and administer opioid antagonists (Chapter 76, Acts, Regular Session, 2017)	1188, 1877,	1542	1615	1772	1189, 1588, 1615, 1771, 2719, 3475
*38 -	By Senators Stollings, Ojeda, Jeffries and Beach: Creating 5-year tax credit for new businesses locating on post-mine sites	1590				1590

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*40 -	By Senators Stollings, Ojeda and Jeffries: Requiring inclusion of protocols for response to after-school emergencies in school crisis response plans (Chapter 71, Acts, Regular Session, 2017)	1590, 3262	2225	2391, 2613	2612	1590, 2319, 2391, 2612, 2613, 3466, 3477
41 -	By Senators Woelfel, Trump and Ojeda: Extending time person may be subject to probation (Chapter 61, Acts, Regular Session, 2017)	562	1545		1772	562, 1588, 1616, 1772, 2719, 3475
*57 -	By Senators Ferns and Plymale: Continuing personal income tax adjustment for certain retirees	1590				1590
*60 -	By Senators Gaunch, Trump, Boso, Blair, Rucker and Sypolt: Relating to eligibility and fraud requirements for public assistance	1548	1766			1549, 1767
*61 -	By Senators Romano and Ojeda: Providing consumers sales and service tax and use tax exemption for certain services and tangible personal property sold for repair, remodeling and maintenance of aircraft	1367				1368
*69 -	By Senators Woelfel, Ojeda, Facemire and Jeffries: Creating Sexual Assault Victims' Bill of Rights	1450				1450
*74 -	By Senators Boso, Jeffries and Sypolt: Allowing fire departments to charge fees for service calls	1549				1549
*76 -	By Senators Jeffries, Romano, Miller, Ojeda, Woelfel, Beach, Gaunch, Facemire and Stollings: Creating WV Second Chance for Employment Act (Chapter 56, Acts, Regular Session, 2017)	1368, 3251	2325	2707, 2715, 3251	2715, 3261	1368, 2325, 2393, 2570, 2700, 2707, 3466, 3476
*80 -	By Senators Woelfel, Plymale and Jeffries: Equalizing criminal penalty for entering without breaking Regardless of time of day	591				591
*113 -	By Senator Maynard: Authorizing DEP promulgate legislative rules (Chapter 140, Acts, Regular Session, 2017)	563	1225		1612	563, 1337, 1380, 1547, 1561, 1612, 1976, 3475
*116 -	By Senator Maynard: Authorizing MAPS promulgate legislative rules (Chapter 142, Acts, Regular Session, 2017)	420, 3115	651, 2081	2394, 2614, 3116	2614, 3116	420, 651, 2319, 2394, 2613, 2615, 3117, 3457, 3475

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*125 -	By Senator Maynard: Authorizing DHHR and Health Care Authority promulgate legislative rules (Chapter 141, Acts, Regular Session, 2017)	615, 2193	1605	1880, 1884, 1948, 2194	1948, 2195	616, 1782, 1880, 1947, 1949, 2196, 3457, 3475
*127 -	By Senator Maynard: Authorizing certain Department of Revenue to promulgate legislative rules (Chapter 143, Acts, Regular Session, 2017)	388, 1368	1119	1195, 1232	1232	388, 1169, 1195, 1232, 1234, 1823, 2570
*134 -	By Senator Maynard: Authorizing Bureau of Commerce to promulgate legislative rules (Chapter 145, Acts, Regular Session, 2017)	492, 3067	1940	2282, 2375, 3067	2375, 3068	492, 2186, 2282, 2375, 2376, 3069, 3466, 3476
*151 -	By Senator Maynard: Authorizing Department of Administration promulgate legislative rules (Chapter 139, Acts, Regular Session, 2017)	343, 2124	1598	1862, 2124	1862, 2124	343, 1643, 1780, 1861, 1862, 2125, 3457, 3475
164 -	By Senator Blair: Relating to traffic regulations and special load limits (Chapter 242, Acts, Regular Session, 2017)	591	980, 1344		1772	592, 980, 1380, 1547, 1588, 1616, 1772, 2719, 3475
*167 -	By Senators Woelfel and Ojeda: Relating to DNA evidence	1451				1451
169 -	By Senators Ferns, Gaunch, Takubo, Trump, Prezioso, Stollings, Plymale and Blair: Repealing article providing assistance to Korea and Vietnam veterans exposed to certain chemical defoliants (Chapter 33, Acts, Regular Session, 2017)	343	538, 1824		2128	343, 538, 1922, 1956, 2128, 3457, 3475
170 -	By Senators Ferns, Gaunch, Takubo, Trump, Prezioso, Stollings, Plymale, Blair and Jeffries: Repealing state hemophilia program (Chapter 31, Acts, Regular Session, 2017)	343	538, 1824		2129	344, 538, 1922, 1956, 2128, 3457, 3475
171 -	By Senators Ferns, Gaunch, Takubo, Trump, Prezioso, Stollings, Plymale and Blair: Repealing Programs of All-Inclusive Care for Elderly (Chapter 30, Acts, Regular Session, 2017)	344	538, 1824		2129	344, 538, 1922, 1956, 2129, 3458, 3475
172 -	By Senator Blair: Eliminating salary for Water Development Authority board members	421, 2695	1646	1885, 3249	1949, 3251	421, 1782, 1885, 1949, 1950, 2695, 3081, 3249, 3250, 3251, 3466, 3486

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*173 -	By Senators Blair and Sypolt: Relating generally to autocycles (Chapter 155, Acts, Regular Session, 2017)	885, 2195	1113, 1604	1885, 1896, 1950	1950	885, 1113, 1782, 1885, 1950, 3455, 3475
174 -	By Senators Blair and Rucker: Exempting transportation of household goods from PSC jurisdiction (Chapter 210, Acts, Regular Session, 2017)	388, 3264	1499, 2224	2397, 2615	2615	388, 1499, 2319, 2397, 2615, 3466, 3476
176 -	By Senators Ferns, Gaunch, Takubo, Trump, Prezioso, Stollings, Plymale, Blair and Jeffries: Repealing article concerning detection of tuberculosis, high blood pressure and diabetes (Chapter 32, Acts, Regular Session, 2017)	344	702		813	344, 731, 768, 812, 881, 915
*180 -	By Senator Blair: Relating to PSC jurisdiction over certain telephone company and internet services (Chapter 209, Acts, Regular Session, 2017)	654	1820		2130	654, 1922, 1956, 2129, 2130, 3458, 3476
*182 -	By Senators Blair, Sypolt and Rucker: Providing procedures that prevent disqualifying low bids for government construction contracts due to document technicalities	540				540
*183 -	By Senators Blair, Sypolt, Gaunch, Rucker and Trump: Transferring Division of Forestry from Department of Commerce to Department of Agriculture	1369	1499			1369, 1500
185 -	By Senators Blair, Boso and Rucker: Allowing spending units designate fund into which proceeds from sale of surplus property must be deposited	854	1498			854, 1498
*186 -	By Senators Jeffries, Ojeda, Facemire and Woelfel: Adjusting date when children become eligible for certain school programs and school attendance requirements (Chapter 74, Acts, Regular Session, 2017)	1092, 2321	1820	1956	2131	1092, 1820, 1922, 1956, 2130, 2131, 3158, 3175
*187 -	By Senators Takubo, Facemire, Jeffries and Woelfel: Providing for confidentiality of patients' medical records (Chapter 196, Acts, Regular Session, 2017)	1014, 3262	2226	2400, 2403	2402	1015, 2319, 2400, 2402, 3466, 3476

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
188 -	By Senator Takubo: Correcting definition of "telehealth" in medication-assisted treatment programs (Chapter 189, Acts, Regular Session, 2017)	523	702		813	523, 731, 768, 813, 882, 915
*190 -	By Senators Blair, Hall, Boso, Cline and Sypolt: Eliminating preferences for vendors bidding on state contracts for commodities or printing	738				738
*192 -	By Senator Weld: Relating generally to licensed surveyors	1092				1093
198 -	By Senators Takubo, Plymale and Jeffries: Expanding Health Sciences Program to allow certain medical practitioners in underserved areas (Chapter 125, Acts, Regular Session, 2017)	820	981, 1824		2131	820, 981, 1922, 1957, 2131, 3458, 3475
*202 -	By Senators Weld and Trump: Relating to pawnbrokers generally	492	2081	2403, 2616	2616	493, 2319, 2403, 2616
*204 -	By Senators Boso, Blair and Facemire: Requiring persons appointed to fill vacancy by Governor have same qualifications for vacated office and receive same compensation and expenses (Chapter 101, Acts, Regular Session, 2017)	592, 2698	1604	1897	1951, 3240	592, 1782, 1896, 1951, 2698, 3002, 3237, 3239, 3240, 3466, 3477
*206 -	By Senator Weld: Relating generally to criminal offense of kidnapping (Chapter 52, Acts, Regular Session, 2017)	854, 1974	1598	1780	1863	854, 1643, 1780, 1863, 2718, 3475
*209 -	By Senator Weld: Defining term "veteran" as it relates to veteran-owned business	739				739
*210 -	By Senators Boso, Rucker and Unger: Renaming Local Powers Act the County Local Powers Act	1451				1453
*212 -	By Senators Trump, Blair and Maroney: Relating generally to procedures for drivers' license suspensions and revocations	915				918
*214 -	By Senator Trump: Adopting Uniform Electronic Legal Material Act (Chapter 212, Acts, Regular Session, 2017)	616, 1974	1599	1780	1863	616, 1643, 1780, 1863, 2718, 3475

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
215 -	By Senators Trump and Maroney: Allowing county commissions authority to amend proposed rates, fees and charges proposed by public service districts	421				421
*216 -	By Senators Trump and Blair: Permitting exclusion, modification or limitation of warranties in sale of used motor vehicles	1189				1189
*217 -	By Senator Trump: Relating to disclaimers of warranties regarding used manufactured homes	1549				1550
*219 -	By Senator Weld: Relating to conspiracy to commit crimes under Uniform Controlled Substances Act (Chapter 41, Acts, Regular Session, 2017)	1189	2081		2765	1190, 2319, 2403, 2570, 2763, 2764, 2765, 3467, 3477
*220 -	By Senator Weld: Relating to offenses and penalties under Uniform Controlled Substances Act (Chapter 42, Acts, Regular Session, 2017)	854, 3225	2326	2617, 2618, 2629, 3225	2629, 3227	855, 2326, 2404, 2617, 2623, 2629, 3467, 3477
*221 -	By Senators Blair and Maroney: Relating to composition of PEIA Finance Board (Chapter 102, Acts, Regular Session, 2017)	739, 2695	1823	1957	2132, 2697	739, 1922, 1957, 2131, 2696, 2697, 3458, 3477
**222 -	By Senators Weld and Trump: Relating to disqualification for unemployment benefits (Chapter 245, Acts, Regular Session, 2017)	524, 1974	1600	1780	1864	524, 1644, 1780, 1864, 2080, 3475
*224 -	By Senators Hall, Azinger and Trump: Repealing requirement for employer's bond for wages and benefits (Chapter 137, Acts, Regular Session, 2017)	739, 2698, 2903	1604	1898, 1904, 1952, 3240	1952, 3247	739, 1782, 1898, 1951, 2698, 3087, 3240, 3247, 3467, 3476
*225 -	By Senators Trump and Blair: Allowing magistrates to conduct proceeding for temporary emergency protective order dealing with temporary custody by family court (Chapter 65, Acts, Regular Session, 2017)	654, 1974	1599	1865	1865	654, 1644, 1781, 1864, 1865, 2718, 3475
*230 -	By Senators Trump, Blair and Maroney: Relating to certain WV officials carrying concealed firearm nationwide (Chapter 200, Acts, Regular Session, 2017)	388, 2195	1604	1904	1953	389, 1782, 1904, 1952, 1953, 3455, 3475

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
231 -	By Senator Hall: Relating to State Board of Education and Medicaid-eligible children (Chapter 68, Acts, Regular Session, 2017)	592, 995		635, 995	690, 996	592, 635, 690, 691, 996, 1145, 1366
*233 -	By Senator Trump: Excluding from protection oral communications uttered in child care center under Wiretapping and Electronic Surveillance Act (Chapter 58, Acts, Regular Session, 2017)	389, 1877	1344	1619	1773	389, 1380, 1347, 1588, 1773, 2719, 3475
235 -	By Senators Rucker, Azinger, Blair, Boso, Clements, Cline, Gaunch, Jeffries, Karnes, Maynard, Mullins, Smith, Swope, Takubo, Trump and Weld: Relating to motorcycle registration renewal (Chapter 154, Acts, Regular Session, 2017)	885, 3262	1498, 2224	2404, 2405	2405	885, 1498, 2319, 2404, 2405, 3467, 3476
*236 -	By Senators Trump and Weld: Relating to damages for medical monitoring	778				778
237 -	By Senators Trump and Blair: Repealing obsolete rules of Department of Revenue	344				345
*238 -	By Senators Ferns, Plymale, Weld and Maroney: Increasing tax credits allowed for rehabilitation of certified historic structures	1591, 2903	2225	2406, 2411	2410	1591, 2319, 2405, 2410
*239 -	By Senators Karnes, Blair, Ferns, Rucker and Weld: Limiting use of wages by employers and labor organizations for political activities	778, 3262	1645	1905, 2646	2645	779,1782, 1905, 1953, 2132, 2240, 2570, 2645, 3487
*240 -	By Senators Ferns, Boso, Weld, Cline and Rucker: Creating crime of nonconsensual distribution of sexual images (Chapter 54, Acts, Regular Session, 2017)	540, 2899	1940	2285, 2377, 2899	2376, 2899	540, 2186, 2285, 2376, 2899, 3467, 3476
*242 -	By Senators Mullins, Boso and Cline: Relating to school calendars	524				525
*243 -	By Senators Gaunch and Boso: Relating to domestic relations	1215				1216
*247 -	By Senators Trump, Carmichael (Mr. President), Hall, Palumbo, Woelfel and Blair: Authorizing prosecuting attorney designate and deliver grand jury records for investigative purposes (Chapter 49, Acts, Regular Session, 2017)	421, 1877	1344	1623	1773	422, 1380, 1547, 1588, 1623, 1773, 1774, 2719, 3475

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*248 -	By Senators Trump, Carmichael (Mr. President), Hall, Palumbo, Woelfel, Blair, Plymale and Gaunch: Clarifying composition and chairmanship of Commission on Special Investigations	422, 1878	1344	1625	1774	423, 1380, 1547, 1588, 1624, 1774, 2719, 3481
*249 -	By Senator Trump: Relating to information required in abstract of judgment	493				493
*255 -	By Senator Blair: Relating generally to filling vacancies in elected office	1121, 3262	1941	2287	2377	1122, 2186, 2286, 2377, 3467, 3488
256 -	By Senators Trump, Boso, Cline, Gaunch and Woelfel: Relating to prohibiting aiding and abetting of sexual abuse by school personnel (Chapter 224, Acts, Regular Session, 2017)	986, 2362	1599	1781, 2362	1866, 2363	986, 1644, 1781, 1865, 3458, 3476
*259 -	By Senators Trump and Cline: Requiring administrators of intestate estates to give bond and take oath	885				886
*261 -	By Senator Trump: Relating to increasing salary or wages of judgment debtor (Chapter 149, Acts, Regular Session, 2017)	655, 1974	1599	1866	1866	655, 1644, 1781, 1866, 2718, 3475
263 -	By Senator Blair: Creating exemption from certain contract and common carrier laws for vehicles used exclusively for transportation of railroad personnel	739				740
*280 -	By Senators Boso and Weld: Moving administration of Civil Air Patrol to Adjutant General (Chapter 202, Acts, Regular Session, 2017)	821, 2321	1821		2132	821, 1821, 1922, 1958, 2132, 2133, 3458, 3475
282 -	By Senator Trump: Directing Office of Administrative Hearings to amend current legislative rule relating to appeal procedures	1591				1591
*286 -	By Senators Cline, Boso and Rucker: Relating to grandparents' visitation rights	1605				1605
*288 -	By Senators Carmichael (Mr. President) and Stollings: Increasing penalty for crime of child abuse causing death by parent, guardian, custodian or other person (Chapter 55, Acts, Regular Session, 2017)	1216	2325		2630	1216, 2325, 2411, 2629, 2630, 3458, 3475

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*290 -	By Senators Weld, Stollings, Takubo and Rucker: Authorizing operators of distillery or mini-distillery offer for purchase and consumption of liquor on Sundays	1152				1153
294 -	By Senators Miller and Facemire: Relating to Community Sustainability Investment Pilot Program	1591				1592
*299 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplementing, amending, decreasing and increasing items of appropriations from State Road Fund to DOH (Chapter 13, Acts, Regular Session, 2017)	918	1976		2378	918, 2187, 2292, 2378, 3458, 3475
*300 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation from unappropriated balance in Treasury to Division of Personnel (Chapter 14, Acts, Regular Session, 2017)	918	1871		2241	919, 1972, 2183, 2241, 3458, 3475
*301 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation of federal funds from Treasury to State Board of Education, School Lunch Program (Chapter 15, Acts, Regular Session, 2017)	919			1066	919, 997, 1066, 1210, 1547
*302 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation of federal funds from Treasury to Division of Human Services (Chapter 16, Acts, Regular Session, 2017)	1015			1131	1015, 1107, 1131, 1132, 1287, 1605
*303 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation of public moneys from Treasury to DHHR (Chapter 17, Acts, Regular Session, 2017)	1015	1871		2242	1016, 1972, 2183, 2242, 3458, 3475
*304 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Appropriating expiring funds from State Fund, General Revenue to DHHR	2196				2196

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*305 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation of public moneys from Treasury to Fire Commission (Chapter 18, Acts, Regular Session, 2017)	919	1871		2242	919, 972, 2183, 2242, 2243, 3458, 3475
*306 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation of federal funds from Treasury to Workforce West Virginia (Chapter 19, Acts, Regular Session, 2017)	1016	1144		1326	1016, 1205, 1238, 1325, 1823, 2570
*308 -	By Senator Trump: Clarifying administrative and law-enforcement activities of DNR police officers are important to conservation and management of state's fish and wildlife	1125	1541			1125, 1541
*316 -	By Senator Blair: Requiring individuals receiving unemployment compensation apply for and accept seasonal employment	1453				1453
321 -	By Senator Gaunch: Reporting requirements of employee information to CPRB (Chapter 217, Acts, Regular Session, 2017)	616, 2321	1767	1958	2133	616, 1923, 1958, 2133, 3458, 3475
325 -	By Senators Maynard, Cline and Boso: Relating to crossbow hunting	564	1541			564, 1541
326 -	By Senators Romano, Beach, Facemire, Jeffries, Miller, Ojeda, Plymale and Unger: Requiring Department of Defense family advocacy groups be notified about abuse or neglect of military member's child	986				986
330 -	By Senators Trump, Boso and Blair: Relating to WV Workplace Freedom Act (Chapter 138, Acts, Regular Session, 2017)	593, 1122, 2663	884	997, 1068	1067, 2664	593, 972, 997, 1066, 1068, 1211, 2663, 2664
*333 -	By Senators Takubo, Palumbo, Stollings, Romano, Cline and Maroney: Requiring all DHHR-licensed facilities access WV Controlled Substances Monitoring Program Database (Chapter 43, Acts, Regular Session, 2017)	1592, 3011	2226	2411, 2630, 3011	2630, 3012	1592, 2319, 2411, 2630, 3012, 3467, 3477

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*337 -	By Senator Blair: Hiring correctional officers without regard to placement on correctional officer register (Chapter 115, Acts, Regular Session, 2017)	655	1498, 1870		2243	655, 1498, 1972, 2183, 2243, 3458, 3475
*338 -	By Senators Trump, Smith, Blair, Swope, Azinger, Mullins, Ferns, Weld, Gaunch and Cline: Relating to medical professional liability (Chapter 3, Acts, Regular Session, 2017)	821	1545		1775	822, 1588, 1625, 1774, 1775, 1976, 3475
*339 -	By Senators Takubo, Cline and Maroney: Creating Legislative Coalition on Chronic Pain Management (Chapter 193, Acts, Regular Session, 2017)	1298, 3262	1975	2293, 2379	2379	1298, 2187, 2292, 2378, 2379, 3467, 3476
*341 -	By Senators Ferns, Palumbo, Plymale, Mullins, Stollings, Takubo, Cline, Maroney and Unger: Establishing WV business growth in low-income communities tax credit	1190	1645			1190, 1645
*343 -	By Senator Beach: Relating to transportation network companies	1593				1593
*344 -	By Senators Trump, Gaunch, Azinger and Blair: Relating to application of payments on consumer credit sale and loans (Chapter 37, Acts, Regular Session, 2017)	920, 2322	1823	1959	2133	920, 1923, 1958, 2133, 3459, 3476
*345 -	By Senators Maynard, Jeffries, Mullins, Takubo, Cline, Weld and Maroney: Allowing certain hunting and trapping on private lands on Sundays (Chapter 166, Acts, Regular Session, 2017)	655, 2362	1540, 2082	2294, 2380	2379	656, 1541, 2082, 2294, 2379, 2380, 3467, 3476
346 -	By Senators Blair and Boso: Relating generally to jurisdiction of PSC over motor carriers	656	1499			656, 1499
*347 -	By Senators Takubo, Stollings and Maroney: Relating to modernization of Physician Assistant Practice Act	656, 1878	1173	1625, 1775	1775	657, 1173, 1283, 1547, 1588, 1625, 1775, 1776, 2718, 3477
349 -	By Senators Trump, Blair and Boso: Repealing outdated code related to Division of Corrections (Chapter 34, Acts, Regular Session, 2017)	593	1646		1953	593, 1782, 1919, 1953, 3455, 3475

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*350 -	By Senator Blair: Allowing licensed professional counselors be issued temporary permit (Chapter 182, Acts, Regular Session, 2017)	887	1820		2134	887, 1923, 1965, 2134, 3459, 3475
*358 -	By Senators Trump, Sypolt and Boso: Relating generally to trustee sale of timeshare estates (Chapter 91, Acts, Regular Session, 2017)	822, 2322	1822	1965, 2134	2134	822, 1923, 1965, 2134, 2135, 3459, 3475
*360 -	By Senators Takubo, Stollings, Maroney, Plymale and Miller: Creating Legislative Coalition on Diabetes Management (Chapter 190, Acts, Regular Session, 2017)	1216, 3262	1975	2301, 2380	2380	1217, 1976, 2187, 2301, 2380, 2381, 3467, 3476
*362 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Authorizing redirection of certain amounts to General Revenue Fund (Chapter 20, Acts, Regular Session, 2017)	1298, 2754		1561, 1613, 2754	1613, 2756	1298, 1380, 1547, 1561, 1612, 1613, 2756, 3467, 3476
364 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Incorporating changes to Streamlined Sales and Use Tax Agreement (Chapter 233, Acts, Regular Session, 2017)	986	1767		2136	986, 1923, 1969, 2135, 2136, 3459, 3475
365 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Maintaining solvency of Unemployment Compensation Fund (Chapter 246, Acts, Regular Session, 2017)	855	1767		2136	855, 1923, 1969, 2136, 3459, 3475
*369 -	By Senators Sypolt, Miller, Boso, Maroney and Smith: Permitting surface owners purchase mineral interests when interest becomes tax lien	1593				1593
*376 -	By Senator Boso: Relating generally to Sex Offender Registration Act	1550				1550
*380 -	By Senators Maynard and Plymale: Creating 2-year pilot program to allow all-terrain or recreational vehicles in Cabwaylingo State Forest	1453				1453
*382 -	By Senator Boso: Allowing automobile auctions obtain abandoned vehicles' titles	1299				1299

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*386 -	By Senators Ojeda, Beach, Facemire, Miller, Palumbo, Plymale, Romano, Rucker, Stollings, Swope, Woelfel and Boso: Creating WV Medical Cannabis Act (Chapter 195, Acts, Regular Session, 2017)	1731, 2558		1977, 2069, 2070, 2072, 2073, 2074, 2075, 2136, 2137, 2559	2137, 2563	1732, 1734, 1781, 1970, 1977, 2066, 2136, 2137, 2138, 2536, 3459, 3463, 3475
*388 -	By Senators Sypolt, Azinger, Boso, Cline, Ferns, Karnes, Maynard, Ojeda, Rucker, Smith, Takubo, Trump and Maroney: Relating to dangerous weapons (Chapter 82, Acts, Regular Session, 2017)	1454, 3263	2082	2422	2632	1454, 2319, 2422, 2631, 3471, 3477
392 -	By Senator Gaunch: Relating to Municipal Police Officers and Firefighters Retirement System (Chapter 159, Acts, Regular Session, 2017)	779	1767		2139	779, 1923, 1970, 2138, 2139, 3459, 3475
*398 -	By Senators Takubo, Stollings, Unger and Maroney: Creating Emergency Volunteer Health Practitioners Act (Chapter 197, Acts, Regular Session, 2017)	1217, 2322	1222, 1822	2139	2139	1217, 1222, 1923, 1970, 2139, 3459, 3475
*399 -	By Senators Ferns, Blair and Trump: Prohibiting political subdivisions from enacting local ordinances regulating benefits employers provide to employees	1594				1594
400 -	By Senator Blair: Regarding appointments to WV Infrastructure and Jobs Development Council (Chapter 120, Acts, Regular Session, 2017)	740	1649		1954	740, 1782, 1919, 1953, 1954, 3455, 3475
401 -	By Senators Gaunch and Takubo: Allowing county board of education base employment decisions on individual's qualifications	1550				1551
*402 -	By Senators Takubo, Stollings and Romano: Relating to covenants not to compete between physicians and hospitals (Chapter 214, Acts, Regular Session, 2017)	1594, 3263	1765, 1940	2302	2381	1594, 1766, 2187, 2302, 2381, 3467, 3477
*406 -	By Senator Takubo: Relating to generic drug products	1594				1595

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*409 -	By Senator Karnes: Relating generally to 2017 Tax Reform Act	1595				1595
*410 -	By Senator Sypolt: Relating to marking traps with DNR identification tag	716	977			716, 977
*412 -	By Senator Blair: Relating to WV Jobs Act reporting requirements	1454	1821	2499		1455, 1923, 1970, 2183, 2240, 2498, 2499, 2570
*413 -	By Senator Blair: Relating to bids on government construction contracts	1093				1093
*414 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Creating Division of Multimodal Transportation	1299				1304
*419 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Creating special revenue fund sources for Division of Labor to meet statutory obligations (Chapter 135, Acts, Regular Session, 2017)	1369, 2699		1572, 1614	1614, 2699	1370, 1427, 1547, 1572, 1614, 1615, 2699, 3467, 3476
*423 -	By Senator Weld: Relating to operation of licensed group homes	887				887
426 -	By Senators Trump, Weld, Azinger, Clements, Cline, Ferns, Karnes, Maynard, Rucker, Smith, Swope, Beach, Jeffries, Miller, Ojeda, Romano and Woelfel: Repealing DNR legislative rule on litter control grant program	617				617
*428 -	By Senators Weld, Stollings and Takubo: Relating to partial filling of prescriptions	1428	1766			1428, 1766
*429 -	By Senators Blair, Maroney and Trump: Relating to monitoring inmate communications	740				740
433 -	By Senator Trump: Permitting counties increase excise tax on privilege of transferring real property (Chapter 235, Acts, Regular Session, 2017)	1428	2085		2632	1428, 2319, 2429, 2632, 3468, 3476
*436 -	By Senators Gaunch, Blair, Maroney, Trump, Unger, Boso, Takubo, Rucker, Cline, Facemire and Romano: Permitting investigators from Attorney General's office carry firearms	740				741

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*437 -	By Senators Karnes, Boso, Cline, Trump and Blair: Discontinuing WV Greyhound Breeding Development Fund	1455			1867	1456, 1521, 1535, 1539, 1588, 1627, 1776, 1867, 2080, 3473
*439 -	By Senators Trump, Clements, Facemire, Maroney and Romano: Relating to venue for civil and criminal actions at Salem Correctional Center	717				717
*440 -	By Senators Trump and Blair: Relating to use of Regional Jail and Correctional Facility Authority funds	987	2225	2430, 2633	2633	987, 2319, 2430, 2632, 2633
*441 -	By Senators Sypolt, Boso and Smith: Establishing Municipal Home Rule Pilot Program	887, 3069	1940	2305, 3069	2382, 3070, 3071	888, 1940, 2187, 2304, 2381, 2382, 3070, 3071, 3468, 3489
*442 -	By Senators Weld and Cline: Relating generally to crimes against persons (Chapter 50, Acts, Regular Session, 2017)	779	1545		1777	780, 1589, 1642, 1776, 1777, 2719, 3475
444 -	By Senators Trump, Weld, Miller and Gaunch: Establishing Court Advanced Technology Subscription Fund (Chapter 47, Acts, Regular Session, 2017)	1122, 3117	2225	2434, 2634	2634, 3117	1123, 2319, 2434, 2633, 2634, 3117, 3468, 3475
*445 -	By Senators Trump and Miller: Amending definition of "abused child" (Chapter 24, Acts, Regular Session, 2017)	741, 1975	1599	1868	1868	741, 1644, 1781, 1867, 1868, 2718, 3475
*446 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Authorizing Governor issue executive orders to furlough state employees	1606				1606
*453 -	By Senators Boley and Cline: Adding classification and base salaries of certain civilian employees of WV State Police Forensic Laboratory	1457				1457
*454 -	By Senators Trump, Weld, Miller and Gaunch: Providing more efficient collection and submission of state moneys received from court transactions or court services (Chapter 98, Acts, Regular Session, 2017)	1016	2081		2436	1017, 2320, 2435, 2436, 3459, 3475

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*455 -	By Senators Trump, Weld, Miller and Gaunch: Relating generally to commitment of persons to custody of Commissioner of Corrections (Chapter 59, Acts, Regular Session, 2017)	987, 1878	1545	1642	1777	987, 1589, 1642, 1777, 2719, 3475
*456 -	By Senators Trump, Weld, Miller and Gaunch: Relating to standards for termination of parental rights in child abuse and neglect cases (Chapter 25, Acts, Regular Session, 2017)	780	1599		1868	780, 1644, 1781, 1868, 1869, 2718, 3475
*461 -	By Senators Hall, Takubo and Stollings: Exempting WV State Police from state purchasing requirements (Chapter 105, Acts, Regular Session, 2017)	1304	2086		2436	1304, 2320, 2436, 2437, 3459, 3477
464 -	By Senators Hall and Plymale: Eliminating taxation on annuity consideration received by life insurer	1371				1371
*465 -	By Senators Takubo, Stollings and Maroney: Relating to medical professional liability	1606				1607
*467 -	By Senators Blair and Trump: Removing restrictions on maximum wager per limited video lottery game and bill denominations accepted by video lottery terminals	1304				1305
468 -	By Senators Blair and Trump: Removing restrictions on where traditional lottery games may be played	1190	1604			1190, 1604
*469 -	By Senators Takubo, Jeffries, Maynard and Cline: Prohibiting waste of game animals, birds or fish	1607				1607
*471 -	By Senators Maynard, Stollings and Cline: Relating to state ownership of wildlife	1093				1093
*472 -	By Senators Maynard, Stollings and Cline: Permitting bear hunting with guides	1305				1305
*473 -	By Senators Maynard and Cline: Permitting collection and sale of naturally shed deer antlers (Chapter 165, Acts, Regular Session, 2017)	886	1541		1777	886, 1589, 1643, 1777, 1778, 2719, 3475
*474 -	By Senators Maynard and Cline: Exempting names of licensed hunters from public disclosure	1094				1094

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*477 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Increasing State Road Fund by raising DMV fees and motor fuel excise taxes	1428				1429
*479 -	By Senators Blair, Rucker, Takubo, Maroney and Cline: Relating to regulation of liquor sales	1305				1305
*480 -	By Senator Blair: Authorizing local government adopt energy efficiency partnership programs	1191				1191
*481 -	By Senator Blair: Eliminating requirement municipal courts wait 90 days before notifying DMV of person's failure to appear or pay assessed costs	888				888
*482 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating generally to WV Parkways Authority	1734				1735
*484 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating generally to taxation	1761	1977, 2065	2197, 2244	2244	1761, 2064, 2065, 2183, 2197, 2243, 2245
**486-	By Senators Takubo and Stollings: Relating to health care provider taxes (Chapter 237, Acts, Regular Session, 2017)	1371, 3264	1766, 2086	2437	2437	1371, 1766, 2320, 2437, 2438, 3468, 3476
490 -	By Senators Azinger, Trump, Mullins and Boso: Clarifying standard of liability for officers of corporation (Chapter 46, Acts, Regular Session, 2017)	888, 3263	1941	2383	2382	888, 2187, 2312, 2382, 2383, 3468, 3475
491 -	By Senators Trump and Maroney: Relating to county litter control officers	889				889
*492 -	By Senator Trump: Eliminating requirement every circuit court participate in drug court program	889				889
493 -	By Senators Mann, Cline, Mullins, Maroney and Romano: Providing increase in compensation for conservation officers (Chapter 167, Acts, Regular Session, 2017)	1457, 2563	1603, 1871	2184, 2245	2245	1457, 1603, 1973, 2184, 2245, 3459, 3476

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
495 -	By Senator Blair: Relating to regulation of events by State Athletic Commission (Chapter 116, Acts, Regular Session, 2017)	1094	1820		2140	1094, 1923, 1970, 2140, 3459, 3475
*496 -	By Senator Gaunch: Relating generally to guaranteed asset protection waivers	889				889
*497 -	By Senators Stollings, Takubo, Plymale, Maroney and Facemire: Relating to liability for health care providers who provide services at school athletic events (Chapter 1, Acts, Regular Session, 2017)	1017	1545		1778	1017, 1589, 1643, 1778, 2719, 3475
*499 -	By Senator Weld: Creating Debt Resolution Services Division in Auditor's office	1306	1824			1306, 1923, 1970, 2186, 2312
*500 -	By Senators Trump, Boley, Clements, Cline, Ferns, Maynard, Rucker, Weld, Takubo, Maroney and Smith: Relating to Medicaid fraud and abuse	1125				1125
*501 -	By Senators Gaunch and Stollings: Relating to WV Economic Development Authority	1768				1768
*505 -	By Senators Smith and Sybolt: Providing five-year reclamation period following completion of well pads for horizontal wells (Chapter 87, Acts, Regular Session, 2017)	890	1822		2141	890, 1923, 1970, 2140, 2141, 3459, 3475
*507 -	By Senators Cline, Maynard, Ojeda, Rucker, Smith, Swope, Takubo and Stollings: Allowing pharmacists inform customers about lower cost alternatives to prescribed drugs	1768				1769
*515 -	By Senator Trump: Relating to parole requirements for hearings and release (Chapter 62, Acts, Regular Session, 2017)	1607	2081		2635	1607, 2320, 2438, 2634, 2635, 3468, 3476
*521 -	By Senator Trump: Relating generally to Public Defender Services	1607	1941			1608, 1941
*522 -	By Senators Gaunch, Ferns, Blair, Stollings and Takubo: Relating to pharmacy audits (Chapter 134, Acts, Regular Session, 2017)	1123, 2196	1645	1919	1954	1123, 1732, 1919, 1954, 3455, 3475
*523 -	By Senator Weld: Converting to biweekly pay cycle for state employees (Chapter 183, Acts, Regular Session, 2017)	1306, 3264	1499, 2085	2438	2470	1306, 1499, 2320, 2438, 2470, 3468, 3476

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
524 -	By Senators Rucker, Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maroney, Maynard, Mullins, Smith, Swope, Sypolt, Takubo and Trump: Relating to WV academic standards	1126				1126
**526 -	By Senator Takubo: Requiring mandatory insurance coverage for inherited enzymatic disorders	1769				1769
*531 -	By Senator Sypolt: Relating to renewal date for apiary certificates of registration (Chapter 7, Acts, Regular Session, 2017)	1094	1545		1778	1094, 1589, 1643, 1778, 2719, 3475
*533 -	By Senators Hall and Mullins: Relating to taxes on wine and intoxicating liquors (Chapter 227, Acts, Regular Session, 2017)	1307	2086		2635	1307, 2320, 2470, 2635, 2636, 3459, 3476
*534 -	By Senators Palumbo, Gaunch, Jeffries, Romano, Stollings, Takubo and Cline: Relating to incentives for consolidating local governments	1608				1608
*535 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Reorganizing Division of Tourism (Chapter 238, Acts, Regular Session, 2017)	1371, 3263	1544, 2086	2470, 2636	2636	1372, 1545, 2320, 2470, 2636, 2637, 3468, 3476
536 -	By Senators Maynard, Jeffries and Ferns: Authorizing tracking of wounded or injured bear or deer	1095				1095
*538 -	By Senators Trump, Stollings, Cline and Weld: Creating special conditions of parole	1372				1372
*539 -	By Senators Ferns and Rucker: Relating to regulation and control of financing elections	1500				1504
547 -	By Senator Blair: Modifying fees paid to Secretary of State (Chapter 99, Acts, Regular Session, 2017)	1191, 3263	2225	2470, 2638	2638	1191, 2320, 2470, 2637, 2638, 3468, 3476
*548 -	By Senator Hall: Providing for specific escheat of US savings bonds	1191				1191
554 -	By Senator Weld: Relating to false swearing in legislative proceeding (Chapter 146, Acts, Regular Session, 2017)	1127, 2699, 2903	1604	1920	1954, 3248	1127, 1782, 1919, 1954, 2699, 3002, 3247, 3248, 3468, 3477
*559 -	By Senator Ferns: Relating to limited video lottery	1127				1127

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*562 -	By Senator Blair: Relating to civil actions for damages brought against county commissions and municipalities	1609				1609
*563 -	By Senator Trump: Relating to Consumer Credit and Protection Act (Chapter 36, Acts, Regular Session, 2017)	1769	1822		2246	1770, 1923, 1970, 2186, 2245, 2246, 3460, 3475
564 -	By Senators Takubo and Stollings: Relating to Statewide Independent Living Council (Chapter 226, Acts, Regular Session, 2017)	1192, 2322	1821	1971, 2141	2141	1192, 1923, 1971, 2141, 3460, 3475
566 -	By Senators Hall, Facemire and Stollings: Claims against state (Chapter 27, Acts, Regular Session, 2017)	1504	1767		2142	1504, 1923, 1971, 2142, 3460, 3475
*572 -	By Senators Sypolt and Gaunch: Relating to nonpartisan election of county surveyors	1307				1308
*575 -	By Senator Trump: Relating generally to shooting ranges (Chapter 5, Acts, Regular Session, 2017)	1095				1095
*576 -	By Senators Trump and Blair: Providing exception to waste for certain oil and gas development	1770, 1819				1771, 1819, 1820
578 -	By Senators Trump and Blair: Relating generally to copies of health care records furnished to patients (Chapter 191, Acts, Regular Session, 2017)	1551, 3263	1940	2312, 2383	2383	1551, 2187, 2312, 2383, 2384, 3468, 3476
*581 -	By Senators Trump, Woelfel and Plymale: Relating generally to administration of trusts (Chapter 92, Acts, Regular Session, 2017)	1127				1128
585 -	By Senator Blair: Relating to locomotive crew size	1308				1308
*586 -	By Senator Sypolt: Changing fees for custom slaughters from annual to triennial	1504				1504
*588 -	By Senator Sypolt: Relating to reproduction, distribution and sale of tax maps (Chapter 95, Acts, Regular Session, 2017)	1609, 2323	1823	1971	2144	1609, 1924, 1971, 2144, 3460, 3475
595 -	By Senator Hall: Allowing county assessors make separate entries in land books when real property is partly used for exempt and partly nonexempt purposes	1308				1308

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*601 -	By Senator Gaunch: Relating to requirements for making consumer loans	1551				1551
*602 -	By Senator Blair: Creating uniform system of recording and indexing fictitious names used by sole proprietors (Chapter 213, Acts, Regular Session, 2017)	1429, 3263	1941	2484	2484	1429, 2187, 2316, 2484, 2485, 3468, 3476
*606 -	By Senators Maynard and Plymale: Relating to minimum wage and maximum hours for employees	1736, 3013	1941	2316, 3013	2385, 3013	1736, 2187, 2316, 2385, 3013, 3468, 3490
608 -	By Senators Trump, Woelfel, Weld, Gaunch and Plymale: Clarifying lawful business structures are unaffected by enactment of prohibitory legislation (Chapter 23, Acts, Regular Session, 2017)	1153	2223		2472	1153, 2320, 2471, 2472, 3460, 3476
*609 -	By Senators Ferns, Azinger, Rucker and Cline: Creating additional flexibility for school systems in use of school aid funds	1736				1738
614 -	By Senators Blair, Boso and Sypolt: Relating to expansion of broadband service	1504				1505
620 -	By Senators Boso, Swope, Gaunch, Jeffries and Rucker: Relating to traffic regulations	1128				1128
621 -	By Senator Boso: Providing certain rules inapplicable after county board of education notifies state board of possible closing or consolidations	1552	1768	2317, 2386	2386	1552, 1924, 1972, 2186, 2317, 2385, 2387
*622 -	By Senator Hall: Relating generally to tax procedures and administration	1430	2225	2472	2638	1430, 2320, 2472, 2638, 2639, 3485
*628 -	By Senators Rucker, Boso, Sypolt, Trump and Cline: Relating to providing funding for Statewide Interoperable Radio Network	1505				1505
*630 -	By Senators Mann, Hall and Sypolt: Establishing Accessibility and Equity in Public Education Enhancement Act (Chapter 77, Acts, Regular Session, 2017)	1552, 3117	2225	2476, 2484, 2716, 3118	2639, 3119	1553, 2320, 2476, 2639, 2716, 2718, 3120, 3468, 3477
*631 -	By Senators Palumbo, Jeffries and Takubo: Prosecuting violations of municipal building code (Chapter 156, Acts, Regular Session, 2017)	1505, 3263	1941	2387	2387	1506, 2187, 2318, 2387, 2388, 3468, 3476

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
*634 -	By Senators Plymale, Stollings, Sypolt, Takubo, Prezioso, Beach, Clements and Maroney: Relating generally to certain agreements between DHHR and state's medical schools (Chapter 126, Acts, Regular Session, 2017)	1553, 1975		1869	1869	1553, 1643, 1779, 1869, 1870, 2719, 3475
*636 -	By Senators Boso, Stollings, Maroney, Sypolt and Cline: Authorizing State Fire Commission establish program to address problems facing VFDs (Chapter 208, Acts, Regular Session, 2017)	1738	1929		2389	1738, 2187, 2318, 2388, 2487, 3460, 3475
*637 -	By Senators Trump and Rucker: Relating to private club operations requirements (Chapter 239, Acts, Regular Session, 2017)	1738	2324		2640	1739, 2324, 2489, 2640, 3469, 3476
*647 -	By Senators Jeffries, Beach, Miller, Ojeda, Plymale, Prezioso and Stollings: Relating generally to additional county excise taxes on real property transfer	1553				1554
*656 -	By Senator Mann: Relating to Student Data Accessibility, Transparency and Accountability Act	1739, 3263	2223	2487, 2489	2488	1739, 2320, 2487, 2488, 2489, 3469, 3492
658 -	By Senators Maynard and Cline: Establishing procedure for retitling mobile and manufactured homes (Chapter 151, Acts, Regular Session, 2017)	1430	2081		2490	1430, 2320, 2489, 2490, 3460, 3476
664 -	By Senators Sypolt and Cline: Removing limitation on amount counties collect on hotel occupancy tax	1739				1739
667 -	By Senators Gaunch, Prezioso and Plymale: Limiting authority of Attorney General to disclose certain information provided by Tax Commissioner (Chapter 111, Acts, Regular Session, 2017)	1740	2223		2490	1740, 2320, 2490, 2491, 3460, 3476
*671 -	By Senator Mann: Relating to WV Anatomical Board (Chapter 114, Acts, Regular Session, 2017)	1506	1824		2144	1506, 1924, 1972, 2144, 2145, 3460, 3475

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
684 -	By Senators Trump, Weld, Azinger, Clements, Cline, Ferns, Karnes, Maynard, Rucker, Smith, Swope, Beach, Jeffries, Miller, Ojeda, Romano and Woelfel: Relating generally to WV State Police (Chapter 204, Acts, Regular Session, 2017)	1308	1545		1779	1309, 1589, 1643, 1779, 2718, 3475
685 -	By Senators Trump, Weld, Azinger, Clements, Ferns, Karnes, Maynard, Rucker, Smith, Swope, Beach, Jeffries, Miller, Romano and Woelfel: Creating a one-day special license for charitable events sell nonintoxicating beer	1506				1507
686 -	By Senators Hall, Boley, Blair, Boso, Ferns, Gaunch, Facemire, Mann, Maroney, Mullins, Palumbo, Plymale, Prezioso, Stollings, Sypolt, Takubo and Unger: Exempting facilities governed by DHHR that provide direct patient care (Chapter 106, Acts, Regular Session, 2017)	1554, 3262	2223	2491, 2640	2640	1554, 2320, 2491, 2640, 2641, 3469, 3477
687 -	By Senators Smith, Sypolt, Blair, Boley, Cline, Ferns, Mullins, Facemire, Jeffries and Woelfel: Relating generally to coal mining, safety and environmental protection (Chapter 86, Acts, Regular Session, 2017)	1740, 3264	2224	2492, 2642	2641	1741, 2321, 2492, 2570, 2635, 2641, 2643, 2644, 3469, 3477
688 -	By Senators Trump, Weld, Azinger, Clements, Cline, Ferns, Karnes, Maynard, Rucker, Smith, Swope, Beach, Jeffries, Miller, Ojeda, Romano and Woelfel: Correcting technical error within Solid Waste Management Act	1741				1741
689 -	By Senators Trump, Azinger, Clements, Cline, Ferns, Karnes, Maynard, Rucker, Smith, Swope, Beach, Jeffries, Miller, Ojeda, Romano and Woelfel: Relating to payment of small claims by DOH	1741				1742

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
690 -	By Senators Trump, Weld, Clements, Cline, Ferns, Karnes, Maynard, Rucker, Smith, Swope, Beach, Jeffries, Miller, Ojeda, Romano and Woelfel: Authorizing WV State Police impose and collect fees for agencies and entities using their facilities (Chapter 203, Acts, Regular Session, 2017)	1742	1941		2389	1742, 2187, 2318, 2389, 3460, 3475
691 -	By Senators Maynard, Karnes, Stollings, Sypolt and Takubo: Relating to off-road vehicles (Chapter 9, Acts, Regular Session, 2017)	1742, 3263	2081	2493, 2644	2644	1742, 2321, 2493, 2644, 3469, 3476
693 -	By Senators Trump, Weld, Clements, Cline, Ferns, Karnes, Maynard, Rucker, Smith, Swope, Beach, Jeffries, Miller, Ojeda, Romano and Woelfel: Creating WV Uniform Fiduciary Access to Digital Assets Act	1743				1743
694 -	By Senators Hall, Mullins, Blair, Boley, Boso, Ferns, Gaunch, Mann, Maroney, Sypolt, Takubo, Facemire, Palumbo, Plymale, Prezioso, Stollings and Unger: Expiring funds to unappropriated surplus balance in General Revenue fund to Department of Administration (Chapter 21, Acts, Regular Session, 2017)	2196	2329		2645	2197, 2329, 2494, 2644, 2645, 3460, 3475

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*Denotes Committee Substitute

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
1 -	By Senators Carmichael (Mr. President), Ferns and Prezioso: Adopting joint rules of Legislature	42			58	58
2 -	By Senators Carmichael, Hall and Prezioso: Authorizing payment of supplies, services, printing and other expenses	58			59	59
3 -	By Senators Karnes, Boso and Gaunch: Urging Congress call convention of states to impose fiscal restraints on federal government	855				855
5 -	By Senators Woelfel, Plymale, Jeffries and Beach: US Army PFC John Ira Pinkerman Memorial Bridge	1017				1017
8 -	By Senators Mullins, Boso, Cline, Plymale, Beach, Karnes, Stollings, Ojeda, Facemire and Prezioso: Donnie Adkins Memorial Bridge	1018	2332		2370	1018, 2371
11 -	By Senators Ferns and Stollings: USMC Lance Corporal Edwin Russell ‘Snook’ Danehart Memorial Bridge	1021	2332		2370	1021, 2371
13 -	By Senators Mullins, Plymale, Stollings, Cline and Beach: US Army CPL James Russell Carter Memorial Road	1744	2332		2370	1022, 2082, 2371
14 -	By Senators Jeffries, Azinger, Cline, Facemire, Ojeda, Palumbo, Plymale, Romano, Smith, Sypolt, Weld, Woelfel, Stollings and Beach: US Army PVT Oren J. “Junior” Johnson Memorial Bridge	1022	2082, 2332		2370	1022, 2082, 2371
*15 -	By Senators Mullins, Stollings, Cline and Beach: US Army CPL Herbert “Herb” Linkous Memorial Bridge	1024	1544, 2332		2370	1023, 2371
17 -	By Senators Rucker, Azinger, Blair, Boley, Boso, Cline, Maynard, Miller, Ojeda, Smith, Sypolt, Trump, Plymale and Stollings: John Hancock Hall Memorial Bridge	1025				1025
18 -	By Senators Hall, Stollings and Beach: US Marine CPL Walter Vincent Filipek Memorial Bridge	1027	2082, 2332		2371	1026, 2082, 2371

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
*19 -	By Senators Maynard, Boley, Trump, Stollings and Beach: Blue Demons Bridge	1028				1028
21 -	By Senators Clements, Boso, Maroney, Weld and Stollings: US Army CPL Daniel Frederick Mehringer Memorial Bridge	1030	2333		2371	1030, 2371
22 -	By Senators Romano, Facemire and Stollings: Walter E. Swiger, Jr., Memorial Bridge	1031				1031
*23 -	By Senators Maynard and Stollings: Johnny O'Dell Linville Memorial Bridge	1746	2333		2371	1746, 2371
24 -	By Senators Romano, Facemire and Stollings: US Army PFC Joe Messe, Sr., Memorial Bridge	1748	2333		2371	1748, 2371
*26 -	By Senators Romano, Facemire and Stollings: US Marine Corps SSG Beecher J. Rhoades Memorial Bridge	1749	2333		2371	1749, 2371
28 -	By Senators Boso, Karnes and Beach: US Army SPC4 Randall W. Arbogast Memorial Road	1023	1544, 2333		2371	1023, 1544, 2373
31 -	By Senators Boso, Stollings and Beach: US Navy BT2 Mark Edward Hutchison Memorial Bridge	1751	2333		2373	1751, 2374
32 -	By Senators Ojeda, Stollings, Plymale and Beach: US Army SGT Denver E. Short Memorial Road	1752				1752
33 -	By Senators Palumbo, Plymale and Beach: US Army Ranger SGT Richard E. Arden Memorial Bridge	2235	3185		3184	2235, 3184
35 -	By Senators Cline and Beach: Urging Congress reassess federal definition of industrial hemp	1372				1372
39 -	By Senators Gaunch, Beach and Stollings: US Army PFC Kelva H. Justice Memorial Road	1878	2333		2373	1878, 2374
41 -	By Senators Stollings, Ojeda, Beach and Plymale: US Army PV2 Mandvial S. "Bunker" Bias Memorial Bridge	1754	2333		2373	1754, 2374
42 -	By Senators Boso, Stollings and Beach: Five Champ Brothers Bridge	2237	3183		3184	2237, 3184
43 -	By Senator Boso: Eugene Lee "Gene" Burner Memorial Bridge	1755	2333		2373	1755, 2374
44 -	By Senator Maynard: Tug Valley Students Memorial Bridge	1758				1758

Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
45 -	By Senators Beach, Prezioso, Stollings and Plymale: Home of Anna Lindquist, 1996 NHPA Hall of Fame Inductee highway sign	1759	2333		2373	1759, 2374
49 -	By Senators Gaunch, Stollings and Boso: Erecting signs in Kanawha County declaring Home of Ralph Maddox 1980 NHPA Hall of Fame	2338	3184		3184	2338, 3184
50 -	By Senators Trump, Beach, Clements, Ferns, Jeffries, Karnes, Maynard, Miller, Ojeda, Romano, Smith, Swope and Woelfel: Urging Congress reschedule marijuana	1595				1595
60 -	By Senators Unger, Stollings, Plymale, Prezioso, Boso and Beach: Designating 2017 as Robert C. Byrd Centennial Legacy Year	2323				2323

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Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
4 -	By Senators Boso, Rucker and Weld: County Economic Development Amendment	1743				1743
*6 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Roads to Prosperity Amendment of 2017	1744, 3071	2065, 2224	2390, 3071	2609, 3073	1744, 2065, 2318, 2389, 2608, 2611, 3075

FIRST EXTRAORDINARY SESSION, 2017

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Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
101 -	By Delegate Miley [By Request of the Executive]: Raising salaries for classroom teachers	3500					3500
102 -	By Delegate Miley [By Request of the Executive]: Increasing DMV fees and motor fuel excise taxes	3501					3501
103 -	By Delegate Miley [By Request of the Executive]: Relating generally to the West Virginia Parkways Authority	3501					3502
104 -	By Delegate Miley [By Request of the Executive]: Relating generally to taxation	3503					3503, 3504
105 -	By Delegates Baldwin, Miley, Bates, Fluharty, Fleischauer, Marcum, R. Miller, Brewer, Robinson, Love and Hartman: Limiting the number of days that members of the Legislature may receive compensation during an extended and extraordinary session	3505					3505
*106 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating generally to the furlough of public employees during declared fiscal emergency	3513	3516, 3521		3659	3526	3513, 3516, 3525, 3526, 3527, 3659, 3668, 3672
*107 -	By Delegate Miley [By Request of the Executive]: Relating generally to the Tax Reform Act of 2017	3516	3527	3533, 3537, 3539	3550	3539	3517, 3528, 3530, 3538, 3540, 3551, 3618, 3641, 3649
108 -	By Delegate Miley [By Request of the Executive]: Increasing the funding for the State Road Fund	3517					3518
109 -	By Delegate Pushkin: Making medical cannabis subject to the consumer sales and service tax	3518					3518
110 -	By Delegates Pushkin and Rowe: Relating to taxation	3529					3530
111 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating generally to tax procedures and administration (Chapter 2, Acts, First Extraordinary Session, 2017)	3545	3623		3649	3624	3545, 3623, 3624, 3669, 4206

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
112 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating to the Volunteer Fire Department Workers' Compensation	3545					3545
*113 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating to the sale of Jackie Withrow Hospital by the DHHR	3545	3880		3965	3964	3545, 3881, 3963, 3964, 3965, 4206, 4207
114 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating to the sale of Hopemont Hospital by the Department of Health and Human Resources	3546					3546
*115 -	By Delegate Miley [By Request of the Executive]: Budget Bill	3546	3669				3546, 3669, 3876, 3881
116 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating to physician assistants	3546					3546
*117 -	By Delegate Miley [By Request of the Executive]: Relating to West Virginia Health Care Authority (Chapter 4, Acts, First Extraordinary Session, 2017)	3549	3632, 3643		3668	3651	3550, 3632, 3644, 3650, 3651, 4206
118 -	By Delegates Folk, McGeehan, Paynter, Martin, Gearheart, Criss, Butler, Lewis, Hill and Kessinger: Making appropriations of public money out of the Treasury in accordance with section fifty-one, article VI of the Constitution	3550					3550
119 -	By Delegates Frich, Sobonya, Overington, Deem, Sypolt, Butler, Fast, Hollen and Kessinger: Discontinuing the West Virginia Greyhound Breeding Development Fund	3627					3629
120 -	By Delegate Howell: Establishing the Fleet Management Office within the Department of Administration	3629					3630
121 -	By Delegates Sobonya, Overington, Harshbarger, Ward, Walters, Arvon, Frich, Martin, Kessinger, Wilson and Summers: Requiring unclaimed prize money be deposited into the General Revenue Fund	3649					3649
122 -	By Delegate Kessinger: Terminating the Women's Commission	3675					3675

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
123 -	By Delegate Miley [By Request of the Executive]: Imposing, administering and collecting a license tax on successful bidders for road construction contracts	3675					3676

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Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Delegates Byrd, Phillips, Rowe, Robinson, Lovejoy, Pushkin, Eldridge, Canestraro, Maynard: Establishing a Select Committee on Taxation and Budget Matters	3523					3525
2 -	By Mr. Speaker (Mr. Armstead): Providing for an adjournment of the Legislature until June 26, 2017	4202			4204	4202	4202

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Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
1003 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating generally to WV Parkways Authority (Chapter 5, Acts, First Extraordinary Session, 2017)	3618	4164	4165, 4199	4198	3619, 4164, 4165, 4197, 4200, 4206
1004 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating generally to taxation	3506				3507, 3508
1006 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Increasing funding for State Road Fund (Chapter 6, Acts, First Extraordinary Session, 2017)	3619, 4162	3670	3954, 3957, 3958, 4162	3958, 4163	3620, 3670, 3676, 3881, 3954, 3957, 3959, 4163, 4206
1007 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Tax Reform Act of 2017	3519				3520
1010 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating to Volunteer Fire Department Workers' Compensation Premium Subsidy Fund (Chapter 7, Acts, First Extraordinary Session, 2017)	3620			3621	3620, 3621, 3622, 3632, 3653
*1011 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Selling Hopemont Hospital	3622, 4164	3880	3960, 3962	3962	3622, 3880, 3960, 3961, 3963
1013 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Budget Bill (Chapter 1, Acts, First Extraordinary Session, 2017)	3673		3676	4161	3673, 3676, 4160, 4162, 4206
1014 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating generally to physician assistants (Chapter 3, Acts, First Extraordinary Session, 2017)	3622, 3647	3631	3641	3644	3623, 3632, 3641, 3644, 3669, 4206
1017 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating generally to Tax Reform Act of 2017	3884		3886, 3952	3952	3884, 3885, 3951, 3954

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Number	SPONSOR AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
101 -	By Senator Carmichael (Mr. President): Providing for adjournment of Legislature until May 15, 2017	3509			3509	3509
102 -	By Senator Ferns: Providing for adjournment of Legislature until June 5, 2017	3625			3625	3626
103 -	By Senator Ferns: Suspending provisions of Joint Rule 3 relating to Committee of Conference on House Bill 107	3647, 3654		3648, 3649	3649	3648, 3649
104 -	By Senator Trump: Suspending provisions of Joint Rule 3 relating to Committee of Conference on House Bill 106	3883			3884	3884
105 -	By Senator Trump: Suspending provisions of Joint Rule 3 relating to conference committee on House Bill 106	4201			4201	4201

SECOND EXTRAORDINARY SESSION, 2017

*Denotes Committee Substitute

Number	SPONSOR AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
201 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Exempting military retirement income from personal income tax (Chapter 4, Acts, Second Extraordinary Session, 2017)	4219			4257	4243	4219, 4225, 4243, 4244, 4260
202 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Allowing certain tax information to be shared with designated employees of Commissioner of Highways	4219					4219
203 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating generally to tax credits for rehabilitation of historic buildings and structures (Chapter 5, Acts, Second Extraordinary Session, 2017)	4222		4244, 4247	4257	4247	4223, 4244, 4247, 4248, 4260
204 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Finding and declaring a claim against the state and its agency to be a moral obligation of the state	4223					4223
205 -	By Mr. Speaker (Mr. Armstead) and Delegate Miley [By Request of the Executive]: Relating to the West Virginia Jobs Act (Chapter 3, Acts, Second Extraordinary Session, 2017)	4249			4257	4250	4249, 4250, 4260

SECOND EXTRAORDINARY SESSION, 2017

*Denotes Committee Substitute

Number	TITLE OF SENATE BILLS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
2002 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Allowing certain tax information be shared with designated DOH employees (Chapter 6, Acts, Second Extraordinary Session, 2017)	4220, 4251		4221, 4251	4221, 4252	4220, 4221, 4222, 4252, 4260
2003 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Implementing special hiring procedures for DOH and Tax Division (Chapter 2, Acts, Second Extraordinary Session, 2017)	4252		4253	4256	4253, 4254, 4255, 4256, 4257, 4260
2005 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Finding and declaring claim against state (Chapter 1, Acts, Second Extraordinary Session, 2017)	4254			4256	4254, 4255, 4256, 4257, 4260

THIRD EXTRAORDINARY SESSION, 2017

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Number	TITLE OF SENATE BILLS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
3001 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Authorizing sale of bonds pursuant to Roads to Prosperity Amendment of 2017 (Chapter 1, Acts, Third Extraordinary Session, 2017)	4267			4270	4267, 4268, 4270, 4271, 4272

THIRD EXTRAORDINARY SESSION, 2017

*Denotes Committee Substitute

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Communi- cated to House	Reporte d from Comm- ittee	Amended	Adopted by House	OTHER PROCEEDINGS
301 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Providing for issuance of bonds under Roads to Prosperity Amendment of 2017	4272			4274	4273, 4274

**TOPICAL INDEX TO ALL HOUSE BILLS
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**Bill
Number****ABORTION**

- 2053. Requiring facilities providing abortions to obtain parental notification or consent in writing
- 2467. Prohibiting school employees from promoting abortion
- 2468. Making it illegal to transport a minor across state lines to obtain an abortion without written consent of both parents
- 2484. Preventing taxpayer subsidization of health insurance covering elective abortions

ACTIONS, SUITS AND LIENS

- 2531. Allowing military personnel and reservists the additional five-year period to enter upon or recover land already allowed to infants and the insane
- 2539. Permitting a housing authority to garnish delinquent rents and other amounts owed to the authority from the renter's income tax refund
- 2580. Relating to damages for medical monitoring
- 2581. Relating to admissibility of certain evidence in a civil action for damages
- 2634. Prohibiting a court from giving a jury an instruction commonly known as the "Allen Charge" to break a deadlock
- 2647. Preventing compensatory damage awards for medical expenses from including sums that the claimant has not and will not pay
- 2678. Changing the amounts of prejudgment and post-judgment interest to reflect today's economic conditions
- 2682. Relating to Medical Professional Liability
- 2737. Eliminating certain fees generated by suggestee executions
- 2828. Changing the number of strikes in jury selection in felony cases
- 2939. Relating to the sale of items in the State Police Academy post exchange to the public
- 2980. Relating to civil lawsuit filing fees for multiple defendant civil action

- 3003. Allocating disability or death benefits resulting from an occupational pneumoconiosis claim among the claimant's employers on a proportional basis
- 3017. Providing that a person when being attacked in a place that is not his or her home should retreat instead of using deadly force
- 3024. Limiting recoverable damages when a patient has been transferred from health care facility to another health care facility
- 3030. Relating to appeals as a matter of right in the West Virginia Supreme Court of Appeals
- 3097. Codifying the application of the compelling interest test and strict scrutiny standard involving rights enumerated under the First Amendment

ACTS

- 2009. Making changes to the definition of electrical contractor
- 2040. Updating the Uniform Common Interest Ownership Act
- 2077. West Virginia Native American Tribes Unique Recognition, Authentication and Listing Act
- 2085. Ensuring Patient Safety Act
- 2103. Making changes to the definition of contractor for purposes of the West Virginia Contractor Licensing Act
- 2107. Creating the Second Chance for Employment Act
- 2212. West Virginia Firearms Freedom Act
- 2339. Intrastate Coal and Use Act
- 2454. Making the Department of Corrections and the Division of Health, and their respective workplaces, subject to the Occupational Safety and Health Act
- 2455. Budget and Spending Transparency Act
- 2513. Relating generally to the tax treatment of manufacturing entities

ADVERTISING

- 2204. Removing limitations on advertising and promotional activities by limited video lottery retailers

AGRICULTURE

- 2044. Relating to the Senior Farmers' Market Nutrition Program
- 2418. Prohibiting the performing of an onychectomy or flexor tendonectomy procedure on a cat
- 2437. Exempting persons practicing animal husbandry from provisions requiring licensing of veterinarians
- 2453. Expanding the list of persons the Commissioner of Agriculture may license to grow or cultivate industrial hemp
- 2458. Exempting from food related laws or rules for certain individually produced agricultural products

- 2552. Increasing the pet food registration fee and directing that the additional money be deposited into the West Virginia Spay Neuter Assistance Fund
- 2566. West Virginia Fresh Food Act
- 2790. Transferring the Division of Forestry from the Department of Commerce to the Department of Agriculture
- 2893. Relating to the Land Division of the Department of Agriculture
- 2913. Relating to the licensing of advance deposit wagering
- 2927. Transferring certain revenues derived from racetrack video lottery and racetrack table games
- 2968. Requiring moneys collected from the sale of timber realized through management of the state-owned forests and parks be distributed on a pro rata basis
- 3027. Imposing a tax on cattle which is to be used to help fund the U. S. Department of Agriculture's Wildlife Services Fund
- 3066. Redirecting certain racing and gaming revenues

ALCOHOL

- 2049. Providing for career development and establishing a pay scale for Alcohol Beverage Commission inspectors, enforcement agents and supervisors
- 2129. Relating to the powers and authority of state and local law enforcement to enforce underage drinking laws at private clubs

ALCOHOLIC LIQUORS AND BEERS

- 2096. Exempting commercial airlines from obtaining licenses to serve liquor, beer or wine on flights
- 2350. Deleting the language that remitted a portion of the alcoholic beverage tax to municipalities
- 2425. Authorizing licensees authorized to sell growlers of nonintoxicating beer to offer complimentary samples
- 2433. Authorizing operators of a distillery or mini-distillery to offer for purchase and consumption liquor on the premises
- 2448. Increasing the penalties for transporting controlled substances into the state
- 2517. Requiring licensees authorized to serve alcoholic liquors or nonintoxicating beer to have certain liability insurance coverage
- 2533. Increasing the penalties for transporting controlled substances into the state
- 2563. Relating to complimentary samples of nonintoxicating beer or nonintoxicating craft beer
- 2565. Increasing the penalties for transporting controlled substances into the state
- 2820. Abolishing the Alcohol Beverage Control Commissioner
- 2842. Authorizing a temporary foreign brewers import license

- 2888. Removing the restriction on liquor licensees from having speakers outside or playing music outdoors
- 2894. Relating to the collection of taxes on wine and intoxicating liquors
- 2954. Establishing 1 a.m. as the cutoff time for selling liquor in retail establishments and private clubs
- 2979. Creating a resort license for the sale of alcoholic liquors and nonintoxicating beers
- 3002. Relating to special licenses for the retail sale of wine at festivals or fairs
- 3074. Increasing the volume of alcohol that nonintoxicating beer and nonintoxicating craft beer may contain

ANIMALS

- 2029. Permitting counties to adopt certain ordinances relating to dogs and cats
- 2177. Exempting all veterans of the Armed Forces or any reserve component thereof from having to obtain a hunting, trapping fishing license

APPROPRIATIONS

- 2499. Supplementary appropriation to the Department of Commerce, Workforce West Virginia – Workforce Investment Act
- 2500. Supplementary appropriation to the Department of Health and Human Resources, Division of Human Services
- 2501. Supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program
- 2639. Making a supplementary appropriation to the Department of Administration, Division of Personnel
- 2640. Supplementary appropriation to DHHR
- 2733. Requiring a detailed explanation of any appropriation designated as “Other assets” in the Governor’s proposed budget expenditures
- 2740. Making a supplementary appropriation to the Department of Administration
- 2779. Supplementing, amending, decreasing, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation
- 2785. Making a supplementary appropriation to the Department of Military Affairs and Public Safety, Fire Commission
- 2801. Expiring funds to the unappropriated balance in the State Fund from the Department of Revenue, Office of the Secretary – Revenue Shortfall Reserve Fund
- 2805. Finding and declaring certain claims against the state and its agencies to be moral obligations of the state
- 2908. Making appropriations of public money out of the Treasury in accordance with section fifty-one, article VI of the Constitution

3103. Making a supplementary appropriation to the Department of Health and Human Resources

ATHLETICS

2056. Providing for the use of neck braces by football players
2196. Relating to the secondary schools athletic commission

ATTORNEYS

2396. Requiring the circuit court, when appointing counsel for alleged protected persons, to make appointments from a listing of all interested attorneys in the circuit

AVIATION

2310. Requiring regional airport authority board members to include persons of area expertise

BANKING AND FINANCE

2440. Relating generally to guaranteed asset protection waivers

BANKS AND BANKING

2176. Prohibiting the number of inquiries reflected in a credit report, credit score report or CLUE report from adversely affecting an application for insurance

BOARDS AND COMMISSIONS

2045. Giving the Insurance Commissioner the power to regulate and penalize self-insured employers
2166. Requiring county boards of education to employ a certified library media specialist in each county school
2187. Establishing an advisory council on rare diseases
2310. Requiring regional airport authority board members to include persons of area expertise
2502. Relating to reciprocity of occupational licenses with other states
2503. Relating to the rulemaking authority for Board of Osteopathic Medicine
2509. Relating to the practice of telemedicine
2518. Creating a legislative rule to permit a pharmacist or pharmacy intern to administer certain immunizations
2522. Nurse licensure compact
2524. Improving the focus on school-level continuous improvement processes
2525. Relieving the county superintendent of schools of the duty of nominating personnel to be employed by the county board
2538. Relating to the licensure of physician assistants

- 2540. Permitting a person to practice certain professions for limited time for a charitable function
- 2624. Relating generally to certification and qualifications of sanitarians
- 2646. Terminating the Women's Commission and discontinue its functions
- 2667. Relating to accreditation of nursing schools
- 2680. Terminating the West Virginia Nursing Home Administrators Licensing Board
- 2681. Terminating the West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners
- 2690. Terminating the West Virginia Board of Registration of Foresters while preserving essential protections against misrepresentation
- 2692. Allowing licensed professionals to donate time to the care of indigent and needy
- 2725. Restricting the authority of the Board of Barbers and Cosmetologists to regulate the use of commonly available, retail beauty products
- 2737. Eliminating certain fees generated by suggestee executions
- 2792. Requiring the Library Commission to survey the libraries of the state
- 2833. Specifying the contents and categories of information for inclusion in annual reports
- 2840. Reorganizing the departments, agencies and commissions within the executive branch of state government
- 2841. Requiring board members to have attended a board meeting in order to be compensated for the meeting
- 2846. Including high school students participating in a competency based pharmacy technician education and training program as persons qualifying to be a pharmacy technician trainee
- 2853. Relating to more equitable disbursement of funds to county boards
- 2866. Relating to social determinants of health
- 2883. The Freedom to Prosper Act
- 2935. Relating to state flood protection planning
- 2984. Occupational Board Reform Act
- 3022. Relating to the reporting of fraud, misappropriation of moneys, and other violations of law to the commission on special investigations
- 3032. Relating to the practice of acupuncture
- 3041. Relating to the classification plans for employees in the classified and classified-exempt service
- 3072. Relating to ending transfers to the Licensed Racetrack Modernization Fund

BONDS

- 2409. Relating to the School Building Authority

BUILDINGS

2409. Relating to the School Building Authority

CAPITOL COMPLEX

2430. Permitting certain holders of concealed weapons permits to carry weapons of the grounds and buildings on the State Capitol Complex

CHILD WELFARE

2037. Relating to juvenile proceedings
2051. Authorizing insurance to married workers without children at reduced rates under the West Virginia Public Employees Insurance Act
2072. Relating to qualifying children of state employees, receiving income of \$25,000 per year or less, for the West Virginia Children's Health Insurance Program
2083. Increasing the felony criminal penalties for exposing children to methamphetamine manufacturing
2088. Establishing a bill of rights for children in foster care
2089. Establishing a bill of rights for foster parents
2115. Prohibiting sexual offenders from residing within one thousand feet of a school or childcare facility
2468. Making it illegal to transport a minor across state lines to obtain an abortion without written consent of both parents
2476. Requiring each judicial circuit to have a court-appointed special advocate program and each county to have a special advocate for children in abuse and neglect proceedings

CIVIL SERVICE

2074. Establishing seniority rights for public employees

CLAIMS

2030. Eliminating the requirement that proceedings against the State, a state agency or state officer be brought and prosecuted in the circuit court of Kanawha County
2791. Creating the Debt Resolution Services Division
2851. Updating fee structure provisions for broker-dealers

CODE REPEALED

2207. Relating to licenses to sell paraphernalia for use with controlled substances

COMPACTS

2521. Advanced Practice Registered Nurse Compact

CONSTITUTIONAL AMENDMENTS

2. Term Limits for Senators and Delegates in the West Virginia Legislature
5. Homestead Exemption Increase Amendment
6. State Apportionment Commission
8. The Simple Majority Levy Approval Amendment
19. Life Begins at Conception Amendment
20. Modern Public Educational Quality and Equity Amendment
21. Senators and Delegates Service Limit Amendment
24. Proposing an amendment to the Constitution of the State of West Virginia relating to education, and providing for the election of members of the State Board of Education
26. Proposing an amendment to the Constitution of the State of West Virginia, relating to education, supervision of free schools and organization of the West Virginia Board of Education
2028. Relating to the venue for suits and other actions against the state

CONSTITUTIONAL OFFICERS

2956. Establishing a new special revenue fund, designated the Adult Drug Court Participation Fund
3004. Relating to filling vacancies in offices of state officials, United States Senators, Justices, judges, and magistrates
3062. The state Settlement and Recovered Funds Accountability Act

CONSUMER PROTECTION

2058. Prohibiting the use of a credit score in casualty insurance rate filings
2121. West Virginia Residential Furniture and Children's Products Flame Retardants Act
2146. Allowing a home improvement transaction to be performed under an oral contract
2327. Protecting consumers from surprise bills by health care providers
2371. Relating to consumer protection of new manufactured home warranties
2464. Relating to disclaimers and exclusions of warranties in consumer transactions for goods
2578. Relating to disclaimers of warranties with respect to goods which are the subject of or are intended to become the subject of a consumer transaction
2672. Eliminating conflicting provisions within current code relating to the application of payments and the assessment of delinquency fees on consumer credit sales
2768. Modifying the penalties imposed on debt collectors who violate the provisions of the West Virginia Consumer Credit and Protection Act
2794. Relating to the means of giving notice to a debt collector of a consumer's representation by legal counsel

- 2907. Relating to real property option to purchase contracts executed with lease agreements
- 2984. Occupational Board Reform Act
- 3084. Repealing the article of the code related to unfair trade practices

CONTRACTS

- 2035. Relating generally to purchasing

CORPORATIONS

- 2767. Authorizing the Secretary of State to transmit electronic versions of undeliverable mail to the circuit clerks
- 2864. Waiving certain business start-up and occupational licensing fees for low-income individuals

CORPORATIONS AND BUSINESS ENTITIES

- 2039. Establishing a tax credit for new businesses that locate in the state

CORRECTIONS

- 2023. Changing the way that the costs of incarcerating inmates in regional jails is collected
- 2038. Changing the way the cost of incarcerating inmates in regional jails is collected
- 2086. Allowing the Executive Director of the West Virginia Regional Jail and Correctional Facility Authority to establish a work program
- 2206. Work/Incarceration Prison pilot program
- 2391. Establishing an arborists program for inmates
- 2454. Making the Department of Corrections and the Division of Health, and their respective workplaces, subject to the Occupational Safety and Health Act
- 2461. Relating to the excise tax on the privilege of transferring real property and using the tax to reimburse counties for regional jail fees
- 2466. Changing the way that the cost of incarcerating inmates in regional jails is collected
- 2480. Changing the way counties pay for regional jail inmates
- 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
- 2558. Transferring 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
- 2727. Providing an identification card for released inmates who do not have a West Virginia identification card or driver's license

- 2845. Establishing that the Division of Corrections is responsible for the costs of housing and maintaining an inmate the day following an inmate's conviction
- 2891. Including electronic communications to and from inmates with the types of communications that the Division of Corrections currently monitors and may record
- 2938. Relating to deduction from jail sentence for litter cleanup
- 2947. Relating to salary increase for Regional Jail Authority employees
- 2987. Making PROMISE Scholarship funds available for use at community and technical colleges
- 3018. Adding definition of correctional employee to the list of persons against whom an assault is a felony

COUNTIES

- 2010. Requiring authorization from the Legislature before submitting an application for an MS-4 permit to the United States Environmental Protection Agency
- 2034. Relating to county budget stabilization funds
- 2095. Relating to the rule-making authority of local boards of health
- 2168. Prohibiting counties and municipalities from adopting ordinances or regulations that base restrictions on the breed of a dog
- 2202. Requiring the Human Rights Commission, when investigating a complaint of discrimination, to specifically include an examination of the intent of the person
- 2208. Authorizing counties and municipalities to establish a joint airport hazard comprehensive plan
- 2216. Making individuals responsible for the costs relating to the filing of excessive false complaints
- 2444. Requiring county commissions to maintain websites with specific information
- 2577. Prohibiting counties from regulating the sale and use of consumer fireworks within their boundaries
- 2627. Requiring that open hunting season for big game begin on a Saturday
- 2638. Relating to county commissions authorizing reasonable fees charged for fire department or fire company response
- 2654. Expanding county commissions' ability to dispose of county or district property
- 2679. Relating to the possession of firearms in parks and park facilities
- 2746. Requiring county commissions to maintain websites with specific information
- 2859. Relating generally to tax increment financing districts
- 2884. Requiring funding by the West Virginia Library Commission to local libraries be based on the population served by each respective library

- 2916. Authorizing certain first responders to carry firearms
- 2939. Relating to the sale of items in the State Police Academy post exchange to the public
- 2970. Relating generally to additional county excise taxes on the privilege of transferring real property
- 2971. Granting the State Auditor the authority to audit the books and records of local economic development authorities
- 3025. Authorizing by ordinance a vacant building registration program

COUNTIES – LAW ENFORCEMENT

- 2029. Permitting counties to adopt certain ordinances relating to dogs and cats

COUNTY OFFICIALS

- 2368. Relating to candidates for professional employee positions involving supervision of a county transportation department
- 2903. Limiting the maximum number of appointees to certain county and municipal bodies

COURTS

- 2098. Requiring the issuance of a search warrant before a driver of a motor vehicle can be made to submit to a secondary blood test
- 2181. Creating an additional magistrate court deputy clerk position for Marion County
- 2411. Relating to Public Defender Services
- 2456. Requiring the West Virginia Supreme Court of Appeals to maintain a searchable, criminal database containing copies of all arrests and convictions by all the courts in the state
- 2476. Requiring each judicial circuit to have a court-appointed special advocate program and each county to have a special advocate for children in abuse and neglect proceedings
- 2486. Providing that when a party's health condition is at issue in a civil action, medical records and releases for medical information may be requested and required without court order
- 2598. Requiring that senior status circuit judges only fill vacancies in districts or counties in which they were not previously elected
- 2607. Extending the maximum period of confinement a judge may impose for certain, first-time probationary violations
- 2629. Permitting a corporation to be represented by an officer of that corporation
- 2655. Defining and establishing the crime of cyberbullying
- 2684. Imposing penalties for repeat violations of the prohibition against driving under the influence on a suspended license
- 2685. Requiring that information regarding case delays in the courts is to be provided to the public on a regular basis

- 2731. Clarifying civil actions heard in circuit court
- 2732. Relating to standards for termination of parental rights in child abuse and neglect cases
- 2737. Eliminating certain fees generated by suggestee executions
- 2747. Updating the commitment order form sentencing courts are required to complete
- 2758. Amending the definition of “abused child” to include a child conceived as a result of an act of sexual assault
- 2765. Establishing a new special revenue fund, designated the Court Advanced Technology Subscription Fund
- 2766. Establishing a new special revenue fund, designated the Adult Drug Court Participation Fund
- 2769. Relating to the preservation of rights guaranteed by the West Virginia Constitution and the United States Constitution when deciding the comity of a legal decision in a foreign country
- 2850. Relating to product liability actions
- 2891. Including electronic communications to and from inmates with the types of communications that the Division of Corrections currently monitors and may record
- 2922. Reducing the cost of the fee for a state license to carry a concealed weapon
- 2944. Requiring the Insurance Commissioner to regulate professional bondsmen
- 2956. Establishing a new special revenue fund, designated the Adult Drug Court Participation Fund
- 2966. Creating the West Virginia Sentencing Commission
- 3040. Creating a new court to be known as West Virginia Intermediate Court of Appeals
- 3096. Relating to operation and regulation of certain water and sewer utilities owned or operated by political subdivisions of the state

COURTS – MAGISTRATE

- 2090. Increasing the minimum number of magisterial districts in a county

COURTS – SUPREME COURT

- 2037. Relating to juvenile proceedings

COURTS (AND RELATED SUBHEADINGS)

- 2314. Removing the compensation caps entirely for secretary-clerks and case coordinators

CREDITORS AND DEBTORS

- 2058. Prohibiting the use of a credit score in casualty insurance rate filings

CRIME

- 2003. Creating a new felony offense for a drug delivery that results in the death of another person
- 2021. Relating to penalties incurred from obstructing, fleeing from and making false statements to law-enforcement
- 2092. Creating an additional penalty for use of a firearm in furtherance of a drug offense
- 2099. Defining the act of leaving the scene of a crash involving death or serious bodily injury as a felony; Erin's Law
- 2106. Creating a domestic violence registry
- 2134. Relating generally to workers' compensation
- 2137. Making it a misdemeanor for a person to impersonate a veteran
- 2154. Relating to sanctions for recipients of benefits from the Temporary Assistance for Needy Families Program
- 2186. Relating generally to human trafficking
- 2306. Establishing new procedures for courts with criminal jurisdiction to suspend and revoke driver's licenses based on D.U.I.
- 2318. Relating generally to human trafficking
- 2322. Prohibiting sex offender registrants from having Halloween related contact with children
- 2329. Prohibiting the production, manufacture or possession of fentanyl
- 2352. Relating to the criminal offense of desecration of graves and vandalizing cemeteries
- 2367. Establishing a criminal offense of organized retail crime
- 2382. Relating to the purchase of scrap metal
- 2384. Relating to the use of drone surveillance of private citizens
- 2390. Providing death penalty for first degree murder
- 2419. Defining and establishing the crime of cyberbullying
- 2426. Requiring a minimum criminal penalty of life imprisonment for killing of an individual if based on his or her status as a law-enforcement officer
- 2450. Increasing mandatory minimum sentences for trafficking drugs into the state
- 2505. Relating to Wiretapping and Electronic Surveillance Act
- 2516. Relating to substance abuse
- 2526. Classifying additional drugs to Schedules I, II, IV and V of controlled substances
- 2532. Allowing the expungement of certain felony convictions
- 2535. Making it a criminal offense to disturb the peace
- 2536. West Virginia Second Chance for Employment Act
- 2541. Creating the felony offense of conspiracy to commit violations of the Uniform Controlled Substances Act
- 2562. Making unlawful any employer policy or rule prohibiting an employee from possessing a firearm inside a vehicle
- 2579. Increasing the penalties for transporting controlled substances

- 2585. Creating felony crime of conducting financial transactions involving proceeds of criminal activity
- 2602. Increasing penalties for transportation of controlled substances into the State of West Virginia
- 2607. Extending the maximum period of confinement a judge may impose for certain, first-time probationary violations
- 2613. Allowing state, county or municipal employees with a license to carry a concealed weapon to possess a firearm at any time in this state
- 2643. Creating a felony murder offense in the second degree for delivery of a controlled substance that causes death
- 2645. Creating a felony for failure to render aid by a culpable person in presence of a drug overdose
- 2648. Increasing penalties for manufacturing or transportation of a controlled substance in the presence of a minor
- 2653. Extending the Multi State Real-Time Tracking System
- 2660. Increasing criminal incarceration penalties for the transportation of controlled substances into the state
- 2664. Prohibiting activities connected with bestiality
- 2671. Creating a new offense relating to the distribution of controlled substances
- 2684. Imposing penalties for repeat violations of the prohibition against driving under the influence on a suspended license
- 2700. Exempting industrial hemp from being a Schedule I drug
- 2704. Prohibiting persons convicted of sexual offenses against children with whom they hold positions of trust from holding certification or license valid in public schools
- 2710. Including unborn child or fetus in statute setting criminal penalties for child neglect resulting in death
- 2715. Establishing procedures for carrying out the death sentence
- 2726. Authorizing home incarceration officers to arrest participants for violating the terms and conditions of his or her supervision with or without a court order
- 2735. Requiring the Board of Pharmacy to review, investigate and make appropriate referrals of reports of suspicious orders of controlled substances
- 2748. Prohibiting civil rights violations based on gender identity, or sexual orientation
- 2825. Requiring state institutions of higher education adopt policies concerning sexual assault, domestic violence, dating violence and stalking
- 2873. Relating to alternate sentencing for nonviolent felony offenders
- 2917. Changing the Unborn Victims of Violence Act to the Unborn Victims of Abuse Act

- 2918. Creating a felony penalty of life without mercy for the first degree murder of a law-enforcement officer
- 2920. Providing mandatory minimum sentences for trafficking drugs into the state and for other drug offenses
- 2922. Reducing the cost of the fee for a state license to carry a concealed weapon
- 2959. Requiring all pawnbrokers to upload pictures to their website of all pawned items
- 2976. Relating to the theft of consumer identity protections
- 2988. Clarifying the penalties for embezzlement
- 2992. Relating to civil asset forfeiture
- 3005. Relating to regulation of unmanned aircraft systems
- 3009. Relating to access by the Office of Health Facility Licensure and Certification to the Controlled Substances Monitoring Program database
- 3010. Making it a felony to knowingly expose another individual to HIV
- 3018. Adding definition of correctional employee to the list of persons against whom an assault is a felony
- 3019. Relating to the West Virginia Contraband Forfeiture Act
- 3020. Relating to criminal penalties for the offenses of hunting, trapping or fishing on the lands of another person
- 3026. Providing that a vehicle driver who injures a “vulnerable road user” is guilty of reckless driving
- 3035. Relating to the legalization of marijuana
- 3098. Relating to the crime of defrauding drug and alcohol screening tests and its penalties
- 3100. Increasing penalties for public school employees that embezzle public funds

CRIMES

- 2013. Relating to replacing the present crime of burglary with the crime of home invasion
- 2024. Creating a criminal felony offense of aggravated assault or battery of a child or a person who is mentally incapacitated
- 2083. Increasing the felony criminal penalties for exposing children to methamphetamine manufacturing
- 2140. Modifying the definition of child abuse or neglect to exclude accidental injury
- 2470. Making it a felony to knowingly house drug traffickers

CRIMES – FELONIES

- 2408. Relating to the death penalty for first degree murder

CRIMES (AND RELATED SUBHEADINGS)

- 2303. Increasing criminal penalties for littering

DISABILITIES

- 2179. Issuing a special registration plate for persons who are residents of this state and who have a family member diagnosed with autism spectrum disorder
- 2189. Exempting disabled veterans from campground rental fees during certain times
- 2197. Requiring retail establishments offering gasoline or other motor fuel to provide refueling assistance and refueling access to persons with a disability
- 2217. Increasing the maximum personal income tax exemption for persons over the age of sixty-five and for persons who are totally disabled
- 2381. Raising the maximum personal income tax exemption for persons over the age of sixty-five and for persons who are totally disabled

DOMESTIC RELATIONS

- 102. Study of imposing a presumption in West Virginia Family Courts that 50/50 shared parenting be awarded in child custody cases
- 2089. Establishing a bill of rights for foster parents
- 2338. Relating to domestic violence victims' eligibility for unemployment compensation benefits
- 2479. Uniform Deployed Parents Custody and Visitation Act
- 2528. Requiring the amount of child support to be paid is effective from the date the petition for the modification was filed
- 2547. Relating to grandparent's rights
- 2658. Establishing that shared legal and physical custody of a child in cases of divorce is presumed to be in the best interests of the child
- 2703. Providing that the court allocate time equally between parents
- 2732. Relating to standards for termination of parental rights in child abuse and neglect cases
- 2758. Amending the definition of "abused child" to include a child conceived as a result of an act of sexual assault
- 2855. Relating to care, custody and visitation of pets involved in separation and divorce proceedings
- 2870. Addressing certain cross references in the code that are no longer correct with regard to definitions of child abuse and neglect, child abuse or neglect, juvenile offender, delinquent, child abuse and domestic violence
- 2925. Permitting a child sixteen years of age or older to petition for a change of parental custody
- 3070. Permitting parents to petition the court for visitation on Mother's Day and Father's Day

DRUGS AND DRUG PARAPHERNALIA

- 2070. Prohibiting the establishment of methadone treatment programs and clinics in this state; providing exceptions
- 2130. Relating to drug testing of legislators
- 2207. Relating to licenses to sell paraphernalia for use with controlled substances
- 2457. Creating the West Virginia Addictions Treatment and Recovery Fund

ECONOMIC DEVELOPMENT

- 80. Diversification of the economies of West Virginia's southern coalfield communities
- 2615. Providing a tax credit for obtaining certain certifications by the United States Green Building Council Leadership in Energy and Environmental Design green building rating system
- 2727. Providing an identification card for released inmates who do not have a West Virginia identification card or driver's license
- 2783. Authorizing the Real Estate Division of the Department of Administration to develop policies and procedures for the leasing, at no cost, of unoccupied buildings
- 2834. relating to unlawful employment practices involving unauthorized workers
- 2843. Permitting Class III and Class IV municipalities to be included in the West Virginia Tax Increment Act
- 2856. Declaring public policy and legislative intent for improving the marketing, quality and frequency of passenger rail service of the Cardinal Passenger Train
- 2921. Establishing a website clearinghouse for sharing information about potential sources of revenue, financial, technical and legal assistance for government agencies
- 2953. Establishing the Southern West Virginia Lake Development Study Commission
- 2958. Relating generally to development of infrastructure in the state
- 3086. Relating to the West Virginia Economic Development Authority
- 3087. Economic and Community Development Task Force
- 3093. Establishing Broadband Enhancement and Expansion Policies

EDUCATION

- 2014. Allowing parents or the school to serve sweets during the holidays if the school receives parental or guardian consent
- 2019. Relating to salary increase for school personnel
- 2073. Making available elective courses on the history of the Old and New Testaments of the Bible
- 2093. Exempting personal income earned by individuals working as teachers at primary and secondary schools from personal income tax

- 2172. Providing that school nutrition plans include take home meals for low income students
- 2194. Reducing personnel employed by the West Virginia Department of Education
- 2309. Discontinuing the use of common core standards and assessments in the state
- 2334. Relating to school curricular standards and assessments
- 2378. Providing school days to register and transport students to vote
- 2421. Requiring the accumulation of one and one-half years of instruction in the study of the Declaration of Independence and other founding American historical documents
- 2429. Granting tax credits for parents and legal guardians whose children are in a home schooling program or private school
- 2442. Requiring a test that is identical to the civics portion of the naturalization test in order to graduate from high school or obtain a General Educational Development (GED) diploma

EDUCATION (AND RELATED SUBHEADINGS)

- 2050. Allowing state employees to take paid leave to attend parent-teacher conference for their children
- 2166. Requiring county boards of education to employ a certified library media specialist in each county school
- 2185. Giving local authorities the authority to decrease the speed limit on streets and highways where school buses travel in its jurisdiction
- 2467. Prohibiting school employees from promoting abortion

EDUCATION – COLLEGES & UNIVERSITIES

- 2335. Protecting academic freedom in higher education

EDUCATION – RETIREMENT

- 2057. Increasing benefits of retired state personnel and retired teachers
- 2184. Permitting teachers under the State Teachers Retirement System to teach college level courses without loss of benefits

EDUCATION (AND RELATED SUBHEADINGS)

- 2037. Relating to juvenile proceedings
- 2046. Requiring county boards of education to provide released time for professional educators and service personnel when serving in an elected municipal or county office
- 2104. Requiring that public schools provide facilities for students of all faiths and religions to have a place of fellowship, prayer and worship
- 2117. Removing the requirement that home schooled students have to acquire a general equivalency degree (GED) in order to qualify for the promise scholarship

- 2191. Relating to educational benefits for dependents of deceased or disabled veterans
- 2213. Relating to compulsory school attendance
- 2409. Relating to the School Building Authority

EDUCATION (HIGHER)

- 2075. Providing the Auditor with greater oversight of advance allowance accounts
- 2079. Abolishing the West Virginia Higher Education Policy Commission
- 2097. Permitting community and technical colleges and universities to charge students half the cost of a credit for every credit taken over the fifteenth hour
- 2118. Abolishing the West Virginia Council for Community and Technical College Education
- 2144. Relating to relocation or closure of state higher education institutions
- 2542. Relating to public higher education personnel
- 2557. Relating to tuition and fees at community and technical colleges
- 2559. Relating to concealed carry on higher education campuses
- 2667. Relating to accreditation of nursing schools
- 2689. Educational Savings Account Program
- 2705. Eliminating obsolete, duplicate or unnecessary code language as it relates to higher education
- 2706. Authorizing legislative rules regarding higher education
- 2756. Making Promise scholarships available for students pursuing certificates or degrees through an accredited community and technical college
- 2763. Relating to the approval by the Council for Community and Technical College Education of acquisitions
- 2770. Reducing regulatory control over academic programs of state institutions
- 2818. Prohibiting West Virginia institutions of higher learning and state agencies from discriminating against graduates of private, nonpublic or home schools by requiring them to submit to alternative testing
- 2849. Providing that the compensation level of the Chancellor for Higher Education may be no more than the salary of the Governor
- 2858. Creating a loan tuition forgiveness program to encourage students in selected and necessary fields to remain in the state
- 2887. Relating to retirement and separation incentives
- 2912. Abolishing regional service education agencies
- 2973. Preserving and transferring firefighter training courses
- 3001. Abolishing the West Virginia Higher Education Policy Commission

- 3078. Establishing a merit-based Katherine Johnson Hope Scholarship program to provide tuition and fee payments for certain qualified students
- 3095. Allowing retired teachers to be employed by a higher education institution

EDUCATION (K12)

- 16. Amend Supervision of Free Schools Amendment
- 17. Amend Supervision of Free Schools Amendment
- 20. Modern Public Educational Quality and Equity Amendment
- 31. Requesting the Joint Committee on Government and Finance study the possibility of reducing the number of county boards of education in the state along with other educational reorganization
- 2031. Eliminating requirements that state provide for professional training and development of teachers
- 2123. Making the West Virginia Schools for the Deaf and Blind eligible to participate in any and all funding administered or distributed by the West Virginia School Building Authority
- 2142. Providing a salary increase for special education teachers
- 2147. Permitting county boards of education to accumulate instructional days and use them when needed
- 2151. Prohibiting the use of the Smarter Balanced Assessment
- 2153. Relating to designation of social workers in the Department of Health and Human Services to promote better student school attendance
- 2157. Relating to school calendar
- 2188. Extending the length of time for the special Community-Based Pilot Demonstration Project to Improve Outcomes for At-Risk Youth
- 2198. Redirecting certain funds of the West Virginia Department of Education
- 2199. Creating a digital learning pilot project
- 2200. Requiring that four members of the State Board of Education be elected on a nonpartisan basis
- 2210. Increasing pay to teachers and service personnel
- 2211. Increasing salaries for teachers
- 2214. West Virginia Educational Restoration Act
- 2313. Providing that the statewide summative assessment only be administered in grades three through eight and once at the high school level
- 2333. Relating to the administration of the statewide summative assessment
- 2336. Reducing the number of pupils per school nurses
- 2337. Requiring each public high school to offer a course in computer science

- 2374. Requiring schools post signs displaying the Childhelp National Child Abuse Hotline
- 2387. Requiring the State Board of Education to prescribe a comprehensive drug awareness and prevention program
- 2388. Relating to the comprehensive statewide student assessment
- 2392. Relating to truancy intervention
- 2398. Extending funding for School Innovation and Local Solution Dropout Prevention and Recovery Innovation Zones
- 2401. Increasing teacher salaries
- 2403. Permitting county boards of education to accumulate instructional days and use them when needed
- 2412. Relating to the public school calendar
- 2420. Providing that the State Board of Education may delegate its Medicaid provider status and subsequent reimbursement to regional educational service agencies or county boards
- 2436. Suspending the implementation of the school aid formula until the year 2021
- 2438. Allowing county boards of education and regional educational service agencies to purchase computer technology from other than a state-wide contract
- 2443. Establishing academic standards and assessment methods
- 2449. Requiring the West Virginia Secondary Schools Activities Commission to adopt certain safety standards for youth lacrosse
- 2478. Changing the age effective date of children for whom county boards of education must provide kindergarten programs
- 2491. Relating to school calendar and testing
- 2494. Providing that statewide school report cards are only to be made available to custodial parents and guardians of students upon request
- 2524. Improving the focus on school-level continuous improvement processes
- 2525. Relieving the county superintendent of schools of the duty of nominating personnel to be employed by the county board
- 2527. Relating to public school support
- 2543. Preventing the State Board of Education from implementing common core academic standards and assessments
- 2551. Requiring the West Virginia Department of Education to create a Bible literacy course in public schools
- 2560. Providing a free lunch to all employees in a school building
- 2561. Relating to public school support
- 2569. Relating to employment, promotion and transfer of professional personnel by county boards of education
- 2571. Developing a resource for use by parents to monitor and track deaf and hard-of-hearing children's expressive and receptive language acquisition

- 2572. Providing for the authorization and oversight of public charter schools
- 2574. Middle School Technical Education Program Act
- 2584. Relating to primary and secondary school instructional terms
- 2609. Requiring county boards of education to conduct regular structural inspections of school facilities and structures
- 2610. Allowing private entities to lease buildings to local school boards in cases of emergency or condemnation
- 2618. Relating to body mass index
- 2637. Relating to employment of retired teachers and prospective employable professional personnel in areas of critical need and shortage
- 2651. Relating generally to standardized testing requirements for nonpublic schools
- 2652. Relating generally to school closing or consolidation requirements
- 2695. Creating a pilot program for expansion of school-based mental health and school-based diversion
- 2702. Relating to excused absences for personal illness from school
- 2738. Providing flexibility in the transfer process of school personnel
- 2742. School Consolidation Task Force
- 2761. Relating to qualifications of paraprofessionals, autism mentors and braille or sign support specialists
- 2771. Relating to temporary teaching certificates for Armed Forces spouses
- 2787. Creating an additional class of special education classroom aides
- 2795. Clarifying a director of a multicounty vocational technical school is a principal
- 2809. Relating to basic state aid to public education
- 2875. Relating to the adoption of instructional educational resources
- 2886. Relating to generally applied associate of science degrees that target workforce needs
- 2902. Requiring county school boards to provide adequate mental health and counseling services
- 2926. Relating to the comprehensive statewide student assessment
- 2928. Creating a low-interest student loan refinancing program for teachers
- 2945. Relating to exemptions from mandated immunizations
- 2950. Requiring the State Superintendent of Schools to have a terminal degree
- 2974. Relating to public school education in dating violence, domestic abuse and sexual violence prevention
- 2997. Relating generally to applied associate of science degrees that target workforce needs
- 3008. Relating to eliminating county school systems and creating ten school districts

- 3023. Relating to public school education assessment of students for dyslexia and dyscalculia
- 3031. Creating a state program allowing high school students advance to getting a college degree or technical training while in high school
- 3036. Allowing county boards of education to hire retired teachers
- 3061. Encouraging mastery-based education through the Innovation In Schools program
- 3080. Requiring instruction in the Declaration of Independence and the United States Constitution
- 3088. Relating generally to teacher-pupil ratios
- 3089. Relating to the adoption of instructional resources for use in the public schools
- 3090. Relating to the maximum licensed school psychologist-pupil ratio

ELECTED OFFICIALS

- 2046. Requiring county boards of education to provide released time for professional educators and service personnel when serving in an elected municipal or county office
- 2395. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists

ELECTIONS

- 2032. Prohibiting a chief deputy sheriff from engaging in certain political activities
- 2065. Requiring all local special elections to be held on the days and hours of general, primary or state-wide elections
- 2102. Allowing a group of affiliated voters to become a recognized political party under certain criteria
- 2124. Providing that members of the House of Delegates in districts having more than one delegate be elected from numbered divisions
- 2312. Relating to appointment of, conduct of and training of poll watchers
- 2320. Allowing nonmembers of a political party to request that party's partisan ballot at a primary election
- 2364. Prohibiting electioneering within or near early voting locations during early voting periods
- 2378. Providing school days to register and transport students to vote
- 2424. Requiring that voter registration information appear on certain state issued identification cards
- 2597. Campaign Advertising Fairness Act
- 2635. Relating to nonpartisan election of justices of the Supreme Court of Appeals
- 2669. Relating to eligibility to register to vote
- 2675. Relating to primary elections and nominating procedures

- 2723. Relating to primary elections for nonpartisan offices including Justices of the Supreme Court, circuit court judges, family court judges, and magistrates
- 2781. Requiring a person desiring to vote to present documentation identifying the voter to one of the poll clerks
- 2793. Relating to the nonpartisan election of county superintendents of schools
- 2798. Clarifying provisions relating to candidates unaffiliated with a political party
- 3039. Allowing municipalities to cancel elections when only one person is running for each office

ENERGY

- 2076. Establishing the Legislative Oversight Commission on Energy Workers Safety
- 2087. Prohibiting blasting within six hundred twenty-five feet of an occupied dwelling
- 2170. Relating generally to horizontal well control standards
- 2534. Authorizing local units of government to adopt local energy efficiency partnership programs
- 2688. Permitting natural gas companies to enter private property without prior consent from the owner for the limited purposes of obtaining data
- 2744. Local Energy Efficiency Partnership Act
- 3050. Creating a special revenue account for each county in the State of West Virginia for coal severance taxes
- 3094. Cotenancy and Lease Integration Act

ENVIRONMENT

- 2506. Relating to the permit limit calculations and allowing overlapping mixing zones for calculating permit limits for drinking water criteria
- 2615. Providing a tax credit for obtaining certain certifications by the United States Green Building Council Leadership in Energy and Environmental Design green building rating system
- 2811. Relating to the definition of above ground storage tanks
- 2931. Authorizing shut-in of oil and gas wells in West Virginia
- 2990. Requiring continuous monitoring of air, noise, dust and particulates
- 3042. Clarifying the intent of gas royalty leases which required not less than 1/8th (12.5%) of the total amount paid to, received by or delivered to the owner

ENVIRONMENTAL PROTECTION

- 2303. Increasing criminal penalties for littering
- 2339. Intrastate Coal and Use Act

ESTATES AND TRUSTS

- 2404. Barring persons who are convicted of certain criminal offenses from acquiring property from their victims
- 2432. Barring persons who are convicted of certain criminal offenses from acquiring property from their victims
- 2674. Relating to access to and receipt of certain information regarding a protected person
- 2782. Permitting a time-share managing entity to foreclose upon its statutory lien for assessments
- 2868. Relating generally to Uniform Unclaimed Property Act
- 2967. Relating generally to administration of estates and trusts
- 2978. Relating generally to trusts and their administration

ETHICS

- 2001. Relating to ethics and transparency in government
- 2035. Relating generally to purchasing
- 2319. Relating to candidates or candidate committees for legislative office disclosing contributions
- 2394. Relating to the recusal of certain public officials from voting for appropriation of moneys to nonprofit entities
- 2395. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists
- 2833. Specifying the contents and categories of information for inclusion in annual reports

FINANCE AND ADMINISTRATION

- 2004. Creating and maintaining a centralized state vehicle inventory system
- 2091. Prohibiting contracting with a state agency unless business entity submits disclosure of interested parties
- 2413. Requiring the comprehensive annual financial report to be published by the end of December
- 2446. Relating to the requirement that all executive branch agencies maintain a website that contains specific information
- 2488. Relating to the forfeiture of unencumbered funds in special revenue accounts
- 2489. Requiring a transfer from reappropriated revenue accounts to General Revenue Fund
- 2515. West Virginia Monument and Memorial Protection Act of 2017
- 2556. Requiring the Joint Committee on Government and Finance to prepare a “Coercive Federal Funds Report” on each budget bill
- 2622. Creating and maintaining a centralized state vehicle inventory system

- 2673. Transferring responsibility of all personnel and human resources matters that are currently provided by personnel sections or divisions to the Department of Administration
- 2686. Providing a mechanism for the independent evaluation of revenue estimates by West Virginia and Marshall Universities' business colleges
- 2760. Allowing state agencies to self-insure their own programs
- 2764. Allowing the State Building Commission or the Higher Education Policy Commission to request and receive money from the Investment Management Board
- 2766. Establishing a new special revenue fund, designated the Adult Drug Court Participation Fund
- 2773. Relating to purchase of inmate-made goods by state agencies
- 2790. Transferring the Division of Forestry from the Department of Commerce to the Department of Agriculture
- 2819. Terminating the State Agency for Surplus Property
- 2829. Establishing a toll-free phone line for receipt of comments from the public about state programs and services
- 2830. Relating to agencies exempt from the state purchasing laws and providing for the appointment of the director of purchasing
- 2832. Raising the amount required for competitive bidding of construction contracts by the state and its subdivisions
- 2852. Relating to the preparation of a comprehensive annual financial report
- 2936. Requiring purchases to be made at lowest retail price available at level of quality sought by the spending unit
- 2948. Establishing timelines for taking final action on certain permits
- 2964. Budget Stabilization Act of 2017
- 2994. Relating to public bidding thresholds
- 3013. Requiring an inspection or inspections of any building prior to purchase or major renovation by the state
- 3037. Removing the Division of Energy as an independent agency
- 3055. Relating to the preparation of a comprehensive annual financial report

FIRE FIGHTING AND PREVENTION

- 2048. Providing meetings and conference rights for members of municipal fire departments
- 2160. Providing that paid county or municipal fire departments and duly incorporated volunteer fire departments pay reduced workers' compensation premiums when not actively engaged in fire fighting
- 2389. Allowing an employer to extend workers' compensation insurance coverage to an employee engaged in volunteer fire fighting and allowing employers a tax credit

2400. Reducing federal adjusted gross income for volunteer fire department and rescue squad members

FIREARMS

2100. Recognizing those in active military service as residents for the purpose of obtaining concealed carry permits while stationed at a West Virginia military installation
2212. West Virginia Firearms Freedom Act
2311. Making all future federal and local statutes, ordinances, laws, orders and rules concerning firearms, firearm accessories, ammunition and their accouterments invalid and unenforceable
2430. Permitting certain holders of concealed weapons permits to carry weapons of the grounds and buildings on the State Capitol Complex

FOOD AND FOOD SERVICES

2036. Allowing counties and municipalities to levy a sales tax on food and beverages sold at restaurants
2458. Exempting from food related laws or rules for certain individually produced agricultural products

FUEL

2197. Requiring retail establishments offering gasoline or other motor fuel to provide refueling assistance and refueling access to persons with a disability
2205. Exempting heating oil for residential use from the Motor Fuel Excise Tax

FUNDS

2025. Providing one-time supplements to all annuitants when they reach the age of seventy
2034. Relating to county budget stabilization funds
2038. Changing the way the cost of incarcerating inmates in regional jails is collected
2193. Relating to the West Virginia Future Fund
2317. Establishing a retired teachers instant lottery scratch-off game
2457. Creating the West Virginia Addictions Treatment and Recovery Fund

GAMING ACTIVITIES

2033. Permitting the resident lineal descendants of landowners to hunt, trap or fish on that resident landowner's property without a license
2052. Increasing criminal penalties for the illegal killing, taking, or possessing of certain wildlife
2105. Establishing the state parks instant lottery scratch-off game

- 2204. Removing limitations on advertising and promotional activities by limited video lottery retailers
- 2317. Establishing a retired teachers instant lottery scratch-off game

GOVERNMENTAL AGENCIES

- 2116. Establishing a policy for formal recognition of Indian tribes
- 2143. Requiring reports to the Governor from state agencies to be made available electronically via the internet
- 2175. Requiring recipients of Supplemental Nutrition Assistance Program be issued a photo identification card
- 2383. Providing for the redistricting office of the Joint Committee on Government and Finance to propose redistricting plans during census years
- 2395. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists

GOVERNOR – BILLS REQUESTED BY

- 22. Roads to Prosperity Amendment of 2017
- 2018. Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution
- 2490. Allowing a Constitutional officer to waive his or her salary for any calendar year
- 2492. Creating the Fleet Management Office
- 2499. Supplementary appropriation to the Department of Commerce, Workforce West Virginia – Workforce Investment Act
- 2500. Supplementary appropriation to the Department of Health and Human Resources, Division of Human Services
- 2501. Supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program
- 2590. Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act
- 2594. Updating the meaning of federal adjusted gross income and certain other terms used in the West Virginia Personal Income Tax Act
- 2596. Incorporating changes to the Streamlined Sales and Use Tax Agreement
- 2639. Making a supplementary appropriation to the Department of Administration, Division of Personnel
- 2640. Supplementary appropriation to DHHR
- 2657. West Virginia Second Chance Act
- 2668. Increasing the minimum criminal penalty for transportation of a Schedule I or II narcotic drug into the state
- 2711. Abolishing regional educational service agencies and providing for the transfer of property and records

- 2717. Creating the Division of Multimodal Transportation
- 2718. Relating generally to severance taxes imposed on the privilege of producing coal for sale
- 2719. Relating generally to severance tax imposed on privilege of severing natural gas for sale
- 2720. Allowing the School Building Authority to transfer funds allocated into the School Construction Fund
- 2721. Removing the cost limitation on projects completed by the Division of Highways
- 2722. Eliminating the financial limitations on utilizing the design-build program for highway construction
- 2724. Relating to creating a pilot program under the Herbert Henderson Office of Minority Affairs
- 2740. Making a supplementary appropriation to the Department of Administration
- 2775. Relating to imposing, administering, and collecting a license tax on successful bidders for road construction contracts
- 2776. Creating of special revenue funding sources for the Division of Labor
- 2779. Supplementing, amending, decreasing, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation
- 2784. Maintaining the solvency of the Unemployment Compensation Fund
- 2785. Making a supplementary appropriation to the Department of Military Affairs and Public Safety, Fire Commission
- 2801. Expiring funds to the unappropriated balance in the State Fund from the Department of Revenue, Office of the Secretary – Revenue Shortfall Reserve Fund
- 2803. Granting authority to the Parkways Authority to issue revenue bonds and refunding bonds for the purpose of financing parkway projects
- 2814. Increasing the funding for the State Road Fund by increasing Division of Motor Vehicle administrative fees and motor fuel excise taxes
- 2815. Relating to higher education governance
- 2816. Eliminating new film tax credits
- 2878. Increasing amount of authorized Federal Grant Anticipation Notes for which Division of Highways may apply
- 2879. Authorizing the Governor to issue executive orders to furlough state employees
- 2899. Reorganizing the Division of Tourism
- 2900. Relating to the Office of Technology
- 3028. Relating to the Comprehensive Substance Use Reduction Act

3103. Making a supplementary appropriation to the Department of Health and Human Resources

HAZARDOUS MATERIALS

2169. Clarifying that the county or regional solid waste authority that may impose and collect an additional solid waste assessment fee is the county or region where the waste originates
2410. Relating to public sewage services

HEALTH

12. Overdose Awareness Day
79. Study of the costs and benefits of medicinal marijuana
86. Requesting the Joint Committee on Government and Finance study post-treatment protocols for a person diagnosed with triple negative breast cancer
2002. Relating to parental notification of abortions performed on unemancipated minors
2022. Relating to public health
2068. Operating and maintaining a fully interoperable statewide network to facilitate public and private use of health care information in the state
2070. Prohibiting the establishment of methadone treatment programs and clinics in this state; providing exceptions
2071. Authorizing the medical use of cannabis based pharmaceutical products
2081. Prohibiting the establishment of new methadone treatment programs and clinics; providing exceptions
2082. Prohibiting state funding of abortions
2095. Relating to the rule-making authority of local boards of health
2113. Providing that the Secretary of the Department of Health and Human Resources may not change the state Medicaid program plan
2119. Repealing West Virginia Health Benefit Exchange Act
2120. Exempting managed care contracts from the bidding process
2165. Relating to out of state physicians and surgeons traveling with sports teams within this state
2175. Requiring recipients of Supplemental Nutrition Assistance Program be issued a photo identification card
2187. Establishing an advisory council on rare diseases
2300. Regulating step therapy protocols
2330. Prohibiting the sale of paraphernalia designed or marketed for use with controlled substances
2331. Raising the legal age for purchase of tobacco and tobacco products
2366. Relating to selling Jackie Withrow Hospital
2373. Authorizing school bus drivers trained in administration of epinephrine auto-injectors to administer auto-injectors

- 2376. Relating to the organizational structure of state government
- 2428. Establishing additional substance abuse treatment facilities
- 2431. Allowing influenza immunizations to be offered to patients and residents of specified facilities
- 2454. Making the Department of Corrections and the Division of Health, and their respective workplaces, subject to the Occupational Safety and Health Act
- 2459. Relating to regulation of health care and the certificate of need process
- 2497. Permitting medication administration by unlicensed personnel in nursing homes
- 2519. Medicaid program compact
- 2520. Prohibiting the use of a tanning device by a person under the age of eighteen
- 2523. Eliminating the certificate of need program
- 2544. Establishing that an employee's termination from employment for testing positive on a drug or alcohol test required by the employer disqualifies that employee for benefits
- 2588. Simon's Law; life sustaining procedures
- 2595. Requiring abortions to be performed by a licensed physician
- 2614. Prohibiting health care practitioners from knowingly and in bad faith prescribing or administering drugs
- 2620. West Virginia Drug Overdose Monitoring Act
- 2633. Requiring state institutions of higher education to conduct Phase 3 clinical research studies for any cancer treatment
- 2677. Patient Freedom Act
- 2695. Creating a pilot program for expansion of school-based mental health and school-based diversion
- 2728. Creating the Medicaid Laboratory Reimbursement Data Consolidation and Redundancy Act
- 2757. Relating to Medical Professional Liability
- 2778. Relating to licensure of behavioral health centers and behavioral health consumer rights
- 2808. The West Virginia Assisted Outpatient Treatment Act
- 2812. Office of Rural Health Policy
- 2823. Establishing a statewide call-in center to receive assistance with healthcare
- 2826. Eliminating provisions and repealing statutes related to the West Virginia Health Information Network
- 2860. Relating to modification of assessments in a community enhancement district
- 2861. Authorizing a medical power of attorney representative to sign a binding arbitration agreement
- 2904. Reorganizing the West Virginia Health Care Authority
- 2906. Emergency Medical Services Act of 2017

- 2914. Relating to powers and duties of the Commissioner of Public Health
- 2945. Relating to exemptions from mandated immunizations
- 2951. Assessing the health impact of any new, or modification to, rule proposed by the Secretary of the Department of Environmental Protection
- 2986. Relating to involuntary custody of nonresidents for a mental hygiene examination
- 2989. Placing limitations on length of time that prescriptions may be issued for schedule II and III controlled substances
- 2999. Establishing a program for the licensing and regulation of out-patient substance abuse counseling programs
- 3052. Prohibiting state funding of abortions

HEALTH (AND RELATED SUBHEADINGS)

- 2665. Requiring a person restraining a mentally ill or mentally challenged person in a “four point restraint” to administer sedation by injection at the time the patient is secured

HEALTH-MENTAL

- 2665. Requiring a person restraining a mentally ill or mentally challenged person in a “four point restraint” to administer sedation by injection at the time the patient is secured

HOLIDAYS

- 2014. Allowing parents or the school to serve sweets during the holidays if the school receives parental or guardian consent

HUMAN RIGHTS

- 2062. Deaf Children’s Bill of Rights Act
- 2159. The Healthy and Safe Workplace Act
- 2202. Requiring the Human Rights Commission, when investigating a complaint of discrimination, to specifically include an examination of the intent of the person
- 2529. Adding sexual orientation to the categories covered by the Human Rights Act
- 2623. Prohibiting discrimination based upon age or sexual orientation
- 2752. Relating to abuse and neglect of livestock
- 2807. Equal Pay Act of 2017
- 2905. Relating to animal cruelty
- 3012. Family Protection Act

HUMAN SERVICES

- 52. Costs of crisis response programs and institutions
- 2132. Limiting able-bodied adults without dependents receipt of SNAP benefits to three months in a thirty-six month period

- 2154. Relating to sanctions for recipients of benefits from the Temporary Assistance for Needy Families Program
- 2188. Extending the length of time for the special Community-Based Pilot Demonstration Project to Improve Outcomes for At-Risk Youth
- 2341. Relating to the right of the Department of Health and Human Resources to subrogation for third-party liability settlements, by recipients who receive assistance under the Medicaid Program
- 2342. Redefining the parameters for the offense of human trafficking
- 2344. Transferring the assets of the Library Commission relating to media broadcasting to the Educational Broadcasting Authority
- 2396. Requiring the circuit court, when appointing counsel for alleged protected persons, to make appointments from a listing of all interested attorneys in the circuit
- 2422. The Ryan Brown Addiction Prevention and Recovery Fund Act
- 2469. Requiring benefit access devices to benefits provided by the Department of Human Services, to have a photograph of the person to whom a device was issued
- 2496. Relating to exemptions from certificate of need
- 2701. Prohibiting recipients of public assistance to return items for cash
- 2730. West Virginia Clearance for Access: Registry and Employment Screening Act
- 2736. Selling of certain state owned long-term care facilities by the Secretary of the Department of Health and Human Resources
- 2739. Relating to supplemental Medicaid provider reimbursement
- 2741. Relating to eligibility and fraud requirements for public assistance
- 2810. Creating a litigation practice license for social workers
- 2847. Relating to the state's Medicaid Home and Community-Based Services Intellectual/Developmental Disability Waiver
- 2864. Waiving certain business start-up and occupational licensing fees for low-income individuals
- 2885. Relating to designation of social workers in the Department of Health and Human Services
- 2890. Establishing a Library Facilities Improvement Fund that will serve to support library facilities construction, maintenance and improvement projects
- 2946. The West Virginia Refugee Absorptive Capacity Act
- 3006. Exempting certain contracts between the Department of Health and Human Resources and West Virginia University, Marshall University or the School for Osteopathic Medicine from state purchasing requirements
- 3069. Permitting persons who voluntarily enroll in a drug rehabilitation program to be included in an existing pilot program
- 3071. Relating to indigent burial

INFRASTRUCTURE

2067. Relating to the transfer of certain revenues derived from lottery activities generally, restoring distribution to the West Virginia Infrastructure Fund to 2013 rates and decreasing the funds available for grants therefrom

INSURANCE

2126. Guaranteed Asset Protection Waiver Act
2134. Relating generally to workers' compensation
2300. Regulating step therapy protocols
2361. Relating to the surcharge on fire and casualty insurance policies
2439. Relating to insurance and unfair claim settlement practices
2460. Requiring insurance coverages to ensure telehealth parity
2471. Relating to insurance coverage for breast cancer screening
2495. Relating to restrictions on the disclosure of nonpublic personal information
2517. Requiring licensees authorized to serve alcoholic liquors or nonintoxicating beer to have certain liability insurance coverage
2617. Outlining the process by which certain insurance agencies may place the insured with an affiliate of the insurer
2619. Risk Management and Own Risk and Solvency Assessment Act
2644. Requiring that Workers' Compensation funds be disbursed to firefighters, emergency medical technicians and first responders when those persons are killed or become injured
2683. Relating to West Virginia Insurance Guaranty Association Act
2760. Allowing state agencies to self-insure their own programs
2827. Updating the all payor claims database
2863. Prohibiting use of a person's credit history in certain insurance transactions
2868. Relating generally to Uniform Unclaimed Property Act
2871. Eliminating the mandated employer versus employee cost share of eighty percent employer, twenty percent employee for Public Employee Insurance Agency
2942. Prohibiting insurers from cancelling or failing to renew insurance policies do to the mere filing of a claim that was later denied
2944. Requiring the Insurance Commissioner to regulate professional bondsmen
2957. Relating to labor; employer's bond for wages
3021. Relating to insurance coverage for breast cancer screening
3038. Clarifying that merged care organizations are not exempt from payment of insurance premium taxes
3076. Relating to immunity from liability to uninsured motorists
3077. Preventing discrimination on the basis of sex or marital status by a financial institution or person

INSURANCE – HEALTH

- 2016. Providing state health care services for all active and inactive duty military personnel
- 2020. Freezing PEIA employee premiums for three years
- 2051. Authorizing insurance to married workers without children at reduced rates under the West Virginia Public Employees Insurance Act
- 2072. Relating to qualifying children of state employees, receiving income of \$25,000 per year or less, for the West Virginia Children’s Health Insurance Program
- 2176. Prohibiting the number of inquiries reflected in a credit report, credit score report or CLUE report from adversely affecting an application for insurance
- 2192. Adding pharmacist and pharmacy to the definition of “health care provider” as used in the Medical Professional Liability Act
- 2484. Preventing taxpayer subsidization of health insurance covering elective abortions

INSURANCE – MOTOR VEHICLES

- 2176. Prohibiting the number of inquiries reflected in a credit report, credit score report or CLUE report from adversely affecting an application for insurance

INSURANCE (AND RELATED SUBHEADINGS)

- 2045. Giving the Insurance Commissioner the power to regulate and penalize self-insured employers
- 2058. Prohibiting the use of a credit score in casualty insurance rate filings

INVESTMENTS

- 2385. Reallocating and dedicating up to \$30 million to the natural gas and oil severance tax revenues annually to the natural gas and oil-producing counties of origin
- 2513. Relating generally to the tax treatment of manufacturing entities

JUVENILES

- 2101. Relating to the juvenile justice reform oversight committee
- 2352. Relating to the criminal offense of desecration of graves and vandalizing cemeteries
- 2419. Defining and establishing the crime of cyberbullying
- 2465. Modifying the requirements that allow a child witness to testify by closed circuit television
- 2588. Simon’s Law; life sustaining procedures
- 2593. Relating to the placement of juvenile status offenders

- 2632. Allowing children in the custody of the state in any foster home, group home or other facility or residence to hunt and fish without a license
- 2655. Defining and establishing the crime of cyberbullying
- 2695. Creating a pilot program for expansion of school-based mental health and school-based diversion
- 2732. Relating to standards for termination of parental rights in child abuse and neglect cases
- 2743. Requiring the release of an unemancipated minor's medical records for drug testing
- 2758. Amending the definition of "abused child" to include a child conceived as a result of an act of sexual assault

LABOR

- 2045. Giving the Insurance Commissioner the power to regulate and penalize self-insured employers
- 2145. Repealing provision prohibiting employers from discriminating for use of tobacco products
- 2171. Permitting contractors to perform work on a construction project without having a contractor's license under certain circumstances
- 2355. Repealing the West Virginia Workplace Freedom Act and restoring prior law
- 2372. Reestablishing prevailing wages for certain state government contracts
- 2380. Ban-the-Box Act
- 2435. Relating to the disqualification of an employee for unemployment benefits
- 2546. Allowing replacement costs of employer provided property to be deducted from an employee's final paycheck if the property is not returned
- 2575. Relating to disqualification for unemployment benefits
- 2582. Relating to disqualification for unemployment benefits
- 2625. Returning Veterans and Displaced Miners Jobs Act
- 2659. Reestablishing prevailing wages for certain state government contracts
- 2666. Providing for security of private, employer-sponsored insurance and/or retirement plans
- 2698. Providing certain notice to civil service exempt employees dismissed from employment due to change in administration
- 2772. Requiring welders working in the State of West Virginia to meet certain certification requirements
- 2799. Prohibiting the superintendent of schools from requiring a physical examination to be included to the application for a minor's work permit
- 2857. West Virginia Safer Workplaces Act

- 2895. Restoring employees' rights associated with agreeing to be represented by a labor organization
- 3082. Establishing a different amount of annual leave for state employees

LAW ENFORCEMENT

- 2098. Requiring the issuance of a search warrant before a driver of a motor vehicle can be made to submit to a secondary blood test
- 2128. Requiring persons who are in the business of purchasing precious metals and precious gems to photograph those purchases and to transmit the photographs to law-enforcement
- 2129. Relating to the powers and authority of state and local law enforcement to enforce underage drinking laws at private clubs
- 2155. Relating to career progression of members of the State Police

LAW ENFORCEMENT – COUNTY/MUNICIPAL

- 2032. Prohibiting a chief deputy sheriff from engaging in certain political activities

LAW ENFORCEMENT – STATE POLICE

- 2149. Establishing a minimum number of troopers to provide basic law enforcement services, and providing members of the West Virginia State Police a \$580 salary increase at the end of two years of service
- 2316. Requiring the Superintendent of the State Police to implement a plan to increase the number of troopers
- 2407. Requiring that State Police officers be compensated for time when they are required to be on standby and providing a stipend for housing cost for certain officers

LAW ENFORCEMENT (AND RELATED SUBHEADINGS)

- 2463. Forfeiture Reporting Act

LEGAL GAMING

- 64. Gill Brothers World War II Veterans' Memorial Bridge
- 2405. Permitting licensed limited video lottery retailers to have up to seven video lottery terminals
- 2611. Allowing a person to be both a limited video lottery operator and retailer
- 2751. Legalizing sport pool betting
- 2813. Increasing number of limited video lottery terminals allowed at a retail location
- 2872. Relating to changes in distribution of net terminal income, excess net terminal income and excess lottery fund
- 2911. Increasing the number of video lottery terminals authorized for retailers and fraternal societies or veteran's organizations

- 2927. Transferring certain revenues derived from racetrack video lottery and racetrack table games
- 2930. Allowing powerball, hot lotto, and mega millions winners to remain anonymous
- 2943. Authorizing the Lottery Commission to introduce games whose winning tickets are determined by the outcome of a licensed horse race
- 2955. Relating to advance deposit wagering
- 2982. Relating to allowing Powerball, Mega Millions and Hot Lotto ticket winners to remain anonymous
- 3067. Legalizing interactive gaming

LEGISLATURE

- 18. Constitutional Officers Term Limit Amendment
- 21. Senators and Delegates Service Limit Amendment
- 2114. Providing a procedure for West Virginia to select delegates to an Article V convention for proposing amendments to the Constitution of the United States of America
- 2156. Relating to certain members of the Legislature and certain service by members of the Legislature
- 2319. Relating to candidates or candidate committees for legislative office disclosing contributions
- 2383. Providing for the redistricting office of the Joint Committee on Government and Finance to propose redistricting plans during census years
- 2395. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists
- 2447. Renaming the Court of Claims the state Claims Commission
- 2485. Decreasing the basic compensation paid to members of the Legislature and salaries paid to other state officers by five percent
- 2568. Making the Holy Bible the official state book of West Virginia
- 2686. Providing a mechanism for the independent evaluation of revenue estimates by West Virginia and Marshall Universities' business colleges
- 2733. Requiring a detailed explanation of any appropriation designated as "Other assets" in the Governor's proposed budget expenditures
- 2839. Updating the procedures for legislative review of departments and licensing boards
- 2898. Authorizing the Joint Committee on Government and Finance to request and obtain criminal background checks of employees of the Legislature
- 2981. Limiting the number of days members of the Legislature may receive compensation during an extended and extraordinary session
- 3000. Authorizing a State Ombudsman position

3051. Appropriation Supremacy Act of 2017

LEVIES

2036. Allowing counties and municipalities to levy a sales tax on food and beverages sold at restaurants

LIBRARIES

2166. Requiring county boards of education to employ a certified library media specialist in each county school
2332. Requiring the Library Commission to survey the libraries of the state and develop a ten year plan for construction and maintenance of public libraries

LICENSES

2009. Making changes to the definition of electrical contractor
2066. Providing a fee discount for certain nonresident hunting, fishing and trapping licenses for native nonresidents
2207. Relating to licenses to sell paraphernalia for use with controlled substances

MAGISTRATES

2916. Authorizing certain first responders to carry firearms

MILITARY AFFAIRS

2016. Providing state health care services for all active and inactive duty military personnel
2063. Extending the expiration of driver's licenses for active military members' spouses
2100. Recognizing those in active military service as residents for the purpose of obtaining concealed carry permits while stationed at a West Virginia military installation
2112. Exempting all monetary benefits derived from military retirement from personal income tax obligations
2173. Providing benefits for those who have served in the military service
2177. Exempting all veterans of the Armed Forces or any reserve component thereof from having to obtain a hunting, trapping fishing license
2189. Exempting disabled veterans from campground rental fees during certain times
2191. Relating to educational benefits for dependents of deceased or disabled veterans
2308. Requiring the Parkways Authority to provide free daily toll passes for veterans under certain circumstances
2377. Requiring an official declaration of war or an action to call forth the West Virginia National Guard by the United States Congress

MILITARY AND VETERANS

- 85. Requesting Congress to enact legislation to allow any honorably discharged military reservist regardless of whether he or she was called to active duty to have access to a veterans hospital health services and that veterans hospitals determine fees based upon ability to pay.
- 2137. Making it a misdemeanor for a person to impersonate a veteran
- 2305. Relating to the issuance, expiration and renewal of driver's license
- 2441. Permitting honorably discharged veterans to hunt, trap or fish in this state without first obtaining a license
- 2531. Allowing military personnel and reservists the additional five-year period to enter upon or recover land already allowed to infants and the insane
- 2687. Providing that military veterans with a one hundred percent service related disability are exempt from property taxation
- 2788. Allowing military veterans with certain military ratings to qualify for examinations required of a probationary firefighter
- 2822. Allowing honorably discharged veterans who possess certain military ratings to qualify to take an examination for licensing as a plumber, electrician, and sprinkler fitter
- 2838. Allowing military veterans who meet certain qualifications to qualify for examination for license as an emergency medical technician
- 2889. Allowing military veterans with certain military ratings to qualify for examinations required of a probationary police officer
- 2906. Emergency Medical Services Act of 2017
- 3054. Relating to a five percent bid preference on certain state contracts for businesses owned fifty-one percent by honorably discharged resident veterans

MINES AND MINERALS

- 2076. Establishing the Legislative Oversight Commission on Energy Workers Safety
- 2339. Intrastate Coal and Use Act

MISCELLANEOUS

- 2315. Relating to the Herbert Henderson Office of Minority Affairs
- 2321. Requiring private clubs to be closed from two o'clock a.m. to seven o'clock a.m. on weekdays
- 2397. Relating to donations of overpayment of fees to the Secretary of State
- 2472. Creating a preference for certain limited video lottery current permit holders in bid process

MOTOR VEHICLES

- 2008. Relating to the Dealer Recovery Program
- 2026. Providing a maximum repair cost for insured owners of motor vehicles if a collision with a deer caused the damage
- 2043. Placing penalty points on driver's licenses for using electronic communications devices while operating a motor vehicle
- 2054. Relating to rules governing the operation of motorboats on lakes
- 2061. Relating to inspection of vehicles and providing that defects in windshields and windows that do not obscure vision are not unsafe conditions
- 2078. Making special registration plates for volunteer fire fighters
- 2098. Requiring the issuance of a search warrant before a driver of a motor vehicle can be made to submit to a secondary blood test
- 2133. Relating to assessment value of certain motor vehicles for purposes of ad valorem property taxes
- 2162. Exempting motor vehicles from personal property tax
- 2180. Authorizing the issuance of special "In God We Trust" motor vehicle registration plates
- 2305. Relating to the issuance, expiration and renewal of driver's license
- 2328. Exempting Class X vehicles from the tax provisions of this section
- 2343. Requiring the State Police to lease rather than buy vehicles if cost effective
- 2346. Relating to motor vehicle license plates
- 2349. Relating to driving on the right side of the roadway, overtaking and passing
- 2363. Requiring that a state employee with a commercial driver's license have a current medical evaluation certification
- 2386. Exempting recipients of the distinguished Purple Heart medal from payment of the vehicle registration fee
- 2402. Relating to abandoned antique vehicles
- 2424. Requiring that voter registration information appear on certain state issued identification cards
- 2445. Allowing automobile auctions to obtain title to abandoned vehicles
- 2482. Creating a period for reduced payments of traffic violations
- 2493. Granting a veteran with a hundred percent service-connected disability a \$10,000 exemption from the assessed value for one vehicle
- 2514. Creating a special motor vehicle collector license plate
- 2530. Relating to autocycles
- 2564. Authorizing a special registration plate for elk
- 2576. Relating to autocycles
- 2612. Repealing section relating to unattended motor vehicles and penalties
- 2626. Extending the expiration of driver's licenses for active military members' spouses

- 2750. Establishing a system at the county level for the dispatching of emergency towing services
- 2802. Permitting inspectors working within the Division of Dealer Services of the Division of Motor Vehicles to carry a concealed weapon on duty
- 2831. Relating to the reconstitution of the Driver's Licensing Advisory Board
- 2836. Allowing the owner of an antique military vehicle to display alternate registration insignia
- 2867. Increasing penalties for failure to use due caution when approaching an emergency vehicle
- 2881. Establishing minimum safety standards for the design of any robot operated in the state
- 2882. Changing the frequency with which vehicles must be inspected
- 2910. Relating to autonomous vehicles
- 2941. Requiring the Commissioner of the Division of Highways to utilize the Attorney General for all legal assistance and services
- 3015. Requiring all commercial and professional drivers be fingerprinted and undergo a background check
- 3033. Relating to the procedures for driver's license suspension and revocation in criminal proceedings for driving under the influence of alcohol, controlled substances or drugs
- 3081. Conducting a study to determine the amount of revenue to be derived from instituting tolls on I-70 and I-81

MOTOR VEHICLES (AND RELATED SUBHEADINGS)

- 2185. Giving local authorities the authority to decrease the speed limit on streets and highways where school buses travel in its jurisdiction

MOTOR VEHICLES – LICENSES, REGISTRATION & INSPECTION

- 2063. Extending the expiration of driver's licenses for active military members' spouses

MUNICIPALITIES

- 2048. Providing meetings and conference rights for members of municipal fire departments
- 2064. Defining the term minor boundary adjustment
- 2095. Relating to the rule-making authority of local boards of health
- 2109. Relating to the West Virginia Land Reuse Agency Authorization Act
- 2168. Prohibiting counties and municipalities from adopting ordinances or regulations that base restrictions on the breed of a dog
- 2208. Authorizing counties and municipalities to establish a joint airport hazard comprehensive plan

- 2209. Limiting the authority of municipalities to regulate the purchasing, possessing, transferring, owning, carrying, transporting, selling and storing of knives
- 2307. Terminating the Municipal Home Rule Pilot Program and Municipal Home Rule Board
- 2356. Relating to the approval of the Historic Landmarks Commission
- 2357. Relating to the power of local government authorities to regulate vehicular traffic within their borders
- 2444. Requiring county commissions to maintain websites with specific information
- 2537. Relating to disability pensions of municipal employees
- 2549. Requiring notice be given to cities of an increase to pension and relief funds
- 2550. Authorizing a municipality to prohibit the sale of fireworks within its boundaries
- 2573. Ensuring that local Convention and Visitor Center Bureaus have a board that is elected by a governing body
- 2709. Authorizing the City of South Charleston to levy a special district excise tax
- 2716. Imposing an indefinite moratorium on new business and occupancy or privilege taxes
- 2745. Adding the examination of Advanced Care Technician
- 2746. Requiring county commissions to maintain websites with specific information
- 2754. Relating to fire fees on nonresidents of a municipality
- 2843. Permitting Class III and Class IV municipalities to be included in the West Virginia Tax Increment Act
- 2859. Relating generally to tax increment financing districts
- 2897. Raising the amount required for competitive bidding of construction contracts by the state and its subdivisions
- 2939. Relating to the sale of items in the State Police Academy post exchange to the public
- 2985. Relating to taxes on beer and nonintoxicating beer
- 3039. Allowing municipalities to cancel elections when only one person is running for each office
- 3073. Relating generally to public service districts and their boards
- 3096. Relating to operation and regulation of certain water and sewer utilities owned or operated by political subdivisions of the state

NATURAL RESOURCES

- 2042. Relating to pension benefits exempt from state income taxation
- 2047. Increasing compensation for conservation officers
- 2066. Providing a fee discount for certain nonresident hunting, fishing and trapping licenses for native nonresidents

- 2128. Requiring persons who are in the business of purchasing precious metals and precious gems to photograph those purchases and to transmit the photographs to law-enforcement
- 2131. Prohibiting the state from requiring persons with oil or gas rights connected to deep oil or gas wells to involuntarily integrate their interests
- 2136. Removing restrictions for hunting or trapping on private lands on Sundays
- 2152. Removing restrictions for hunting or trapping on private lands on Sundays
- 2158. Prohibiting drilling units from being established without consent of all owners
- 2362. Relating to the beginning and expiration of hunting and fishing licenses
- 2406. Providing an increase in compensation for natural resources police officers
- 2441. Permitting honorably discharged veterans to hunt, trap or fish in this state without first obtaining a license
- 2474. Providing that rents and royalties from leases of the minerals under the state's rivers and streams shall be expended for road paving and maintenance
- 2511. Establishing an industrial water extraction fee
- 2512. Streamlining the process of abandoned mineral interests
- 2632. Allowing children in the custody of the state in any foster home, group home or other facility or residence to hunt and fish without a license
- 2642. Removing restrictions for hunting or trapping on private lands on Sundays
- 2661. Permitting recreational gold mining
- 2662. Prohibiting the waste of game animals, game birds or game fish
- 2663. Increasing the compensation for natural resources police officers
- 2679. Relating to the possession of firearms in parks and park facilities
- 2693. Relating to state ownership of wildlife
- 2696. Relating to crossbow hunting
- 2697. Establishing regional recreation authorities and areas
- 2699. Making information about Division of Natural Resources licensees exempt from the provisions of the Freedom of Information Act
- 2707. Relating to the collection, possession and sale of naturally shed deer antlers
- 2708. Relating to a lawful method for a developmentally disabled person to purchase a base hunting license
- 2777. Requiring all unclaimed oil and gas royalties due a leaseholder of the mineral estate shall be transferred and paid to the legal surface owner

- 2909. Abolishing the office environmental advocate within the Department of Environmental Protection
- 2949. Exempting specified Division of Natural Resources' contracts for some replacement, repair or design for repairs to facilities from review and approval requirements
- 3029. Relating generally to coal mining, coal mining safety and environmental protection

OIL AND GAS

- 2076. Establishing the Legislative Oversight Commission on Energy Workers Safety
- 2205. Exempting heating oil for residential use from the Motor Fuel Excise Tax
- 2385. Reallocating and dedicating up to \$30 million to the natural gas and oil severance tax revenues annually to the natural gas and oil-producing counties of origin
- 2473. Relating to the assessment of oil and gas mineral interests
- 2487. Reallocating and dedicating three percent of oil and gas severance tax revenues up to \$20 million annually to the oil and gas producing counties of origin
- 2510. Permitting certain surface owners to purchase gas at market rates

PARKS AND RECREATION

- 2059. Providing a ten percent discount to residents at state parks and forests
- 2066. Providing a fee discount for certain nonresident hunting, fishing and trapping licenses for native nonresidents
- 2105. Establishing the state parks instant lottery scratch-off game

PROFESSIONS AND OCCUPATIONS

- 2009. Making changes to the definition of electrical contractor
- 2103. Making changes to the definition of contractor for purposes of the West Virginia Contractor Licensing Act
- 2108. Requiring school bus aides, who are trained in preventing bullying and providing a safe environment for students while being transported on a school bus, to be present on school buses
- 2111. Exempting certified professional estimator services from consumer sales and service tax
- 2192. Adding pharmacist and pharmacy to the definition of "health care provider" as used in the Medical Professional Liability Act
- 2301. Relating to direct primary care
- 2302. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists

- 2345. Transferring all duties and powers previously belonging to the West Virginia State Board of Examiners for Licensed Practical Nurses to the West Virginia Board of Examiners for Registered Professional Nurses
- 2347. Allowing schools licensed to provide barber, cosmetology and related training to hold theory classes and clinical classes at different locations
- 2348. Eliminating any requirement that class hours of students be consecutive
- 2359. Relating to offenses and penalties for practicing osteopathic medicine without a license
- 2418. Prohibiting the performing of an onychectomy or flexor tendonectomy procedure on a cat
- 2423. Relating to the criminal offense of therapeutic deception
- 2437. Exempting persons practicing animal husbandry from provisions requiring licensing of veterinarians
- 2504. Prohibiting state nursing boards from limiting the number of students
- 2554. West Virginia Contractor Licensing Act
- 2595. Requiring abortions to be performed by a licensed physician
- 2628. Relating generally to the powers and duties of the Board of Medicine and the Board of Osteopathic Medicine
- 2630. Authorizing the West Virginia Board of Medicine and the West Virginia Board of Osteopathic Medicine to share staff
- 2631. Relating to time standards for disposition of complaint proceedings
- 2667. Relating to accreditation of nursing schools
- 2691. Allowing a person who is qualified by training to be a barber and a cosmetologist to elect to practice solely as a barber
- 2692. Allowing licensed professionals to donate time to the care of indigent and needy
- 2735. Requiring the Board of Pharmacy to review, investigate and make appropriate referrals of reports of suspicious orders of controlled substances
- 2753. Relating to modernization of the Physician Assistant Practice Act
- 2772. Requiring welders working in the State of West Virginia to meet certain certification requirements
- 2804. Removing chiropractors from the list of medical professions required to obtain continuing education on mental health conditions common to veterans and family members
- 2844. Relating to provisions applicable to military members and their spouses
- 2864. Waiving certain business start-up and occupational licensing fees for low-income individuals

- 2892. Removing requirement that persons who pass the bar in West Virginia be members of the West Virginia State Bar in order to practice
- 2989. Placing limitations on length of time that prescriptions may be issued for schedule II and III controlled substances
- 2995. Permitting certain animal euthanasia technicians who have been certified by other states be certified animal euthanasia technicians in West Virginia
- 2999. Establishing a program for the licensing and regulation of out-patient substance abuse counseling programs
- 3049. West Virginia Counseling Protection Act
- 3075. Licensing the practice of athletic training

PUBLIC EMPLOYEES

- 2015. Establishing seniority rights for public employees
- 2050. Allowing state employees to take paid leave to attend parent-teacher conference for their children
- 2051. Authorizing insurance to married workers without children at reduced rates under the West Virginia Public Employees Insurance Act
- 2055. Including volunteer firefighters within the Public Employees Insurance Act
- 2069. Providing cost-of-living adjustments for certain current and former public employees
- 2074. Establishing seniority rights for public employees
- 2080. Increasing the amount of annual and incremental salary increases for eligible state employees
- 2110. Increasing the amount of retirement income to be excluded from the gross income of individuals receiving retirement benefits under the West Virginia Public Employees Retirement System
- 2174. Granting all public employees, all teachers, all service employees, all public employee retirees, all teacher retirees and all service employee retirees a \$1,000 per year permanent pay increase
- 2181. Creating an additional magistrate court deputy clerk position for Marion County
- 2194. Reducing personnel employed by the West Virginia Department of Education
- 2462. Relating to the compensation of personnel employed at the West Virginia Schools for the Deaf and the Blind
- 2947. Relating to salary increase for Regional Jail Authority employees

PUBLIC SAFETY

- 2121. West Virginia Residential Furniture and Children's Products Flame Retardants Act

- 2135. Permitting persons who are twenty-one years of age or older to operate or be a passenger on a motorcycle without a helmet
- 2138. Right to keep and bear arms
- 2150. Relating to the hunting of coyotes
- 2343. Requiring the State Police to lease rather than buy vehicles if cost effective
- 2369. Firearm Protection Act
- 2507. Relating to the West Virginia State Police
- 2525. Relieving the county superintendent of schools of the duty of nominating personnel to be employed by the county board
- 2550. Authorizing a municipality to prohibit the sale of fireworks within its boundaries
- 2587. Clarifying that a firearm may be carried for self defense in state parks, state forests and state recreational areas
- 2599. Relating to safety of tow trucks, wreckers, and tilt-bed vehicles
- 2605. Requiring the Public Service Commission to create a plan within twelve months to consolidate all of the emergency communications centers
- 2620. West Virginia Drug Overdose Monitoring Act
- 2712. Permitting persons who have been issued state licenses to carry concealed deadly weapons to carry those weapons on the grounds of the State Capitol Complex
- 2713. Permitting the carrying of concealed weapons on the campus of a state institution of higher education
- 2714. Permitting a firearm or other deadly weapon on or in a private primary or secondary education building, structure or facility
- 2729. Giving the West Virginia State Police additional monies from the wireless enhanced 911 fee
- 2759. Creating Statewide Interoperable Radio Network
- 2762. Increasing the number of employees of the State Police Forensic Laboratory
- 2780. Clarifying existing language for those first responders who die as a direct result of their duties
- 2796. Relating to the West Virginia National Guard entering into contracts and subcontracts for specialized technical services
- 2800. Limiting access to state property and secured facilities to persons who have been screened and authorized through the Division of Protective Services
- 2835. Permitting an individual with a current West Virginia issued license to carry a concealed deadly weapon to carry such weapon on the campus of a state institution of higher education
- 2877. Relating to fees collected to conduct criminal background checks
- 2915. Relating to registration requirements of the sex offender registration act

- 2939. Relating to the sale of items in the State Police Academy post exchange to the public
- 2965. Relating to Capitol Complex security access
- 2973. Preserving and transferring firefighter training courses
- 2992. Relating to civil asset forfeiture
- 3048. Relating to collection of Tier II fees for chemical inventories

PUBLIC SERVICE COMMISSION

- 2141. Expanding the authority of motor carrier inspectors
- 2183. Relating to appointment of Public Service Commissioners
- 2325. Limiting supervision of laying of lines on state rights-of-way
- 2749. Exempting vehicles engaged in nonemergency transportation of Medicaid members from permit requirements
- 2786. Authorizing the Public Service Commission to regulate the billing practices of utilities and other entities that utilize wired or wireless transmission
- 2897. Raising the amount required for competitive bidding of construction contracts by the state and its subdivisions
- 2975. Authorizing the change of charging 911 fees to land line telephone bills to being charged to electric bills
- 2996. Requiring motor carrier vehicle transporting solid waste to be equipped and operated with truck tarpaulins
- 3059. Providing for the voluntary valuation of water and sewer systems for ratemaking purposes

REAL AND PERSONAL PROPERTY

- 2365. Relating to outdoor advertising regulated by the Commissioner of Highways
- 2371. Relating to consumer protection of new manufactured home warranties
- 2621. Providing for a scratch-off game to fund a drug treatment facility on post-mine land in Mingo and Logan Counties
- 2755. Requiring a seller of real property satisfy upon closing any unpaid charges owed
- 2819. Terminating the State Agency for Surplus Property
- 2932. Providing owner of conservation easement be given the right of first refusal
- 2992. Relating to civil asset forfeiture
- 3011. Changing the determination of just compensation to be paid to the landowner when eminent domain is used for a pipeline
- 3094. Cotenancy and Lease Integration Act

REAL PROPERTY

- 2162. Exempting motor vehicles from personal property tax
- 2190. Creating the Uniform Real Property Electronic Recording Act

2414. Allowing quarterly payment of real and personal property taxes

RECORDS AND PAPERS

2146. Allowing a home improvement transaction to be performed under an oral contract
2215. Issuing identification documents to homeless individuals residing at homeless shelters
2797. Codifying statutory immunity for government agencies and officials from actions of third-parties using documents or records
2982. Relating to allowing Powerball, Mega Millions and Hot Lotto ticket winners to remain anonymous
3014. Prohibiting a person appointed agent under a power of attorney from exerting undue influence over the principal
3079. Relating to records of charitable institutions

REDISTRICTING

2383. Providing for the redistricting office of the Joint Committee on Government and Finance to propose redistricting plans during census years

REGULATION OF TRADE

2017. Relating to minimum wage and maximum hours standards for employers
2054. Relating to rules governing the operation of motorboats on lakes

RELIGIOUS ORGANIZATIONS

2104. Requiring that public schools provide facilities for students of all faiths and religions to have a place of fellowship, prayer and worship

RESOLUTIONS

1. Citizens' Redistricting Commission Amendment
4. Veteran's Property Tax Exemption Amendment
6. Preservation and Continued Operation of the Warner Theater
7. Congress To Protect Social Security and Medicare
7. Homestead Exemption Increase Amendment
8. Increasing the Social Security Cost of Living Adjustment
9. Volunteer Emergency Service Personnel Property Tax Exemption Amendment
10. Homestead Exemption Increase Amendment
10. Relating to empowering the House Committee on the Judiciary to investigate allegations of impeachable offenses against Steven O. Callaghan, Circuit Judge-Elect of the Twenty-Eighth Judicial Circuit

11. Supporting and encouraging the enactment of the federal Hearing Protection Act of 2017
11. Prohibiting the Governmental Taking of Private Property for Private Use Amendment
11. Environmental Protection Agency's Chesapeake Bay Initiative
12. Super-Majority Required for Passage of Tax Bill Amendment
12. Standards of accessibility to the public
13. Initiative, Referendum, and Recall Amendment
14. Right to Hunt and Fish in West Virginia Amendment
15. Requesting Congress to fully support the National Park Service's recommendations to extend the Lewis and Clark National Historic Trail to include additional sites along the Expedition's Eastern Legacy
15. Supporting the passage of HR 1315 introduced in the United States House of Representatives to roll back ethanol fuel requirements
17. Expressing support for Taiwan's signing of a Free Trade Agreement
18. Assembly of State Legislatures Official Rules
23. Relating to the establishment of a general fund expenditure limit
39. Requesting the Joint Committee on Government and Finance authorize a study on whether to establish a bank operated by the state
61. State Medicaid expansion contracts
69. Selecting and Instructing Commissioners to an Article V Convention for Proposing a United States Balanced Budget Amendment
70. Applying to the Congress of the United States to call a convention for proposing amendments pursuant to Article V of the United States Constitution
71. Disability Advocacy Day
76. Relating to the Miners Protection Act
88. Urging the United States Congress to pass, and the President to sign into law, legislation to extend and expand the current federal tax credit for carbon capture, utilization and storage
91. Alleen Ledson Memorial Bridge
93. Extending WV Route 93
94. Katherine Johnson Day
100. U.S. Air Force CMSgt Charlie Randolph Hopkins and U.S. Air Force MSgt James Paul Hopkins Road
101. Declaring and making the blackberry the official state berry of West Virginia.

RESOLUTIONS (INTERIM STUDY)

32. Requesting the Joint Committee on Government and Finance study the economic and fiscal impacts of the reduction of the Corporation Net Income Tax

- 66. Sustainability of the state's current system of higher education
- 72. Feasibility study of authorizing the House Clerk to make nonsubstantive alterations to the code
- 90. Study on the feasibility of light fidelity ("Li-Fi"),
- 97. Feasibility study of building a road to connect Lincoln County to Cabell County.
- 108. Feasibility study of building a road to best connect the Rock Creek Development Park area in Lincoln County to Cabell County

RESOLUTIONS (NAMING)

- 5. U. S. Navy Rear Admiral Frederick Burdett Warder Memorial Bridge
- 8. Dr. Roy and Marian Eshenaur Bridge
- 9. Frenchburg Bridge
- 10. John Cameron Brown Bridge
- 13. U.S. Army SSG Brian Curtis Rogers Memorial Bridge
- 14. Proclaiming and making the fiddle the official musical instrument of the State of West Virginia
- 16. Charles Ranald Bannerman & Beatrice 'Billy' Bannerman Memorial Bridge
- 17. Betty Jo DeLong Memorial Bridge
- 19. U.S. Army PFC Freeman Ray Meade Memorial Road
- 20. US Army PVT James Earl Pelfrey Memorial Bridge
- 21. 1SG Carl J. Crabtree Memorial Road
- 22. U.S. Air Force MSgt Johnny Baxter Clark and U.S. Air Force MSgt Carl Richard (Dick) Clark Memorial Bridge
- 23. U.S. Army SSG Styish R. Morris Memorial Road
- 24. SGT. Eugene E. Arbogast Memorial Bridge
- 25. U.S. Army PVT Charles E. Ellis and U.S. Army PVT Ira V. Ellis Memorial Bridge
- 26. Naming the NASA IV & V Facility at Fairmont for West Virginia mathematician Katherine Coleman Johnson
- 27. U.S. Army 1LT Patricia Simon Bridge
- 28. Johnny O'Dell Linville Memorial Bridge
- 29. U.S. Army SGT Denver E. Short Memorial Bridge
- 30. U.S. Army PFC Cornelious Wiley Memorial Bridge
- 33. Gunsmiths Trace
- 34. Curtis 'Pap' and Millie 'Mammie' Asbury Bridge
- 35. Arnold Miller Memorial Bridge
- 36. U.S. Army PFC John Ira Pinkerman Memorial Bridge
- 37. U.S. Army SPC William L. Amos Memorial Bridge
- 38. Tug Valley Students Memorial Bridge
- 40. John Hancock Hall Memorial Bridge
- 41. Major Martin Robison Delany Memorial Bridge
- 42. John B. Short Memorial Bridge

43. U. S. Army CPL F. Lee Noel Memorial Bridge
44. Balentine Brothers Bridge
45. Lando Adkins, Sr. Memorial Road
46. Blue Demon Bridge
47. U. S. Army CPL Wilson B. Lambert, Jr. Memorial Road
48. U.S. Army SPC David H. Stamper Memorial Bridge
49. U.S. Army PFC Donald Ray Cochran Memorial Bridge
50. Lowe Mountain Memorial Highway
51. Toby” Runyon Memorial Bridge
53. US Army Corporal Jerry Lee Noble Memorial Bridge
54. U.S. Army PVT Preston D. Vanscoy Memorial Bridge
55. Dr. John McClure Grubb Memorial Bridge
56. U. S. Army CPL George Browning Memorial Road
58. William C. Campbell Memorial Highway
59. USMC LCpl Timothy J. Dunnigan Memorial Intersection
60. William “Bill” R. VanGilder Memorial Bridge
62. Webster County Veterans Highway
63. William B. Burgess Memorial Road
65. Hobert G. ‘Hobie’ Underwood Memorial Bridge
67. Pastor Robert L. “Bob” Barker Memorial Bridge
68. James Earl Gibson Memorial Road
73. U S Army Air Corps PVT William James Irwin, Memorial Bridge
74. James L. ‘Bud’ Hall, Sr. Memorial Bridge
77. US Army SGT Benny Fleming Memorial Bridge
78. Almond Brothers and Family Veterans Bridge
81. U.S. Army SPC Larry E. Nunnery, Sr. Memorial Highway
82. U.S. Marine Sergeant David Paul McCord Memorial Bridge
83. U.S. Army SPC John R. Tennant Memorial Bridge
84. U.S. Army Air Force S/SGT Harold ‘Dean’ Baker Memorial Bridge
87. Deputy Sheriff SGT. Justin Alan Thompson Memorial Highway
89. Michael Angiulli Memorial Bridge
92. U.S. Army SGT Eugene Dawson Memorial Highway
95. PFC O. T. (Teaberry) Mullins Memorial Bridge
96. U. S. Marine Corps Cpl Mark Douglas Cool Memorial Bridge
98. John H. Reed, Jr. Memorial Bridge
99. Designating the 38th parallel north in honor of the Veterans of the Korean War
103. U S Army PFC Tracy Victor Rohrbaugh Memorial Bridge
104. Dr. H. Luke Eye Memorial Bridge
105. Army SSG Arthur N. McMellon Memorial Bridge
106. Placing appropriate supplemental signs on Interstate 77 at Exits 111 and 114 to direct travelers to the Sissonville Business District.
107. U.S. Air Force SMSgt Billie E. ‘Bunky’ Hodge Bridge

RETIREMENT

- 57. Requesting the Joint Committee on Government and Finance study closing the West Virginia Public Employees Retirement System and the West Virginia Teachers Retirement System to employees newly hired on or after July 1, 2018 and providing new 401K type retirement plans for those employees
- 2012. Reducing state income taxes for state and federal retirees by increasing the exemption on retirement income
- 2110. Increasing the amount of retirement income to be excluded from the gross income of individuals receiving retirement benefits under the West Virginia Public Employees Retirement System
- 2112. Exempting all monetary benefits derived from military retirement from personal income tax obligations
- 2174. Granting all public employees, all teachers, all service employees, all public employee retirees, all teacher retirees and all service employee retirees a \$1,000 per year permanent pay increase
- 2370. Restoring the ability of new hires to use accrued annual and sick leave for retirement service credit
- 2393. Adding violations of law upon which a public servant's retirement plan may be forfeited
- 2549. Requiring notice be given to cities of an increase to pension and relief funds
- 2586. Relating to required minimum distribution of retirement benefits of plans administered by the Consolidated Public Retirement Board
- 2592. Annual retirement annuity adjustment West Virginia State Police Retirement System
- 2600. Relating to the Municipal Police and Fire Retirement System
- 2601. Relating to municipal policemen's or municipal firemen's pension and relief funds
- 2603. Relating to municipal policemen's or firemen's pension and relief funds that are funded at one hundred and twenty-five percent or more
- 2604. Relating to employee information reported to the Consolidated Public Retirement Board
- 2641. Relating to pension benefits exempt from state income taxation
- 2649. Adding violations of law upon which a public servant's retirement plan may be forfeited
- 2780. Clarifying existing language for those first responders who die as a direct result of their duties
- 2817. Providing for the reduction of the unfunded liability in the teachers retirement system over a 30 year period
- 2824. Exempting State Teachers Retirement System pension benefits from West Virginia personal income taxation
- 2854. Adding an annual annuity adjustment of one percent for eligible retirants or surviving spouses

- 2887. Relating to retirement and separation incentives
- 3036. Allowing county boards of education to hire retired teachers
- 3047. Extending the time that teachers may pay into the State Teachers Retirement System

RETIREMENT – EDUCATION PERSONNEL

- 2057. Increasing benefits of retired state personnel and retired teachers
- 2184. Permitting teachers under the State Teachers Retirement System to teach college level courses without loss of benefits

RETIREMENT – PUBLIC EMPLOYEES

- 2042. Relating to pension benefits exempt from state income taxation
- 2057. Increasing benefits of retired state personnel and retired teachers
- 2125. Reinstating service credit to certain members of the Public Employees Retirement System

RETIREMENT (AND RELATED SUBHEADINGS)

- 2042. Relating to pension benefits exempt from state income taxation
- 2156. Relating to certain members of the Legislature and certain service by members of the Legislature
- 2317. Establishing a retired teachers instant lottery scratch-off game

ROADS AND HIGHWAYS

- 2185. Giving local authorities the authority to decrease the speed limit on streets and highways where school buses travel in its jurisdiction
- 2308. Requiring the Parkways Authority to provide free daily toll passes for veterans under certain circumstances
- 2474. Providing that rents and royalties from leases of the minerals under the state's rivers and streams shall be expended for road paving and maintenance

ROADS AND TRANSPORTATION

- 7. Extending West Virginia Route 9
- 75. Increasing the speed limit on highways to 75 miles per hour
- 93. Extending WV Route 93
- 2007. Eliminating courtesy patrol programs
- 2027. Providing for the transfer of ownership, operation and maintenance of certain assets of the West Virginia Parkways Authority to the Division of Highways
- 2041. Providing a discount program for certain workers and students who purchase West Virginia EZ Pass transponders
- 2043. Placing penalty points on driver's licenses for using electronic communications devices while operating a motor vehicle
- 2161. Relating to purchasing requirements for the Division of Highways

- 2164. Prohibiting the placement of the name or likeness of public officials on state road signs
- 2324. Requiring that patching repair of hard surfaced roads, highways and streets be by use of mechanical rollers
- 2340. Relating to performance metrics for the West Virginia Division of Highways
- 2349. Relating to driving on the right side of the roadway, overtaking and passing
- 2353. Requiring the Commissioner of Highways to develop a formula for allocating road funds among districts
- 2354. Requiring the Commissioner of Highways to develop a statewide communications plan known as the Comprehensive Public Involvement Plan
- 2365. Relating to outdoor advertising regulated by the Commissioner of Highways
- 2391. Establishing an arborists program for inmates
- 2415. Relating to construction of industrial access roads with state funds
- 2567. Relating to failure to maintain state and public roads
- 2606. Maintaining status quo in the event bond indebtedness relative to Parkways Authority is eliminated
- 2608. Requiring the Commissioner of Highways to contract with private providers or contractors for certain emergency maintenance operations
- 2636. Relating to construction of a modern highway from Pikeville, Kentucky to Beckley, West Virginia
- 2694. Relating to the development and implementation of a program to facilitate commercial sponsorship of rest areas
- 2750. Establishing a system at the county level for the dispatching of emergency towing services
- 2880. Relating to a comprehensive inventory of state-managed areas open to off-highway vehicles
- 2896. Requiring a warning light to be erected on certain roads to warn of a traffic light ahead
- 2919. Relating to parking along state highways
- 2923. Requiring the Commissioner of Highways to verify legal employment status of contractors and vendor's employees for certain road and bridge contracts
- 2924. Relating to installation of conduit for fiber optic cable on state highway construction projects
- 2972. Requiring service stations that sell motor fuel to the public have backup generators for use during emergencies
- 2977. Pothole app and map
- 2983. Granting priority to roadway construction, reconstruction and maintenance for roadways prone to recurring floods that hinder ingress and egress

- 2991. Requiring the Commissioner of Highways to develop a state hotline for travelers to identify road hazards
- 3007. Requiring paving contracts for state highways to have special requirements to prevent potholes
- 3053. Relating to motor vehicle lighting
- 3064. Allowing vehicles of a size and weight exceeding certain specifications to operate over specified routes
- 3081. Conducting a study to determine the amount of revenue to be derived from instituting tolls on I-70 and I-81

RULE MAKING AUTHORITY

- 2706. Authorizing legislative rules regarding higher education

RULES

- 2011. Prohibiting state agencies and departments from acting outside their statutory scopes of authority
- 2218. Agriculture, Department of, Dangerous Wild Animals
- 2219. Authorizing miscellaneous boards and agencies to promulgate legislative rules
- 2220. Barbers and Cosmetologists, W.Va. Board of, Licensing Schools of Barbering, Cosmetology, Nail Technology and Aesthetics
- 2221. DEP Air Quality Board, Alternative Emission Limitations During Startup, Shutdown and Maintenance Operations
- 2222. DEP Air Quality Board, Ambient Air Quality Standards
- 2223. DEP Air Quality Board, Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Admin. Updates, Temporary Permits, General Permits, Permission to Commence Construction and Procedures for Evaluation
- 2224. DEP Air Quality Board, Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality
- 2225. DEP Air Quality Board, Standards of Performance for New Stationary Sources
- 2226. DEP Air Quality Board, Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities
- 2227. DEP Air Quality Board, Emission Standards for Hazardous Air Pollutants
- 2228. DEP Secretary's Office, Voluntary Remediation and Redevelopment Rule
- 2229. DEP Water and Waste Management, Awarding of Matching Grants for Local Litter Control Programs
- 2230. Insurance Commission, Adoption of Valuation Manual
- 2231. Natural Resources, Division of, Point System for the Revocation of Hunting - Repeal

- 2232. Physical Therapy, W.Va. Board of, Fees for Physical Therapist and Physical Therapist Assistant
- 2233. Agriculture, Department of, Animal Disease Control
- 2234. Agriculture, Department of, Captive Cervid
- 2235. Architects, W.Va. Board of, Registration of Architects
- 2236. Athletic Commission, W.Va. State Administrative Rules of the WV State Athletic Commission
- 2237. Athletic Commission, W.Va. State Regulation of Mixed Martial Arts
- 2238. Auditor, W.Va. State Auditor, Procedure for Local Levying Bodies to Apply for Permission to Extend Time to Meet as Levying Body
- 2239. Barbers and Cosmetologists, W.Va. Board of Qualifications, Training, Examination and Certification of Instructors in Barbering and Cosmetology
- 2240. Barbers and Cosmetologists, W.Va. Board of, Operational Standards for Schools of Barbering, Cosmetology, Hair Styling, Nail Technology and Aesthetics
- 2241. Barbers and Cosmetologists, W.Va. Board of Operation of Barber, Beauty, Nail and Aesthetic Shops/Salons, and Schools of Barbering and Beauty Culture
- 2242. Barbers and Cosmetologists, W.Va. Board of Schedule of Fees
- 2243. Barbers and Cosmetologists, W.Va. Board of Barber Apprenticeship
- 2244. Counseling, W.Va. Board of Examiners in Licensed Professional Counselor Fees
- 2245. Counseling, W.Va. Board of Examiners in Licensed Professional Counselor License Renewal and Continuing Professional Education Requirements
- 2246. Counseling, W.Va. Board of Examiners in Marriage and Family Therapists Fees
- 2247. Counseling, W.Va. Board of Examiners in Marriage and Family Therapist License Renewal and Continuing Professional Education Requirements
- 2248. Dangerous Wild Animals, W.Va. Board of Dangerous Wild Animals
- 2249. Dentistry, W.Va. Board of Rule for the WV Board of Dentistry
- 2250. Ethics Commission, W.Va. State Private Gain
- 2251. Fire Marshall, W.Va. State Regulation of Fireworks and Related Explosive Materials
- 2252. Governor's Committee on Crime, Delinquency and Correction, Law Enforcement Training and Certification Standards
- 2253. Governor's Committee on Crime, Delinquency and Correction, William R. Laird IV - Second Chance Driver's License Program

2254. Health and Human Resources, WV Department of Clinical Laboratory Technician and Technologist Licensure and Certification
2255. Health and Human Resources, WV Department of Clandestine Drug Laboratory Remediation
2256. Health and Human Resources, WV Department of Expedited Partner Therapy
2257. Health and Human Resources, WV Department of Medication - Assisted Treatment - Opioid Treatment Programs
2258. Health and Human Resources, WV Department of Medication - Assisted Treatment - Office - Based Medication Assisted Treatment
2259. Health Care Authority, W.Va. State Exemption From Certificate of Need
2260. Health Care Authority, W.Va. State Rural Health Systems Grant Program
2261. Health Care Authority, W.Va. State Hospital Assistance Grant Program
2262. Health Care Authority, W.Va. State Certificate of Need Rule
2263. Lottery Commission, W.Va. State Limited Video Lottery
2264. Medicine, WV Board of Licensing and Disciplinary Procedures: Physicians; Podiatrists
2265. Medicine, WV Board of Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants
2266. Medicine, WV Board of Dispensing of Legend Drugs by Practitioners
2267. Miners' Health, Safety and Training, W.Va. Office of, Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors
2268. Natural Resources, WV Division of Revocation of Hunting and Fishing Licenses
2269. Natural Resources, WV Division of Special Waterfowl Hunting
2270. Natural Resources, WV Division of Commercial Sale of Wild Life
2271. Natural Resources, WV Division of Miscellaneous Permits and Licenses
2272. Optometry, W.Va. Board of, Continuing Education
2273. Osteopathic Medicine, W.Va. Board of, Licensing Procedures for Osteopathic Physicians
2274. Osteopathic Medicine, W.Va. Board of Osteopathic Physician Assistants
2275. Pharmacy, WV Board of Licensure and Practice of Pharmacy
2276. Pharmacy, WV Board of Mail-Order and Non-Resident Pharmacies
2277. Pharmacy, WV Board of Controlled Substances Monitoring Program
2278. Public Service Commission, W.Va. Telephone Conduit Occupancy
2279. Racing Commission, W.Va. Thoroughbred Racing

- 2280. Racing Commission, W.Va. Pari-Mutuel Wagering
- 2281. Registered Professional Nurses, W.Va. Board of Examiners for, Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct
- 2282. Registered Professional Nurses, W.Va. Board of Examiners for Limited Prescriptive Authority for Nurses in Advanced Practice
- 2283. Risk and Insurance Management, W.Va. State Board of Mine Subsidence Insurance
- 2284. Risk and Insurance Management, W.Va. State Board of Patient Injury Compensation Fund
- 2285. Sanitarians, W.Va. State Board of Practice of Public Health Sanitation
- 2286. Secretary of State Voter Registration at the Division of Motor Vehicles
- 2287. Secretary of State Voter Registration List Maintenance by the Secretary of State
- 2288. Social Work, W.Va. Board of Continuing Education for Social Workers and Providers
- 2289. Speech Language Pathology and Audiology, WV Board of Examiners for Licensure of Speech-Pathology and Audiology
- 2290. Treasurer's Office, W.Va. State Procedures for Deposit of Monies with the State Treasurer's Office by State Agencies
- 2291. Treasurer's Office, W.Va. State Selection of State Depositories for Disbursement Accounts through Competitive Bidding
- 2292. Treasurer's Office, W.Va. State Selection of State Depositories for Receipt Accounts
- 2293. Treasurer's Office, W.Va. State Procedures for Processing Payments from the State Treasury
- 2294. Treasurer's Office, W.Va. State Procedure for Fees in Collections by Charge, Credit or Debit Card or by Electronic Payment
- 2295. Treasurer's Office, W.Va. State Procedures for Providing Services to Political Subdivisions
- 2296. Veterinary Medicine, W.Va. Board of Standards of Practice
- 2297. Auditor, W.Va. State, Standards for Requisitions for Payment Issued by State Officers on the Auditor
- 2298. Barbers and Cosmetologists, W.Va. Board of Continuing Education
- 2299. Barbers and Cosmetologists, W.Va. Board of Waxing Specialist
- 2778. Relating to licensure of behavioral health centers and behavioral health consumer rights

SAFETY

- 2056. Providing for the use of neck braces by football players
- 2076. Establishing the Legislative Oversight Commission on Energy Workers Safety

- 2087. Prohibiting blasting within six hundred twenty-five feet of an occupied dwelling
- 2108. Requiring school bus aides, who are trained in preventing bullying and providing a safe environment for students while being transported on a school bus, to be present on school buses
- 2115. Prohibiting sexual offenders from residing within one thousand feet of a school or childcare facility
- 2316. Requiring the Superintendent of the State Police to implement a plan to increase the number of troopers

SALARIES

- 2047. Increasing compensation for conservation officers
- 2049. Providing for career development and establishing a pay scale for Alcohol Beverage Commission inspectors, enforcement agents and supervisors
- 2080. Increasing the amount of annual and incremental salary increases for eligible state employees
- 2149. Establishing a minimum number of troopers to provide basic law enforcement services, and providing members of the West Virginia State Police a \$580 salary increase at the end of two years of service
- 2314. Removing the compensation caps entirely for secretary-clerks and case coordinators
- 2406. Providing an increase in compensation for natural resources police officers
- 2407. Requiring that State Police officers be compensated for time when they are required to be on standby and providing a stipend for housing cost for certain officers
- 2583. Relating to limitations on the use of wages and agency shop fees by employers and labor organization for political activities
- 2969. Increasing the minimum wage based upon increases in the consumer price index

SENIOR CITIZENS

- 2025. Providing one-time supplements to all annuitants when they reach the age of seventy
- 2167. Creating a Silver Alert program for senior citizens
- 2217. Increasing the maximum personal income tax exemption for persons over the age of sixty-five and for persons who are totally disabled
- 2381. Raising the maximum personal income tax exemption for persons over the age of sixty-five and for persons who are totally disabled

STATE PERSONNEL

- 2006. Increasing the penalties for violating the Whistle-blower Law

- 2393. Adding violations of law upon which a public servant's retirement plan may be forfeited
- 2427. Requiring agencies listed in the online state phone directory to update certain employee information
- 2477. Developing a special hiring procedure for personnel positions in the Division of Highways
- 2592. Annual retirement annuity adjustment West Virginia State Police Retirement System
- 2649. Adding violations of law upon which a public servant's retirement plan may be forfeited
- 2676. Transferring the Security office under the Division of Culture and History to the Division of Protective Services
- 2730. West Virginia Clearance for Access: Registry and Employment Screening Act
- 2802. Permitting inspectors working within the Division of Dealer Services of the Division of Motor Vehicles to carry a concealed weapon on duty
- 2869. Providing for paid leave for certain state officers and employees during a declared state of emergency
- 2901. Giving all honorably discharged veterans ten extra points when successfully completing a civil service examination
- 3065. Adding the classification and base salaries of certain civilian employees of the West Virginia State Police Forensic Laboratory
- 3082. Establishing a different amount of annual leave for state employees
- 3083. Replacing annual and sick leave for state employees with personal leave

TAXATION

- 3. Manufacturing Inventory and Equipment Tax Exemption Amendment
- 15. Senior Citizen Homestead Valuation Amendment
- 2012. Reducing state income taxes for state and federal retirees by increasing the exemption on retirement income
- 2039. Establishing a tax credit for new businesses that locate in the state
- 2084. Requiring the assessor of each county to, within three months of a deed filing in the county clerk's office of each county, prepare a new property tax ticket
- 2093. Exempting personal income earned by individuals working as teachers at primary and secondary schools from personal income tax
- 2094. Home Instruction Tax Relief Act
- 2111. Exempting certified professional estimator services from consumer sales and service tax
- 2122. Providing a tax credit for first time home buyers
- 2127. Relating to personal income taxes

- 2133. Relating to assessment value of certain motor vehicles for purposes of ad valorem property taxes
- 2148. Providing taxpayers repaying their own student loans a modification reducing federal adjusted gross in the amount of the interest paid
- 2163. Abolishing the Personal Income Tax
- 2178. Relating to quarterly payment of real and personal property taxes
- 2182. Continuing personal income tax adjustment to gross income of certain retirees receiving pensions from defined pension plans
- 2201. Save the Hospitals Act
- 2203. Reducing the motor fuel excise tax
- 2217. Increasing the maximum personal income tax exemption for persons over the age of sixty-five and for persons who are totally disabled
- 2304. Relating to gasoline and fuel excise tax
- 2323. Exempting social security benefits from personal income tax
- 2326. West Virginia Earned Income Tax Credit
- 2351. Providing for a sales tax of five percent for over the counter medicines and nutritional supplements
- 2358. Exempting a percentage of social security benefits from personal income tax
- 2375. Establishing a Small Business Empowerment and Economic Expansion Program providing tax relief to newly-established small businesses
- 2385. Reallocating and dedicating up to \$30 million to the natural gas and oil severance tax revenues annually to the natural gas and oil-producing counties of origin
- 2389. Allowing an employer to extend workers' compensation insurance coverage to an employee engaged in volunteer fire fighting and allowing employers a tax credit
- 2399. Creating the West Virginia Earned Income Tax Credit
- 2416. Increasing the tax credits allowed for rehabilitation of certified historic structures
- 2417. Exempting from personal income tax the entirety of any income received under the federal Social Security system for certain persons
- 2429. Granting tax credits for parents and legal guardians whose children are in a home schooling program or private school
- 2433. Authorizing operators of a distillery or mini-distillery to offer for purchase and consumption liquor on the premises
- 2434. Relating to reevaluation of land damaged as a result of natural disaster
- 2451. Establishing a specific valuation of managed timberland and timberland that is not managed timberland for ad valorem property tax purposes
- 2475. Authorizing the Tax Commissioner to collect tax, interest and penalties due and owing from payments to vendors and contractors

- from the Auditor and other state, county, district or municipal officers and agents
- 2481. Creating tax credits for new and/or existing small businesses
 - 2487. Reallocating and dedicating three percent of oil and gas severance tax revenues up to \$20 million annually to the oil and gas producing counties of origin
 - 2493. Granting a veteran with a hundred percent service-connected disability a \$10,000 exemption from the assessed value for one vehicle
 - 2508. Creating tax credits for small businesses
 - 2511. Establishing an industrial water extraction fee
 - 2539. Permitting a housing authority to garnish delinquent rents and other amounts owed to the authority from the renter's income tax refund
 - 2545. Increasing the allowable corporation net income tax credit for qualified rehabilitated buildings investments
 - 2548. Relating to the use of outside speakers by persons licensed to manufacture, sell, possess for sale, transport or distribute nonintoxicating beer
 - 2553. Relating to an exemption from the consumers sales and service tax and use tax for sales of services and tangible personal property related to the activities of raising and training livestock
 - 2555. Relating to tax credits for apprenticeship training in construction trades
 - 2570. Creating tax credits for new and/or existing small businesses
 - 2591. Small Business Tax Credit
 - 2605. Requiring the Public Service Commission to create a plan within twelve months to consolidate all of the emergency communications centers
 - 2615. Providing a tax credit for obtaining certain certifications by the United States Green Building Council Leadership in Energy and Environmental Design green building rating system
 - 2616. Decreasing the personal income tax rates for certain taxpayers and raising the personal income tax rates for certain other taxpayers
 - 2641. Relating to pension benefits exempt from state income taxation
 - 2677. Patient Freedom Act
 - 2686. Providing a mechanism for the independent evaluation of revenue estimates by West Virginia and Marshall Universities' business colleges
 - 2687. Providing that military veterans with a one hundred percent service related disability are exempt from property taxation
 - 2716. Imposing an indefinite moratorium on new business and occupancy or privilege taxes
 - 2734. Authorizing a method for the collection and remittance of property taxes related to dealers' heavy equipment inventory
 - 2774. Defining special aircraft property

- 2789. Exempting all monetary benefits derived from retirement income from personal income tax obligations for individuals moving into the state
- 2806. Specifying exemption from the consumers sales and service tax and use tax for purchases of certain services and tangible personal property
- 2821. West Virginia Farm-to-Food Bank Tax Credit
- 2837. Relating to the collection of municipal sales tax by vendors of goods and services
- 2842. Authorizing a temporary foreign brewers import license
- 2843. Permitting Class III and Class IV municipalities to be included in the West Virginia Tax Increment Act
- 2848. Livable Home Tax Credit
- 2862. Establishing the “Stay in State” tax credit
- 2865. Relating to erroneous tax assessments and overpayments to the county
- 2874. Relating to the definition of Managed Timberland
- 2894. Relating to the collection of taxes on wine and intoxicating liquors
- 2929. Allowing an adjustment to gross income for calculating the personal income tax liability of certain retirees
- 2933. Relating to the consumers sales and service taxes and use taxes
- 2934. Eliminating the tax brackets under the personal income tax and changing the rate of the tax
- 2937. Authorizing county assessors to make separate entries in their land books
- 2940. Creating a tax credit for improving facades in historic districts
- 2952. Relating to the right of municipalities and counties to buy real estate for delinquent taxes
- 2960. Providing additional circumstance allowing the Tax Commissioner to withdraw tax liens
- 2961. Relating generally to charitable bingo games and charitable raffles
- 2962. Enlarging the authority of the Tax Commissioner to perform background investigations of employees and contractors
- 2963. Eliminating tax lien waiver requirement for estates of nonresidents
- 2964. Budget Stabilization Act of 2017
- 2985. Relating to taxes on beer and nonintoxicating beer
- 2993. Budget and Spending Transparency Act
- 2998. Providing tax credits for providing broadband service and wireless broadband service to unserved areas
- 3027. Imposing a tax on cattle which is to be used to help fund the U. S. Department of Agriculture’s Wildlife Services Fund
- 3034. Exempting military retirement income from personal income tax after specified date
- 3038. Clarifying that merged care organizations are not exempt from payment of insurance premium taxes

- 3043. Increasing the corporation net income tax
- 3044. Relating to the tax on soft drinks
- 3045. Modifying the tax on soft drinks to only cover sugary drinks
- 3046. Imposing an additional excise tax on soft drinks
- 3058. Raising the insurance premium tax for two years
- 3060. Increasing the business and occupation tax on generating electricity for two years
- 3063. Raising the tax on providers of inpatient and outpatient hospital services for two years
- 3085. Relating to the tax on bottled soft drinks
- 3091. Relating generally to employer withholding taxes
- 3092. Relating to the valuation of oil and gas producing property
- 3099. Providing counties the power to establish a county sales tax under certain circumstances

TAXATION – CONSUMERS SALES TAX

- 2036. Allowing counties and municipalities to levy a sales tax on food and beverages sold at restaurants

TAXATION – PERSONAL & CORPORATE INCOME TAX

- 2042. Relating to pension benefits exempt from state income taxation
- 2381. Raising the maximum personal income tax exemption for persons over the age of sixty-five and for persons who are totally disabled
- 2414. Allowing quarterly payment of real and personal property taxes

TAXATION – PROPERTY

- 2379. Providing a special method for valuation of certain wireless technology property for property taxes
- 2414. Allowing quarterly payment of real and personal property taxes
- 2461. Relating to the excise tax on the privilege of transferring real property and using the tax to reimburse counties for regional jail fees
- 2513. Relating generally to the tax treatment of manufacturing entities

TAXATION – ROADS & FUEL

- 2205. Exempting heating oil for residential use from the Motor Fuel Excise Tax

TECHNOLOGY

- 2143. Requiring reports to the Governor from state agencies to be made available electronically via the internet
- 2190. Creating the Uniform Real Property Electronic Recording Act
- 2379. Providing a special method for valuation of certain wireless technology property for property taxes

TOURISM

2066. Providing a fee discount for certain nonresident hunting, fishing and trapping licenses for native nonresidents

TRANSPORTATION

2179. Issuing a special registration plate for persons who are residents of this state and who have a family member diagnosed with autism spectrum disorder
2180. Authorizing the issuance of special "In God We Trust" motor vehicle registration plates

UNEMPLOYMENT COMPENSATION

2132. Limiting able-bodied adults without dependents receipt of SNAP benefits to three months in a thirty-six month period
2338. Relating to domestic violence victims' eligibility for unemployment compensation benefits
3016. Relating to domestic violence victims' eligibility for unemployment compensation benefits

UTILITIES

2410. Relating to public sewage services
2750. Establishing a system at the county level for the dispatching of emergency towing services

VENDORS

2035. Relating generally to purchasing

WEAPONS

2430. Permitting certain holders of concealed weapons permits to carry weapons of the grounds and buildings on the State Capitol Complex

WORKERS COMPENSATION

2498. Creating a rebuttable presumption that development of certain cancers by professional or volunteer firefighters arose out of the course of employment
2760. Allowing state agencies to self-insure their own programs
3003. Allocating disability or death benefits resulting from an occupational pneumoconiosis claim among the claimant's employers on a proportional basis

DISPOSITION OF BILLS ENACTED

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Regular Session, 2017**HOUSE BILLS**

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2359.....	174	2586.....	216	2740.....	10
2364.....	83	2590.....	236	2759.....	199
2367.....	53	2594.....	234	2766.....	63
2373.....	75	2601.....	158	2767.....	121
2402.....	152	2603.....	157	2771.....	222
2404.....	90	2619.....	133	2774.....	229
2427.....	109	2620.....	188	2781.....	84
2428.....	194	2628.....	172	2792.....	198
2431.....	187	2631.....	169	2796.....	201
2447.....	29	2637.....	221	2797.....	107
2453.....	6	2653.....	45	2801.....	11
2459.....	185	2674.....	64	2804.....	170

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

Regular Session, 2017**HOUSE BILLS****-Continued-**

Bill No	Chapter	Bill No.	Chapter	Bill No.	Chapter
2805.....	26	2898.....	147	3022.....	211
2811.....	89	2935.....	100	3037.....	108
2815.....	122	2939.....	205	3048.....	97
2833.....	118	2941.....	112	3053.....	241
2839.....	148	2948.....	113	3064.....	243
2846.....	177	2949.....	164	3080.....	70
2850.....	2	2961.....	215	3093.....	22
2851.....	225	2962.....	110	3096.....	161
2856.....	67	2963.....	230	3103.....	12
2857.....	136	2967.....	93	3106.....	117
2878.....	219	2980.....	96		
2897.....	103	3018.....	51		

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

Regular Session, 2017**SENATE BILLS**

Bill No.	Chapter	Bill No.	Chapter	Bill No.	Chapter
4.....	171	222	245	386	195
5.....	244	224	137	388	82
25.....	232	225	65	392	159
36.....	76	230	200	398	197
40.....	71	231	68	400	120
41.....	61	233	58	402	214
76.....	56	235	154	419	135
113.....	140	240	54	433	235
116.....	142	247	49	442	50
125.....	141	256	224	444	47
127.....	143	261	149	445	24
134.....	145	280	202	454	98
151.....	139	288	55	455	59
164.....	242	299	13	456	25
169.....	33	300	14	461	105
170.....	31	301	15	473	165
171.....	30	302	16	486	237
173.....	155	303	17	490	46
174.....	210	305	18	493	167
176.....	32	306	19	495	116
180.....	209	321	217	497	1
186.....	74	330	138	505	87
187.....	196	333	43	515	62
188.....	189	337	115	522	134
198.....	125	338	3	523	183
204.....	101	339	193	531	7
206.....	52	344	37	533	227
214.....	212	345	166	535	238
219.....	41	349	34	547	99
220.....	42	350	182	554	146
221.....	102	358	91	563	36

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

Regular Session, 2017**SENATE BILLS****-Continued-**

Bill No.	Chapter	Bill No.	Chapter	Bill No.	Chapter
564.....	226	608	23	671	114
566.....	27	630	77	686	106
575.....	5	634	126	687	86
578.....	191	636	208	690	203
581.....	92	637	239	691	9
588.....	95	658	151	694	21
602.....	213	667	111		

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

Regular Session, 2017

House Bills = 4 Digits

Senate Bills = 1-3 Digits

Chapter	Bill No.	Chapter	Bill No.	Chapter	Bill No.
1.....	497	32.....	176	63.....	2766
2.....	2850	33.....	169	64.....	2674
3.....	338	34.....	349	65.....	225
4.....	2678	35.....	2119	66.....	2479
5.....	575	36.....	563	67.....	2856
6.....	2453	37.....	344	68.....	231
7.....	531	38.....	2329	69.....	2195
8.....	2552	39.....	2526	70.....	3080
9.....	691	40.....	2579	71.....	40
10.....	2740	41.....	219	72.....	2711
11.....	2801	42.....	220	73.....	2494
12.....	3103	43.....	333	74.....	186
13.....	299	44.....	2083	75.....	2373
14.....	300	45.....	2653	76.....	36
15.....	301	46.....	490	77.....	630
16.....	302	47.....	444	78.....	2702
17.....	303	48.....	2731	79.....	2561
18.....	305	49.....	247	80.....	2720
19.....	306	50.....	442	81.....	2188
20.....	362	51.....	3018	82.....	388
21.....	694	52.....	206	83.....	2364
22.....	3093	53.....	2367	84.....	2781
23.....	608	54.....	240	85.....	2319
24.....	445	55.....	288	86.....	687
25.....	456	56.....	76	87.....	505
26.....	2805	57.....	2585	88.....	2506
27.....	566	58.....	233	89.....	2811
28.....	2475	59.....	455	90.....	2404
29.....	2447	60.....	2726	91.....	358
30.....	171	61.....	41	92.....	581
31.....	170	62.....	515	93.....	2967

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

Regular Session, 2017**-Continued-**

House Bills = 4 Digits

Senate Bills = 1-3 Digits

Chapter	Bill No.	Chapter	Bill No.	Chapter	Bill No.
94.....	2001	125	198	156	631
95.....	588	126	634	157	2603
96.....	2980	127	2519	158	2601
97.....	3048	128	2739	159	392
98.....	454	129	2318	160	2709
99.....	547	130	2486	161	3096
100.....	2935	131	2300	162	2109
101.....	204	132	2683	163	2679
102.....	221	133	2619	164	2949
103.....	2897	134	522	165	473
104.....	2724	135	419	166	345
105.....	461	136	2857	167	493
106.....	686	137	224	168	2548
107.....	2797	138	330	169	2631
108.....	3037	139	151	170	2804
109.....	2427	140	113	171	4
110.....	2962	141	125	172	2628
111.....	667	142	116	173	2509
112.....	2941	143	127	174	2359
113.....	2948	144	2219	175	2301
114.....	671	145	134	176	2518
115.....	337	146	554	177	2846
116.....	495	147	2898	178	2522
117.....	3106	148	2839	179	2691
118.....	2833	149	261	180	2348
119.....	2503	150	2303	181	2347
120.....	400	151	658	182	350
121.....	2767	152	2402	183	523
122.....	2815	153	2180	184	2006
123.....	2542	154	235	185	2459
124.....	2706	155	173	186	2002

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

Regular Session, 2017**-Continued-**

House Bills = 4 Digits

Senate Bills = 1-3 Digits

Chapter	Bill No.	Chapter	Bill No.	Chapter	Bill No.
187.....	2431	207.....	2167	227.....	533
188.....	2620	208.....	636	228.....	2734
189.....	188	209.....	180	229.....	2774
190.....	360	210.....	174	230.....	2963
191.....	578	211.....	3022	231.....	2555
192.....	2520	212.....	214	232.....	25
193.....	339	213.....	602	233.....	364
194.....	2428	214.....	402	234.....	2594
195.....	386	215.....	2961	235.....	433
196.....	187	216.....	2586	236.....	2590
197.....	398	217.....	321	237.....	486
198.....	2792	218.....	2722	238.....	535
199.....	2759	219.....	2878	239.....	637
200.....	230	220.....	2721	240.....	2684
201.....	2796	221.....	2637	241.....	3053
202.....	280	222.....	2771	242.....	164
203.....	690	223.....	2704	243.....	3064
204.....	684	224.....	256	244.....	5
205.....	2939	225.....	2851	245.....	222
206.....	2676	226.....	564	246.....	365

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

First Extraordinary Session, 2017

HOUSE BILLS

Bill No.	Chapter
111.....	2
117.....	4

SENATE BILLS

Bill No.	Chapter
1003.....	5
1006.....	6
1010.....	7
1013.....	1
1014.....	3

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

First Extraordinary Session, 2017

House Bills = 3 Digits

Senate Bills = 4 Digits

Chapter	Bill No.
1	1013
2	111
3	1014
4	117
5	1003
6	1006
7	1010

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

Second Extraordinary Session, 2017**HOUSE BILLS**

Bill No.	Chapter
201.....	4
203.....	5
205.....	3

SENATE BILLS

Bill No.	Chapter
2002.....	6
2003.....	2
2005.....	1

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

Second Extraordinary Session, 2017

House Bills = 3 Digits

Senate Bills = 4 Digits

Chapter	Bill No.
1	2005
2	2003
3	205
4	201
5	203
6	2002

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

Third Extraordinary Session, 2017

SENATE BILLS

Bill No.	Chapter
3001.....	1

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

Third Extraordinary Session, 2017

Senate Bills = 4 Digits

Chapter	Bill No.
1	3001

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BLACK HISTORY MONTH

REMARKS

of

HON. JILL UPSON

February 14, 2017

DELEGATE UPSON. Thank you, Mr. Speaker. The month of February is dedicated to commemorating black history. I rise today to acknowledge the contributions of black West Virginians. West Virginia is fortunate to have had numerous leaders who have added to the rich-historical fabric of our state.

I would like to recognize higher institutions ... I'm sorry, institutions of higher learning: Blue Ridge, Bluefield State College, West Virginia State University and Storer College. This year, I have requested that a citation be presented to NASA mathematician, Katherine Johnson of White Sulphur Springs, West Virginia. This year, I have also requested a bridge naming resolution in remembrance of Major Martin Robison Delany. He was born in Charles Town, West Virginia and fought in the Civil War. And to address an issue that currently plagues not only African-Americans but many others of various ethnic backgrounds in West Virginia: unemployment.

I've also introduced the Ban the Box Act. This act is designed to provide hope and opportunity to many of the 130,000 people who have a felony conviction who are attempting to reenter society having paid their debt. When what we all do here, someday is recorded in history, it is my sincere hope that our contributions will be as positive and lasting as those that we honor during this month. Thank you, Mr. Speaker.

HONORABLE ELECTIONS

REMARKS

of

HON. RICK MOYE

February 14, 2017

DELEGATE MOYE. Thank you, Mr. Speaker. Thank you, ladies and gentlemen. I appreciate your kind attention for just a few moments. Honorable, what does honorable mean? On January the 11th, we were read a definition of honorable. So, I'll not bother you with that again. But what is it to you?

What does it mean to you? Are there different degrees of honorable? Does the end result justify any means to achieve it? Is that Biblical? Honesty and integrity in government, what does that mean to all of us? Was that part of any of our campaigns, honesty and integrity in government? A lot of us would profess to be Christians, born again, and I have no intention to start a scripture war here on the House floor for it would serve no useful purpose. But on January 11, we were read a scripture, Proverbs 3:27 and it said, "Do not withhold good when it is in your power to do it." How many Biblical principles do we consent to being broken or turned a blind eye to in an election cycle? Would bearing false witness be one? Do we treat our neighbor as we would ourselves? If we contribute to a PAC or an individual that bears false witness or a partial truth or misleading information, are we not also guilty of that?

As an example, you may not rob the bank, but if you have prior knowledge of it or you drive the getaway car, our laws will find you guilty. If we stand by and watch as another candidate, another human being is wrongfully attacked by partial truths or misleading information, what does that say about us? What does that say about us as an individual, as a person? You wouldn't just stand by and watch somebody out here on the street get beat to death. I would hope not. I would think that you'd do something to stop it, to help that person. So why ... so why do we stand idly by when our friends and neighbors are attacked wrongfully?

I could not tell you the times in this past election that I was asked if a campaign ad was truthful. I'm sure you were too, but there were many more times that I heard, "I don't believe any of the campaign ads. They're all lies." I'm certain that you've heard that also and I ask you, when is it more important for our constituents to know the truth than when they're picking their government leaders? When ... when's it more important? How can the public have faith in the government? I ask you, how can the public have faith in the government when they think that we're all liars? Honorable. Honorable.

I had placed on your desk a newspaper article and it has ... my interest in this has nothing to do with the Gentleman from the 55th interest. Mine is totally different. I want

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you to go to the third column, the top of the third column. I'll give you just a moment to look for it. It reads, "Not only is protecting the integrity of the judiciary the constitutional duty of this court, but it has likewise been woven in the fabric of public policy as expressed by our Legislature." As expressed by our Legislature, why do we expect more from judges than we expect from ourselves? Why? Was our path here honorable? Would it just be easier to drop the honorable? Should we not be held to the same standards as our judges? If not, why not? Or are there different degrees of honorable? It is my hope that we can start a conversation to restore the public trust in this Legislature.

To that end, I have before me a piece of legislation. I'll just read a small portion of it, "The Legislature hereby finds that the fair administration and conduct of elections is the most basic tenant of our republic and is necessary for the preservation of the public trust and our democratic form of government, and that the integrity of the election process requires fair and truthful debate to allow voters to make an informed decision when electing a candidate." Do we agree with that? I'll leave it on my desk for any that would like to cosponsor with me. Please feel free to copy it. If I get a chance, I'll have extra copies made and lay it over here. Thank you so much for your attention.

LEGALIZING MARIJUANA

REMARKS

of

HON. PAT MCGEEHAN

February 14, 2017

DELEGATE MCGEEHAN. Thank you, Mr. Speaker. I'd also like to echo a kind of a caveat to the kind gentleman from across the aisle on honor. You know, I learned honor from my father growing up, but I took an oath when I was a young eighteen-year-old cadet going through the later four years of hell in Colorado Springs. "We will not lie, steal, or cheat nor tolerate among us anyone who does," and I've done my best to live up to that since I've graduated. I'm getting old. I'm 37, so that would have been 18 years ago, but I agree. You know, we need to, I believe, in this chamber speak our minds and be more genuine about why we are proposing such policies because oftentimes in this chamber,

and even in caucuses, sometimes members will propose legislation and discuss legislation within closed doors in a Republican caucus or a Democratic caucus, as to how to spin legislation to the public even though that's not the real genuine reason for wanting it to pass, and I think that is somewhat less than honorable.

But as you all know; our state is in horrid financial conditions. We all heard our new governor's state address this past Wednesday evening in which he proposed \$450 more ... \$450 million more taxes on the citizens of this state and my calculations, I think we're a little bit different, \$485 million more, which, if we adopted all of those would crush our already fledgling economy. So, more taxation? That's just not the way to go. Some people who speak and advocate for free enterprise, they do it from a utilitarian aspect, but I always take a more moral stance because it's not right to take from people forcefully through taxation. Especially when taxation has grown to a point that's so high that once you get to a point ... certain point in taxation and it reaches higher and higher levels, there's really no difference between high taxation and theft and... I believe our constituents, especially mine in the northern panhandle, are very, very much overburdened with the amount of taxes they have to pay. Not just within this state but to the local level and to the feds. So, we have to project all forms of taxation this session.

We can balance this budget without raising taxes if we really put the work into it. Let me give you an example. The Department of Commerce, why do we even have a Department of Commerce? Is commerce not, by definition, a private function? The Department of Commerce's budget runs between \$80 and \$90 million a year. What do they do with it? It's really the department of crony capitalism and corporate welfare. That's a start. I would advocate the leadership to take a look at this and dissolve the Department of Commerce because that's the true free market way, you know, but the central planners abound about, and some were in this chamber, that we need this and that. We need to centrally plan the economy and we need to refute that philosophy by not only just reducing government expenditures. We need to take further steps to save money but also do a great benefit for the citizens of West Virginia.

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Let's talk about education briefly. We need to take bold steps to once and for all dissolve state-funded, state-directed, from the feds, Common Core Standards and curriculum along with the Smarter Balance Test and return all of that control to the local level and allow teachers to teach the classics. Classical math, the classics in history and English, allow them to develop their own curriculums and develop their own standards. We need to move on that, and that also comes with a great deal of savings because you don't need as many administrators in Charleston to essentially plan education across the entire state.

But going forward, let me tell you just another thing about what we could do to not only increase economic productivity, especially in my district, but also bring revenue into the State because, you know, as you all are well aware of, \$500 million projected deficit for this coming fiscal year. People are panicked. In my district, unelected health officials at the local health board, they were not elected, but they enacted law, ordinance and regulation that carried the force of law, a year and a half ago which banned private enterprise and private businesses throughout my entire district from being able to allow smoking. Now I understand smoking is horrible. I picked it up in the military. I quit for a couple of years. I'm on the whole vaping thing right now so I'm getting off it, but let me tell you, when they did that ... that local health board up in my district did that, the revenues from all the little gaming establishments and the Mountaineer Resort have dramatically declined over the last year and a half and right now as it stands, the largest employer in my district, the Mountaineer Resort, at the end of the year if that is not reversed, they are losing so much money that they have told me now they are looking into either filing bankruptcy or just trying to sell off some of the assets and close it all down and they employ 1,200 people in my district, not counting the horse racing employees on the backside of the Mountaineer Resort which adds another 300 jobs to that. Okay, and that's a significant amount of revenue that comes from my district down here to the State.

So, I know some people in here are opposed to gambling. I don't gamble, but in the northern panhandle we have different

demographics than other demographics in the southern part of the state. A lot of the constituents in the northern panhandle come from immigrants such as Irish heritage like myself, Italians, Serbians. We like to gamble. We like our fifty-fifty raffles, you know? You know, we like to play the lottery. It's just a different culture. So, why not just allow that but get government interference out of private enterprise. So, that's another big step that we really need to take because I'm going to tell you right now, if that resort goes under at the end of the year, the State is going to suffer massive revenue shortages just from that institution alone.

I'll also mention this, okay? If any of you know my background, alright? I got a high and tight haircut, okay? Had this haircut since I was 17 years old, never changed it. You know, was just kind of set in my ways, old military habit. I've never ever touched marijuana, never touched it. It's not my thing, you know? I'm against it. However, we need to take bold steps and end prohibition on marijuana in this state. People are already using it. People are already using it anyway. I think if you did that, not only would you get a boost from the utilitarian perspective on the revenue of this state and increase business activity but, you know, you're also going to alleviate massive amounts of suffering from veterans that I personally know that have come back from the war in which, one I served in, who suffer from post-traumatic stress disorder amongst with ... along with other ... epileptic and other severe diseases which it's been proven to help cure, especially people that are going through cancer and chemo.

So, we really need to take a look at that and take bold action. This, right now, during this session, to finally end prohibition because do we live in a free country still? Are we allowing choices to be made by the individual? Where are the men of the Republic in this chamber that stand for the traditional values our American ancestors handed to us derived from Locke and other notable scholars, the Jeffersonians in this chamber. Where are those men of the Republic? I need those men and women of the Republic to stand up, stop the central planning, stop the nanny state, put personalities aside, whether you're Democrat or Republican or an Independent. Put those personalities aside, whether you like

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someone or not. Reach across the aisle, find common ground, be nice to each other, work with each other and if we can do that and act on common ground in bipartisan fashion, we can achieve so many of these goals which would not only balance the budget, but would also greatly improve the life and prosperity of our citizens of this state going forward. As Cicero once said, "The more laws, the less justice." So, thank you very much, Mr. Speaker.

THE ARTS IN WEST VIRGINIA

REMARKS

of

HON. MIKE PUSHKIN

February 15, 2017

DELEGATE PUSHKIN. Thank you, Mr. Speaker. I promise not to take up too much of the body's time today. It's just something I thought of as, when, we were on our little break in between taking the picture earlier and when we started floor session. I took that time to walk around the hallway today and visit with some of the booths that are set up with people from all over the State as part of it, I guess, a day encouraging us to support the arts. And there are people from each of our districts there from... whether it's from the theaters, musicians, people in the visual arts that are out there today, and I have to say that I sense a bit of uneasiness among some of these good people that have come to visit us today because as we all know, with the budget issues that we have in this state that public funding for a lot of these folks rely on, just for ... just a little bit of what they do, is on the chopping block.

And while we all know that we need that, it's time to tighten our belts. We all know it's time to identify waste, fraud and abuse in state government and eliminate that. These folks ... they don't qualify for any of those three categories. It's not waste, fraud and abuse, and it's definitely not waste because what it actually is an investment. It's an investment in each and every one of our districts, and we know that for every district we have, has a festival in it and those festivals bring people into our districts that shop at our stores, that stay at our hotels, that eat at our restaurants and it is to every dime that we put into the arts is paid back to this state tenfold. So, I just want the body to keep that in mind

when we are talking about tightening our belts and rightsizing government, that money that goes to the arts is not a giveaway. It is an investment.

And briefly, I just want to talk about the one booth out there that I stopped at a little bit longer because they are very near and dear to my heart here in Charleston and that's Mountain Stage and they received funding through education broadcasting. And when we're talking about West Virginia being portrayed negatively to the rest of the country and a negative stereotype that we are often seen as, Mountain Stage does more than anything else to shine us in a positive light to the rest of the world. Mountain Stage is broadcast on more than 200 radio stations around this country. Thousands and thousands of people come into West Virginia to see live tapings of it, and an untold amount listen to it on public broadcasting across the world and on podcast. And most of the tapings occur right here on the Capitol campus over here at the Cultural Center and so, you know, I can say this, when we are talking about rightsizing government, let's look at the things we are not doing right. But I know in West Virginia, you know, arts, music, culture, things that bring people into our state and make us look good, that's what we're doing right so let's protect that. Thank you.

MARCELLUS SHALE

REMARKS

of

HON. MARK ZATEZALO

February 15, 2017

DELEGATE ZATEZALO. Thank you, Mr. Speaker. I rise today to discuss our current situation and where we might be going, and to give you all in this body a couple of indications of where we may see some progress if we choose to accept it. You know, I was fortunate enough to be requested by the Energy Council to go to one of their meetings, which is a group of legislators from eleven energy-producing states and two provinces of Canada, to give a speech about oil and gas in West Virginia. And at that gathering, I learned something very, very important. A gentleman from Canada actually got up and made the statement, "The Marcellus Shale area has changed natural gas

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life forever, and I was shocked to find out that our area, West Virginia, Pennsylvania and Ohio are producing twice as much as the whole country of Canada. Well, we have opportunity because of that. That is something that we're all going to have to think about as we move forward.

Now, let's go back to West Virginia and just look at a little bit of history so that we understand we're operating with the old historic gas production, but let's start thinking about what it is now as opposed to what it used to be. I found an old *New York Times* in some of my father's memorabilia. It was a story from 1969, talking about the basic oxygen furnace in Weirton, but there was a sidebar conversation there about gas production in West Virginia. At that time, gas production was up 10% over, year over year. It was 240 billion cubic feet of gas. Remember this is important, 240 billion cubic feet of gas. Now, that number has stayed relatively constant from 1969 up until the Marcellus hit. As a matter of fact, right now, this state, West Virginia, on an annual basis is producing 1.3 trillion cubic feet of gas. That's what we are doing right now. Remember that because according to my good friend, may God rest his soul, Corky Demarco and we discussed some of this stuff. We have permitted about five percent of the wells in the Marcellus in this state that we could actually permit, and less than one percent of the Utica. I'm not talking about the Rogersville and anything below it because we're not ... we know there is gas there but we're not sure what it is, how much there is. With those numbers it's easy to see that we're going to be producing a lot of gas.

Now, the question is how much gas do we use in this state? As matters stand now, last year according to the Energy Information Agency, we used 176 billion cubic feet of gas. Well, let's think about this for a minute as members of this body, when we're trying to figure out what policies we are going to use. If we doubled that amount and did 350 billion cubic feet of gas usage, we'd still have a trillion for export or whatever else we wanted to do. We could actually double the use of gas in this state and still have over a trillion cubic feet to use otherwise. I don't know about you, but that drives an awful lot of lumber that you might want to use for whatever business you're going into.

While I was out there, I talked to somebody and I talked to them about these issues, about the increase in our good fortune. This fellow was a genius of sorts, who actually took a spinoff from Pacific Western Gas and Electric Generation and started to do a lot of different companies that spun off that used electricity. He was immensely successful, and he said something to me that I wanted to leave with this body today. He said, "Mark, when you have these kinds of opportunities," ... and I'd better pick up my paper and look at it, "your goal and your objective as Legislators should be to align the policy with the economic opportunity." Well, the opportunity is before us, and I think if we think about that when we are going forward from here and try to figure out how we are going to deal with these type of numbers that I just gave you, I think it's something that we should all consider. Thank you for your time.

TURNPIKE TOLLS

REMARKS of

HON. MARTY GEARHEART
February 16, 2017

DELEGATE GEARHEART. Thank you, Mr. Speaker. I would ... wanted to just take a moment to express my thanks to the members. Many of you, since last Wednesday, have expressed great concern with my cranial health. I assume it's my cranial health, maybe it ... some of you wish to see a spectacle, because most in here that know me, after the Governor's speech last week have approached me and said almost the same words, "I was trying to find you on the floor because I was absolutely certain that your head was going to explode." Now, I'm going to hope that's concern. I hope nobody really wants to see explosive activity with the top of my head, but I do think that most of you that know me recognize my position and the passion that I have of position with regard to the date that we have in 2019 that there are scheduled to be tolls removed from the West Virginia Turnpike. I've never been bashful about that and have addressed this house many times on that issue.

For the last six years, in the Committee on Roads and Transportation, six years in a row, a bill that I have sponsored ... cosponsored, has passed that committee. That bill doesn't

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eliminate the tolls; it simply provides a path forward for the West Virginia Turnpike and the assets that are associated with it when that date in 2019 arrives. Only a few years back this House, the full House considered that bill and on a vote of 97 to 1, that bill passed this House. Currently, there are 43 members of this House that voted in the affirmative on that bill.

As a side note, there are three current members of the Senate that were in the House that voted in the affirmative on that bill and one member of the Governor's staff that voted affirmative on that bill. I don't want to belabor the many points, and I certainly don't wish to debate all of the issues with regard to the West Virginia Turnpike today in these brief remarks, but I do want to bring two points up from the Governor's speech that have to do with highways and tolls.

The first was his plan to increase tolls and to add tolls across the State in conjunction with our thoughts about expanding our tourism industry, and I want most of you all, or those of you that think logically, to put your logical hat on and say how effective you think it might be to spend millions of dollars on advertising to entice people from out-of-state to come here to enjoy the many things that we have to offer while at the State line presenting them with an invoice simply to enter the State and to drive on the highway.

The second thing I want to bring to you is maybe closer and more dear to my heart, and I have in my hand a piece of legislation. This piece of legislation was enacted in 1947. It was a bill sponsored by Frank Knight from South Charleston and it enacted the Turnpike Commission at that time. It is the bill that gave us, if you will, the West Virginia Turnpike. That bill was enacted and worked very hard, and by 1954 we had a highway coming from southern West Virginia to the capital and as part of that bill, on page 18, there's a section that I refer to as cessation of tolls. The original, contemplated then and it indicates in that bill, if I can find it here, that all bonds issued under the provisions of this act in connection with that shall have been paid, shall be ... once they're paid and the repaired and satisfaction of the state road commissioner, shall become part of the state road system and shall thereafter be maintained by the state road commission free of tolls.

The tolls started in 1954. They were set up on a 30-year bond. Now, you all can do the math and have an idea when those bonds were to be paid when that highway was to be free of tolls. The State of West Virginia made a promise to the people of West Virginia that if we built this highway without having to go to state general revenue funds, without having to take down federal funds, without having to do all of the other things, the people that used that highway, paid for that highway, when it was paid for, that it would be free of the tolls and be part of the state highway system. That promise, according to the Governor, would in fact once again be broken if he has his way.

Now, I want you all to know I've listened to the Governor and I like his folksy way of presenting things, and I'm a Southerner and I like to get along. We're genteel in the south. We like to get along. We want to say, "Bless your heart", when we're not happy, but I can tell you something about southerners, when you rile us up we'll fight. We will fight. Oh, Lord, we will fight, and I'm going to tell you, when you propose activities that are going to be damaging to our economy and when you break promises to us, we're likely to get a little bit riled, and I can tell you as one southerner, I'm prepared to fight. Now, the choice would be the Governor's. I'm a southerner, I want to get along. It's up to him. If he wants to fight, we're here to fight. Thank you, Mr. Speaker.

THE BUDGET

REMARKS
of
HON. MICK BATES
February 16, 2017

DELEGATE BATES. Thank you, Mr. Speaker. It's good to be with you on the 9th day, and to my friend in the back, I'm also from the south the deep, deep south and we don't mind a fight either. My wife and I have been blessed with four children and the oldest of these is my son. He'll be 14, and as a father, I look to my father for wisdom, and try to impart some of that wisdom on my son. One of the things my father taught me was ... and I'm attempting to teach my son ... is that money won't make you happy, but the lack of it will sure make you miserable. By my examination, things are pretty miserable right

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now for a whole bunch of people here in West Virginia, and they want their Governor to make their lives better and not worse. About a week and a half ago, we stood here in this chamber to reconvene and hear from our new Governor and his solution to the greatest financial challenge this state has faced in a generation. Governor Justice, in his colorful manner, described what we have in front of us, a 24-karat dog's mess. A dog's mess that he and most of the people in this room did not create but are tasked with the responsibility of cleaning up.

On most issues of significance, people are pretty fairly evenly split. You'll find that some of your friends are for it, and some of your friends are against it. Some of my friends say we should tackle the fraud, waste and abuse, live within our means, tighten our belts, right size government, cut our way out of this mess. Some of my friends say we need to raise taxes, more revenue, at least temporarily to get us out of this mess. As Governor Justice said, "To stabilize the patient." To them and to you, I would say, in the words of the author F. Scott Fitzgerald, "The test of a first-rate intelligence is the ability to hold two opposed ideas in mind and at the same time retain the ability to function."

Every year thousands of bills are introduced into this chamber and while each of those may be important to some, there are few that are important to all. Of all the bills that are considered, there's really only one that matters and one that this Legislature is required to pass and that's the Budget Bill, our decision on the budget to fix the lives of every West Virginian. Not just this year, but for years into the future. We get only 60 days to complete this complicated document and make tough decisions where we spend approximately four billion dollars of other people's money. Nine of those days are gone. Fifteen percent of our time has now passed. Governor Justice has presented us with a budget and an alternative, and while I do not think that anybody in this body is particularly in love with either, he has given us a plan. If not his plan, what then is the plan?

In considering any plan, I believe it's important that we remember that we're dealing with lives and not just line items. When we talk cuts, and we need to talk cuts, we're not talking about cuts to government.

We're not talking about cuts to Sesame Street and Big Bird. We're talking about cuts to "The Legislature Today" and little Ashton, about Liz, Derrek, Daniel. We're talking about cuts to programs, people, payroll. Most of the low hanging fruit, the easy money is gone or been spoken for. A dollar of expense, a dollar of appropriations, is a dollar of income for somebody. That somebody, more than likely, is going to be somebody you know. Someone back home with a face, a family, and a future that we hold in our collective hands. Someone you sit with in church on Sunday or whose kid goes with yours to high school or daughter is in 4-H with your son. These are the people back home that we need to be concerned with. They face the uncertainty of unknowing, the pain of uncertainty. "Will I have a job come July first?" If you want to know what's really important to a person, take a look at where they spend their time and their money.

The same could be said of us. We cannot afford, nor can West Virginia and its people afford to spend time here focused on solutions, in search of problems, run out of luck then come back here in a special session adding additional time and money to provide a patch, rather than a structural fix to our budget hole. There are 50 legislative days left until the end of this session and 133 to the start of the new fiscal year. West Virginia is looking to us to lead, to focus first and foremost on our budget and our legislative issues before and in lieu of everything else. That should be our priority and it should be the focus of this Legislature. Mr. Speaker, I thank you for ensuring that it is. In closing, I'd like to paraphrase a line from the Governor's speech: If we get caught by a Frankenstein budget, we deserve to die. Thank you, Mr. Speaker.

CIVILITY AND LIBERTY

REMARKS of

HON. S. MARSHALL WILSON
February 16, 2017

DELEGATE WILSON. Thank you, Mr. Speaker. As team colleagues, I rise today. I rise today in defense of civility and of liberty. As for me, I would live in peace with all men, be they friend, stranger, or adversary as far as it is within my power, as long as they pose no

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threat to that which I am sworn to defend: my family, my neighbors, our Constitution.

Yesterday, a gentleman came before this body and issued demands and backed those demands with threats. Some might consider the gentleman in his role as governor to have cause and the right to issue demands and to back them with threats, to be the boss of this body. According to the charter of this government, the Constitution, he is not. He is even less the boss of the Mountaineers we were hired to represent.

We were hired to defend the rights of our employers, some call them constituents, to defend those rights against aggression and against subversion. Among the rights we're called upon to defend is the right to private property. The right of our employers to determine for themselves the distribution of the fruits of their labor. I would live in peace with all men as far as I am able. Either way, have courage, my friends. The time has come to advance the cause of liberty. Thank you for your kind attention. Thank you, Mr. Speaker.

WORKPLACE SAFETY

REMARKS

of

HON. E. EVANS
February 17, 2017

DELEGATE E. EVANS. Thank you, Mr. Speaker. Last night I was reminded of just how fragile how life can really be. At about 9:30 p.m. last night, I received a phone call informing me that there had been an underground mining accident that occurred in Gary, West Virginia. Gary is a town in McDowell County that is literally carved out of the mountains by U. S. Steel. The old saying "If you build it, they will come." They built a town there. It has a long, proud tradition. It also produces what is arguably the best metallurgical coal in the world.

Last night, two-man trips carrying miners and maintenance workers collided. Several were sent to area hospitals but with the grace of God, they were all released with minor injuries. We have, as a state, laws and inspectors that are in place to make sure all of our workers are safe and that they are able to return home to their families each evening.

As a state, we make sure to continue or we make sure we continue that all of our work sites are safe as possible. Not just for miners but for all workers. No matter what the job an individual performs, we, as a body, have a responsibility to guarantee the existing rules and regulations and to make sure that they're followed.

According to OSHA, each year approximately 6,000 employees in this county or in this country die from workplace related injuries. Another 50,000 die from illnesses caused by exposure to workplace hazards. In addition, Mr. Speaker, at an annual cost to the United States of America, the businesses lose \$125,000,000 each year. Effective job safety adds value to the workplace and helps reduce workers' injuries and illness.

In our zeal to pinch pennies to balance our budget we must be careful not to cut and regulate or cut regulations and enforcement services that keep workers safe. Boards and safety organizations must remain intact. Cutting these services can only lead to conditions that will be less than safe for the workers and the consumer. Thank you, Mr. Speaker.

OPTOMETRISTS

REMARKS

of

HON. FRANK DEEM
February 20, 2017

DELEGATE DEEM. Thank you, Mr. Speaker. Forty years ago I had a constituent come to me who had been referred to an ophthalmologist. You know the difference, ophthalmologist and optometrist? Well there was one, maybe two, ophthalmologists in all of Wood County. She was told it would take six months for her to get an appointment. Well, because of the shortage of people to doctors in that area, the ophthalmologists got together, and I've supported them, and we passed a bill in the West Virginia Legislature forty years ago giving optometrists the right to do drugs for therapeutic and diagnostic purposes. You don't think that was big? It was at the time because since it's a turf battle, of course, the ophthalmologists fought it tooth and toenail, but it did pass, and we are

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one of the first states, maybe at that time the only state, to give ophthalmologists the right to do drugs ... use drugs in therapeutic and diagnostic purposes. And for that reason I supported the bill. It did pass, and we are here honoring ophthalmologists today for what they do. Thank you, Mr. Speaker.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS

of

MEMBERS

February 22, 2017

DELEGATE MILEY. Thank you, Mr. Speaker. I just wanted to make a few brief comments about the news we got yesterday on our state's bond rating. As you all know, the Moody's downgraded certain aspects of our financial condition which is not a good thing for our state. As you also know, the Governor has proposed a certain plan, and a budget, that has certain aspects to it that apparently not everyone in here can agree with. I can tell you I'm not getting much response from my constituents back home in opposition to the Governor's plan, and I think if we're serious about getting the budget passed, we need to start working on a plan now, and I know the Finance Chair has committed to having one done to reach, and that was about a week and a half or so ago, so I guess, next Monday or Tuesday we will start asking you daily what the plan is, if we haven't seen it by then.

But I want to point out a couple of parts of the Governor's plan that I don't think has been given enough attention, and that is whether you support or oppose his proposed tax increases. He is proposing tax increases for a limited period of time, and I remind the body of that, to ask you to consider that. I don't think it's unreasonable to levy taxes in times of need for a limited period of time to see if you can get through that difficult period, while also during times of surplus, perhaps, reducing taxes for a limited period of time to again reassess where we are financially. We probably should have done that when we reduced and eliminated the food tax, when we reduced and eliminated the business franchise tax, and when we reduced the corporate net income tax. But I ask that you not reject those concepts out of

hand because I think that if the people we represent know that we are going to consistently take a look at it every few years, knowing that no tax that might be imposed is going to be there forever, I think you'd likely find that there is more support out there than you would realize.

I also urge you to look and see what is happening in Kansas right now. They decreased a lot of taxes and their legislative ... at least one of their legislative bodies, I think, in the past day or two, led by Republican majority, voted for huge tax increases because they had over a billion-dollar deficit in their budget because they made, to some degree, the same mistakes we did by reducing taxes so much that they are now in a hole. And so, I want to share that story with you. It's easily googled, *Kansas Legislature Tax Increases*, you can see the story for yourself, but it's very problematic.

But what is most troubling for me, quite frankly, is the need to pass the budget, I suspect, will need to be done with bipartisan support. And first, I want to commend the Finance Chairman for his comments in the Metro News article that is online, where he asked legitimate questions, and that's fair, to express concern about certain parts of the Governor's budget and the increased spending. I think that's fair. I don't just ... no one should take offense at that. But what is most troubling, and with all due respect, Mr. Speaker, was the response by the Senate President and yourself. In fact, Senate President responded, "Years of fiscal mismanagement have lead us to this point" and your response was, "The failed tax and spend policies of the past." Well, I have only been here 13 years, so I'm not sure what tax and spend policies you're referring to unless it was regarding last year's tax increase of the tobacco tax for which we both voted. In fact, during my 13 years here, as I mentioned, we've eliminated the food tax. We've eliminated the business franchise tax. We've reduced the corporate net income tax. So, I'm not sure what failed tax and spend policies are being referred to, but if there is a desire to make this a partisan issue, that's the way to do it. And though you might be able to get 51 votes to raise taxes like everyone here knows you'll have to do, I don't think you'll be able to get 67 to override a budget veto.

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So, we can choose from this point forward to be statesmen and stateswomen to work on the budget, hopefully, and come to some compromise or we can choose to make this a partisan issue. I was especially shocked at the responses by the legislative leadership when I went back and read the Moody's press release and in which, it said the factors that could lead to an upgrade, codification of a conservative management practice that have enabled the State to maintain positive fund balances and strong reserve levels included in the use of surplus funds to bolster weakness in retirement system funding. I believe most everyone can recognize that they're not just talking about the last two years, but a long time coming when we had Governor Manchin, Governor Tomblin, and we had Governor Underwood before that, but a lot of groundwork was laid by the legislative body. Most of us weren't here in '94 when we started to pay off our pension funds and recognized the need to do that. So, certainly Moody has recognized a conservative fiscal management of our state, and I don't think they share the same views as the Senate President and you, Mr. Speaker.

Moreover, they identify factors that lead to a downgrade. One was a shift away from the State's sound government practices and trend of well-managed financial operations. Again, I don't think they were referring to the last two years. So, Mr. Speaker, I urge you to follow the lead of the Finance Chair and others in this body to not make this a partisan issue. I encourage everyone in here to try and work together. We're willing to work with you on that, but if we don't work together, I think we're going to be here probably in May or June again, and I don't think anyone wants that to happen. Thank you, Mr. Speaker.

DELEGATE LOVE. Thank you, Mr. Speaker. Last week, I was watching the Pages hustle and bustle throughout the chamber, diligently answering to that little white light that's on our desk. Some of them, it was their first time, probably most of them. It was their first time as paging here in the chamber, and it reminded me of a document that was handed to me a few years ago by a little youngster in my community who had his first day as a Page here in the House of Delegates, and he came by and gave me a copy of it. He had written about his adventure to his class, and he gave me a copy of it and I thought it was very ... not only talented, but

also humorous. So, I tucked it away, and I kept it all these years, and I'm going to read it to you.

The title of it is "Sweet Success". He said, "It was 6:00 a.m., and I woke up an hour earlier that morning because I had an important day ahead of me. I was paging in the House of Delegates for the first time, and I had an audience with the Governor after that. I chose my clothes very carefully, more than ever that day. I was really nervous, and I might've even shaken a little bit. Well, after I got there and found out what to do and everything and where everything was, I felt a lot better. I got special Capitol paper and pens with the State seal on them, and when it was finally my time to really page, I began to get nervous again. I was sent to get pops and coffee for a couple of people before we were called to order, and now, I was really nervous. I could feel sweat coming down my face. When it was my turn again, I went to the Delegate's desk ready to write something down. I thought I might even be a part of something important like a bill becoming a law or something wonderful like that. Well, when I got to the Delegate's desk, I found him to be a very, very, very big man. I was ready to go straight to the Governor if I was asked to, and, of course, no one would ask me that. The Delegate handed me some change and said to me or I said to myself, 'What's this, a tip?' Then he said, 'Son, I need some Famous Amos cookies. I don't know how I kept from laughing, but I did, but I guess delegates can work better on a full stomach.'"

Now, this was written by a fifth-grade student after serving as a Page for the first time here in the Legislature, and he won the Young Writer's Award from Collins Middle School in Oak Hill. And you are probably wondering why I kept that document so many years. Well, this young man just happened to be one of my six grandsons, and is now Dr. Robert Love who is a successful practicing practitioner in Marietta, Georgia. Mr. Speaker, thank you.

DELEGATE ROHRBACH. Thank you, Mr. Speaker. I'd like to, maybe not so much, ask the Gentleman from Harrison County a question, but maybe, give a counterweight to what he said because I, too, have been talking to a lot of my constituents back home, and I'm very concerned about our ... downgrading our bond rating as we all should

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be, and I'm concerned about where our state is at financially. I hope we can all agree to one thing: we are in a crisis in this state, and what we're in is a jobs crisis.

Now, we're going to debate the Governor's proposal for the budget, and we're going to give it ample consideration, but I'll tell you what I'm hearing from my people back home that are job creators, employers, and the main tax that the Governor wants to raise, my friends, is to institute a commercial activities tax, and what I'm hearing from my people back home that create jobs and want to employ West Virginians, this is a bad deal for employers. So, as we move forward, I think we should listen to all of our constituents and try to come up with a fair proposal, but to create a new tax on the very people that we're going to need as a state to pull us out of this, I think you should give long consideration before adopted in this body. Thank you, Mr. Speaker.

DELEGATE MCGEEHAN. Thank you, Mr. Speaker. You know there's a lot of talk about the budget as of late and rightfully so. We have a constitutional duty to get a balanced budget out by the end of the regular session. Now that's not mandated by the Constitution, but I think the voters expect us to prioritize it and finish a balanced budget within sixty days. Myself and a few other of our colleagues ... a few other of my colleagues will be introducing a separate independent version of a balanced budget by Friday, but it will likely be formally introduced as a budget bill on Monday. It balances the budget. It does not raise a dime in taxes, and it's very rational. It's very well thought out. There were no accountants involved. There were no lawyers involved. There were no bureaucrats involved, no consultants, no lobbyists. Just about a half a dozen guys sitting around for the last two weeks, late at night, around a kitchen table with calculators and hundreds of pages of line items. We've been doing this consistently, every day, every night, sometimes to the wee hours of the morning. Giving up some sleep, putting together a balanced budget for the citizens of this state that does not raise any taxes.

People in this state are struggling. It's dire right now. We've had several economists testify that we are near the brink of a depression within West Virginia. Nationwide

we will likely enter a massive recession in the years to come. That's not very ... the timing of such a recession and a collapse of the markets is hard to predict, but the Fed's have been pumping money after money, cheap credit, artificially lowering interest rates for the last ten years. I'm telling you that's a bubble, and it will affect the residents of this state, so things will worsen. Increasing the burden of taxation under such dire times on the residents of our state, it's not just ineffective, it's immoral ... it really is.

And to the Gentlelady from Mon County and the Gentleman from Harrison County, I'm not going to spend any time refuting, basically, what you espoused: some concepts from Kings' General Theory published in 1936, and most of that has just been debunked completely. Having the government go into debt and spend all of this money on projects ... hire people to dig holes and that somehow stimulates the economy ... that's all been debunked. Alright?

Let's get back to sound economics. Not from a utilitarian side, from a moral side. Once taxation reaches a certain level, once it surpasses that level, it becomes nothing more than pure theft. We can no longer continue to push more and more taxation on the residents of this state. So, we will be presenting a balanced budget very soon. It's very rational, very well thought out, and if you like it, I am more than willing to share the details with you, but we will be pushing that, and we will be pushing it hard. So, thank you very much for your time. I appreciate it.

DELEGATE COWLES. Thank you very much, Mr. Speaker. I would like to respond just briefly if I could. When I hear the phrase "tax and spend", it quickly reminds me of the Governor's proposal which is \$26 million in cuts and \$450 million in tax increases. That to me, my friends, is tax and spend, and even on top of that you could add the road bonds, the road borrowing, the tolls, the gas tax, the DMV fees. It even gets heavier or more out of balance for those two things, and I think that's fair to say, "tax and spend". But I would also like to remind you that no one here searches harder or with more determination to find that point of consensus than I did, than I think this leadership team does, with input from all of us, on budgets or any other pieces of legislation. That is important to this leadership team.

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But I would remind you that there was an editorial a couple of weeks ago in the *Martinsburg Journal*, and it highlighted a family of four, the everyday, run of the mill, family of four in West Virginia. The Governor's proposal is \$1,310 increase to that family of four. That, my friends, is pretty heavy. That is a cut to family budgets. That's a lot to ask. Now, I am not a knucklehead. My colleagues are not knuckleheads if we stand to defend the taxpayer. My friends, I am not a deplorable if I believe in conservative values. If I believe in limited government. I think what we need to do, what we will do, is fund a responsible government that provides the necessary and important services that it should. That's what we will do. It is our duty to thoroughly review the budget bill that the Governor gave us, to do our duty and work that budget. Twenty-six in cuts, four hundred and fifty plus in increases is heavy, it really is, to working West Virginia families.

Now, your other option that the Governor likes to give you is "die". Do this or "die". I believe there is a lot of real estate between those two options. I think we should insist on a responsible budget that treats the taxpayer fairly, and if we stand to defend the taxpayer and be cautious, we are not knuckleheads, and that doesn't mean we're not searching for the point of consensus, and any input is always welcome, and I think the Finance Committee is doing an outstanding job going through the process, and I look forward to their report soon. Thank you, Mr. Speaker.

DELEGATE WILSON. Thank you, Mr. Speaker. I went home this past weekend, and I talked to my friends back in Back Creek Valley and Inwood, and we spoke quite at length. I scheduled an hour; it turned into three hours, and I missed lunch, so it's pretty important to me. While I was there I made a commitment to my friends that if I found it necessary to vote for a tax increase, that whatever the percentage of the tax increase was, I would take that percentage of my pay and donate it. I let them pick who I would donate it to. They chose the flood victims here and our friends in Clendenin. What I'm getting at is that I am absolutely committed to the principles of liberty, the principles of economic prosperity for this state. I personally am committed to those.

Here's the thing, the way that I see it ... and please, understand, I'm asking you for a favor. I'm not approaching you as any sort of an expert. I'm not. I'm the new guy here. I'm certainly not an expert on parliamentary procedures, and I'm certainly not an expert on budgeting as my wife will tell you. I am here asking you for a favor, and I'm asking you in the name of the people of my district. They're good people. They asked me to ask you to please consider that there are three categories of expenditures we have here. Those that are constitutionally mandated, those that are constitutionally prohibited, and those that are neither mandated nor prohibited that we, no matter ... we engage in discussion on and we engage in.

What I would like to ask you to consider is because we all admit that we are on crisis mode right now... I don't know how many of you have ever been in crisis mode with your family budget, but I have. At a certain point you realize that there are things that are absolutely necessary, and you focus on those things. In my mind, the things that are constitutionally mandated for this body to take up and defund must be at the top of the list. Once those things are taken care of, could we please move on to the things that are not constitutionally prohibited but might be necessary, and let's please also keep in mind that we cannot conflate things ... issues that are social with issues that are legislative.

Now, I've engaged in my community in a lot of work with people who need help. I'm not bragging, I'm just telling you that's what I believe, that's where I stand, that's what I do. There are issues that I believe that our society is responsible for, that our people are responsible for, our communities, our churches, our organizations, our social organizations. Those people, those organizations are responsible to help out their neighbors. That does not mean that we need to use the compulsory nature of government edicts to take money from people and redistribute it to other people who need help. I want to help them. I do personally engage in helping them. That does not mean that it's a government function. Please keep that in mind. It's a message from my friends in District 60. Thank you for your time. Thank you, Mr. Speaker.

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DELEGATE CAPUTO. Thank you very much, Mr. Speaker. I know it's been a long day, but you know I was sitting here thinking about all of the folks that were in the gallery earlier who just want to have a job, and just want to work for a living and make a decent wage and send their kids to college. They don't ask for handouts by any means. They just want a job, and we all do our best down here to get to that point. Some of us take different paths, but at the end of the day I think we want what's best for West Virginians. I was talking to my buddy here this morning, and you know I just realized something today, February 22, 1977, was the first day I went into a coal mine. I got hired forty years ago today. And when I took that job there was a lot of promises and bright futures for young coal miners like me. I was 19 years old. At that time, I knew I could stay there and get a pension. I knew I was going to have good health care and good benefits, and I was going to be able to send my kids to college. I mean, that was big. That was big for me. Those jobs aren't around anymore. I mean, I have two kids that have probably had 15 jobs, and they're in their early 30's. There's no such thing as a defined pension plan for people anymore. They bounce around with 401(k)s and hope they can live from payday to payday and hope and pray at the end of the day they're going to be able to retire someday, but God only knows when that's going to be, and if Social Security is going to be around for them anymore, but to my point, we all want jobs for West Virginians. That's what we all campaign on, that's what we all feel in our heart, and that's what we all want.

And I've been here a while, a little more than some, maybe not as long as some others, but I was just putting a list together of the things that I can remember that we've done in my 20-year career here in the name of jobs. Mr. Speaker, we've done numerous tort reform measures, and every one of them was to bring more jobs to West Virginia. We did medical malpractice reforms. Going to bring more jobs to West Virginia. We did worker's compensation reforms because employers said we can't afford it. We've got to bring it down and get more jobs. We've done unemployment compensation reform. We reduced and eliminated the business franchise tax and the corporate net tax, all with the promise of more jobs for our people in West Virginia. We reduced coal mine

health and safety, and we called it a jobs bill, going to bring more jobs in coal industry. That hasn't happened yet. We've repealed the prevailing wage for our hardworking men and women in the construction industry, and we passed right-to-work and to hear the movers and shakers of those pieces of legislation, you could've put a toll booth up and collected the money of all the jobs that was going to come to West Virginia. And it was nothing but a direct attack on working families, and we have a Governor today who made some very bold proposals that's going to cost us a little bit.

Now, we tried all of these reductions. We've tried them over and over and over again. They're not bringing jobs to West Virginia. I'm not saying that businesses didn't need these breaks. I'm not saying that at all, but our unemployment has not been driven upward because of these reforms. The Governor has a bold proposal that can bring a lot of jobs to West Virginia, but we got to pay a little bit for that. And I think that's worthy of a good honest debate and discussion. Now, he may get a little folksy at times and call us knuckleheads, but I think he does it in an affectionate way; I really do. But I think what he's trying to say is we got to get to the table, and we got to discuss what's real here. I mean, if there's going to be proposed cuts and there's going to be that major that West Virginians are going to have to get laid off or there's going to be a government shutdown at the end of the day, have we really done what we were sent here to do or what we told our people we was coming down here to do? I mean divide \$200,000 or \$300,000 in our ... or \$200 million, I'm sorry, in our budget ... you're going to have to make deep cuts and peoples going to lose their jobs.

Now, do you want to go home and tell your folks that you made these hard decisions? I'm sorry they were hard, but it's going to be harder on you because you don't have a job anymore, and then you got the downstream problems that go along with that, with people on unemployment, people on temporary assistance, no more state income tax paid by those good families in your neighborhood, and then they're leaving West Virginia to find work for their families. The Minority Leader is right. We got to have some good, bipartisan discussions. The name calling has gotta stop and we've got to sit

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down and solve the problems of West Virginia. That should be job one, and that job should start today. Thank you, Mr. Speaker.

DELEGATE MOORE. Thank you, Mr. Speaker. I just want to comment on a few things that we've heard here today in this chamber, and what I'd like to say first is: The past is prologue. We know that, right? And what we're talking about, and what we're hearing: stimulus of 45,000 jobs in relation to highway construction. I will point to a very not too far in the distant example, which would be the Obama Stimulus Act that we had here around 2009. That was \$800 billion to build highways and roads in this country. Now, I don't need to tell you how that story ended because here we are right now as a country, but I will tell you that this idea has been tried and tested at the highest levels with the highest dollar amounts, far greater than anything we could ever put together.

So, I think that what we need to think about here in terms of job creation is rather how we're going to liberate capital, credit, opportunity ... these are the things that are going to create jobs, and these are the things that are going to grow our economy. If you're spending \$100 to create \$10 in taxable income, you're broke. It doesn't work like that. So, the job of us and the rest of this government here, we're not going to create jobs. Our job here is to create an environment that is suitable to creating the fertile conditions for entrepreneurship, ingenuity and creation here in the State. That's what our job is to do, is to create the environment for job creation and growth. So, I would caution everybody in terms of thinking that we are going to spend money and create jobs. Well, it is going to create some jobs but it is not going to grow an economy. That has been proven, hands down here, by this previous president, and this is another repeat and I appreciate the time. Thank you.

DELEGATE FAST. Thank you, Mr. Speaker. Just a quick comment, we are seeing an uptake in jobs including the coal industry. That, my friends, is not an attack on families. We cannot tax ourselves into prosperity. I didn't invent that phrase but it's certainly true.

DELEGATE FRICH. Thank you, Mr. Speaker. It's true. We've made a lot of

reforms ... this Legislature working together over the past several, several years. I've made a lot of tough decisions. I know there's other people still remaining in this body that made a lot of tough decisions. We've worked really hard to try to improve the economy of West Virginia and create jobs, and you know what? It would be interesting to see the effect of those reforms had there not been a federal war on coal. Now, hopefully that will change. In addition, it would be more encouraging to hear the Governor acknowledge that this Legislature has worked hard in the past and accomplished reforms, instead of calling us names. And one more thing, it would be interesting to see what a right-to-work state in West Virginia really is, considering I'm not sure it is the law of the land right now. Thank you, Mr. Speaker.

DELEGATE HORNBUCKLE. Thank you, Mr. Speaker. Today we've heard a lot of good things, and I appreciate that everybody has the chance to speak, however, one thing we will do this session is we're going to start talking about false prophets, okay? So, with that Obama Administration, with the bail-out plan, there was some good, there was some bad, but I understand that there was a bill that sat on his desk for a very long time and it didn't get addressed because of political reasons. So, let's be cognizant of that, and as for the federal war on coal, you have to understand back in the mid-80s in our great State of West Virginia, when we were lobbying for a Saturn plant, and we didn't get it, we lost out to, I believe, Tennessee. Those tax credits that were supposed to go to that were used to buy coal technology and machines which displaced miners. So, this has been going on for a while. It's not one party, it's not one president, but understand what's really going on. The truth shall set you free. Thank you, Mr. Speaker.

HUMAN TRAFFICKING

REMARKS

of

HON. KAYLA KESSINGER

February 23, 2017

DELEGATE KESSINGER. Thank you, Mr. Speaker. I usually don't try to take up too much time unless there is something that I am particularly passionate about that I'd like to speak about, and today is Human Trafficking

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Awareness Day, and yesterday, we passed a very important bill that increased penalties for human trafficking in West Virginia. And I just wanted to ... I just wanted to share some statistics with you all today in light of this horrendous criminal activity that is taking place even in the United States. There are a lot of people that don't ... that aren't aware of how large the industry is, but it's actually the third largest international crime industry currently. There are an estimated 20 to 30 million people that are currently being trafficked, whether that being through forced labor or sexual servitude, and in the United States alone there are 14,500 to 17,000 people who are being trafficked in the United States every year. And so, this is a very serious issue that we really need to take into consideration.

Today, Delegate Arvon and I are participating in something called the End It Movement, and we're placing a red X on our hand to raise awareness for the people who are ... who are being trafficked, and so, if anyone would like to participate and join us in wearing a red X, we would really love for you to join us. People across the country are participating and we'd love to have ... we'd love to have a showing with the leaders in West Virginia to make sure that people know and are aware of how passionate we are about this, and how dedicated we are to making sure that it's ended within our lifetimes. Thank you, Mr. Speaker.

LINCOLN COUNTY

REMARKS
of
HON. JEFF ELDRIDGE
February 23, 2017

DELEGATE ELDRIDGE. Thank you, Mr. Speaker. I really wasn't sure how to go about doing this. I represent Lincoln County. Lincoln County today, February 23rd, makes this it's 150th birthday. I wanted to make people aware of that, the leadership aware of that. Lincoln County is a rural area. It's a large county, one of the largest counties we have. It was named after a pretty important president. You know, President Lincoln created West Virginia from another state during troublesome times, during a very important time in our history, and Lincoln County alone was named after President

Lincoln, and Lincoln County also was carved out of several counties. I thought the significance of that was pretty important.

Now, Lincoln County has really put out some great people in its 150 years existence. You know, John Witcher, he was a Union general. He served the House of Delegates; he served as Secretary of State, and he also was a Congressman. Another important person that came out of Lincoln County was Clark May. He was also Senate President and served as Attorney General. We have a longstanding Senator, Mr. Lloyd Jackson, and I think he served as Senate President as well. We had a guy that was thrown from a horse and had three ... I think three ... two or three broken ribs. He kept that quiet just, so he could break the sound barrier.

So, by mentioning these people I just wanted people to know, you know the strongest assets that we have in Lincoln County, is the people of Lincoln County and we're going to continue to work to get Lincoln County everything that we can, and I would like to say, "Happy Birthday, Lincoln County". Thank you, Mr. Speaker.

REMARKS MADE DURING XIV ORDER OF BUSINESS

REMARKS
of
MEMBERS
February 27, 2017

DELEGATE FLUHARTY. Thank you, Mr. Speaker. Briefly, I wanted to thank you and give you praise for a new procedure that we have this legislative session. As many of you know, when committee members ... well, not committee members ... when those who want to testify before the committee come into committee, they are now put under oath and they're ... they're ... how should I describe them, their speeches, sometimes, that they give to us have been really to the point this year. They really are getting the truth out, and I want to praise the Speaker for making sure that we do get the truth out for members of this legislative body. So, that brings me to House Bill 2506 which we just discussed. Last week, we had representatives of the American Manufacturing Association come before the committee, raise their right

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hand and take an oath and give statements on the pending legislation.

Now, it's been called about everything under the sun since that time, but an interesting thing happened during committee that I thought I should bring to the Speaker's attention. Question: Have you identified the number of new jobs we will be bringing in if we pass this legislation? Answer: "No, sir." So, you can't tell me today that we will increase a single job in West Virginia if we pass this legislation, and to his credit he said, "No, nor can I tell you anybody who would be hurt by what we are proposing." Now, reminder, he is a lawyer and the scientist said to the otherwise, so, if we're going to weigh opinions in this matter I'd go with the scientist.

But the point is, Mr. Speaker, I want to bring it to your attention because as soon as we stepped out of committee, the next morning we were engulfed with emails from the American Manufacturing Association saying, and I quote, "More jobs, a better label for stream bill, more jobs". Now unfortunately, Mr. Speaker, emails and letters and calls to our body are not under oath but the representatives of these organizations are under oath when they come into committee, and I trust that you will focus on the examples of maybe perjury in getting rid of propaganda. Now, I think we all know Mr. Yawsey was not committing perjury. He was telling the truth, the truth that you are seeking for this body, but the propaganda has not stopped. The propaganda continues and I hope, Mr. Speaker, that you investigate this matter and make sure that the propaganda stops. Thank you.

DELEGATE STORCH. Thank you, Mr. Speaker. I just wanted to share with this body something I'm kind of excited and proud about. Yesterday was my six-month anniversary of having a stroke which I suffered August 26th. It was apparently a massive stroke which I was as surprised to hear as anybody because I didn't think I could have a massive stroke at the age of 45. I thought that only happened to really old people, and I was shocked and really surprised when my doctor told me that, and I was even more glad when 30 days later my doctor told me he has never corresponded with someone who had suffered such a massive stroke at such a level 30 days later.

So, I think that I'm here due, in large part, to many of the prayers of my fellow members here. So, I just want to share my good times and thank you for the continued prayers and support.

COM. SUB. FOR H. B. 2506

REMARKS

of

HON. MARK ZATEZALO

February 27, 2017

DELEGATE ZATEZALO. Thank you, Mr. Speaker. I too would rise to reject the motion. As somebody who's been in the environmental arena since before the NPDES program was established and, I believe, before Delegate Overington was elected for the first time, I believe that debate is necessary on this bill and I strongly urge a no-vote here. Let's get it to the floor and I... we'll see what happens, but as far as I'm concerned, this bill needs to go forward. Thank you.

REMARKS MADE DURING XIV ORDER OF BUSINESS

REMARKS

of

MEMBERS

February 27, 2017

DELEGATE E. EVANS. Thank you, Mr. Speaker. Last night about 10:30 p.m., a McDowell County miner lost his life in the performance of his job. It's being reviewed, of course, by company officials and the Office of Mine Health and Safety. I'm sure they'll make recommendations to prevent this from happening in the future. My heart goes out to the family, the coworkers and the friends of the miners. Our mining community is a family, as such, we all grieve together. No one wants to get that call that they've lost a loved one or a family member. Let's all work together to increase and keep in place laws and regulations that present ... prevent and protect all our workers. Mr. Speaker, I ask unanimous consent for a moment of silence honoring the miner and all of those that died in the dark.

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COM. SUB. FOR H. B. 2646

REMARKS
of
HON. KAYLA KESSINGER
March 1, 2017

DELEGATE KESSINGER. Thank you, Mr. Speaker. I'm going to have to stand in opposition to the amendment. I've heard a lot about how \$155,000 is just a drop in the bucket comparatively to the budget gap that we currently have, but frequently, in this chamber and in committee we hear from members who rant and rail about a \$27,000 fiscal note on putting drug traffickers in prison. I think \$155,000, it ultimately comes down to us to decide where we want to cut and what we ... and whether we want to raise taxes. We have to ask ourselves do we want to make necessary cuts to unnecessary commissions, or do we want to add an additional \$155,000 cut to higher education? Do we want to add a \$155,000 cut to PEIA? Do we want to raise 155,000 additional dollars in taxes on West Virginia taxpayers? I would argue that the answer is no. So, Mr. Speaker, I would argue that this amendment, like the Women's Commission, is unnecessary and deserves to be voted down. Thank you.

COM. SUB. FOR H. B. 2506

REMARKS
of
MEMBERS
March 1, 2017

DELEGATE ZATEZALO. Ladies and gentlemen, as most of you know and if you don't, I'll reiterate it. I come from a town called Weirton, West Virginia. Weirton was a great place to grow up even when the mills were running big. We were the largest company personalized and the company that paid the most taxes in the State of West Virginia for almost 100 years, decade by decade. It was an interesting place to grow up. I used to fish in the river and there were two fish that you caught: catfish and carp. That was all that could live in the river; that was all there was. I actually did that.

Well, then the seventies came, and the environmental movement came, and my father was very proud of the fact. He was the manager of the Steelworks at Weirton, and he was very proud of the fact that I was going to be a hydrogeologist, and I was going to study environmental issues. And so, what did he do? He gave me this guidance ... he used to give me these stacks of guidance documents that were coming out in the early seventies, and they were NPDES guidance documents for affluent limitations. Well, I looked at them ... it kind of boggled my mind, I have to be honest with you, but through the seventies things started to improve. Weirton Steel started to improve. Weirton Steel did a very, very credible job of starting to limit their outflows. All of a sudden, my friend's buddy, who fished the river every week on his days off from the mill, started catching all kinds of different fish, instead of catfish and carp. Through the seventies and eighties things like smallmouth bass, some trout and eels started to show up in the river.

We flash forward a long way, so, I won't bore you with what happened during the nineties, but I think you can assume that things at least remained the same. Let's go to 2000 and 2010; the City of Pittsburgh, a place that does harmonic flow calculations and has a state held Bass Master's Tournament at the Point, and I must hasten to add, that is downstream from some of the bigger steel mills that are still running full-blast on the Monongalia and the Allegany, and by the way takes everything that West Virginia has to offer from the Monongalia. Now, why do I bring that up? Well, that water flows right past my house eventually. Harmonic mean does not mean that water quality standards are going to be lessened. In my estimation and based on my experience, going from the sixties ... and boy, I hate to tell you that because it makes me old and I don't like it but ... what I see is continuous improvement. In other words, the NPDES program works and has worked.

My old professor of environmental chemistry at the University of Missouri said streams can regenerate themselves, they can actually rejuvenate the water quality if they're allowed to do so without loading them unnecessarily. I think that's what the NPDES program has done. I've seen it right out my window, and I have to tell you that I absolutely ... I'm the lead sponsor on this bill

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... I think it is good for the State of West Virginia. I don't know, and I won't sit here and tell you that it will bring all kinds of jobs, but I will tell you this, all things being equal, there's going to be competition for jobs in this area, and there are going to be opportunities for us to do things manufacturing-wise. And I can't say that it's just absolutely going to, but I'll tell you this: we're in competition, we need tax base, we need to do things that we haven't done for a while. It's gonna be a very difficult job, it's going to be a lot of hard work and we all need to be engaged. This is just a small thing, but it's an important thing, and I do not ... if I believed that it was gonna harm the water quality of the State of West Virginia, I would be against it. I think this is a good bill, and I think it is the way for us to go. I trust the DEP to take the guidance and make good decisions with this because from what I've seen they've done a fine job. So, thank you, Mr. Speaker. I appreciate the time.

DELEGATE PUSHKIN. Thank you very much. Thank you for allowing me to speak, just one more time, on this bill, and I also want to commend the Chairman of Judiciary and the Vice Chair for allowing for public input on this bill. The bill moved rather fast through its single reference through a committee, and I think it's important that we hear from the public on issues regarding their drinking water and regarding their health and regarding public safety. I think it's important that we don't just listen to the voices that we hear in this building. I think ... cause if you just listen to the proponents of this bill, if you only listen to the opinions of the industry lobbyists who are asking for this bill they will tell you that this is something that they really need ... that this recalculation is necessary if we are to expand our state's economy if we are going to attract new jobs here and will tell you that this is something that we need, and make no mistake they wouldn't be asking for it if it didn't allow for more discharge in the water. It does, it does ... when you recalculate the flow and that's the equation that you're using to calculate the flow of the river it will allow for more discharge in the water. That is why the industry lobbyist is asking for it. So, if we are only listening to those voices and they're telling you that's how West Virginia has to move forward, these are the only kinds of jobs that West Virginia can attract. Well, I think you're ... then we would be leaving the public out of

this because that's not the way the people feel who've been contacting me. It's not the way the people feel that signed that petition. Most ... I think it was four to one in the public hearing against this legislation. I'm getting ... I'm getting a lot of phone calls and emails regarding this legislation and I think it is important that we talk about it, and I for one think it's time that we just stop believing this tired, old lie that the only thing we're good enough for here in West Virginia ... the only kind of jobs we can attract in West Virginia, the only kind of economic development that we can have in West Virginia, the only kind of growth that we deserve here will be at the expense of our citizens' health, at the expense of our citizens' safety, at the expense of something as essential as the water that's flowing from their tap. I just ... I refuse to believe that. I think that we're better than that. I think that we can look to it more diverse economy that to me hinges on promoting our rivers, our streams, our waterways. I think that we should look at the river and see it as something different; a different type of economic development, something that is largely unutilized or underutilized in our state.

You know, in the district that I represent, the district that we're in now, our visitors' bureau and our city has invested a whole lot of money in improving our riverfront in order to attract people back to this state, in order to give people something to do and attract new businesses. We've put money into Haddad Riverfront Park, where if you're lucky enough to be here between the spring and the fall we have live music events, you know, during that whole time. We put in boat docks to attract recreation to our rivers. We've even attracted a nationally recognized event: it's the Sports Fest. It's a televised jet ski race that happens in the summer here. It was broadcast on CBS. It puts out a positive image of West Virginia for the rest of the country, based on the fact that our rivers are open for business. Our rivers are open for recreational business too. That our rivers are safe enough to have a jet ski race in. Just a short distance from where three years ago, there was an industrial catastrophe that caused one-third of the state to go without drinking water for a long period of time. We all remember that. I know it was referred to a couple of times earlier that this bill has nothing to do with that. That's true; we're talking about permissible discharge. A

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chemical spill is not a permissible discharge. A chemical spill is a horrible accident; however, the results are still the same: contaminants in our drinking water. The results are still the same.

And speaking of the Elk River, we've made great strides in this district to improve the image of the Elk River in just three short years. We have taken that river back to the tune of over \$100 million investment that the City of Charleston has made without a single dime from the state: \$100 million investment in our new convention center, our new civic center that's going to have a boat dock adjacent to it, that's going to have a beautiful view of the Elk River, that's going to bring a lot of money, tourism dollars, business people, people into our state, and you know, it's not just about Charleston. This is just a gateway to the rest of the state. I'm sure the people coming into this state might take a day or two to go whitewater rafting. They might take a day or two to go skiing. They might shop at some of the stores in your district. They might eat at some of the restaurants. Stay at some of the hotels in your district. So, protecting water is about economic development, and I'll cut this short and say, you know, when you join me in voting against this unnecessary bill, this bill that is an attempt to raise the amount of toxins discharged into our streams and our waterways and into our rivers, when you join me in voting against it, you will be voting for a more diverse economy for West Virginia. You will be voting for more jobs in West Virginia. You will be voting for economic development in West Virginia. You will be voting to give young people a reason to move back to this state. When you vote against this bill you're going to be voting for the people of West Virginia, and I assure you, they will thank you for it. Please vote red.

DELEGATE FLUHARTY. Thank you, Mr. Speaker. Well, as we've heard today, and as we've heard throughout the process of this bill, this is a technical bill. It's very technical, and we keep hearing standards, and that it's just about standards; it's more than that. It's about measurements and whether we are weakening our measurements, in the State of West Virginia, and it's clear that we are. I think the Vice Chair has done a great job, but we were able to find out that we are changing our measurements, and we're going to allow for the opportunity for more carcinogens and

noncarcinogens into our water. There's just no doubt about it. When we talk about permittees, we're really talking about polluters, and that's what is going to take place, and this was sold as a jobs bill from the beginning, but yet, we haven't really heard anything about jobs.

When I first came to the Legislature years ago, it was following the Sago Mine tragedy, and it was horrific, and the Legislature convened, ran in here and passed protections for miners, and I always wondered what it would be like to be in the Legislature during that time ... a pivotal time in our history. And I feel like, we're here again, years later, failing to learn from our history because here's what we've been sold for decades ... decades after decades ... it doesn't matter who is in power, Republican, Democrat whatsoever. We've been told just trust us ... just trust us. We don't need coal mine safety, then a tragedy happens. Just trust us; we don't need workers' rights, then a tragedy happens. And on this bill today, we've been sold just trust us ... the water will remain clean, and the jobs will come raining down. Just trust us. Well, I like evidence, I like facts. I've been waiting for that on this bill, of when these jobs will come and how.

But what we've heard from those who are in favor of this bill that if you're against it, you're just against industry, you hate jobs. You're just not one of us, and you don't count, you just hate industry. No, I love industry, it's a good thing when people are working. But, I think it's appropriate for a legislator to ask, when we're told jobs ... just simply ask how many, when? And when you get an answer in the negative, and you can't affirm the fact that there will be any, then I think it's our right and our duty to stand here, and say enough is enough. We're not going to fall for it. We're not going to drink the corporate Kool-Aid. We'd like to drink the actual water years from now.

So, I was looking through different policy concerns, and the Council of Churches point out something that I thought was applicable today for this bill, and this is their platform, all of you have received it, hopefully you've read it, and this is where they stand in 2017, this is a top priority item for them: water issues. We encourage the Legislature and Department of Environmental Protection to strengthen rules that safeguard water quality

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and quantity. When you are weakening the rules, when you are weakening the rules of how we will gauge water flow and assuming that more dilution will take place, so that those who are participating in the State of West Virginia in our waterways, which tourism is a huge industry. In fact, it's about the only thing we have going right now, and now, we're saying if you want to come to West Virginia you could be ... you could be in an area without proper warning, as the amendment from the Gentleman from the 37th tried yesterday, without proper warning of what's going on around you, that there will be more carcinogens and noncarcinogens in the area. And we're saying, "hey, this is a tourist attraction, come on it. Don't forget your sunscreen, your bathing suit and your hazmat suit." And I will leave it at that. Thank you, Mr. Speaker.

DELEGATE FLEISCHAUER. Thank you, Mr. Speaker. I want to start out with what I think should be the ultimate question, and this was framed by the only expert who spoke to us, Evan Hanson, who has degrees from both MIT and Berkeley, and he said that the question is, is it in the public interest to weaken permits to allow the discharge of more toxic chemicals into our ... into the sources of our drinking water? That's the question. Is that in the public interest? And he testified to us that he had looked at rivers and streams around the state ... I think, he said seven and he compared ... he had done calculations before using the current standards, measurements, if we want to use that word and the proposed measurements, and his conclusion was that it will result in five to twenty-four more times dilution and pollution. Five to twenty-four times more can be ... that was the result that he found ... that's a lot.

Another person I rely on for information is the head of the Morgantown Utility Board, which is the largest water ... municipal water and sewage company in our state, and he is an engineer, and here is what he wrote to me on the 28th. He said, "I wrote to oppose 2506 for which a committee substitute will go before the House for third vote tomorrow. As an NPDES permittee, as the Gentleman from Weirton explained, an owner/operator of two wastewater plants, Morgantown Utility Board would benefit from the relaxed standards proposed under this bill but we comply with the current standards, and we do

not find them onerous so these standards have been in effect ... or these measurements have been in effect for 20 years or over 20 years and people are complying with them. However, as this state's largest publicly owned drinking water utility we conclude that the bill does more harm than good. The changes to basing calculations on harmonic flow and liberally redefining mixing zone are especially problematic. We all depend on clean drinking water and that starts with protecting its sources. We respectfully suggest this bill be voted down." And in addition, he said, "A couple more thoughts yesterday: Very simply this bill will allow more pounds of pollutants to be discharged to our waters. Among all those, I am most concerned with bromides which already present real challenges to many water utilities." So, I ask the question: What's the problem with more bromides? Bromides in the river water interact with chlorine, and I'm reading this because I would make a mistake if I didn't quote it word for word which, as we all know, chlorine is used to disinfect the water. They create disinfection by-products in the finished drinking water. So, then I had to ask what are disinfection by-products? Disinfection by-products are chemicals formed during the disinfection process. They are carcinogenic, so it is very problematic to be created just before drinking water is pumped to customers. So, I go back to the ultimate question: is this bill which allows more noncarcinogenic and carcinogenic pollutants into our water ... is it in the public interest? And, I also go back to what was stated about this has nothing to do with the water crisis that those of us who are in the Legislature and the 300,000 other people who lost their water for up to a month ... it has nothing to do with that. It has everything to do with that because we know how precious our drinking water is. We know it; it's been proven. I do not want us to be guinea pigs on lowering the watering measuring measurements, so that we have the potential for more contamination and I urge a no vote to H. B. 2506.

DELEGATE LOVE. Thank you, Mr. Speaker. I was sitting here listening to the comments from the various delegates, and I got to thinking maybe I should say something because I represent ... which is Fayette within the 32nd Delegate District which is known as, actually, the gateway to the New River Gorge, and possibly, the Capital of

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whitewater rafting in southern West Virginia or West Virginia. Now, I don't have any accurate figures, but I do know that the New River provides from its source the drinking water for probably half or at least a third of Fayette County residents by the West Virginia/American Water Company, their intake at ... near Hawks Nest in West Virginia just above the dam. You have whitewater rafting that brings ... it is one of the biggest industries in Fayette County. It provides, and not being accurate, hundreds maybe thousands of jobs, seasonal jobs, throughout the summer. And, folks come there to learn whitewater rafting from other states to be guides and to see how it's done and go back to their states that do provide whitewater rafting, and they get that experience, and it goes on and on from there, but there is a couple of industries or sources to whereas pollutants could go into that river very easily. And, it's been in the newspaper ... you may have read about it, and I don't know the exact name of the company, but I do know it's as well as to where they dispose the disposal from fracking in other wells, and it's stored in this area which I understand could provide some unwanted chemicals to go into the New River, but theoretically, let's say that some of these pollutants do get into the river and whitewater rafting is at least a \$10 million or more industry for Fayette County, and it's part of the backbone of their industry, but let's say that some of the leachate or toxic chemicals would seep from this well, get into the New River, and the rafters, as they go down the New River, there are several places they disembark, and they get out into the river which, as a boy, I know them as shoals in the river ... that's what I always called them was shoals ... it's water that's about ... in the river ... that's two to three feet deep and you can float if you have a vest on and it's not dangerous. So, they let their patrons disembark and float down the river. Now, when you do that you're going to get water into your mouth and possibly into your lungs and into your body, but let's say that several people did that, and they inhaled into their body some of these toxic pollutants. And, one of them, just one of them sued ... or went to the doctor, and the doctor analyzed it and proved that they got this toxic waste from disembarking into the New River, and then they tested it and they caused a class action suit. Do you realize what this could do to whitewater rafting ... that industry? It could be devastating, possibly even not only

to the whitewater rafting industry but the State of West Virginia because this not only would be on television, it would be in magazines, and it could be a worldwide catastrophe for our section of the whitewater rafting, if something like this happened. And, I'm saying theoretically, but theoretically it absolutely could happen, and let's hope it never, never happens.

So, you have to think about ... I have to think about those things. Your youngster may be going ... already this summer, have a ... an appointment or has reservation, I meant to say, to whitewater raft. Now, I'm not saying any of those toxics are in there now, but they could be. It's something you want to think about when you vote for this bill, and I've had probably 2,000 emails encouraging me to vote against this bill from my constituents in Fayette County. And, I really didn't realize ... I'm not a hardcore environmentalist, and I really didn't sandwich the thought ... now, why are they so against this particular bill, and I didn't get around to ... just until yesterday and today, to look into the schematics of it, and now I understand why they are against it. Not only the intake of drinking water for West Virginia Water in Fayette County and even myself, as a crow flies from this particular pollutant source that could be, that I live in. I have three wells, groundwater wells, and three years ago when that whatever you call it came through West Virginia, tsunami low winds that devastated southern West Virginia, including Fayette. And, the power went out, the water didn't go off, the power pumps could not pump the water back into the big tanks that distributed the water throughout the communities, and these three wells they worked, and folks came from all over the community, and they got drinking water from my three wells. Well, as the crow flies, those three wells are only about a half a mile ... less than a mile from this particular area. I don't know how water runs underground. There's a lot of mines in my area, and whether this connects into a mine, or my well is close to a mine, I don't know, but I know it's something to think about if one of these toxic waste products got into my three wells, it could affect me personally and other folks who use those wells at times of disaster.

So, think about the whitewater rafting industry in Fayette County, and you'll understand just how many hundreds of folks

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it will affect and the government of Fayette County because they depend ... they depend on that as one of their biggest insources ... it is economic development at its greatest height. Thank you, Mr. Speaker, for letting me express my concerns.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
MEMBERS
March 1, 2017

DELEGATE IAQUINTA. Thank you, Mr. Speaker. My entire life has been dedicated to education, as several of our members in the body also have been involved in education. In the next 10 years, we will be ten-day-in teacher short. So, all the state legislators in the United States in the last few years have not done the job that was expected of them. A good example is: we have alternative certification. When I first was hired, it was called an emergency certificate. Somebody walking off the street is automatically a school teacher; a poor way to do business. We're having our first shortage right here in this small State of West Virginia since the 1990's. There is only 718 openings, but we want to attract big business, and we can't fill the teaching positions in our state. On any given day in America, there is only 60,000 to 140,000 teachers needed on any given day. I substitute in my county, and it's not because I want to go back to work after starting since 1969. I substitute there because they can't get young teachers in our state. Thirty percent of the new hires in America were recent graduates of teacher preparation programs. So, I called my local university. How many teachers did Fairmont State University graduate last year? Fifty. Fifty. I've heard this my whole life being a teacher and a coach, a mentor to young children: they are the most important asset that we have as a society. Well, during my teacher tenure since 1969, we have had a shortage of math and science teachers, but we cannot understand in our state, how come our math and science scores are so poor. The teachers' shortage is because teachers are leaving the position of teaching, and the number of new teachers is not fulfilling that requirement. Fifty percent of the new teachers that are graduating from our colleges and universities are gone within

five years. I just lost ... or our county just lost one of the best autism teachers that just got started. They got a job with the FBI. He didn't quite double his salary, but the business community who wants us to educate the children take the best teachers: IT people, science people, math. I'm really disappointed for the simple fact that, when I talk to the young students and players that I have, I encourage them to go into education, and the reason that the teachers in this room went into it is because they had a passion, and they had a calling. Somewhere along the line, America has to realize they have to pay for more than a passion and a calling because right now in our society, education is not a good place for a young person to evolve to. Thank you.

DELEGATE COOPER. Thank you, Mr. Speaker. If I could continue on to my ... with a comment or two to my esteemed friend over here across the aisle about education. He is exactly right. We are short-handed, and it's no longer a calling folks ... it's no longer a calling. The esteemed Chair of Education is also exactly right. We passed ... to get back to Delegate Iaquinta's point ... we passed, a couple of years ago, an alternative certification bill. That bill was very simple, and it fit part, and it would have fixed part of our problem, and it passed this House unanimously, but when the rules were written they were so constrictive, so restrictive, that no county that I'm aware of has implemented that plan ... no county.

Now, let's move on to the special education vacancies for just a moment. Having taught special education for about 8 or 10 out of 20 years, I can tell you the paperwork is the monumental job to a special educator ... the paperwork. I once told a principal, if you'll do my paperwork I'll work for half pay, then I can teach. We are short over 400 special education teachers in the group that the distinguished Gentleman mentioned. I have a bill that's been introduced two years ago, this is the second year it's come, to pay a special educator an extra amount of money ... a small amount of money actually, \$500 for each field that they are teaching in special education, up to a total of \$1500 a year, annual salary. The people who have fought that bill, who would be against that bill, who don't want to see that bill come out, are educators because they don't think someone in their building should be paid more than another someone in their

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building. Folks, if we're going to expect special education teachers to follow all of the federal mandates dictated by Public Law 95142 then we had better be willing to pay those people to do that paperwork, and that's why we're 400 special educators short, but we have them ... we actually have them. They left special education, 4,000 of them, and are teaching in the regular ed classrooms, and so, that's where we stand. And I thank you, sir across the aisle, for starting this conversation. Thank you.

DELEGATE FOLK. Thank you, Mr. Speaker. I have tried twice, once in Education and once on the floor here, to save money in the budget and to get rid of central planning once and for all in higher education of West Virginia; 3.5 million dollars. Simple bill ... we save \$150,000 a day if it passes in the Senate on the Women's Commission, but a simple amendment in Education to set the salary of the Higher Education Policy Commission's Chancellor to that of the Governor's. He makes almost \$300,000 today, and I see the Gentleman here shaking his head no; are you kidding me? A bureaucrat in West Virginia that just had a bunch of his responsibility taken away from his body that he's the head of, yesterday in this chamber, and it's going over to the Senate now, has less responsibility, but yet we're going to continue to pay him \$300,000 a year or almost that: it's \$275,000 in 2015. Well, after that was ruled not to remain in Education, I went and got a bill drafted to do just that. I got 11 sponsors, if I could get more I'm sure I probably could in this body. I hope when that bill hits the system and is introduced that our distinguished Chair takes it up. Because as long as we have people laid off in the state and not making the money that they need to make to support their families, there is no way we should be paying \$300,000 to a bureaucrat, that is what I call the education czar. The ATPC: we want to be bold ... it didn't exist prior to 2000. Anybody that's over 40-years-old that went to a school in the State of West Virginia for higher education, it didn't exist. Was your education any worse because it didn't exist? I would argue it wasn't. Matter of fact, I can tell you one thing: one fair law that I always have in my mind because it affected my deaf brother growing up, is Public Law 94 ... 94142. Sorry, the Gentleman from the 28th, he got one digit wrong. So, if we're going to be bold, we need to start looking at the big

dollars, getting rid of these institutions in the state that are based in Charleston, and if we really want to talk about putting local control, we need to do it. There is already bodies that exist today that oversee the institutions, it's called the Board of Governors. Now, to address the little bit of concern of my Gentleman from ... we talked about ... from Kanawha, the other day as we were walking out of the building, you know, some of these schools don't have their own attorneys on staff, but a lot of them do. So, this legal advice they get from the gentleman that works for the ATPC will be better utilized if we take that 3.5 million dollars, put it back in the general fund and allocate them the portion that they would need to provide those services to their institutions and it would be localized. They would understand their local issues. Get it out of Charleston. There is nothing happened in Charleston with our money then it goes down a drain hole and half the time we don't know where it went.

COM. SUB. FOR H. B. 2329

REMARKS
of

HON. MATTHEW ROHRBACH
March 2, 2017

DELEGATE ROHRBACH. Thank you, Mr. Speaker. I'm going to stand up obviously to support this bill but I'd like to speak a little bit about where we're at, and why we're there and why this is not just another drug incarceration bill.

I've practiced medicine for over 30 years now, and I've seen several epidemics regarding iv drug abuse. First, when I was a young house officer at the University of Tennessee, I started noticing a lot of drug dealers, drug users, died of mysterious illnesses. We'd never seen these illnesses before. It turned out to be HIV as we researched it more. Then as I got into practice and gastroenterology and hepatology, I started to notice a lot of people died of liver disease. Again, iv drug users. That turned out to be hepatitis C. Now, we're plagued by another epidemic: iv drug users mysteriously dying in large numbers, and as the distinguished Chairman just spoke, I'm embarrassed to tell you that we had an episode of that in my city back in the fall: 27 people overdosed in a span of about four

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hours. Imagine how that taxed your first responders in a city of 50,000 people. It was pandemonium, but it happened. But as I researched it a little bit, it's also happened since then in Calgary, Syracuse, Cleveland, Cincinnati and Sacramento. So, this is truly an epidemic that's sweeping our country right now. What's the cause of this epidemic? It's the fentanyl mixed with the heroin. And if you'd indulge me a second, I'd like to explain a little bit about the depth of the problem that we're in right now. As the distinguished Chair eluded, fentanyl is 100 times more potent than morphine. In pharmacologic terms morphine is your base standard; think of it as one. Fentanyl is 100. Heroin is anywhere from 30 to 50, depending on its purity. So, you can see how lethal this is when you mix these combinations together. Ten years ago, we had a real problem with this; it was traced back to manufacturing that was going on in Mexico and brought here by drug cartels. Unfortunately, we're way passed that now. You can now go on your computer and order fentanyl to be shipped to you directly from China, or if you really want to be clever and get past the customs agents you order the drugs that is necessary to manufacture the fentanyl. They'll ship those to you in separate packages, and they'll ship you the instructions on how to mix it together. So, we now have went from Mexican cartels, to manufacturing all over this country in fentanyl. These manufacturers will also ship you a pill press. The last one they caught was in a box in the port of L.A. labeled as a hole puncher. So, think that these aren't users that are distributing this fentanyl, my friends, these are sophisticated business people that are preying on our citizens that are ordering this drug from China. Ordering the materials to make it, to press it into pills and to distribute it to our citizens. Now, I would argue to you that those are not individuals that are simple users that are selling to support their habits. These are sophisticated criminals that are out and wreaking havoc in my community and in our state and in our country. Therefore, yes, I believe tough sentencing is required, and I'm glad to be the lead sponsor of this bill. As we've talked in this chamber, last Legislature and this Legislature. We're going to deal with this problem from four directions: harm reduction, and I'm quite pleased to say the 82nd Legislature did a lot, treatment, prevention, and then final the law

enforcement, and this is a strong bill to increase the penalties on this very serious problem. So, Mr. Speaker, as I close, I would argue that we need to support this bill, and furthermore, there are going to be some tough bills that are going to come in the next few weeks in front of this Legislature to deal with this problem. And, I would urge the members to support those bills too because we have a problem, and we got to deal with it. Thank you, Mr. Speaker.

DEBATE ON COM. SUB. FOR H. B. 2646

REMARKS of MEMBERS *March 2, 2017*

DELEGATE FERRO. Thank you, Mr. Speaker. Would the Vice Chair yield, please? Madam Vice Chair that, was quite an impressive list of services that listed there, that were duplicative, but I can't ... I don't remember whether those were mentioned in committee or not. All I heard were the words, "duplicative and referral". Were all of those mentioned to us in committee?

DELEGATE KESSINGER. Some of them were mentioned in committee. I believe I was the one questioned at that time. Some of them were mentioned, some of them have been added since then.

DELEGATE FERRO. Some of them have been added. It would have been helpful, I think to us, had they been added; would you not agree?

DELEGATE KESSINGER. Excuse me, I'm sorry.

DELEGATE FERRO. I would think that if all of those were added and would have ... you would have advised the committee, it maybe, would've changed some of our minds about it, would you agree?

DELEGATE KESSINGER. I wouldn't disagree with you ... probably so.

DELEGATE FERRO. At the appropriate time, Mr. Speaker, I would like to speak to the bill.

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MR. SPEAKER, MR. ARMSTEAD.
Gentleman may proceed.

DELEGATE FERRO. Mr. Speaker, I urge rejection of House Bill 2646 to abolish the Women's Commission and without throwing stones at the committee and the sponsors and knowing the budgetary crisis, this bill might appear to be punitive toward the women around the state. And I think, the key word here is perception. The connotation of perception being what people think. And I think, that we are sending the wrong message to the women of West Virginia. Under testimony, Stacy North, the Chair of the Women's Commission stated that the Women's Commission promotes the empowerment of women through such things as advocacy, research and education to foster women economically, politically, educationally, and socially, which basically says to women, you have a voice and your voice is important. The Women's Commission operates on a budget of \$155,000 with two full-time positions, however, they currently have a half-time position filled. I believe with the help of the community sponsors like Toyota, they spent approximately \$132,000 of their allotted money last year. We also heard testimony that the Women's Commission provides free bipartisan workshops and seminars to encourage and educate women to run for office. They had a panel of numerous people, people who have run for different offices, some of who have lost and some who have won, including the esteemed former Secretary of State, Betty Ireland. They instruct the candidates on many aspects including financing, how to campaign, messaging, etcetera, and all of us, at one time or another, have relied on people to instruct us and to help us in our quest to be here. We've ... somebody has done something right, and we've done something right to get us here. In fact, it was stated in committee that the Chairman of the State Republican Party called the Women's Commission and used their services in the last election. It was also said that the feedback sheets ... its feedback sheets were distributed to all candidates, and that feedback was extremely positive on the seminars that were given. The apparent reason for the termination of the Women's Commission is that services are duplicated, and they are a referral source for women. I might say that the Women's Commission is kind of a go-to group for

women. Women need to have a reference point in state government, and the Women's Commission provides that. Dual references are common. We, as legislators, are asked questions all the time, and we make referrals as well. Legislators and groups like the Women's Commission are conduits to their people that need to circumvent agencies where they might have to jump through many hoops. You ever try to call some of those agencies and get through. It takes a long time. The Women's Commission might be able to help these people do that a lot more quickly.

Finally, I mentioned perception. The perception is reality. While the intent of the bill might not be this, the perception is that it appears to be a personal front against women. I repeat or duplicate perception is reality. On women's history month in the Legislature, I think we are sending the wrong message to women. Personally, I will be able to tell all of the women in my district that you do matter, that your voice is important, and that you are every bit as able and competent as the men. And also, I think maybe we were jumping the gun a little bit because in one of the Governor's budget proposals, I think that he said that if there were budget cuts the Women's Commission would be eliminated. So, we possibly could've waited to see exactly what happens with the budget, which I don't think we've received in here yet, have we?

For these reasons and many more that possibly will be duplicitous, I urge rejection of the bill. Also, Mr. Speaker, my nine male Democratic colleagues and I on the Government Organization Committee appreciate the strong showing of security that was provided during the committee meeting on the termination of the Women's Commission. Thank you, Mr. Speaker, but I do ask for Rule 49. Apparently, I have a family member who was on the board of the Women's Commission.

DELEGATE LONGSTRETH. Thank you, Mr. Speaker. I rise to speak on this bill. I don't know whether you are aware of this or not, but in 2015 the Women's Commission did host a campaign training for women here in West Virginia. I don't know how many of you are also aware that at least one woman in the Legislature in the House did go to that training and did win her election. I find the Women's Commission very important. It

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costs so little to maintain it. It's just as important as the Human Rights Commission which people can go to when they have problems, or someone, they feel discriminated against, but with the Women's Commission they are there for women. It was set up in '77 by this Legislature to provide for women, especially in the political arena, and so many other areas. I heard what the Vice Chair said, and she said that it can be distributed around so many other agencies. Okay, it can but those other agencies have other things on their plates which means they cannot specifically just focus in on women, and women are important. You know we're 51% in this state. I think we are the majority. We may not look like the majority in this House, but we're still the majority in this state. So, let's look around this body. They want to help us. They're the only agency to put out our concerns, and that's very, very important. It brings women's issues to the forefront, not only just equal pay, all of our pay, all of our issues.

Also, I heard the Vice Chair say that women's issues will not fall through the cracks. Well, I know that some of our issues have fallen through the cracks over the years that I've been here, and you've let them fall through the cracks by voting against those particular women's issues. So, I find that this is even equally more important to have a Women's Commission for women to turn to.

I'm asking today if this body will vote against eliminating this commission because it is important. It's important to women, and it costs so little. So, I'm asking you to vote for this, against this today, and retain it. It does nothing to hurt the budget, and I think the women here should agree, especially those who have used the Women's Commission and have run for political parties and political positions that you'd still want this commission to be a part of our agency. Thank you.

DELEGATE WILLIAMS. Thank you, Mr. Speaker. I rise today to oppose this bill for a variety of reasons.

Back in September, I had an invitation to attend a lecture series at WVU on women in politics. It was very fascinating. There was a professor from Rutgers University who was there, and she had a couple of interesting

statistics; first off, male legislators when polled, 28% of them said that they ran for public office because someone else suggested it. When you compare that to female legislators nationwide, 53% ran for public office because someone else suggested it. So, obviously there seems to be some sort of barrier for women to consider getting involved, and you might imagine why. When a West Virginia woman might visit her capitol, and see that only 15% of the House of Delegates is composed of women. We have to do better than that. We need women in government. This is representative democracy. Now, when it comes to the budget it's \$155,000 that we're cutting. You would need to replicate that cut 2999 times to get to the \$450 million shortfall; okay. The cost of this program is minimal when you compare it to the potential benefit of providing our mothers, daughters, sisters, nieces, wives with a more representative democracy.

DELEGATE BREWER. Thank you, Mr. Speaker. I'd like to briefly speak about elimination from a different angle and the unintended consequences, and let me be clear, I believe that we should identify all waste, and we should eliminate all waste, but I also believe that we should be cautious about blanket elimination of programs and services all in the name of saving the state. As we've heard, the Women's Commission is budgeted \$156,000, and as we've also heard there was \$34,000 left in the budget which means they only spent \$124,000 which means they obviously aren't wasteful, and as we've heard that's a very small portion of the budget or the shortfall. In fact, of the \$500 million projected shortfall that is 0.00025%.

Now if I may, I would like to speak briefly on the unintended consequences of eliminations by this body. Most of you know that I'm a carpenter, and if I may, I want to go back to last year. Similar to what we're here attempting to do today, elimination, in the name of saving the state, this Legislature eliminated prevailing wage. All in the name of saving the state money. Well a study by Dr. Michael Kelsey, Economic Professor at the University of Missouri has proved that there was absolutely no savings to the state by that elimination; zero. In fact, it cost the state. That elimination cost the residents of West Virginia and their families somewhere between 51 and 77 million dollars annually

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in lost income. Will this elimination cost the families of West Virginia lost income? That elimination cost the State of West Virginia between 1.5 and 2.1 million dollars in lost sales tax collections. Will this elimination do the same? Will it cost the State instead of saving the state? That elimination costs the state between 3 and 4.6 million dollars annually.

MR. SPEAKER, MR. ARMSTEAD. Gentleman, will state his point.

I think he should be addressing this legislation, rather than legislation that was passed in previous years?

DELEGATE BREWER. Mr. Speaker, I am almost finished, and I think I am addressing what the elimination of services and programs to this state, the unintended consequences.

MR. SPEAKER, MR. ARMSTEAD. The Gentleman, will give you a little leeway to make the point of why you think this falls within that, but would ask you to try to go back toward the bill that's in front of us, to the extent you can move those comments toward that direction.

DELEGATE BREWER. Thank you. This elimination ... will this elimination cost the state in lost income tax revenue? What that elimination did as created a total economic loss between 55 and 84 million dollars. Will this elimination cost the state also?

So, I share this information with you because I am very cautious about blanket elimination of services and boards within the state because I like to weigh the benefits versus the consequences. I simply believe that blanket eliminating laws, rules, and commissions all in the name of saving the state is not always the most prudent thing for the state. Mr. Speaker, I appreciate it, and I urge rejection.

DELEGATE KESSINGER. Thank you, Mr. Speaker. Would the Gentleman from the 4th yield for a question please? Thank you. In your remarks you said that women needed a commission to go to. Can you tell me what commission, what state funded commission you needed to go to when you decided to run for office?

DELEGATE FERRO. Different ... there were various different things. There was no men's commission that I could go to at that particular time.

DELEGATE KESSINGER. Why do you think women need a commission, but men don't?

DELEGATE FERRO. Well, I just think that sometimes ... if you take a look at the number of women who are in here, that sometimes they need to rely on women to help them get through with things. And when I ran for office, I referred to a lot of my men in my district.

DELEGATE KESSINGER. So, you think we need ... we as women, need to refer to other women in order to run for office?

DELEGATE FERRO. I'm not sure where you are going with this, but I just think it is a valuable tool.

DELEGATE KESSINGER. Okay. So, do you think that women are completely capable of achieving and accomplishing the same things that men are?

DELEGATE FERRO. You obviously are.

DELEGATE KESSINGER. Thank you. So, then you would agree that the necessity of the Women's Commission, it's not necessarily needed.

DELEGATE FERRO. I think that the Women's Commission is a valuable tool that you can use if you want.

DELEGATE KESSINGER. Okay ...

DELEGATE FERRO. No one forced any women to use that. Some did.

DELEGATE KESSINGER. Okay. Some did. Thank you very much. That's all I have.

Would the Gentelady from the 38th yield for a question? Thank you, Delegate. Did you attend the Women's Commission event for training to run for office in 2015?

DELEGATE N. FOSTER. Yes, I sure did. I attended.

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DELEGATE KESSINGER. It was stated earlier that you are a result of a success from the Women's Commission. Did you win based on your own qualifications, merits, and hard work, or did you win based on the Women's Commission?

DELEGATE N. FOSTER. I definitely ran on hard work. My message resonated with District 38, and anybody that knows me and saw me on the campaign trail, they said there's got to be two or three of you because I see you everywhere. I worked extremely hard just like I'm doing right now. I told the constituents that I would do three things: that I would do what's ... the right thing, that I would work really, really hard, and the third, that I would listen to their voices, and what I heard throughout the campaign trail is what ... why are we spending so much money on special interest groups? We can do it on our own, women.

DELEGATE KESSINGER. Okay. Thank you. Mr. Speaker, at the appropriate time I would like to speak to the bill.

MR. SPEAKER, MR. ARMSTEAD. Lady may proceed.

DELEGATE KESSINGER. Thank you. Helen Holt became the first female Secretary of State in West Virginia in 1957. Pearl S. Buck received a Nobel Prize for literature in 1938. Minnie Buckingham became the first African/American woman to serve in our state Legislature in West Virginia in 1928. Katherine Johnson became ... worked for NASA, overcame racism and sexism and put a man on the moon in the 1960's. These women were able to accomplish and achieve their goals and successes without the existence of the Women's Commission. To assert that women need a commission to run for office or to be successful undermines women and does nothing to empower us as a demographic in our nation and in our state. West Virginia women are capable of achieving and accomplishing our goals on our own without the Women's Commission. To deny that, is to defy ... is to defy their accomplishments as women who have actually paved the way for us in this body. When I ran for office, I didn't need a women's commission to hold my hand and pat me on the head and tell me, "Oh, you should run for office. Maybe you can be a

good candidate to run for office." I did it on my own. I knocked on over 5,000 doors. I ran just like the Gentlelady from the 38th and every other member of this body, Republican, Democrat, man, woman. I won based on my own merits, my qualifications, and my hard work. I didn't need the Women's Commission and to be completely frank, I didn't even know the Women's Commission existed until I ran for office, so a lot of good they did to help me as a woman in my ... in my small town.

The point of this bill is not to ... is not to state that women don't deserve a seat at the table or in this bill. Women are capable of achieving and accomplishing incredible things. It's a shame that partisan groups over this past week have come out trying to fearmonger in saying, "West Virginia Republicans are trying to take away women's rights. Pull the rug out from underneath women and families in West Virginia." We even had a group try to raise money off of the eliminating the women ... the Women's Commission, but what is incredibly strange to me, is that the majority of women in this body sponsored this bill. The majority of women in this body are going to vote for this bill, and I would argue that the majority of women in West Virginia don't even know the Women's Commission exists. As we heard from the Gentlelady from the 31st, the legislative auditor has said that they have yet ... that they are inefficient, and they are unnecessary to perform their ... to perform what they are supposed to be doing.

I want to encourage every member of this body not to be afraid to vote for this bill. There is no reason to be afraid to vote for this bill. A green vote means that you recognize the severity of the financial situation this state is facing. As I stated yesterday, we have ... we are in tough times, and tough times call for tough measures. My voters sent me here to make tough decisions and to make cuts to unnecessary ... to make ... to make cuts in unnecessary spending. With a projected budget gap of over \$450 million in fiscal year 2018, we have to make these necessary cuts to unnecessary committees. It's up to you. If you would rather see \$155,000 in cuts to higher education, vote against the bill. If you'd rather see \$155,000 in cuts to PROMISE or to PEIA, vote against this bill. If you'd rather see \$155,000 in tax increases on West Virginians ... hardworking West

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Virginians, vote against this bill. I'll tell you one thing: I'd rather see fentanyl traffickers ... we could put a fentanyl trafficker in jail for five years for what we pay the Women's Commission in a year.

My voters sent me here to pass a budget and to make tough decisions and necessary cuts, and that's what I intend to do. The assertion that any woman in this body or that will ever serve in this body needs a commission minimizes the ability of women to achieve greatness and does nothing to empower women. Claiming West Virginia needs this commission is insulting and is almost as offensive as the Governor of West Virginia referring to us as "pretty little ladies who need to go along to get along." Thank you, Mr. Speaker.

DELEGATE MARCUM. Thank you, Mr. Speaker. I tell you, following that ... it's kind of funny. We want to stick to one issue, but we don't want to address the gorilla in the room. What we're dealing with here is the coalition against domestic violence, and the other groups that are part of this. Myself, one of 85, it's not our place ... 85 men to get rid of some coalition that helps women. I've received numerous emails from my constituents. Here's one of them: "Justin, I hope you're not going to vote for the elimination of the only voice within state government for women; the only voice." What's important about this is we go further into this email ... it's shocking that this ... what we're talking about ... this bill is only a minor expenditure and it's only ... it's the only specific item eliminated to date. That's pretty appalling in my opinion. The only specific item to be eliminated to date. Moving forward, ladies and gentlemen, there's 85 men in here ... it's not my place to say yes or not, whether this should be eliminated; but I do know the benefits with domestic violence and with other issues that women bring to the Legislature through this agency. Therefore, I will be voting against this bill. It's not just the run for office as what we've heard; it's not just for that. There's other benefits to this commission and to eliminate something that's about \$150,000 for all of the stuff they do ... it's crazy to eliminate something along those lines and the severity of situation ... financial situation was mentioned, and I think we need to slow down and realize here, if it was so severe that this bill was going to save ... wave a magic

wand and save the State of West Virginia from its financial problems. This bill would be in Finance. Pay attention, ladies and gentlemen, this bill never went to Finance, it was fast-tracked through this system, and it's all political gesturing. Mr. Speaker, I speak against this bill, and I encourage everybody to vote no. Thank you.

DELEGATE SUMMERS. Thank you, Mr. Speaker. Yesterday, the Delegate from the 51st stated on the floor that the ... that West Virginia women have poor health outcomes, pay gaps, low college attendance rates. The Gazette Newspaper on 12/31/16 even reported that the number of women in the Legislature was at a 33-year low, down to 18 women. One of the goals of the Women's Commission is to advance the economic status, health, safety, education, leadership, and advocacy for West Virginia state's women. I would say that they have failed in their mission.

Another goal is for them to develop recommendations about and for legislation affecting women. The three years I've been here I've never been approached. I can't even tell you who is on the Women's Commission. I will also say that I checked with other delegates, the Delegate from the 18th, behind me, has said she's been here 15 years. She has never been personally approached by them to develop any legislation affecting women. Another mission of theirs that I say they have failed in. Whether you support or not the getting rid of the Women's Commission, we need to at least hold commissions responsible to fulfill the missions that they're set out to do. If people are not being successful we need to eliminate them. Thank you.

DELEGATE SOBONYA. Thank you, Mr. Speaker. Ladies and gentlemen, we have 100 house seats in the House of Delegates, and I am one 1/100th of a voice here in the Legislature and I don't give consideration to my skin color, to my gender, to my sex, or any other category that might separate me to make me different from any of you. I do not feel marginalized or inferior. I won seven consecutive elections for the House of Delegates without attending a Women's Commission candidate forum. I would like to point out there was a recent article in the Charleston Daily Mail and it was entitled ... the headline was "House Advances Bill

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Killing the Women's Commission". This is not true. The Women's Commission is not being killed. The Legislature is merely seeking to eliminate the taxpayer funding of the Women's Commission. It doesn't eliminate it and it does not eliminate its role or its mission. There are many nonprofit organizations that exist apart from taxpayer funds. And for instances, I am a part of an international women's sorority called Beta Sigma Phi and there are chapters all over this state, country, nation and world and I donate my personal funds for its causes. People donate to organizations based upon their interests, their values and their passions. Those who support the Women's Commission are not prohibited by this legislation from donating their personal funds to keep this organization in operation. For those who oppose eliminating this, I say open up your wallets. If it's only \$155,000 to operate I would expect 155 people across this state to donate \$1000 and keep this in operation. I don't diminish the role of the Women's Commission and I don't feel that funding for this office is an essential role of government. Mr. Speaker, I urge adoption of this legislation as a woman. I don't feel that we need a taxpayer funded organization to speak for me. Let the private sector do that as it does with many nonprofit organizations. Thank you, Mr. Speaker.

DELEGATE ARVON. Thank you, Mr. Speaker. Mr. Speaker, we have heard testimony in committee that the Women's Commission largely functions as a referral source or as I would like to put it, as a think tank of sorts for women, connecting women with the organizations that I spoke of earlier, the organizations that provide actual resources to the women. As I said in committee and will say here on the floor respectfully today, I have nothing against the Women's Commission. I do believe at some time in the past it was probably needed and I think that their intentions are good and I respect that but I believe the time for that commission to be privately funded is now, not government funding. The Women's Commission accomplishes little to no primary advocacy of women's issues. The Women's Commission is functioning almost solely as middle men or middle women in this case may be.

According to the Charleston Gazette when the commission was started in

1977, and I was 15-years-old at the time giving away my age, it was said to be an appeasement to women. Now, this was a quote by a former delegate in the House of Delegates who was here at the time that this commission was formed; an appeasement to women. Our legislative auditor has consistently recommended terminating the Women's Commission in part, because of the duplicative nature of the Women's Commission mirroring or simply referring women to other agencies and community organizations. The most recent audit was in January of 2006, and I have three audits in front of me, all three recommend the termination of this commission. Now in 2017, we don't need another duplicative agency that doesn't provide unique services. Our access to information has improved dramatically since 1977. Today we have smart phones, we have entire towns supplying wireless internet access. We have public computer and internet access at libraries and other locations. Mr. Speaker, our fellow West Virginians elected us to make these difficult hard decisions in our state's worst time of need, and I would say that we are in that time of need.

Every day I sit here in my chair and listen as someone stands up, mostly across the aisle ... my friends across the aisle, to decry that we have not passed anything relating to the budget, and I'm just amazed. I'm amazed at the opposition to the Women's Commission. This is \$150,000 to \$200,000 per year depending upon what year you're looking at, and the argument is it's a small amount. Well, this is the first of several commissions, wards, agencies that we're taking a look at that have duplicative services. This is just the first that is going to be brought before us, and I would say by the end of session, if we pass several of these small ... small commissions, and we overturn them and put that money back into our general fund that could add up to a full bucket of pebbles. So maybe we wouldn't have to increase the taxes on our citizens as much. We can find these small pebbles throughout this session. That's what we were sent here to do. We were sent here to make the cuts necessary, so that we don't put that burden back on our taxpayers.

And I have to address ... I forget the Gentleman who brought this up but receiving emails concerning the Women's Commission ... I'm a sponsor of this bill. I

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presented it or argued against the amendment yesterday. I have received exactly zero emails, zero telephone calls, zero text messages, zero Facebook messages concerning the Women's Commission which leads me to believe that there's not too many citizens in this state concerned with this commission, and I think they would prefer we put that money back into the general revenue fund and really start making the cuts that we keep talking about, rather than saying this is too little, that's too little. Let's start taking those little amounts and make it add up to a large amount.

So, Mr. Speaker, in 2017 we simply do not need another middle man or woman commission that does not provide direct services, and what the Women's Commission does is covered by a variety of state and community organizations. So, Mr. Speaker, we cannot afford this at this time, and therefore, I urge passage of this bill.

DELEGATE BATES. Mr. Speaker, thank you. One of the things that I've learned over the past 20 years here in West Virginia is that, because I talk funny, people tend to listen. The problem is that they tend to listen to how I say things and not what I say, and two weeks ago I addressed this House and asked that we make the budget the first priority and often people will stand and say I hadn't planned on talking today. Well, I had planned on talking today, and I looked at the calendar earlier today and I thought this would be a good day, and I think my remarks are even more appropriate considering the last 3 ½ hours that we've spent on this floor. So, if you would bear with me just a little bit ... when I spoke two weeks ago it was day nine; today it's day 23. Next week, it will be the halfway mark. On day one we were presented with a budget plan from Governor Justice and an alternative. Earlier this week the Governor outlined a revised plan that in his words, was a "less painful way to prosperity". All of these proposals are painful, but none of them are being seriously debated by this body. We are over a quarter of the way through this 60-day session and here we are and here we've been for 3 ½ hours. And we are, yet to see a solution from leadership to close a half a billion-dollar hole in our budget. Respectfully, Mr. Speaker, what is the plan? Is the plan cuts, is the plan taxes or some combination thereof? The majority of the people I speak with back home understand how bad things are and can reluctantly accept

either, any or almost any combination thereof. What they won't accept and West Virginia cannot afford, is for us to spend the next 37 days down here on all sorts of other things and not get the job done. Mr. Speaker, I am becoming increasingly concerned that we are on a slow-motion collision course to failure. I'm sure we all recall last year. Last year we had a \$250 million problem. We had some available short-term money. We had a relatively easy revenue measure with some basic level of support in the tobacco tax. We had a Senate that was, for the most part, united on finding a commonsense solution. Last year we came within two weeks of a government shut-down. That was last year. Some of us were here and some of us were not. This year we started a month later to allow the Governor to establish his administration and legislative priorities. This year we have a \$450 million problem, we have little or no short-term money available to us, no consensus on a revenue measure. This year we have a Senate that appears to be heading down the yellow brick road to Kansas in search of the Emerald City in an attempt to eliminate the personal income tax; the largest source of revenue for our budget. This year, Mr. Speaker, Mr. Majority Leader, Mr. Chairman, what reassurance can you provide me and to the members and to the people back home whose lives, livelihoods, families, and futures depend upon the passage of this budget in whatever form it is, that we can do better than last year. Governor Justice has given us three plans; two of those plans require us to raise new taxes. There are many in this room that believe any tax is a bad tax and that any increase is non-negotiable. If not taxes, then cuts. If cuts, what cuts? It has been said a goal without a dream is a wish. John Adams told us that facts are stubborn things and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence. The fact is, Mr. Speaker, it's a privilege to sit here in this seat and stand on this floor, and as we all know, the deeper we go into this session, the more time, energy, and goodwill this floor will eat up. We had a small taste of that today. Looking ahead there is more to come. The issues that divide us make it more difficult for us to unite on that singular issue that should unite us. A structurally balanced budget that reflects our values, limited resources, invests, preserves, and protects West Virginians and West Virginia's future.

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In closing, Governor Justice is a big man with big ideas. I'm not half the man Jim Justice is. Some would say he is a grizzly bear and I'm a koala bear. To help us understand his plans he is taken to use a great big white board. If it works for the Governor, maybe it'll work for me. So, I went ahead and got me a little one to illustrate two important numbers that we need to consider as we approach the halfway mark of this session. Thirty-seven and 121; 37 legislative days and 121 days to the start of a new fiscal year. Ladies and gentlemen, the clock is ticking. Let's work together to get the job done. West Virginia is watching. Thank you, Mr. Speaker.

DELEGATE NELSON. Thank you, Mr. Speaker Pro Tempore. I welcome the Gentleman's comments, and he is on Finance and has had plenty of opportunity to be involved in the process. I've planned the last two days to get up and speak, but we've gone long, and it's appropriate to get up and speak on what the House Finance Committee has been and will be doing.

Let's first get back to, and I'll call it Budget 1.0 that was provided by our new Governor, some three weeks ago, that had a total spend of 4.5 billion dollars which is 300 million dollars greater than our 2017 budget that we're currently in and in fact, we're 200 million dollars short in revenue to fund that budget. Thus, the proposed budget from our Governor is 450 million dollars greater than our current revenue projection, the one that he gave us, at 4.5 billion dollars and except for 26 million in cuts, our Governor proposes to fill everything with new revenue. Monday, we got Budget 2.0. Still no additional details, other than just a reshuffling of revenue recommendations. To date, we have received few recommendations for improved efficiencies from our executive, or cost-saves, in our budget. So, the House Finance Committee; what have we done? As has been standard for decades, the first 30 days, the first half, is committed to hearing from all of our agencies, having them come in and explain their budgets and their services and the need for those. We spend a lot of time up in committee, and every member is given information, in advance, and is there to ask the questions of what is in those budgets. In my short time in the chairman's role, I've made it a point to get more of this information to the members on a timely basis

and more extended information so that we're much better informed. This year and I appointed this before our session even began, 14 work groups that have between two and five members of the House Finance Committee, bipartisan on each committee, and these work groups have been spending many, many hours having additional time with these agencies, getting into their budgets like never before. The framework that was given these work groups is to work again with all of these agencies, ask the questions of how can government be more efficient. Ask the questions, do we need to continue expenditures at the same or lower or higher levels? Ask the question: Is our staffing correct in each of these agencies? Ask the questions: Are we providing the right services? Do we need certain services? Do we need more? Ask the questions: Who should be providing the services? Finally, asking the questions some of these services have been put in place many years ago, maybe decades ago. Are they still required? Our framework must begin with: What is the correct base? We're doing that with our work groups. Only after sufficient and fully analyzed ... only after sufficient and time has been spent analyzing our state agency budgets, to determine what structural shortfall exists. Only then or after, that should we consider revenue measures. My goal and that of leadership is to have a bill before this body and approved before the last day. It has never been done. I'm committed to that. You know, one big question that is always asked: well why not have the budget bill out now? Well, look at the various pieces of legislation that we have already talked about and have yet to talk about, many that have a little fiscal note attached to it that will affect our budget, some increasing, some lowering it. One of the reasons the budget has always been last is to give sufficient time for full discussion of legislation that has a financial impact. We're continuing along that same measure. So, in addition to the budget your Finance Committee, we have three other really big goals. I mentioned fiscal year 17. We've got a gap that exceeds \$100 million. We'll hear, probably later today, on how our February numbers came in. They were a little positive, but we're still behind year-to-date and are expected to be behind. Well, this body ... we've got to fill that gap. Constitutionally, we are required to balance the budget. So, that will be one additional item in addition to fiscal year '18 budget.

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Secondly, we're examining our special revenue accounts which have excess cash balances and our reappropriated dollars like never before. We've done that the last two years and we're doing that again this year. What will be done with these excess cash balances: The goal would be for those to go in and replenish our rainy-day fund. The Governor has proposed to fill our gap in '17 by going to the rainy-day fund for \$125 million. I mentioned earlier about the 15% level. That will put us very, very low, and talk about a rating downgrade ... we'll be subject to something.

Lastly, we have infrastructure needs. There are a number of bills out that will change some of the ways that we are looking at funding our infrastructure. We must address that and we will. Mr. Speaker, thank you.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
MEMBERS
March 3, 2017

DELEGATE GEARHEART. Thank you, Mr. Speaker. I know it's Friday, it's late I'll be brief, and I promise not to ask the Gentleman from the 27th about proportionality.

Prior to today's debate, I did a little Google search, and I wanted to share a fun fact with some members of the House here today. And in case you didn't know it, grizzly bears do in fact hibernate. And while doing my Google search, I noticed that hibernation season starts in November, and oddly enough it overlaps the high school basketball season. It's my understanding that today, a self-proclaimed grizzly bear has been awakened, and today that self-proclaimed grizzly bear, better known as our Governor, has discovered that we have overfunded special revenue and reappropriated revenue accounts, and today, he has proposed that we use those. Interestingly enough, he has also accused this Legislature of acting like our former president, Barrack Obama, I can only assume with our inaction on these accounts. The Governor, I'm guessing, has only just awakened partially because if he were fully

awake he would recognize that last year this Legislature utilized \$83 million from these accounts in order to balance our budget, and I think it's fair to say that the Finance Chair probably has a few additional gray hairs from some of us that aggravated him wanting to see those accounts used a little more aggressively. He's shaking his head or smiling, so, I'll go with either one of those. And this year, my friend, the Finance Chair has in fact empowered the Finance Committee, by work groups, to examine all of these accounts to see that we fully utilize those dollars, and I believe by utilizing those dollars that we are, in fact, rightsizing government here in West Virginia by taking that money off the table, not allowing budget cuts to be taken from those reappropriated revenues, and special revenue accounts, and allowing the new tact of making our state more attractive to business in a variety of ways to flourish. I would like to say to the Governor: Welcome to the party. Jump in, the water is warm, and I think it's heartening to learn that the Executive has learned that there are more ways to deal with balancing our budgets than tax increases. Thank you, Mr. Speaker.

DELEGATE E. EVANS. Mr. Speaker, thank you. Again, I know also the Delegate from the 27th said its Friday, and I want to make it brief, but I do truly appreciate the debate today that was had on drugs and the problems that we have. As I said earlier, I'd seen my fair share of tragedy. I am concerned though, that we're not doing enough to address the front end of this problem, and that's the actual cause of the drug problem. Our overdoses truly continue by the boatload, arrests by the boatload, and we pass out of this house a lot of penalties for selling and possessing the drugs, and as my esteemed colleague over here said, nobody pays attention to that, especially those guys selling it. You know, we have to do something about the frontend of this problem. We can't continue to fill up the prisons for longer and longer sentences. Nowhere are we looking at treatment, or at least I haven't heard the word treatment yet about those which are abusing and using drugs. We arrest them and just arrest them, and then we put them back out on the streets, and they do the same thing again. We have people that have a disease, and that disease is called addiction. Addiction specialists that I have personally spoken with, a young man by the name of

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Bobby, he says it's a disease. He verifies that. He says we need to be treating it like a disease. We need to treat them, not lock them up.

Finally, we need to look at why people abuse these drugs or sell them. It's not as simple as to say there's nothing else to do, but it is an easy way for them to make a fast buck when they have no other way to pay the electric bill, no way to feed their kids, no way to make the car payment, no way to go buy food when they go to the grocery store. We take them off the street, we lock them up longer, but you know the biggest problem? I'm a biologist and I've come to learn that when you remove an organism from a niche some other organism steps up and fills that niche, and that's one of our biggest problems with drugs, it's the niche of the drug dealer. We need to find some creative ways to create infrastructure that creates jobs. If you give someone a job, you give them a way to regain their dignity, and a way to pay those bills I have aforementioned.

A living wage ... a living wage is necessary, and they don't have to sell that dope anymore, at least I hope they wouldn't. At least there's an alternative there. I wish those children that were here earlier were still sitting in the gallery because they need to hear that drugs is not their only alternative. So, you youngins sitting up here, please listen. You see it in your schools every day. You know it's not an alternative. There is other ways.

Let's get our economy moving. Let's create some jobs and let's do something that when that niche is created we work on it on the front end. Thank you, Mr. Speaker. Thank you very much.

**AMENDMENT TO
COM. SUB. FOR H. B. 2579**

REMARKS
of
HON. JUSTIN MARCUM
March 6, 2017

DELEGATE MARCUM. Thank you, Mr. Speaker. I'm going to encourage to vote against the amendment, but with that said, this needs to be prefaced with the statement

there's bills out here, ladies and gentlemen ... we are going to leave this chamber and pat ourselves on the back and say we're tough on crime, when in reality we're not being smart on crime. I'm going to vote against this amendment because this is one of the pieces to the puzzle, but there's so many other pieces we have to attack, and we keep putting penalties on after penalties on after penalties on, but yet, have we addressed the state police problem ... have we addressed the problem at the state police lab, have we focused on drug rehab facilities? No. We can go out of here, and we can get the mailers, the newspaper articles next election and say, "Ah, we're tough on crime", but yet, this Legislature has really failed to attack the problem, and that problem is a three-pronged approach where we have got to help our state police: We've got to get more cadet classes going. We've got to get more lab technicians. We've got to help fight this problem, and that's going to start with drug rehab, supply, and demand. You cut off the demand for these drugs, you're not going to have these drug dealers in our state supplying these drugs, and yet, there's not one bill come out of this chamber for drug rehab facilities ... not one bill come out of this chamber to help the state police. So, Mr. Speaker, I do encourage a vote against this amendment, but I think we really got to pay attention to what we're doing and focus on more than just penalties, ladies and gentlemen. Thank you, Mr. Speaker.

**AMENDMENT TO
COM. SUB FOR H. B. 2579**

REMARKS
of
HON. JOHN SHOTT
March 6, 2017

DELEGATE SHOTT. In addition to the message that the sponsor wishes this bill to send as a deterrent, the committee focused on this issue as to these penalties, and one of the benefits of a bill like this is to give our prosecutors, such as the Gentleman from the 4th, some leverage in this type of cases. Because keep in mind there are alternative charges that can be available so that if there are extenuating circumstances that would mitigate the severity of this type of transportation, the prosecutor has the authority and the discretion and flexibility to

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offer. For instance, intent to deliver or simple possession charges but with this type of heavy penalty. It can be great leverage in those cases. Now I understand that my colleague from the 4th who speci ... who offered this apparently doesn't feel he needs that kind of leverage and apparently doesn't feel that he needs to send that strong of a message to accomplish the purpose and so I certainly respect that opinion. It was the committee's opinion that a stronger message was important and that we thought that the people of this state wanted us to look at this situation. We're not talking about simply possession and we're not talking about internal type of activity. We're talking about these folks that bring drugs in quantities to our state. Not a joint, but in quantities, into our state. So, for that reason I urge rejection of the amendment.

COM. SUB FOR H. B. 2579

REMARKS
of
MEMBERS
March 7, 2017

DELEGATE MCGEEHAN. Thank you, Mr. Speaker. I don't share the complete faith in the current legal system as opposed to, maybe, the esteemed Gentleman, the Chair of the Judiciary Committee, who says the criminal justice system currently is beyond reproach, it doesn't matter. Let's give them all this new power and nothing is going to go wrong. All the lessons from history we'll just throw those out. Who cares ... because believe me, let's trust more government power as long as it's with the criminal justice system. Now, I find it hard to buy into because it's so funny from all of us Republicans ... small government Republicans, we tend not to trust the government in all other areas like regulating market activity, I could go on and on but when it comes to prison, incarcerating people, throwing out the classical western principle of proportionality then we can trust the government. It's beyond reproach. It won't be abused. No, it's never going to be abused, of course not. Lord Acton's famous quote "Power tends to corrupt,"...that does not apply; just trust the government's lawyers and trust the government's judges and let's give them all these laws and centralize all this power. Don't worry, let's

not trust the jurors though. Let's not trust the jurors by implicitly rejecting at least eight of the founding fathers' philosophy on the jurors. Let's not trust them because that's foolish.

I also found it hysterical that the same people that made the same arguments over the last two years on the constitutional carry bill was that gun control laws, they don't work, they only hurt law abiding citizens because criminals don't obey laws. Yet they're saying now that, "Oh, all these criminals, all these Al Capons, these modern-day Al Capons from Detroit ... the kingpins ... well they're going to pay attention to what we're saying here." Oh, they're definitely going to be paying attention ... now, they're going to obey the law. Get real, it's a joke. Reject the bill.

DELEGATE SPONAUGLE. I'm going to urge you to reject this bill entirely. We are increasing penalties from a one to fifteen to ten to thirty. We are increasing penalties from a one to five to a five to fifteen. It's a collateral damage bill. For every one person that we keep hearing in here about this great drug dealer that we're going to get, you're going to have 100 users that are going to get locked up. You're going to increase the cost from \$27,000 a year to \$270,000 a year. We can't afford it. We can't afford it. Future delegates that sit in our seats here in the next decade, they are going to curse us all because they are going to be forced to either build a new prison or reverse all the damage that we are getting ready to do right here today. They're going to have to raise taxes to put these people in prisons or you're going to have to eliminate colleges. Everything we do down here has a cost. Now, there are 29 border counties in West Virginia, 55; 29. In my district alone I have subdivisions halfway in Virginia, halfway in West Virginia ... the road meanders ... you don't know which state you're in at any given time. So, if you have a kid that's an addict and goes next-door, grabs prescription drugs, comes back to a party and they spread it around, they've just committed this offense and they're looking at a minimum of 10 years to 30 years in a penitentiary. That's outrageous. Let me get ... just so we understand ... when I came saying 10 to 30 years, let me go over some penalties that have long been in our books. Do you understand the sentences that we usually, by proportionality, which my good

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friend says back there ... for violent crimes, for theft, murder in the second degree: 10 to 40 years. Murder, murder in the second degree; 10 to 40 years and we're getting ready to pass out a 10 to 30. Voluntary manslaughter: three to 15. Attempt to kill a person by poison: three to 18. Malicious wounding, that means you stab, shoot, beat somebody with a baseball bat: 2 to 10. Assault during a felony: that means you stab somebody; you shoot somebody while committing another offense: 2 to 10. Kidnapping ... I go out here and kidnap somebody: three to 10. Robbery ... I go in here and rob a bank: not less than 10. Child kidnapping ... I go out here and steal a child: one to five. Human trafficking ... I'll start a sex slave ring: three to 15. Arson ... I go burn your house down: 2 to 20. Burglary: 1 to 15. Grand larceny: 1 to 10. And we're in here talking about running a Schedule 1 or 2 drug for 10 to 30 years in the penitentiary or a fine of \$25,000. So, if you're rich and you got \$25,000 you can lay that down and you can get away from the 10 to 30. If you're poor, you're going to the pen. Five to fifteen, same thing; you got \$15,000 you want to pay a fine you can do that. The rest of you poor citizens of this state, see you. Go to the penitentiary.

We keep hearing in here about attacking the drug trade. I'm all for that ... all for that but who are we going after? We're going after the users. I have yet to hear a single bill or word go after Big Pharma. They make billions of dollars a year living off the users of this state flooding the state with prescription drugs.

To go after the drug kingpins in this state, they're not the guys that are on the streets slinging stuff for a couple thousand dollars. They're on Wall Street, across this country, dropping pills by the millions in little communities across the United States making billions of dollars. We go round and round and round in here putting the little people in jail, the users in jail, while people ... real people, drug users or drug pushers are making billions of dollars.

If we want to attack this problem that's where we need to have the thrust. You can lock up all the people you want to; it's not going to change a thing. I urge rejection.

DELEGATE HORNBUCKLE. Thank you, Mr. Speaker. First of all, I would like to thank my colleague from the 55th. I got a lot to say here today. I will try to get to the point, but we are talking about this bill, and we're talking about transporting distributing manufacturing. Now, I will say this, 95% maybe 97% of Big Pharma are great. Let's get that on record, but let's not be naïve that they're not the biggest drug dealer in the room.

Now, to talk today, we're going to have to travel a little bit through history, very briefly, and see how we got to this point. We're going to talk about where we're at now, and then we're going to talk about how we're all collectively ... all collectively going to solve this problem. So, since the 1980's the prison population has grown by 800% ... 800% while the entire population of the U. S. has only grown by a third of that. There is something going on here, folks. We have five percent of the world's population and 25% of those folks are in prison. Nonviolent offenders account for 90% of federal prisoners. I'm also going to say this, you got to be super compassionate about our addicts ... we love them dearly, but sometimes we forget that sometimes, some of those nonviolent low offenders are not addicts. They're like the big rich guy, they're just addicted to cash. Let's understand that right now. Ronald Reagan and that Congress, they passed mandatory minimum sentencing back in the 80's ... first time offenders on crack cocaine, five years. That's what we started with back in the 80's ... five years ... that didn't seem too much, but then once you look at, and they turned into being an organized crime, it all of a sudden jumped up to 20 years. And the operative word here is crack cocaine because cocaine and crack cocaine ... it was far different. It was 100 to 1. You'd have to have 100 grams of cocaine to equal one gram of crack, and I'm not a chemist, I'm not a doctor but you got to have cocaine to make crack. So, how could crack be worse? Oh, because a certain population we think might have that. Okay ... that's fine. So, we'll ... we'll incarcerate all of them and we'll lock them up and we'll tear down those communities and they won't have people to raise them and they'll be less educated, make no doubt about it, and they will keep making this, on record, stupid decisions to do these things. So, they'll keep perpetuating them. Okay, so, we've got that down pat.

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In 1985 prisons across our great United States that I love ... about \$9 billion. Fast-forward to about 2014-15 ... \$50 billion. That's not being fiscally conservative at all, understand that.

Now, I want to go to talking about some bipartisanship, because again, we've got to work on all this together and in that great State of Texas, Republican Governor, Rick Perry ... I believe that's his name ... down there on the border we're about to build this big wall for all the bad hombres ... he rejected to build eight new prisons. He rejected that notion because he knows math and he knows finances, and he knew it was a better option to do some diversion programs and do things of that nature. And with that splendid idea that that great republican governor had ... alright ... what he did was he saved their state \$2 billion. Fiscally conservative, thank you ... incarceration fell 20% ...

I was talking about cost savings to our prison system. In their lowest crime rate since 1968. And then Governor Andrew Cuomo in New York created an educational program for the prisoners and our crime rate was down four percent versus 40% across the U. S. So, I'm going to go proportionality from the Delegate from the 1st and as the Delegate from the 17th talked about last week, we've got Mexican cartels, street level dealers and sophisticated businessmen. Well, proportionality is that you have to go after everyone and understand there are some very bad folks that are coming from other parts ... Detroit, Columbus, wherever. You got thugs, you've got crypts, you got ... we'll just say, Detroiters ... you got the west-side posse like here in Charleston. Then you got your Mexican cartels. This past weekend I was watching Fox News and I learned about the MS13.

DELEGATE HORNBUCKLE. Okay. So, my point is that if we are truly going to get rid of this drug problem, you've got to get the Detroiters. I can go away with incarceration if we can ... want to compromise we lock people up. We can get the Mexican cartels, but there's a lot of other people we're not getting ... there's a lot of other people we're not getting and that's why our incarceration has quadrupled exponentially, but drugs have been more rampant because we're not holding everybody to the same standard.

Nearly 60% of Americans are taking prescription drugs. The highest ever, the highest ever. Again, guys, if you want to compromise I can go with incarceration. But again, the same guys that we're going to hold to standards ... you got to hold the real kingpins that have all the money. We were in substance abuse when this bill first came out and a greater presenter, might I add, and we talked about where the heroin epidemic came from and he admitted it came from prescription drug abuse. So, it would only make sense if the Detroit guys ... the heroin, which you can't grow in Detroit, by the way, it has to come by private boat or plane ... let's get those folks too ... then you have to get the people that put all the pills on the street and give them ... don't ... we got to take their assets, like my good Gentleman there said. We got to take their assets because they're greedy and put them under the jail too and if you want to stop the drugs, lock up everybody that's involved. Lock up everybody that's involved. But if you're like myself and some other colleagues and you don't want to incarcerate as much, we have another option and I'm willing to compromise. I've always said, on record saying, first and foremost you got to have strong law enforcement that's a no brainer. But stronger law enforcement doesn't always just mean racking up numbers on minimum mandatories. You got to have prevention, you got to have rehab, but you got to have community. We've got to find these low-level offenders who are not always addicts, genuine second chance opportunities at employment. You got to offer them that, you got to do that. We've got to be able to take some of that drug seizure money and create more programs for lower social economic neighborhoods to be on the same page with law enforcement, so they can work together to ready that.

I will wrap it up, Mr. Speaker. I do apologize. I am very passionate about this because in America we have done a horrible job on treating this. We all have to work together. It's not just one person and I challenge all of you all, as I will reject this bill. Because again, I'll compromise on incarceration, if we're going to incarcerate everybody. But let's reject this bill, and let's work together on solving the whole issue; law enforcement prevention, treatment and putting people back to work. Thank you.

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DELEGATE ELDRIDGE. Thank you, Mr. Speaker. I rise today to ... I really don't know how I'm voting on this yet. I think it's kind of crazy. I do listen and see what everybody has got to say about bills before I make a decision.

You know, I do know that we have roughly 1200 people waiting in regional jails right now to be placed in our overcrowded prisons. I do know that our prisons are full. I do know we are not giving the inmates in the regional jail their constitutional right. I keep waiting for something to happen there. What is going to happen? Well, I realized this is a good job to be on. Don't have very many of those come across the desk here. I'm pretty sure if they rule that we're not giving constitutional rights to our inmates in regional jails, the only answer to that is build another jail, maybe two or maybe three. So, that may have helped me make my decision here on how I'm going to vote on this. You know, I hope some of those prisons are built in southern West Virginia because we need them. If the Governor, is listening I hope that he decides to put maybe one or two or maybe all three of them in southern West Virginia and provide decent jobs for people because that's what's going to happen. We're going to have to build more jails or more prisons and there's no way around it. I think in the last three years we've passed out many bills that has increased penalties. And it would be hard to vote no on this because I can see next year the mailers. I'm weak on crime. So, I'm going to vote yes on this and vote for jobs. Thank you.

DELEGATE FLUHARTY. Thank you, Mr. Speaker. I rise in opposition to this poorly constructed, fiscally irresponsible piece of legislation and yet again, here we are with increasing the penalties for. I think that's been burned into the big board up there because we've had about 30 bills that start with that phrasing and all this is for ... to be tough on crime. But we're really just being tougher on our economy, not tough on crime. We're going from \$27,000 to \$270,000. Guys, money doesn't grow on trees and it certainly doesn't grow in prison cells. So, I'm waiting for bills that will increase maybe the beds available in West Virginia. Increase ... what?

What this bill does ... it increases our budget deficit. Forget rules 95B which

simply ... we seem to forget on a regular basis when it comes to introducing legislation that increases incarceration rates, which is required under our rules but rules ... rules don't belong here anymore. Now this is a deterrent ... a deterrent based on zero evidence, zero logic ... just good stories. I mean, this is going to deter anybody? We can barely get 30% of the population to come out and vote and you think they're at home watching TV wondering what we're doing here. Well, I don't think we can go to West Virginia this week and deal drugs. They just passed a new law to incarcerate us longer. Really? You guys think that's legit ... like that's real? Don't be so naïve. We doubling down on failed policy from the '80s, that's all we're doing here. Everybody wants to go after the drug dealers. We heard in Judiciary Committee that the feds kind of get it right. They look at ... when they interpreted their legislation they look at the weight. That's what Bill Elinfield said in committee; he looks at the weight, the quantity ... it's a tiered structure. You'd think we'd learn a thing or two ... we haven't. We just completely draft this legislation, it doesn't have a quantity, it doesn't have a weight, so that can be interpreted differently by every prosecutor throughout the state.

Now, we talk about predictability in the justice system and how we need to have predictability. Sounds good in all the Tort reform bills but when it comes to criminal justice we don't need predictability. We don't need it anymore.

So, the kingpins are the supposed target here. Now kingpins have made a lot of money in West Virginia, like \$17 billion in recent years. They dumped over 400,000,000 painkillers in our state killing over 2000 West Virginians and there's good news, those kingpins actually have names: McKesson Corporation, Amerisource, Cardinal Health ... kingpins.

So, we were told ... I'm almost done Mr. Speaker. You know, we were told yesterday in our debate that we need to send a message that we need to make a statement. You want to make a statement? Lock up a CEO, not just the addicts, not just the poor, the easy prey. They've preyed on our citizens and their vulnerabilities for years and we haven't done a thing about it. So, I can't stand for this legislation. This poorly crafted, poorly

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thought out, misconstrued, doubling down on a failed policy. Thank you, Mr. Speaker.

DELEGATE HOLLEN. Thank you, Mr. Speaker. You know, we've heard a lot of talk here about increasing penalties is going to increase costs. Then we've heard the same thing about we have penalties that's on the books that's not harsh enough but, those same people would say if we increase those it's going to increase cost. I think we have a lot of different things being said here. I stand in support of this bill for the simple fact I started doing drug enforcement back in the early 80's. I worked in South America with the Federal Task Force you know, and I've seen it. I've swam in the trenches with these people and it's ugly ... you know. We need to look at the facts of this bill, and its increasing the penalties for bringing narcotics into our state. That's the simple fact of this bill. You know, again I was working federally, went to the state, starting working as a state trooper. You know, I've seen the destruction firsthand. When you go to a house of an overdose victim then you have to look at the children that's laying on the couch crying because they can't figure out what's wrong with their parents: why aren't they talking, why aren't they breathing? You know, I didn't watch TV to get all this information, I was there, I witnessed it and then you have to go to some of these houses, and you got to break the news to some mother, father, brother or sister that their sibling, their child is deceased because of drugs and you hold them at 2:00 o'clock in the morning because they have no answers and you have no answers to give them but deliver that message. First hand, I've seen this. I didn't just watch TV, I didn't read it in the newspaper, and there's few of us in here that have seen it firsthand. Until you see it firsthand, I think you'll think differently of increasing penalties for these horrific drug dealers. They don't care about people; they care about making a buck.

You know, you hear about the fishnet being thrown out. We're going to catch small fish. You know, that's always been a discretion, and it always will be a discretion of the courts to do what is necessary for the so-called small fish, and I believe in the justice system, and I've seen it work for 30 years. You know, it's not perfect but it works. You know, you go to arrest these drug dealers, which I have ... plenty of them and

you tell them, "you're facing three years." They laugh at you. I can stand on my head for three years. Now what kind of message is that sending to them. I'll get out in three years and I'll do it again. If we do not increase this and hold a bigger hammer over their head to try to get cooperation to catch the bigger fish per se, then we're losing. We have to have leverage to do our job and to let the police officer do their job and the prosecutors and the judges. So therefore, I speak in support of this bill. Thank you, Mr. Speaker.

DELEGATE HORNBUCKLE. I would just like to briefly touch on that debate that we had. Debate is super, super healthy and obviously, the people that oppose that one bill got our butts kicked because it was a wide margin, but I actually had a delegate, and it was actually the Delegate from Wood County, who during that debate actually slipped me a note and talked about some other solutions that were going on right now. And the reason that I say that is ... you know, we're not always going to agree with each other, but we have to remain vigilant on working together. And again, that was something that we weren't going to see eye to eye on but he still wanted to say, "hey, I'm still with you on some of this. Let's figure out a different way." And I appreciate that, and to that, with being a healthy debate, sometimes the point of orders that we're calling are because we don't like some of the truths that are being said. So, you know, unless something is out of the scope genuinely, let's try to keep that to a minimum.

And also, I'd like to touch on ... from the Delegate from the 17th, I very much, very much trust my prosecutors back home. The head prosecutor, one of the assistants who is my cousin ... I trust this one that's right beside me, but I would also say that if some of you all have ever heard of Harry Jacob Anslinger ... I don't know if you do, you might want to do your research ... that might be a hard person to trust. So, it's not always about the people at home, it's about everybody else that is involved in that.

In closing, I would also like to talk about consistency. On that bill and with good reason, a lot of people pointed to back home this is what the law enforcement wanted. You make it hard for a lot of people to go against that. But also, the past legislation last year, in

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regards to firearms, the law enforcement was staunchly against ... but we didn't listen to them that time. So, let's just bring some consistency to this floor. I appreciate that and I appreciate you all for your indulgence. Thank you very much.

DELEGATE PUSHKIN. Thank you. I think it's important to ... you know, to think about that because that's exactly what ... I mean, what exactly the bill does. It creates a much greater sentencing guideline for even first-time offenders and it does relate to possession. It was said earlier it doesn't relate to possession. It relates possession with intent and intent is left to the discretion of the prosecutors and the judge. It could possibly be a very small amount and I've said many times that, you know, if you cast a big enough net you're going to catch some small fish too and I'm certain that when we pass this we will be catching some small fish. There will be some very low-level people ... some people who are addicts trying to support their habit who are going to wind up with pretty hefty sentences. of course, you know, they're breaking the law and there should be a punishment there but I think the punishment should fit the crime. But basically, what this does and what troubles ... one of the things, one of the reasons that has been addressed actually is when you're ... we're going to be raising our sentencing guidelines to actually higher than the federal guidelines where a lot of these, you know, kingpins and the people that we'd really like to target right now would be tried in federal courts and if convicted they would be housed in federal facilities. It was mentioned before about the tragedy that happened in Huntington where we had so many overdosed deaths in a particular weekend. The person who brought those drugs in is now serving time in a federal penitentiary. He got 20 years at a federal penitentiary. He's not being housed in one of our facilities because he was tried in a federal court. So, basically one of the things that this bill does would be to create an unfunded mandate because I don't see any other bills that we're passing to raise the amount of money we're giving to our correctional facilities. I don't see any bills where we're going to be giving the counties any more money to pay their jail fees. So, we're going to be ... we will, if we pass this, in effect send more people to our state penitentiaries that would be going to federal penitentiaries. It's going to cost the state money. It is an

unfunded mandate. I do ... I share the opinion with a lot of people in here that money alone is not a good reason to vote against this bill because if this bill would save lives, it'd be worth every penny of it, of course, we've got ... we have the ... to say that we're suffering from a drug epidemic in this state is stated so often that I hope that that statement doesn't lose potency, because it is the God's honest truth. We lead the nation in drug overdose deaths. We lead the nation in babies born with neonatal abstinence syndrome. We lead the nation in the spread of hepatitis C. All these horrible things that we lead the nation in, if this bill would actually slow that down, would actually curb the drug epidemic, it'd be worth every penny spent on incarcerating these criminals. It was also said that, you know, it could be set up as a deterrent. It was very well stated by my colleague from the 36th yesterday in a survey done of criminals, if deterrent was a factor on whether they would or wouldn't commit a crime and they said that deterrent is not a factor and you know, it was also stated that it's not just about deterrent. It's about getting the drug dealer off the street. So, deterrent alone is not enough of a factor to vote against this bill but that leads to the reason to why I'm going to oppose this bill and that's simply that it doesn't work. It doesn't work. You could take every drug dealer off the street tomorrow with this bill. I wish we would. Unfortunately, as long as there is a huge demand for illicit drugs in the State of West Virginia, somebody is going to step right up and take their place. As long as people drive through my neighborhood, and I live on the West Side of Charleston that was mentioned earlier ... as long as people are driving through my neighborhood waving fifty-dollar bills out the window, somebody is going to step up and take their money. It's a simple law of supply and demand and there is a huge demand for drugs in this state. It's sad, we're not doing enough, we're not doing enough to address that. If I thought this bill was going to work, I would support it. Yea, we could ... if we could eradicate heroine from the streets of West Virginia today we would still see people abusing other drugs and dying of overdose deaths. They would either come up with a new drug, they would invent something else or they would abuse alcohol and other legal substances and I hope the irony wasn't lost that yesterday, earlier in the day on third reading, we overwhelmingly passed a law to make it easier to get Xanax

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which can show up in almost every toxicology report on every addict that suffered from an overdose in this state. Xanax is one of the most widely abused drugs in this state. We overwhelmingly passed a bill to allow for the over prescription of Xanax yesterday.

Well, I believe it's a schedule IV nonnarcotic so it would fall under this. I'll briefly close. Look, addiction is a public health issue. If we want to address the problem, we've got to work together and treat it as such. It's a public health issue and to continue to treat ... I can tell you the reason why I feel it's not going to work, because I have 40 years of evidence to back that up, okay. We've been fighting this war, spending billions in dollars, incarcerating millions and millions of our citizens and nobody in here can say we're in better shape than we were, then when we started this war. We're losing. It's time to try something different. You know, there's a saying that goes around in the recovery community that the definition of insanity is doing the same thing over and over again and expecting different results. This is nothing new. We're doing the same thing that we've been doing for 40 years. If you expect a different result from this bill, if you expect this law to work, well that's the definition of insanity. I can't vote for this.

DEBATE ON AMENDMENT TO COM. SUB. FOR H. B. 2526

REMARKS of

MEMBERS
March 9, 2017

DELEGATE FLUHARTY. Thank you, Mr. Speaker. I have a simple amendment; it is taking marijuana from Schedule I and placing it in Schedule IV. Now, what does that do? Currently marijuana is scheduled as a Schedule I thanks to the feds and that means it has no medicinal value and is banned from medical practice. Now 28 states and the District of Columbia have said, "No thanks feds, we're going to do this on our own because we know it has medicinal value." In those states in which they have done what we're doing today, at least I hope that we are, input a different Schedule and here we're putting it in Schedule IV, which would allow for practitioners of the medical profession to

use this as part of their practice, if they so desire. Simply allow it to be prescribed. This is not legalizing it in any way other than prescription methods, it takes it to Schedule IV; rather simple. I think based upon what our state is facing right now and states that have done this, they've seen a decrease of opioid overdoses by 25% or more. This is a logical step, a step that is necessary. One that our bordering states have taken; Ohio and Pennsylvania. You know I sit in this 11-mile stretch in between Ohio and Pennsylvania and they've done this in Ohio with a Republican governor and overwhelming legislature said this is something that is rather simple and I reserve my time, Mr. Speaker, to close and would ask the yeas and nays on it. Thank you.

DELEGATE SHOTT. Thank you, Mr. Speaker. To the members; this amendment is anything but simple and while my initial inclination is to disregard this for the political stunt that it is I do not so easily disregard the emotions that accompany this issue. Indeed, there are strong feelings on both sides of the issue and those strong feelings will continue long after we complete debate on this amendment. However, just as I cannot cavalierly disregard the emotions underlying this amendment, we as a body must not be so cavalier in the adoption of this amendment. Indeed, the adoption of this amendment would make us the first in the nation to declassify marijuana as a Schedule IV drug and what are we basing this scientific determination on? No evidence, no evidence whatsoever has been introduced to support this type of an action.

For those of you who respect the cautious and deliberative ... deliberative process that we follow when we consider significant issues, let me say first of all, this bill went to two committees. When we had this bill before the Judiciary Committee we had in attendance members ... representatives of the Board of Pharmacy, representatives of the state police and this issue was not raised, not considered whatsoever. So, the individuals that were responsible for creation of this bill ... this schedule of controlled substances, were not given any input, not given the opportunity to provide any information regarding the significance of this amendment. Those are people who could offer information much more intelligently than me about this issue but were never asked

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any questions. And I don't fault the sponsors of that because most people would think the more appropriate committee would be the Health Committee to consider this. In fact, the Health Committee was the first committee to which this bill was assigned and it's my understanding that they rejected this amendment and while that rejection persuades me in further opposition of this amendment, I still want to address why the cavalier adoption of this amendment should be rejected.

Now, first we have heard and we'll likely hear today anecdotal studies ... stories of how marijuana has helped treat an illness or the after effects of chemotherapy and I don't deny that there are those stories out there, that there are people who've experienced a benefit from smoking or otherwise consuming or using marijuana. But those personal experiences should not dictate a full declassification of this substance because for every pro story in favor of this, there are anti stories. Those stories come from our law enforcement personnel, our prosecutors, those who have been on the frontlines of this drug war and there are others that we've heard from; others whose lives have been wrecked by drugs, individuals whose children have died in automobile accidents caused by someone driving while under the influence of these drugs; this type of drug, and those who have been introduced to drugs by smoking their first joint.

We have the highest rate of drug abuse in the nation and can our solution be to, in the fact, legalize one of those drugs. During his presentation to the committee on the prevention and treatment of substance abuse, former U. S. Attorney Bill Ihlenfeld spoke against the legalization of marijuana. In support of his position he noted that in every one of his debriefings.

Former U. S. Attorney Bill Ihlenfeld did testify ... he did testify that in every debriefing of someone who had been convicted of a drug conviction stated that their first illegal drug was marijuana and that lead to other drugs seeking a greater high. Mr. Ihlenfeld's experience then is that marijuana is a gateway drug but I'm not asking you to vote against this bill because of one person's experience no matter how extensive that might've been. However, it's personal experience that you're going to hear

that's going to be offered as a reason for a vote for this amendment. We're being asked to substitute personal experience to declassify a controlled substance in opposition to both federal and state experts that have studied this issue and that leads me to my second point.

The scheduling of drugs is purely within the purview of the Federal Drug Enforcement Agency and that classification process can be lengthy, it can be difficult and the federal government has maintained marijuana as a Schedule I drug. It's based its decision on a medical review and findings that the drug is highly abusive and has no known medical value. In fact, the latest petition to review the classification concluded this past summer ... that's as recent as this past summer, with a finding that marijuana remain a Schedule I drug. This finding and conclusion was the result of a three-year review and analysis by the FDA which also concluded there was no known medical value; it's a three-year study. Will there be those who disagree with the conclusion? Of course; and will there be those who agree with the conclusion? Of course, while each of us could provide anecdotal evidence as to an individual person the scheduling of the drug applies to everyone ... to all of us and the evidentiary finding by multiple federal entities has been against this proposed declassification. It's worth noting; however, that this process did not happen under a hardcore anti-drug federal government or an anti-drug president. This was the findings by President Obama's federal government. The same federal government that appears to have turned a blind eye to legalization in several states. Given the prior administration's public position on marijuana it is significant that the federal government still refused to declassify it, which brings us back to this specific amendment. Despite the most recent three-year review and the evidence supporting keeping it classified as a Schedule I substance the sponsored seeks to declassify it. I should also add that our own Board of Pharmacy and state police lab that are charged with the same task here in this state have also continued the classification on Schedule I. Further, our Health Committee approved that classification and rejected this proposed declassification.

So, what does passage of this amendment get us? And I guess that's the most troubling

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aspect of the amendment because no one really knows. The effect of the amendment could be merely symbolic because the federal government has not changed their classification or this could be a form of backdoor legalization of medical marijuana and I will ... can see that there are those who desire medical marijuana but I suggest this is not the pathway to that destination. Doctors are required to adhere to federal guidelines to dispense the drugs and those states that have legalized marijuana have established dispensary and other cards with some recommendations. So, what are we achieving here? While this declassification sounds simple and meaningless, it is anything but.

I recognize the underlying issue of legalizing marijuana and the legitimate policy is desired by others in the room but I must say that for those of you who want legalization for revenue this will not achieve your goal. There is absolutely no structure or regulation if this amendment is passed. There is no revenue whatsoever that it will generate based on the passage of this amendment. For those of you who want to allow medical marijuana this does not achieve your goal because doctors have to follow federal law in prescribing it. The states that have legalized medical marijuana have done it through a separate structured scheme. Not simply moving it from one classification to another. No such scheme is present in this bill. Instead, what we may have with the adoption of this amendment is de facto legalization of marijuana. As a Schedule IV a doctor could write you a doctor's note for marijuana that you simply carry in your pocket. That would become a defense to a possession charge or a trafficking charge as you will now be able to say you have a doctor's prescription and a possible legal defense.

Is this really the goal of the amendment? Well, I'll defer to the sponsors as to their intent but those on both sides of this legalization issue there's absolutely no good for either side that comes with the passage of this amendment.

What we can argue here, sometimes can be emotional and sometimes foolish but we can't simply play along with an amendment of this nature and magnitude and cavalierly pass it. I ask you to look past the rhetoric, to look past the emotion and anecdotal stories

and to look realistically at the effect of this amendment.

For those of you who are undecided and you can see both sides ask yourself this question; do you really know the effect of this amendment will be and if you don't, I would encourage you to vote against this amendment and seek to achieve your respective position in a more clear, specific understandable manner. The last thing we need in our ongoing battle in drug prices is further uncertainty and confusion. For those of you who appreciate the process we follow here let me say again, this issue has not been debated in the vigorous manner that we normally debate significant issues. There has been no expert testimony offered in any committee to support this amendment. There's been no public hearing offered to get public input, which is normally done in many of our significant issues and in this instance, none of those steps ... none of those deliberative, cautious steps which we normally follow in this type of issue have been followed. So, I would suggest to you that if we do, in spite of all that ... in spite of all the lack of the process, follow this then I think we really have earned the label "blockheads". I urge rejection of the amendment.

MR. SPEAKER, MR. ARMSTEAD.
Gentleman from the 10th, Delegate Kelly.

DELEGATE KELLY. Thank you, Mr. Speaker. Would my distinguished colleague from the 17th yield?

MR. SPEAKER, MR. ARMSTEAD.
Gentleman, Delegate Rohrbach yield?
Gentleman yields.

DELEGATE ROHRBACH. Yes, Gentleman yields.

DELEGATE KELLY. Thank you, Mr. Speaker. Delegate, you are a medical doctor and you can probably testify to this group as to medications?

DELEGATE ROHRBACH. That would be correct. I have an active medical license in the State of West Virginia.

DELEGATE KELLY. Thank you. There's a lot of discussion around here about

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legalization of medical marijuana. Let me ask you just one question; we have seen a number of people testify and discuss this issue with us over the past couple of months. They use the perception that this is a medication that allows the medications ... individuals with various diseases to maybe hold down their food a little bit better and give them medications as far as treatment for other illnesses; would that be correct?

DELEGATE ROHRBACH. We've heard testimony to that effect, yes.

DELEGATE KELLY. Are there other medications on the market that would do the same thing that are already legal?

DELEGATE ROHRBACH. Yes, there are; that are actually approved by the Food and Drug Administration, the trade name would be Merinol.

DELEGATE KELLY. Thank you.

DELEGATE ROHRBACH. Thank you, Mr. Speaker.

MR. SPEAKER, MR. ARMSTEAD. Gentleman from the 1st, Delegate McGeehan.

DELEGATE MCGEEHAN. Thank you, Mr. Speaker. This comment is brief to the freshman Republicans in here. If you believe that this should be legal and that prohibition does not work, exercise the virtue of courage. Vote yes for this amendment, ignore some of the disingenuous propaganda arguments that were just made against this amendment, look to virtue, look to courage. Vote yes.

MR. SPEAKER, MR. ARMSTEAD. Lady from the 49th, Delegate Summers.

DELEGATE SUMMERS. Thank you, Mr. Speaker. I'm going to urge rejection of this amendment for the following reason: in the Health Committee we passed an amendment and provided a strike and insert because we agreed to look at Cannabidiol and this legislation that we have before us will allow West Virginia children and families suffering from pediatric epilepsy to have immediate access to a new treatment as soon as the FDA approves and the DEA reschedules a product called Epidiolex. This is expected this year in 2017. So, we passed this on lines 40 and 41,

you'll see it in the bill. We passed that so that children that are needing the Cannabidiol that is present and I'm probably misspeaking on the terms ... I am not an expert on this field, I will say that ... but the children that are needing that will be able to get it if approved which is expected.

The West Virginia Board of Pharmacy has formerly voted to recommend that the West Virginia Legislature approve and reschedule this treatment as soon as the FDA and the DEA. The West Virginia Board of Pharmacy is responsible for making recommendations to this body each year regarding approval and rescheduling of medications. This treatment would only be available via prescription. G.W. Pharmaceuticals is one company that has developed technology which makes it possible to remove THC from cannabis. This process is very expensive and difficult but reduces THC content to .2%, which is a trace amount. This is not medical marijuana and in fact, is very different because of the lack of THC which is what makes the person high. By supporting this bill and not this amendment we're supporting those children and families suffering through multiple seizures per day who are desperate for relief and in need of this medicine. Thank you.

MR. SPEAKER, MR. ARMSTEAD. Are there other members desiring to speak to the adoption of the amendment before I recognize the Gentleman to close? The Gentleman from the 55th, Delegate Sponaugle.

DELEGATE SPONAUGLE. Thank you, Mr. Speaker. Since the intent of the sponsor has been called into question, I'm going to tell you what the intent of the sponsor is.

There are 28 states and the District of Columbia that have legalized medical marijuana; 28 states and the District of Columbia. Now we're awful concerned in here about what our neighboring states are doing; three of those 28 states are our neighboring states; Ohio, Pennsylvania, Maryland. There was a poll that was conducted by Orion for the AP just last month, February 7th, 61% of the citizens of the State of West Virginia want medical marijuana; only 35% opposed.

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I am tired of this state being backwards and always last to clear the hurdle. We're in the minority of the states that will end up doing this. It's almost like you have to beat somebody down to get any type of legislation moving on this. This stuff has been kicking around down here for six, seven years; six or seven years and you can't even get a vote. All this does is take marijuana from a Schedule I down to a Schedule IV where doctors can prescribe it. That's not radical; and the dogma of these statements it's a gateway drug. That's a load of crap. The reason they call marijuana a gateway drug is because it's an illegal substance, you can't get it. You go to a drug dealer whose dealing illegal drugs. That's your access point into the black market and after they find out that marijuana is not that big of a deal they go back and try other things which typically that drug dealer has there to push onto them. That's why they call it a gateway drug. Not because you use marijuana.

I will remember, probably for the rest of my life, Delegate Bill Flanigan sitting down here in the front row last year and he gave one of the best speeches I believe I've ever seen for a period of 8 to 10 minutes; talking about the cancer that was eating through him, tumors throughout his body and he used marijuana. He used marijuana because it helped him from losing 15 to 20 lbs. when he got sick, when he was going through chemo and radiation. To me it's this compassionate issue that I cannot for the life of me understand why this body wants to continue to just look the other way and not take up.

The people are with this issue ... sixty some percent of West Virginians are tired. They want this legislative body to act and they're going to get a chance today to see who's finally going to stand up and say you know what, enough is enough. We're going to allow this just like the other 28 states, just like Ohio, Pennsylvania, Maryland. We're going to come out of the dark ages and advance forward and quit having these conversations that occur in the 1960's and continually be rolled out of here. This is your opportunity. You may not get another one as long as you're down here. This is your opportunity to get an up or down vote today to tell the people of the State of West Virginia that you're with them, you got compassion and we're moving forward. Thank you, Mr. Speaker.

DELEGATE PUSHKIN. Thank you, Mr. Speaker. I will keep this brief. I believe most people know how I feel about this subject. I did introduce a medical marijuana bill, medical cannabis bill H. B. 2677 which happened to be triple referenced. I do believe this is going to be our only opportunity to vote on this issue that is supported by the vast majority of our constituents. I know this because when I go to the grocery store, when I go to ... I was at a ribbon cutting ceremony earlier today on the West Side ... everywhere I go, what's the main thing people have been asking me about, "Are we going to get medical marijuana this year like the majority of the rest of the states?" And that is where your evidence lies and the rest of the states that have approved some form of medical marijuana and it has been effective in helping people who are going through chemotherapy, people who suffer from MS, Parkinson's Disease ... people have been using it for medical treatment. In fact, in West Virginia it was legal to prescribe up until they started the scheduling procedure. There was prescription marijuana from the 30's to the 1970's. So, it's not a new idea. In fact, it's quite an old idea and people have been using for a very long time. And I understand ... I appreciate the amendment that was made in Health; I serve on the Health Committee. I made this amendment in Health; of course, unfortunately it did fail on a barely closer vote than what we thought it might be. It had bipartisan support in that committee. I don't believe this amendment will affect what was done in the Health Committee to allow for the oil that's made by G.W. Pharmaceutical ... that's the company that makes it ... they're not the only company that could make it. Of course, this would give them a monopoly on the idea and nobody's against anybody making a buck, that's fine but what that ... what that amendment would do basically would give one company a monopoly on this oil, but it will help a lot of people ... it will help a lot of people and I support that, but this amendment does no harm to that amendment. This amendment doesn't harm that. We put this amendment in okay ... we vote on the bill; we pass the bill and then I suggest to set up the structure that the Gentleman from the 27th to talk about what would be missing from this ... how other states have decriminalized forms of medical ... and we're only talking about medical cannabis here. To set up the structure I suggest that we run the House Bill 2677. It's a very well-

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crafted bill, it would set up the structure to create dispensaries and allow for the legal ... the legal dispensing of medical cannabis for people who need it, people going through cancer treatments, people who suffer from MS, Parkinson's Disease. The bill is there. The bill with the structure is there; unfortunately, it's been triple-referenced and if you're going to get a chance to vote for it, today's your chance to vote for it. If you support what 28 other states have already done ... if you don't want to be an outlier on this, you vote for this amendment. That's it; this is going to be your only chance to vote for this amendment. We get it through ... we have the structure in House Bill 2677 and we could speed that bill up, run it and we'll have the structure in place and that does allow for taxation, that does increase the revenue. So, we'd be helping West Virginians and also addressing our budget issues and it's a tax people would probably line up to pay.

You know, a lot of ... you know, I heard the testimony where the Gentleman talking about gateway drugs and that a lot, you know, addicts start off with marijuana, a lot of them start off with alcohol, a lot of them start off with things that are already Class IV Non-narcotics like Xanax but there is yet to be a case of a fatal overdose from cannabis. There have been many, many fatal overdoses from Xanax which is already a Class IV Nonnarcotic ... exactly where this amendment would place cannabis. It would be on the same level as Xanax. Right now, it's considered more dangerous than Fentanyl. Fentanyl is a Class II Narcotic. Marijuana is listed as a Class, as a Schedule I. Now does anyone seriously think that that's where it belongs in the scheduling; a Schedule I ... absolutely no medical value, more deadly than Fentanyl? A drug that we had to pass a law specifically about Fentanyl because of the damage that it has caused in this state. That marijuana belongs as a class ... as a Schedule I; absolutely no medical value even though 28 states have proved otherwise and countless patients have proved otherwise and countless phone calls and emails, personal visits, letters that I received and I'm sure everybody else in here has received from people who have used it to treat their ailments, some of which living in the state are now considered criminals because they are simply trying to treat their ailments with something that's a lot safer than some substances that are already

Schedule IV Non-narcotics. This amendment makes perfect sense. It puts it right about where it belongs; Schedule IV Non-narcotic. You would have to consult with the physician first, the structure would be there. If we speed up the passage of House Bill 2677 we could put the structure in place to make this a reality, help a lot of West Virginians and address our budget issues. So, I'd strongly urge passage, adoption of this amendment. Thank you

DELEGATE FOLK. Thank you, Mr. Speaker. 2003 was the year. 2003; the U. S. Department of Health and Human Services was awarded a patent. Patent No. 6630507 for the medical use of parts of the marijuana plant.

So, you've heard today that the government reviewed it over the last three years and said it didn't have any medical use. I think that's a little bit of hypocrisy from the federal government telling us that.

Now, we also heard today that somebody said that there was really no medical studies and for the most part in the U. S. there really aren't because of the restrictions put on by the federal government but there are 60 peer-reviewed studies, some double blind randomized studies; 41 of those were pre-medical. They had medical use and the various things we used to treat. As a couple of examples; Crohn's disease, multiple sclerosis, PTSD, cancer. Only five found no medical use out of all these studies and there were 14 that were inconclusive. Think about it; those are the facts, not the propaganda, the facts. Some of these studies, and I'm not going to go over all of them, but some of them ... one of them was done at the University of Calvary. I imagine a lot of these studies by PHD, MD's; these people are used to dealing with facts, scientific research.

You have an opportunity today to do the right thing, the compassionate thing and I urge your support.

DELEGATE CAPUTO. Thank you very much, Mr. Speaker. I feel compelled to speak on this issue and that may surprise some folks; that's usually not an issue that I share a lot of passion about but when the Chairman questioned the intent of the sponsors, that bothered me because I clearly know the

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intent of the sponsors. I absolutely believe that their intent is to help people. I think we need to clear that up immediately. And the word foolishness was used. I don't think there is anything foolish about what the sponsors of this bill or this amendment ... I'm sorry, is trying to do and he cautioned you not to listen to the emotion. Well, I don't know how you don't listen to emotion when we're trying to do something that could be very compassionate and very helpful to our people.

And I'm going to share a couple of stories with you, Mr. Speaker, as to why I'm going to vote for this amendment. You see, one of my best friends in life, his name was Mike Aires, and he worked with me for the Mine Workers and Mike died of breast cancer. One of the few males that gets that disease and he just didn't make it. Mike was a Vietnam veteran. He was as tough a man as I've ever been around. Tough a man as I've ever been around. And during his treatment he got very sick, he couldn't sleep, he couldn't eat, and he was smoking marijuana. His daughter was bringing the marijuana home for him to smoke and he'd sit, and he'd tell me how ashamed he was that he had to have his daughters go out on the street and bring the drug home, so he could have some relief and I said, "Mike you shouldn't be ashamed. We're the ones that should be ashamed that you have to do that."

So, Mr. Chairman, with all due respect emotion is going to come into play here. We do a lot of things in this body on emotion. We're a citizens' legislature and we hear our people from back home and we act accordingly. So, I'm offended that your question ... that your intent was questioned to the Gentleman that sponsored this amendment. And just two weeks ago, Mr. Speaker, one of my members passed away; a retiree in my district and I went to the funeral in Shinnston. A gentleman come up to me that I'd never met before in my life and he said he just wanted to say hello to me and meet me. I used to work in the mine with his brother and he had an oxygen bottle strapped to his side. He looked to be in his 60's. I don't even remember his name and he said I don't have much longer on this earth and he said hospice is taking care of me and he said I'm good with that. I've accepted that. I'm good with that he said, but if you ever have an opportunity to legalize marijuana for medical

purposes I would appreciate you casting your vote in favor of that because I have to buy it illegally, so I can have some relief and I'm ashamed of that. And I gave him the same response that I gave my buddy, Mike, that we should be ashamed. He shouldn't be ashamed. And I made him a promise.... brother, I will share your story if the opportunity ever arises and today that opportunity is here.

Mr. Speaker, I don't care about the money this will generate. I don't care how much money ... I don't care if it don't generate one red cent for West Virginia. That's not why my light's going to be green. My light's going to be green because I think we can do something here to help people and we have an opportunity to help some people who can't sleep, who can't eat, who are suffering so. We can do that today and I think that's what we all come down here for. I think that's what we all promise our constituents that we're going to do. So, I'm sorry, Mr. Chairman, if I'm acting on emotion and if you think that's a bad way to act but I don't have any other choice but to act on emotion because I use my gut and I use my heart sometimes to guide me on which one of these buttons I'm going to push and today my heart tells me to vote green. Thank you, Mr. Speaker.

DELEGATE DISERIO. Thank you, Mr. Speaker. I rise today in support of this amendment. First of all, by experience; many of you know my wife, a cancer surviving, double mastectomy, complete removal of her thyroid. I saw what she went through not only physically but emotionally. You take a lady you know, 40-years-old, that had long beautiful curly hair and a beautiful body and the next thing you know she has missing two breasts and absolutely no hair. I can tell you what this does emotionally as well. And I also heard today gateway; and I just don't want anyone to overlook that between 2007, 2012, over 700 ... over 700 million pills shipped into our state. Seventeen hundred of our citizens died from these pills. 2015 CDC comes out and tells us that 41.5 per 100,000 overdoses. Jump up to 2017 and the addiction that we have to heroin, and marijuana is the gateway. Thank you, Mr. Speaker.

DELEGATE HORNBUCKLE. Thank you, Mr. Speaker. Very, very emotional and like my colleague from the 50th, I was at a forum

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during the campaign trail. I was at the West Edge Factory in Huntington and in there was a group of displaced coalminers and we had a discussion and we talked about the effects of what potentially marijuana can have for our state and we talked about the economics of it. We talked about putting displaced coalminers back to work in a safer way but after that I had a couple of them, as I had to run out, come up to me and shake my hand and thanked me for the courage that I had to speak on that topic and to take up for them and one of them as I was rushing out to actually go coach a practice ... he said, "Man I just want to try and get off these pills, this will help me get off these pills" and I've often joked about because I'm very much a friend of this ... I've tried it private and public sector ... very much a friend of coal, but I've always talked about when we had that Friends of Coal Bowl, I didn't see a lot of miners up in that luxury box. I just didn't see it.

So, I stand before you today with my experience. This is a friend of the coal miners' amendment. A friend of the coal miners and I urge you to think about those people in our state that we've talked about forever and a lot these past year, not the executive, not the operators but the coal miners because they're hurting, and this could help them get off those prescriptions and get their families back on track. Thank you, Mr. Speaker.

DELEGATE STORCH. Thank you, Mr. Speaker. I believe I have questions for the Gentleman from the 3rd and the Gentleman from the 27th.

DELEGATE STORCH. I'm sorry, I'm probably not going to be able to articulate this very well but one of my questions relates to the Gentleman from the 27th saying that we would be the first state to move this from a Schedule I to a Schedule IV. So, could you explain your intention with doing that?

DELEGATE FLUHARTY. The intention is simply to allow ... by going from a Schedule I that it has no medical value. If the Gentleman would like to reformat to a different Schedule for allows for prescription which is what this does, I would be happy to do so. But the intent is simply to take it from a Schedule I so that then we are saying as a

state because the feds are not good at what they do, they're saying it's a Schedule I, we're going to say "no" on the state level. It's not a Schedule I. We're taking it out of a Schedule I just simply, so it can be prescribed by a practicing physician.

DELEGATE STORCH. So, do you envision that physicians would start prescribing it and would they be able to start prescribing it just from moving it from a I to a IV?

DELEGATE FLUHARTY. That is my understanding.

DELEGATE STORCH. Okay, thank you. Can I ask the same questions to the Gentleman from the 27th?

MR. SPEAKER, MR. ARMSTEAD. Gentleman from the 27th yield? Gentleman yields.

DELEGATE SHOTT. Certainly. The question about I to IV? Yeah, we did some research last night ... couldn't find another state ... could not find another state that it moved it from a Schedule I to Schedule IV.

DELEGATE FLUHARTY. And why do you think that that is?

DELEGATE SHOTT. I really would only be speculating. I have no idea. Probably ... depends on what kind of scientific evidence that they've looked at. They may have decided to follow the same expertise that other states have in terms of the federal drug enforcement agency and you know, their three-year study.

DELEGATE STORCH. So, with the other 28 states that were referenced to actually having the prescriptive ability with this, how do that do it, I guess if it's not ...

DELEGATE SHOTT. Well, they have a structure in place that you know allows certain guidelines just like any other regulated activity as to how it's to be done under what circumstances, the dosages and so forth. This basically would put no restrictions on anything other than find a doctor, they'll give you a prescription and you can smoke joint and go underground in the coalmine and if you're intoxicated there's not much of any they can do about it and

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whatever. So, you know, there's no ... once we remove it from here if you can find a doctor that will give you a prescription then you're okay. You can use it.

DELEGATE STORCH. Okay. Thank you.

DELEGATE ELDRIDGE. Thank you, Mr. Speaker. I really wasn't going to get up and talk today but I think I owe it to a lot of my constituents that's come to be in the last six years, I know, that ... when are you going to get this done, when are you going to get this done, when are you going to get this done? Now my aunt passed away back in 1990, I believe it was, and she was terribly sick. She had breast cancer and she ended up with bone cancer and she really wanted some medicine to help her and I owe it to her and get up and share my story. She would not do it. She would not smoke marijuana or consume it in some type of oil as the Chairlady mentioned that this bill will allow, if FDA approves it. I've heard the FDA's name about proven or not proven or letting go or not letting go. I think the FDA has the choice of getting it off of Schedule I, which I think in the 70's was placed under a Schedule I by Richard Nixon ... President Nixon against the advice of his staff that was over that part of the department.

Last year I sat right here when my good friend Delegate Flanigan got up and gave a speech and the one thing that sticks out to me that he talked about was not feeling demonized, not feeling like he was a criminal because he was searching for medication to help with his illness. The only medicine that he took that helped him, not only not take his Oxycodone's, but to gain weight, to be able to eat while he was doing his treatments. So, I feel like I owe that to him, I owe it to my aunt and I owe it to a lot of the veterans, I owe it to a lot of coalminers.

The Gentlady talked about ... in this bill it would make it into a CBD oil ... less than 2% or .2%...I didn't understand that. It's my understanding you could make that from hemp CBD oil. If the regulation is so low ... it doesn't have any THC in it, it comes from hemp seeds. This simply takes it off a Schedule I and puts it down to where somebody could write you a prescription for it like they can Xanax, like they can Roxys, like they can Oxys, like they can all the other things that have been killing our people.

Someone spoke in here that they'd never hear of anybody overdosing on marijuana ... cannabis. I haven't either. But if we continue going down this road of criminalizing it and making people feel like a criminal because they have eaten a candy bar that had some CBD oil made from the cannabis. My friend from the 1st back here asked for courage. I seek the courage to get up and stand today and talk for this. My area doesn't poll as well as some areas in the State of West Virginia about the acceptance but Lord, God, we're going to put it for a doctor to prescribe to us. We trust our doctors, right? Do we? Someone spoke in here about the other states on how they got it moving. No other state's done this. In their states... has probably got the legislation move it is the reason why they haven't done this. They've passed legislation. They've listened to their people.

Have the courage to stand up for what is right. Get it off of Schedule I and put it on Schedule IV. Thank you.

DELEGATE HILL. Thank you, Mr. Speaker. I am a fairly quiet individual, a lot of you know that. I don't speak often but I felt compelled to today at the risk of getting some folks mad at me over this issue.

About a couple of years ago my nephew ... he had been diagnosed with cancer and I hadn't thought much about this issue. It wasn't a big thing with me either one way or another if I would support it if it ever came up for a vote but after he got cancer I went to Pittsburgh and I spent some time in the Pittsburgh Children's Hospital and I saw all of these kids with these cancer ... diagnosed with cancer in so much pain from these treatments and I thought at that point about this issue. You know, if he ever needed this medical marijuana or cannabis oil or whatever it may be to ease his pain I would go to any length, make any steps in order to get it to him. Because I could not stand to see these kids in pain and I realize it's been said about the emotional arguments; I can't help it. I've experienced this personally and it kills me and I know there've been arguments whether it be in committee or on the floor that some folks are worried about, well the federal government ... its illegal. Well, when have we ever said to the ... you know ... when did we ever pause to say, "All you know we're not going to fight the EPA, for instances, because all of that's federal and they said

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don't do this so we're not going to do it." No, we fought the EPA too and that's not a related subject but still ... when have we ever been afraid to stand up to the federal government. So, you know, if ... you know, the delegate from Kanawha, he stood and he was talking about a bill that is stuck in committee right now. If I saw that this ... that bill was going to see the light of day then I'd vote against this because I'd want a chance to vote on that, you know, if it had a chance of passing but let's be real.

I don't see that happening.

So, I want to vote for this today and I would encourage my colleagues to do the same.

DELEGATE FAST. Thank you, Mr. Speaker. I believe Mr. Speaker, that this amendment is none other than an attempt to declassify and legalize marijuana and I vehemently speak against this amendment. Mr. Speaker, I'm speaking on behalf now of all the youngsters in this room in our midst this day and our citizens in the State of West Virginia.

There's no question that marijuana affects negatively the health of the body, brain function, memory. There's no question that's what it does. I wanted to read a little bit of information. This is from Newsweek 2015 article; this is regarding Colorado. "In 2014 and 2015 nearly six million in pot revenues have been distributed to local governments ... six million but the cost of increased law enforcement, drugged driving incidents, fatal crashes, loss of productivity and a huge spike in gang-related crime brings into question the cost benefits of those dollars. Teen drug-related school expulsions are also on the rise and the notion that prisons filled ...

MR. SPEAKER, MR. ARMSTEAD. Gentleman stays ...

DELEGATE FLUHARTY. ... talking about legalization and I'd appreciate that the body would read the amendment and then speak to the amendment.

MR. SPEAKER, MR. ARMSTEAD. Again, I think the Gentleman is talking about the fact that you've made reference to what other states have done in your comments, I think

he's referring to what the reflection of what states have done in the other states.

DELEGATE FLUHARTY. I prefer to see what, I think, we're trying to do here.

MR. SPEAKER, MR. ARMSTEAD. To the Gentleman, I think we've given a lot of leeway to everyone that's talked on this today to be quite frank and if we want to get very specific to it we can do that but I think ... I've tried to give leeway because everyone has said they wanted to debate this issue and this amendment is that issue so I'm going to give the Gentleman leeway that I've given, I think, to the other members. Gentleman may proceed.

DELEGATE FAST. Thank you, Mr. Speaker and I believe the broadness as explained by the Chairman calls for the information I'm providing, and I'll read on the Newsweek article: "and the notion that prisons filled with minor drug offenders would be relieved of overcrowding, a selling point of legalization of marijuana has been blown to smithereens." A 2016 CBS report; here are the highlights: "In just three years since legalization marijuana-related traffic deaths increased 48%. Over 20% of all traffic deaths were marijuana-related compared to only 10% six years ago. Marijuana-related emergency department visits increased 49%. Marijuana-related hospitalizations increased 32%. Imagine about the Medicaid bill for that. Marijuana-related calls to the Rocky Mountain Poison Center increased 100%. Colorado youth now rank number one in the nation for marijuana use and 74% higher than the national average. Is that what we want, ladies and gentlemen, to go down this road? Do we want to be number one in that category? Do we want to go down this road and top Colorado so that we can have more youth smoking pot which, again, affects health, brain function, memory? The number of marijuana-related driving deaths has skyrocketed in Colorado. I mean it's just a fact. It's not my opinion.

So, ladies and gentlemen, on behalf of our people, on behalf of our state, on behalf of our children, I urge a strong rejection of this amendment. It just doesn't make sense and again I'm not speaking just purely from my opinion, I'm reading facts here, ladies and gentlemen ... solid facts. This is something that we cannot afford as a state and I urge rejection.

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DELEGATE PAYNTER. Thank you, Mr. Speaker. I'm really on the fence with this one. It's just ... I wholeheartedly support medical marijuana because I know people it's helped firsthand. The reason I'm on the fence is because we have to do ... have to be done this way. I mean, there's bills out there for this issue. If they were run, we could eliminate just the whole backdoor deal here. It's just ... get it honest ... let's run it and get an honest vote on it and let it stand on its own merits. An honest debate factors good discussions and good decisions and the people of West Virginia ... they deserve both. That's all I got. Thank you.

DELEGATE MARCUM. Ladies and gentlemen now is the time. Now is the time to be courageous and push that button for this amendment. With you kicking this can down the road that's been here for years, this can just keep getting kicked. Nobody wants to run the bills and do the right thing. When are we going to be courageous and stand up and say enough is enough. We have the chance right now. It's not often you're going to get this change. It's not often you're going to have the opportunity to do what's right. The bills are there. They're not running. The process is what it is. There's an amendment pending, push the button, let's go. Now's the time. What's important about this, ladies and gentlemen, taking this from a Schedule I to a Schedule IV, it's still illegal without a prescription. Let's stick to the facts and quit talking about states that just have ... like Colorado, who say marijuana is legal across the board. Ladies and gentlemen, it's still illegal, it requires doctors to write you a prescription. I spent five years as a prosecutor. Very, very little do you see crime and other offenses coming from marijuana. It's coming from these large pill pushers who brought pills to our state but yet, no we don't want to touch the pharmaceutical industries, by gosh. Too many campaign donations there.

MR. SPEAKER, MR. ARMSTEAD. Gentleman is out of order. Gentleman, please stay ... I'm going to really admonish the members to stick to what this amendment is about, and I've given some leeway because I do think there is some ... some, in terms of recreational and medical marijuana, some of the same arguments but in terms of getting off onto other things and other bills I'd ask

the members to stick to what the amendment is in front of us.

DELEGATE MARCUM. Thank you, Mr. Speaker. Ladies and gentlemen, you can buy Xanax which is a Schedule II or a Schedule IV via skype but yet we cannot legalize a drug that will help cancer patients on their deathbed. Be courageous. Now's the time to stand up and do what's right. The people of West Virginia want this. The polls show it three to one; three to one the polls show it. Do what your constituents want and stand up for what's right. Thank you, Mr. Speaker.

DELEGATE MOYE. Thank you, Mr. Speaker. Will the Gentleman from the 27th yield for a question?

DELEGATE SHOTT. Yes.

DELEGATE MOYE. I've been doing some Internet searching while this debate has been going on and not that I believe everything on the internet, but I've come to the conclusion from things that I have read that states do not necessarily have to go by the FDA recommendation for drug classes.

DELEGATE SHOTT. I'm sorry, the question is?

DELEGATE MOYE. Is that correct, that West Virginia can schedule ... we have the right or authority to classify or schedule drugs and it doesn't have to match what the FDA suggests. Am I right or wrong?

DELEGATE SHOTT. Here's my understanding: The Board of Pharmacy follows the DEA which in turn follows the FDA so our Board of Pharmacy would follow what the federal government does if that answers your question.

DELEGATE MOYE. I understand that we usually follow that but is it within the state's authority, our right to reschedule differently?

DELEGATE SHOTT. I mean, I guess we could do whatever the heck we want. We could declare independence if we wanted to but we normally follow the federal government's lead on drug issues and FDA takes the lead on that and you know, we could just ignore it and the FDA has much more capability to research as I indicated earlier

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they did a three-year study on this issue. I don't know of any study that's been done here in the state that is that extensive or involve that level of inquiry, but my understanding is that we have always followed the FDA lead on these substances.

DELEGATE MOYE. Well, I was just trying to determine if we can do that and my colleague just handed me the agenda ... house calendar for the day and it looks like on second reading we have our bill classifying additional drugs to Schedule I, II, IV and things. Okay. I'm not sure I got the answer I was looking for on that, but I just want to know if we can do it.

DELEGATE SHOTT. If we do this every year when the FDA ... when the FDA updates their schedule we update ours. It's typical, this is nothing unusual. What's unusual is there's an effort now to vary from what the FDA tells us is the proper and the most scientifically studied way of classifying our substances.

DELEGATE MOYE. I do ... I agree with you. They have more resources to come to those conclusions, but I was just looking if we can even do it legally, so ... but it appears that we can.

You had mentioned that no state had moved marijuana to Class IV.

DELEGATE SHOTT. We have not been able to locate a state that did that.

DELEGATE MOYE. Have any moved it to Class II or III that you're aware of.

DELEGATE SHOTT. Council tells me that there may be one or two that have gone to Class II.

DELEGATE MOYE. To Class II?

DELEGATE SHOTT. Yes.

DELEGATE MOYE. If we reschedule this to Class IV or II or III or whatever class we move it to ... of course, this amendment is to take it to IV ... can a physician I guess write a prescription for it but since ... I'm trying to work through this ... if it's still illegal we haven't legalized medical marijuana; can you

go to a drugstore and get it if we were to move it to Schedule IV?

DELEGATE SHOTT. I think if you have a prescription whether you got it in Ohio or wherever you got it, it's a valid prescription, you can go into a pharmacy and purchase it but I'm not sure if pharmacies actually stock marijuana. I'm sure they don't at this point. If that was your question. I mean if you go down to Rite Aid I don't think no matter what you ...

DELEGATE MOYE. So, you could take this prescription out-of-state and have it filled but would it be legal for a pharmacy in West Virginia to stock this and dispense it if we have not legalized medical marijuana.

DELEGATE SHOTT. I think what ... and like I said earlier, I think we're sowing the seeds for a lot of confusion here. I don't think they could sell it under current law. I think probably what you could do if you had a prescription is possess it but where you would get it I think it would be difficult for a pharmacy ... probably illegal to actually sell it, especially with the federal regulations being such as they are.

DELEGATE MOYE. I'm really just trying to sort through how this would work if we were to change that and so to recap, it sounds like we can reschedule it. Some states have but not to IV but if we do reschedule it that doesn't mean it's going to be available if a physician would write a prescription for it. Somebody would have to go out-of-state possibly ... I mean, is that correct?

DELEGATE SHOTT. All I can say and as I said before there's a lot of confusion that's going to follow this if we adopt it and I can't speculate as to all of the outcomes but all I can say is if you have a doctor's prescription, if this amendment passes you'd be able to possess it. Now, where you could get it is a whole different issue.

DELEGATE MOYE. Okay. I think that's about as clear as I'm gonna get.

DELEGATE SHOTT. I can't give you much clarity on this because, as I said before, this just opens Pandora's box as to confusion as to how it's going to play out.

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DELEGATE MOYE. Okay. Thank you, Mr. Chairman, appreciate that.

MR. SPEAKER, MR. ARMSTEAD. Lady from the 51st, Delegate Frich.

DELEGATE FRICH. Thank you, Mr. Speaker. Will the sponsor of this amendment please yield?

DELEGATE FRICH. Okay, thank you. If the physician prescribes marijuana then how is the physician supposed to have any control over the various grades, qualities or strengths of the weed?

DELEGATE FLUHARTY. It would still have to be prescribed just like anything else with Xanax and anything else. So, I don't really understand your question. If it's prescribed, it's prescribed.

DELEGATE FRICH. Well marijuana has all different kinds of qualities and strengths ...

DELEGATE FLUHARTY. There are various strengths, just like there are various strengths of Xanax, Tylenol, Codeine, anything else under the sun.

DELEGATE FRICH. So, they're supposed to write down the kind of weed that the patient is supposed to ...

DELEGATE FLUHARTY. I think you're going to the implementation of it and it would be implemented by a prescription just like practitioners prescribe other drugs that are within the schedules. So, they would prescribe it just like they would anything else.

DELEGATE FRICH. Aren't those heavily controlled and manufactured to have all of the same quality those drugs to be consistent and have the same strength and the same amount has the strength that you can count on. Would that be the same for weed and all the various qualities, grades and strengths?

DELEGATE FLUHARTY. Yeah, this would be treated just like anything else ... like a Xanax. We're taking it to Schedule IV, that's where Xanax resides.

DELEGATE FRICH. Xanax is manufactured and its quality controlled ... that's always the same.

DELEGATE FLUHARTY. This would be as well ... this would be as well.

DELEGATE FRICH. So, the marijuana is always going to be the same?

DELEGATE FLUHARTY. I mean, I'm sure there's different dosages and different ways that they can do it. You can an oil, you can have hash, you can have a vapor. There's different procedures and methods to deliver the product to the patient. So, a doctor who is a professional and licensed within the State of West Virginia uses his ability and what he was trained to do and decides that maybe this is something that would work for his patient under the plan they have together could prescribe it.

DELEGATE FRICH. And that physician would be held accountable?

DELEGATE FLUHARTY. Just like they are for anything else.

DELEGATE FRICH. And I ... I do believe that there's various strengths, grades and qualities of marijuana out there so I'm not sure how a doctor would have any control over that and then be held accountable.

Okay, where would the patient buy this marijuana?

DELEGATE FLUHARTY. What's that?

DELEGATE FRICH. Where would the patient buy the marijuana?

DELEGATE FLUHARTY. I mean it would be regulated ...

DELEGATE FRICH. Where would the patient fill the prescription?

DELEGATE FLUHARTY. Where do patients buy other drugs now?

DELEGATE FRICH. Excuse me?

DELEGATE FLUHARTY. Do they go to the pharmacy?

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DELEGATE FRICH. Yeah, so that's where the marijuana is supposed to be available, at the pharmacy?

DELEGATE FLUHARTY. We would ... I assume through the process that that would become available in the pharmacy.

DELEGATE FRICH. And then who is going to regulate that marijuana and the quality, strength, grade and all of that?

DELEGATE FLUHARTY. It would be regulated like anything else that's regulated currently under the schedules. Who regulates Xanax? Who regulates Codeine?

DELEGATE FRICH. No, they're regulated by the federal government ... aren't they regulated by the federal government ... medicines ... they're not ... there's no federal checks and balances over the quality of medicine when it's manufactured?

DELEGATE FLUHARTY. If 28 states and D.C. have figured out a way to regulate it properly and it's dispensed properly as medicine, I'm pretty sure we can get that taken care of.

DELEGATE FRICH. So, West Virginia should take on the burden and expense of regulating a medicine?

DELEGATE FLUHARTY. West Virginia should take on the burden of helping its citizens.

DELEGATE FRICH. Do you think it would be expensive and difficult to regulate this medicine that the federal government is unwilling to regulate?

DELEGATE FLUHARTY. I think it's very difficult and expensive when we're losing lives to opioid epidemic for the State of West Virginia which is proven to decrease the opioid epidemic in states where it has been regulated and passed like we're trying to do here.

DELEGATE FRICH. How many studies do you have showing that opioid abuse would go down due to use of marijuana?

DELEGATE FLUHARTY. The average decrease is opioid overdoses in states that have regulated and passed medicinal cannabis laws have seen a decrease of at least 25%.

DELEGATE FRICH. How many studies did you say there are?

DELEGATE FLUHARTY. There are plenty of studies. Get on your computer and hit google.

DELEGATE FRICH. Now how much of those states spending to regulate a medicine?

DELEGATE FLUHARTY. I don't know.

DELEGATE FRICH. As we heard it's not being scheduled as a medicine.

DELEGATE FLUHARTY. I don't know.

DELEGATE FRICH. Thank you.

DELEGATE SUMMERS. Thank you, Mr. Speaker. Would the Gentleman from the 20th yield, Mr. Marcum?

DELEGATE SUMMERS. I just had one question for you. You were talking about how we've been kicking this down the road, we've been talking about it for years. I know personally that my predecessor introduced this bill year after year after year and the Democrats have been in control for 83 years. Why did you never bring it up to vote for it? I don't even know if it ever got on a committee.

DELEGATE MARCUM. Mr. Speaker I don't think I need to respond to that. I mean, that's not ... has anything to do with this and I call a point of order on the Gentlelady. We're here trying to discuss this bill and not play political games and I would encourage the body to do the same.

MR. SPEAKER, MR. ARMSTEAD. Well, again, I'm going to admonish all members both sides of the aisle to stick to what is in this amendment. Although I will say that I think in both cases people have raised questions about motives and past of this bill and other bills that I think are still outside of the scope of what this amendment would do. So, I'm going to again, ask that everyone

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stick to what this amendment would do and talk about that in terms of our discussion.

DELEGATE LANE. Thank you, Mr. Speaker. I rise in opposition to the amendment. I am one of the sponsors of legalizing medical marijuana and I am a firm believer that we should consider it and just as an aside, when I was first in the legislature back when I was almost as young as some of the members in here, we passed a medical marijuana bill in this House, the Senate passed it and the Governor signed it into law. It was a pilot program and unfortunately it was never implemented and then in 1996 it was taken off the books, but I believe ... and I have talked to a lot of people that medical marijuana would help them in their suffering. But I am also a firm believer that we have to go through the process. We have to go through the process. We have to fully consider all of the ramifications. We have to listen to evidence from experts and we have to just go through the process and doing something as big as what this amendment does without knowing what the ramifications are, what the unintended consequences are and all of the questions that we have heard here today, we just should vote "no" on this amendment and then if the powers that be would will it, then maybe we will get the debate fully and study medical marijuana itself. Thank you.

MR. SPEAKER, MR. ARMSTEAD.
Gentleman from the 60th, Delegate Wilson.

DELEGATE WILSON. Thank you, Mr. Speaker. A couple of times today I have been admonished to be courageous. Courage is not generally I lack; however, I've learned it needs to be employed in conjunction with informed wisdom. So, in an attempt to become wiser and more informed I'd like to ask a few questions if I may.

I believe I should direct this one to the Chairman if you would yield, please?

DELEGATE WILSON. Is there a process currently underway to conduct studies to determine the validity and efficacy of marijuana or substances derived from marijuana in the treatment of PTSD?

DELEGATE SHOTT. To my knowledge, there are studies going on elsewhere but I'm

not aware of any studies in West Virginia if that answers your question.

DELEGATE WILSON. Yes, sir. Do the cost benefit analyses support a person with PTSD purchasing a pharmaceutical product whenever it might become available when they might have the benefits now at almost no cost?

DELEGATE SHOTT. I don't think I can answer that question. That's beyond my expertise.

DELEGATE WILSON. Thank you, sir.

Mr. Speaker, is there someone I might direct that question to?

MR. SPEAKER, MR. ARMSTEAD. The Gentleman can ask any member to yield if they're willing to yield. I can't tell you which member you would want to direct that to.

DELEGATE WILSON. Yes, sir. May I direct the question to Delegate Rohrbach? Delegate Rohrbach, would you yield, sir?

DELEGATE WILSON. In your estimation does the cost benefit analysis support a person with PTSD waiting to purchase a pharmaceutical product when it might be available ... whenever it might become available, when they might have the benefits now at a lower cost?

DELEGATE ROHRBACH. To the delegate, that's very far out of my ... I don't practice mental health medicine and I'm not going to attempt to answer that question.

DELEGATE WILSON. Okay. In your estimation are the counter indications such as the THC, is there a particular reason that I should recommend to friends of mine who are suffering from PTSD that they wait for a pharmaceutical product that might be able to help them that has the THC removed and pay the extra cost, rather than growing their own marijuana now and smoking it.

DELEGATE ROHRBACH. I think that would be up to the Gentleman to advise his friends as he'd see fit.

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DELEGATE WILSON. Thank you, sir. I appreciate your time.

Would the Chairman yield again, please?

DELEGATE SHOTT. Yes.

DELEGATE WILSON. Thank you, sir. By what process should this body consider the potential legalization of the medical use of substances derived from marijuana?

DELEGATE SHOTT. It would be the same process we follow in any other situation involving this significant issue. Bills would be introduced, it'd be referred to committees, committees would hold public hearing as requested, the input from the public would be received and there would be technical assistance provided at the committee meetings. One or more ...

DELEGATE WILSON. I'm sorry, sir ...

DELEGATE SHOTT. One or more committees were probably involved in that process. I think we have one now that is referred to three committees. So, as it works its way through that process it would ultimately get before the floor and taken up by this body in its entirety.

DELEGATE WILSON. Yes, sir. Would that be the bill that was introduced by the Gentleman from Kanawha?

DELEGATE SHOTT. I'm sorry, I haven't seen that bill, so I can't comment on it. I don't know.

DELEGATE WILSON. Okay, sir. Is there an interim plan to provide the opportunity for those benefits while we move forward toward that bill?

DELEGATE SHOTT. To my knowledge we haven't discussed interim topics yet. It could very well be an interim topic yet. It could very well be an interim topic either of health or of one of the other committees. It could be the ... you know, the judiciary committee basically looks at legal issues associated with any type of action that we take. It could be a combination, I mean, there's a possibility that the leadership could assign it to a joint task force or to a ... to a ... multiple

committees to work together on but at this point we usually don't do interim study topics until the end of the session when we've determined what we might not have been able to get to during the session.

DELEGATE WILSON. I'm sorry, sir, I phrased the question improperly. The use of the term interim wasn't referring to the session but rather to the plan. An interim plan for how we might help people between now and when but ...

DELEGATE SHOTT. I'm not aware of that ... any plan.

DELEGATE WILSON. Thank you, sir. If we were to pass this amendment today and the bill were to pass, how would this amendment affect the process that we are now going through?

DELEGATE SHOTT. Well, as I said before I think there would be a great deal of uncertainty and confusion if this amendment passed because as the Gentleman from Raleigh's questions illustrate ... I mean the fact that you could convince a physician to give you a prescription doesn't necessarily mean you could find a source to fill it other than perhaps growing your own marijuana in your backyard so ...

DELEGATE WILSON. Yes, sir.

DELEGATE SHOTT. There's just a lot of missing pieces as to what's going to happen if this amendment is passed and I can't ... I can only speculate, I can't ...

DELEGATE WILSON. How would the passage of this amendment affect the intent of the bill itself?

DELEGATE SHOTT. Well, we get our information every year through the process of the Board of Health which comes from the DEA and FDA and every year that I've been here and this is my seventh, we've updated the schedule based on the evolution of the science as to what needs to be included and as I'm sure the Gentleman understands the ... those people who feed these habits are pretty creative in the formation of the substances they create. Whenever there's a substance on the list they'll mess with a molecule or two and change the nature of the substance. So,

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we always are in a constant annual process of updating the control list and if you look at the bill itself, I think it's like 30 pages long, there are various places in which new substances have been inserted into the various schedules.

DELEGATE WILSON. Yes, sir. Would the movement of ... well we don't even actually have the power ... if I understood the argument previously, we don't actually have the power in this body to move a substance from one schedule to another. We're simply reflecting what the federal government is providing us.

DELEGATE SHOTT. Well, we normally follow their expert guidance on that and that's why all these other substances are where they are.

DELEGATE WILSON. Yes, sir. Were we to actually move it to Schedule II and the reason that I ask that is because Schedule I specifically says if I read it correctly, that the substance has no medical value at all. Would that be of any value at all, sir?

DELEGATE SHOTT. Well, we'd still have the same problem. I mean, we still ... we lack the structure to deal with it. We lack any kind of regulatory structure so in my opinion it would still create the same problems. The punishment might be different depending on which schedule you violate but the problems still accompany the lack of any structure or regulatory environment in which to operate.

DELEGATE WILSON. How would this amendment affect ... how would this amendment affect ... would it change the current effect of law on someone who is growing marijuana in their backyard and smoking it ... using it for their own consumption?

DELEGATE SHOTT. My understanding of this amendment would have the affect for simple possession ... have the effect of reducing the penalty but I'm not certain about that. I'd have to ... let me check with ... if I was ... if you were charged with intent to manufacture or distribute, the penalty would be slightly lower on the upper end but it could still be a felony.

DELEGATE WILSON. Thank you, sir. I certainly appreciate your time. Thank you, Mr. Speaker.

DELEGATE ROHRBACH. Thank you, Mr. Speaker. Would the distinguished Chairman of Judiciary yield for a few questions?

MR. SPEAKER, MR. ARMSTEAD. Gentleman continue to yield? Gentleman yields.

DELEGATE SHOTT. Certainly.

DELEGATE ROHRBACH. Thank you, Mr. Chairman and I will be brief and I appreciate your patience during all of those questions.

As you've already stated and has been elaborated by several delegates, to the best of our knowledge we'd be the first state to have taken this route to reschedule this to a Class IV drug; would that be correct?

DELEGATE SHOTT. Yes.

DELEGATE ROHRBACH. Would it also be fair to state that assuming that the DEA and FDA don't like this tactic that this could spawn a significant lawsuit between the State of West Virginia and the federal government?

DELEGATE SHOTT. I think that's a possibility. I can't really certify that's going to happen.

MR. SPEAKER, MR. ARMSTEAD. Gentleman may ... point.

DELEGATE FLUHARTY. The Gentleman is asking about potential lawsuits?

MR. SPEAKER, MR. ARMSTEAD. I think he's asking about the ...

DELEGATE FLUHARTY. Far beyond the wording of the amendment.

DELEGATE ROHRBACH. Mr. Speaker, I'd say that any bill, without regard to what we do in this chamber, any bill we pass is apt to be subject to legal review and that's where I'm going with this.

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MR. SPEAKER, MR. ARMSTEAD. Well, to the Gentleman, I understand your objection, but we have talked a great deal today about the interaction between the federal law and the state law and I think the Gentleman's question goes to that interaction and again, I think it would be up to any other member to argue if they disagree with the answer but I do think it's relevant to what we're talking about.

DELEGATE ROHRBACH. Thank you, Mr. Speaker. Thank you for consideration. Again, Mr. Chairman, if this ... you do see an avenue that the FDA and DEA could come back against this law in the State of West Virginia.

DELEGATE SHOTT. You know, I can't speculate what the federal government would do but it's going to create some serious inconsistencies not only in enforcement but in the definitional provisions. Because we haven't done any real studies we can't, for instance, determine if it would affect federal funding of any particular program; it could. An FDA-sponsored program where we're inconsistent in the application of our law from their law possibly could affect any funding that might come from the FDA, the DEA. Those are all ... as I said ... we're sowing the seeds of uncertainty. A lot of things could happen. All of those things would need to be studied before we'd take this step, but it certainly could. I think the federal government ... you know, they have a lot of conditions on any type of funding. It could also have some certification or licensing issues because there's inconsistency between our law and federal law. It's just hard to predict all of the consequences.

DELEGATE ROHRBACH. Thank you and you did answer my second question there; that you could see an avenue where this would affect funding. Now, if you don't care I just ... one or two other small questions. If such a legal avenue was pursued by the federal government against the State of West Virginia that could be fairly protracted in your opinion?

DELEGATE SHOTT. Possibly, yes, possibly.

DELEGATE ROHRBACH. And costly?

DELEGATE SHOTT. Litigation is costly, yes.

DELEGATE ROHRBACH. Okay and also when you studied how the other states have implemented medical marijuana there is absolutely no implementation features in this change in schedule; would that be correct?

DELEGATE SHOTT. Yes, that is.

DELEGATE ROHRBACH. So, we would have to go through rulemaking and the Board of Pharmacy, assuming that they would go along with this. So, if they didn't the effect of what we would do today would perhaps even hurt the cause of medical marijuana. Could that be one of the scenarios if we'd gotten embroiled in a federal lawsuit?

DELEGATE SHOTT. Possibly but I mean, that's one reason you'd like to go through our process and ask the Board of Pharmacy for instance, or the Board of Health, what source of consequences we might have so we can anticipate those. What sort of problems there might be if we do something different than what the federal government suggests we do but we don't have any of that information so ...?

DELEGATE ROHRBACH. Okay. Well, thank you, you've answered my questions. Thank you, Mr. Chairman and thank you, Mr. Speaker.

DELEGATE COWLES. Thank you, Mr. Speaker. Ladies and gentlemen, I'd like to make just a couple of points on this bill. First, I should probably share with you my brother passed away; he died of Ewing sarcoma. He lost his leg, his full right leg and his hip whenever he was 15-years-old, had a couple of ongoing battles but he passed away. Lived sometime after surgeries but passed away of Ewing sarcoma and I would share with you despite some of the things you might've heard here today, marijuana does not cure cancer. It may provide some relief but don't be misled to think that marijuana cures cancer in some way.

Second, there's been great debate here today about the DEA classification and I think we're missing something. There are two standards to the DEA federal classification; no. 1 is the medical properties,

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that's only one of the standards. Either it has no currently accepted medical use, which would be Schedule I that is currently accepted medical use or it does. If it has a currently accepted medical use it could be Schedule IV. But that's not all; there's another part to it. The other part that we're missing is there's a high likelihood ... potential, I'm sorry ... a high potential of abuse or a low potential of abuse. If there's a low potential of abuse it could be Schedule IV. If there's a high potential for abuse it Schedule I. Are you really thinking that people aren't going to smoke dope and put it in IV? Part of the reason, my friends, that it is Schedule I and it's having such a struggle to get what I believe there are good medical uses to some forms of marijuana, part of the reason it's struggling is because of the high abuse of people smoking dope to catch a buzz and get stoned. It can't be Schedule IV ... we would be saying there is a low potential for abuse for marijuana and that's just not so.

I would also agree with the Chairman; 28 states have not done this ... they have not done this. This is just throwing chaos into the whole system. The entire scheme is missing is what the Chairman said, and I agree. The delivery system, the dispensary system, the prescription system, the revenue system; all missing if we just reclassify it as this amendment seeks to do.

There's confusion, uncertainty and inability to actual use it. It puts the legal medical issues in limbo in West Virginia; those are the reasons that we should not consider this to be good policy or good procedure to just reclassify it. It doesn't matter where your position is on the policy, this is bad procedure and I would suggest to you that it is not proper to go from Schedule I to Schedule IV and say there is a low potential of abuse of marijuana. It's just not so. Two standards; medical issue and a low issue of abuse; that's Schedule IV. No accepted medical use and a high likelihood of abuse; that's Schedule I. Two standards and we just simply cannot in good conscience move it to Schedule IV even if it were a good policy procedure which it's not and therefore, Mr. Speaker, for all those reasons despite where you might be on this issue, I would urge a no vote on the amendment.

MR. SPEAKER, MR. ARMSTEAD. To the members, we've had I think a very spirited

debate today. The people that have pushed their buttons, each of which are still on the list have already spoken on the bill so I would ask you to be brief in your comments. I will recognize you again under our rules, people can be recognized twice to speak but after you speak the second time I would remind you that the rule is that you are permitted to speak twice so I'm going to recognize the people who have already spoken whose lights are on and then I'm going to go to the Gentleman from the 3rd to close debate.

Gentleman from the 36th, Delegate Rowe has not spoken, and he has just asked to be recognized. Gentleman from the 36th.

DELEGATE ROWE. Thank you, Mr. Speaker. I am just surprised to be in this room and hear this debate. In all my years, I haven't seen it. I'm just amazed that we're finally getting to the point where we can discuss what everybody out there in the real world is discussing and that is, medical marijuana. We had an amazing presentation last year from a delegate concerning his personal experience. It was very moving, and I will not, as one of the other delegates would say, forget that. You know, it ... you know, Frankenstein is out of the castle, so folks are getting out their pitchforks and torches and we're dealing with something in West Virginia that I believe 28 other states have dealt with.

Our problem here is that we're having this discussion on the floor in regard to the scheduling of the drugs. We're not having the discussion on an agenda in any of the three committees to which the system bill has been referred. We're halfway through the session. A triple reference at this point is almost impossible because we can't take up House bills in the last week or so of the session. So, we're down to an absolute time crunch and if folks are saying genuinely that let's have that bill then that bill should've been on the leadership agenda a good while ago and it just hasn't happened.

And you know, the Gentleman who's the Chair of two of the three committees isn't here today but you know, I really hoped that we would get that bill on the agenda but because it has been years and years and years before this discussion was on the floor I urge people to understand that your vote in favor of this amendment will be a very clear

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statement that the agenda on the committee, the three committees that have that bill should take up the bill and deal with it as in the normal course of events.

A vote against this amendment, on the other hand, is really a statement that we're just going to do what we've always done and keep Frankenstein in the castle. We have got to start discussing this. Our constituents expect us to do this, to take it up, to look at it honestly and carefully and proceed on it. I think that it's being challenged ... the amendment is being challenged not just on its merits but on the procedure, that we're somehow discussing here on the floor and it might involve special rules that the Pharmacy Board can pass and that can be done for any prescription drug that we might have.

So, I would urge the members to understand that this is a historic day that we would discuss the legalization of marijuana on this floor. It's very unusual and only comes about as an amendment to a standard bill that we pass each year. I urge folks to vote in favor of the amendment if it's your position that you favor of legalization of medical marijuana.

Now, it's still a controlled substance. As I understand it, it will be dealt with and can be dealt with in the criminal system as a controlled substance but remember we have to trust our physicians to make the prescriptions. That's what medical marijuana is about, are we going to trust our physicians to make prescriptions and as I've said before, you know, we have allowed two monopolies for intoxicants in West Virginia; one is to the alcohol industry and the other is to the pharmaceutical industry. They control anything that would intoxicate or relieve pain. Medical marijuana is just a third possibility and we're going to have it developed and prescribed by professionals who deal with ... who prescribe opioid drugs every day, to deal with medical marijuana where it's appropriate and let me just say that its, I think, a challenge for all of us to make sure that on the agenda of the committees and it's my understanding the committee references were to substance abuse, very appropriate; health, very appropriate; and ultimately Judiciary and that this ... those ... that bill should be moving in those committees and a vote today in favor of this amendment is a vote that yes, let's look at this

fairly and honestly, let's take up the bill, let's take up any considerations about special systems or special controls. Let's do it and let's do it this session.

So, I urge my colleagues to vote in favor of the amendment and I just want to say that this ... my vote today, I dedicate to the Delegate from Monongalia County who was here a year ago and all of my friends who have cancer and who will get cancer. Thank you.

DELEGATE E. EVANS. Thank you, Mr. Speaker. There's a wise old saying that the speaker sows and the listener reaps. I've reaped a lot today. I'm no expert on this. At times, man, I wish I was. I was sent up here by people that I would argue are not experts or the vast majority are not experts in this. I think the question before us is to move it from Schedule I to Schedule IV and as I've reaped today Schedule I simply means no medical benefit. I would argue that there's a lot of those non-experts out there all across the United States that have gotten relief from using cannabis. Schedule IV requires a prescription.

When I go to the doctor and my doctor writes a prescription for whatever ails me I believe that he does that knowing full well that it will do benefits to me, it will help me. I think if we do this and we wait on the Board of Pharmacy to say, you know, it's okay or whatever, I don't know exactly again how that worked ... maybe I didn't reap enough there but if my doctor writes me a prescription certainly he's had the training and the professional development to make that informed decision.

I've reaped a few terms: crime approach and medical approach, and I think we have to stay away from the crime part of this right now and we have to look at the benefits. The benefits I think ... watch the evening news and you'll see person after person talk about how they have been helped by this. My mom died of cancer, sat beside her bed and pushed a button every 15 minutes to give her some relief from using morphine. She never regained consciousness when we started that. I would like to think that if this were available it could've helped her in some way.

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We need to keep in mind that many, many drugs are abused and if a drug is out there someone is going to find a way to abuse it. If its OxyContin, its Schedule I, its written with a prescription, it gets abused. Someone will find a way. The old saying that locks are for honest people in this case I think it applies. What we do today will be groundbreaking, whether it's done by the 28 states or not I don't know. Again, I confess that I'm not an expert. I've done some googling sitting here while I listened and reaped and based upon that I feel that I have to vote for this amendment. It has nothing to do with my party, it has everything to do with what's right. If there's one person that gets helped by this, then I will sleep tonight with my vote. Mr. Speaker, thank you very much.

DELEGATE PUSHKIN. Thank you very much for recognizing me again. I will try to keep it as brief as possible, I will try to speak quickly. I just wanted to answer some of the ... some of the things that were brought up just to basically reply to them.

First of all, it has never been stated that there is a cure for cancer. Unfortunately, we all know there is no cure for cancer, but it is used for and has been used for a long time, is to help people gain an appetite when they're going through chemotherapy which can extend their life and add comfort when they're going through a very trying time. Nobody's ever said there was a cure for cancer. We know ... unfortunately, we've all been touched by cancer in here and there is no cure for it. It's a treatment for people when they're going through chemotherapy as well as some other treatment ... there are treatments that are used in cancer.

Also, as stated a Schedule IV nonnarcotic is for someone with a low potential for abuse relative to substances in Schedule III. That's why it would go in Schedule IV. I just remind the body that Xanax is a Schedule IV nonnarcotic. Xanax is one of the deadliest drugs that is overprescribed in this state. If you check the toxicology reports through accidental overdose deaths, you will find Xanax quite prevalent in the toxicology reports and nobody has ... there's never been a fatal overdose from cannabis.

Also, I believe the Gentleman from the 32nd was referring to the Rocky Mountain

High Intensity Drug Trafficking Report which I was also there for a Joint Committee on the Judiciary when that report was brought to this body here in West Virginia and so I looked it up after hearing that report and that report has been debunked by at least five publications; one of which being *Forbes* magazine. One of the problems with that report is that it used a very small sample size and it misstated some of their findings like, for example, the higher rates of traffic fatalities. Well, actually states that have some form of decriminalized cannabis their traffic fatalities have dropped and that's according to American Journal for Public Health; it's a peer-reviewed study right here. I don't know why, but states that have some form of decriminalized cannabis have lower traffic fatality rates. Don't ask me why but that's stated in the American Journal for Public Health. Also, in the American Journal for Public Health is where I found opioid rates, opioid usage rates dropped in states that have some form of decriminalized medical cannabis. In fact, it was stated earlier 25% less fatal overdoses in these states; 25% less ... that's a big number and I don't want to be too anecdotal and I said I wasn't going to take up much time but there is one story I want to relate quickly. In all the emails and phone calls that I've gotten since I first introduced a bill similar to this during the special session last year, one that really stands out was from a gentleman ... I can't say his name but he served this country in the United States Navy. He was stationed on the USS Cole that was attacked by Al-Qaeda. He was on the ship when it was attacked. He was close enough to sustain many bodily injuries as well as ... I'm sure mental injuries as well. When he came home through the VA he was prescribed a laundry list of medications and he got addicted to some of these medications and he weaned himself off of it and now treats himself with medical cannabis. This guy is a hero, okay. If this ... if any of these bills ever made it onto a committee agenda, I would bring him up here to speak to that committee. Hasn't made it on an agenda yet. If we're able to discuss it in a committee, this guy would be glad to come up and speak to you but what this amendment would do would protect him. If he happened to be caught with this on his person, something that... he was being used ... a hero was using to treat his own ailments. Something he used to get off of this laundry list that he was addicted to upon his return from his service to this country, if he was

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caught with it this would simply protect him by lowering the scheduling; Schedule IV nonnarcotic. It would protect this hero.

MR. SPEAKER, MR. ARMSTEAD. Gentleman from the 16th, Delegate Hornbuckle.

DELEGATE HORNBUCKLE. Thank you, Mr. Speaker. In a very quick attempt to educate our body, in reference to the report that my colleague from the 37th and 32nd were referencing, those folks with the Rocky High will not release their academic qualifications. You can make your own assumption about that, why they won't do that.

Also, in the toxicology reports we never, ever, ever talk about any other substance that was used in all of those incidents with driving and there were various other substances.

Also, the DEA does not forbid people from buying actual poisonous plants. They don't, and the point I'm going to go to really quick here is 80,000 Americans on an annual basis are poisoned by simple plants, simple plants that we would assume not to use. Outside there are pokeberries wisteria, Christmas rose, castor beans and hemlock which killed Abraham Lincoln's mother. Around your house there is pothos, peace lily, calla lily, Easter lily, rubrum lily, tiger lily, day lily, Asian lily, oleander and caladium. From an educational standpoint, the point here is that obviously, we assume that our kids are not going to eat those things and by being parents from a youth standpoint we're not going to let our children smoke. If we don't educate people on actual poisonous plants but we vilify marijuana are we truly concerned about protecting our kids.

So, in closing I trust my prosecutors, my law enforcement, my physicians and our parents. Thank you.

MR. SPEAKER, MR. ARMSTEAD. Lady from the 31st, Delegate Arvon.

DELEGATE ARVON. Thank you, Mr. Speaker. I just decided at the last minute to stand up and speak for just a minute. I've got a different perspective on this than I've heard here today. For 20 years I was a social worker. I've worked in various drug rehabilitation facilities and over three years

ago worked with a couple in Beckley and I think we need to think about what do these people who are fighting this problem every day think about this. They're opposed to this, overwhelming opposed to this, and I've talked to several of them in the last week. Taking marijuana and putting it on a Schedule IV allowing our doctors to prescribe it, we don't even know what doctors ... we're not saying what doctors can prescribe it and my husband is a doctor. I know he's not for this. He doesn't want that burden. I don't think the other delegate in our body is for it either. We would like to have some parameters there. Which doctors can prescribe this? Maybe there are some doctors, cancer doctors, doctors who deal with neurology who are able to do that and should be able to do that, but this amendment is not the place to open this up at. Every single drug addict that I've dealt with in my twenty some years have all said they started on marijuana; everyone. So, the argument that this is not a gateway drug is false. That doesn't mean everyone who uses marijuana is an addict so we need to make that differential there, but I just thought it was important to let everyone know that we've got a group of people in this state fighting our drug problem which is the highest in the nation who are opposed to this amendment today and where I do feel like it has some medicinal purposes for certain things. This amendment is not the place to do that. Thank you, Mr. Speaker.

DELEGATE PAYNTER. Thank you, Mr. Speaker. I'll make this brief. After listening to everybody talk I do rise in support of the amendment. Thank you.

DELEGATE FOLK. Thank you, Mr. Speaker and because of some of the comments made I think it's important that I point out one study, peer-review, from the U. S. This is in relation to how it could be used potentially in the future for cancer treatments. Cannabinoid inhibits proliferation of breast cancer cells. Bear with me because this might be hard. Sean D. McAllister, scientist at California Pacific Medical Center Research Institute stated the following in their August 2011 study title "Pathways Mediating the Effects of Cannabinoid Oil on the Reduction of Breast Cancer Cell Proliferation Invasion and Metastasis". That was published in a breast cancer research and treatment journal.

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There is a general consensus in the field of cancer research that target multiple pathways that control tumor progression as the best strategy for their eradication of aggression cancers. Since CBD has a low toxicity it would be an ideal candidate for the use and combination treatments with additional drugs already used in the clinic. Importantly, CBD appears to be interacting through a cellular system that regulates the expression of key transcriptional factors. For example, I.D. one, that control breast cancer proliferation migration and invasion. The experiments described in this manuscript not only define the pathways that CBD is working through to control breast cancer aggressiveness but also demonstrate the efficacy of CBD in preclinical models. A greater understanding of this system may lead to future therapies for breast cancer patients including the additional refinement of CBD analog synthesis.

I'm not willing to wait. I've had a mother with breast cancer. She came down with breast cancer when we were pregnant with our first child. It metastasized about four years after she was diagnosed. I'm tired of waiting for a federal government to legalize something that my mother has told me, and we privately talked. She was totally against it 15 years ago. I was probably totally against it five or seven years ago. I've done enough research that I think people should be allowed, and in this case with the consent of their doctor to decide what to put in their bodies. We keep hearing that it has no medical use. That's a peer-reviewed study that's printed in a breast cancer research journal. How many people are going to stand up here and keep saying that there's no research. I wonder how many more people hit their button after I said all that. I'm tired of waiting for the federal government to tell us what we can put in our bodies. Thank you.

DELEGATE BUTLER. Thank you, Mr. Speaker. Just a couple of points; I've been doing some research as the discussion is going on here and I thought this was pretty interesting and thought others might want to hear this. So, why hasn't the FDA done ... or why hasn't the FDA rescheduled marijuana? Well, this report says unlike drugs approved by the Food and Drug Administration, dispensary marijuana has no quality control, no standardized composition or dosage for specific medical conditions, it has no

prescribing information or no high-quality studies of effectiveness or long-term safeties.

So, everyone here knows that I'm not a doctor. I'm sure the doctor knows more about what all that means, but in simple terms I think there was a question earlier so how do you prescribe, how do you know how much to give, how many joints are you going to tell somebody that they can smoke and still be in the safe range. So, those are all questions that, again the FDA exists for a reason and I certainly can see further reason to examine this and to study it but again, I don't think this is the right place to do it.

And also as a small business owner, this is changing the subject just a little. Let's say I hire somebody to drive a truck. I chain a dozer, a 30-ton bulldozer, onto a semi-tractor trailer ... or a 20-ton dozer and send them down the road. We're required to drug test drivers. So, how is this all going to work? Let's say I have somebody... I also cut timber occasionally ... let's say I have somebody in the woods cutting a tree. Now, they're not required to take a drug test. Do I send fellow workers out in the woods to cut trees down where you have the possibility of a tree falling on their head from somebody, you know with ... still has the effects of using marijuana, whether it be medical or otherwise. So, I think those are things we need to consider. I'll be voting against the amendment not saying there's not the possibility of good effects from medical marijuana, but I just don't think we're ready to make that decision right now or I'm not anyway. Thank you.

DELEGATE SHOTT. Thank you, Mr. Speaker. We've heard a lot of anecdotes today. I'm going to share one with you that it's going to be unlike the other anecdotes you've heard. It doesn't involve anybody that was suffering from anything. It just involves what I saw when I was visiting my younger son who lived in California for a couple of, probably five years. This was probably six to eight years ago and he lived in Los Angeles. At that time, medical marijuana was legal but the state had not approved recreational marijuana.

On one afternoon, we went to a place called Venus Beach, which some people referred to in those days as muscle beach and

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probably if you watched any tv shows you've probably seen this area where people are skating down the sidewalks in the bikinis or swimsuits. Anyway, we were walking down the boardwalk there and I noticed on one side there's shops ... are lined on one side and the ocean is on the other side and there was a shop that called itself a clinic and beside it was a shop that called itself a dispensary and I didn't think anything of it. We went to the next block and saw the same sort of configuration and on the third block where I saw this I asked my son what this was all about, and he said, "That's where you go get your prescription for medical marijuana" and I said, "You know, it can't be that easy" and he said, "Oh yeah, it is".

So, we sat down on the bench and I was really curious and I started watching and right in front of the clinic was a fellow who stood out there sort of passing out flyers, and I watched and he would hand a flyer to somebody and that person would go into the clinic and they'd come out and they'd go next-door to what was, I think, called a dispensary and they'd come out with a bag. And that went on for a while and I got really curious as to what the guy was handing out. So, I walked up to him and I said can I have one of those and he said, "Sure" and he handed me a card and it said, "this is a medical clinic, don't ask for marijuana unless you have these symptoms; don't ask for a prescription" and I thought well, that's pretty subtle.

Now, what moron couldn't figure out what they'd have to tell the doctor to get their prescription. So, we sat there for I guess close to 30 minutes and I counted 25 or so people that went into the clinic and every one of them came out with a piece of paper and went next-door to the dispensary. Now, I can't tell you that could happen here. Okay ... I can't ... I'm not going to predict that; I'm just going to tell you it became a joke. Medical marijuana became a joke in California and ultimately evolved into recreational marijuana. So, if you're a fan of recreational marijuana this is probably a good story. It probably gives you encouragement; recreational marijuana and I can't say that's going to happen here.

But I'll tell you what we have seen in southern West Virginia. We've seen pill mills. We've seen people who claim to be

doctors that in order to earn a large amount of money will write a prescription for opioids to anybody ... just about anybody that comes in. Those places ... a lot of them fortunately have been busted but a lot of the misery that we see in southern West Virginia is the very result of those pill mills and while I can't predict with any degree of certainty what's going to happen here because of how uncertain and confusing this whole process will be upon ... if we adopt this amendment, I can tell you that's a possibility and that's one reason I'm going to vote "no".

DELEGATE FLUHARTY. Thank you, Mr. Speaker. Thank you for allowing us to have this debate today. I think it's very productive. I must say that I've heard a lot of comments about the intent behind this amendment. The intent is clear, it's to help people, it's what this is about. If the intent was to fully legalize it, well, we'd run a full legalization bill, at least we'd introduce one. This does not do that. Let's not fall for fear. Where is the fear in just helping people? Why are we so scared to help people? That's exactly what this does. Let's not fall for that.

Now the Gentleman from the 60th made a great point, he asked questions about PTSD and I want to address that. So, I'll give you an example of what we're doing in West Virginia and why I think it's wrong. Now, just last week and even yesterday, we have Veteran's Visibility Day and that moved me when we had that because Woody Williams was here, he was a childhood hero of mine growing up. We have veterans here in this body. Look, you guys have a bravery inside of you I will never know but I do understand we have a duty here to look out for you.

Now, let me tell you how we're not looking out for our veterans. Facts tell us, not fear, facts tell us veterans suffer from opioid overdoses in nearly twice the national average ... twice. If you go to a VA hospital in West Virginia, you don't have the option for medical cannabis as a treatment plan. If you go to 28 other states and D.C... the feds in 2016 said, "You know what if your state offers it up as being legal for medicinal purposes. It could become part of your treatment plan if you go to a VA hospital." But not in West Virginia; not here.

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A state that sends their veterans away at one of the highest rates per capita in the entire country ... says when you come home you cannot get the proper treatment that others are getting in 28 other states and in D.C. and the feds are saying it's okay. But we're not doing that here. We have a duty to make sure that the visibility of our veterans ... it's not just on the House floor, not just when we clap for them but when the door closes ... that we're here lobbying for them every day. This amendment does that. We know we have a drug epidemic. It's no secret. That's not fear that's facts. We have a drug epidemic. Just in 2016, West Virginia statistic center says 818 people died of a drug overdose and 86% of those deaths involved at least one opioid.

Now, we just made a joke about how clinics in California are just handing these things out like candy and there's chaos. I'll tell you right now no people are dying from that but we have clinics here. They're called pharmacies and individuals are going to the pharmacies ... these clinics ... they're getting pill after pill after pill. They're getting hooked and they're dying at the highest rates in this country and we have a chance today to say, "You know what? We're going to look at facts, not fear ... we're going to look at facts and we're going to say we know that we can decrease this by 25% on average if we pass this amendment" and we're going to stand up and we're going to say to 816 deaths in one year, it's simply not acceptable in the State of West Virginia and we're going to do something about it. That's what this amendment does.

What about the trust that we have for people? How about the trust for our doctors? These are medical professionals. They know better than I do of what's necessary and what's not. If they don't want to prescribe it, then don't prescribe it but why take away their ability? Why are we being the big government? Why are we getting in the way of doctors practicing medicine? It's okay in 28 other states and D.C. but it's not okay here. What; we can't trust our doctors? I trust ours. We have some great ones that serve in this body and let's talk about those people who are affected.

This is an emotional issue because everybody in this body knows somebody that's either had cancer, you know ... that has epilepsy. There's no doubt about it; you can

help them. I once witnessed my father have a seizure ... I was like 12 or 13 years old. Luckily the current medications helped him but it doesn't help him. I have a client back home; her son has severe epilepsy. He seizures at a rate that no medicine has been able to tackle and what has happened. Well, the doctors back home say it's time for you to consider moving from West Virginia; move out of our state to get proper treatment.

What message are we sending? That's not a message for West Virginia. That's not a message for our veterans, for those who are suffering from cancer. I'm sure everybody in this body has probably attended Relay for Life event. How can you show up knowing that maybe you're not doing your job here for those individuals?

So, we have a chance, Mr. Speaker ... we have a chance today to say enough is enough. We're going to fight the drug epidemic. We're going to not rely on the feds to govern us. We're going to govern ourselves. We're going to step up and do the right thing and hope that you follow suit and hit the green button. Thank you.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
HON. STEVE WESTFALL
March 9, 2017

DELEGATE WESTFALL. Thank you, Mr. Speaker. I'll be very brief. This is the first time in five years I've made remarks to the floor when this opportunity comes along.

We all know we got a budget problem. I went back and did a little research and in 2011 the Finance Committee passed out on the 56th day the Budget. It was voted on by the House on the 59th and finally approved on the 66th day, 2012, 56th day, 59th day, 66th day, 2013 56th day, 59th day, 64th day, '14, 56th day, 60th day, 62nd day, '15, 55, 58, 64, 2016 the 56th day, 59th day and we know we had a 14-day special session which I really wish we hadn't had, but we did. Two thousand eleven, the Governor overestimated the budget by 8.6%; 2016 he underestimated by 9.9%.

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We have a problem. The Finance Committee is working on this daily, we're not taking this lightly. I don't think any member of this body is taking this lightly, but to have a budget by the 30th day. It's never been done. I wish we would've but it's not possible, really, until we look at all the committees, every agency and see what they really need and we're looking at those very hard.

All my members ... Finance Chair ... I want to say I think he's doing a great job. I think we're all doing a good job. We just got to get more time to get this budget. We got a big hole to fill. I hope the Governor reaches out and works with us a little more than just calling us names. Thank you, Mr. Speaker.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS of MEMBERS *March 10, 2017*

DELEGATE R. MILLER. Thank you, Mr. Speaker. Ladies and gentlemen of the House, I rise before you today to say a few words about where I'm from.

As many of you know, or will know, by now, I was born, raised, educated, live, and proudly represent a part of West Virginia known as Boone County. This area was formed as part of the new frontier in Virginia in 1847 from portions of Cabell, Kanawha, and Logan counties and for those Delegates here, if it hadn't been done before, thank you for your participation. Specifically, it officially became a county on March 11, 1847, making tomorrow the 170th birthday of my county.

The county was named for Daniel Boone, a noted hunter, explorer who during his time of the great Kanawha Valley, was one of the representatives in the General Assembly of Virginia in 1791. Lieutenant Colonel Boone also negotiated a release of several prisoners, who had been kidnapped by Shawnee Indians in 1786. This included a small girl named Chloe Flinn. Boone took the girl to live with his family and ultimately located some of

Chloe's relatives and brought her to an uncle in the Charleston area.

Sixty years later, Chloe Flinn's son, St. Clair Ballard, was a House of Delegates member from Logan County, which is now Boone, and related that story to the Virginia General Assembly in Richmond. Ballard asked that legislators name the new Western Virginia county in honor of the man who rescued his mother.

Although Boone County was named for a great American frontiersman, it was another explorer, John Peter Salling who had a more significant impact on what was to become Boone County. In 1742, he was the first English settler to explore the area. As he passed through, Salling and his companions discover coal near the present-day community of Peytona. We clearly know the discovery of coal has played a vital role in fueling the United States. Consider that discovery and what impact it has had on the entire world.

On June 20, 1863, when a new state was born out of the Civil War, Boone County, Virginia, became Boone County, West Virginia. As my friend from the 50th knows, the term "redneck" came about from our area as more than 5,000 people marched into Boone County toward Logan, fighting the injustice coal miners were receiving as they fought for fair treatment, better working conditions, and fair pay. It's certainly odd to watch our miners and workers still fighting for fairness, and our retired miners struggle to be able to receive what they've earned and what they were promised decades ago.

We've had many proud miners in our area who have made their sacrifice to the building and supplying energy to our nation, who are suffering in their health. And I would call upon Congress to do the right thing and keep the decades-old promise to these retired miners that if you get up and go to work every day, work hard and do the right thing toward your employer, you will be taken care of. These peoples' lives literally depend on your next move.

Additionally, we need to find ways to support available industry and utilize the natural resources that the good Lord gave us in our area, including coal, natural gas,

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timber and such. The people from my area truly believe that we can find ways to use these resources responsibly and provide much-needed jobs to our people. We've been witness to many tragedies in the mining area. On the afternoon of April 5, 2010, right after the Upper Big Branch mining disaster, just across the county line, it was Boone County who stepped forward to help as the Town of Whitesville opened its arms to receive the 29 fallen miners, their grieving families, and the onslaught of national exposure to the event. We did not hide from our heritage, and we praise those who have advanced our good name.

Boone County has proudly produced many notable figures through the years. We boast of the State Treasurer, a justice of Supreme Court of Appeals, a few legislators, elected officials, professional athletes, world renowned scientists, and many other people who had far-reaching effects upon different agencies on state and national government. We have also had State Teachers of the Year in many subjects, from Billy "Edd" Wheeler a world-renowned composer and writer, whose songs have been performed by over 160 artists throughout the world, to Perry Ballard a world champion boxer, to Harry Atkins who helped develop NASA's Huntsville Space Center, all hailed from our area.

The list could go on and on. Rich in history, we have our, let's say, more flamboyant side too. As a Gentleman from the 37th well knows, a world-renowned writer and performer, Hasil Adkins, hails from our area, and, yes, Jesco White. Currently, one of our greatest exports are the talented and intelligent young people who will be the future of our state, if we can keep them here.

If we examine our recent history, especially our economy as Boone County goes, so goes the State of West Virginia. In this chamber, we have heard from West Virginia University and Dr. John Deskins, that Boone County and some of our neighbors are in a recession. The hard-hitting decline in the coal market affecting Boone County is now being felt right here in our State Capitol, especially as some have drawn battle lines to try to figure out a solution on how we move forward.

You see, where I'm from, it's not completely about Ds and Rs. That may sound like rhetoric, but it's the truth. It's about right and wrong, doing the right thing ... doing the right thing for your family and for your neighbors. Politically, while predominantly registered Democrat, Boone County traditionally votes for who they think the best person is, regardless of affiliation, and if you don't believe me, please feel free to fact check that.

Mr. Speaker, my fellow Boone Countians are God-fearing, hardworking people who simply want to work. Work for their family, their county, their state and nation. While we've been hit, and hit very hard, I truly believe the best is yet to come. As we do move forward, please keep Boone County in the plans.

I believe we are currently on a launch pad for economic development in West Virginia with the Rock Creek Industrial Complex. Only about 15 minutes away from our capital city on what we would call our beltway, it has the potential to be an economic game changer for our area and the Kanawha Valley and especially West Virginia. You can't keep good people down long, whether it's Boone County or in the State of West Virginia, as long as we all work together. Boone County is ready to go to work. Mr. Speaker, with all of this I'd humbly ask that the House join me in wishing Boone County a happy 170th birthday. Thank you, sir.

DELEGATE FOLK. Thank you, Mr. Speaker and if you'll indulge me ... I understand it's Friday. I had intended to talk about this yesterday, but it was a pretty long session, and I'll be as brief as possible.

I think there's something historic that took place today. From my conversations with members that have been here for several decades, I don't think any budget has ever been ... plan has been introduced as formal legislation, except for the Governor's.

The Gentleman from the 1st and I put in some long hours, and we believe we put a reasonable, honest blueprint together. Unlike either the first, that's actually been formerly introduced by the other end of the building downstairs, which would put a \$450 million tax burden on our citizens, which equates to

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over \$1000 for a family of four, or his second one, that he never introduced, which would gut higher education of all state funding except for WVU and Marshall.

What our budget does, again it's reasonable. I would caution you that I don't believe there's ever been a budget, again looking at the people that I know of that have been here 30 years ... 20 to 30 years, that's ever been passed as introduced. So, I'll caution anybody that wants to shoot arrows for somebody that made an honest attempt. Our budget leaves ... does leave the 2% pay raises that the Governor recommended for teachers. For the most part, it goes back to 2015 spending levels.

Just a couple of examples where cuts were done: reduces the assessment funding that's associated with the Smarter Balanced Test because we already know the State Board has decided to go away from that, and there's actually legislation in here to do the same, and it removes a lot of the corporate welfare.

What our budget does not do: raises taxes or allow for the continual growth of government. It doesn't touch the ID waiver program. Now, it does require one or two pieces of legislation which are reasonable. For instance, a \$42 million piece of legislation that the Gentleman, who's not here right now, from Kanawha has introduced, which has passed through on managed care to the federal government.

Believe me, if the Gentleman behind me would've had his way, there would've been a lot more cutting, but we believe this is a reasonable approach as a blueprint ... not a final product, but a blueprint, and we could make ... we didn't do anything with special revenue, and I know there's been some ... there is some legislation being considered on special revenue accounts that are ... you know, mandated by code, that would also help this. There's also a piece of legislation that passed the Senate last year ... the DUI, to get rid of the two-tier process ... saves over \$2 billion of direct cost plus a lot of indirect cost. That's money that ... you know, if you find a flaw in his budget, which I'm ... you know ... or if there's something you don't like cut, as much as we can backfill if we pass legislation, whether it be special revenue

legislation or whether it be streamlining government legislation.

In closing, I will just say, any questions, comments ... come and see me. I do have a spreadsheet ... if you want it, I can send it to you. Thank you.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
HON. SCOTT BREWER
March 13, 2017

DELEGATE BREWER. Thank you, Mr. Speaker. I'd just like to take a couple of minutes to briefly comment about a report that was released last Tuesday by Workforce West Virginia.

I'm sure most of us spent the majority of last year out on the campaign trail, and I'm sure we all told the same story, had the same message. We were all about creating jobs, and I bet my campaign speech wasn't very far from each and every one of yours about creating jobs. Whether up in Hancock County in the northern part of the state or McDowell County in the southern part of the state, I'll bet you that the message was very similar, although the culture is very different.

I happen to represent the 13th District, which is halfway between, and I can tell you that the message that I got was that people want a job; they want a job that they can provide for their family with. Now, that report by Workforce West Virginia reported that to the Gentleman from Hancock County, you lost 150 jobs last month. To my friend from McDowell County, you lost 30 jobs last month. I represent Jackson, Mason and Putnam. Jackson County lost 170 jobs last month. My home county of Mason lost 180 jobs last month. Putnam County lost 300 jobs last month. As a matter of fact, all 55 counties lost jobs last month. The unemployment rate went up in all 55 counties.

Now, during my campaign, I literally spoke with thousands of people, and this is not meant to be disrespectful to any committee chair or any committee member,

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but I didn't have one person say, "Scott, if you get elected, I want you to go to Charleston, and I want you to make sure that my barber doesn't have to take a cosmetology test going forward." I didn't speak to anybody that said that they wanted to know who had to pay for their uniform if they got fired or laid off, nobody. I didn't speak to anyone that said, "You'd better go down there and eliminate the Women's Commission, Scott." What they said, what their top priority was, is they wanted the ability to earn a decent living and provide for their family. Again, I'm not being disrespectful, I'm just extremely impatient ... that's me ... that's who I am.

Now, we've all talked about putting coal miners back to work. I'll bet you everybody in this chamber talked about putting coal miners back to work during your campaign. And I know, each and every one of us have the utmost respect for our veterans ... tremendous respect. House Bill 2625 is bipartisan. It has veterans, it has coal miners from both sides of the table. And all it does is simply direct them towards those apprenticeship programs, to where they can find meaningful work, a good job with benefits.

Now, regardless of where we end up on the budget, and that's an argument for someone else to make, the Governor has talked about 48,000 jobs if he can get an infrastructure bill passed. This bill would put our coal miners that can't find a job back in the coal mines ... our returning veterans that are looking for a place to go to work ... put them right in line with some of these jobs. Rather ... 48,000 jobs, folks ... if we had 48,000 jobs available tomorrow, we're going to have to import the people to do it. But this could certainly help our returning veterans and our displaced coal miners.

Now this ... today is Day 34 ... the majority of this session is behind us, and I'm concerned that we're running out of time. Again, I'm extremely impatient. So, what I'm asking is that we take a look at some of this legislation, that we don't waste any time going forward, and that we actually address what we talked about to our constituents ... the jobs issue. Thank you.

COM. SUB. FOR H. B. 2007

REMARKS of MEMBERS March 14, 2017

DELEGATE E. EVANS. Thank you, Mr. Speaker. I rise today in opposition to this bill. Mr. Speaker, I would imagine that every delegate in this chamber campaigned on a platform of jobs. We told our constituents we would create jobs. This bill is job-killing legislation. Jobs in the district ... in my district ... get tougher to find every day. The distinguished Gentleman from the 13th told us yesterday that the jobs report for last month reflected that McDowell County had lost 30 jobs. Passing this bill will add 12 more to that list.

Few people actually know it, but the Courtesy Patrol is actually dispatched out of Welch, West Virginia. That's 12 families that depend upon their job for their healthcare and their salaries that they're paid. The Courtesy Patrol is on the road 16 hours a day; those are evenings and nightshifts. Now, I don't know about you, but if one of my family members breaks down on the road, it's nice to know that someone is going to sit there with them until help arrives. There are those that will say that it creates more jobs in the private sector by eliminating the Courtesy Patrol. I'm not sure how that works. They say, "Well, there'll be people to tow them." The Courtesy Patrol has to call the same people. If I were to ask you to tell the truth and say how many of you have AAA or some other insurance on your car right now if you break down on the road, I would think the vast majority of us would not.

This bill will effectively end the national model for welfare to work programs, the national model. The Courtesy Patrol has won three state and national awards in transportation, education, workforce development, and tourism. The Courtesy Patrol has brought the state \$40 million in matching federal funds through the Department of Labor and the Federal Highway performance grants. Mr. Speaker, job creation, job retention, and earning potential is what we should be about. This program is going to kill 90 jobs ... 90. That's drivers. That's the people that actually do the

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repair work, change those tires for you on the side of the road ... whatever it might be.

Now, there's some discussion about the top dog salaries at the Courtesy Patrol. Well, we can pass this bill and we can put those people on notice, but you know what ... we're not going to affect the two top dogs. They're employed by the CCC ... yeah, a lot of money they make ... way up in the hundreds of thousands. I don't make that kind of money and many of you don't, but we're not going to fire them. They're going to continue their jobs and the other responsibilities they have in addition to the Courtesy Patrol. We're not touching their money ... they're going to get it. We're going to fire those that are making the smaller moneys.

If I could, Mr. Speaker, just a couple of things about the Courtesy Patrol that I'd like most of us to know. Our drivers for the Courtesy Patrol are the ears and the eyes of the roadway and serve as the primary aid in recovery for abducted children during an Amber Alert (309,771 total numbers of vehicles were assisted; 14,044 routine procedural checks were made; 79,422 abandoned vehicles were checked).

You might think, well ... state police can do that. Would you not rather have the State police doing their job of law enforcement? The men and women of the Courtesy Patrol are trained by the federal government. They're the best at what they do. The training is unmatched. They provide a variety of services, assistance to those in harm's way on the highways, and ... drivers ... have administered first aid 135 times. And please, note that there are ten people walking around today that received CPR by the Courtesy Patrol ... alive today because of this program.

Over its 18 years of service to the State of West Virginia, the McDowell County Communications Center where those 12 people work, have taken over three million calls ... now that is over the 18 years. And approximately 2,100 former individuals receiving government assistance or aid are now working at wages which range from about \$8.75 to \$25.50 per hour; that's not those big dogs.

Finally, there's a 79% job retention rate in this program. Think about it. There are those who say we can't afford it. Okay. What can we afford? We cannot fill a budget hole by just simply cutting the small amount that the Courtesy Patrol will save. I did some math ... well, depending upon whose ... whose budget estimate we accept as how big the hole is, but let's assume, you know, the 500 ... 550 million ... maybe it's higher, I don't know, but at that rate at what it costs us, we're going to have to cut 125 more programs.

It makes no sense to me. We're going to throw out thousands of people in West Virginia, take away their healthcare, their standard of living. Everything we do costs money, I understand that. I understand that, but you know what ... I look at this cost a different way. It's going to cost families their health insurance, and it's going to cost them their livelihoods. Mr. Speaker, I'm voting no on this job-killing legislation, and I urge the members of this body to do the same. Thank you, Mr. Speaker.

DELEGATE BOGGS. Thank you, Mr. Speaker. I rise this morning in opposition to this bill and I just want to go over ... you know, I live in Braxton County, right smack dab in the center of West Virginia, and if any of you have traveled on I-79 you know that, once you leave the Elkview area, there's not a lot in terms of cell phone coverage and ability to get emergency service. The same way in some areas going north, but regardless of what road you're traveling on, whether it's the Appalachian Corridors, whether it's any of the Interstates, this Courtesy Patrol provides a very valuable service, not only to our citizens, our parents, our wives, our kids.

I don't think you can put a ... I don't really think you can put a dollar value on that. But over and above that, this bill ... and we discussed this in committee ... this bill will effectively eliminate the ability to have a Courtesy Patrol even though we might want to, at some point, explore whether a private entity ... an insurance company or someone ... because this takes away the mechanism for them to do that. Not only the funding for the Courtesy Patrol but also the mechanism to have someone do it.

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Now, it specifies the Turnpike Authority, but we had someone there from ... an attorney from the Division of Highways which said under this legislation you would have to come back and pass additional legislation to give them the authority to bring someone on if someone wanted to sponsor the Courtesy Patrol. So, you know, doing away with the funding is one thing, and certainly, I'm not in favor of doing away with the funding, but we're not only doing away with the funding, we are basically doing away with the mechanism if we can find someone that would be willing to do it, at least on some of the roads, as a private entity.

I've traveled a lot over the years. I've got the number in my cell phone, and I can't tell you how many times I've been blessed ... I've not had to call them for myself, but I have called them for dozens of people. And I think, you'll probably agree that in this day and time there's a lot of people that are very concerned about not only pulling over to help someone, but who might be pulling over to help you. It can be very, very concerning, especially if you have folks traveling by themselves.

My parents are in their 80s. They're blessed that they can still travel and drive and go to doctor's appointments, and they'll tell you, "I'm very glad that that Courtesy Patrol is available." Now, I know it doesn't work during the day and there was also concerns raised and they said, "Well, the Division of Highways will stop." And yes, they do ... but the Division of Highways is only going to stop when they're working, which is normally Monday through Friday during the day, which is when the Courtesy Patrol is not working.

So, I would ask that we reject this, and let's put some thought into how we could do this in a better way, not only funding-wise, but not throwing the baby out with the bathwater and ruling it out. Unless, we have to come back and pass other legislation should we find someone ... an entity, an insurance company that would want to do it because it was very clear from the Division of Highways that someone just can't say, "Well, I'm going to start up my own Courtesy Patrol" and go out and start patrolling up and down the road. I mean, that's frightening just to think about that, unless, they had some kind of an agreement

worked out where there was vetting for the employees, for what they were going to offer. So, again, Mr. Speaker I would urge rejection of this bill. Thank you.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS of MEMBERS *March 14, 2017*

DELEGATE HOUSEHOLDER. Thank you, Mr. Speaker, and ladies and gentlemen, as you know, today is the last day to introduce bills in the House, and as we also know, for the past few weeks there's been a clock downstairs counting down to the end of session. Well, I have another clock running, too, and it says 15 days. It's been 15 days since our Governor introduced what became known as budget bill 2.0. Now, after seeing the writing on the wall that his first plan was dead on arrival, the Governor, a few weeks ago, got out his whiteboard again and came up with another list of tax increases that he wanted to impose on our people. A tax on cigarettes, a tax on soda pop, etcetera. Now, it's been 15 days since he wrote on his whiteboard, and yet, as I've been browsing our bill introduction list ever since, I haven't seen any of his new proposals introduced in the House.

Now, anyone who has watched "Schoolhouse Rock" can tell you, you can't just write something on a whiteboard and expect it to become law. Now, we have a process here; you need to submit a bill. Now, while the Governor has been doing interviews and holding town halls calling this body names for not working on his updated budget plan, I've been asking myself one thing. To borrow a phrase from my esteemed colleague from the 30th District, I've been wondering: Governor, where is your plan? You know we can't pass bills on what we think the Governor is thinking. If he wanted us to work on his new, revised plan to save our state, why didn't he send us any bills for this new plan? Well, now the deadline for bill introduction has passed. and the Governor hasn't sent us his updated plan, but that hasn't stopped him from talking about it.

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Yesterday we presented our alternative plan, one that actually respects the taxpayers and forces this government to live within its means. The Governor's response was "Bless their hearts," and then to say that his plan was the only one to take us on to the path of prosperity. There is no path of prosperity, Governor. The only path you have proposed is bigger government and more taxes.

Last night the Governor was down in Bluefield, criticizing us on tv Thursday, he'll be doing it in Jefferson County, and I think it's hypocritical for someone to travel the state, blasting lawmakers and calling us names for not passing a plan he didn't even bother to submit. So, maybe instead of cutting public broadcasting, the Governor should consider actually watching it. He might learn how the Legislature works.

DELEGATE ZATEZALO. Thank you, Mr. Speaker. I would like to ... I rise to make a few remarks here concerning business development. The Gentleman from the 13th was extremely concerned about my area yesterday, and I have a report for him. As of the last month and a half, we have created about ... over 300 jobs in our area. Now, of course, part of it is in Brooke County, part of it is in Hancock County. One, that I will talk about was one that came about this past week, and that is a company named by Dell Corporation out of Canada. They have moved into the old Weirton Steel machine shop which was built in 1984 and has been vacant for 25 years. What do these people do? They make compressors for the oil and gas industry. This will be the first manufacturing place ... place of manufacturing for this company in the United States, and that of course, means their United States headquarters is in Weirton, and that's the way I choose to look at it, and that's the way it's going to be.

Why do I bring this up? It's real important. By Dell Corporation coming down here to build compressors, it's a real simple mathematical process. The more gas that we produce in this state and in this area, the more compressors they're going to have, the more people are going to go to work, and the more prosperous we're all going to become. These are the kinds of things that we need to start thinking about. The doom and gloom is well-placed, and I don't have to tell anybody here

... we've all been fighting through these problems for at least the last two years.

We know how bad this is, but the time for just saying woe is us is all over: We have to get by this. We have to get on to what we're going to do with the resources that we have. The resources that we have ... it's hard for me to put a lid on it; they're immense ... they're immense ... they're not small. And I said before on this floor ... we use 176 billion cubic feet of gas ... we produce 1.3 trillion cubic feet of gas. If we can't get the 176 up to about 350 in the next three or four years, shame on us.

What we need to do is look aggressively for people to come here and treat them like we want them to stay. We must do these things instead of, I would argue, fighting the battles of the last century. Those battles are over. The battle now is between us, who have all the resources we need to do things here, and other states; that's where the competition is. That's where the battle lies now. It's not among us, it's not here ... we have what we need to be successful in this state, and the question is: are we going to have the courage and are we going to have the fortitude to grasp it? That's where we need to go. We need to align the policy that we come up with the economic opportunity because it's certainly here. And thank you very much for listening.

DELEGATE IAQUINTA. Thank you, Mr. Speaker. On your desk, you have a few facts and figures that are not very favorable for the State of West Virginia. They include the suicide death rates. Every 26 hours in this state, a person commits suicide, and as you'll see there are six boxes. And the two boxes that are the most surprising, the second leading cause of death, it has the ages of 15 to 34. The next box, the third leading cause of death between the ages of 10 and 14.

I've worked on a project that was called Mountain State 22, which only three communities have accepted. Suicide prevention in the State of West Virginia has got to improve, and the only way that this legislative body can improve that is through education. This is one area where we can't afford to keep failing. Thank you for your time.

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DELEGATE ROBINSON. Thank you, Mr. Speaker. I don't know about the rest of you, but yesterday I was excited when I left this chamber. We were talking about things and remarks that I was excited to come here and talk about: jobs, education. We talked about career and technical education, we talked about community colleges, we talked about job growth all over the state, and I was excited. I said, "This is what I came here for." I was on my way to the press conference for the budget, and I was excited, and just to tell you the reasons I was excited ... I'd like to tell you a couple of stats.

In 2021, Blue Ridge Community College will have educated 1,000 employees. Their \$49 million annual payroll went up and running. The gaming industry educated by community colleges ... they have a \$25 million annual payroll. This is career education. We are putting people to work. We are actually putting people into jobs. There are a couple of things that I asked the community college. I said, "What are some employable education systems that you all have right now?" They told me these programs are almost 100% employable programs: mechatronics, lineman program, nursing, culinary, physical therapy assistant, medical assisting. Every person we educate in these fields go to work. We actually put people to work.

Now, I understand that we are in a budget crisis, but when I came to the Commerce Secretary's presentation, and I asked him, "What is the biggest ... what is the biggest tool in your toolbox?" And he tells me career and workforce education. He says, "If we have an educated workforce, we can recruit businesses to come here because we have the employees." But then, I left here and I went to the press release ... the press conference, and we talked about the biggest thing we plan on cutting is higher education. I think we're going the wrong direction. I think we have to be careful when we cut our biggest tool in the toolbox for our Commerce Secretary. Thank you, Mr. Speaker.

DELEGATE MILEY. Thank you, Mr. Speaker. I wanted to address some of the comments by the Gentleman from the 64th because I, too, watched Schoolhouse Rock. Although, I'm not quite as old as you, it was still playing when I came along, and as I'm sure you recall, neither the President nor the Governor can introduce a bill. Others

introduced the bill on his behalf, where others introduced bills on the same issues, and we actually have that occurring here, if you want to take a look at your iPad.

We've got House Bill 3044, which provides a soda tax. We've got House Bill 3045, which provides a soda tax. We've got House Bill 3046, which provides a soft drink tax, and we've got House Bill 2964, the Budget Stabilization Act, that provides for a tobacco tax, increase in the corporate net income tax, modification of the personal income tax, and a three percent food tax. So, there are plenty of vehicles if you're really that interested in pursuing the Governor's agenda, which I don't think you are, but if you are, then I suspect that we ought to get working on those bills.

Otherwise ... and I'm not sure what disingenuous comments on the floor during remarks ... how productive that is for any of us. I think we all had a good time last evening spending time with each other, recognizing that we have philosophical differences. But the reality is we can either choose to continue the barbs back and forth with the Governor's Office, with each other, with the Senate, or we can choose to begin working hard on the real problems facing our state. So ... in the event the Gentleman is interested, there are plenty of bills that you can begin work on up in your committee. Thank you.

DELEGATE HORNBUCKLE. Thank you, Mr. Speaker. I think that we all understand here that we will have to have some cuts, we'll have to endure that. Some of them will be a little bit painful, but I think from a fiscal standpoint we understand you have to have some type of revenue enhancement measure. Don't really mean to say too much more than that, but I would be remiss if I'd not carried on for Father Jim Morgan so, I would allow you all to ... (jingling of can) ... time is ticking.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS of MEMBERS March 15, 2017

DELEGATE BALDWIN. Thank you, Mr. Speaker. I don't talk very often. I'm a quiet

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guy, but there's been something that's sort of been gnawing at my heart, and I wanted to speak to it today. As a pastor, people often come to me when they're in trouble, and they're not sure exactly where to turn, and I'll never forget, excuse me, this one particular time when a family came to me with a young girl, I think she was probably nine or ten, something like that. As they began to tell me about their situation, times were tough for them. They were poor, they were very unhappy, and before long this conversation turned into an argument right in front of me, right in front of this little girl, and the little girl just covered her ears, just covered her ears in disgust. And I asked the little girl, after I got the parents to stop arguing, I asked this little girl if she had something she wanted to say to her family members, and she looked her family dead in the eye, "It's not all about you. You're supposed to take care of me." And those words have echoed in my mind these past four plus weeks of this session.

I'm a new delegate, and I know that I don't know how things work around here. I know that I don't know what our normal tone is, but I'm concerned about the tone that I've heard. I've heard delegates disparage other leaders in the halls, on the floor. I've heard us blaming one and other for the State's problems. I've heard us accuse one another of stealing each other's ideas. I've heard press conferences, and press releases, and mean tweets, and I hear that girl's words echo in my mind. It's not all about you.

A wise man once told me that sometimes you got to speak the truth in love, even if it's not going to be well received, and so, in that spirit of love, I would like to say this to my colleagues whom I respect.

It's not about one person being right and one person being wrong, it's not about one party causing problems and the others solving them, it's not about any of us as individuals. It's not about you, it's not about me, it's not about us; it's about West Virginia. And we face a terrible budget crisis, a jobs crisis, a drug crisis, and sure, we've got different ideas about how to solve them. That's why we're here. That's a good thing, but if we continue to bicker like those parents who were in my office that day, the family is going to suffer. The state that relies on us to be the adults in the room, especially when times are tough, ... is going to suffer.

I came here for the same reasons you did. I came here to help my people who are hurting again, just like I know you did. So, I implore us all to remember that it's not about you, it's not about us, it's about West Virginia. Thank you, Mr. Speaker.

DELEGATE GEARHEART. Thank you, Mr. Speaker. In the spirit of my friend from Greenbrier County's remarks, today on the calendar we gave consideration to a bill with regard to body mass index. And, in the opening line of the legislative findings of that section of code, it says, and I quote, "The Legislature hereby finds that obesity is a problem of epidemic proportions in this state," and, believe it or not, Mr. Speaker, this stimulated some thought for me with regard to the ongoing budget debate that we have now with the Governor.

Earlier this week, members of the House presented a budget plan on the principle that government must live within its means. And Mr. Speaker, you used an example of a family planning its budget, deciding how much it can spend, and deciding that it can't spend more than it takes in. And I think that that's a pretty doggone good example, and I think it's how our government should operate.

But today I'd like to offer you, maybe another metaphor, and it's something that I hope the Governor listens to, and I hope he hears it loud and clear and that he gives it consideration, and that's simply, that our government has gotten too big for its britches, and its doggone time we lose some weight. If we were to pass the Governor's suggested budget, it would mean that we would have added a half a billion dollars to our base budget, in the last six years—13% growth in government.

The government continues to grow by feeding off of our tax dollars. It eats the hard-earned money from every West Virginian's pockets. Now you all know by now, I would assume, that I'm from the south. I'm from southern West Virginia, and I can tell you that the folks that live around me haven't seen their incomes grow 13% in the past six years. In many cases, they don't have jobs at all, and if they do have jobs and they've been lucky enough to find work, they certainly have not seen a 13% increase, and many of them have less.

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A lot of them, quite frankly, have subscribed to the joke in our area of jumping onto I-77, commonly referred to as the “hillbilly highway” and heading south. A lot of jobs have been lost. A lot of jobs in the coal industry have been lost. A lot of people on that highway moving south. A lot that have been lucky enough to stay, making a lot less money.

Despite all of that reality, big government keeps eating away at our wallets, and now the government has ... Governor has proposed to take even a bigger bite than before. Returning to the metaphor, when someone gains weight they have a couple of options: You can take the easy road and keep eating and doing what you’re doing and pack on more pounds, or you can start watching what you eat. You can start going to the gym and sweating and dropping some weight. The Governor has suggested that our budget plan plans to kill the patient, but I would suggest to you that nothing could be further from the truth. The patient that we’re referring to ... people of West Virginia ... isn’t dying because it’s starving to death. Its dying because it’s eaten too much.

Since we live in the most obese state in the nation, we all know the danger of carrying more weight than we need. Too much weight makes us lethargic, clogs the arteries, and things don’t work the way they used to. It makes it harder for a person to function, to complete day-to-day tasks, and the same is true of government. Bloat it up too much, and you get inefficiencies. You can’t see your toes from your head. Things don’t function like they’re supposed to, and it can’t serve the people like it did in the past.

The Governor’s plan for our patient: feed it more, buy it a bigger wardrobe, keep doing all the things that have made it unhealthy in the first place. That’s not our plan, Mr. Speaker. We want a patient that’s healthy, vibrant, and not carrying more weight than it needs. We want to put our government on a diet, make sure it’s only eating the things that it needs. And we’re going to take this government to the gym, work out the things that we can’t afford to carry anymore, and slim it down to the right size.

Now, you all may not believe this, but I went to the gym this morning and do

regularly, and those of us who work out can tell you that exercise is not easy. And it’s going to take tough choices and a huge commitment to thin this thing down, and I’m going to tell you, folks are going to complain. There’s going to be soreness, but I’m confident we, as a state, will come out healthier in the end. We’re not going to try to kill the patient, Mr. Speaker, we want it to thrive, and feeding it the things it doesn’t need, isn’t a way to survive. The Governor has given us a plan of gluttony. We’ve offered a healthy alternative. It’s time to slim this thing down and give the people of West Virginia a government that they can afford. Thank you, Mr. Speaker.

DELEGATE MARCUM. Thank you, Mr. Speaker. Ladies and gentlemen, I’m going to give a speech very similar to last year. We’ve heard a lot of discussion through the media, from the Governor, from this body, from the Senate, in regard to the King Coal Highway. What’s the progress of that? What’s going on with the King Coal Highway? Where are we at?

And ladies and gentlemen, today’s the 36th Day of this session. There is a bill setting in Roads and Transportation that we passed last year, that leadership is on this bill; it’s a bipartisan bill, and this bill is stalled in committee, and I’m frustrated. And that’s why I decided to speak on this today, because I spoke to the Chairman and he said he’s not running the bill this year. We passed that bill last year ... I think 95 to 0, one of the last days of the session. It got to the Senate and got hung up in the ruckus on the last night. We got time; we’ve got 24 days left to get this bill through committee, get this bill to the Senate. Let’s move forward.

Ladies and gentlemen, I’ve spoke with Congressman Evan Jenkins on this. There’s money coming from the federal government to build the King Coal Highway. The State of West Virginia has to do its part. Our part is minimal. I mean, we’re talking \$100,000 to map this road and give them a plan ... a strategic plan of how we’re going to build the King Coal Highway ... where are we going to go with it and what’s important ... the jobs ... \$100,000 sounds like a lot of money until you look at the jobs, the benefits, and the way this will open up southern West Virginia.

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This is very important to the south. Coal has powered this state for years. We haven't cared to share our tax dollars with all 55 counties. There's a lot of counties in here that don't mine coal, but yet they've benefited from our tax dollars, our coal severance dollars going to your counties, and that's what's frustrating. You know, we ask for a little help while we've carried the back of this state for 40 years ... 50 years ... 60 years, and we ask for a little help. We want this bill ran ... I mean, it's a bipartisan bill that has no political indications whatsoever, but a bill to put people to work in southern West Virginia. And I will never for the life of me understand the reason we're not running this bill.

We have public-private partnership to go to work on post-mine land sites to develop a new diverse economy in southern West Virginia. We have coal miners who would go back to work because they can get their mine sites bonded because they're in these public-private partnerships. This is a win-win for the coal companies, for the coal miners ... This is a win-win for southern West Virginia for a diversified economy, and to see a bill pass this House at such a high margin, I think 95 to 0. It might've been one vote against it, but yet it won't even get ran this year. I will never understand that.

Mr. Speaker, I encourage you and your leadership team to take a close look at this bill, and you guys have been gracious to me in the past. We've worked together in the past, but this is a bill that has bold ... has a bold agenda for southern West Virginia—to move southern West Virginia forward. And there is always this north-south divide that we talk about in here. Southern West Virginia is hurting. We don't want a handout ... we want jobs. This is a way to put southern West Virginia people back to work, get them employed and help stop the drug problem. If you give an individual a reason to go to work, I guarantee it will help solve our drug problem.

So, there's so many consequences from building this road that are positive, and that's what I encourage everyone to look at. Congressman Jenkins has called me numerous times on this bill, wanting it out, wanting it ran. Last year when we passed it I got a huge congratulation from him personally. We have about a 30-minute phone call about this bill. He said, "You've

done great." He said, "We might be in different parties, but you've done great on that bill. Make sure we get the Senate to do it."

So, to be told the bill will not get ran this year in Roads and Transportation, Mr. Speaker, it's very frustrating, and I hate that we have to do this on the floor, but what better time for the media, for this body to hear. We have a jobs bill sitting in committee that will immediately put people back to work. The federal government has the King Coal Highway on their six-year plan to bring money to southern West Virginia and build this road ... to build this road ... open us up to the rest of the world.

So, I just encourage everyone to get involved. This will help, again, our coal miners. We're going to put them back to work on some surface mine sites because they will be able to get their permits and their bond requirements met because they're in a public-private partnership, and we have so much to benefit from this that to not run the bill, in my opinion, is crazy.

Ladies and gentlemen, I just encourage everyone to take a close look at House Bill 2636 and really consider the implications. The implications of this bill has an ability to make a bold change in southern West Virginia, not just to put coal miners back to work but to diversify the economy. It is a jobs bill. Thank you, Mr. Speaker.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
MEMBERS
March 16, 2017

DELEGATE HAMRICK. Thank you, Mr. Speaker. I know a lot of people here have their minds on a certain basketball game this afternoon, so I thought I'd take just a few moments to talk about one of my favorite subjects, Star Trek.

To help clear my mind, on weekends, I've been going back and watching the classic Star Trek episodes, and there's one episode in particular that reminds me of our current

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budget situation. It's called the "The Trouble with Tribbles." The episode revolves around those fuzzy little fur ball things that breed like crazy and eventually overrun the Enterprise and the space station. Before the end of the show, Captain Kirk and company are literally neck-deep in tribbles. Watching that episode, I couldn't help but think, that reminds me of our current budget situation. You see, tribbles basically do three things. They eat, grow, and breed. While they're cute, they coo and make people feel happy. That's about all they do—eat, grow and breed.

Now, my esteemed colleague from the 27th yesterday explained how our government has been doing a good job in eating in recent years, eating taxpayer dollars, that is. In the past six years, our government has done a great job of eating and growing. If we were to pass the Governor's proposed budget, our government will have grown 13% from four to four and a half billion dollars in just the past six years. Growing at that rate, our government will hit a ... hit the five-billion-dollar mark within another five years.

Think about that. If we keep growing like we are, this government will have grown by a billion dollars in just over a decade. Red alert, Captain Armstead ... the tribbles are starting to overrun the ship. Now, in the episode, the Enterprise crew got rid of the tribbles by beaming them onto a Klingon ship. Unfortunately, we don't have the luxury of dumping this problem onto someone else. We're going to have to get rid of some of the tribbles on our own.

Now, as a member of the Committee on Government Organization, I've had to work with some of these tribbles in state government. Unfortunately, these tribbles seem to have borrowed philosophy from another Star Trek species, the Ferengi. The Ferengi first rule of acquisition states, once you have their money you never give it back. Sadly, this seems to be how these bureaucrats like to approach their budgets. Once they've gotten a chunk of taxpayer money they never want to give it back. This is the opposition we now face as a legislature; we've got a group of people in the executive branch who think this money belongs to them and we're in the wrong for trying to take it away. That's not true. This money belongs to the people. They

need to be able to survive. They can't have tribbles eating away at everything they've earned and constantly taking more and more. Our taxpayers are crying out like Scottie. I'm giving them all they've got, Captain ... or all I've got, Captain ... sorry.

It's time for bold action, my friends. We have an opportunity with this budget to draw a line in the sand. We can either tell the people, we know you're hurting and we don't want to take away any more from you than we have to, or we can just roll over and let the tribbles overtake the ship. I don't want that for our people, Mr. Speaker. I want them to have everything they want. I want them to be able to give their kids nice things. I want them to be able to afford a better life, and I don't want to tie them down with more tax increases to feed a government run amok.

If we truly want a state that will "live long and prosper," we must boldly go where no Legislature has gone before, at least in the Legislature's in recent memory, and say, "We're gonna hold the lines to keep our tribbles under control." So, thank you, Mr. Speaker ... let's make it so.

DELEGATE SHOTT. Thank you, Mr. Speaker. Those of you who were here last year may recall that during one of our heated sessions, it was suggested by one of my colleagues that I had a heart of stone. And if you remember that, you will remember that I felt compelled to set the record straight to disclose to the body that I come from a long line of Republicans. My grandfather moved to West Virginia in 1893, and although he was a union member, he was also a Republican. And it was important to him that the line continued through the male generations, and so it became our practice to ... upon the birth of a male child, to surgically remove the child's heart.

So, I made it clear that I didn't have a heart of stone ... actually, in that case, we've evolved over time ... the original heart replacement was a pump made of cast iron ... my generation was stainless steel, and, as it evolved further, my children now have carbon fiber replacement that's lighter and more durable.

It appears that my reputation and the deficiency in my anatomy has been ... some

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members of the body have been reminded of that because, when I came to my desk on Tuesday, I found this on the desk, which is, if you can see, a heart, even though it may not be exactly to scale, which sort of reminds me that there seems to be a perception in here that some members have a bigger heart than they have a brain.

The reason I bring this up is, it reminded me of an experience I had this past summer, which I'd like to share with you. I attended a workshop on juvenile justice, and one of the presenters was outlining some of the most recent research about juveniles who commit crime. And apparently the consensus among the experts now is that, as we develop from birth, our intellectual abilities and our emotional abilities basically, stay on track until we get to about the age 16. And then, if you were looking at this on a graph, you'd see a deviation. The intellectual line would go up much faster than the emotional line, and that gap between 18 and, until we get to about 24, continues ... that there's a gap between our intellectual abilities and our emotional abilities, particularly in the area of impulse control.

And the point of the speaker was that a lot of the ... that the statistics show that a lot of crime is committed by folks during that period of time when their ability to control their impulses is much less developed than their ability ... their intellectual abilities.

At the conclusion of that section of the workshop, the speaker suggested to those that she described that might be hard-hearted or lack compassion about those people that fall within that range, a little exercise. And her exercise was, if you ... She pointed to the small pad on the desk that all the participants were given to make notes ... It was probably about half the size of a legal pad ... And she says during the break ... and we had about a 30-minute break between the ... Before the next section ... Write down what your rap sheet would have been if you had been caught for everything you did wrong between the time you were 16 and the time you were 24.

Well, I thought that won't be hard. I was kind of one of those "goody, good kids" growing up. I didn't think there would be much to it, so I started down that road during the break, and I started writing, and I'm not

going to tell you what I wrote, okay ... but, I will tell you that I ran out of paper pretty quickly. So, if I had a heart at that time, that probably would've softened my heart, but I did have a brain and that was not completely surgically removed at birth.

And so, I started thinking about that, and it just occurred to me that this is a good illustration of the old slogan, "There but for the grace of God go I."

And in many instances, those of us who find ourselves with a clean rap sheet, it's more an instance of being good luck and maybe fortunate circumstances than some other people who find themselves during that ... especially during that period of development between 16 and 24, falling into bad choices and having to accept the consequences of that.

I'm one of those people that's always been, if you do the crime you should do the time but my brain tells me that we ought to ask the question, "What happens next?" What happens after the person has done the time, paid for the crime, and all too often the punishment continues in one form or another.

I had a gentleman come to me last summer who was in his ... I'd say in his mid-fifties, and he had ... when he was in his twenties, gotten in trouble, had served some time in the penitentiary, come out, encountered the same difficulties many people do when they have that felony conviction—not being able to find a job. And he and his brother started a small contracting company. And that's what he was doing.

But he was there to ask me if there was anything I could do to help him regain his ability to carry a weapon, and never thought about it until then, but he said, "In my family my grandfather taught my father to hunt. That was an important bonding time in his life. I taught my children to hunt ... We went hunting together, and now my grandson is of the age that I would like to take to hunt, but I can't carry a weapon legally." And he said, "You know, I've spent my time in prison, I've not done anything ... you could check this out ... I've not done anything since then, but I cannot do what I'd really like to do and share that time ... that important time with my grandson."

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So, my point is that for those of us who maybe lack this, or lack the compassion of this, we need to use this and think about how long we want to punish these people, especially those who have turned their lives around. You know, we talk about ... we talk about the purpose of our criminal laws, and yes, we punish, and yes, we send a message to those who have been convicted and to those who haven't, as a deterrent not to commit the crime. But we also ... part of the purpose of our system is to rehabilitate people, and I think it's important for us as we're here, those of us now have the heart and now can feel compassion, to also use our brain and recognize the situation we find ourselves in here in West Virginia today.

We have the lowest workforce participation rate in the country; that's been stated over and over again. We have a population of folks out there who are trying to get back on track that have done the crime but also done the time, and we throw up obstacles to them having an opportunity to really get started all over again. And so, I would just suggest to us that we keep, not only an open heart but an open mind about how we can help those folks get back on track, especially those who've fallen off the track when they were 18 to 24 years old, at that very vulnerable time in all of our lives.

So, I would certainly welcome everybody's input on that as to what we can do to try to help those folks and, in fact, recognize those who have made the effort, paid for their crime, made the effort to get back on track but have found themselves with obstacles that we might be able to help them remove. Thank you, Mr. Speaker.

DELEGATE MILEY. Thank you, Mr. Speaker. I wanted to stand and commend the Gentleman from the 27th, the Judiciary Chairman, for his comments, because I think that is indeed an issue that we've been ignoring for some time. Both parties, but one that needs addressed as soon as possible, and there is a bill that we can begin to do that. And it's pending in your committee, that I hope you at least begin to look at and perhaps give it some thought, and that's the Governor's bill, actually, and I know the other ... that you all on the other side of the aisle may not embrace all of the Governor's agenda. But there are some that perhaps you might want to get behind and its House Bill

2657, The Second Chance Act, and I don't think there's any pride of authorship, certainly not by me, because I just did it as a courtesy. And I doubt there is any pride of authorship by the Governor, but it is an issue that I hope we begin to address in this body and in this state as soon as possible.

Just before the floor session, and I forget the gentleman's name already, and he didn't have a card. But I was deeply moved by a gentleman who spent, I think, close to 20 years ... he's from McDowell County ... spent close to 20 years in prison but upon getting out of prison he has improved his life dramatically by obtaining a bachelor and master's degree and he's really preaching the message and preaching the gospel, so to speak, of how people can make good in life if given a second chance. And we've got to recognize that just because someone has made a mistake and they paid the punishment, they shouldn't be kept down forever because, if we have that attitude, we're not extending any grace whatsoever, despite who some of us might pretend to be once we leave here. So, I want to thank you again for your comments.

S. B. 330

REMARKS
of
HON. SCOTT BREWER
March 16, 2017

DELEGATE BREWER. Thank you, Mr. Speaker. I'm going to rise in opposition to the bill and most of you probably are aware I could stand here all day and speak to it. I won't do that. I just want to point out a few things and I can point these out from both sides of the aisle. I have been in construction for nearly 39 years. I've worked right-to-work states, I've worked in non-right-to-work states and I can promise you as a worker in a non-right-to-work state you are a lot better off. Now, in my opinion this bill does nothing ... the sole intent is to defund and weaken unions. That's what it is designed to do although you'll hear that it's designed to do other things. I expect, well I know we're all going to cast a vote here in just a couple of minutes. I just want everybody to understand, if you don't know exactly what you're voting for, if you would just bear with me for a couple of minutes.

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Union construction in West Virginia is an industry of about 200,000 people. I ask you what other industry in West Virginia employs about 200,000 people? We add an additional ... we hire approximately 500 new employees every year through the apprenticeship training programs. We are a partner with some of the biggest industries in West Virginia. All of the ethane crackers that have been proposed in this region from Monaca, Pennsylvania to Belmont County, Ohio, to the one that was proposed in Parkersburg. Before they ever came to town they contacted us and I consider ... and I am part of the Union construction ... and wanted to know what our labor market was. How many people do you have, because we need you? We need you to build this industry. You have the people that are trained, you have the people that are drug free, you have the resources that we need. Toyota, American Electric Power, First Energy, all partners with union construction because they know what the advantages to union construction is. They know what it offers them. This industry, it relies on the unions to not only provide the manpower but to provide the contractors with drug free, well trained workers at no cost ... no cost to the state. It doesn't cost the state anything. The industry relies on the unions to jointly administer health plans which with the question of what's going to happen with the Affordable Care Act, I would think would be paramount in our decision making right now. These plans are in place, they're funded, they offer quality health care to the people in the industry. The industry provides pension plans already in place and after the market collapse of 2008 and '09 they're still struggling to rebound from the effect that that market collapse had and anything we do now to disrupt those pension plans puts them in jeopardy. Training, again no cost to the tax payer. So, I guess my question: Why does this body want to jeopardize the ability of our industry partners, private business to shake hands with private organizations and enter into an agreement that provides everything we need for these industries? Senate Bill 330 simply requires unions and labor organizations to spend their resources on people that won't pay. That's what this is about. Spend your resources on people that will not pay. In closing I find it just a little bit ironic ... spent this morning up in Ag and Natural Resources where we passed House Bill 3027. In that bill, I'm going to quote you

... and this has to do with a tax, a 50-cent tax on cattle to help control the coyote population. "Any person who does not pay this assessment is not eligible for the services provided by this cooperative agreement." Thank you, Mr. Speaker.

FRASURE-SINGLETON INTERN

REMARKS

of

SAM BROWN, INTERN

March 17, 2017

SAM BROWN. Can everyone hear me okay? Excellent. Greetings, it is a great joy and honor to be here today speaking to you, the West Virginia House of Delegates. So, because of this I think it's necessary to have a few thank-yous to those who have given me a bit of wisdom and knowledge throughout this week. First, I'd like to thank former Delegate from the 67th District, Steven Skinner, who's encouraged me to come here to Charleston to learn more about West Virginia politics. I'd then like to thank the Delegate I've been working for this past week, John Williams from the 51st District. We've had a blast! And I'd like to thank, if he can hear me right now, Delegate Dana Lynch from the 44th, who's asked me every single day, "Hey there Sambo! What do you know!" Well, Delegate Lynch by the end of this speech, hopefully you'll know that I've learned a thing or two during my time here. And the final thank-you I'd like to give is to our Holy God for giving me the breath and the life to be able to be up here today, speaking to each and every one of you about what we love, which is our beautiful State of West Virginia and when talking about West Virginia there's a lot of different people that make up our state. They come in all shapes and sizes, whether they be big or small, or short or tall. But today I want to talk to you about the youth, the future of the state, about what I, as a young person wish to see in our state and the future I hope every single young person like me can hope to have within the beautiful borders of West Virginia. Because it's very apparent, at least to me here today within the chambers of the House, that our state is at a crossroads. There are choices that are made every single day within these chambers from people of all different walks of life as to how our state will move forward and provide a home of prosperity to the

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people who are proud to call this great state home. This past Wednesday the honorable delegate and pastor from the 42nd District, Stephen Baldwin, talked about coming together as a House to enact change, to put aside the party lines and differences, to put the people of West Virginia first and I agree with that and I think it's important to realize that we, as the people of West Virginia are not all the same. We have different parties, different ideas and different backgrounds when coming together as a congress. But it is these differences that truly define us and make us who we are today. But I would argue it is necessary to overcome these differences and to work together to tackle the problems our great state faces. Now these problems can range far and wide, such as the heroine epidemic occurring all over the state, but especially in my neck of the woods, the Eastern Panhandle, where the once proud city of Martinsburg has now been titled Little Baltimore. The teacher crisis where teachers in Jefferson County can't stay competitive with neighboring states who offer salaries almost double and where West Virginia teachers in southern counties barely make enough to get by and survive. And finally, to the budget crisis, which proves to be more and more challenging as the years go on and it's clear we've got some problems Delegates, and there's some choices that we have to make, and it is clear to me here today that the House isn't a place of division. And in these uncertain times for West Virginians, I believe it is important to attempt to achieve unity in the midst of uncertainty and when I think of unity I think of the words of Reverend Jesse Jackson, the 1988 Democratic presidential candidate. Now Jesse Jackson preached about finding common ground to address these problems, united in the commitment to a new direction and when he was campaigning one day, someone once asked him, "Why do you try to reach across the aisle and take these big bold initiatives?" And this is what he told them, "We've mastered the air, we've conquered the sea, annihilated distance and prolonged life, but we're not wise enough to live on this earth without war and without hate. As for me, I'm tired of sailing my little boat far inside the harbor bar. I want to go out where the big ships float, out on the deep where the great ones are, and should my frail craft prove too slight for waves that sweep those billows o'er, I'd rather go down on the stirring fight than drown to death at the

sheltered shore." We've got to go out as a congress where the big boats are. Now when hearing these words from Reverend Jackson I think they still ring true today. I think that this house can come together and work through the problems our state has. We've got to believe. You have to keep hope alive and persevere through the hard times in order to appreciate the good and the beauty of our state. So, in conclusion today, if you've heard nothing else from my speech, then please take away this. We the youth of West Virginia believe in our state and we want to stay in the state we've grown up in and love with our entire lives, but it's up to you all as our delegates to preserve the state we love and keep us on the right track. I believe in this state and it's been an honor to speak to you here today as to what I see as a young man in representing the youth growing up in West Virginia. Thank you.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS of MEMBERS *March 17, 2017*

DELEGATE THOMPSON. Thank you, Mr. Speaker. The members will find on their desks when you came in this morning a brochure for Cabwaylingo State Forest. Many of you likely have never heard of this forest, and most have certainly not been there, but for the people of southern Wayne County it is a treasured integral to their community. The forest was established, and its facilities built during the Great Depression by the Civilian Conservation Corps. In a time of unparalleled hardship, at least until today, the park provided jobs, hope and pride to the people of Wayne County.

Named for the adjoining counties of Cabell, Wayne, Lincoln and Mingo, the forest has been a centerpiece of southern Wayne County for more than 80 years. Today, however, the park has been neglected, its bridges are rotting, its trails are growing up, and its pool is dry. Yesterday, we had students from Crum Middle School, not far from the forest, as visitors to the State Capitol. They provided me with letters from their classmates in support of Cabwaylingo

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State Forest and I want briefly to share one of those letters with you today.

“To whom it may concern, I am writing this letter to show you that Cabwaylingo is of utmost importance to our state, financially and emotionally. But right now, it doesn’t have the funding to continually run at its peak performance and pay the hardworking men and women the pay they rightfully deserve while protecting the wildlife and maintaining the facilities. This place provides much-needed jobs, tourism and protected sanctuary for wildlife. I am emotionally attached to this place more than others. I grew up swimming in the pool and playing in the park.

Not too long ago my sister got married in this beautiful park, but if this place isn’t run to its fullest potential then no one else will ever be able to experience the joy and wonderful memories I have experienced and gained from having this park. I already see the pool shut down, and now so many kids can’t even go and cool off on a summer day or play with friends over the summer. Please think about what you are taking away from West Virginia, not what you have to give, because nothing is equal to the happiness of children in West Virginia.

This park is also a sanctuary to wildlife from poachers, and its gorgeous mountainous terrain brings riders, bikers, birdwatchers and gawking tourists to our state, bringing in money and stability to our economy. But, as these places and facilities lose their caretakers, and the animals lose their protectors, we won’t just lose our happiness, but the valuable economic stability brought along with keeping these parks up and running. So, please any loss in funding may help now, but in the long run this place will bring generations upon generations of parents and children’s joy, and then those children will bring their own and so on.

In conclusion, this park means much to us personally and economically. Every aspect either brings happiness or tourism dollars into our economy. From the wildlife to the facilities, in every way, this park benefits our state. So, please help us. Thank you. Tyler Duty, student at Crum Middle School.”

There’s been a lot of talk lately about tourism in our state. How can we be hopeful

of increasing tourism if we neglect our assets that we already have, especially in the coalfields of West Virginia. The people of Wayne County are not asking for anything new. We are simply wanting to protect what we already have. Thank you, Mr. Speaker.

DELEGATE ROWE. Thank you, Mr. Speaker. I was really touched by the comments of the Gentleman from Greenbrier County earlier in the week, and I’ve been pondering and worrying and studying on the budget crisis that we have. And it just occurred to me that our tone has to be appropriate, and I intend to always to do that. I think this is a great body. I’m very lucky to be here. I respect everyone who is in this room. I know we all want what’s best for West Virginia. I would just like to make just a few comments. First of all, I think that the reason we are where we are today ... it’s not the growth of government, not at all, in terms of any discretionary funding. We’ve been cutting that for years on a regular basis. The growth in government really has been healthcare and Medicaid. On your desk, I placed a map of the State of West Virginia that shows the percentages of Medicaid folks in each county, and it’s pretty dramatic. I’m not very good at counting our numbers, but I show that there are only two counties that have less than 20% on Medicaid and there are four counties that are in the 40% range, and we actually have, I think, 12 in the 30% range; Kanawha is 28.

As we look at our own counties, I think it’s pretty dramatic. This is the growth in state government spending, and it’s largely from funds that we received ... have been receiving from the federal government. That is the growth. We haven’t been growing in DHHR. We haven’t been growing in health and human services. The growth is really there. You know, the purpose of government really is pretty simple. It’s to educate our young and provide a healthy environment for them to have roads so that commerce and individuals can get around. It’s really the life blood of an economy and an environment and a place to live, and then the third one really is security. And today is Corrections Day, and we have to respect the folks who provide that—fireman, police officers and a whole variety of security folks.

Now that’s what government does, and those sections haven’t been growing. We’ve

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been cutting and reducing, and we found out from the Department of Commerce that the three qualities that an employer wants the most to locate in West Virginia is workforce skills—that's our colleges, our community and technical colleges, our trade schools. We've got to have workforce training and people ... you know, if we don't ... if we don't increase funds, we're not going to be able to do that.

Second is highways. No business wants to locate to a place that has bad highways. We haven't been providing any money ... extra money for highways for a number of years. And then the third one is quality of life. Now there you go with healthcare, tourism, parks, that we heard so well just a moment ago ... about, and that quality of life, protecting our heritage ... who we are. And I would just point out that, historically, since 1988, the Legislature has increased taxes twice ... two times since 1988, and they were both tobacco taxes.

But what's happened since 1988 is, we've made substantial reductions in income, and there are two that have occurred recently that put us in ... almost to the dollar, in the hole we're in of about \$450 million. One is the food tax reduction; I'm not sure of the numbers ... 130 ... 150 million dollars a year. The corporate net income tax was reduced by 25.6% in steps, and what's interesting, if you were to reverse those two tax reductions, we wouldn't be in the shape we're in today.

Now I ... if I had been a member ... I was not a member during those reductions or the corporate net income tax reduction ... had I been, I would've voted for them, because at the time our energy industry was doing well. As a matter of fact, it was doing really well. It was heating up; we had natural gas on the horizon. We were trying to figure out how to dedicate funds, excess funds we were going to be getting from natural gas, and then the bottom just fell out of it. I mean the value of gas, and I don't know these numbers, but something like \$3 dropped down to below a dollar—huge reductions, and so here we are.

So, I would say to folks, if people ... the only thing anybody is talking to me about outside this building is the budget and taxes, and I have just been saying is, "Look, the issue is whether we're going to take back the

tax reductions that we gave or not." Now, you say you mean the food ... you want to raise the food ... no, no, no. I think that we need to be very creative in the way we look at how we're going to reverse the reductions in tax that we had given before.

So, I would encourage folks in the spirit of the Gentleman from Greenbrier, that we talk very openly and candidly about what it is we can do. I would contend for myself that we should not raise all of it on business or all of the ... take back reductions all from consumers. We're going to have to be creative, and I think there is an interest and an energy in the body to do that, but it really isn't a matter of us just talking philosophy and thinking that government really doesn't help us. I want to say it's Oliver Wendell Holmes but I'm not sure; I remember a quote at one time by a great American who said, "It's with my taxes that I buy civilization."

Well, it's with our taxes that we have the opportunity to save our colleges, our community and technical colleges, the quality of life that, we have by taking back some of the tax reductions that we gave in the past. I would propose as well that whatever tax takeback we do, that we do it on a limited-time basis. Let's try for two years or three years and then cut those tax increases off so that we can look at our economy again and see if it is that, just as we had the optimism of four or five years ago to reduce the corporate net income tax, if we can justify the same thing in several years.

So, again, we're not here just to raise tax. We're not here because state government has grown; on the discretionary side, it hasn't. It's been shrinking and reducing year after year. So anyway ... Mr. Speaker, I appreciate the opportunity to provide this information to the body and I appreciate the spirit that's been initiated by the Gentleman from Greenbrier.

COM. SUB. FOR H. B. 2916

REMARKS
of

HON. AMY SUMMERS

March 20, 2017

DELEGATE SUMMERS. Thank you, Mr. Chairman. I speak in support of the bill

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because it is permissive, but with the following concerns. EMS and fire personnel's mission is to care for the injured person and/or property. The carrying of a firearm does increase the main mission of scene safety upon arrival, also now requiring security of that weapon. I ran on an ambulance for 19 years; we crawled through windows, we rappelled down hillsides, we were laying in the middle of the highway trying to intubate somebody. I just have a concern that this might not be the main focus of protecting that weapon while we're also there trying to care for patients. I do feel, though, that I have confidence in the authority of the agencies, so I will put my trust in them that they will authorize the appropriate people to carry these weapons. Thank you.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS of MEMBERS *March 20, 2017*

DELEGATE FOLK. Thank you, Mr. Speaker. I witnessed something last week that ... I mean, thinking I just really have to ... and I'm going to probably do this over the next couple of days because it would take too long right now to tell you all of what I think about the issue I'm going to talk about.

Ignorance is defined as the lack of knowledge, information or education. Deceit, the action or practice of deceiving someone by concealing or misrepresenting the truth. Last week I saw someone get up in this building and say that Common Core was dead, and they showed a death certificate. I think most parents, and I guarantee you 90% of the teachers, know that the standards that we have today are pretty much 99% the standards we had four or five years ago, three years ago. So, to say that is one of two things; it's ignorance or it's deceit. I'm going to let you, over the next couple of days when I tell you this, when I explain to you what has happened in West Virginia ... the history ... then you'll understand, and only in that person's heart will they know which one it is.

I've got a timeline ... I'm going to consolidate it down to a couple of things ... a couple of dates that are key. August 13, 2009, the Board of Education of West Virginia adopted, under agenda item 4, the approved ... the 21st Century Standards in West Virginia. These were the precursors to what we know as the Next Generation Common Core Standards. Now less than a year later, May 12, 2010, their agenda item 9 they approved Common Core Standards. Those stayed in effect, if you believe some people, until 2015. And in 2015 they had a ... four meetings around the state. And they had an online thing where you could go in, and teachers, parents, whatever ... could make comments. But the system was very rigged in the sense, that you would only ... this is quote, from a teacher, "I would have to rewrite the standards online for anything to really make any sense and it would take them days to do it." And that's a paraphrase quote from Holly Branch, who was the Berkeley County 2015 Teacher of the Year.

More importantly, after they did the comment period and the four meetings, there was a meeting up in Morgantown. And in Morgantown they brought teachers from around the state ... I have the whole list here of them. I'll just mention one, a Jefferson County teacher ... middle school teacher. She attended that meeting. The teachers that attended that meeting and reviewed the comments and the suggestions that were made online were not allowed ... it was a multiple-day event ... they were not allowed to take those documents back to their hotel room and review them.

Does that sound like a good review? I mean, as a teacher, you would like to take ... you know, to prepare for the next day. You would like to actually have a thorough review of what you're doing before you go and accomplish your task. So that was the one flagrant failing of that process.

The next was, in that meeting they were limited on how much they could change. They literally were told, "You can only change one thing in this section or one thing in this section but not wholesale changes." Now, let's talk about the exact changes that were made—some of them. They took a standard on page 14 as an example of the math standards K through 12 and 1 to 12. It's the old standard M1, MB.4, and they took a

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paragraph standard and bullet pointed it, and they called that a change. There was another instance where they took a standard that was written in italicized font and put it in normal font and they called that a change.

So, you have to ask yourself, are they ignorant of what took place, or are they being deceitful. Only that person can answer it in their heart.

Tomorrow I'm going to speak about the idea that some people in this body have that we can't use what another state has used in the past. We make laws here every year that model legislation after laws in other states. We do ... we take what is successful in another state and use it here. So, some people for some reason think that we don't ... shouldn't do that with standards, even if they were best in the world or the best in this country anyway. Thank you, Mr. Speaker.

DELEGATE ESPINOSA. Thank you, Mr. Speaker. First off, Mr. Speaker, I wanted to take a moment to recognize our Mountaineer men's basketball team for their "oh so sweet defeat" of Notre Dame this past weekend.

But, Mr. Speaker, I also want to take some time to ask this body to take notice of what the Mountaineers did this weekend and hopefully draw some inspiration from it. Now those of us who live and die with the Mountaineer basketball team can tell you it hasn't always been rainbows and butterflies following our favorite team. It wasn't too long ago that things weren't so sweet for the boys in gold and blue.

Back in 2012 and 2013, our team, well it was pretty much in shambles. That year the team had a losing record, 13 and 19, closing out the year with a dismal seven-game losing streak. Things were looking bleak for the Mountaineers. Fair-weather fans were jumping ship. People were saying this team wasn't going to find its feet again. Some even said that Coach Bob Huggins should call it quits. All coach could say to the naysayers at his press conferences, "I'll fix it ... I'll fix it." All in all, it was a dark time for Mountaineer basketball.

I'll submit to you; this Legislature is facing a similar situation today. Times are tough. West Virginia's economy has not been

on a winning streak of late. Our energy industries have hit the skids. Our budget is upside down, and our finances resemble a broken NAACA bracket. Like Bob Huggins five years ago, we are now in the position of trying to figure out how to turn this thing around.

Now the Governor has submitted his plan—one that calls for what amounts to the largest tax increase in state history—to fund more and more government. But I don't believe this is the right approach. Henry Ford said, "If you always do what you've always done, you'll always get what you've always got." If we keep asking some of the poorest people in the country for more people ... for more money to fund massive increases in government spending, we're never going to see a winning season here in West Virginia. No, ladies and gentlemen, I don't think that's the route we should go. I think we need to be like Bob Huggins and say, "I'll fix it," then actually do something to fix it. To put our state on a long-term path to growth and prosperity.

The first thing Bob Huggins had to do was look inward and see if there were things on his team that weren't fitting in and producing what they should. After 2013, you may recall, you saw some players leave. They didn't fit the system right and had to go. In government terms, I think that means we need to make sure we've got the right mix of agencies and departments working together for the people as efficiently as possible.

We've already started down the path of trimming some things like the Courtesy Patrol, the Department of Education and the Arts, and the Women's Commission. Bob Huggins' next step was to change the whole way his team played, to implement a whole new West Virginia mentality. "Press Virginia" was born, and ladies and gentlemen, I submit to you that we need to adopt the "Press Virginia" philosophy in this chamber today.

It's time for a full-court examination of how our government works. Making sure every inch is functioning in the most efficient way possible. It's time to be tough, get in people's faces and challenge the status quo. We need to have the resolve and the backbone to make the tough choices, fight the

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good fight, and defend this court for the taxpayers. And we need to make sure we've got the right systems in place, like our tax structure, to make sure we're being productive at generating revenue while also promoting long-term growth in our economy. Bob Huggins said, "I'll fix it," and boy, did he ever.

Now, I'll ask you, can you be tough like "Huggie Bear?" Are you willing to do what it takes so West Virginia can have a winning season again and turn its economy around?

I believe the State of West Virginia can have winning seasons again, and, if we focus, work together, and strengthen our resolve, we can achieve that one shining moment. And I hope our Mountaineer boys can get a piece of that this year. Thank you, Mr. Speaker.

DELEGATE MARCUM. That's where we're going with this page I got. Talking about the past, ladies and gentlemen. The last couple of years we've heard about these jobs bills that are supposed to be run out of this Legislature. These jobs bills, right to work, prevailing wage ... it's going to save West Virginia. It's going to do so much to bring employment to this state, but yet when you pull the unemployment statistics, West Virginia is still falling. We're still going down that same deep hole and it ain't a coal mine we're going in. We still keep falling down that same slope.

Ladies and gentlemen, we're here today. We have six days to crossover, and all I've seen is bills dealing with haircuts and barbers and cosmetologists and the Women's Commission, but I've not seen one bill that's a jobs bill. So, I'm asking my friends across the aisle, "Where are the jobs bills?" We've presented them. The King Coal Highway bill is still setting in committee. We have six days left, ladies and gentlemen, to take on one of the most bold actions southern West Virginia would ever see. A King Coal Highway that would run from Pritchard to Princeton and all the way in between, over to the Mountain Parkway in Kentucky.

This bill has the chance to set southern West Virginia on a path to prosperity. This is a bill that will continue to help our coal miners go back to work, as it will help them with their bond requirements. This is a bill

that more importantly will focus on the future and diversify the economy of southern West Virginia. But, no, a Democrat sponsored it, and we're not going to run it this year.

Ladies and gentlemen let's quit playing politics. Let's quit worrying about the next election and let's worry about West Virginians. The only plan I've seen this year is the Governor's plan. That's not saying we agree with everything in it, but I've seen no other plans to bring jobs to this state but what he's proposed. So, where are the jobs bills?

Considering we've been here and today is the 41st day of this Legislature, we have six days to crossover and I'm looking at the agenda. Still no jobs bills coming up. We've got about three more days to get these jobs bills, ladies, out of committee to this floor for a vote. And I'm frustrated, and you can see that, because the people of West Virginia are hurting. And yet we want to keep dealing with rules, dealing with barbers and cosmetologists, but we don't want to focus on the jobs bills to help the people of Mingo, Logan and Wayne counties in southern West Virginia, and Boone. People that's powered this state for years, but yet no jobs bills.

Let's quit kicking the can down the road. Let's have a little courage. We won't be in this deficit, ladies and gentlemen, if we put people back to work. If we broaden our tax base by having more jobs for more people to come to this state, we can give our teachers the much-needed and the much-deserved pay raise they deserve. We can help our veterans and our seniors, and we can do what's right for West Virginia.

Ladies and gentlemen, it's time to quit blaming the past, because I looked back the last two years and unemployment still keeps going down the drain. People ain't going back to work. The failed policies of last year have done nothing to put West Virginians back to work.

So, I encourage this body as a whole, let's be bold. Today is the 41st day; there's 19 days left of this session. Be bold, let's run the King Coal Highway bill, and let's run 20 other jobs bills that will put people back to work. Quit playing the games and let's go. Enough is enough. Thank you, Mr. Speaker.

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DELEGATE PETHTEL. Thank you very much, Mr. Speaker. As all of you know, today we passed Engrossed Committee Substitute for House Bill 2916. And that was a bill that first responders had come to me in the district that I represent and told me that they really needed this bill, that they had actually transported people—especially certain ambulance crews—transported people to hospitals and then once to hospital ... that they ended up removing weapons from those people. So, I certainly want to thank the Chairman of Judiciary, the Gentleman from the 27th, and also the Vice Chairman of Judiciary, the Gentleman from the 33rd, because I went to him and was grateful for the opportunity to work with him. He was very open to doing this bill, and we'll work hard to get it through the Senate. Thank you.

DELEGATE IAQUINTA. Thank you, Mr. Speaker. On behalf of the Delegates of the 48th District, I'd like to congratulate Coach Jared West of the Notre Dame Fighting Irish in Clarksburg, West Virginia, for winning their first basketball state championship in school history.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
MEMBERS
March 21, 2017

DELEGATE PUSHKIN. Thank you, Mr. Speaker. I just wanted to say, I'm ... I was both shocked and saddened to just now be informed of the passing of a friend of mine, a constituent, a very young man who lived here in Charleston. His name is Obie Henderson. Obie is a West Virginian by choice. He relocated here from Chicago, where he grew up. And when he found himself here in Charleston, he found himself struggling a bit and hit the hard times, which he was fortunately able to work his way out of and improved his life and chose not to stop there but devoted his life to improving the lives of others.

He was the founder and president of Dream Chasers Civic Development, which mentored many children that lived in my

district and other parts of Kanawha County. He was the founder of MLK Unity Breakfast, that I know many of us attend every January. He was also the former vice-president of the Charleston branch of the NAACP. He was a former heavyweight champion and winner of many rough and rowdy brawls here in Kanawha County.

He was also a candidate for Charleston City Council, and he was no stranger to this building, where he was a citizen advocate for issues such as criminal justice reform, education reform, and just really advocating for children and helping people out of poverty. He was such an impact on this ... on our community here in Charleston, I would just ask that the members observe a moment of silence for my friend, Obie Henderson.

DELEGATE DEAN. Thank you, Mr. Speaker. I'll keep this short. Yesterday, my friend Delegate Folk spoke against keeping the standards that we have, so I thought I'd take this opportunity to speak for those standards.

Nobody likes federal overreach, and that's why, in 2015, the State of West Virginia started the Academic Spotlight Survey. In that survey 5,000 respondents left 251,000 comments. Of those comments, 95% of the comments agreed with our mathematic standards, and 97% agree with the English standards. After that survey took place, 55 West Virginia educators and administrators and higher ed educators met to revise the standards. When they came out with their standards, there was a 30-day public comment period. After that comment period, 43 additional changes were made.

I think this shows that our board listens to what the people had to say about the standards. If we change standards again, this will be the sixth set of standards that our students have had in the past 20 years. Now, I'm not going to argue that the standards that we have in place are that much different than Common Core, because they're not; they're very similar, but we chose those. We had the opportunity to make comments. We had the opportunity to revise those standards, and this is what we've come up with.

I would argue that we don't have a standards problem in West Virginia, we have

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a curriculum problem. Our counties and our state rushed into agreements with textbook companies to get something out that said Common Core on the cover just so that they would meet the regulations. We passed a bill just the other day that gave our counties the flexibility to choose different curriculum from vendors other than what the state approved, so I think we fixed that problem, because next year is a textbook adoption year.

I have hundreds of pages of research about the comment period, about the revisions and about these standards in general. If you are interested in seeing those, I will have those in my office. Our teachers have invested thousands of hours, and our boards have invested hundreds of thousands of dollars, in resources, in training to get ready for our teachers to present these standards. It's time to trust our teachers. They're adjusting these. They're making these standards their own, and they're filling in the gaps on their own.

I'm going to leave you with a short quote. "Success is neither magical nor mysterious, success is the natural consequence of consistently applying basic fundamentals." Thank you.

DELEGATE KESSINGER. Thank you, Mr. Speaker. I just wanted to take a few minutes today to reflect on some of the things that have been going on in our state. Over the last couple of weeks, I've been thinking really hard about the speech that my friend, the Delegate from Greenbrier County, gave a couple of weeks ago, and it really touched me, and I've been thinking a lot about what he said and a lot about what has been said around the state recently. And I don't think that any member in this body would disagree when I say that this session has been a very difficult one for all of us. We are at a crossroad in our state, and everyone in this building is working day and night to find a budget solution for our state.

I believe this is a time for leaders from both parties and all branches of government to come to a common-sense solution to help our state live within its means. Just like our family and friends have for the last several years. To truly solve this problem, Mr. Speaker, we can't continue to divide members of this body through distasteful

rhetoric and name-calling. We have seen members insult and intentionally try to publicly humiliate many of our committee chairmen and members of this body from both sides of the aisle.

I was reminded of one of my favorite scriptures this morning while going through the press brief that our wonderful communications director sends out every single day. And it's a verse from Mark, chapter 3 that says, "A house divided against itself cannot stand." And I remember being very little and my mom would always tell us this verse, that, you know, if we're divided as a family we can't stand together as a family. And I think that is very true of us as leaders in this body and as leaders in this state. If we, as a house, are divided then we cannot bring forth any type of vision for our state. If we, as a government, are divided between branches, it's very difficult for us to bring forth progress to our state.

The taxpayers didn't send us here to call each other names and to fool around or make inappropriate comments, they sent us here to do serious business ... their business ... to work together, to be statesmen and stateswomen that are worthy of their respect. That's why it really disappoints me every morning, when our communications director sends our daily news brief, to see the kind of rhetoric that is constantly lobbed at this legislative body, day after day after day.

While we continue to work on serious matters under this dome, this morning's edition not only recycled the whole grizzly bear analogy, but it also said those of us in this body who have suggested the radical notion that government live within its means are nothing more than idiots. I don't think we, on this side of the aisle, are idiots and, believe it or not, I don't think any of my friends on the other side of the aisle are idiots for supporting tax increases. I may strongly disagree on that issue, but I believe that that's not an issue based on your IQ but based on political philosophy.

A former United States Senator in West Virginia once said, "Don't run a campaign that would embarrass your mother." I can personally testify that my mom would not be too happy if she saw me in the media every day and night calling people idiots,

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knuckleheads, blockheads, grizzly bears or poodles. And if she caught me being quoted using the three-letter-words that a lot of us like to use for donkey, she would wear me out and probably invite the media to watch.

I grew up with five siblings. Three of them were brothers, so I am no stranger to name-calling. I have been called a lot of names by a lot of people, and it never really bothers me because I have enough confidence to know that their words don't define me. But what does bother me is when my friends and family and people that I love are being called names and being attacked and criticized personally, not on policy, but personally. I take offense to that, and I feel like it's my responsibility to defend the members of this body who have been criticized personally.

We have serious business to accomplish in this chamber, Mr. Speaker, and as the Governor and the Delegate from Raleigh County likes to remind us, we are in a time crunch, and we have a very limited time to complete the serious business this state is expecting us to achieve. But, if we are to accomplish this task before us, we must live up to the high standards of statesmanship that people who elected us to do demand of their representatives. We shouldn't be doing this because we want to be good elected officials but because we genuinely want to be good people, worthy of respect.

The book of Proverbs teaches us that the mouth of a good person is a deep, life-giving well, but the mouth of the wicked is a dark cave of abuse. Hatred starts fights, but love pulls a quilt over bickering. Proverbs 18 says that, "Fools care nothing for thoughtful discourse. All they do is run at the mouth. Fools are undone by their big mouths; their souls are crushed by their wounds."

When I was growing up I was taught that, out of the abundance of the heart, the mouth speaks, and I genuinely have a heart that beats for the people of this state. And I believe that everyone in this body and the body across the aisle do, as well, or you would've never run for office. The Book of James says it only takes a spark to set off a fire. A careless word or wrongly placed word out of our mouths can do that. By our speech we can ruin the world, turn harmony to chaos, throw mud on reputation, and send the whole

world up in smoke and go up in smoke with it.

We have the most difficult budget situation within my lifetime, Mr. Speaker, and if we are truly to solve that problem before these countdown clocks hit zero, it will take wise speech, calm heads and an abundance of wisdom to guarantee success. If we truly want to solve this problem, it's time to end the name-calling and embarrassing talk, because if we choose the path of foolish speech and insulting words, all of our efforts will go up in smoke. Proverbs 24 says, "It takes wisdom to build a house and understanding to set it on a firm foundation. It takes knowledge to furnish its rooms with fine furniture and beautiful draperies. It's better to be wise than strong. Intelligence outranks muscle any day."

Mr. Speaker, I pray every day before I come in this chamber that the Lord would give me wisdom to represent the people of my district and the people of this state, and I choose to use the wisdom. And He promises that if we ask for wisdom, He is faithful and just and will provide that to us. And I choose to use the wisdom that He has given me to work together with anyone in this body and in this building, who is willing to do good for our state. So, thank you, Mr. Speaker.

COM. SUB. FOR H. B. 2738

REMARKS
of
MEMBERS
March 21, 2017

DELEGATE FERRO. Thank you, Mr. Speaker. I'd like to speak to the bill. I urge rejection of this bill basically because it seems to be contradictory to a bill that we passed back in 2015, House Bill 2717 where the reason that that bill was passed, and the discussion that we had, it was in the best interest of the students and I can remember having discussions talking about service personnel primarily and the movement of service personnel and at that particular time it was said that no service personnel could transfer to another position unless it was deemed appropriate by the superintendent after July 1 of that year. And the argument was that service personnel operate under

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different types of contracts or 200A employees 220s, 238s, 240s, whatever it might be. I just want to read what it said in House Bill 2717. "That the county superintendent shall notify the state board of each transfer of a person employed in a professional position to another professional position after the 20th day prior to the beginning of the instructional term." And I also heard on the last bill, the Gentleman from the 42nd say to continuity with regard to substitute teachers and again, the continuity being in the classroom. And on the next page talking about the best interest of the students, it says in that legislation that we passed out of this body, which many of you on this roll call supported, that the Legislature finds that it is not ... it is not in the best interest of the students, particularly in elementary grades to have multiple teachers for any one grade level or core string instructional term. It is the intent of the Legislature that filling positions by transferring personnel from one professional position to another after the 20th day prior to the beginning of the instructional term should be kept to a minimum. So again, I urge rejection of this basically because we completely contradicted ourselves in two years. Thank you.

DELEGATE MARCUM. Thank you, Mr. Chairman. I represent two counties. One county I trust dearly in making these decisions, the other county I have a huge heartburn with, in the way that they handle their matters. So, that's the reason for the questioning. Thank you very much. Thank you, Mr. Speaker.

DELEGATE E. EVANS. Thank you, Mr. Chairman. Speak to the Bill? I would argue that book protects teachers. I would argue that it protects their right to work in their classroom, to do the best job they can do and be guaranteed that in the middle of the year, they're not going to be uprooted and taken to another school simply because one or two ... he keeps saying 'one', he uses the word individual ... you know, feels the need that ... or the superintendent feels the need that one individual, you know, supersedes the entire class in some cases. I'm concerned that we're going to lose good people. If a new teacher that we have the ability to employ and trust me when I say our ... in my county our school system's absolutely dependent on substitute teachers. So, hiring new people just doesn't happen very often and when we do,

unfortunately, we don't keep them a long time because they move on to somewhere else. I think knowing job security in a particular school will be one way that we can keep those people in those positions. I'm looking at some notes that I made from some of the emails that I got, and I'm sure all of you got as many as I did. I think mine was over 800 people that were opposed to this. I wonder how many more just simply, you know, didn't know how to contact their legislator and let them know that. I don't know how many you got but based upon that, I have to urge that we reject this bill and based upon my previous comments, let's give teachers a secure job like everybody else deserves. Everybody ... I don't care what you do, you deserve to be secure in the position you have and if it's your decision to move to somewhere else then that should be your decision. Thank you very much, Mr. Speaker. I urge rejection.

DELEGATE IAQUINTA. Thank you, Mr. Speaker. May I speak to the bill? I rise in opposition to this bill and I'll explain my reasoning. It took a court order for this Legislature to make all school systems equal. Yea, it took a court order to make all school systems equal and it's still not equal. The state takes over some of the systems because of what occurs that are not within the confines of the law. One of the things that I'd like to remind this body that for twenty years the state teachers and personnel put into their retirement and for twenty years the state did not. That's how good a compact they made. Yea, that's the reason we're having to cough up the 450 million dollars to make up ... and they call it down here 'sins of the past.' Well the teachers that I talk to its not sins, it's part of the deal when you sign the contract was you put in 7 ½ percent and the state didn't put in their 7 ½. They didn't for over twenty years. A good example is teachers are like everybody else. They are the lowest paid teachers in America, the ones that went on strike one time in the state's history, that can't have collective bargaining and we tell people we love the students and we love the teachers. How do you like going back to your districts and say, "Higher premiums and higher deductibles and we're not going to be able to give you a raise this year because we're having financial troubles." And then we wonder why five, ten ... after five years the teachers leave the West Virginia school system. A good example ...

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Well, as you can tell, being an educator since 1969 we've heard this all before. In fact, we're going to hear it some more. A good example is the PEIA funding. I don't think West Virginia will ever keep its promise. Thank you.

DELEGATE MOYE. Thank you, Mr. Speaker. How many times have we sat on this floor and heard about the tool box and the tools we're putting in the toolbox? Well, I'm going to tell you we're putting another tool in the toolbox today if we pass this legislation. What have we done for our teachers? Putting tools in their tool box. Well, we've reduced their coverage on PEIA, we've taken away their insurance coverage when they retire. That was for new hires after July 1, 2014. We've increased the age that they have to work to retire, they only get ... now, since we passed that bill ... or that bill was passed. I don't want to put "we" in there, I didn't do it. They only get ten years of service for every twelve years worked and their pay is some of the lowest in the nation. So, we're going to put another tool in the toolbox: Instability. Another tool to pry them out of this state and send them somewhere else. We should be doing things to keep them here. We need our teachers. We have ... depends on who you ask, between six and seven hundred empty ... class ... six and seven hundred open teaching positions and yet we're doing more to chase them out of the state. Let's keep them here, folks. Let's vote against this.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
HON. JORDAN HILL
March 22, 2017

DELEGATE HILL. Thank you, Mr. Speaker. Mr. Speaker, I rise today to stand with you and thank you for the statement you made yesterday in response to the latest round of silliness that has tainted the solemn work we do here at this Capitol. You know, my colleague from Fayette County yesterday spoke so eloquently about the need for us to be respectful and wise in our words and actions, and I'm going to try to heed to her advice today. But some days, Mr. Speaker, it's hard to hold your tongue.

Yesterday, our Governor, in a childish fit of disappointment, again blasted this Legislature for its effort to control spending and pass a budget that puts the state on a path toward living within its means. But, not only did he continue the sad, tired, hyperbolic diatribe that we've almost become used to at this point, yesterday he did something that I believe totally crossed the line. Some people may have seen it last night before they left. Others may have seen it as they came in early today, but there's a red beacon at the top of the dome today, and it's shining because our Governor has willed it to do so, and, like you, Mr. Speaker, I live in a district that was devastated by last year's floods.

People I know saw their homes, their cherished memories, washed away. Nearly two dozen of our citizens died. It was during those dark hours that Governor Earl Ray Tomblin declared a state of emergency and so caused the state of emergency lantern at the top of this Capitol to be lit. That light is only meant to be lit when our state is facing a genuine state of emergency, when severe weather or a natural disaster has put our citizens in danger. It's a symbol that our state is coming together and standing behind it's people and their time of need. You know, there's a line in one of the Harry Potter movies that says, "Happiness can be found in the darkest of times if one simply remembers to turn on the light." And John F. Kennedy ... he so famously said once that, "While the sun does not always shine in West Virginia, the people do."

Now, when that flood hit last year, the sun certainly wasn't shining in West Virginia but when you drove to Charleston and saw that beacon beaming at the top of our Capitol, you knew that our people were shining their light in the midst of our tragedy. It was a symbol of hope that not only shines through the light at the top of the Capitol but through the countless acts of aid and volunteer work that poured into my district and many others throughout the state following the flood. That light was a symbolic representation of all that was good within our people, but not today. No, today that light is lit for a far pettier reason.

Today our Governor has reduced this Capitol, the people's Capitol to nothing more than a political trinket. The latest prop in his sideshow ... the budget nonsense. He has sullied the good meaning behind that lantern

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for a cheap political ploy, and now he's using taxpayer property to try to bully us into raising taxes on those struggling citizens we represent. You said it yourself yesterday, Mr. Speaker. This is childish, immature, and it's not fitting of the solemn responsibilities with which the people have entrusted us.

Now I may be one of the youngest members of this Legislature, but I'm not afraid to tell this Governor it's time to grow up. As you said yesterday, Mr. Speaker, and I quote, "Bullying isn't leadership, building consensus around the right plan for our state is leadership." The Legislature will show that leadership, and we hope the Governor will start doing so as well. We have people working around the clock on serious solutions for this budget problem, and we don't have time to play political games nor do I think the people we represent want us to play them.

Yesterday, my friend from the 32nd spoke about the need for us to seek wisdom and understanding to solve this budget crisis. I may not have fully abided by her words today but couldn't hold quiet on this one. And I'm going to work on that in the future, but I do believe we must work together to solve this, Mr. Speaker. And, fittingly, on our beautiful gilded dome there are inscribed two biblical quotations that I hope guide us in the coming days.

On the north side it says, "Wisdom is the principle thing; therefore, get wisdom, and with all that getting, get understanding." And on the south side it says, "Happy is the man that findeth wisdom and getteth understanding." Instead of using our dome as a political prop to take cheap shots, let's heed its guidance and do the work the people have called us to do in the mature manner in which they expect us to do it. Thank you.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
MEMBERS
March 24, 2017

DELEGATE MOORE. Thank you, Mr. Speaker. Thank you. Mr. Speaker I rise today to remind this body of something you told us

earlier this year when you were elected your second term as Speaker. In January after you were sworn in you told us, "At this point in our history we need a Legislature full of optimists, realistic optimists but optimists who can see the opportunities embedded in the challenges that we face." Our budget must be a priority, but we shouldn't allow our budgetary problems and our hurdles to prevent us from seeing the opportunity to address so many other issues that need a solution. As we head into these final weeks of our session, I want to remind this body of the opportunities that are still before us. Our budget is a challenge, yes, and the pieces are falling together rather quickly but let's not lose time and let it pass without facing another reality that has gotten us to this point. If we're truly to address our long-term struggle in terms of our budget, we can no longer afford to ignore the iniquities of our tax code under which we operate.

For years, this Legislature and Legislatures before us talked about the need to reform our tax code. We've had a commission after commission, report after report, giving us ways to reform this tax code in a way that promotes economic growth and long-term prosperity in this state. Our governor has talked about reforming the tax code, to peel off the income tax. The Senate has worked on its own plan as well but as we know both of these plans have encountered challenges. The Governor has said he'd like to repeal the income tax in the future but to do so, that which he proposes would be the largest tax increase in the history of our state; an increase in the sales tax, an increase in the soda tax, levying a state-wide DNO tax, something our cities have been working hard to replace under home rule. The Senate meanwhile has offered their own bold initiative to replace the personal income tax with higher state-wide sales tax but this plan also has drawbacks. We simply do not have the broad consumption economy right now to completely offset the personal income tax which is the largest source of revenue in our state. Now for the people of my district, they would absolutely love to get rid of personal income tax. It would be an economic boom for Jefferson County. Many of the people in my district, we're in the D.C. metropolitan area. They buy most of their goods right over the state line in Virginia or Maryland where it's quite a bit cheaper but while this would be a boom for my constituents, I have to

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recognize the fact that this type of system does not ... is not bode well for the whole of the state with so many of our citizens living in border counties, it would be easy for them to simply cross the border into Maryland, Virginia, Pennsylvania, Ohio, Kentucky to buy clothes or food or other goods and services. While this would be good for us and good for those other bordering counties, my fear is that this type of behavior will simply shift our tax burden onto the residents in our interior counties which as we know have been typically the more impoverished counties in our state: Boone, Fayette, Raleigh, Braxton, Harrison, Lewis, Lincoln. Many of these places have already been hard hit by the collapse in the energy sector and it would be terrible for them to bear the burden, the extra burden to try to offset the loss of personal income tax on the burden ... on the border counties. This is why, Mr. Speaker, I have added my name to two alternative tax reform plans that I believe could achieve the purpose of stimulating long term economic growth in our state while avoiding many of the harmful side effects of the other ideas that have so far dominated the conversation in this body and the one across the hall. I'm proud to lead ... be the lead sponsor. House Bill 2933 which is being taken up in the finance committee today and I hope that in the final days you and I and everyone on the other side of the aisle will give this proposal serious consideration. This bill reforms our consumer tax using a simple theme that we've heard time and time again, broadening the base and lowering the rates. Most people don't realize the number of exemptions and special carve outs that we've put in our tax code over the years, from the telecommunications to car wash soap.

This bill would eliminate some of those special exemptions, treating these transactions like others in the market place. In return, it would use the additional revenue to lower the tax rate in our state. Eventually this bill could allow our sales tax to drop to 5%, lower than all of our surrounding states and making us more competitive and keeping more of that tax money right here in the State of West Virginia. This could actually bring consumers into our state creating jobs and additional revenue for our budget and economy. The more we attract consumers into our state, the better our economy prospers and perhaps the more we can afford to reform our tax code in the future. The

second bill I'm proud to support is House Bill 2934 which is led by our Chairman of Finance, Eric Nelson, which would replace our current income tax system with a flat tax at 5.1%. Currently our tax code has five tax brackets. Economists have been saying for decades that reducing marginal tax rates stimulates economic growth and flat tax eliminates those taxing everything the same, but beyond that it treats everyone fairly. It is more equitable; it is more fair. Everyone should be treated fairly under our tax system and ultimately this is the way to accomplish that. It is through a flat tax. Now some people say that this could raise taxes for those on the lower end and I do take that point and I've talked to Finance Committee Vice Chairman, Eric Householder, and he has offered an alternative that would ... to the flat tax that would exempt the first \$10,000 of income for those on the lower end of the spectrum. By exempting that first \$10,000 you can maintain the flat tax on everything above that which gives relief to those among us who have the hardest time to make ends meet. Now these may not be the ultimate fixes to our economy or our budget, Mr. Speaker, but I strongly believe these measures could put us on the path to long term economic prosperity and stability in our budget. It simplifies our tax code and treats everyone fairly and could help improve our budget by stimulating economic growth. It avoids the broad base tax increases our governor has proposed and makes it simpler, more manageable, shifts in our code that can overhaul the Senate ... that the Senate has pushed. These proposals have been studied by our staff and the Joint Tax Reform Committee for over two years, so we've already researched and calculated their fiscal impacts. I strongly urge this body, both Republicans and Democrats to give serious consideration to these proposals as we enter these final weeks in this session. I believe it's a better path than the ones that have dominated the discussion so far in this body and across the hall and could help us avoid having to go through the budget battles that our ... in the foreseeable future. So please let's try to work together to build an economy that's worthy of our dreams and our children's futures. Thank you, Mr. Speaker.

DELEGATE FLEISCHAUER. Thank you, Mr. Speaker. I rise today to talk about a subject that I have been thinking about for many, many years and a recent event has brought

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this into very ... for me, clear focus and that's consolidation of schools. What I want to talk about briefly is to tell you about a bill that several of us have introduced to talk about the research, the national research on consolidation and also to talk about how the recent flood has brought this so sharply into focus.

The bill is H. B. 2742 and what that ... the bill does two things; it sets up a task force and also it bans consolidation for five years unless there's a public referendum in the county. And what the task force would be studying the effects of consolidation looking at five factors and those are; 1) student achievement, most important, 2) parental involvement, 3) extracurricular engagement, 4) community economic development and 5) financial costs. And I'd like to tell you a little bit about the national research shows because nationally almost all states have moved away from consolidation. We were one of the later states and we have not seemed to have caught up with what the study shows are the effects of consolidation on students and the communities. Number one, it is very questionable whether consolidating schools is cost effective especially if you just think about it. How much more money we are spending on gas than we are spending on our students. Secondly, it's ... there's also a gap in student achievement. There's a big difference between the student achievement in the rural areas and the towns, and everybody knows here that the schools that are consolidated are placed near the towns not in the rural areas. They're rarely built, and what does that mean? That makes it much harder for parents in the rural areas to be involved because most people are working or most ... a lot of people don't have two cars and they can't get to the schools and to the events that are at the schools to be involved in their child's education. Especially what really troubles me is the extracurricular activity and looking at that gap. For example, we all know that in every school there's only one yearbook editor. There is only one student council president. There are five stars on the boys' basketball team and the girls' basketball team and there's one lead in the junior class play and when you combine schools, those rural kids are not going to be the leads. Those rural kids are not going to be the editors of the school newspaper and they lose out on so much because all of those jobs, those after school jobs teach leadership and teach skills. All the sports and the clubs, they involve

children in activities that they need for their life skills. So, that gets me to my main case, or my main point, the case that demonstrates the rule.

Right now, in Richwood, the middle school and the high school were destroyed by the floods and they have, under federal law, been given FEMA money and their school board and their superintendent is on the way to forcing those kids in Richwood to ride buses to a school that is closer to Summersville. That school has ... the Richwood school is much more of a high poverty level compared to Summersville, but that school has a 98% graduation rate. Everyone in that community is so proud of their kids and their teams and their clubs and their graduation rate. They have every right to be proud and we all know about the effects of consolidation in our counties. The ghost towns where there used to be high schools and middle schools and elementary schools and where the life has gone out of those communities. There's no grocery store anymore and a lot of other things, no post office, a lot of other things that used to be there. I think consolidation is horrible public policy and in this particular case we are kicking a community that is down. We're kicking them in the teeth. I realize that it's pretty late in the session and that there's not a lot of time, that this bill didn't ... I understand this bill didn't make it to the top of the pile, but I really think that this issue is something that we should be able to agree upon across party lines. I think we really ought to look at this national research, study how our children are being affected and we should stop this train. It's been 30 years. It's time to examine the facts and the research of what is happening in the rest of the country and rethink about whether this is in the best interest of our children. So, I want to thank you all for your time and I hope we can all join together and try to keep Richwood alive. It was voted as one of the coolest towns in the East and it won't be so cool if they lose their schools. Thank you, Mr. Speaker.

DELEGATE ELDRIDGE. Thank you, Mr. Speaker. I rise today with the hopes of getting everyone in here to work with me on this. Now we've had a robbery in West Virginia and it happened a long time ago and it still effects a certain town in our state. The city of Nitro has had a tank stolen from them. Now I've worked with the delegates from the 38th,

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the 35th and the 13th and their desire is to get this tank back to their hometown. I'm going to give you a little background. In WWI countries were developing tanks and you all may have gotten this brochure and hand out on your all's desks in your offices. I've slowly looked at in the last 40 some days and tried to get my hands around what happened and basically what I've come up and figured out is in 1987 they kind of unconditionally, or conditionally ... conditional law to Alexandria, Virginia, the VFW. They kind of got this tank and it's my understanding that you really ... you can't buy tanks. The army is who owns the tanks, but they'll let you have it in your possession for a museum or whatever. Well they dedicated it in the city of Nitro. The city of Nitro went to Virginia and got it and brought it home and it's been a ... it had been a nice little ... a corner, a monument for them for the museum. The way they had put in the tank was on a corner lot, it was very visible with the family of the Moody's. Well the Moody passed away, I think in 2005. His children came in and told the city of Nitro that we're going to take this tank to Huntington, West Virginia to get it sand blasted and painted because that's what my father would have wanted. So, they allowed it. Well the tank never showed back home. It never did make it back to Nitro, okay? So, they got all this paperwork showing they own it and all that good stuff and they had to hunt the tank down. Well they found the tank at a museum down in Indiana. Now it's been since 2005, I believe, trying to get this tank back. Now I have personally talked to General Hoyer, I've talked to ... I sent a letter to General McMaster, Major General. I looked up his phone number but ... however I was told that he doesn't like phone calls, so I wrote the letter. There's plenty of documentation inside this brochure that you handed out. It's got some nice pictures. It's my understanding that the army donations program is responsible. That's what they do, they retrieve surpluses that have been mishandled. There is a letter inside this brochure for you all to redo and sign your name to, to try and get this tank back to West Virginia. Now we're sent here to take care of our constituents and secondly, we're here to try to do what's best for West Virginia. I'm standing here ... I know everybody's hungry including me. I am standing here today to ask you all to please take ten minutes out of your day and reform the letter however you would like and send it to Major General McMaster

and request him to bring our tank home. Period. There's plenty of documentation here that shows that the VFW of Nitro is the rightful owner other than the US Army. Thank you, Mr. Speaker.

DELEGATE MOYE. Thank you, Mr. Speaker. Thank you, ladies and gentlemen. Through this past week and maybe the past couple weeks we've sat in this chamber and we've heard different speeches from different folks about name calling, about a house divided and I agree with those things. A house divided is not going to work together. We're not going to be able to work together if we sit in here and call each other names. But I submit to you that that won't happen, that we won't get the cohesion that we need to serve our constituents until we address something that happens before we get here. The second week of session I stood and offered you the campaign fairness act. A bill just saying that when we're running for office, we've got to act honorably toward one another. I've tried to get it put on a committee, I've even suggested that: Hey, you don't like my idea. Come up with another one. I'm okay with that just so long as we achieve the goal. If we engage or we benefit from untrue campaigning, it creates a divide between us, a divide that's hard to overcome when we come to this chamber. It's hard to trust someone. It's hard to have that cohesion that we need to work together to serve our constituents. I've had a couple of people ask me, "How do you determine what untrue is? How do you determine what a lie is?" Several have asked me that. I think we as rational adults can answer that pretty easily. Anything ... a statement that misleads whether it's by the way it's phrased or by omission of enough information to lead someone to think something that they wouldn't ordinarily think if they had all the information, is a lie and I'll give you an example. Mr. Clerk, I won't use you as my example but just suppose that I were to come in here and talk to anyone of you. We're talking about little baby rattlesnakes and you let me know ... you say, "You know what? I don't like baby rattlesnakes. I can't stand them, they creep me out and I don't want to be around them," and I walk out here in the hall and I start telling everybody that ... put the name in there that you want ... just told me that they can't stand babies. Babies creep them out, they don't want to be around them. I think it's pretty obvious that I misled you.

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I made you believe something that wasn't so. It's going to be very, very difficult for us to work together until we start on the front end of things, before we get here and do you know who suffers? Our constituents do. The citizens of West Virginia suffer for this. They're the ones paying the price. If you don't like my proposal, I'm fine with that. Give me yours. Let's start something good in this state. Let's light a candle here, to be the candle in the darkness that other states will see that what we're doing and how we're treating each other, and other states will want to follow that because once we do it, the citizens of other states will demand it. The citizens are tired of this nonsense. They are sick and tired of all the negative, misleading ads. Let us start something good here. Let us be first at something good. Thank you, ladies and gentlemen, for listening.

DELEGATE IAQUINTA. Thank you, Mr. Speaker. I am so proud to announce that Fairmont State University, the third largest university in the State of West Virginia, will be playing for a national championship in the Division II tomorrow against NW Missouri State and Coach Calhoun will lead the Fighting Falcons to a victory. Also, this is one area where we're not on the bottom of the list.

DELEGATE ROHRBACH. Thank you, Mr. Speaker. I'm going to be very brief. We've obviously been here a good while. We're coming into the final two weeks of our session and we've got a lot of issues left to decide and I looked up some things, and I want to read a definition and then we'll go back and put the word to it later. The definition is: One verse in the principles or art of government especially one actively engaged in conducting the business of the government or in shaping its policies. A wise, skillful and respected political leader. The term you might say, statesman. As we go into the last two weeks of this session, we're going to have a lot of tough decisions to make in this body and I'm going to call on the 100 members of this body, the 34 at the other end of the Capitol, as well as the Governor to remember this definition and try to live by this definition and principles that we all need to be statesmen these last two weeks. Thank you, Mr. Speaker.

COM. SUB. FOR H. B. 2524

REMARKS

of

HON. ISAAC SPONAUGLE

March 24, 2017

DELEGATE SPONAUGLE. This bill is nothing but a political stunt to attack United States Senator's wife, Gayle Manchin. Let's just call it what it is. There are two objects in this bill which my Gentleman from the 36th has been talking about, two objects. One is education, one's a political stunt to totally eliminate her position. Cheap shots! Cheap shots! Go ahead and vote it up. Let's do the political stunts, knock out our Madam Secretary just so you can take a shot at a United States Senator. I urge rejection.

COM. SUB. FOR H. B. 2841

REMARKS

of

HON. TONY PAYNTER

March 25, 2017

DELEGATE PAYNTER. I'd like to rise in support of this bill and just say only in government would we have to make a law where you would be required to show up to get paid.

COM. SUB. FOR H. B. 2935

REMARKS

of

HON. STEPHEN BALDWIN

March 25, 2017

DELEGATE BALDWIN. Thank you, Mr. Speaker. I know we're moving things along today but I think to underscore the importance of this bill, I'd like to take just a couple of minutes to speak to it because from my perspective, I think this may be the most important bill that we consider this session, for the 23 souls who died in last summer's floods, for the 15 souls from my district who perished, for the families who are still grieving their deaths, for the hundreds of homes and businesses that were destroyed, for the thousands of volunteers that have come from all across the state and the nation to help us

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rebuild. You know my grandmother lives in Ronceverte, she has since 1950, a town that was flooded and in that time since 1950 she's lived through a 100-year-flood, a 500-year-flood and now a 1000-year-flood. So, we know it's not a matter of if but it's a matter of when the next floods come, and Mr. Speaker I've been to too many funerals, I've hauled too much drywall, I've mucked out too many houses to not be prepared the next time this happens to honor the memory of those who died and hopefully to save lives in the future. I appreciate your leadership on this bill, which is going to provide coordination and communication of flood mitigation. I appreciate the Governor's leadership, he has raised millions of dollars and coordinated relief efforts across the state through VOAD and Neighbors Loving Neighbors. We cannot forget June 23rd and the best way to remember is to rebuild, to reinvest and redouble our efforts which are outlined in this bill. Mr. Speaker, I thank you. I think this may be the most important bill we have voted upon yet and that's why when I cast my vote, I'm going to stand in honor of those 23 souls and my 15 neighbors.

**AMENDMENT OFFERED BY
DELEGATE BUTLER
TO
COM. SUB. FOR H. B. 2816**

REMARKS

of

HON. CINDY FRICH

March 27, 2017

DELEGATE FRICH. Thank you, Mr. Speaker. I think we just heard that some people in this body support the Governor and his proposed tax increases, so have at it.

DELEGATE FRICH. Thank you, Mr. Speaker. Once again, it was a few minutes ago, we heard a proclamation that we support our Governor, we support his plan. Once again, here's your chance.

COM. SUB. FOR H. B. 2816

REMARKS

of

MEMBERS

March 28, 2017

DELEGATE BARRETT. Thank you, Mr. Speaker. I rise today to oppose this bill not primarily because of the beer tax but because of the film tax credit. This tax credit has brought an industry into West Virginia and I want to speak to you a little bit about in the Eastern Panhandle. In 1985 there was a movie filmed, *Sweet Dreams*. It was about Patsy Cline. Seventeen years later we have *Gods and Generals*. That's how long it took to film another movie or miniseries. Since this tax credit has been in place in 2012, in the past five years, we've had shows like *The Men Who Built America*, *The World Wars*, *American Genius*, *Making of the Mob*, *American Speed* and *Ghosts of Shepherdstown*, which is about to film its second season. We talk so much about bringing jobs in and jobs bills. This is anti-jobs. These jobs will leave the Eastern Panhandle and I'm sure there are films ... there are movies and TV shows being filmed in your areas as well. In fact, the Discovery Channel is in Martinsburg right now. They'll be there for twenty days. When these film crews come in they don't just film for a few days and leave. These folks are here sometimes for several months ... are in the Eastern Panhandle for several months. They rent out our old factories, they rent warehouses, they employ contractors to build sets, they even hire some folks to be actors and extras in the films. The Berkeley County CVB is assisting three other TV shows that will be under way, filming in the spring and summer. This five-million-dollar tax credit brings in an estimated seventeen million dollars in economic activity, seventeen million dollars in economic activity. If we're serious about jobs in this state, we're not going to pass legislation that throws jobs out of the state. We have signs all over when you enter West Virginia, "Open for Business". Either we are or we aren't and a "no" vote on this bill right now will show that we are open for business. Thank you, Mr. Speaker.

DELEGATE MCGEEHAN. Thank you, Mr. Speaker. You know, I rise in opposition to the bill. I just want to know how many ... how many ... how much more money are we going to extract out of the private economy? There's a bill on third reading today that is said to be one of the largest tax increases in this state's history. So, I'd just like to know, are we conservatives here? I thought the Republicans controlled this chamber. Maybe not, I don't know. Some members in my

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party seem like they'd like to take us back to the 1920s and early 1930s as prohibitionists. It's not our job to pick and choose which legal products to tax. That's called the nanny state. It's called free enterprise, that's what we're supposed to embrace. Many people in this chamber stood in front of the public this entire session at press conferences and said, "We are going to live within our means, no new taxes." Well I guess, you know, if it's alcohol ... or I guess if it's, you know, eliminating exemptions and carve outs and all that demagoguery, two hundred million more dollars later today. Vote this down.

**AMENDMENT TO COM. SUB. S. B.
437**

REMARKS
of
HON. CINDY FRICH
March 28, 2017

DELEGATE FRICH. Thank you, Mr. Speaker. I don't believe that this amendment is necessary. There have been studies done on the greyhound racing industry in West Virginia and they were done fairly recently. I have right here the Spectrum Gaming Group's Impact Study on West Virginia greyhound racing subsidies. This was commissioned by the State of West Virginia Department of Revenue and this report is dated January 9, 2015. Now this was commissioned by the Department of Revenue from ... under a governor whose family benefited from the greyhound breeder fund for years and despite that the recommendations from that report are to continue to operate under the current structure does not appear to be in the best interest of the West Virginia tax payer. So not only do we have this spectrum study we also have a WVU study that was ... I think the information was from 2012 and what else ... what does this study say? It says that life handle has declined 55% over ten years. Why? Because it's not popular. I put on your desks information from Grey2K USA. You can poo poo that if you'd like, about the animal cruelty to greyhounds. The ASPCA, I think has a lot of respect in this country, but more importantly, tourist ...

people from around the country, around the world respect this and 39 states have banned greyhound racing because of the animal cruelty or the perspective at least that is animal cruelty. So West ... this is not banned ...

Thank you. That is part of this study, that 39 states have banned greyhound ... banned commercial dog racing therefore they believe that's part of the reason why the handle live wagering has gone down and that it's perhaps not going to attract tourists to West Virginia in fact they believe the opposite because of that one particular issue. In addition, the study, the spectrum study shows the greyhound racing revenue generated barely covers the expenses of overseeing greyhound racing. So, the regulating costs basically equal the revenue generated. In 2014 that was one million dollars of revenue. The expenses of regulating were \$965,000. That's basically a wash. In addition, the subsidies they've found exceed the direct economic development cited by the WVU study. Ninety-five percent of greyhound purses come from the subsidies. So clearly, they can't stand on their own, but the WVU study showed for 2012, they gave a direct impact on the West Virginia economy and an indirect impact on the West Virginia economy and they also ... this study believes that that impact is exaggerated by the disproportionate participation of high income greyhound participants and that reason would be because the top ten purse winners collected 42% of all awards and even most of those purses, 65% went out of state. So even giving the benefit of the doubt that the top winners responded to this survey, there's ... in 2012 there was a 12.8-million-dollar direct impact on West Virginia's economy and an indirect impact of 18.2 million dollars, which totals 31.2 million dollars of an economic impact which the study believes is exaggerated too high. The casino supplements the same year were 29.3 million dollars. That's, again practically a wash. The average of the supplements between 2003 and 2012 were 34 million dollars which is more ... 3 million dollars more than the direct and indirect impact of 2012. So, the

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subsidies are more than the economic impact according to this study and again impact study commissioned by the West Virginia department of revenue under a governor whose family benefited from the breeder's fund recommended the continue to operate under the current structure does not appear to be in the best interest of the West Virginia tax payer. So, we have a study from 2015 and we have a WVU study, 2012. It does not appear that we need another study that this Legislature needs to pay for. Thank you.

COM. SUB. FOR S. B. 2428

REMARKS of

HON. ANDREW ROBINSON
March 29, 2017

DELEGATE ROBINSON. Thank you, Mr. Speaker. I want to speak a moment about the gentleman this fund is named after, Ryan Brown. Ryan Brown was my best friend from three years old on up and his name was selected from Delegate Stansbury last when he ... Delegate Stansbury introduced the Ryan Brown Addiction Recovery and Treatment Fund and we moved on. We introduced that again this year. Ryan went to elementary school with me, his mother babysat me, his aunt babysat me. We went to middle school together, high school together, college together. Somewhere in the first couple of years of college Ryan caught on to heroine and addiction and moved back home and struggled the rest of his life. He came through ... We had similar upbringing. We had similar parents, similar family structures so he was just a good example of that this affects us all. It doesn't select certain people and the reason why his name was selected to be put on this fund is because Ryan's mother, C.C. has become a staunch advocate for treatment recovery advocacy teaching ... just, she's everywhere and that's where Delegate Stansbury met her and the name came up. While we're going through and we're counting the congratulatory part of this and we're saying how much we support this, I have to point out that this is the beginning, not the end. We're throwing some money at the problem, but that can't be it. We can't throw a couple million dollars out of a drug case that we're going to pick up and then say, "Hey, we did it!", wash our hands and congratulate ourselves. This is the beginning, not the end and I'm happy to see everyone

encouraged and supportive of this issue but we're still pennies on the dollar of the money we spend incarcerating people to the money we spend on recovery and treatment. So, I'm encouraged by the support and will vote "yes" on this issue, obviously. Thank you.

COM. SUB. FOR H. B. 2483

REMARKS of

HON. JEFF ELDRIDGE
March 29, 2017

DELEGATE ELDRIDGE. Thank you, Mr. Speaker. This is the third year we've passed this out of the House. This is a good bill for many, many, many reasons. The staff comes to me, say they're assaulted on a weekly basis. They bring the juvenile right back. Now, when we say juvenile, we think of people that's under 18 years of age, but they can be sentenced at the age of 15 up to 21 in a juvenile facility. So, as long as they play by the rules, they can stay in the juvenile detention centers and learn a new behavior and good behaviors to be working members of society. That's what the ultimate goal is, but when we leave them in juvenile centers, the 15-year-olds become bullied by the older juveniles. So, light this up ... turn it green for the kids and I appreciate your vote.

COM. SUB. FOR H. B. 3080

DEBATE by MEMBERS

March 29, 2017

DELEGATE ESPINOSA. Thank you, Mr. Speaker. This bill requires schools to recognize the week within which September 11th falls as Celebrate Freedom Week. During Celebrate Freedom Week, at least three hours of appropriate instruction in each social studies class must include an in-depth study of the intent, meaning and importance of the Declaration of Independence and the Constitution of the United States, with an emphasis on the Bill of Rights. They must also use the historical, political and social environments surrounding each document at the time of its initial passage or ratification. And it should include historical documents to

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firmly establish the background leading to the establishment of the provisions of the Constitution and Bill of Rights by the founding fathers for the purposes of safeguarding our constitutional republic.

An additional subsection applicable only to public schools, requires administration to public school students of a test, the same, or substantially similar to, the civics portion of the naturalization test used by the United States Citizenship and Immigration Services in any grades nine through twelve, beginning with the 2018-2019 school year. The results are to be reported in aggregate to the county board. Neither of these provisions create a standard or requirement subject to state accountability measures. Mr. Speaker, I urge passage.

DELEGATE CAPUTO. Chairman yield?

MR. SPEAKER, MR. ARMSTEAD. Gentleman yield? Gentleman yields.

DELEGATE ESPINOSA. I'd be happy to, thank you.

DELEGATE CAPUTO. Mr. Chairman, thank you. I'm just trying to figure out if this bill would provide more or less flexibility to our local school systems.

DELEGATE ESPINOSA. Well, this would require our schools to recognize the Celebrate Freedom Week. And, speaking with the sponsors and proponents of this legislation, I think the concern is that, despite our current efforts to ensure that our students understand these founding documents ... you know, the results have not been very good. For example, nationwide, according to the 2014 national assessment of educational process, the NATE test, of 29,000 eighth grade students, only 24% were found to be proficient in civics knowledge.

A 2014 survey of nearly 1500 adults conducted by the University of Pennsylvania revealed that only 36% could name all three branches of federal government. So, while certainly this is requirement or would be requirement if this body believes that it's important for our students to understand. You know, these documents, it certainly, I think, would address this gap that we're experiencing. If you look at naturalized

citizens ... you know, those folks that come to our country and choose to become a naturalized citizen, it's my understanding that they score approximately 92% on that naturalized exam while ... you know, our students are scoring in the teens and in the twenties.

So, it certainly is a requirement, but I think it's certainly an opportunity for us as legislators to very clearly indicate, do we believe knowledge of the Constitution, the Declaration of Independence and the Bill of Rights—do we think those are important documents for our students to know or not? I suggest that, if you believe those things are important, then a green vote would be appropriate. If you don't, then certainly red is an option.

DELEGATE CAPUTO. Mr. Chairman, I appreciate. ... That is a great closing argument, but my flexibility question is what I'm trying to get to, because we've argued so many bills in this chamber to allow more flexibility. ... My question was really quite simply; does it provide more or less flexibility to our local school systems. That's all I wanted to know.

DELEGATE ESPINOSA. This would be a requirement to recognize Celebrate Freedom Week for our schools.

DELEGATE CAPUTO. Thank you, Mr. Chairman. I appreciate it.

MR. SPEAKER, MR. ARMSTEAD. Gentleman from the 20th, Delegate Marcum.

DELEGATE MARCUM. Thank you, Mr. Speaker. Ladies and gentlemen, I rise against this bill. It's clear, we're here in Charleston trying to tell our teachers what to teach. We've been this whole session trying to give more flexibility to teachers to let them control their classrooms. But now we have more bureaucracy in the classroom, and I've discussed this ... I mean, a prime example is all the students that come up here ... that we have some here today ... they're here today learning about government.

Our teachers are doing a great job, and I trust our teachers to teach. It's not up for us in this body to tell our teachers you have to

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do something when they're already doing it. The standards are clear that we already have ... they have to teach this stuff. This is more bureaucracy from Charleston, more of the top-down policies that have failed, more of the failed policies of yesterday. So, I'm going to speak against this and I ask that the body reject this bill.

MR. SPEAKER, MR. ARMSTEAD.
Gentleman from the 19th, Delegate Thompson.

DELEGATE THOMPSON. Thank you, Mr. Speaker. Will the Chairman yield?

MR. SPEAKER, MR. ARMSTEAD.
Gentleman yield? Gentleman yields.

DELEGATE ESPINOSA. Yes.

DELEGATE THOMPSON. Thank you. So, this requires that a test be administered in every grade level in a social studies class, correct?

DELEGATE ESPINOSA. No, it would be any grade six through eight ... it would be required to have every grade level.

DELEGATE THOMPSON. Okay. What are these tests ... these results used for?

DELEGATE ESPINOSA. I think the purpose of the exam, which again would be ... or the results of the exam which would be reported in aggregate to the county board simply to ... I think give our county boards some indication as to whether they're closing this gap between, you know, the abysmal results that we're currently seeing with our students. And, you know, the proficiency of some of those naturalized citizens that have come to our country.

DELEGATE THOMPSON. Okay. So, potentially, though, the board of education could choose not to use those for anything, correct? It would be ... could, potentially, the teacher could give the test, give them to the board, and they could just throw them in the trash if ... I mean, potentially. I'm not saying that's going to happen, but they could choose not to use those results for anything?

DELEGATE ESPINOSA. Certainly, it's within the purview of the county board to determine, you know, what they use those results for. I think, in my experience, you know, if ... those things that aren't measured typically aren't really tracked very closely, so this would provide some information so that our county boards and others who certainly follow the activities of the board would be able to see how our students are doing in some of these critical civics areas.

DELEGATE THOMPSON. Thank you. Can I speak to the bill, Mr. Chairman or Mr. Speaker?

MR. SPEAKER, MR. ARMSTEAD.
Gentleman may proceed.

DELEGATE THOMPSON. Thank you. As I've said on multiple occasions, I am a high school teacher. I teach social studies. I teach civics, and I teach U. S. history, contemporary studies. Every year during the ... during the ... not necessarily the week of, maybe it's the weekend ... the week before, or depends on what day it falls on, I always have my students watch videos, read literature and discuss what happened on September 11th. I have seen students, you know, as a fairly young teacher ... I've seen students come in and have no idea what the twin towers are, but I tell you one thing, when they leave my classroom, they know what the twin towers were, and they know what September 11th was.

I don't need somebody here in Charleston telling me to do that. I'm not the only teacher that does that either. Now, I will say, since we seem to be intent on requiring this, I want to identify and I've already ... I've researched this. I'm more familiar with high school standards, but I've went back and looked at middle school and elementary school standards as well. For example, fourth grade—there is a civic standard that says ... I'm going to paraphrase these, "Fourth grade students must identify and explain American democratic values through established documents, including the Declaration of Independence, the Constitution and the Bill of Rights. Sounds very similar to what we're talking about here today.

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On eleventh grade ... eleventh grade students must evaluate and defend the importance of fundamental democratic values and principles of a U. S. Constitutional Democracy, very similar to what we're requiring with this bill. Eighth grade West Virginia history class, students must demonstrate through participate ... or demonstrate through participation in Pearl Harbor Day, Veterans Day, Constitution Day and Patriots Day, and understanding of constitutional rights. Sixth grade, students must examine various acts of patriotism in response to events including 9/11.

So, I'm curious, if we already have standards in every single grade level that require this instruction, and we already have teachers who are doing this in our classrooms, while we feel it necessary from here in our marble room to tell the teachers of this state, "Go ahead and do what you're already doing because we tell you to do it." Not only that, we're not going to rely on you to understand that your students know the material. You've got to take a test, report it to your board of education, and get it thrown in the trash because nobody's going to look at it".

So, I want us to rely on the teachers in this state who are already doing, what they're supposed to be doing and who are already teaching the children of this state, why it's important to be an American citizen, and why it's important to be a West Virginian, and what happened on September 11th. We don't need more bureaucracy coming from this Capitol to tell our teachers how to do a good job. Thank you.

DELEGATE SUMMERS. Thank you, Mr. Speaker. I stand in support of this bill. We just passed House Bill 2195 requiring comprehensive drug awareness and prevention programs in all schools. I did not hear one person talk about us offering flexibility. I didn't hear any of us saying that we're now making the health teacher teach a class. I think we need to stand on board with the Declaration of Independence and the Constitution, as well.

DELEGATE PHILLIPS. Mr. Speaker. Ladies and gentlemen, our founding fathers wrote this. It's a shame we have to sit here and debate this. It's pathetic. This is a good bill to

teach our kids the history of this great country. That's bad? Bull. Ladies and gentlemen, I will be voting green so note it be.

DELEGATE KELLY. Thank you, Mr. Speaker. I'm going to have to vote for this bill, regrettably. I'm appalled that we would even have to consider legislation in this state that would require instruction of our students in the Declaration of Independence or in the United States Constitution. But in many cases, I've talked to several young folks, and they just can't answer questions about our government. They just don't know. But these are subjects that should be taught in the public-school system. They should be taught in the private school system, and, in many cases, they should be requirements before you graduate from high school. Regrettably, I'm going to vote for this bill only because I don't think the job's being done. Thank you.

DELEGATE IAQUINTA. I would like anybody in this body that's ever had a history class that's never been introduced to the United States Constitution to raise their hand. Just like our Gentleman has explained to us, I'm a former social studies teacher. There's quite a few history teachers here and we know what the foundation is. And we do teach the foundation, but it strikes me kind of funny that we'll pick one or two things from the Constitution, inspect, and try to make the citizens pick up on these one or two things that we're explaining about the Constitution, not just in the fourth grade ... it starts in the first grade.

Yeah, we know what is involved in the Constitution. We're dealing with it every day, and most of the history teachers that I've been associated with, that's what they start the course off with. And it doesn't make any difference whether you're in eighth grade West Virginia history or any other of the history courses that we require, that our state government requires us to cover, the Constitution, the Amendments, the Bill of Rights. This is for us; this bill makes us feel good. Yeah, this doesn't have anything to do with what is actually being taught, because most of the teachers, not all of them, emphasize the Constitution and the laws. ... They cover it every day or as many days as they humanly can. Thank you, Mr. Speaker.

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DELEGATE ANDERSON. Thank you, Mr. Speaker. I rise in support of the passage of this legislation. And I would agree very much with the Gentleman from Harrison that I am a retired educator and much of my career was dedicated toward teaching, what is commonly called American Government, and primarily to seniors. But I would add this—I agree with the Gentleman from Harrison. Most of the teachers of this state very much favor and do address the Constitution and the Declaration of Independence and the other important documents in the history of our democratic government.

But I somewhat disagree with the Gentleman from the 19th that this is an exercise of bureaucracy from this Capitol. He pointed very eloquently to the standards that are in the Department of Education standards for instruction right now, but I would respectfully say that that same bureaucracy over in the State Board of Education can change those standards at any time. This legislation simply gives direction that we are going to ensure that those standards today, which by and large are in place, but in the future will also provide for instruction relative to the important documents that form the foundation of the democratic government in this state and in this nation. And I think it's a statement on behalf of this Legislature that, regardless of the standards you develop in the future, we expect instruction on these important documents. So, I will vote in favor of this legislation. Thank you.

DELEGATE MCGEEHAN. Thank you, Mr. Speaker. Will the Chair yield for a question?

DELEGATE MCGEEHAN. Sir, I'm looking at page 3, line 61, where it says, "includes an in-depth study of the intent, meaning and importance of the two documents there—Declaration of Independence and the Constitution. Does the State School Board have under this piece of legislation ... have the authority ... is it being delegated to the State School Board essentially to develop the rules on the nature of how to implement this?"

DELEGATE ESPINOSA. To my colleague, the School Board of course, already ... the State School Board already promulgates standards. This in no way changes those standards or adds any additional standard so

it would not ... it would not provide for them to create any additional standards, through this legislation.

DELEGATE MCGEEHAN. Well, that's not what I'm getting at. Does the State School Board, under this piece of legislation, charged with carrying out the nature ... because, you know, intent and meaning, especially of the Constitution ... not really the Declaration of Independence, but intent and meaning of the U. S. Constitution ... there is a wide variety of interpretations of that? So, it's my understanding when I read this bill that we put those lines in there, and then we hand it over to the State School Board, and then all of a sudden this mandate turns into their interpretation of the nature of what's going to be taught during this freedom ... Celebrate Freedom Week. So, is that the case, or how is that process going to be carried out?

DELEGATE ESPINOSA. I don't believe that it is. This legislation directs our local schools to implement a Celebrate Freedom Week into, you know, cover the material that I described. And that does include an in-depth study of the intent, meaning and importance of the Declaration of Independence, the Constitution of the United States with an emphasis on the Bill of Rights. But this is, again, calling upon our local school districts to cover this material as part of Celebrate Education Week.

DELEGATE MCGEEHAN. No, I understand the intent, and I like the intent behind it but my question is, just how is it going to be carried out? What exactly is going to be taught, because there's a bunch of different ... you know what, that's alright. ... You don't have to answer any more questions. I think I got my answer. ... But one more question and then I'll leave you alone ... page 4, line 68—the requirements of this subsection are applicable to all public, private, parochial and denominational schools located within the state. So, this is a mandate ordering even private schools to carry this out, is that correct? So, private Catholic schools up in my district ... they've got to comply with this—this government order?

DELEGATE ESPINOSA. Just a moment. Yes.

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DELEGATE MCGEEHAN. Thank you. Two issues. I regretfully have to oppose this; I don't want to. I love the intent, but I believe the State School Board is going to carry this into effect. And it's very vague, the language that's written. And if you know the two kind of different views of the living and breathing Constitution versus original intent version, I really don't trust the State School Board to implement the nature of what's going to be taught on that. ... From that perspective, during Freedom Week, and also just to be consistent, I can't go along with something that mandates private schools and parochial religious schools conform to some sort of centralized order here in Charleston. So, for those reasons, I unfortunately have to oppose. Thank you.

DELEGATE DEEM. Thank you, Mr. President. This is an issue that I feel very strongly about. If you Democrats are wondering why you lost the election last year, it's because our President was preaching international trade and international proud. He wanted us to be Americans again and be proud to be Americans, which I am. I believe in nationalism. I believe in West Virginia. I believe in things that are close to me. I don't believe in making one world better. I believe in making us better at home, and that's ... if you're looking for a reason why the Democrats lost, in my view that is it. Obama taught and preached internationalism. Why do you think England left the U.N. and practices and, here we are paying U.N. debt which Germany should be paying? ... we're paying for that, and it's time that we stand up, in my view, for America and be Americans. And feel proud to be an American and preach nationalism which a lot of people don't believe in.

DELEGATE LOVE. Some time ago, and I can't remember how long, but a lot of you may have seen the same program—I was watching Fox News, and there's a gentleman that works for Fox News, and usually he's used by O'Reilly. And he usually works college towns to where he can question various students on various subjects. And this particular night he was quizzing some of the college students about the Bill of Rights, when the Constitution was signed, who signed the Constitution, who made the biggest mark on the ... in signing the Constitution and other questions relating to that. And I was appalled, to be honest with

you, some of the answers that those college kids gave on the answers that he had asked them. And the Gentleman over there referred to immigrants coming to this country taking the test and making an average of 92.

I just wondered now if we had a survey we could send out right now to some of our colleges and ask some of those questions that this gentleman asked that night to these college students—what kind of answers we would get from our own students right here in West Virginia. I don't see anything the matter with this bill. Somebody or some student will get some knowledge about our Constitution and our democracy and what makes it run just like this place. You know, we could probably take the test ourselves and you'd be surprised what all of us would test our right here on some questions relating to what I just said. But I ... Mr. Speaker, I urge passage of this bill. Thank you, sir.

DELEGATE ROWE. This is a very interesting bill, and it certainly takes us to a point in American history where we should go and we should go often. I'll point out that the bill requires that the ... Let's see, that you have to have a study of the historical, political and social environments surrounding each document at the time of its initial passage or ratification. Now please understand that this is an important section, and this is what I like about this bill. It directs us directly to the issue of slavery and how it is that, in the Constitution, that we develop an idea of freedom, liberty, respect for the individual, respect for law and, at the same time, have slavery in America. And the fact that America pulls away from England as England starts to pull away from slavery and how it is that slavery gets in the Constitution.

How the three-fifths requirement in determining the population for the House of Representatives ... the folks in Virginia, the slave owners in Virginia were able to get all of their African-American slaves counted as three-fifths of a white voter and so it gave them a majority in the House of Representatives when they should not have had that. And, also, that same concept of voting is used in the Virginia Constitution, to have eastern Virginia subjugate western

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Virginia to the politics of the east and to the slave owners.

Now these are ... this is ... as I understand it, is a requirement of the bill, that we've got to look at the issue of slavery and how it is that we did that. And I've read one account that points out that the general of the rebellious army was a slaveholder. The founders of the Constitution were slaveholders, and it's that complication that folks should study and be very much aware of and also probably will lead to the Civil War and how it is that we have a slaveholders' rebellion in the Civil War.

So, these issues will be presented, as I understand, the bill will be required to be presented as a part of this week of celebration. I will say that each year I go to the local middle school, and I talk about the Constitution Day, and every ... and every time we sing "Happy Birthday" to the Constitution and the middle schoolers enjoy it ... it's a good day, and it has a good purpose. The thing that concerns me about the bill is that, again, we're not letting teachers teach. We're imposing ... we're reaching into the curriculum and saying. This is what you have to do. We're going to take this week away from you as history teachers, and we're going to require you to do this in this week.

Now it might not be in the pattern of what you're teaching ... you may just have to put a brake on where you are in the book and go into this ... into this area to Celebrate Freedom Week. That's the problem with the bill is, again, we're reaching into the curriculum. ... Let teachers teach. I would like to support the bill because I think where it takes us is a good place ...

It's a very good place because there are a lot of issues we deal with today that are issues that were developed as a part of how we structured and set up this country. So, I think the bill has some very good points. The spirit of it is good. It ought to be incorporated in the curriculum that we have, but it is wrong for us to reach into the curriculum, into the week of school and require that these subjects be taught that particular week. And so I regret that I'm not able to vote for the bill.

DELEGATE FLUHARTY. I'm just trying to see how deep the government hands are reaching with this. So, we're designating a week, but we're saying we're mandating at least three hours, right?

DELEGATE ESPINOSA. At least three hours' appropriate instruction in each social studies class; that's correct.

DELEGATE FLUHARTY. Okay. How long is a social studies class on average?

DELEGATE ESPINOSA. How much is a ...

DELEGATE FLUHARTY. If I was going in a social studies class, how long would I be in there? Fifty minutes, forty-five minutes, an hour?

DELEGATE ESPINOSA. I think something in that range.

DELEGATE FLUHARTY. Okay, we're saying basically 3 ½ days out of the week, out of this Freedom Week, they're ... a classroom teacher is mandated to teach on this subject matter; correct?

DELEGATE ESPINOSA. Yes, it would include an in-depth study of the intent, meaning and importance of the Declaration of Independence and the Constitution of the United States, with an emphasis on the Bill of Rights. The other items are, as our colleague has pointed out, use the historical, political and social environment surrounding each document at the time of its initial passage or ratification and then include historical documents to firmly establish the background leading to the establishment of the provisions of the Constitution and Bill of Rights by the founding fathers for the purposes of safeguarding our constitutional republic so that would be the purpose of that instruction.

DELEGATE FLUHARTY. Which I agree that that's a great subject matter that we should teach. I'm just asking, this bill, I feel like, is written very narrowly tailored and could have been much broader and encompassed, say, a month, and give teachers more freedom. So, we're taking three and one-half days out, and does this include homeschooled children?

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DELEGATE ESPINOSA. No, it does not. And I did want to just point out in the Legislature ... I know there was a question from our colleague from the 1st regarding whether it applied to other schools. On page one of the legislation, down on line ten ... this is existing code. It says "it shall be the duty of the officials or boards having authority over the respective private, parochial or denominational schools to prescribe courses of study for the schools under their control and supervision similar to those required for public schools. So, the fact that we are extending it to those other schools—not to homeschools, but to those other schools that are listed in current code—that's not a departure from current code.

DELEGATE FLUHARTY. Okay, but the question was, we're not included homeschooled children in this piece of legislation.

DELEGATE ESPINOSA. Not included in this legislation; you're correct.

DELEGATE FLUHARTY. And also, the testing requirement. So, we're mandating a test that doesn't currently exist, right?

DELEGATE ESPINOSA. The legislation requires a test similar to the naturalization test. So, certainly educators could use that United States naturalization test as a template, but they can use something that's similar. They don't have to use that exact test, but that does provide a template that they certainly could use if they don't want to design one themselves.

DELEGATE FLUHARTY. But this test or similar test is not currently mandated, correct? They don't have to take the test if ... currently, the test you just described to me is not currently mandated, correct?

DELEGATE ESPINOSA. It is not, no.

DELEGATE FLUHARTY. And, upon taking this test, we're not even requiring the test results to be reported, are we?

DELEGATE ESPINOSA. They're required to be reported in aggregate to the county board.

DELEGATE FLUHARTY. No, it says May, does it not?

DELEGATE ESPINOSA. I believe it is permissive; I believe you're correct ... just a moment. Yes, it is permissive; they may be reported in the aggregate. Yes, sir.

DELEGATE FLUHARTY. Okay. So, the test ... we're mandating the test be offered and taken but not that it be reported on?

DELEGATE ESPINOSA. That is permissive.

DELEGATE FLUHARTY. I was sitting in social studies class when the towers went down, and it was a horrific day I'll never forget. Another teacher, who was not my social studies teacher, running in the classroom and telling us to turn on the television, and the horror on her face. It was a day I will never forget, and I think it's essential that we do teach this to our children and mandate it in a way that is much better than ... This bill is just poorly written. I mean, we're mandating the hours, the week ... it's an extra measure on top of an already burdensome curriculum for many teachers. It's government overreach and it's just too poorly crafted. I'd love to vote for this legislation, and, if it was written in a manner that was acceptable, I definitely would. But in its current form I cannot vote for it for those reasons.

DELEGATE HORNBuckle. Thank you. How many local county boards asked for this piece of legislation?

DELEGATE ESPINOSA. How many local county boards? I don't know. I'm not a sponsor of this legislation, so I'm not sure how many boards may have requested. ... As a sponsor I don't know.

DELEGATE HORNBuckle. Yes, sir. Also, who would be developing the curriculum for the teachers to implement this?

DELEGATE ESPINOSA. Local county boards are responsible for delivering this material, so it really would be up to the county boards to establish that curriculum.

DELEGATE HORNBuckle. Yes, sir. Yes, sir. Also, I'm seeing here on page three ...

DELEGATE ESPINOSA. Flexibility.

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DELEGATE HORNBUCKLE. Flexibility. I like it. Page three, lines 55 through 58 ...

DELEGATE ESPINOSA. I'm sorry, could you tell me what page number you're on again?

DELEGATE HORNBUCKLE. Page three, starting at line 55 it says, "The full week of classes during the week within which September 11th falls shall be recognized as Celebrate Freedom Week. The purpose of Celebrate Freedom Week is to educate students about the sacrifices made for freedom in the founding of this country and the values on which this country was founded." So, would that specifically start at the Declaration, or would it go prior to that with the ... an original inhabitant of this land being Native American?

DELEGATE ESPINOSA. I'm not sure I followed your question there. Could you read that one more time?

DELEGATE HORNBUCKLE. So, the original inhabitants of our great country are Native American. I'm trying to figure out if it goes back to them or it specifically starts at the Declaration, because you said founding and I'm confused on that.

DELEGATE ESPINOSA. This would be the founding of our nation, the founding, of our country.

DELEGATE HORNBUCKLE. So, again, the Native Americans were original. Everybody else was immigrants and slaves. It goes back to them.

DELEGATE ESPINOSA. I'm reading on page ... on line 56 of line three, the purpose of Celebrate Freedom Week is to educate students about the sacrifices made for freedom and the founding of this country and the values on which this country was founded.

DELEGATE HORNBUCKLE. Okay, yes, sir. Freedom ... so ... and I also see the Declaration of Independence, the Constitution ... this doesn't include the Emancipation Proclamation?

DELEGATE ESPINOSA. It includes the three documents that were listed—the Declaration

of Independence, the Constitution, with emphasis on the Bill of Rights.

DELEGATE HORNBUCKLE. Okay, all right. Thank you. Also, and that's ... founding fathers ... they'll be teaching about the founding fathers?

DELEGATE ESPINOSA. As I shared, that is included in the subject matter.

DELEGATE HORNBUCKLE. For some of the reasons that the Gentleman from the 3rd, my good friend from the 1st, and also the delegate from Kanawha, talked about, it's loosely written. I would love to vote for it, but I also think it leaves it open for a lot of alternative facts. With this piece of legislation, I don't know if we're going to talk about the truth of Thomas Jefferson, that he owned the Quran. I don't know if we want that. That he embraced Hindus and Muslims. I'm not sure if we're ready for that. So, again, this piece of legislation is very wide open. Also, speaking to flexibility, my amendment on the drug awareness class yesterday addressed that. And also, to address the Gentleman from the 10th about the election of Democrats losing, that was also about treason.

DELEGATE PUSHKIN. Thank you, sir. Are you familiar with, I believe it's Title 126 in the Code of State Regulations, Section ... Series 44D, which I believe it's the part that the Gentleman from Wayne referenced earlier about the 21st Century social studies standards?

DELEGATE ESPINOSA. I'm not familiar with that specific standard. I don't have it in front of me here. Did you have a question regarding that?

DELEGATE PUSHKIN. Well, would you agree with what was stated before, that it's ... we're basically ... we're requiring something that's already required; is that not true?

DELEGATE ESPINOSA. Well, this certainly does not change the standards in any way. I think what this does get at is, I think the point that our colleague from the 32nd made is that, you know, when you see these man-on-the-street-type interviews of our citizens and the results are visible. ... You know, when NAPE is demonstrating that ... you know, our eighth graders and our high school

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students are scoring between, you know, 18 and 20-some percent on civics material, that, I think we all here in this chamber would hope that our students are learning, despite the best efforts of our educators that are in this room and throughout West Virginia. ... There is a tremendous gap. This legislation is simply intended to ... you know, help close that gap between the efforts that we certainly are providing on behalf of our students and the abysmal results that we're receiving.

DELEGATE PUSHKIN. I agree with you on that, and I hope we're able to address that, so everybody has a better understanding of civics, you know, including the folks that serve in this body. But what I was getting at with that, do you believe putting this in statute, would that be in conflict with what we already have in the education regulations as far as the 21st Century standards, where they're already required to teach it. Would it be in conflict?

DELEGATE ESPINOSA. I don't believe so. This legislation makes very clear—it does not change the standards. It's really just a matter of emphasis. ... You know, additional instruction to try to close this gap between what our students clearly are not picking up despite the best efforts of our educators and what I think we would certainly hope our students would learn about our country.

DELEGATE PUSHKIN. Well, I agree with that part of it.

DELEGATE ESPINOSA. Sounds like I have a green vote then.

DELEGATE PUSHKIN. You know, growing up, I always loved civics class. It's one of the things that really inspired me, and it sparked an interest in public service. I'm sure we all share that, or we wouldn't have gotten involved with public service in the first place. It's something that was taught. Unfortunately, it's not something that's always retained, and it's true, when you see these man-on-the-street-interviews, and it's embarrassing sometimes how little knowledge many of our fellow citizens have in regard to the Constitution and the Bill of Rights.

But, to me, it's ... I have to state the conflicts that I see when we're talking about

... we're requiring students to teach the Bill of Rights, yet the first piece of legislation that we passed through this body today, I believe, was in direct conflict with the Fourth Amendment in the Bill of Rights. So, you know, I'm just for letting the teachers teach, and hopefully we can all do a better job of remembering the Constitution and the Bill of Rights when we're deliberating laws that, you know, are sometimes in conflict here in this body. Thank you.

DELEGATE BUTLER. The standards, everyone, or most in here, know that I spent a lot of time looking at those. I used to have a pretty good way to find the standards online, where I could actually see what individual standards, what they actually were, but the Department of Education has changed their websites around and I can't find it anymore. So, if you can find the actual college and career-ready standards, you're doing better than I am as far as finding them today. Now, going by memory, last year when I was looking at these standards, a lot of the history standards or social studies standards say that the United States is a democracy. To my recollection is that, we are republic, not Republicans, we are republic. That's right. We're republic if we can keep it. That's right.

There's also another section in the standards ... I think its eleventh grade, that says that the Constitution is a living document. It doesn't say that it can be amended; it says that it's a living document. That is opinion. So, I think the part in this bill that says we have to look at the original intent and the circumstances at the time is very important, and that's a little bit different than what's in the standards. So, I think that if the students have the standards which may be fine. I don't agree with all of them, but they may be fine. This gives them a context to apply those standards based on the original principles that this country was founded on.

And, to address a couple of the other arguments, we say that we shouldn't be mandating that teachers teach the founding documents. ... We mandate lots of other things like sex education. We mandate first aid ... I think we passed that last year. We have mandates that we teach healthy eating. What do all of those things have to do with education, really? And then, as far as the reporting on the tests, and this, I think, is one

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of the big problems with top-down education, Common Core or whatever you want to call it.

There was a time when tests were used as a tool to teach students. The teachers actually knew what the questions were, and the teachers looked at the results, and they saw what the students in their class knew. That way they knew whether they had to maybe help the students along to teach the curriculum. Today's tests are used as punishment for teachers. The teachers don't know what's on the test. The West Virginia teachers don't see what the results are. ... How is that helpful to our students? It's all for collecting data for who knows what purpose? I think this is a really good bill and I urge passage.

DELEGATE BALDWIN. Thank you, Mr. Speaker. I think we have a real problem. I think the debate today has shown that. We have a real problem that we need to address, but let's be real about what this bill does about a real problem that we have. This bill hands out participation trophies. I come from the generation of participation trophies, and you know what, we don't want your participation trophies anymore.

You take a state-mandated test, even in private schools, and what do you get; no matter if you do well, no matter if you do poorly, no matter if you pull a test off the internet or the teacher writes it themselves, you get a participation trophy. It makes us feel good, but it doesn't help move our country forward. My generation doesn't want your participation trophies anymore. Thank you, Mr. Speaker.

DELEGATE HIGGINBOTHAM. Thank you, Mr. Speaker. I would like to give a little history lesson for the members. 1787 was the Constitutional Convention in Philadelphia. Benjamin Franklin went out one day on a walk and was approached by a woman on the street, and she asked him, "Mr. Franklin, what type of government are you going to give us?" And he replied to her "A republic, ma'am, if you can keep it." Someone mentioned this earlier.

We are a republic, and our country and ... my generation is losing the battle, the fight for our republic. We are losing the ideals that

we were founded upon, and I believe that if we teach this type of curriculum, if we teach history, our Constitution, the Bill of Rights, in our schools, that hopefully we can keep that republic going for another generation. We have to do this. I encourage a yes vote on this bill. We have to teach history to the next generation. Thank you, Mr. Speaker.

DELEGATE LONGSTRETH. I think in the schools our teachers do a great job, and I think they do teach these particular issues in the Constitution and Declaration of Independence. I know, myself, Delegate Caputo and all of us each year, we've gone to the schools on Constitution Day, as some of the rest of you have, and they do get involved in it. They do discuss what it is, and they've asked us to talk about what we do here and what it means with the Constitution, so I really do believe they do a good a job. I believe the Education Chairman said that they don't pass the tests. Well, maybe we need to go back to the principles and the county boards of education and find out why they're not passing the test. Maybe there's something wrong, but it's not for us to decide on that. I think we need to put that back in the local hands.

The other thought I have on this bill, because, you know, it sounds good, and I get it, and I get why we all should understand. I will vote for this bill for one reason. I don't think ... it's not because I don't think the teachers are doing their job. It is because, as a veteran, and to my fellow veterans here in West Virginia, you fought for this country, you gave your blood for this country. ... Many of you did, and what we have here is a free country because they fought from the beginning to have this free country so that we can have a Constitution and a Declaration of Independence. And, I will say, my veteran friends, they feel very deeply about these issues, about the Constitution and Declaration of Independence. So, for that reason I will be voting for this bill. Thank you.

DELEGATE FOLK. I'll begin with I share a lot of the same concerns that my Gentleman from the 1st does, because of the history of what goes on at the board of education.

I want to share with you a change in the standards from the Next Gen to the College

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and Career-ready, and this is at the tenth-grade level. At the tenth-grade level, this is English language arts, it was analyzed in defense, seminal U. S. documents of historical and literary significance: Washington's Farewell Address, the Gettysburg Address, Roosevelt's Four Freedoms speech, King's "Letter from Birmingham Jail," including how they addressed related themes and concepts. So, four historical documents or speeches.

The new standard, after this review, analyze and defend influential U. S. documents of historical literary significance. Roosevelt's Four Freedoms speech or King's "Letter from Birmingham Jail," including how they addressed related themes and concepts. Do you see anything missing? Do you see anything missing? Somehow, Washington's Farewell Address doesn't mean anything anymore, and it's not good enough to be in the standard ... somehow the Gettysburg Address. So, two of the biggest speeches in our history, one from the 18th century and one from the 19th century, are just totally forgotten about. That's a concern I have about continuing to allow our board of education to determine what they're going to teach. Thank you.

DELEGATE HOWELL. Thank you, Mr. Speaker. What we're debating here is freedom itself. Two hundred and fifty years ago, or two hundred forty years ago ... a little over ... the Declaration of Independence was signed in Independence Hall. Shortly after that, my ancestor, who happens to be the ancestor of a few others in here too ... John Moore, joined the Continental Army and fought all the way through to Gettysburg ... or not Gettysburg, but Yorktown ... sorry ... another ancestor. But anyway, fought through to Yorktown—was there when the British surrendered.

At the time of the signing of the Declaration of Independence the colonists considered themselves British, but they found they were something better than the British. They had an experiment, a better idea—the country they were going to form of self-governments, something that had never happened in world history before. We're here some 240 years later and that experiment is still working. Went on and drafted the Articles of Confederation, which didn't work very well, so they changed and drafted the

Constitution. They knew from the experiences of the Articles of Confederation that there had to be a way to amend the Constitution because times do change.

That's why we have the Bill of Rights and the follow-on amendments—the amendments that ended slavery, suffrage, and when amendments went wrong, they gave us the ability to repeal them like the try-it prohibition, but if we don't teach those documents, teach why they put those things in there, then how can the next generation govern? You have to understand the foundations of why we are what we are.

Obviously, I'm going to vote "yes" on this. I really don't understand the resistance of making sure people know where we came from so that we can know where we're going. Any trip that we take, we have a starting point. But this experiment called America has no ending point unless we let the past be forgotten. And that is how we will end it, and this makes sure that the past is remembered, the people that fought and died at Yorktown and Gettysburg and Guadalcanal, that fought for our freedom, fought for the documents that we want to teach our kids. That's why we need to pass this. Those have to be remembered.

During the debate earlier, and several people pointed it out, we're a republic. Someone said we're a constitutional democracy ... I don't remember who it was ... We're a republic. Someone also said that the south wanted the slaves recorded as three-fifths persons. That's not true; it was actually the north. The south wanted them as full persons. In this very room we have different levels of knowledge on these documents. That's why it is so important for the freedom in the future that we pass this, that we all have a greater knowledge of what the founding fathers meant and why this is the greatest nation ever. Thank you.

DELEGATE COOPER. Those of you who've been around me the last three or four days know I've been all over the map on this bill. If you were in the Education caucus the other night, you'll be probably surprised that I'm going to stand up here and urge you to vote green on this bill and let me tell you why. For all the reasons the rest of you have spoken, that's why, and a couple more.

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Number one, the timing of this bill, September 11th. School's been in session a couple of weeks, an airplane hits a building, somebody gets a call at the elementary school and says, "Hey, tell my husband to turn the TV on, something's happening." So, he turns the TV on and he sees the second building hit, and a little girl comes up to him and says, "You know, my dad's in New York City this week," and I said, "Where?" and she said, "Well, he was going to the trade center or the towers or something for a conference." So, we sat there all day worrying about her dad, all day. Finally got a phone call up in the afternoon saying that he was in the tunnel and stuck all day with no cell phone service and couldn't call his wife to say he was okay.

Thank God he was late for his meeting that day, thank God. But let me get back to the timing of this bill, this legislation ... Celebrate Freedom Week, September 11th, school's been in session a couple of weeks at the most. That's the best time in the world to set the stage for what you're going to do the rest of the year, and I agree with everyone who's spoken about these standards, they're in there. Everything that this bill is expected to cover and does cover is already in the standards. But if you start thinking about it now what happens the second month of school? In October and November, you start getting Veterans Day, Election Day, and all other kinds of things, and you've already set the stage on the week of the 11th. You've set the stage.

Now, finally, I'm going to get to this ... I had a lot more I wanted to say, but, again, this is the best place in the school year to put this. What bothered me most about this bill was this test ... what bothered me most, but I took some encouragement from knowing that the test results were not going to be punitive in any way. These test results ... and if you've ever taught or been taught, sometimes a teacher has to give you a test to see whether they're doing a good job or not. This test result is not for anyone but the school education personnel to see how well they're doing and what else they might need to cover. That's what it's for.

It's not to put any data out there saying Summers County, West Virginia, has the worst social studies students in the state or the best. It's for the teachers to use to grade themselves, and that's what tests really ought

to be ... that should be the other purpose of every test ... for the teacher to get a reading on themselves. And so, this test is a good thing and a good bill. It couldn't be in a better place in the time of the year. I urge 100 votes if there's a hundred people here today. We all disagree on a lot of things, but we've got to all agree that this is the best country that we could've ever been dropped in. Thank you, Mr. Speaker.

DELEGATE SOBONYA. Thank you, Mr. Speaker. We've heard today on this debate that the bill is too broad, that we're not sure who's going to make these determinations, and what's in the bill and what's not in the bill. But the bill came before a second amendment stage and I did not see any amendments proposed on this bill in the system.

A question was posed by one of my colleagues that, you know, asked the Chair of the ... Education Chairman to yield for a question, and the question was posed, did the boards of education request it? Well, I'll tell you who requested it ... there's a gentleman who's in my district, and I'm his representative here in the Legislature. He actually does live in my district and his name is Herschel Woody Williams.

Many of you know Herschel Woody Williams. He's a retired U. S. Marine. He received the medal of honor for his actions in the Battle of Iwo Jima during the World War II. He's the last surviving recipient of this medal of honor from that battle. Now he's a member of the Rotary Club, as am I, in Cabell County, along with the Gentlelady from District 16 of Cabell County. And during one of those Rotary Club meetings he approached us, and he said, "You know, I really have a burning desire to see that our students here in West Virginia learn about our history, the founding documents. I don't feel like they're learning the truth." And he said, "you know, a lot of the stories that we bring with our lives, they're going to be lost." And he really felt strongly that we should introduce legislation here.

I may not be a sponsor; I may be ... I'm not sure. I think we've had ... I've sponsored some in the past. But this is important to him. He's one of our heroes. He requested this.

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And for those reasons, Mr. Speaker, I urge adoption of this legislation. Thank you.

DELEGATE MOORE. Thank you, Mr. Speaker, thank you. So, I'm sure I'm like some of you all who've been listening to everyone speak on this bill, and some have been teetering on the edge. Me, personally, I do not like mandates being handed down to schools either, but after hearing the Gentleman on my right here speak about this, I feel compelled to vote green on this. I have to tell you, and you know, we look around this Legislature, sixteen years ago this year will be 9/11. There's some legislators in here that were barely in elementary school at that time, I mean ... But regardless of that, we're still prosecuting conflicts around the globe. Afghanistan, we're in Iraq ... got stuff going on in Syria now.

This is just as relevant now as it was 16 years ago this time ... 9/11 that we're talking about, bringing this educational standard forward. So, I think it's something that this younger generation ... because this is the world that they're living in, this is the world that they're going to have to adjust to in this world of globalized terrorism that we're going to be facing, and they're going to be facing. And hopefully their children will not but we need to be able to provide context to everything that's going on here. And I think sometimes that slips away a little bit.

For me personally, I was in Washington D.C. for 9/11 ... I was there, and, I'll tell you, you know, I lost some people that I knew in the Pentagon. I was there working in D.C. and I think we need to make sure that that's fresh in the memories of every young person that's going through this educational system, because if we think this is something that's going to go away in the near-term future, this threat and this vigilance that we need to be able to maintain to maintain our security, our freedom, our way of life, then we are mistaken. So, I urge passage of the bill. Thank you.

DELEGATE AMBLER. Thank you, Mr. Speaker. Speak to the bill? As a former social studies teacher and 25 years in dealing with this, often times in our county, every September 17th, and, you know, the birthdate of our Constitution there in Philadelphia as of 230 years ago this September. There were a

number of things, and there's been a couple of words mentioned, like republic and democracy. ... Let me give you a little example of when we talk about a republic. It's a government in which superior power resides in the body of citizens enabled to vote and exercised by elected officials and representatives responsible to them and governing according to law. Now that is a republic.

A democracy is a government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving what ... elections. Now those are the basic principles of what this country was founded upon, and we know that because we fought a Revolutionary War over it. We fought going through, we fought a Civil War in trying to establish those.

I would ask you when we set back and look now to what you remember about civics, and we're talking civics; are we not? These are civics. These are the things that you were taught from the day that you're old enough to stand up in some athletic event, and we play the "Star-Spangled Banner" and what do we do? We set, by example, do we not? We start teaching it early. We teach those in every grade level. When we get into the high school area where I'm more familiar with, from middle school to the high school, each of those standards are in there, and we talk about what develops a democracy, our form of government.

To take a week out in September ... we were looking at four class periods ... four forty-minute class periods with two ninety-minute block class periods, to talk about the founding principles of what we represent in the greatest country in the world. I offer to you this—that we talk about this citizenship test. Do you know what the citizenship test actually comprises of? There's 100 questions, 100 questions on that test. To get naturalization in this country you get 10 of those questions, you only get 10 of the 100, but you get to study the test beforehand. You only have to get six of them right.

I ask, you know, as we sit here and listen today about this, how many of you remember, what was the 13th Amendment to the Constitution? How about the 16th? Your

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social studies teachers are going to throw their hands. I know because you taught them the same as I had. What about the 21st? Anybody—and how about the 26th? Folks we teach these things. To have us a week to emphasize American history, in the mere fact that we are debating something like this is ridiculous. America is what it is ... we are telling people that ... we are telling you forever.

This bill is a good piece of legislation. Why not emphasize it a little bit? I tell you as I stand here and listen back and think back ... this piece of legislation is probably needed, and, if I might, Speaker, just regress to a time in my classroom period. Someone mentioned, Jay walked in a little while ago. When I was in my classroom, my granddaughter had one of those little Hasbro's or something that has the microphone on it and you can sing in it ... you know, it's like a mic to ... and some of you are grinning. ... I know some of you've already seen that and know that. Well, when she outgrew it and didn't want it anymore I said, "Hey, can I have it ... Brooke can I have that? I'd like to take it to school and use it."

So, I put it on my desk, and I walked around my classroom as a starter, as a starter, or maybe as a wrap-up or some reteach effort. And I walked around with that, and I'd walked it up ... it had two microphones on it, one that I would hold and one that I'd hand to someone indiscreetly in the classroom. And I called it boogie walking. You know, we do need a little reteach every now and then, and there isn't a thing wrong with taking the week of September 11th. It doesn't matter whether that score goes anywhere or not. The emphasis of this is simply one thing—let's remember what our real roots are, where we're headed in this country. And I would encourage a 100 to zero vote on this bill today. Thank you, Mr. Speaker.

DELEGATE ROHRBACH. Thank you, Mr. Speaker. I'm going to rise in support of this bill. I'm going to read the members very briefly ... Section E – "The full week of classes during the week within which September 11 falls shall be recognized Celebrate Freedom Week." I had the occasion to discuss this bill with Woody Williams myself, and I tell you where it was. It was in Barboursville, West Virginia, at our

local park. We were dedicating the Gold Star Family Memorial.

Now, for the benefit of the youngsters in the gallery that may not know what a Gold Star Family is, that's a family that lost a child in the service of this country, to celebrate this very freedom and the title of this bill that I just read to you. Now I tell you what, those families aren't going to forget what freedom is about in this country, and I don't think we should, either. I urge this body to adopt this bill. Thank you, Mr. Speaker.

DELEGATE FLEISCHAUER. Thank you, Mr. Speaker. Four score and seven years ago, we started debating this bill. I know there are people who feel strongly about it for several different reasons, but I think that we have important business to state that we need to address, and I think we should move on. I'm going to be voting in favor of this bill, and I urge our body to start thinking about the budget. Thank you.

DELEGATE BOGGS. Thank you, Mr. Speaker. I rise in support of this bill, and I'll tell you why. And I won't belabor the point, because there've been so many speeches here. I'm not a ... a professional educator. My wife and I raised our kids, and they've been very successful, and we're very proud of them. But some of you that have been here a few years might recall a citation that was presented here on the floor of the House that involved the Gentleman from the 4th and his family and me and my family.

My uncle ... I was named after my uncle, Lawrence Earl Boggs. He was killed during the invasion of Sicily during World War II. He went through basic training, and he started his military career in basic in Great Lakes with Joe Antel, who is the Gentleman from the 4th's cousin, who's now deceased. But he wrote a letter back after my uncle was killed, because they went all through. ... They were on the same ship; they were ... went all across North Africa together. And he was there and witnessed when my uncle was killed, with a landing craft loaded with ammunition taking it ashore ... he and four other sailors were lost.

What does that have to do with this bill? Well, maybe nothing directly. But I can only imagine what your cousin and my uncle

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would think to vote against something like this. It's so fundamental to our ... respect for our nation, for teaching our kids and future generations. I have every confidence and every trust in the world in our teachers and our education system.

We're very blessed, but this certainly does no harm. And if it helps in the very least to teach someone about our country, our Constitution, the Declaration of Independence, and about our country and about respect for our veterans and our flag. Ladies and gentlemen, I strongly support this bill, and I proudly cast this vote on behalf of my uncle who perished during World War II, as well as the Gentleman from the 4th's uncle, who came back and spent time with my family and comforted them and showed them exactly what brotherly love and serving this country and patriotism is all about. I support the bill.

DELEGATE LOVE. Thank you, Mr. Speaker. Some of the previous speakers have put emphasis on parents, and, as a parent myself, I've made it known to each of them what the Holocaust was. I wanted them to know. I wanted them to know about 9/11. I wanted them to know about the Civil War, how it started, why it started, what happened. I wanted them to know those things, and I think it's a responsibility of parents to do that, and the Gentleman from the 13th ... If every parent could tell their children that same story and let them know what the Bill of Rights is all about, what our Constitution is all about, I think the children would have more knowledge of everything.

It reminds me of a little story I'll tell you and I'll be very brief, Mr. Speaker. It was a youngster who came out of the hollows of Fayette County, and his father got a job over in Wood County. So, he had to move over in one of the hollows in Wood County and it was the first day of school at the new school that he moved into, and the teacher thought, well, I'll sort of ... you know, brief the children and see what they know, if they ... you know, get a little bit of knowledge or get something out of them anyway. So, she asked the children different questions, and little Johnny, who had moved to Wood County, she said, Johnny, who signed the Declaration of Independence, and he said, "Damned if I know, teacher." And she said, "Johnny, I'm going to ask you one more time and you ...

give me the right answer. Now, who signed the Declaration of Independence?" And he said, "Damned if I know, teacher."

So, she said, "Johnny, I'm going to have to send you down the principal, and she did take him to the principal." And she told the principal, she says, "We have a little youngster here that I want you to ask him a question and listen to his answer." And she said, "Ask him who signed the Declaration of Independence." Well, the principal said, "Johnny who signed the Declaration of Independence?" And he said, "Damned if I know, principal." And he said, "Johnny, I'm going to have to call your parent and bring him down here because we just can't have this in this school. So, he called Mr. Jones in, and Mr. Jones came down, and he said, "Mr. Jones, I want you to ask your son a particular question and listen to his answer." And he said, "Well what do you want me to ask him?"

He said, "Just ask him who signed the Declaration of Independence." Well, Mr. Jones said, "Son, who signed the Declaration of Independence, just tell these folks." And he said, "Damned if I know, Dad," and so he grabs him by the collar, and he says, "Look son, he said, if you signed that damn thing, you tell them right now."

So, it comes down to the parents—what the parents tell the children is what they know, and it's very hopeful for me that, when they do distribute some of this literature to these youngsters under this new bill, they'll send some home to the parents with the children that they can read it, maybe get a little more knowledge about our country and our Constitution and our Bill of Rights and what democracy is all about. I'm for this bill, Mr. Speaker.

DELEGATE FLUHARTY. I just wanted to thank the Gentledady from the 18th and the Gentleman from the 17th. If it's good enough for Woody Williams, it's definitely good enough for me as he is a childhood hero of mine. So, I'm supporting now. Thank you.

DELEGATE ROWE. Mr. Speaker, in the same spirit, I grew up in a Gold Star Family. I am named from my uncle who was killed on Christmas Eve in 1944 in the Battle of the Bulge. And we lived with my grandmother,

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and so, when I was little and bouncing around waiting on Santa Claus, she was in the kitchen crying, and it has had a very strong impact on my life. I wear his high school ring. My father was shell-shocked in the war and came home and didn't know his name. So, I'm very persuaded by the folks who are making a very sincere and genuine argument that we should carve out this special exception to what was my campaign promise, that was unwavering in the campaign, and that was I was going to let teachers teach.

Maybe this is important enough for us to step back from. Let's let teachers teach but please understand that there's a lot of pain I think that goes with this when you think about not letting teachers teach. We, as a body, institutionally, cannot pull our fingers away from the net of teachers and county boards of education in so many ways, and we're doing it ... this is important. We can do it this way, the schools can accommodate it ... you know, it's a salute to the folks who have made this country great. So, I have to go back on a campaign promise, and I apologize to the folks who voted for me on that basis, but I'll be voting for the bill.

DELEGATE E. EVANS. Thank you, Mr. Speaker. I'm a teacher. You guys know that, but I teach science and I don't teach social studies, but I sure remember the day that happened, because I was teaching science, and a science teacher from across the hallway, who is deceased now, came running in. And we turned on the TV and we watched it all. I've gone back and forth with my good friend, Delegate Zatezalo, on the pros and cons of this, and what it comes down to me ... what it comes down to for me before I cast my vote today is a little story that was presented to me by my wife's uncle in Braxton County, Babe.

He actually stood on the deck of the USS Missouri when they signed the treaty with Japan ending World War II, effectively, and he would hold up this little piece of the deck, and he said, "Son, that's what ... that's what freedom means to me." So, in that spirit, I will be voting for this bill. I think all of our veterans, I think all of the people that, in any way shape or form, perform a duty that keeps us safe every day. I have a nephew in the Air Force currently, a brother that was retired after 20 some years, and I certainly want to

honor their service by voting for this bill. Thank you, Mr. Speaker.

DELEGATE O'NEAL. Thank you, Mr. Speaker, and I appreciate the comments everyone has made as we, I hope, are close to the end of discussing this bill. But I want to thank the Education Chair for a great presentation of this bill, and, Mr. Speaker, I want to thank you for being lead sponsor of this bill and for this being a ... for having the passion to try to bring forward a bill that would emphasize the values that made our country great.

Mr. Speaker, there've been a lot of comments made, a lot of good reasons given to support this bill, and I'm not going to repeat those. But I am going to mention one additional reason that I think it's worth supporting this bill. Most of us in this body are familiar with our beloved Senator, former Senator Robert C. Byrd. We probably know the story of how the humble son of a butcher from Raleigh County rose to become a congressman and then a U. S. Senator—the longest serving Senator in the history of our nation.

We probably are familiar with the passion that he had for the United States Constitution. It's been reported a number of times that Senator Byrd would be in a meeting with a president, and I think he served with quite a few presidents, and he would reach into his pocket and pull out a copy of the United States Constitution whenever he thought a president was maybe neglecting some important principles that were being addressed related to the Constitution. You may or may not know that Senator Byrd, because of his lifelong passion for the United States Constitution, secured the passage of a law in 2004 mandating that any school in the United States that receives federal funds on September 17th of every year teach or have ceremonies or discussions about the United States Constitution.

We call this day now, as a result of the law that was passed and signed by George W. Bush, September 17th every year is Constitution Day, and the law requires that, during that week, any school receiving federal funds teach lessons related to that or have events related to that. I, myself, have

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spoken at a college in our area on their Constitution Day.

Mr. Speaker, what an awesome way for our Legislature to follow in the legacy of Senator Byrd and to insist that our high school ... that our middle school students also learn the important lessons that are taught in the Declaration and in the Constitution. And, Mr. Speaker, I'm proud to honor the legacy of Senator Byrd and to follow in his trail and to say that I think it's a good idea that our middle school students should know certain things, core values of our Constitution. And, Mr. Speaker, I urge passage of this bill. Thank you.

DELEGATE ESPINOSA. Mr. Speaker, several of my colleagues from the 17th and 18th have noted Congressional Medal of Honor recipient Woody Williams' support for this legislation. I would just briefly close with a few words of his in support of civics education. Woody notes that these types of programs are designed to address a growing and disappointing deficiency in our educational system and in our domestic society—the lack of a fundamental knowledge about how our government works and who we are as a nation. Things every student and, really, every citizen in our country should know, to engage as a responsible citizen. What better way to do that than to Celebrate Freedom Week, during the week in which we also recognize Patriots Day, to help ensure that our students understand these key documents in the founding of our country. I certainly plan to stand with Woody on this, and I appreciate my colleagues here in the chamber to stand with Woody, as well. Thank you.

COM. SUB. FOR S. B. 437

REMARKS
of
MEMBERS
April 1, 2017

DELEGATE CANESTRARO. You know, this reminds me of an old joke that I heard about trial lawyers. The joke was, someone once asked a criminal defense lawyer, "How do you defend the indefensible?" And they said, "Smoke and mirrors, son, smoke and mirrors." Over and over we've heard during

this session and before the session started how this would be the session when this body right sizes the size of government. Our government in this state is too big. Now, we could cut our way out of this budget mess and that's our way to prosperity. Well, I'll submit to this body that all we've done, all this body has done is voted to cut low hanging fruit. Low hanging fruit under the illusion that we're right sizing the government. Look what we've done. We've cut the Women's Commission, the Courtesy Patrol, Jackie Withrow Hospital, the Race Track Modernization Fund, Hopemont Hospital and now, here we are today. We're cutting Greyhound Breeding Fund. Right size government, no, what we're doing is we're taking jobs and revenue from each of our districts is what we've done. If you lost your hospital in your district, you know how this feels. Let's clear up a little bit of misinformation. I believe that this will affect firemen's and policemen's pension in the city of Wheeling as if that casino moves from Wheeling Island to up at the highlands outside of city limits, they're going to lose the funding for their pensions that come from that casino. Be clear about that. Let's clear up some other misinformation. This fund is not a subsidy like we've been told. What we've been told, that it's a subsidy, that's just smoke, and mirrors is all that is. It's a cure-all tonic being sold by snake oil salesmen. This fund is not filled with tax dollars. No tax money goes into it whatsoever. It's funded by gamblers. If you play you pay, it's that simple. When you cast your vote today on this bill I hope you remember the seventeen hundred people that you're helping put out of a job. People like the sixty-year-old woman that emailed me and my colleague from the 4th who can't retire yet. Where's she going to turn if we pass this bill? Remember the fireman and police pensions you're possibly helping decrease, and most importantly remember the jobs in your districts. Because if this bill passes money is not going to go to your district from the lottery, that's going to decrease as well. And I'll leave you with one simple warning, ladies and gentlemen. You'd better watch your backs because if you don't watch your back, this traveling circus is coming to a district near you soon.

DELEGATE FERRO. Thank you, Mr. Speaker. I rise in opposition of this bill. With the illumination of the Race Track Modernization Fund, the passing of this bill

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could likely exploit the full closing of casinos and dog tracks leaving a huge void in the tax coffers of the cities and in the lives of our West Virginia citizens who are employed at these facilities. It could also negatively affect the insularly small businesses that depend upon them. Think of the negative impact this bill will have on the cities, the counties, the breeders, the trainers, the business owners and most importantly the employees and their families. I ask the body to look around into the galleries and look into the eyes of those workers whose jobs will be lost and in jeopardy and their lives turned upside down if this bill is passed. Again, Mr. Speaker, I urge rejection of this bill.

DELEGATE DISERIO. You know, I'm from Brooke County and I don't have a horse track or dog track in my district, but I consider myself lucky because I have one to the north of me and one to the south of me. You see, my friends, the noose that the coal community feels tightening around their neck and the noose that my friends in the west gallery from the dog racing industry feel tightening around their neck has already killed the industry in my district. Okay, in 1978 when I graduated high school we had upwards of 25,000 steel jobs; 14,000 at Weirton Steel, 12,000 at Wheeling Pittsburgh Steel and numerous other insularly businesses and that's all gone. That's why I say today that I am lucky to have these facilities to the north of me and to the south of me because it's given our steel workers that have lost their jobs, that have lost their pensions and their health insurance, it gives them someplace to go. And not only for the displaced workers, but for the future steel workers that were wanting to remain in the Northern Panhandle. See, the Northern Panhandle is a little bit of a different place because it's just like a little peninsula sticking out into Pennsylvania and Ohio where we need to think regionally to survive. We have to look to our friends from Ohio and our friends from Pennsylvania. You know, I see the kennel trucks around in the gas stations, the people working, and I'm quite sure that very few of you in here, if any of you in here know where Windsor Heights is, or McAdoo Ridge, or Greens Run, or Beech Bottom, but those are all communities in my area that are serving jobs. In Beech Bottom, West Virginia when you drive through there in route to ... right next to the walking trail you'll see a beautiful facility that is Wheeling

Down's Kennel, always clean, sixty to eighty people working there at all times. If you go on Windsor Heights, the place that many of you have never heard of, you may come across Gulf & Bay Dog Kennels and this is not some backwoods dog kennel. This is a multimillion dollar facility that is probably one of the nicest dog kennels in the state. When you go on McAdoo Ridge, you run into Rico Racing. When you go to Beaver Farms in Beech Bottom you see another dog farm. On Greens Run you'll see Salem Greyhounds. This my friends, these are jobs to these people. I've heard a lot in the last few months about living within your means. I ask you today, let's afford these people the opportunity to live within their means. Let's not throw them into the ranks of unemployment and welfare. We've asked these people to come here to do this service, they've come, they've provided, now we're telling them, "No thanks, we're done with you." I ask you all to consider this very seriously because as my friend from the 4th said, "It may be coming to your district soon." Thank you, Mr. Speaker.

DELEGATE STORCH. Thank you, Mr. Speaker. On June 9, 2007 the residents in Ohio County had the opportunity to allow table games into the county. By voting "yes" to the question: Shall West Virginia lottery table games be permitted at Wheeling Island Race Track and Gaming Center, which is licensed by Wheeling Island Gaming Inc. and is located at One South Stone Street, Wheeling, WV, 26003? The voters in Ohio County overwhelmingly supported this question; 7,568 in favor ... 3,956 against. At that time an agreement was reached that bets placed in the casino had a percentage assessed to them to participate in a partnership with the dogs that opened their facility and embraced table gaming. This was the process and procedure as far as I can find for every casino in this state and others. Except in the other states they handle things a little bit differently than we do here in West Virginia. In the other states, there was not the distrust that had existed at the time this arrangement was made between the thoroughbred breeders and the former owner of the Charles Town Race Track which resulted in the desire for the state to get involved in this collection of this fee and remit it to the breeders. Unfortunately, all the newly formed casinos were handled in the same way as Charles Town desired to be held

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with the state being involved. The state's cut of this action is a mere 1.5 million dollars for being a pass through which will still be covered. For several years people have built their lives in the Wheeling area and the surrounding counties in this industry. Some of these farms are multi-generational. These are farms within the state that either breed or board the dogs: The Janice Abramson Farms, Windsor Heights; Blessing Farms, Leon; Mud River Greyhounds, Hamlin; Monroe Racings, Wheeling; Roche Farms, Wheeling; Crabtree Farms, Wheeling; Double G Farms, Hurricane; Maupin Farms, Poca; Golden Paws Farms, Poca; Lomax Farm, Poca; McMillian Farm, Alum Creek; Cavender Farm, Ripley; Tom Salem Farm, Wellsburg; GIS Farms, Marshall County; Jason Bowers Farm, Wheeling; Steve Sarras Kennel, Wheeling; Rico Racing, Wellsburg; Beaver Farm, Wellsburg; CDC Farms, Ona; Williamson Farms, South Charleston; DKC Farms, Hamlin; Schweitzer Farms, Wheeling; Cardinal Farm, Wheeling; Davis Farm, Triadelphia; Peterson Farm, Yawkey; Nixon Farm, Triadelphia; Tomblin Farm, Logan; Denise Davis Adoption Farm, Berkeley; Dunbar Racing, New Martinsville; McDermitt Farms, Sissonville; Burdette Farms, Elkview; White Farm, Buffalo; Comer Farm, St. Albans; Grand Master Farm, Sissonville; Elizabeth Conrad Farm, Charleston; Cochran Farm, Red House; Douglas Farm, Valley Grove; Mt. Farm, Lesage.

From the referenced WVU study and the Spectrum study we've learned 1,100 people are associated within this industry are from my district as well as the Gentleman from the 2nd and the Gentleman from the 4th. If the people within these facilities were employed by one company, they would be the third largest employer in Ohio County. Wheeling Island Gaming is the fifth largest employer in Ohio County. Chairman Nelson stated accurately the industry has 77 employees in Wheeling. Well the Chairman is correct. There are 77 employees that receive a paycheck and a W2 from Wheeling Island. There are several more working on the farms I named in Wheeling, Wellsburg, Marshall County, Triadelphia, Valley Grove and Beech Bottom. With the total of 1,700 employees in this state, my first concern is for those that will be displaced by this bill which is essentially to kill the greyhound racing industry. At no place in this legislation

is the cost of unemployment considered. So, I have considered it. Based on current wages of the industry the weekly average unemployment base rate would be ... range between 186 to 360 dollars. Using an average calculation ... using an average for calculation purposes of \$273 per week per participant and discounting that number that may be ... that may be employed within the industry but would not lose employment would find otherwise gainful employment quickly or would leave the state by two-thirds. So it's discounted by two-thirds. The amount of unemployment compensation for those ... the amount of unemployment compensation costs for the state for 26 weeks would be \$4,022,200. For those drawing the maximum time allowed, the number would be closer to \$8,044,400. Additionally, this bill makes no provision to try to retrain those who have invested their lives in this industry. I'd wanted to accommodate this in some fashion, but I realized it would not be enough. However, the Senate did factor in a million aiding in the displacement of seven thousand dogs with no real structure as to how that will be handled. In addition to the loss in cross play, the annual loss to the state and local share, capital improvement and tourism fund, annual pension contribution required by a statute for all employees of the license racing association, the daily license fees, the fine revenue and the annual occupational license revenue. That will go away without greyhound racing. I'm not seeing the cash cow this Legislature seems to believe this will be. Another major concern I have with this piece of legislation concerns its major, unintended consequences to the city of Wheeling. Wheeling, a city frequent to capitalize on opportunities has established a tiff of which the improvement to the Wheeling island property per the tiff formula amounts for over \$500,000 of revenue. Through this tiff the former Stone & Thomas Department Store has been converted into the Stone Center which, now completely renovated, houses over 500 employees with Wheeling Jesuit, Cashel Companies, Williams Lee Tag and residential apartments. The Capital Theater has been another successfully completed project because of this tiff as is the conversion of the former Horn's department store in office space to house the IRS, Congressman McKinley's local office, West Liberty Foundation, the Wheeling Area Chamber of Commerce, of which I'm president, the Regional Economic

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Development Partnership and the Wheeling Nailers and the health plan which will be operating in a new facility next door to us, but keeping the people in the Horn's building. The Boury Loft apartments and under construction currently are several other properties within the 1100 and 1400 block, the upgrade to the storm sewer to handle all the additional traffic in downtown Wheeling with the ... all the additional people that will be working in Wheeling and the health plan. Additionally, Wheeling Island moneys contribute to the city, 20% of the 5.8 million. So, to my friend from the 4th, yes, the city municipal pensions will be affected to the tune of about 1.2 million dollars. All of your districts get money from the casinos in our state and the Greenbrier. I would imagine if you speak to your mayors and commissioners, they will tell you about their uses for this money. Based on a study in Iowa a year after they eliminated greyhound racing, their figures dropped 20%. With municipalities in Wheeling ... I mean municipalities in cities ... counties - I'm sorry- already down on revenues, every district in the state will feel this. As the Wheeling Area Chamber of Commerce President, I have been contacted by so many concerned within my district about this legislation passing. Mr. Speaker, this is not our money, it will destroy jobs and economic activity in the Northern Panhandle. I will not be voting to support this legislation. I encourage my colleagues to do the same. Thank you.

DELEGATE CAPUTO. Thank you very much, Mr. Speaker and I too rise in opposition to this bill. I listened to the Chairman explain the bill and he talked a lot of figures that I'm not even going to try to get into. I think you can sum this bill up by just saying decouple. To get rid of the racing so we can still have the casinos, that's what this all amounts to and I want to tell you why I'm so opposed to this piece of legislation. I live in Marion County, folks, 90 miles from your track in Wheeling. I stop there quite often. I really enjoy going, but that's not why I'm opposing this piece of legislation. You know, I've been here through a lot of gambling bills. I've been here 21 years and every time we ran a gambling bill the question came up, "Is this going to do away with the dogs? Is this going to do away with the horses?" And the answer was always, "No. No, absolutely not. We realize that it was the dogs that helped build

this industry. We realize it was the horses that helped build this industry." So, every time that question was asked this legislative body, and I know many of you are here today that was here through a lot of that debate but a lot of you aren't, but you know, I think we got some integrity to uphold here. We always assured the people in that industry that we couldn't have one without the other. We always assured people that and that's how we gathered votes up in this body. That's how we convinced our colleagues to vote for table games. I go back as far as the Greenbrier Bill and that was even asked, "Will this hurt the racing industry?"

Absolutely not, it won't have anything to do with the racing industry. We understand we couldn't have gambling in the State of West Virginia. We wouldn't have had a vehicle. We wouldn't have had any hope of passing these referendums if it wasn't for the racing industry." When people talked about the referendums in their districts they always talked about the racing industry. I mean, we've got a little bit of integrity to uphold here for past legislators who promised these folks ... promised these folks that we would never do away with their industry because it doesn't cost any money to stick a machine there, because the table games bring in more money. They're not as labor intense as these folk's jobs. We promised them that for two decades since I've been here and today ... today there's an attempt to do away with their jobs. I'm not going to be a part of that because I was here through those debates and I have the upmost respect for the integrity of this institution whether it be this legislative body or the legislative body before I even got here that promised those people we would take care of them if they supported table games, if they supported coin drop, if they supported any expansion of these tracks. We promised them and today we're talking about pulling the rug out from under them. It's just not right, I don't care how you feel about gambling. You could talk about all the issues you want and this fund and that fund. I don't care about any of that. What I care about is the promise we made to these folks. I'm going to keep that promise and I'm going to encourage the rest of the body to keep that promise and if you folks in the horse racing industry don't think you're next ... you don't think you're next? You're living in a cave. Because you will be. I promise you that. It's not right, folks. It's not right. So when you

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cast your vote, if you want to vote green to do away with this industry, look up there ... look up there and then hit your button. Vote red, let's keep the promise we made to these folks. It's not right.

DELEGATE ELDRIDGE. Thank you, Mr. Speaker. I can't say a thing that hasn't already been said. You know, I fought it on the second reading, fought it on the first reading. I'll fight it on the third reading. You know, and I encourage my co-delegate from the 22nd to do the same. I encourage the delegate from the 24th ... the delegate from the 24th to do the same. There's got to be a better way in doing this than cutting jobs, period. Now I said the other day, you know it's going to be in your neck of the woods next. I'm not going to sit here and read to you. There's a couple of sheets on your desks. This one bill alone will affect every county in here. You go home, and you talk to your fire departments and you go home and you talk to your cities and tell them I voted to cut your all's budget again. Cutting our budget, we're going to pass along to the counties. Stand up and do what's right. Vote this bill down and let these good people continue to do their job instead of driving over here for the last two weeks to get postponed again to borrow ten dollars to get home because you don't have the money to get home, for gas. Vote "no".

DELEGATE PHILLIPS. Thank you, Mr. Speaker. Thank you, ladies and gentlemen. First of all, I'm going to rise against this. This is their money. They put this money in there, but you know I've been handing out a couple flyers on a different bill, S. B. 16. We've been giving windmill companies subsidies, our tax dollars to survive. You know, eight million dollars laying right there. Let's run this bill. Right now, I don't think it has the light of day, but there's eight million dollars to back to our economy. You know that's our tax dollars paying that. This is their money. The 1,700 jobs, I'm sorry I can't do that. Ladies and gentlemen, I'm just going to encourage you to vote red on this. Thank you.

DELEGATE FOLK. Thank you, Mr. Speaker. I only rise today to clarify a little bit of the history that the gentleman, the Chairman spoke of and the Gentledady from the Northern Panhandle spoke of. What you may not know is when they passed the ... to allow the machines into the casinos, I believe

in '94 or around that time frame, that it was by a local referendum. The Northern Panhandle passed that referendum almost immediately and overwhelmingly and that was without any of this one and a half percent deal in the code. Now she eluded to the distrust of the ownership of the Charles Town Racetrack and that's a fact and in Jefferson County they turned the referendum down because they didn't trust the owner of the track at the time to basically negotiate in good faith with the horse breeders to have their purses ... the money put into the purses. And the only reason, and quite frankly twenty some years ago I was very skeptical of basing your economy on gambling. The fact is it's been around for twenty years now besides just the racing part. So, after Charles Town in Jefferson County turned down the referendum there was action of the Legislature to take care of some of that distrust between the ownership of the track, the then ownership of the track and the breeders and the horsemen. So, there was a deal made to make it one and a half percent, but they still didn't trust the ownership of the track and that's where the state became the intermediary or the trustee of the money to this special revenue account. The money was always intended to go back to the tracks in the form of purse funds. So, I thought it was important that you understand, although I've never believed in government getting involved, it did get involved twenty some years ago. It did make a promise twenty some years ago and as the Gentleman from the 50th said, I don't believe in the state turning their back on their promises.

DELEGATE FLEISCHAUER. Yes. Thank you, very much. Mr. Speaker, I'd like to speak to the bill. Mr. Speaker, to avoid all these whacks I'm going to vote "no".

DELEGATE MARCUM. Ladies and gentlemen, I'm also going to encourage you to vote "no" and I want you to think ... step back and think for a second what you're doing. We're here this far in the session and yet we've not seen any jobs bills. You've heard this from me numerous times. The only jobs bill I see in this House are cutting jobs. Nothing here is putting people to work. We're just trying to kick the can down the road to balance the budget for '18 ... or '17. What about '18, '19, '20? What about the future of our state? What are we going to do? What are we going to do? We going to keep

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eliminating jobs? I mean, this is crazy! If we were talking about coal or gas we wouldn't be having this discussion. Let's just be honest with ourselves. If we were talking about coal or gas we would not be having this discussion in this body. We're having this discussion in this body because two or three people think it's what we're supposed to do. Well this is a collective body of 100 individuals that's going to show the people of West Virginia what we do by voting this bill down. We want jobs in this state. We don't want one or two people to try to run over us and try to tell us, "This is what the agenda is. This is what you're going to vote for." We showed what we can do with the medical marijuana bill, we're going to show on this bill. We want jobs. So, ladies and gentlemen, let your voice be heard today and don't be intimidated. Be bold. Stand up for jobs and the people of this state because if this was southern West Virginia, I would expect the same from this body. It has nothing to do with Mingo or Logan Counties, other than the tax dollars we're getting. You know, Williamson just laid off two fire ... one fireman and two police officers. This money we're cutting out might be another police officer. What do you got to say about that leadership? Let's re ... vote this bill down. This is crazy.

DELEGATE FLUHARTY. Thank you, Mr. Speaker. You know, I'm trying to find the reason we're here, not just on this bill but, what crosses party lines? What's the one thing we are here for that we all agree on, that every single person campaigned on? It's jobs. It crosses party lines. Everybody is here for that reason, to increase them. If we were here today on a bill to increase 1,700 jobs in the State of West Virginia, we would probably have a ribbon cutting out front after we got out of here. Now we're here on a bill to decrease 1,700 jobs and you don't even have to take my word for it. You don't have to say, "There goes Fluharty again. He's just talking and he's bringing up 1,700 jobs." Take the Spectrum Study's word for it. The study that we've been citing now for a week. Total direct and indirect employment in West Virginia by the greyhound racing industry totaled 1,733 people and total and indirect payroll totaled 31.2 million dollars. It's just simple math. It's just simple math. So, we haven't talked about what secondary jobs are affected. Now, the Gentledady from the 3rd who I'm proud to serve with, she mentioned all the kennels. Well let's talk about what

they do. Sarah's Kennels in Wheeling, they spend \$5000 a week on food and vitamins for the greyhounds. Now, where do they purchase that? Tristate Kennel Supply in Brooke County, Gentleman from the 2nd. They purchase vehicles. A typical kennel truck costs \$60,000. Sarah's Kennels owns ten of them. Where did they purchase them? Robinson Chevrolet in Wheeling. And then driving those kennel trucks, who drives them? Employees, up and down route 2. How much do they pay a week in just fuel? They average around \$300 per week in just fuel. How many small businesses will be impacted? How about Valley Cash Feed in Nitro as the Gentledady pointed out there are many kennels in Nitro. How much do they get a week? These are secondary jobs that we haven't heard about until today. Haven't thought about. How about the vets? Now we heard a lot of talk about this grey2K stuff the other day. Believe me, Y2K is more believable than anything that comes out of grey2K. Now we've heard and dispelled, I believe the subsidy issue. Now it's clear it's not a subsidy. All this money, all this money that they earn comes down to Charleston, we put it in our big pot, because we love having out government hands over everybody's money. We put it in the big pot at a tax rate of about 52%. Now are we saying with this bill you're going to get a tax break from that 52%? No, we're not saying that. We're just going to keep it. So, this little sliver that goes back, we're just going to keep that. So really what this is, is a tax increase. So, say if we have 52% and a little sliver goes back, and we get it back down to 48% or 49% ... no, no, no, we're going to keep that and we're going to increase your taxes on an industry already taxed at 52%. That is simply wrong and as a good man from Marion pointed out earlier, we're going back on our word. How can we run out an industry, go back on our word ... you know where I come from and I know where everybody else comes from, the handshake, the look in the eye, the smile, the agreement, that means something? It should mean something in West Virginia to every industry. How can we attract industries to our state, which we say on a regular basis we got to bring in more companies, more people, more businesses? How can we attract them if we go back on our word? Open for business. How can we attract somebody when we won't even live up to the bargain of the benefit ... but we won't even live up to the look in the eye and the handshake? And as

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you've heard the local impact is not just my district. Every single district will be impacted. That money I just talked about that gets collected in the pot at 52%, it obviously includes greyhound racing. Take those numbers, deduct between 10% and 20%; twenty on the high, ten on the low. Deduct that, call your county commissioners, call your mayors and let them know ... if you vote "yes" on this bill ... let them know you just impacted their budgets. Let them know you just took money from them and it's going to start on July 1st. I think that's a reminder that we're all in this together. We are all in this together. It's not just the Northern Panhandle which relies largely on the greyhound industry. It's not just the Eastern Panhandle when the ... the agriculture industry. It's not just the southern coal fields and the coal mining industry. We're all together in this. What may be big in my area may not be big in yours, but we can't have 'out of sight, out of mind' when it comes to the West Virginia Legislature. We must all pull the rope, we must all do this together and I think what I really have a problem with so far with how we play this bill out and the Gentleman from Marion touched on it. I feel like West Virginians have great instincts. We know when we're being fooled and it's probably no coincidence this is April Fool's Day. We are being fooled on this legislation. It hasn't sat well with me from the beginning, it shouldn't sit well with you today. The House bill originated in Finance Committee in the dark of night, 84 pages long. The Senate bill originated in Finance Committee in the dark of night. It wasn't properly vetted. I think it's clear, and I give credit to the Finance Chairman, he likes going back and forth with me, but it wasn't properly vetted. I just simply was not. It doesn't sit right. To say that we're going to pass a bill eliminating 1,700 jobs and not fully vet it, it doesn't sit right. But we're going to displace 7,000 dogs and just say, "Well, a million dollars sounds like a good number, we'll just throw that out there and we'll take care of it later." It doesn't sit right when you tell me we're going to eliminate an entire industry in the State of West Virginia and we're going to do so on July 1st, no phasing out, no proper vetting, nothing. Just a political bill for political purposes and we have to really consider are we talking about line items? If we're just talking about line items, I believe the math is in our favor when it comes to the payroll ... the secondary impact. It's clearly more than

the 13 million dollars that is allegedly is going to be saved, but we're not just talking about line items. We're talking about livelihoods, livelihoods of over 1,700 West Virginians.

You know just yesterday I believe he spoke about the West Virginia floods and how it impacted our state. Well I must share a story with you. When the floods hit, it didn't affect my area. I'm in the Northern Panhandle. It didn't affect me but a week later while everyone's in clean up mode I rented the largest U-Haul you could possibly get. I posted on Facebook. I said, "Hey Wheeling, let's fill this up." Took a picture of it out in front of my office. Took the day off, stood out front. Police officers, firefighters, who's pensions we'll be impacting, residents, they all came to the U-Haul. You know who came and stood there all day long, spent thousands of dollars to help fill it? Greg and Louise Strong, the Strong family of Wheeling. They stood there, kennel owners, and helped me load it all day long. We had so much at the end of the day. I drove down, I stopped in Clendenin and I was told, "Your truck's too big actually. You have so much, why don't you move on?" Then we drove into Clay County and I dropped all my goods off and the gentleman at Lismore Volunteer Fire Department. These people, they don't just ... and we've been sold the story that they're outsiders, they're out-of-towners, they're profiting off of our backs. That's just not true. They are residents. The Strong family moved here from Kansas. They were trainers. They built up their kennel from the ground level, husband and wife, from the ground level, built up their small business. Now they're one of the top breeders and kennel owners in the State of West Virginia. They raised three children, all of whom still reside in the State of West Virginia and went to West Virginia colleges. Those are West Virginia families. Those are West Virginia values. That's what we should instill. That's what we should ... we should really say, "That's how we should do things in West Virginia!" not cut it out. Not say, "You're not good enough." So, at the end of the day when you think about this disastrous bill and not just what it does to, not just my area, but your area. Think about how we're all in this together. Are we here to really say we want to cut jobs, cut families, cut small businesses? This isn't just a line item, it's the livelihoods of everybody up there who've

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been coming down here day after day after day because we've postponed this bill multiple times and I don't know what the motives were, but we've done it and we haven't done it on any other bill down here. It's a "no" vote. Thank you, Mr. Speaker.

DELEGATE FRICH. Thank you, Mr. Speaker. You know there have been some impact, economic impact studies done on the greyhound racing and it did show that live handle has declined, the wagering has declined, it's a lot less popular, it's a dying sport. The costs of regulating greyhound races equal the revenues generated by the greyhound races. The subsidies, even subsidies from the casinos to the races, cost more than the direct and indirect economic impact combined. It was revealed that there is a negative return on this investment. We did hear the report and the Chairman mention 95% of the purses subsidize and 65% of those purses are going out of state. To continue to operate under the current structure does not appear to be in the best interest of the West Virginia taxpayer. That's what the study ... that was the recommendation of the study. We heard today comparisons of hospitals to dog racing. No, we would not like to lose a hospital in our district because hospitals heal people. There's a reason that the dog industry has been losing popularity in this country, in West Virginia and in the rest of the world. As I said there is a negative return on investment in the dogs. I'd like to compare that to other things that legislators consider and do. We invest in higher education. WVU gets ten dollars back for every dollar we invest. The adjutant general, of course when he fudges a little and includes personal income taxes from the federal payroll, brings nine dollars back for every dollar. This is a negative return on investment, the greyhounds, negative. Now ... and in addition there's probably a reason the legislation is decoupling. We're not eliminating the funding to the breeders and the purses because if we did, you know, the casinos need them to exist. It's a decoupling. The casinos will be able to exist. I find it hard to believe what was said a few minutes ago on the floor about the lottery and table games revenues, the decline that was mentioned here. I don't think that that's what's going to happen. There's a reason, again that this sport has been banned in thirty-nine states. We really don't hear it here and I had to do a little ... when I read in the Spectrum report that

commercial dog racing was banned in thirty-nine states I didn't know why, so I had to look and learn and it ... there's some pretty gruesome things that you can find out there. But, in West Virginia seven thousand ... since 2008, seven thousand greyhounds were injured on the West Virginia tracks and of those 369 died. The delegate from Mason County the other day was trying to tell you about a 2005, the 73 greyhounds that died in a West Virginia kennel that went up in flames because of a faulty ceiling fan. Only five years earlier, 50 dogs had died from heat stroke when the air conditioner malfunctioned. The kennel was owned by the same man. Now these animals have thin coats and a lack of body fat making them very susceptible to temperatures and they race in the freezing cold temperatures. They race in severe heat, such as Florida where this sport is ... that's the biggest state for greyhound racing. A greyhound dies every three days in Florida. A greyhound died every day in 2014 and I could go on and on about how greyhounds are retired because they're not profitable, can't run fast enough and I'm not going to say that's happening in West Virginia. I don't know but there's a reason why people in this country don't like the sport and states have banned this sport. We're not banning the sport, but I think that's evidence enough of an economic ... you don't need an economic impact study when the breeders tell you if we don't subsidize the breeders fund or the purses that the sport can't survive. It can't survive in West Virginia because with the help from the casinos or the government, whatever you want to call it, there's a negative return on investment and that's including direct and indirect economic impacts. You know, I hunt. I've slaughtered animals on a family farm so I'm not like the most sensitive person to animals although I own cats and dogs and I would never do this to my cat or my dog, what's happening in this industry. Thank you.

DELEGATE WILSON. Thank you. I actually was going to keep my mouth shut because quite honestly, I am ignorant of the history of this and the research that I did confused me a little more and sitting here in this conversation, listening to this conversation has quite frankly added to the conundrum and I think I'm starting to get a real view of the way this thing works and how my principles and the principles of the people that elected

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me would apply to this. My good friend from the 4th challenged me to let my voice be heard and my good friend from the 3rd brought to my attention the fact that this does affect the people in my district. Now where I live, we're way out in the woods and we don't really have a whole bunch of industry of any sort but it seems to me very interesting that this process is actually owned by the people of the state. So, it seems to me that the money that's raised through this process belongs to the people of the state. It also seems to me, based on the principles that I adhere to that it is the responsibility of this body to manage the assets of this state for the benefit of all of the people of this state. Now I was listening to my good friend over here, and you made some good points about how this will effect a lot of the people in this state and how it will affect the state overall, but what I finally came to at the bottom line, after it became clear to me that the assets that we're talking about actually belong to the state ... to the people of the state ... the bottom line that I came to is what we're asking the state, the people of the state to do with their assets is to pick a winner, to invest their money via our offices to pick a winner out of all of the industries in this state. Based on that understanding I must vote "no" ... I'm sorry, I must vote for this bill. Thank you very much.

DELEGATE SOBONYA. Thank you, Mr. Speaker. The Gentleman from District 50th, or the 50th district, he talked about promises that the Legislature made. They made it to the people that breed dogs or for the horse industry, but I didn't make those promises and there is many new faces here that didn't make those promises. We can't be constrained by promises made by legislator and Legislatures in the past. We can only make decisions that are facing us today. Now, I've thought ... It's no secret I've been in this body for fifteen years and I have been not a big supporter of the gambling industry and I've even made warnings prior to my election and when ... since I've been elected as gambling was expanded over and over. We kept saying, well the camel's nose is going to be cracked open and it's going to be expanding and expanding and that's what's happened. Just for a little bit of history, in 1980 ... I think it was 1982 is when the voters of West Virginia decided to allow for gambling through the lottery and they went to the polls and they voted to amend the

constitution to allow for lottery tickets. That's what people envisioned in the 1980s, lottery tickets to help seniors, veterans and students. And then what happened, instead of expanding ... or asking voters to approve of casinos there was an end-run made around the constitution to say that casinos would be lottery. Well people thought they were voting for lottery tickets not casinos because I would imagine that that probably wouldn't have been approved in 1982 by the voters. Now let's put some things in perspective. We've got tough budget choices to make. We've got to come up with maybe 200 million dollars and we can go to higher education, I know the Gentleman from District 50 is ... district, I believe Fairmont State is there and I think their budget is about 15 million dollars, what we seek to bring into the general revenue. Are we going to go to the higher education and say, "We need your money, so we can protect this gambling, breeder fund?" Now let me just put another thing into perspective. The West Virginia Racing Commission gave out ten million dollars over the last two years through the greyhound breeders fund. Five million of that went to five people. Now there's only about 73 participants in this greyhound breeders fund, 73 people out of the whole State of West Virginia and five people received half of that fund, five. That's what we're talking about. Only seven states allow for greyhound racing in America, seven states. Now if we pass this bill to decouple it doesn't mean that greyhound racing has to end, it just means that they're not forced into this industry, into the casinos, that they can ... they can do it if it's a successful program and people want to see greyhound racing, then the casinos, if it's lucrative, they're going to keep it. It doesn't say that they have to end today. The Gentleman from the Eastern Panhandle from the 60th, I believe, he did reiterate the fact that ... you know we talk about subsidies. Well this, they say, "Well it's not a subsidy because, you know, the gamblers are paying for this." Well this is paid for and ... it's subsidized to the video lottery and the table games. Who owns gambling in West Virginia? Because we didn't amend the constitution to update it and say that casinos were allowed, the State of West Virginia owns gambling. We own it. Now we can decide whether we want to take money from Fairmont State or other universities, or we can say that we're not going to subsidize five people to receive millions of dollars. That's

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the choice we have today and I urge a strong passage of this bill. Thank you, Mr. Speaker.

DELEGATE FRICH. Thank you, Mr. Speaker. It was stated that the kennel owner that was disciplined for the 70 plus greyhounds from perishing. If he was disciplined, but five years earlier, 50 dogs had died in his kennels because of an air conditioner. This bill allows for a million dollars for the adoption and monies will be available for no kill shelters. As I tried to say before, you know, I eat meat, I hunt, I've slaughtered animals on a family farm but that's a use. That's food. This is something very different and I think we need to try to understand why racing has ... the interest greyhound racing has declined in West Virginia and why 39 states have banned it. I know you're concerned about what will happen to the dogs if we discontinue the breeders fund and the purses but currently in the industry the greyhounds are produced in quantities that require the disposal of surplus dogs and industry workers regularly ... now this is in the country ... regularly kill greyhounds who become injured, grow old or are deemed to be too slow or no longer profitable. Some puppies are even killed in the name of selective breeding before they even touch a racetrack. Now, that's what happens in this country and that's why 39 states have banned this sport and that could be part of the reason why it's not very popular here in West Virginia and why it's ... there's a negative return on investment. I would say that there's other things that West Virginia should be investing in and that's why this is not good for the taxpayers of West Virginia to continue doing what we've been doing as was found in the report.

DELEGATE FLUHARTY. Thank you. We just ... on April Fool's Day just tried to get fooled again. We were told that this only goes to a select few people and that only five participants or something. Well, I see more than the five participants in the gallery right now supporting the greyhound industry. I see a lot more than that. It's very disingenuous to say that only five people are making any money off of this. Their livelihoods depend on this. Their futures depend on this. That's like saying, "Let's eliminate the Powerball. How many power ball winners have we had in the State of West Virginia in the past year? Only a select few wins. Let's get rid of the industry!" How many participants did we

have? How many people rely in the industry? That is the question here today. We also heard numbers about this Grey2K stuff and animal abuse. I was going to ask the Gentlelady if she's ever actually visited a kennel. Just like every other industry it is regulated. Do accidents happen? Sure. They happen in the coal mining industry. We regulate it, we don't eliminate it. When the statement was made that forty ... thirty some states have banned greyhound racing, that's just incorrect. They have ... they're doing basically what we're doing today. You're allowed to race, but it's the pari-mutuel bedding that doesn't take place. That ... what they did is they just yanked out the lifeline. So, to get up and say that, "Hey guys! It can still exist." It just ... it doesn't exist because the Legislature did what they're doing ... we're doing today. We're taking their lifeline out from them. We're pulling it out on July 1st. You can still do it in other states. Fortynine, forty-nine out of fifty. You can still do it, but they've just defunded them and taken them away. It's the bedding process, it's not a complete ban. Ban sounds good though so we like to say that word. Thank you, Mr. Speaker.

DELEGATE NELSON. One thing, racing can still continue with this. You know you still have the live handle; you still have the ability to simulcast. This is just one of the three sources of funding. A lot of talk about the local share and whatnot and I'm sorry, maybe I just didn't pass our bucket bill to everybody of what would have supported in general by our gaming industry, and yes, the local communities receive a tremendous support from our gaming industry and most of that comes from the total gaming activity of the facility, not necessarily the racing. I tell you it's very difficult this year. I mean this budget, doggone it, there's not one easy decision with this thing. You know we look around and we do have limited resources this year. Just like many of our own ... our own back pockets, at the end of the day we've got to have ... we ask the question of priority and this happens to be a priority where we use a certain amount of state dollars to support a purse fund. So, the priority is, do we use this amount of money to support purses or do we look at our higher education and have an effect on that? Do we look at some of our health programs? And I can go through many of those and we've talked about those, but the alternative are some serious cuts to other

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areas that will also have serious effects on many, many citizens of West Virginia. Mr. Speaker, there's no easy decisions with this budget and I urge passage of this bill.

DELEGATE FRICH. Thank you, Mr. Speaker. It was stated that the kennel owner that was disciplined for the 70 plus greyhounds from perishing. If he was disciplined, but five years earlier, 50 dogs had died in his kennels because of an air conditioner. This bill allows for a million dollars for the adoption and monies will be available for no kill shelters. As I tried to say before, you know, I eat meat, I hunt, I've slaughtered animals on a family farm but that's a use. That's food. This is something very different and I think we need to try to understand why racing has ... the interest greyhound racing has declined in West Virginia and why 39 states have banned it. I know you're concerned about what will happen to the dogs if we discontinue the breeders fund and the purses but currently in the industry the greyhounds are produced in quantities that require the disposal of surplus dogs and industry workers regularly ... now this is in the country ... regularly kill greyhounds who become injured, grow old or are deemed to be too slow or no longer profitable. Some puppies are even killed in the name of selective breeding before they even touch a racetrack. Now, that's what happens in this country and that's why 39 states have banned this sport and that could be part of the reason why it's not very popular here in West Virginia and why it's ... there's a negative return on investment. I would say that there's other things that West Virginia should be investing in and that's why this is not good for the taxpayers of West Virginia to continue doing what we've been doing as was found in the report.

S. B. 222

REMARKS of MEMBERS *April 1, 2017*

DELEGATE CAPUTO. Thank you, Mr. Speaker. I rise in opposition to this bill. I don't know what system seems to be broken here that we're trying to fix. I do this for a living. I've been a laborer leader for a long time, rarely is there strikes anymore in the

labor movement. Most unions and their employees have good relations; we rarely see a strike. But in the event that there is a strike, there's already a process in place to determine whether or not those employees are eligible for unemployment benefits. Let's say for example a factory goes out on strike and they continue to work the factory with the management folks or replacement workers and the money just keeps pouring in to the company, but they won't bargain with the union and there's all kinds of unfair labor practices filed on that company because they won't bargain with the union, why should those employees have to be deemed ineligible immediately for unemployment benefits? They should have due process. The due process has worked for many, many years. You won't find many striking workers who are ever eligible for unemployment benefits. Now you'll find some and those circumstances certainly would dictate that, but I don't think this bill is necessary at all and let me talk to you about permanently replacing workers. Because obviously, the committee didn't do their due process when looking at what determines whether or not an employee can be permanently replaced. In the event of an unfair labor practice strike which you would have to determine, it would have to be determined by the national labor relations board if it is an unfair labor practice strike. Employees cannot be permanently replaced. If it is an unfair labor practice, strike employees cannot be permanently replaced. If it is an economic strike, if you're striking for economic reasons, economic issues, you can be replaced, and you can be replaced permanently. Now let me back up to the unfair labor practice part. You can be replaced during the course of that struggle, that dispute but once that dispute's over you have the opportunity to go back to your job. So that's what this body needs to consider also when they're making this decision. Mr. Speaker, when we talk about the lock out provision, I would hate to be the individual who showed up to work and have to prove that I was there. There's no provisions in this to make sure there's someone at the gate to see if these individuals showed up for work. There's no one standing there checking off names. It's going to be our work against theirs. They're not going to testify in court as to whether we were there or not. The burden of proof once again, once again is going to have to be on the worker. This is just, in my opinion, a very unfair piece of legislation to

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workers who in the event have to go out on strike to use the tool of withholding their labor ... of withholding their labor to get a fair and just contract. This system has worked for many, many years. I don't know anybody in recent history that's receiving unemployment benefits. I don't even know anybody in recent history that's been out on strike in West Virginia. They're so few and far between anymore but it does happen. I think it's unnecessary. I think it's a poke in the eye to working class West Virginians that happen to belong to and believe in labor unions. So, I would ask the membership to please vote "no". Thank you.

DELEGATE BREWER. Ladies and gentlemen, I'm also going to arise in opposition to this. Now we all agree. I agree. I think everyone in this chamber agrees that somebody who voluntarily quits their job or refuses to take a job should be denied unemployment benefits. But for us to pass legislation that I feel possibly contradicts federal labor law and to require workers, locked out workers to prove often impossible facts, to allow employers basically to starve workers out. Starve them out. Keep them locked out and deny unemployment. Starve them out and redefine in our code, contrary to what federal code is, what a lock out is. I think is wrong. I don't think any of that helps us. About a month ago, I stood on the floor and I spoke about the ... every county in this state, the unemployment rate went up, every county, all 55. Let's not add to that. Let's not add to that problem. If the unemployment rate is going up in our state, let's not deny the workers that need the relief their opportunity to get it. I would oppose the bill. Thank you.

**ALL REMARKS REGARDING
AMENDMENT AND PASSAGE
OF
COM. SUB. FOR S. B. 386**

REMARKS
of
MEMBERS
April 4, 2017

DELEGATE SHOTT. Thank you, Mr. Speaker. We spent a lot of time on this bill last night so I'm not going to rehash everything that was said last night. Hopefully, unless you're totally sleep deprived you'll still remember the high

points of the bill although I certainly will be available to answer specific questions. As you'll recall in the amendment stage we did make some changes to the bill that addressed some concerns that were raised during the debate. We cut the cost, involved both ... on all levels by half to the growers, the dispensers, the processors. We increased the maximum number of each of those facilities, the growers as well as the processors and dispensers to provide some additional locations for access in case the anticipated need is greater. Some of the concerns that were raised, both before and after caused me a little bit of concern in terms of the pricing issue because it really didn't address that yesterday and I want to mention to you that the bill does include some protection for the consumer, the patient that needs this product. It's found in section 16A-7-5 and I'll take a minute to explain that to you because we didn't talk about that last night. The bill allows the bureau, and that's the Bureau of Public Health, and the Department of Revenue to monitor the price of the product. That's at the grower level, the processor level and the dispensary including the per dose price and if the ... they determine ... if these two agencies determine that the prices are unreasonable or excessive, they make ... implement a cap on those prices so that that provides some level of protection for the ultimate patient that needs that. I think that is an issue, though that going forward, because these products are not covered by Medicare or Medicaid that we, as a body ought to be looking at. As you'll recall there's a ... basically a two-year phase in until this bill becomes fully operative and among the things we can ... there's a lot of flexibility in the bill in terms of the research and the effect the research can have on the inclusion of other serious medical conditions in the list. But as a body we ought to be considering ways that we can minimize the cost to patients who aren't able to afford the full price. So, that's something that we as a body can do going forward. As far as the policy is concerned, it's been really interesting to me the emails and texts that I've gotten since this bill passed and it's been sort of evenly divided between those who don't think we ever ought to let the genie out of the bottle, so to speak, and those that don't think we went far enough and as someone who mediates cases from time to time that tells me that maybe this is a pretty good compromise because nobody seems to be real happy on

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either side. I did get one that was kind of interesting, a fellow who suggested that my life expectancy should end today and the curious thing about that was I couldn't really tell from all the four-letter words that were interspersed among the message whether he was for the bill or against the bill, but he certainly was against me. I think we all know someone who has benefited from some application of marijuana or certainly could benefit based on the research that's available today. This is a very sensitive issue to a lot of people. We are not, though, plowing the ground in this area. Other states have ventured down this course. Some have stumbled along the way; others have managed the process better. As I indicated yesterday we modeled this bill after the last four states that are implementing it after great extensive research and trying to learn from what went before. I think this is a good bill. I hope that you will support it. I think that the time is now, that we have adequate protections and adequate flexibility in the bill to allow us to adapt to both changing medical science and to any problems that might be presented. So, for that reason, ladies and gentlemen, I endorse this bill and ask for your support and urge its passage.

DELEGATE LEWIS. I'd just like to tell you about a friend of mine. In 2015 he was diagnosed with type B large lymphoma and non-Hodgkin's. That was in January of 2015. He went through six treatments every three weeks and was in remission for a period of a year. He found out he had his cancer back in 2016. It was the ... or 2015, it was the ... I might have my dates mixed up here, but I think it was 2014-2015, the Thursday after the election he found out his cancer was back. He spent all last summer in WVU hospital, twenty-one days in the hospital, two months staying in Morgantown. So, that's three chemo treatments and a bone marrow transplant that this person went through. Not once did he ever need medical marijuana, so to speak, the smoking kind and from what I understand, talking to different doctors and stuff that medical marijuana has been available. It's just not smoking, so it is available for different instances and all that. For what I went through, and we are talking about me on this. I'm the one that went through this, so I can speak from the heart. Also, I have been diagnosed with PSD. I have never once had to take marijuana to get me through and I'm not saying, you know, a

pill's not ... that works on me is not good for somebody else. You got to experiment and that's what our doctors do, but just going out here and randomly doing this act of, you know, smoking marijuana and stuff, I don't think that's the way to go. Especially with the cancer patient that was brought up the other day that if there's any kind of mold or anything in that marijuana that you're smoking or dealing with, it'll kill you in a heartbeat. So, I'd have to oppose this just for that reason, that we need to do a little more research and all and I'm not against somebody going on out and doing whatever they have to do for their family because that's their life and I won't begrudge them for that. Thank you.

DELEGATE FAST. Thank you, Mr. Speaker. Lex Rex vs. Rex Lex. Law is king, or king is law? In June 2015 ... One thou ... 1215 ... June 1215, King John of England was forced to sign the Magna Carta and it became a rule of the land that the law was the king not the king ... the king no longer was going to be the law. A nation of laws goes both ways. Not only does the government have to conform to the law of the land but also the people, the people have to obey the laws and, in this situation, here, we have a federal law that West Virginia has submitted to in the past. We are under that jurisdiction, the federal drug administration and the DEA. It has worked well in the past. It has worked well. They approve, they test, they monitor, they go through trials and then if a drug is sufficient, safe, they will approve it and the people can use it through a valid prescription of a physician. We are changing that today. We're declaring that we are no longer a state under the law. We're just going to join 28 other states and say, "We're not going to obey the law." That makes no sense to me. If 28 people are going to jump off a bridge, are you going to jump off a bridge with them? No. Are we a nation of laws or are we not? That is the decision that you are faced with today and because of that Lex Rex, law is king. If we're not a nation of laws, then we are just a nation of mob rule. Because of that, Mr. Speaker, I urge rejection of this bill. If we're going to change the system, change it legally. Don't just pass a "state law" that just defies the law that we have agreed to submit to. It's the wrong way to go about it, ladies and gentlemen. I urge rejection.

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DELEGATE LANE. Thank you, Mr. Speaker. I wasn't going to get up today because I thought we'd all been talked out last night but in lieu of a couple of remarks from my colleagues, I thought maybe I should. Yes, other states have done this, and I think that the federal government could learn something from the states and so I could always hope that the federal government will follow what so many of the states have already done and before I go any further, I want to compliment the Chairman of Judiciary for what he has done and for what he has said. He has done a tremendous job on reforming this legislation and he is speaking in favor of it and he spoke in favor of the amendments last night that were good and opposed the ones that were bad and so this is a good piece of legislation. Now we might ... people might not be 100% happy with it, but folks, this is a lot further than we ever thought we would get this session and we all know people who are sick that can benefit from this or might benefit from it. Now, yes you could talk about maybe we should wait for the federal drug administration. Well folks if you're dying, it doesn't matter. So, if something can make you feel better and ease those last days, last weeks for the patient and for the members then we ought to pass it and we are down here to help people and we are down here to make lives better and why not give this piece of legislation a chance and we can always hope that the federal government will follow our lead. Thank you, Mr. Speaker.

DELEGATE LEWIS. We've been 50th in everything we do it seems like, in the United States. Why don't we be number one at getting this right with the federal government and the regulations, work and get it done right? I think that's the right thing to do. Like I said, I have nothing against taking care of stuff that you ... what your family needs done, but I'm also a firm believer in doing things right and I think the right way is to get ... work with the government, get this straightened out and then go from there. So, let's do it the right way. Thank you.

DELEGATE COOPER. It probably comes as no surprise that I oppose this bill. I've opposed it probably for 72 years. Having said that, this bill has not been proven to me that it will alleviate any kind of a medical problem someone already may have. Will it diminish the symptoms of some other

problem? Maybe, but there's a lot of things that will do that. What we're doing with this bill, my friends, is making another drug legal so we don't have to deal with the effects of it. Twenty years from now we'll be looked at as the Legislature that legalized something that we shouldn't have done. I don't want to be part of that. We hear a lot of talk about marijuana and how great it is for the veteran community. Let me tell you, I even heard the topic of 22 suicides a day from veterans' country wide due to PTSD and that marijuana was the big cure for PTSD. Ladies and gentlemen, there is no cure for PTSD. There is only learning to live with it and you can't learn to live with anything if you're under the fog of some narcotic. You can't do that. All you can do is learn to live less appropriately, all you can do. The veteran suicide issue can be answered by the paper in my hand. We now prescribe to veterans ever how many is on this page; Prozac, Zoloft, Sinequan, Wellbutrin, Valium, Ambien, Xanax, Morphine, Phentemal, Codeine, Ultram, Percocet, Vicodin. Veterans are getting these pills shoved in their hands at veterans' hospitals all over the country in combination with each other. That's where our suicide issue is coming from with veterans. Now, so we put another drug out there and say, "Okay, you can take that on top of all this other stuff." And then go ahead and drink a little alcohol with that. It's a deadly cocktail, folks, a deadly cocktail.

Let's talk about what marijuana has done to our population already in this state. The delegate from up Bridgeport way talked for the last couple of years about all those people, all those jobs in his area that no one would apply for. Seems as though we had in the neighborhood of 60,000 people able to work but not bothering to apply for work. One of the side effects of extended marijuana usage, folks is the killing or stifling of ambition. It doesn't do it to every marijuana user, but it does it to some and those are part of that 60,000 people that we cannot get to apply for a job. The other issue I have with taking this step in the direction of full legalization at some point is that we're going to put that many more people out here on the highway and in jobs, critical jobs where our safety is paramount and they're going to be less safe because they're not in the proper mind that they should be when they're performing that job. Folks, marijuana is not the key to the success of any program. In fact,

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five or six years from now we're going to be wishing we could put the toothpaste back in the tube or put the bullet back in the gun and it's going to be hard. We found out how hard it is when we tried to cut programs and agencies here to save the state a little bit of money, a little bit of money. We found out how hard that is. How hard is it going to be to undo this? I say the way to not have to undo it is to not take the step in the first place. As the delegate from Fayette pointed out just because one state jumped over the cliff, we don't have to. Mr. Speaker I urge a "no" vote on this bill.

DELEGATE MAYNARD. I'm going to tell you guys a story that has happened to me over the last year. My dad passed away November 17th, a couple of days after the election. He died of cirrhosis of the liver. Through this process, I've been to multiple hospitals across the state and out of the state. What really got me to support this issue was, I was sitting in a cafeteria along with medical professionals that all, you know ... they came up to me and we started a conversation just like I would with any of you. He looked at me and he said, "You know, I can't really tell you this and I'm telling you this as a friend that if you can find your dad some marijuana he might be able to cope a little bit better. Now it ain't going to fix the disease, but it might just help just a little bit." Well I don't ... I'm not here to tell you guys that this is going to fix the opiate problem in West Virginia because that would be naive of me because where I come from in Lincoln, Logan and Boone County, it's unimaginable what we go through. But I will say this. When that doctor told me that, it made me realize something, that maybe everything that doctors prescribe, maybe everything that the FDA does is not all great. Maybe it ain't all great. So, what I'm going to say is I support this bill because of that moment right there. Because it was a very big impact on my life and that's how I feel about it. Thank you, Mr. Speaker.

DELEGATE PUSHKIN. Thank you, Mr. Speaker. Not once this session have I got up and said I wasn't planning on speaking today, but I really wasn't planning on speaking today I felt that we had a pretty informative debate last night on the second reading. But upon hearing some of the information or mythology or ... I just want to say inaccuracies. Let's call them inaccuracies. I

just wanted to ... one of my favorite quotes is from Justice Lewis Brandeis. He said, "The statehouse laboratories are the laboratories of democracy." And I ... you know, I commend the judiciary staff and the Judiciary Chair for looking at different state laws. What other states have come online doing this and incorporating that into this version, which I felt we had a better version but ... into this version there was a lot of research put into that and in all that research and what we've learned what to do and what not to do from other states, what we have not seen is a state go back. We've not heard that any of these states felt like they needed to put the toothpaste back in the tube or a gun back in the bullet and I've talked to legislators in these other states and the reason they haven't is because the sky didn't fall. You know it wasn't the ... it actually had positive results from it and a lot of these states are definitely not going to be a ... having overly extended sessions or special sessions balancing budgets. But nobody's gone back and that's the truth, not ... nobody has gone back because it has been a positive step forward in these states and as a ... as the lead sponsor of the competing strike and insert, obviously, I felt that ... there's a lot of us who felt we should have gone on further. There are a lot of us that felt that this might not do enough. I can tell you as lead sponsor of that I support this bill in its current form because it is a step in the right direction. I can whole heartedly support this bill and for those who possibly supported that but don't support this bill, I can tell you with great certainty that this bill is not bringing cannabis to West Virginia because it's been here longer than any of us have been here. It has been here for a very, very long time. We're not bringing anything new to the state. What we're doing is bringing some of it ... some of it now, out of the shadows and the most important thing is we're going to be allowing some people to alleviate their suffering. We're allowing people to get some treatment instead of treating these people like criminals. I urge support for this bill.

DELEGATE HOWELL. Thank you, Mr. Speaker. I actually rise in support of this bill. I did a lot of talking to constituents back home over the past few days and a large majority of them wanted medical marijuana for the medical benefits. They didn't want recreational and they came from all walks of life including former elected officials,

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community leaders. They see the benefits. I believe even this body sees the benefits. A few weeks ago, we passed a bill that said when the DEA changed the schedule of cannabis oil, but we wanted it to be legal here immediately. I can't remember the exact vote but I'm pretty sure that passed overwhelmingly. It might have passed without any dissenting votes. That tells me that the people in this body actually see there are some benefits and the fear that we may have is going against federal law. Now, I'm not a doctor and I don't know all of the medical benefits. I don't know all of the medical downsides, but I do know that people at the end of life, it gives them hope. They've tried many other things that hasn't worked, they know this won't cure their problem, but it will make them a little bit more comfortable and if you've been with someone at the end of their life, you want them comfortable and that's why I support this bill.

DELEGATE CRISS. Thank you, Mr. Speaker. Many of you know that my family has been blessed with success. One of the things that we have in our family, 3rd generation, is a family bank, a community bank up in Williamstown, WV and my brothers and I direct how that bank is to be run and one of the things that came about because of the sixty-minute dialogue that was done on the cannabis situation in Colorado was the problem, like many of the casinos have around the country, is the storage of cash. Now what they found out from the community banks in Colorado was that the FDIC Insurance Corporation that insures your banks in your communities also came to those small community banks and told them, "If you are knowingly taking money from these drug deals, we will withhold your FDIC insurance." Well, please understand that every one of you have a community bank someplace within your districts. Now one of the things that they need to know is that if they get involved in this and the FDIC insurance company shows up ... corporation shows up, they could very well put a padlock on that bank. If it is a state-chartered bank, then then the Commissioner of Banking from Charleston will show up the next day and they will sell that bank to ... as a branch to another larger bank. So, this is information that you need to know as we go along with this process. However, you want to vote, that's fine as far as I'm concerned. But I think

your community banks need to know this and I appreciate the opportunity to tell you.

DELEGATE CAPUTO. Thank you very much, Mr. Speaker and I certainly rise in support of this bill and I want to begin by saying if I offended anyone in my remarks last night I ... that certainly was not my intention, particularly you, Mr. Chairman. I know how hard you worked on this bill, but I truly did believe that if this bill went to the Senate they wouldn't accept that, but now it seems to be ... maybe that attitude has changed. So again, if I offended anyone at all I certainly apologize for that. You know I never thought that I'd ever get to see this debate let alone take part in it. I mean it's incredible. You've heard my stories on the floor and, you know, my best buddy, Mike died of breast cancer and had to send his daughters out to buy marijuana for him and how he was ashamed of that and I talked to you about a gentleman who was on Hospice and I don't even know if he's still alive today but he told me he didn't have much time left on this earth. If we could do anything to help other people, we need to pass some kind of medical marijuana legislation. I told him I just didn't know if that day would ever come, at least while I was around, and I shared with you a story that I didn't even know about until the other day about a young lady that went to high school with my daughter. I worked in the mines with her dad and she sent her dad out to buy marijuana for her, so she could have a little better way of life while she was going through her treatments. So, you know I'm honored to stand here today and cast my vote to try to help some West Virginians. Now this ... everything this bill ... things I like, no. Do I think there should have been some other provisions in this bill? Absolutely I do, but, you know, we're here, we're having this debate. We're taking some steps which I believe moves us in the right direction and there's research ... more research comes through and we see the trials and tribulations, I guess that happens in other states, maybe we'll make some adjustments but, you know, I guess you can't build your house until you build your foundation so hopefully this is a foundation for a better West Virginia, a healthier West Virginia and just to alleviate some suffering of people that we all know and love.

Everybody has stories whether you're for the bill or against the bill, we all have stories

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and you know, I am kind of ... I guess perplexed when we use the federal government argument because sometimes folks stand on this floor and argue, "The heck with the EPA. The heck with the federal government. We're our own state. We got to do what we have to do, and we shouldn't worry about that." But sometimes we argue the opposite side of that and say, "You know the feds hasn't legalized this so we shouldn't either so ..." But I think we just got to set all that aside and look at what this is intended to do and that's help West Virginians. Help people we know. Help people we love and make a little better way of life for people. So again, Mr. Chairman, particularly you, if I offended you I apologize for that. I certainly would never question anyone's intentions in this house. That was just my thoughts on that and let's get this bill over to the Senate and hopefully they'll accept it and hopefully some people can have some relief. Thank you, Mr. Speaker.

DELEGATE AMBLER. Thank you, Mr. Speaker. Speak to the bill? I suspect I'm, like many of you who, in the last 24 hours have sat back and you've either decided that you're a yes or you're a no or maybe you are a maybe. In dealing with this, often times when I run into situation like this I find myself looking back through history and having been a teacher for a number of years I tried to go back to find circumstances that have forced people to make decisions and of course, you know, the first one we talked about here is citizenship and things. I looked back in 1775 and I find that 50 some men or so, decided to do a Declaration of Independence knowing fully well that that declaration was against the law of England and throughout history through the 1800s we've had numerous other opportunities when men had to stand up and make decisions that were going to alter the course of history and of course as you come through ... into the 1900s and now into 2000, we're now faced with the decision on what we're going to do. Whether we're going to move forward or stay status quo.

As a teacher in history I often said that there is a rule of law. We all know that. That states normally succumb to the rule of the federal government and their laws and I've taught that on more than one occasion. In 25 years, I said, "You know, that's the supreme law that we're talking about." But I also

taught something else, that when things aren't quite right the population has to stand up and try to make adjustments and I think we're at that point in time. We're going to have to make an adjustment here folks. It's not status quo anymore. When I look back through history and my own ... I remember watching Old Yeller and I'm not ashamed to tell you I cried when Old Yeller died. I'll tell you that. I did, and you know the sad part about it is if I watch Old Yeller tonight I probably would cry again. You see I have compassion. I think we all have compassion to our fellow man and if this is a step in allowing some compassion, something that will make their lives easier. This bill doesn't go everywhere. I can tell you, I ... the phone calls I've had today and the emails I've had today tell me that, "Hey, you didn't go far enough. You didn't go far enough." We took the first step. We're taking the step and trying to right this situation to make life a little better for those here. Am I scared that we're going to turn lose the recreational marijuana? Scares me to death. It scares me to death, but you know, I don't know what tomorrow's going to bring. I don't know what next year will be or ten years from now. We're here today, we're faced with a decision. Legalize or turn it back? Today ... I've told my kids I'd never go with legalization of recreational marijuana. I stand behind that. I also told my kids that if there's an opportunity to legalize marijuana for a medical reason, that I would support that, and I support this motion ... this bill today. Thank you, Mr. Speaker.

DELEGATE SHOTT. Thank you, Mr. Speaker and to my friend from the 37th, I agree marijuana is here. It's been here for a long time, probably before I realized it but what's not here, what hasn't been available is a protection for our physicians to use it as a tool to treat those who need it and isn't that what we really want? Don't we want our trained physicians to be able to use any tool that's available to assist and relieve the pain of their patients and that's really what we've done here today if we pass this bill and we've established a structure that will guarantee that that medication is standardized and regulated and predictable and the dosage is like any other medicine and we have in effect empowered our physicians to use this medicine ... and it is a medicine and I'm going to quote from you one study ... you can go out there on line and find all types of study. This is from the American Medical

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Association 2015 and their findings. "Use of marijuana for chronic pain, neuropathic pain and spasticity due to multiple sclerosis is supported by high quality evidence, high quality evidence." So, shouldn't we give, based on studies like this, shouldn't we give our physicians the authority to use that type of tool to help their patients? And that's really what we've done, and we've instilled in this structure protections to be sure this is not abused and that it's used properly and for that reason, ladies and gentlemen, I strongly urge that we give our physicians this tool, that we pass this bill and provide some relief to those who can benefit from it.

S. B. 621

REMARKS
of
MEMBERS
April 5, 2017

DELEGATE LOVE. Thank you, Mr. Speaker. I'd like to speak for the Gentleman's amendment. When I was in the State Senate I represented Richwood for ten years and this is not the first time that this part of Nicholas County has been hit by a flood. The Cherry River that runs through Richwood has flooded many times and hits many people and I've seen those particular people ... if you want to describe true mountaineers, you could say the folks of Richwood are true mountaineers. I've seen them carry food to their neighbors. I've seen them help rebuild their neighbor's porches. I've seen them carry gravel, red dog, if you know what red dog is. I've seen them work together to replace the parts of Richwood that was devastated by flood waters of the past. Again, they're true mountaineers and they're proud people and if they lose that school they're going to feel like they lose a part of their community. I mean people that live in Richwood are what I refer to as people that are the salt of the earth. They ... they're just good ... they're good people. They live good. They respect one another. They respect their neighbor, plus Richwood is known as the Ramp Capital of the World and if you know what ramps are and you like them, well you're one of the folks that goes every year to the Feast of the ... whatever they call it over there, but people from all over the world come to Richwood, West Virginia to eat ramps, ramps and fried potatoes and

scrambled eggs with them and an onion or two. Anyway it gives you the true culture of West Virginia and West Virginians and for them to lose this school, they're going to lose their identity or they're going to feel as though they lose their identity and they will lose their identity when you really come down and think about it and if you've ever been to Richwood, and all of you should go, it's nestled right as the ... you could almost say the gate of the Monongahela National Forest. It's one of the most scenic places that you'll find in central West Virginia and what this Gentleman is talking about, the school. Those people feel betrayed. I was over there about a month and a half ago and I was talking to some of my old friends and they were telling me the story that he is telling you tonight and they feel betrayed. They feel like someone has lied to them, just let them down and I'm not going to get into the state board and the local board, but you can take my word for it that they feel like they've been betrayed and I would hope that you would vote for this Gentleman's amendment because you'll be doing those proud mountaineers of Richwood a good service. Thank you, Mr. Speaker.

DELEGATE COOPER. I'm the one ... I'm the one in committee who raised the initial stink over this because it didn't seem right. But after we studied it a little bit and I heard from a few other people I realized what had happened. The county board of education had made a decision, as they are ... ought to do, and then some other folks didn't like the decision and started pulling some strings to maybe, possibly change a rule in midstream to keep the county board from carrying out their decision and so it's my position and it's my recommendation to, not vote for the Gentleman's amendment but to wait until tomorrow and vote this bill up or down. Thank you, Mr. Speaker.

UPPER BIG BRANCH MINE DISASTER

REMARKS
of
MEMBERS
April 5, 2017

DELEGATE ARVON. To the members of the House and to our visitors: Today is the anniversary of the Upper Big Branch Mine

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disaster which occurred on April 5, 2010, in my district. Let us always remember and never forget those whose lives were lost and the families involved who are and will always be grieving. I, along with the other members of the Raleigh County delegation, would request that the members of the House and our guests stand together for a moment of silence for the family members lost and those left behind. Thank you.

And, Mr. Speaker, one more thing; I would like to let the members of the House know that the Gentleman from the 30th has passed out, on each one of ours desks, the names of those lives that were lost on that day. Thank you.

DELEGATE BATES. Thank you, Mr. Speaker. April 5th for me and for many will never just be another day because of the anniversary of UBB.

Seven years ago, today, 29 lives were lost in an explosion underground at the Upper Big Branch Mine, and, as the lady indicated, there is a copy of the program from the first anniversary on the desk that lists the lives of the names of these men.

Mr. Speaker, a few minutes ago ... a few moments ago, we stood, and when we stood, we not just honored those men, we also acknowledged the thousands of coal mining fatalities that have occurred in the history of our state. We acknowledge the great debt to those men and women that go beneath the earth each day to work to produce the coal to make the steel, to make the power that drives this nation and their contribution today and always to our state.

We also remember how, seven years ago, we came together at a time of great sadness to lean on each other in a unique and caring way that is West Virginia—to support friends, family and neighbors. When we stood, we also remembered, that when our nation and the world looked at us like at no time in our history, they saw what we know and experience every day is that West Virginia is a special place and West Virginians are special people.

When we stood and remembered the 29, we also honored those present and past who cut the coal and whose lives that cut short by

disaster and disease. When we stood, we remembered; what is remembered lives on. Let them find rest for their labors, for their works that come with them. Thank you, Mr. Speaker.

HISTORY OF MINE DISASTERS

REMARKS

of

HON. MIKE CAPUTO

April 5, 2017

DELEGATE CAPUTO. First of all, I want to thank the Gentleman and the Gentledady for reminding us of that tragedy that day. You know ... it was one that will forever be marked in our hearts and souls, and a lot of safety legislation came out of that tragedy. You know, I've been a coal miner pretty much my whole adult life, and I've had the privilege of working for the mine workers for the last 21 years. And, you know, unfortunately, good legislation comes out of bad things.

You know, I've been ... as I was a child, I remember the Farmington No. 9 disaster, 1968, where 78 men were killed, 19 of which are still entombed in that mine, Mr. Speaker, was never recovered and created the 1969 coal mine health and safety act, which, in fact, has saved thousands of lives since then. And, in our legislative careers, we all remember Sago and Aracoma and Upper Big Branch. And, you know, I just want to remind the body that, unfortunately, in this very volatile and sometimes violent industry, the only time we get new safety legislation written unfortunately it seems to be written in blood by those who have died.

So, you know, when I talk to family members and I try to console them, I try to always promise them that that miner didn't die in vain. We're going to try and make something good and protect another family from going through what your family unfortunately had to go through in that tragedy.

So, my point, Mr. Speaker, is I want to take this opportunity to not only stand and honor those who passed away at Upper Big Branch and all the tragedies that West Virginia has suffered throughout the years.

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You know, there's been a lot of miners killed in this state, and some people say that, you know, we got too many safety laws and we need to roll those back. Well, those safety laws were written because we've killed so many miners and we need to keep that in mind.

And I think we always need to be forever vigilant, and we all need to be proactive when we talk about coal mine health and safety. You know, sometimes we get on a good run and there's not ... there's a low number of fatalities, not only in our state but across the country. Well, we need to hope that's because we got good safety laws in place and we work hard to protect those coal miners and their families, and we want to make sure that when that coal miner leaves in the morning that he gets home to his or her spouse in the evening.

And so I would just ask the body to please remember that as, you know, safety bills come through this House, as safety bills come and go, that they're there for a reason and most of them were written in blood by the unfortunate events of someone in our neighborhood, in our state ... so please keep that in mind and let's never do anything to lessen or weaken health and safety in the workplace whether it be in a coal mine, in a factory, in an office ... we should always stand strong to protect West Virginians. Thank you, Mr. Speaker.

COM. SUB. FOR H. B. 2018

REMARKS

of

HON. RODNEY MILLER

April 5, 2017

DELEGATE R. MILLER. Thank you, Mr. Speaker. A lot to talk about, along the way, and I do appreciate the work of the Finance Chair and the committee that I'm sure have put in long and arduous hours working this up. I know that, along the way, being a freshman, when we were asked what committees we wanted to seek, and I put down Judiciary, I had a few ask me, "What are you thinking, are you crazy?" I said, "Well, it could be worse," and when I asked what worse ... it could be Finance, with what they have to deal with.

I've watched the last year, before I ran for this office, during the special session. I kind of hung around and was asked, "Why are you here; you're not ... do you have something going on, do you have a bill?" "No, I want to see what is going on because I'm genuinely afraid and have concerns that what is taking place in 2016 is going to be pushed to 2017. And if I'm fortunate enough to be seated, I'm going to have to make a decision." And here we are.

I don't stand here and claim to be any kind of a budget expert, and I can't tell you that I've got all the answers. But when the question came up with a motion from the Gentleman from the 36th, it made me think about lots of things when it comes to our educational system.

It appears, with the zeroing from our community and technical colleges especially, that it's a ... it's got the potential to hit some of the more needing areas of this state disproportionately than it will have others. I'm sure that along the way when this ... when these amendments took on a life of their own and we immediately ... immediately started going into a turf battle, immediately started going into a turf battle. And the lobbying hasn't even started with the higher HEPC. ... It hasn't started with a CTC, and, you know what the lobbying is like, because we experience that.

That's what I'm afraid is going to start happening if they have that lump of money and then every institution starts fighting for their own livelihood. We've already saw it. We've already saw the Eastern Panhandle. We've already saw WVU. We've already saw Marshall. We've already saw the argument over those that have the most students should get the most amount of money. I'm sure the folks at WVU and Marshall were very, very happy to hear that roll out, because those are our two largest.

Our students in West Virginia are not always suited to go to WVU. They're not always suited to go to Marshall University. And in total disclosure I've got one at WVU and I've got one at Marshall. So, our pocketbook goes both ways in the state. So, that won't ... as far as my family is concerned, if we go down that road, it doesn't affect me, but that's not the right thing.

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We need to be fighting for all of our schools. And while I don't want to attack any of the character of anyone that's on the CTC or the ATPC because I don't know any of those individuals, and I didn't look at the list of them intentionally because I didn't want to even put that thought in my mind as to who these people are, and can they be influenced, and then the lobbying that they're going to have to endure ... that's a burden on them.

If they have to have this pot of money and decide in the State of West Virginia who's going to get it and who's not ... that's a burden. ... That's a burden on some individuals that I don't think I'm ready to put on them. I can see favoritism take place ... the potential for favoritism, I guess I should say. People that make up a committee, if they're a graduate of WVU, where they going to lean? If they're a graduate of Marshall, where they going to lean? Concord, Fairmont, Shepherd ... pick one. Where are they going to lean?

You mention a basketball game, or a football game and this building erupts and starts ... gets ready to throw down and go into WWE wrestle mania. But you throw money into the mix, and what's going to happen? I think it's going to get worse, and I don't think it's fair to put them ... to put that to them, to be honest with you, and right now in West Virginia the crucial time that we have in our state ... I don't think now is the time to play a political football with what we have called time and time again the most valuable resource the State of West Virginia has, and that's our youth.

And that's who we're getting ready to mess over. That's who's going to be the most impacted. We have individuals. ... We have students that come out of high schools, or even when they're in high school, they take college classes. They're working toward their higher ed degree while they're in high school, and if these small community and technical colleges close, what are they going to do—an online class? I'm not sure that's the best avenue to take.

There are some that are not suited for the larger universities and fit very well in the community and technical colleges. Once they see that they can do this after they have been beaten down in our communities with such a

negative attitude, once they see that they can do this, once they see. ... I'm not sure of the right words ... that they can succeed, that they are somebody. What's to say they can't go on.

There's a guy ... he's an older guy that graduated from a small single A school in Boone County ... Van High School ... left little Van High School, went through Marshall University, and ultimately ended up with scientists that started the Huntsville Space Center. Who would've thought he could have done that? Maybe he didn't. Maybe he got that taste, and that's what we've got going on. That we've got that ... we've got those students in our state, and we have to tap their abilities and we have to keep them here.

The reason we're the oldest population or the second oldest population in the United States because we're running everybody out of here. We're running our talented people out of here instead of working to keep them here. And we have to have a trained, educated workforce to be ready for those people that want to come to West Virginia and work.

I make no bones about it ... we have a Rock Creek Industrial Park that's ready to launch in Boone County. Now, I know that I'm going to be criticized for saying that from some of you, because you simply don't care because it comes from Boone County. I've heard the backroom comments from people that don't necessarily know where I'm from or who I am—some from even in southern West Virginia. Well, I hate to tell you, southern West Virginia, you're getting the same comments talked about you from other people in the state. I hate to tell you other people in the State of West Virginia ... you're getting that from all over the United States.

There is nobody outside of these borders that really care about us except us. It's time for us to step up, do what we need to do to take care of the State of West Virginia, and, by running our students, our talented future, out of here is the wrong way to go. And I see that the beginning of this starts with dumping all of this money with the ATPC and CTC and letting them be the arbitrator of what goes and what closes and what stays open and what flourishes. If we have already started

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that argument in this chamber, what's it going to be when they get that pot of money? I think that's a bad move.

It's interesting that we are giving them the pot of money to let them be the arbitrator, the disseminator of this funding, letting them be the ultimate choice when, at the same time, during this legislative session we had, if I'm not mistaken, we had some legislation proposed to actually either get rid of or completely, alter significantly, change the CTCs and ATPCs in our state. Now, we're going to give them all this power and authority and money.

It's very confusing with the consistency of what we have going on in this body—the CTCs especially ... especially those. And I'm going to emphasize those in the southern part of West Virginia. Those coal miners that have been significantly impacted, the other industries that have been significantly impacted, that we're getting some federal moneys for retraining and retooling and reeducating these old coal miners to get them out in the workforce and make something else out of them, where are they doing this? At the CTCs. They're doing it on the local level.

They're working their self-hard to try to get this accomplished, and if we take those facilities away from them, we're taking a potential livelihood away from them. Is that a jobs bill? I think it probably is, but it's a negative because we're not giving them the ability to go out and get trained and educated to where they can do something else. I think we're making a mistake.

When it comes to the closure of schools, colleges, universities, community and technical centers, and, I'm not trying to make an accusation, but we all hear the rumors when things start happening here that there is potentially a move afoot that some people think that some community and technical colleges and even some colleges and universities might ought to be closed.

If that's part of the plan, and I'm not making that accusation, but if somebody has that plan, they need to own up to it, put the pen to the paper, and own it and take responsibility for it, and say, "I think 'facility A' ought to be closed," and before we do that, drive up Route 61 from here, ask the people

from Montgomery what that feels like. Just ask them. Drive through town and check and see what they think about that.

I believe that this is a more ... to probably expand along this a little bit ... I believe this is a more of a "all hands-on deck" approach. I ... it's kind of a running joke with some of us ... some of the friends that I've made here. I might have the record for this session of the voting on both sides of the aisle, probably making both sides most mad at me than anybody in the chamber this session.

But I believe that we can't cut our way out of this. I can't believe we tax our way out of this. I think it's all-of-the-above approach, and we've all got to work on this. And I'm not sure that this gets us there, and, Mr. Chairman, I would have looked at this earlier, but I've got a chairman of Judiciary that's kept me just a little bit busy. So, I'll apologize for that if I'm making comments that are a little bit out of line on that, but I wouldn't trade that committee for anything.

We have a ... I heard one comment that kind of stuck with me that brought up a different thought process, and I'll end with this. A comment was made, "Well let's try this." We have fought and fought and fought and discussed and beat it into the ground over opioid abuse in the State of West Virginia. I submit to you that, in a lot of cases, unless they were injured, and they had problems getting off of their addiction and things like that ... they may have started there, but somewhere along the line there's been a substance abuse problem that started with the phrase, "Let's try this" and we see how that's working for the State of West Virginia.

I think I've went on long enough, but, respectfully, Mr. Speaker, I would have to oppose the passage of this bill.

AMENDMENT TO S. B. 621 OFFERED BY DELEGATE LYNCH

REMARKS

of

HON. DANA LYNCH

April 6, 2017

DELEGATE LYNCH. Thank you, Mr. Speaker. This amendment, all it does is add a

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word. It strikes out one word, one little three letter word, the word "not" and what it basically does ... it says the state board does have authority. They've always had authority to oversee the functions of county boards of educations and there's a lot of federal and state money that comes down to school systems and it comes through the state board of education. So, they oversee all of this. Do you think that the federal government is going to send money down to the county board of education without anyone overseeing it or approving it or okaying it? That's been the process for years. So, in 2016, in June we had a terrible disaster in West Virginia. We had a flood. Richwood was hit just about as hard as any community in the state. Water ran down Main Street and boulders the size of these chairs, ditches three and four feet deep was cut out of the pavement in the middle of Main Street. They got a few inches of water in the school and FEMA says, "You can't use them." They could have been cleaned up in my opinion, but they were now for the first time in history in a flood zone. So, FEMA says, "You can't use them," and now we got about a 110 to 120 million dollars coming from the federal government to build new schools in Nicholas County, in Summersville and Richwood. Now they've had two high schools over there forever and like the Gentelady said Richwood ranks up near the top for Class A school. We had a presentation out here in the hallway over on the Senate side back close to the start of the session and every school in the state that graduated more than 90% of their students got an award. Richwood High School was 97 plus percent graduation rate. Summersville was 90 and I'm not taking anything away from Summersville, that's a difference in the two schools, but both of those schools were better than 90% graduation rate. So, we're going to stick them together. Everybody knows bigger is not always better. This certain person who introduced this legislation went to Richwood shortly after the flood and said, "Don't worry, ladies and gentlemen, we're going to take care of you. We're going to build your schools back in your communities. We're going to take care of you." So, what's he do? He comes down here and introduces a bill that says, "We're not going to do that. We're taking the state board out of the process so that you all can't have a school anymore. We're going to move it over to Summersville." My delegate from ... my

friend delegate from Summersville, I don't have anything against Summersville but right's right and wrong's wrong when these people fight hard over there at Richwood. It's a great community, one of the best places in the world and if you had ever ... if you'd been there you know that. But if you haven't I ask you to drive over there and take a look around and look at the devastation caused by the flood and they're down. So, what are we going to do? Kick them when they're down? Are we going to pass a law that says, "You can't keep your school."? I don't think so. I beg you, ladies and gentlemen, to vote for my amendment. Thank you.

ANNIVERSARY OF WORLD WAR I

REMARKS
of
HON. RON WALTERS
April 6, 2017

DELEGATE WALTERS. Ladies and gentlemen today is a historic day. One hundred years ago today, America entered World War I and a lot of West Virginians had the opportunity to serve in that war and do brave and courageous things. I want us to think about what it would be like 100 years ago, when we, as a nation had more than 50 years since our previous war or actually ... and only five years since our Spanish American War, go back to war again to lead our country and to help America and Europe to win that war. I want to take a minute, and I hope you'll indulge me just a little bit. I want to talk about a couple of the West Virginians that had the opportunity to serve in that war and I'm sure every member here can talk about their ancestors who had the opportunity to serve during that war. My great uncle ... I had four great uncles that served in WWI. John William Link served as the chaplain at large from the beginning of the war to the end. Adam Baker Link served in Company D of the Second West Virginia National Guard at one point on the Mexican border, but later was transferred to France and served from 1917 to the end of the war. Dennis Daniel Link had the opportunity to serve in the 149 Coastal Artillery. He served under General Pershing in France and fought in Tsar in the Battle of centenary, the second Battle the Marne, the Battle of Saint-Mihiel, and the Argon offensive. He was stationed in the Argon offensive from January 21st of

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1918 to Armistice Day, November 11, 1918. All these gentlemen were born in West Virginia in Jefferson County and I want to mention William Harmon Link who in the last assault in the Battle of Argon was wounded and died four days after the Armistice in France. I have some other cousins that did a number of notable things during that war all from the Eastern Panhandle, Charles Town, Bakerton, Bardane and I could talk a little bit about them. I'm going to talk about one other person. His mother was born in Charles Town, WV, William Grove. Well he got the medal of honor serving in the Spanish American War. I think what I'm most proud of is the fact that during WWI, Mr. Herbert Hoover, is the way it's listed in my family tree book, asked him to take over the total relief of the country of Poland and during that relief he fed more than two million people. In twenty-eight hundred and seventy towns, in twenty-eight hundred and nine kitchens and finally, a young lieutenant colonel whose mother, while not from West Virginia, was part of the West Virginia roots family. A young lieutenant colonel in the tank core, Dwight David Eisenhower and with all that history and all the soldiers that fought in WWI, I hope today we will remember with pride the service, not just of the people I mentioned, but in your families too and I just wanted to take a minute to say that many families have sacrificed and given members to this country over the years. That was the war to end all wars and we all remember famous songs that came from there, "Over There" and "The Boys Are Coming" and on and on. So, I hope we'll remember today was the start of that conflict and I hope we'll never forget that when America's been asked and needed, we've always delivered. Thank you very much for your time.

AMENDMENT TO COM. SUB. FOR S. B. 412

DEBATE
by
MEMBERS
April 6, 2017

DELEGATE G. FOSTER. believe it was by an amendment by the Gentleman from the 50th and ... based on fixing the problem you created. I've got your back.

DELEGATE CAPUTO. I'm going to take that as a yes. You're putting back the language we took out in committee, right?

DELEGATE G. FOSTER. That's correct. I've got your back.

DELEGATE CAPUTO. Okay. Well, you don't know how much I appreciate that. Thank you. Mr. Chairman, would you yield to a question, please?

MR. SPEAKER, MR. ARMSTEAD. Gentleman yield? Gentleman yields.

DELEGATE CAPUTO. Mr. Chairman, did I hear you say you supported the amendment that the committee took out?

DELEGATE HOWELL. Yes, sir.

DELEGATE CAPUTO. And could you explain your reasoning for that?

DELEGATE HOWELL. It goes with the original intent of the bill.

DELEGATE CAPUTO. I'm not sure I follow.

DELEGATE HOWELL. I've got your back too.

DELEGATE CAPUTO. I'm still not sure I follow. I mean a committee process ... and I'm not sure how you voted. I don't even know if it was a roll call, but the committee took this language out of the bill and now you're defending putting it back in?

DELEGATE HOWELL. It fits with the original intent that was not unanimous.

DELEGATE CAPUTO. Thank you, Mr. Speaker.

DELEGATE BREWER. Thank you, Mr. Speaker. Would the sponsor to the amendment to the amendment yield?

MR. SPEAKER, MR. ARMSTEAD. Gentleman yield? Gentleman yields.

DELEGATE BREWER. The Gentleman from the 50th asked my first question. That was going to be my first question. I find it odd that we're returning it back from a 15 to 10 vote

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and with the press association testifying in committee about all the problems it would cause for them. I guess, though, just a couple of quick questions for you. Does your amendment to the amendment, returning it back to the original intent, does it make our government more transparent or less?

DELEGATE FOSTER. What it does is in the original intent ... that it creates a conflict where we're disseminating wages under one section but not the other.

DELEGATE BREWER. Does it make government more transparent or less?

DELEGATE FOSTER. I think, you can say it's government transparency, but what it does is prevent ... for example, last year we passed the ... basically where prevailing wages are no longer required on projects. I'm sure you're aware of that, but what it is, is we're still collecting this wage information when it's no longer necessary for the ... because the prevailing wage no longer exists.

DELEGATE BREWER. Does the bill now require a court order for taxpayers to see where their money is being spent?

DELEGATE FOSTER. No, it does not. What that language is ... there's the court order in there because ... and I didn't explain this originally. My amendment also carries forward something that was in the language, added in "in Gov Org" to basically ... for one, I added two exceptions because we want to make sure that government can do their job within the agencies. First off, we added, "shall not disclose except to another government agency to the extent necessary for the agency to carry out its statutory functions," because I believe that's something we need to allow ... that dissemination of wages there. Also, we added in, in the bottom section, it's an added exception. Basically, because the worry was the original bill that came over from the Senate was that by court order ... for example, if somebody had a family court order that they were ... said you must pay this amount or whatever, but they wanted to make sure what they were actually being paid. For example, they may have lied on their form when they were filling it out or they're concerned about that or there's a ... basically the court could petition to get these wages to

see what they were actually being paid. I believe that's a necessary exception to this part of the bill.

DELEGATE BREWER. Thank you. At the proper time, I'd like to speak to the amendment.

MR. SPEAKER, MR. ARMSTEAD. Gentleman may proceed.

DELEGATE BREWER. Folks, I'm going to rise, obviously in opposition to the amendment to the amendment. You know, the jobs act ... and I'm glad that the Gentleman brought up that the prevailing wages are no longer an issue so it's not necessary. As a matter of fact, I think that's the entire reason that it's necessary to have public disclosure. It's all about transparency and what we're doing with the taxpayers' dollars. Now, you might say, "Well, the government ... we contract the staples to buy pens and paper and all of the necessary supplies and we don't see anybody's wages there. It's different in construction. What you're purchasing in a construction project is labor. You're purchasing labor and I think the people that are footing the bill for that labor have the right to know what they're paying for. They have the right to know. So, it is all about transparency and, Mr. Speaker, I hope you give me just a little bit of latitude here. Last year I was here at the Legislature, not in one of these seats, but I was sitting in the gallery and I was called a free loader. I didn't much appreciate it. As a matter of fact, that's one of the big reasons why I'm on the floor today, because that inspired me to seek office and I listened to all these tales about how we're going to build four schools for the price of three when we get rid of this prevailing wage. Four schools for the price of three, that's 20% to 30% savings and I saw in the Senate chamber and a public hearing folks like Swope Construction, Jarret Construction, one right after another talking about the huge savings that we were going to experience when we repeal prevailing wage. If that was true, by the way, there'd be about 200 million more dollars in play for our budget that's not there. So obviously, it didn't work. That did not work, promises of 25% to 30% savings. Now, I'm going to give you a few examples, and the reason I'm going to give you the examples is because this public information allows us to know. It allows the public to know what's happening

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with their money. Bolton Middle School: Swope Construction, who testified that they were going to build four schools for the price of three, 10% higher with no prevailing wages than a company that pays prevailing wages, 10% higher. Wonder how that happened? Andrew Heights, right here in Charleston, Flint Construction: You got to go all the way down to number five, the number five bidder to find Mr. Swope and his company ... \$250,000 higher. How do we know that? Because we have transparency. Right now, we have transparency that we're trying to get rid of. Potomac Intermediate School over in Berkeley County: That superintendent said that there were significant savings on that school. Well the job was estimated when prevailing wage act was in place at \$961,000 and the bid came in after the repeal at \$986,000. Not a 25% savings, a \$25,000 addition without prevailing wages and, by the way, with this information that you can now get as a taxpayer to see where your money is being spent, the folks on that job were from Florida. They were from Virginia. The wages were \$16 an hour less than a prevailing wage contractor and no benefits were paid. Ceredo Kenova: Neighborgall Construction pays more than prevailing wage, by the way. Beats Swope by \$365,000, beat Jarret by \$448,000. Two contractors that stood across the hall and said they could build four for the price of three last year. Where's the savings? Now, I also heard a lot of other promises last year and they came from the industry. The industry promised that you repeal that act and you're going to see the wages plummet and you're going to see benefits go away and that's what's happened. How do we know that? Because right now we have transparency. As legislators, you know, we're often faced with making decisions on predictions. I don't like to do that. I like to have the data. I like to have the facts before I make a decision, and the data ... the facts show that that 25% to 30% savings was a lie. It was a lie. The taxpayers have the right to know and if we pass this legislation we are hiding the truth from the taxpayers. If you vote for this amendment, you're voting to hide the facts from the people who have the right to know, the people that are footing the bill. You have ... you are voting to hide those facts. Now, the West Virginia Press Association opposes this for numerous reasons. This was laying on your desk yesterday. There have been many more come

in since. This is from the Martinsburg Journal, they oppose it. From the Parkersburg News Sentinel, they oppose it and quite frankly, I oppose it and I urge rejection of this amendment. Thank you, Mr. Speaker.

DELEGATE BATES. I'm sorry. Thank you. I'm not on government org, and I'm grateful for that, Mr. Speaker and I'm going to be a bit careful because I may end up there if I go too far with this. But you spoke about the intent. Can you tell me what the intent is? What problem are we trying to fix here?

DELEGATE FOSTER. Well the issue is when you have these ... and the Gentleman was talking about different information available to the public is still available to the bidding process. The bids and how the contracts go out is still out there. The issue is the wages and ... or the original intent of the bill was basically that these wages no longer need this information because it is no longer required to be collected by the state because the prevailing wage is no longer there. But the issue that you run into is they're still being collected then they're being FOIA'd by whoever, I mean, out of state companies can FOIA the wages of people being in state companies. It's an in around to the competitive bidding process. If you can get your competitors wages, well then you can get them and then bid the project however according to the wages that you got from a FOIA request.

DELEGATE BATES. So, if they can get your wages, you can get their wages?

DELEGATE FOSTER. Not if they're not ... not if they're not currently working on the job in the state.

DELEGATE BATES. So, you said just previously that that information is available.

DELEGATE FOSTER. No, the construction project.

DELEGATE BATES. So, if we ... I thought just a few seconds ago, you said that this information is available elsewhere, the concern was that the transparency ...

DELEGATE FOSTER. Not specifically for the wages.

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DELEGATE BATES. Okay, so that's my question. So, what are we ... the intent is to ... for businesses to be able to bid on businesses and get work for the State of West Virginia and not report the wage dime. Is that ...

DELEGATE FOSTER. What I believe is ... the issue is a wage contract between an employee and an employer is usually sensitive information between the employee and employer and that information is now being disseminated everywhere. We don't require, as the Gentleman over there said, somebody that provides pens and pencils and paper to the state, we don't require them to issue all the wages paid to their employees and on a construction contract why should you require them to give that information out?

DELEGATE BATES. So, but the State is not purchasing the person that works behind the desk at ... the state's not purchasing that person, they're purchasing labor. They're purchasing materials and labor. Is that correct? Is that when you ...

DELEGATE FOSTER. Which is available ... the materials and labor, the cost of the project is available that ... it's required through competitive bidding process. When you bid on a public project, that information is released, the total ... the total.

DELEGATE BATES. The aggregate, not the individual wages ...

DELEGATE FOSTER. And we knew it had issues with some of these wages ... wage documents include stuff like social security numbers, things like that and have had problems with that being released as well when it shouldn't have been, but it has happened, so.

DELEGATE BATES. So, the problem is the information more than wages that are reported? It's more than just wage data that is an issue?

DELEGATE FOSTER. Well, wages is the issue that this document seeks to address.

DELEGATE BATES. Thank you. I am on finance and we had some information that was shared with us with school building

authority, I believe, and though it came to committee and talked about some of the issues that they were having as it relates to their budget and I questioned the Gentleman about school construction costs and information that they had. Do you recall that conversation?

DELEGATE WILSON. I do not but go ahead.

DELEGATE BATES. Okay, well maybe the Chairman will. Would the Chairman yield?

MR. SPEAKER, MR. ARMSTEAD. Gentleman yield? Gentleman yields.

DELEGATE BATES. Thank you, Mr. Chairman. Do you recall the conversation that we had in committee with the folks from the school building authority and the discussion regarding the construction of school building projects?

DELEGATE NELSON. You know after the last couple of days, I've lost a lot of memory, so...

DELEGATE BATES. Do you recall that I requested that information ... the audio tape of that information following the meeting so that I would have that for reference at a later date? Do you recall that I made that request?

DELEGATE NELSON. I can't remember, we can always check if you need to.

DELEGATE BATES. Okay, and when I requested that information apparently, for some reason there was ... and this happens from time to time that the recording equipment malfunctioned, that that recording wasn't available.

DELEGATE NELSON. I can't speak to that, I don't know.

DELEGATE BATES. And at your request I provided some questions to them ... to staff and finance, to answer the questions that relate to this particular topic.

DELEGATE NELSON. And did you get your answer?

DELEGATE BATES. Not at this time.

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DELEGATE NELSON. Okay, did you give me a copy of that as well, that request?

DELEGATE BATES. I provided the staff and I'd be happy to do it afterwards as well.

DELEGATE NELSON. Okay, I'd be happy to follow up if I would have gotten a copy, so yes.

DELEGATE BATES. This is the third ... this is my third station; this is the third time we've dealt with these issues. The first time we came in here we dealt with prevailing wage and we changed the way in which we collected the information and apparently, the information that was collected wasn't what people thought it was going to be. So, the second time I come in here, we have another go at it and we eliminate the prevailing wage because we didn't like the answer that we got when we collected a different way and here we are on ... in the third session on day 58 still not happy with the fact that their answer that's being asked isn't giving us the answer we want. So, we're just now going to not ask the question. I just don't see what the problem is with us knowing how much we're paying people on projects that the taxpayers are paying for here in the State of West Virginia. Maybe it's too much. Maybe it's not enough but I believe we need to know and I believe we should reject this amendment and we should reject the whole bill. Thank you, Mr. Speaker.

DELEGATE CANESTRARO. Thank you, Mr. Speaker. I rise and recommend that the body reject this amendment. We really need to ask ourselves why would the government or the construction company or company they've contracted with want to hide what they're paying the employees on a project? Why? You need to ask yourself why wouldn't they want the taxpayers and the general public to know? And I'm asking myself this question here today on this amendment and the only reasons I can come up with that are logical is either the company ... the contractor is ashamed of how poor they're paying their workers or there's something else to hide, some fraud, waste, or abuse. Now I thought that this leadership believed in transparency and preventing government fraud, waste or abuse. Well here we are going backwards, not forward, in dealing with that. We're going back to the smoke-filled rooms, the

days of the good ole boy deals where we don't have to show the public what we're paying people. Heck, maybe a little bit of money under the table was taken too because we don't have to report it. This is shameful. This ... it's very shameful and anybody should be ashamed to not let the public know what they're paying somebody on a project. We need to reject this amendment, it's junk.

DELEGATE MARCUM. Thank you, Mr. Speaker and the Gentleman raised a good point. Why are we doing this? Well the answer is clear. Look at what happened at the new Crum School. As soon as this majority passed the prevailing wage and right to work we saw what happened. The Press Association discovered it, Honduran and Mexican workers in Wayne County, West Virginia. That's the issue we're facing and that's why these ... yea, you can smirk. I know what happened here. We're dealing with Mexican and Honduran workers in Wayne County, West Virginia that were taking our good laid off coal miners' jobs and yea, a spade is a spade and that's what's going on here, ladies and gentlemen. This is about transparency in government, not about protecting the big out of state corporations who don't even locate their headquarters here. They just go right across the river to Virginia or Ohio or Kentucky. But no, this protects the big corporations. It's sad, ladies and gentlemen, we had to deal with a tax bill that hit all West Virginians and now we're trying to hide the dollars they're paying and we're trying to hide their money from showing the taxpayers where their money's going. You're right, this is sad. This is pitiful.

DELEGATE HICKS. It's my understanding that this amendment seeks to assert some sort of proprietary relationship between the governmental agency and its vendors.

DELEGATE FOSTER. Proprietary re ... I'm not sure what you're getting at.

DELEGATE HICKS. I believe that's what part of the amendment says. Yes, it says, "it's to be deemed a confidential and proprietary and shall not be considered a public record for the purposes of this article." That's the wages, correct?

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DELEGATE FOSTER. Correct. It's the original language from the original bill sent over from the Senate.

DELEGATE HICKS. Why do you distinguish between the wages versus construction materials and other items that go into the bidding of a contract?

DELEGATE FOSTER. The wages are included in the construction materials and everything that are on the contract. You actually do not ... I mean if you go look for the actual materials, the specific materials are not anywhere. I mean, you don't have to tell people exactly what you paid for your materials. They don't collect that information.

DELEGATE HICKS. So, you're saying that this amendment does not require the disclosure of the amount of labor per individual, whether they be a laborer or carpenter or whatever?

DELEGATE FOSTER. That's the entire point of the bill.

DELEGATE HICKS. You know I find it strange that it's under the government construction contract portion. Do you not think it's fair and reasonable for the taxpayers to have access to what they're paying for?

DELEGATE FOSTER. Which they do. Which they do through the total price of the project.

DELEGATE HICKS. So why would you want to exclude the amount that these individuals that are being paid per person or individual?

DELEGATE FOSTER. Because it's not collected whenever you ... on behalf of the state. I don't believe you're required to give your specific wages that you're paying on a project whenever somebody is a public defender to your secretary or anyone else. When someone becomes a public defender as an attorney, they don't have to disclose their wages that they're ... of each individual that they're paying within their office.

DELEGATE HICKS. Oh yes, they pay their ... they disclose what they're being paid. That's all public record.

DELEGATE FOSTER. What they're being paid, but do they do the individual wages of every single person they employ.

DELEGATE HICKS. They do. If they hire an investigator, they must submit a voucher for that investigator and that voucher has to be itemized. So why should a government agency be any different than someone working for a government agency?

DELEGATE FOSTER. And there's no requirement of wage reports and the ... for example in this, the issue is the specific section of law that's requiring collection of wage information that was revealed no longer necessary, yet they're still requiring the wages to be collected and then it's an in around to the competitive bidding process. If you want me to explain that part to you, I'll explain that in the bill but that's the point of the bill. We won't get into that. We're dealing specifically with the amendment.

DELEGATE HICKS. So, in effect, if this language is added into the statute and some taxpayer was to file a FOIA, Freedom of Information Act, that this stuff is not accessible to them. Is that correct?

DELEGATE FOSTER. What will be accessible is the ... not the wages. That information would be redacted from my understanding of the amendment but what would be available would be the address and the address of the employee and the name of the employee, I believe.

DELEGATE HICKS. It's clear that the language attempting to be sold to this body is language to protect contractors who don't want to disclose whether they're paying minimum wage or a dollar over minimum wage. I think it's a good policy and law to mandate that if you're going to get a government contract, you need to be transparent. You need to disclose that to the people that are paying these fees and these monies. In fact, if I'm not mistaken we created a new committee called the Transparency Efficiency and Accountability Committee to look into government entities and this language flies in the face and

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contrary to all the things that they're trying to do for the state, the taxpayers of this state and I would urge rejection of this amendment.

MR. SPEAKER, MR. ARMSTEAD. Gentleman from the 2nd, Delegate Diserio.

DELEGATE DISERIO. Thank you, Mr. Speaker. Speak to the bill?

MR. SPEAKER, MR. ARMSTEAD. The Gentleman may proceed.

DELEGATE DISERIO. I stand today in opposition to this bill. Once again, I do believe this is another kick in the teeth to working West Virginians. This practice still works for federal Davis-Bacon, that they follow wages and the point being here is that when there is cost overruns as Delegate Brewer brought out when these jobs come in over budget. I, myself, as a construction worker cannot go and check to see when there is added cost and I am part of that process and someone is saying, "I'm paying him twenty dollars an hour." I have no way to go and check for myself if I was truly reported the way I was being paid. So, it goes down to individuals, it goes back to transparency and I agree with the Gentleman from the 4th. Let's see the waste, fraud, and abuse. Thank you, Mr. Speaker.

DELEGATE WALTERS. Thank you, Mr. Speaker. I rise in support. You know we've had a number of attorneys who are friends of mine from the other side speak. When they sue the State of West Virginia under the Board and Risk and Insurance Management, I've never heard any of them ask how much the defense attorney was being paid. They only wanted to know ...

MR. SPEAKER, MR. ARMSTEAD. Gentleman may state his point.

DELEGATE WALTERS. Well the point is he's making an attack on attorneys who know a little more about the law than the general person and I think he's making an unfair attack. We don't, you know, point out individuals because of their position and issue. We don't argue that he sells insurance and we're against insurance and I'm offended personally that he would make that argument. We're talking about the taxpayers' money, not some attorney who sues the state.

MR. SPEAKER, MR. ARMSTEAD. Alright, let's just keep personalities out of it and talk about the issue, the amendment before us, the amendment to the amendment.

DELEGATE WALTERS. The point of this is taxpayers' money. We don't do this when we spend safe money to buy vehicles to find out what the cost of labor was with that vehicle. The only area we do this in is one in particular area. Why is that any different than anything else the state buys? You know citizens of the State of West Virginia are concerned with what all of us are concerned with, whether we buy insurance or whether you by a pencil or a pen. They want to know the bottom line cost. That's all they care ... that's all they care about. Any change order that changes a project, you can get a copy of, and do the change orders have the wage rate in it? I don't think so, but those change orders are what change the price. This is a good amendment; I urge the members to pass it.

DELEGATE FLEISCHAUER. Thank you, Mr. Speaker. I'm tired and I'm cranky. The name of this bill is the West Virginia Jobs Act and the idea was that when we are spending over \$500,000 of the taxpayers' money that we want to make sure we know that the wages are decent and the jobs, as many of them as possible, are going to West Virginians. This amendment tries to gut the West Virginia wage ... jobs act that was passed in 2001. Don't gut that. It's a good ... it's good for us to know that these jobs that we're paying for are going to West Virginians and that they're decent wages and benefits. Vote no on this amendment.

DELEGATE SPONAUGLE. I'm trying to get the logic behind this amendment. If a board of education contracts out labor, various different services, usually annually in the local weekly newspapers, they will publish their expenses out to everybody that got paid for that given year for any work they did. Why should this be treated different than that?

DELEGATE FOSTER. I'm not familiar with how board of educations do that. I do know that several people have stated here that other contracts the state does, whether it be, I believe, the Gentleman from the 13th said about Staples and that information is not

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available, that there is an inconsistency in the state, the way the state does things.

DELEGATE SPONAUGLE. Like, example also, with the county commissions. Any type of work that is performed, they will list all the invoices annually in the newspaper that's open and transparent, so everybody can see those contracts. Why should this be treated different than that?

DELEGATE FOSTER. I'm not sure that they show specific wages. I'm not familiar with what the counties do. We're dealing with a state issue here.

DELEGATE SPONAUGLE. The State of West Virginia, the Auditor's website, anybody that works for the State of West Virginia, I can go on right now, bring up here and see their pay ... the exact amount that they make, throughout the entire state. Why should that be treated differently, this amendment, then that?

DELEGATE FOSTER. I believe state employees you can see, but like if the state buys a vehicle from, you know, the local Chevy dealer, the Chevy dealer's employees are not listed. It just shows how much they paid that Chevy dealer.

DELEGATE SPONAUGLE. We spent a great deal of time this year trying to figure out our fleet, how many different vehicles we have and the various different agencies. We attempted to gather all that information, so we would have a data base on it for cost control purposes. If this amendment kind of runs counter of that whole process because we don't want to know what that information is out there, why is that? Why is there such a disconnect?

DELEGATE FOSTER. I would disagree with the Gentleman's assessment because this information is still available to state agencies like the Division of Labor to make sure that that is properly tracked.

DELEGATE SPONAUGLE. Then what's the reason for getting rid of it? I mean apparently ... let me back up. What was the Senate bill, so I don't know the original intent of the Senators, but on the surface I would believe it would be a privacy issue because you're putting the wages of private individuals that

work for private companies, not state employees that work for the state government? What was the debate in your committee where your committee apparently voted to take this out? Why did your committee rule ... or why ... what was the debate in committee over that? Why did they ultimately decide to go that route?

DELEGATE FOSTER. A lot of it dealt around privacy issues on it, was part ... most of what the debate was and what information had right. It was a voice vote, so I can't say exactly how each person voted.

DELEGATE SPONAUGLE. It was a voice vote in your committee? But you ... the overwhelming ... the committee ruled to pull this out and the Gentleman is trying to put this back in, correct? I guess what I'm trying to figure out is why the Chairman of this committee is not defending the position of the committee if they ruled that way.

DELEGATE FOSTER. It fits with the original intent of the bill but much of the committee's work, or part of the committee's work is still in there with the court order language and stuff that was missing from the original legislation.

DELEGATE SPONAUGLE. Okay, thank you. Permission to speak to the bill?

MR. SPEAKER, MR. ARMSTEAD. The Gentleman may proceed.

DELEGATE SPONAUGLE. Look, we have public disclosures, FOIA requests because we try to be open and transparent. We try to put sunshine in the State of West Virginia on everything that we're doing. That happens at the local level, that happens at the state level and for some reason I think it's again, the prevailing wage issue. Apparently, the evidence is not there to support a lot of claims that were made over the last couple of years. Which is fine, but don't bury the evidence. It's like well, we know we're beat now so, let's just take this one exception out for contractors, laborers that work, we'll bury it under the sand, so nobody can find it, but we'll continue to be open and transparent on everything else. You can't pick and choose. You're either going to be ... put sunshine in on everything or you're not and you start going down this road, "Well, we don't like

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this particular issue. We're going to bury that one. We're going to bury this one," and that's really run opposite of what this body has done since I've been down here. This has been a very transparent body. Everything in here ... just even the way the things used to run in this body. Everything is up here on your iPads now. Yea, you don't have all these journals stacked up there and you can't go running. I mean, The Speaker, I give him credit. Even the Rules Committee that used to be back there in the back, that's open and transparent. Everything ... we got television cameras on here. We want sunshine in on the process throughout the State of West Virginia and this is just running absolutely counter to what we do around here, counter. We shouldn't be doing that. We're better than that. We're better than that as a body and we're better than that as a state. I urge rejection.

MR. SPEAKER, MR. ARMSTEAD.
Gentleman from the 50th, Delegate Caputo.

DELEGATE CAPUTO. Thank you very much, Mr. Speaker and with all due respect to my Chairman over there, I recall this being a roll call vote and I recall it being a fifteen to ten and I recall you voting for it at the end of the day. But we'll check the record on that and I promise the body if I'm wrong, I'll apologize tomorrow but that's the way I remember this going down. Now make no mistake about it, you all can chuckle and laugh and say you got my back and you can say you're fixing what I screwed up and that's all good I love a good laugh too. But let's talk about what this amendment really does. This amendment makes you get a court order to obtain information of wages that's paid by your tax dollars and your constituents' tax dollars. That's what this does. Now the press association was in that committee meeting. This went on for, I think a couple of sessions and they talked about how difficult this was going to be for the press. Your local newspapers, ladies and gentlemen, your local newspapers come out against this. The Fairmont Times did an article, an editorial opposing this no transparency action. A no transparency action that's being attempted here again today and he said, "You know this may not be too difficult for some of the big newspapers like the Gazette who has resources and has a lot of staff and can afford this, but that little newspaper in Glenville, it's

going to be very difficult for them to obtain this kind of information. That little newspaper in Taylor County or that little newspaper in Weston, it's going to be almost impossible for them to obtain this kind of information. So, everybody needs to think about this when they cast their vote because your newspaper, the one we all want to be in good with, because we're running for office, is against what the Gentleman's trying to do. Make no mistake about that. You don't have my back. You don't have my back because I don't have a dog in this fight. But this amendment got somebody's back. This amendment, Mr. Speaker ... and I'm not getting personal, I'm talking about the amendment ... has got somebody's back. I don't know who that happens to be, but it's not the tax payer. It's not the people in your hometown who read that newspaper every day, but it's got somebody's back, and you know the press association, it's funny, we call Rules Committee meeting after they all leave, and we move the bill, a bill they're against. Give me a break. Who's back does it have? It doesn't have your community's back. You know some people might think this is a poke in the eye to organized labor because that's what you all like to do and that's fine. It's not a poke in the eye to organized labor. It doesn't have a thing to do with organized labor. It's a poke in the eye to transparency and it's a poke in the eye to your community who has a right to know what's going on with their tax money. That's who it's a poke in the eye to. So, if you want to poke them in the eye, vote for the amendment because that's what you're going to do. I just wish I knew who wanted this and who we're trying to protect. What we're trying to hide because we're trying to hide something, because these little newspapers can't get a court order to do this. Everybody knows that. Everybody knows that, everybody. So, we're trying to hide it. You know maybe we ought to just start wearing jackets like NASCAR drivers do and put our corporate sponsors on there. So, we know who ...

MR. SPEAKER, MR. ARMSTEAD. I think the Gentleman is getting out of order. I've given you some leeway on this, but I think that's not ... that does not relate to what this bill is and this amendment relates to.

DELEGATE CAPUTO. Mr. Speaker I apologize but it's very frustrating when you really feel that there's an ulterior motive

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behind a piece of legislation to protect someone. It's really frustrating. So, I hope this gets reported in the press tomorrow. I hope it gets reported really good, I know most ... I don't know of any newspapers in the state that support this. It's a transparency issue, ladies and gentlemen. That's what it comes down to. We're trying to hide something. The committee worked this bill, the committee voted this amendment out of this bill for transparency reasons. That's why this was taken out here. Mr. Chairman with all due respect that was a great debate on that bill. We had a lot of good testimony and now somebody's got my back. You don't have my back. You don't have my back, but you got somebody's back. Please reject this amendment. This is crazy.

MR. SPEAKER, MR. ARMSTEAD.
Gentleman from the 60th, Delegate Wilson.

DELEGATE WILSON. Thank you, Mr. Speaker. I'd like to rise and agree with my friend from the 50th. It is terribly frustrating when you're trying to figure out who's behind a certain side of an argument. Will the author of the amendment please rise?

DELEGATE WILSON. For a point of clarification, could you help me understand are we talking about protecting confidential and proprietary information that is owned by private citizens who are employed by private companies?

DELEGATE FOSTER. Correct.

DELEGATE WILSON. Thank you. Protecting private citizens' private information as they work for private companies. Thank you, sir. I appreciate your time. Thank you, Mr. Speaker.

DELEGATE SHOTT. Gentleman from the 4th, Delegate Ferro.

DELEGATE FERRO. Thank you, Mr. Speaker and I stand in support of my friend from Mason, here and urge rejection on this bill. You know this particular bill was thoroughly vetted in committee. The committee process worked in there. It was ... there were a lot of questions asked to the press association. The gentleman from the press association very eloquently answered those particular questions and I also

remember ... and again maybe I'm wrong, but I remember a roll call vote as well and I remember the number being 15 – 10. Maybe I should ask for anybody who voted for that in committee to raise their hands. I'll raise mine. You know it's good policy to divulge wages in transparency and with this bill I think it's very, very clear that somebody is trying to hide something. I urge rejection of the amendment.

DELEGATE MILEY. I don't know much about public construction projects, but I understand that if there is a public ... state or local public construction project under current law, the wages paid to that construction company and the wages paid to the employees with those public monies are what's required to be disclosed, correct? Currently.

DELEGATE FOSTER. Currently? The wages are ... that's what's been ... it's usually done by a certified payroll.

DELEGATE MILEY. For the monies paid on that public project, correct?

DELEGATE FOSTER. Yea, the public project.

DELEGATE MILEY. Okay. So, if we have construction company ABC and you have ... it has 25 employees and that construction company is doing multiple projects, some of which are public and public funded projects and some of which are private ... privately funded projects, that construction company is not required to report the wages paid to those employees on the privately funded projects, is it?

DELEGATE FOSTER. No, it's not.

DELEGATE MILEY. Okay. So, just to be clear, the response to the Gentleman from the 60th, the only wages we're talking about that these private companies are required to disclose are those public monies used to pay this construction company for the wages paid to those employees who are working on that publicly funded project, correct?

DELEGATE FOSTER. Private employees of individual citizens of our state.

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DELEGATE MILEY. Correct, but those same citizens might spend two months on the publicly funded project for which their wages and benefits are public information ...

DELEGATE FOSTER. Which I would consider the disclosure of that not to be something that we ... is necessary as being the employer has the complete disclosure of the prices and all the change orders and everything of the contract. That's required to be disclosed anyway.

DELEGATE MILEY. I'm just trying to make clear ... but if the employee for that construction company works on, during the course of a year, works on publicly funded projects and privately funded projects, it's only his or her compensation and wages for the publicly funded projects that are required to be disclosed, not the ones that he or she may be working on and receiving for having worked on privately funded projects.

DELEGATE FOSTER. Specifically, an individual's name, address and their personal wages are disclosed, yes.

DELEGATE MILEY. Now, if your amendment is adopted, will the ... will the wages in total, paid by the contractor be available for discovery by a FOIA request, by anybody?

DELEGATE FOSTER. The wages ... they're already public available included within the entire contract, but I just don't like the fact that we single out individuals and report their individual wages. It's to protect the individuals from their individual wages being disclosed.

DELEGATE MILEY. Okay, thank you.

MR. SPEAKER, MR. ARMSTEAD. Gentleman from the 60th, Delegate Wilson.

DELEGATE WILSON. Thank you, Mr. Speaker. Will the Gentleman continue to yield?

MR. SPEAKER, MR. ARMSTEAD. Gentleman yield? Gentleman yields.

DELEGATE WILSON. Thank you. If I'm reading this correctly, it's not that the

information is not being disclosed, it's that it's not publicly being disclosed. Is that correct?

DELEGATE FOSTER. Correct.

DELEGATE WILSON. So, the private information is made available to all of the government agencies that are responsible for supervising the contract and ensuring the quality of the contract. It simply is not available for public disclosure.

DELEGATE FOSTER. That's exactly what my amendment is doing, especially ... I specifically inserted a portion into the ... to get to the amendment the 'shall not disclose, except to another government agency to the extent necessary for that agency to carry out its statutory functions.'

DELEGATE WILSON. Thank you. So, if I understand correctly what we have here is all of the information except for personal private information on private individuals working for a private company. All of that information is available publicly and the only information that is protected is the private information of a private individual working for a private company and that can only be made publicly available if there's a court order.

DELEGATE FOSTER. Only made publicly available through a court order which I would assume you would need a good reason for, pursuant to some sort of a trial or a case.

DELEGATE WILSON. Thank you, sir. Thank you, Mr. Speaker.

DELEGATE SHOTT. As I understand the difference between the committee amendment and this amendment, in the committee amendment the information that's in this certified payroll can be disclosed but only if the wage information is redacted. Am I correct about that?

DELEGATE HOWELL. That's correct.

DELEGATE SHOTT. And if I read the Gentleman's amendment, the Gentleman from the 15th's amendment correctly, the entire document is barred from disclosure, is that correct?

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DELEGATE HOWELL. That is correct.

DELEGATE SHOTT. And looking at the legislative findings with regard to the ... I think it's called the West Virginia Jobs Act. Yes, it is and the statement is that ... under section four, "employers shall hire at least 75% of employees for public improvement construction projects from the local labor market," and it goes on to add to that a little bit on, "two employees from outside the local labor market permissible for each employer per project," and if that is the intention, and as it goes on down it talks about having to ... in order to be able to monitor this, it talks about filing the certified payroll. Is that correct?

DELEGATE HOWELL. That's correct.

DELEGATE SHOTT. And the certified payroll includes the name of the employee, the address and the wages. Is there any other information besides that on there?

DELEGATE HOWELL. I think that is all. There could be something else but to my recollection that is what's on there.

DELEGATE SHOTT. So, I'm not sure why the wages are required and perhaps somebody can clarify that but in terms of trying to monitor the 75% standard, the division of labor would need the employee's number ... employee's name and address, correct?

DELEGATE HOWELL. That is correct and under both versions they would have access to that.

DELEGATE SHOTT. Now in terms of the public monitoring, rather the division of labor is doing its job, wouldn't the public need to have access to at least the names and addresses of those workers?

DELEGATE HOWELL. I would think probably the names and the cities, possibly.

DELEGATE SHOTT. Yea, but not the wages?

DELEGATE HOWELL. Not the wages.

DELEGATE SHOTT. And the committee amendment basically would permit access by the public to verify the performance of the division if it could get access to the names and addresses but would not need wages to do that. Is that fair to say?

DELEGATE HOWELL. Yes.

DELEGATE SHOTT. Okay. I think I understand. Thank you.

DELEGATE MOORE. Thank you, Mr. Chairman. I'm going to rise in support of this amendment. Listening to this debate, I think it's interesting. To try to put ourselves in the position of what we're really debating here is the individual. The individual, the protection of the individual's information and livelihood really, and so ... well, from what, right? If it's people you know and trust then that's not that big of a deal, but what if it's people that you don't trust? What if it's people that don't have your best interest in mind. How would every one of us feel if we had our information out there, publicly disclosed, our address, the money that we've been compensated for our work? It's an invasion of privacy. It is an absolute invasion of privacy and I think that that's the way we need to think about this right now. Can you imagine if this is happening like this on the federal level? This is crazy. Okay? So, I hope everyone will support this amendment. It's a good amendment. This is about a personal privacy and the individual. Thank you.

MR. SPEAKER, MR. ARMSTEAD.
Gentleman from the 13th, Delegate Brewer.

DELEGATE BREWER. Thank you, Mr. Speaker, and I just want to clear up a couple of things. I'll be brief and to the Gentleman from the 67th, this happens on the federal level every day right now and nothing has gone crazy. On Davis-Bacon projects, the wages are required to be disclosed. Now folks, there's been a lot of talk about going to Staples and buying a Chevy down at your Chevrolet dealership. When you go and buy a Chevrolet, you get a receipt. If you buy two Chevrolets, you get two receipts. If you buy three, you get three receipts. It tells you if the state is purchasing that, the state has a receipt that tells everything they bought. If you go to Staples and you buy three reams of paper and four boxes of ink pens, you get a receipt that

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tells you how much you paid for your paper, how much you paid for your ink pens. On a construction project, you as the taxpayer are buying labor. You are purchasing labor. That's what the people do out there on the job. They sell their labor and I think the taxpayers have the right to know what they are paying for that labor. That's all this is about and to the Gentleman from the 27th, take a look at the amendment. This is not just about the jobs act. This redacts all the public disclosure from chapter five, any government construction project with any governmental agency. Then in chapter 21, and we actually had an agreement in government organization. We had an agreement there that the jobs act is all about where you come from. This is the West Virginia Jobs Act. The whole intent is to try to ensure as many West Virginians get on West Virginia projects that are paid for by West Virginia taxpayers. That's what it's all about. So, we agreed in committee. The jobs act is all about where they come from, take the wages out of it. But up in chapter five, when you're dealing with every governmental agency that contracts, I think that the taxpayers have the right to know what they're paying for. Now they are personal, or they are private employees working for private contractors, but they're taking public money. They're taking the taxpayers' money and the taxpayers have a right to know where it's going and what it's going for. Thank you, Mr. Speaker.

MR. SPEAKER, MR. ARMSTEAD.
Gentleman from the 50th, Delegate Lewis.

DELEGATE LEWIS. Thank you, Mr. Speaker. I'd like to speak on the amendment.

MR. SPEAKER, MR. ARMSTEAD. The Gentleman may proceed.

DELEGATE LEWIS. We're all transparent here. When I decided I was going to run for office, you know, people were saying, "Oh, you're going to make all this money." I sat down and I showed them, showed people what I was going to make, \$20,000 a year. It's no big secret. Anything that we do with the government is ... should be transparent to everyone. I mean if you're a contractor and you hire a laborer, that's all part of that project. That's my right to know as well as the public's right. When you're spending money ... somebody said a while ago about

the school board. Every year they publish what they paid out to a company, labor and whatever. I think, in my opinion, that it's a right for everyone to know. I mean there should be no secrets because, like we said, there's West Virginia labor involved in stuff and people that are working these jobs are ... should be under the understanding that their pay and stuff is transparent and being out there. If they don't like that, don't do the job. Thank you.

MR. SPEAKER, MR. ARMSTEAD.
Gentleman from the 50th, Delegate Caputo.

DELEGATE CAPUTO. Well, I see the heavy hitter getting up over there. Thank you, Mr. Speaker. First of all, I want to clear up something. Mr. Chairman, you did not vote for that, but it was a roll call and it was 15 to 10 was the roll call. So, I wanted to clear that up. I don't want to mislead anybody, I was going from memory there and I think the Gentleman from the 67th mentioned how would we feel if our information was out there? I believe that's what he said. Well our information is out there. It's all public information. Our addresses are published in many, many publications. Our wages are public, and the auditor has a website that lists every salary of every public employee, every salary of every public employee. To my friend, our information is out there. So, with that being said, again, this is about transparency. I remember I had a friend who worked for the ABC agency and he called me one time and he thought he wasn't getting paid as much as his counterparts and I just called the auditor and got a list of everybody that worked for ABC and we looked at his salary and it was comparable, and he was happy, but it is out there. So, make no mistake about it, that information needs to be told in this chamber. You can get on the auditor's website and find out anything about public employees as you wish. So, these are public dollars. The Gentleman said these are public dollars, we shouldn't be ashamed of who's earning them, we should be able to tell the public if they want to FOIA it in a little newspaper or an individual should not have to go to court, obtain a court order to get information about his tax ... his or her taxpayer money. Please reject this amendment, it's the right thing to do.

MR. SPEAKER, MR. ARMSTEAD. The Gentleman from the 67th, Delegate Moore.

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DELEGATE MOORE. Thank you, Mr. Speaker. So, a couple of misnomers, right there. So, one, these folks we're talking about are not public employees. Obviously, we've chosen to do this. This is our choice. So, it is out there, right? We are public employees. These folks we're talking about are not public employees and the Gentleman behind the 50th ... I can't see the number there. I apologize, but Davis-Bacon, yes, it does say carpenter paid this. It does not say the individual's name, his home address, his personal information. So, that's a half-truth on that. So, just remember what we're talking about here is that the fact of the matter is we're talking about protection of people's personal information here. So, that does not comport from the federal to the state level, okay? This is a degree that goes too far in terms of people's personal information. So, I'd urge passage.

MR. SPEAKER, MR. ARMSTEAD. Gentleman yield? Does the Gentleman from the 67th yield? Gentleman yields.

DELEGATE CAPUTO. To the Gentleman, I apologize if I misheard you, but I thought you say, "How would we feel if our information was out there." Did you say that or ... and if you didn't say that, I humbly apologize?

DELEGATE MOORE. Yes, I did. I was talking about private employment and also the hundreds of thousands listening to us.

DELEGATE CAPUTO. But you said ... I just want to be clear, you said, "How would we feel if our informa" ... and that's what I based my comments on. So, I just wanted to be clear on that. I get ... even though we don't agree, I get your point. You initially said, "How would we feel?" so that's why I was speaking. Thank you. I appreciate that.

DELEGATE COWLES. Thank you very much, Mr. Speaker and I will say this is not an easy issue for me. I have really struggled over it and I know some others here have as well and I will say the leadership team here certainly, most certainly cares about transparency, especially Mr. Speaker. I know this is an issue near and dear to your heart. I will say it is not an easy choice for me. It is public money. It is. They are private employees and it is a balance between those two things and it has been for a long time. I

will say that there are concerns that I would have about the idea of private information, proprietary trade information that I would have as a business owner, that I'm bidding on a construction project that my competition could use or misuse. I would also say that it is not new, that issue of private and public information. State law has, for a long time, considered sensitive information to have special protection. In the FOIA there are exemptions for exactly that. The number one exemption is trade secrets as used in this section which may include but are not limited to, any formula planned, patterned, process, tool, mechanism, compound, procedure, production data, compilation of information, which is not patented, which is known only to the certain individuals within a commercial concern who are using it to fabricate produce, compound, trade or service. Those type of information's, today receive special protection from public information. Also, there's information number two, is information of a personal nature if you look at this from an employee's perspective. Information of a personal nature such as that, that is kept in a personal or medical or similar file. If public disclosure thereof would constitute an unreasonable invasion of privacy. Unless the public interest by clear and convincing evidence ... I'm not an attorney, but there are two standards, clear and convincing evidence, is pretty high. That's personal information that receives sensitive protection from the government that is not out there. There's also the public meetings act. Personnel issues are not public meetings. You need to go into a private meeting to talk about personnel issues and hiring and firing. Those things receive special sensitive protection and I have struggled with this. It is public information. I take transparency seriously. I think in that balance as we try to figure where that balance is, we have to recognize a couple of things that we could perhaps use the identified information about the bid, about the construction award that could be and is public information today and also protect private, personal employee information. But competition could use that information improperly. Employees' private information may not be public record. It could be used unfairly. It is private information, private employees for private companies and it could be sensitive. I think you could reasonably come down on the side of: It is reasonable to protect this information and still care deeply

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about transparency and public access to public records. That's a reasonable position. It's not an easy choice, I would urge on the side of caution although I think it rises to good information. I do not feel that it comes as high as clear and convincing evidence, that the public has the right to know that. I think they do have a right to know in the aggregate, in a D identified manor, and public records and the public bid documents, but the employee's personal, private earnings should stay just that and I support the amendment. Thank you, Mr. Speaker.

MR. SPEAKER, MR. ARMSTEAD. Other members desiring to speak before I recognize the Gentleman from the 15th to close debate? Gentleman from the 27th, Delegate Shott.

DELEGATE SHOTT. I am trying to get to the bottom of this. I thought I understood where we were on chapter 21. You mentioned chapter five and what ... my question ...

DELEGATE CAPUTO. No, the Gentleman from the 13th talked about that.

DELEGATE SHOTT. What I'm trying to find out ... I know the certified payroll is required in chapter 21 under that act we talked about earlier. Is there any other place, either in chapter 5 or elsewhere where certified payroll was required?

DELEGATE BREWER. I don't have it in front ... can you give me a minute to pull it up?

DELEGATE SHOTT. Sure.

DELEGATE BREWER. Okay, I'm looking at the H. F. A. G. Foster 4-3 amendment which starts at the top with chapter 5. General Powers and Authority of the Governor, Secretary of State and Attorney General, Board of Public Works, Miscellaneous Agencies.

DELEGATE SHOTT. What I'm asking ... maybe I didn't make myself clear. I understand that under the jobs act, a certified payroll is required, and I understand the reason for that. What I was wondering is that the only place in the code that requires a contractor that enters into a governmental construction contract to pay ... to file a certified payroll?

DELEGATE BREWER. Currently?

DELEGATE SHOTT. Yes.

DELEGATE BREWER. No.

DELEGATE SHOTT. Okay, where else is that because I'm trying to figure out the purpose of the certified payroll.

DELEGATE BREWER. Any government contract ... any construction contract with every government agency currently is required to submit a certified payroll.

DELEGATE SHOTT. And what's the statutory basis of that?

DELEGATE BREWER. It originated ... I'm assuming it originated with what we always refer to as the Davis-Bacon or the Prevailing Wage Act.

DELEGATE SHOTT. Okay, and without the prevailing wage ...

DELEGATE BREWER. But I'm just assuming.

DELEGATE SHOTT. Okay, and I understand the basis of ... the reason for it if we had the Prevailing Wage, to verify that the prevailing wage is being paid and I can see why it's in the West Virginia Jobs Act because at that time, that ... the wage information was necessary to confirm compliance with the prevailing wage but I'm trying to figure out in what other context we need the actual itemized wages of each individual employee.

DELEGATE BREWER. Well, as I said before, the ... when you're dealing with a construction contract with a public authority, a public entity, you aren't just buying goods. The government doesn't just buy goods in a construction contract. They buy goods, they buy material, they buy labor and they pay a profit.

DELEGATE SHOTT. And I understand that, I'm just trying to get to the origin of the purpose of filing a certified payroll with individuals identified by what they're making other than the prevailing wage.

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DELEGATE BREWER. That I can't answer, sir. I don't know.

DELEGATE SHOTT. Alright. Thank you, sir.

DELEGATE FLUHARTY. Thank you, Mr. Speaker. I was just trying to brush off some of my classes I had going through school with the Davis Bacon and so I looked back up ... well, first off under Davis Bacon, there's been a lot of talk on that and the weekly wage reports do have requirements, of those requirements; the name of each worker, employee identification number including the last four digits of the employee's social security number, worker classification hourly rates of wages paid, daily and weekly number of hours worked and deductions, fringe benefits, which we've heard about in another bill, and actual wage paid. So, all that is required. Now to supplement the Davis-Bacon Act there was what was called the Copeland Act that came out years later and the Copeland Act was enacted as a supplement to Davis-Bacon as an anti-kickback statute and the reason that exists is because ... I believe it was a Senator in Congress, wanted to know how much is being paid by taxpayers and how much of it was getting kicked back to actual politicians and legislators and how much was actually being paid. So not only does this kind of fly in the face of Davis-Bacon, it also explicitly flies in the face of the Copeland Act which is anti-kickback statute which deals with corruption in politics. I mean, I don't understand what we're doing here. An easy reading of this amendment is that a government entity ... let's talk about what a government entity is under this amendment. Taxpayers, a taxpayer pays a private company because they're funding the project and then they're not allowed to have full transparency on what they're paying for. It flies in the face of everything that I thought this body stood for as a whole, but especially that side of the aisle about transparency. I mean it is clear that this is anything but. It's opaque, it's not transparent. I mean there's nothing in here that says in the amendment that we're going to allow the employee to know how much money was being paid and if that money goes to political use like we have in other bills. You know this is nothing but an attempt to correct an error, an error from day one, when I started serving which was right to work and a repeal prevailing wage. How do we correct those errors? By hiding the information. That's how we correct the errors. Because we don't want

to show the people what's really going on. We don't want to show them that, guess what, wages will decline. We don't want to take the test. That's all this is. It flies in the face of Davis-Bacon, it flies in the face of the Copeland Act, which is anti-kickback statute, which is designed to keep people like us from doing the wrong thing. It's a red vote. Thank you.

DELEGATE FOSTER. Thank you, Mr. Speaker. We've talked about a lot of different things in this bill and we talked about the press association putting information on our desks and even in that, I mean their talking about 75% and the Wage Payment Collection Act and they would still be able to verify because this amendment applies only to wages, to personal wages. It doesn't apply to names and addresses, they're still required to ... those are still required to be submitted and still available. You go on to the transparency. We've heard a lot of comments about transparency. Well in the transparency they're still there. The transparency is the cost ... we mentioned ... heard many comments about a Chevy and purchasing labor and it's like ... but the issue is what our tax dollars are paying for is not labor. What we're paying for is the construction of a new school, the construction project which is required to be shown. The construction project is available, that's public knowledge. Everybody knows how much that was paid for that construction of that school or that addition or something along those lines. I believe what this amendment does is, it protects the individual of a private construction company and their private information of their wages and I believe that what this ... there was questions about the intent of it. Who's it protecting? Well, it is protecting the private citizen and their personal information, and I would urge passage of the amendment.

H. R. 13

**REMARKS
of
MEMBERS
April 7, 2017**

DELEGATE CAPUTO. Thank you, Mr. Speaker. I'd just like to take a moment to thank you and the leadership for putting this resolution on the agenda, and the Chairman

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of Energy for sitting and talking with me about it. You know, we've got ... at the end of April, if this bill isn't passed or an extension isn't provided, there's going to be about 22,600 retired miners, widows, disabled children without healthcare. And I want to take a moment to also thank the bipartisan effort that's going on in Congress right now with Senator Capito and Senator Manchin working jointly to try to get this done, on the House side being led by Congressman McKinley and Congressman Jenkins and Congressman Mooney, as well. There's a huge bipartisan effort trying to correct a wrong here.

These miners, through no fault of their own, you know, were promised cradle-to-grave healthcare when they went into this industry, because of the health concerns that coal miners get when they spend a lifetime, but due to the rash of bankruptcies that has happened in this country. Bankruptcy judges just let these companies out of those obligations, out of those promises. So, Congress has recognized that fact, and they're trying to fix this, what I call an injustice. It was a big fight with Peabody and Arch and Patriot, and all of these companies went bankrupt. But thank goodness that we have support in Congress, huge bipartisan support because of those 22,600 miners ... 10,000 ... around 10,000 of those folks reside right here in the State of West Virginia.

You know, a lot of dollars through pensions and healthcare, is funded into these communities. And, quite frankly, I just don't know what these miners, and particularly surviving spouses, will do if they lose their healthcare at this point in time because they never had to plan, Mr. Speaker, to provide healthcare throughout their adult lives because they always had a promise that if you worked in a mine, and you spent your whole life there, that in return for that you'd get a pension and you'd have cradle-to-grave healthcare.

So, we're up against it; April 28th is the day that this healthcare will cease to exist if Congress doesn't act. So, hopefully we'll at least get an extension ... hopefully get a final fix, but again, I just want to thank you and thank this body for allowing me to say a few words about that, and I would encourage everyone to vote yes. Thank you.

COM. SUB. S. B. 220

REMARKS

of

HON. RODNEY MILLER

April 7, 2017

DELEGATE R. MILLER. Thank you, Mr. Speaker. I rise before you in support of the amendments and the bill as it stands before you today. This closes a loophole in West Virginia's felony murder law that has been in effect for quite a few years, which takes into account an enumerated number of crimes that results in a death during the attempt to commit or the commission of a crime. What we have found through different investigations, where people are dying in West Virginia as a result of overdoses are that the ... that they are deaths that are taking place after the commission of a crime. So, it created a loophole that there are criminals that are killing the citizens of the State of West Virginia, and they're being unable to be prosecuted as a result of that. We found that loophole, and also trying to close that with this, and a secondary part of this is a failure to render aid.

We have found out that in recent months and recent years that we have citizens that are dying as a result of drug deliveries. And it's while, not during the commission of or the attempt to commit, they are partying with their friends, I guess you'd say ... part of a club that the only thing they have to do to be a part of it is to bring their money to the drug dealer, receive these drugs. If they leave the area and consume the drugs ... we've already passed in recent years a Good Samaritan law; if a person has an adverse reaction to a drug, a person that is with that ... the individual having an adverse reaction, they can't get into trouble if they stop to seek and render aid to these.

We've got a case active right now in Boone County where three folks were out partying, obtained drugs. One of the individuals had an adverse reaction and, sadly to say, the details of the case, as I understand them, is they drove around with this young man in the car while he was having an adverse reaction until he died. That's bad enough ... they drove by two ambulance stations and a hospital while their friend, the member of their club ... their

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immediate club, was dying in front of them, and they didn't have enough common decency to stop and get them help.

That's what prompts that part of the bill that I fought so hard in committee to get. Even an animal that's hit alongside the highway, there'll be people to stop and help them. And I think it's probably worse for folks that will let someone die in their vehicle or die before them without getting them any help than it is to put a gun between their eyes and pull the trigger. So I would strongly urge passage of the bill. Thank you, Mr. Speaker.

DELEGATE MARCUM. Ladies and gentlemen, this is a very important bill, and it's not as easy to convict someone under this bill as presented by my good friend here. This bill is tough to present, as a former prosecutor, there's seven elements. There's not seven elements to murder. I mean this is ... I mean, you're not going to be putting people in jail for something too negligent. I mean, there's more to it. It's a great bill, though.

This state needs to set an example, set a precedent. If you're sitting there and your buddy, so-called buddy at least, is overdosing, call someone, take action. I support the bill wholeheartedly, Mr. Speaker. I think it sets an example that our state is tired of substance abuse, tired of the overdose deaths in this state, and this is a great bill. I'm proud of the work of the committee and the Gentleman from the 23rd. I think this is an important piece of legislation. It touches home. So, I encourage everyone to vote yes on this bill. Thank you.

COM. SUB. FOR S. B. 239

DEBATE
of
MEMBERS
April 7, 2017

DELEGATE SHOTT. Thank you, Mr. Speaker. This bill has been substantially reworked since it came over from the Senate. The Senate bill basically was ... the focus of the Senate bill basically was contributions used for electioneering type activities, election activities. As we developed this bill in the Committee on Judiciary, we found that

there were substantial provisions of the law that needed to be revised basically to overhaul and update the code with respect to efforts that this Legislature has made in the past to protect employees' paychecks from unauthorized deductions so that ... let me just give you a little background which may be helpful. As far back as 1887 ... 1887, the Legislature enacted laws to basically protect the workers' paycheck. In 1937, what is still in the code was enacted in certain provisions of what now is called the Wage Payment Act. The language that we'll be talking about today is identical to what was enacted in 1937. So, it's been 80 years since it's been updated and basically the way the statute worked ... the Wage Payment Act works, it's intended to protect workers' paychecks from deductions other than what they consent to or what's required by law. The ... I'll take you through this statute and please bear with me a minute. There's a provision in the Wage Payment Act that basically says every person, firm or corporation doing business in this state, and it excepts out railroad companies, shall settle with its employees at least twice every month with no more than 19 days between settlements. Now that provision has been adjusted from time to time and here's the key language, "Pay them the wages due less authorized deductions and authorized assignments for their work or services." In other words, the only thing that's allowed to be taken out of a worker's paycheck is either what's called authorized deductions or authorized wage assignments. Otherwise the act has been violated and there are serious consequences for an employer who does not comply with this. In other words, takes deductions that don't fall within one of those two categories and that ... the employee would have an action against the employer for damages equal to twice the amount of the deduction that's not authorized as well as attorney's fees. That can be ... that remedy can be exercised by the employee himself or it can be ... the employee can resort to the division of labor to enforce those provisions and that has ... that section has been the focus of a great deal of litigation in this state. What we get into when we started looking at this statute was that the terms "authorized deductions" is the same terms that were used in 1937 and I'll read that to you in a minute but I want you to keep an open mind that the internal revenue code, the first one of those was not even adopted ... first comprehensive internal revenue code

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was not even adopted until 1939, two years after that language was incorporated into the statute and there have been two major overhauls since then in '54 and '86. Now here's what the statute says about what an authorize ... or what a deduction is that can be taken from the paycheck. It says, "Deductions include amounts required by law," which we would all expect, "and amounts authorized for union or club dues, pension plans, payroll savings plans, credit unions, charities, and hospitalization and medical insurance." Significantly the term "authorized" is not defined anywhere in that section. So, how you authorize a deduction for instance for union or club dues, pension plans and so forth is unclear by this statute and that statute again, has been in place for 80 years. What is meant by the term "charities" is not defined. What is meant by "hospitalization, medical insurance" is not defined. "Pension plans" is not defined and keep in mind that does not include in this statute 401(k) plans, profit sharing plans and so forth. So, we went to look at the fringe benefit section because fringe benefits is a defined term in here. Let me back up. We went to look at the term "wages" as to what ... our starting point is "wages" keep in mind and that includes accrued benefits, but only if capable of calculation and payable directly to the employee. In other words, they have to be payable to the employee. So, "fringe benefits" that the employer charges the employee for, such as health insurance and so forth are not included in "wages". So, keep in mind "wages" less "deductions", which we've defined, and "valid assignments". So, you go to the section on assignments to determine how you get deductions for all of these other types of arrangements. Keep in mind that under the law no employer is required to make a deduction other than those that are required by law, such as withholding Social Security and that sort of stuff. So, what we're talking about basically is those employers who voluntarily allow their employees to direct a portion of their wages to some other source. In terms of those that aren't included under the term "deductions", which leaves a lot of gaps, are everything else that requires a ... and in other words everything else requires a formalized wage assignment and where we run into problems with that is, the formalized wage assignment requires it be notarized. It requires that it have a specific language in there indicating that no portion of the employee's wages

above three quarters ... that leaves less than three quarters can be assigned and would require the signatures of both the employer and the employee. So, in other words it's a formalized type of document.

Now in getting back to what we've done with this bill. We had a couple of purposes. Obviously want ... we want to continue the practice of protecting an employee's paycheck. An employee in this case means anyone that earns compensation. That can be a professional employee. That can be a rank-in-file employee and so forth, but we also wanted to make sure that the process was clearly defined, predictable and simplified. So, what we did was we defined deductions again, and keep in mind the statute allows deductions to include only those amounts required by law or court order. So, there was no reference to court order deductions in the law before today. Okay? Before we'd consider this. So, presumably if you deducted something for child support or otherwise by court order, you should have had a wage assignment, a formalized wage assignment under this statute.

Okay, going on, "and those amounts required by the terms of an employer sponsored or employer provided planner program providing fringe benefits in which the employee is a participant." So, what we've basically done is authorized in addition to those things that those deductions required by law, those deductions required by court order, now the deductions that deal with fringe benefits in which the employee is participant and the employer provides those fringe benefits, and we've gone over to the term "fringe benefits" and updated that so it's more expansive than it was in 1937, and the term "fringe benefits" means any benefit provided an employee or group of employees ... employees by an employer or which is required by law and includes, but is not limited to benefits provided pursuant to any welfare plan or pension plan subject to the Employee Retirement Income Security Act of 1974 in which the employee was a participant, including but not limited to benefits for medical, surgical or hospital care, sickness, accident, disability or death, unemployment, vacation, holidays, apprenticeship or training, daycare, education, pre-paid legal services, severance and retirement or post retirement.

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So, now included in those deductions that do not require any type of formality are those that are part of the fringe benefits that an employer provides pursuant to a plan in which the employee is a participant. Then we went to the provision on assignment, which covers everything that doesn't fall in that category or ... and we've simplified that by (1) eliminating requirement that it be notarized and (2) ... now it's always been the case that this assignment has to be renewed annually. Annually, that's the law and it's been that way for 80 years. Give the employee an opportunity to decide whether he or she wants to continue those voluntary deductions. Keep in mind, these aren't court ordered or required by law. These are voluntary reductions. We've also eliminated that statement ... that disclaimer that had to be in there before. So, basically for anything that isn't covered in either by court order, by law or part of a fringe benefit plan only requires that piece of paper basically. There's no required form signed by the employee and the employer, no notary and renewed every year so that the employee has an opportunity to determine whether or not the ... those deductions can continue to be made and I know I've had some concern expressed by those of you who participate in United Way but as you recall, United Way campaigns are only for a year at a time and the card that you sign and is given to the employer would qualify. All the employer would have to do would be basically initial the card, put it in your employee file and continue making those deductions.

So, essentially what we've been able to do is ... this ... the reason this fits in this bill is the bill initially was focused on political activity but now basically we've treated everything the same. If it doesn't fall into one of those categories of deductions, whether it's political or nonpolitical, the same format has to be files. A simple piece of paper signed by both the employee and the employer, renewed annually so that the employee has the opportunity to decide whether he or she wants to continue the ... those deductions.

Now, the bill when it came over from the Senate had some language in the election section which basically required a separate form that the Secretary of State had to sign or had to provide with respect to contributions that go for political activities. We've just simply referenced in that section ... we took

out the form from the Secretary of State. We simply referenced in that section that you got to follow the same procedure you would with any other deduction that doesn't fall within one of those three categories.

In other words, it's got to be a signed piece of paper approved by the employer and the employee and renewable every ten years. It was also a provision in their design ... from the Senate design in the case of a union shop to make an employee opt in to any use of the fees that were payed for political activities and that basically was retained with the same type of option on the ... or same type of opportunity on the employee to look at that every year and renew it every year if he or she wished. Mr. Speaker, that's the bill. I urge adoption.

DELEGATE FLEISCHAUER. Thank you, Mr. Speaker. I have gained an enormous amount of respect for the Chairman of the Judiciary but ... and we're both lawyers so we try to present the best side of our argument, but I think what he told you was either a fairy tale or a fable. I think the way that this bill developed is that a few people sat around and thought, "How can we destroy unions? What's the best way to do that in a statute?" And I really don't think ... I really think that our 80-year-old law on payroll deductions is fine. It's worked fine for 80 years and it still could work fine if you didn't have this improper, in my mind, motivation. The reason it's improper is because union activity is protected both by the Constitution and by our Code in §21-1A-3 which says that employees have the right to associate and freely join unions and that they don't have to join unions and they have the right to pay dues and we are trying, with this bill, to frustrate that right which is protected by both federal and state law. And how are we doing that? Well, the main way it's being done is through eliminating union dues from deductions and that was the first version of 239. They just took out union dues and clubs, but then somebody, I think ... this is how I think this story went, somebody thought, "Oh, that would look like we were singling out unions and there could be a charge of improper discrimination against unions." So, what did they do? They decided in addition to trying to destroy unions, we're going to throw charities and payroll savings plans and credit unions under the bus. We're going to make all the people who would like to pay ...

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have union dues and their Christmas savings plan and their charitable contributions taken out of their paycheck ... we're going to make them go through the same hoops that we are now going to make unions go through. To go back every year and get something signed and turned in instead of saying, "I want to be in the union. Please deduct this from my paycheck until I tell you not to." Because everyone in our country has the right to decide whether or not to be a member of the union and whether or not they want to pay dues and it's also very clear under federal law that they do not have to pay any portion of dues that would go to political activity. That is totally clear. Nothing this bill does will change that. This is a sad day in West Virginia if we are going to pass this bill. It's wrong. People have the right to join unions because it is very hard as a single employee to advocate for yourself. That's why we have the freedom of association both in our West Virginia Constitution and in our federal constitution. When you work together to say, "I think maybe this ... I was treated unfairly." When you do that by yourself it's really hard. If you do it together, you might have more of an impact. So, unions are responsible for the weekend. We didn't used to, in this country or around the world, get Saturdays and Sundays off. We didn't used to have an eight-hour day and that's because people joined unions, worked together and influenced the law, influenced both state legislatures and the federal congress to provide things like unemployment insurance and many, many other things but the weekend is one of the things I appreciate the most, except for here, Mr. Speaker. We don't seem to get that. Anyway, I think this is very short sited legislation. It is bad public policy. I think it is unconstitutional and I urge rejection of this piece of legislation.

DELEGATE CAPUTO. Thank you. Ladies and gentlemen, I would ask that you reject this bill. I mean we're all adults when we're in the workplace and when I signed that slip, whether it's to deduct union dues off of me or credit union money off me, when I want that to stop, I'll let my employer know that I want that to stop. I don't know why we want to put ... and you're going to find this one hard to believe, Mr. Speaker, but why we would want to put such a burden on an employer to deal with all these slips. I filled it out once, I indicated to my employer I want the deduction out of my check. When I

change my mind, I'll go back, and I'll say, "Don't take it no more." Well, what's so hard about that? This is going to be difficult for employees, it's going to be difficult for employers and if you're targeting the union dues, well we have right to work now. An employee can walk over there any time and say ... well if the court upholds that, can walk over any time and say, "I don't want dues taken out of my check anymore." So, I'm just not sure what we're doing here. I think it's going to be ... I think it's going to be hard on charities. I think it's going to be hard on personal savings account plans. I think it's going to be hard on hospitalization plans. I know a lot of the places that I represent offer different types of plans, health insurance, life insurance, that's not provided by them, dental insurance. A lot of coverage such as that and if the employer just doesn't want to cooperate or if he thinks it's too burdensome, he's just going to unilaterally say, "I'm not signing any of those forms. It's just not going to happen anymore." It just doesn't make sense to me. I mean I understand when somebody wants to target a union, I get that, but I think there's a lot more to it than targeting a union here. It just doesn't make sense. Again, we're all big boys and girls when we go to work. We should be able to make those decisions on our own. We shouldn't have to legislate that kind of foolishness, in my opinion. Please vote "no".

DELEGATE LOVEJOY. Thank you, Mr. Speaker. I speak today with a strong word of caution about the collateral damage to West Virginia charities that'll be caused by the passage of this bill. I use the word "collateral" because I don't believe that our charities are the intended targets of the legislation, but I use the word "damage" because I do share their concerns that the passage of this bill will cause them to suffer. You know, I'm sure that many in this body also serve at home on the boards of our nonprofits. They do backbreaking and lifesaving work in our local communities. Maybe for you it's a charity that helps kids like the Big Brothers Big Sisters, maybe it's one that helps the disabled or the vocationally disadvantaged like Goodwill, maybe it's a recovery center, a food bank, maybe it's a gospel rescue mission. If you have served, then you have sat in those board rooms. You've sat in those meetings; the finance committees and you've poured over budgets that are hard. Budgets that say, "We may not

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be able to provide the services that our people need.” That means fewer after school opportunities for the kids after school in the Boys Club, a few less parenting classes, shorter hours at the food and clothing center, maybe less ... two less beds at the recovery place, or maybe a few less meals at the feeding program. Given those stakes, the policy question here is whether we should impose any additional impediments to charitable giving in West Virginia. Our charities back home have loudly proclaimed their answer to the question. Like me, maybe you got calls from your local nonprofits informing us that sometimes 60% of the money they receive comes from payroll deduction. Make no mistake, we are eliminating payroll deduction for charitable purposes in lieu of a new system called Annual Wage Assignments. We are mandating that every employer must complete a new form every year for every employee that wants to give to charity. For the employer with 1,000 employees that provides currently payroll deductions, say three charities, that’s going to be between 1,000 - 3,000 new pages of wage assignment paperwork every year. It’s entirely reasonable to fear that an employer who is already paper worked to death may say, “You know, I love that charity. I love what they do but thousands of new forms is just too much for me.” It’s no wonder the charities are scared about this bill. Mr. Speaker, I cannot go home in good conscience and tell those charities, or more importantly, the men, women and children they serve and sometimes keep alive, that I consciously made it harder for them to raise money by burdening our employers with more and more paperwork than they have under the current system which is working. While there’s been much discussion about the intention of this bill, I urge you to consider the unintended consequence in your community, as well as to prevent collateral damage to our West Virginia charities, by voting “no”.

DELEGATE FLUHARTY. This is about freedom. You know, we talk about it regularly here and we campaign on it and we use it as great PR tactics and it sounds great, but you’re taking away freedom. Whether you agree with it or not, the freedom to contract has been around and, I’m sure the Gentleman from the 1st could probably give us a nice diatribe on it, on how long it’s been

around, but it’s part of laissez-faire economics. It’s the idea that you, as an adult can contract with another adult without government interference. This bill is government interference. If you want to contract your employer for a period, the government is saying, “No, no! No definite term for you, sir. We’re only going to allow this little clause, which deals with politics to be in a twelve-month interval.” That is the freedom gone. That is ridiculous on one end but it’s carving out something for political purposes. We talk about paycheck protection. We all know this isn’t about paycheck protection. This is about political protection for political gain. Both sides of the aisle do it but let’s just call it what it is, political protection. It has nothing to do with paychecks and it’s taking away a freedom during this process, which I thought everybody in this room stood for freedom, but if you’re going to support this type of legislation, this type of big government interference, it goes against what many in this room, I believe, stand for. So, I recommend a “no” vote. Thank you.

DELEGATE BATES. Thank you. The problem we’re trying to fix is organized labor. I mean, it’s ... I mean, it’s not like we’ve not seen this somewhere else. I mean, everyone in this room knows this is part of the playbook. It ... the people that I represent back home sent me down here to spend 60 days focused on four things: to fix the budget, to fix our roads, to do something about the drug problem, and put people to work; and this bill does none of that. On the 59th day we’re going to take another shot at trying to weaken organized labor. Thank you, Mr. Speaker.

DELEGATE LEWIS. I personally don’t see a thing wrong with this ... with this bill. I think, you know, if it’s ready to go, you go in there, you sign it, you go about your way, you know, unless you have a change or something. I review mine every year. Your insurance might change. You might add, you might deduct. You might, you know, decide to take more out of your 401(k) or whatever. That’s something you should review every year anyway and that would be a trigger for you to do that. Also, basically we do that every day ... or once or twice a week in here. You sign for your mileage; you sign for everything you got. What’s the difference? You’re signing to get your benefits and

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you're looking over your benefits and I don't see it to be a big issue. So, therefore I will vote "green" on this bill.

DELEGATE ZATEZALO. Thank you, Mr. Speaker. I just ... I'm a little bit confused because I agree with the Gentleman from the 53rd. I have had to sign forms every year for employer PACS, for the United Way, for my medical savings account and my 401(k). From my experience, my personal experience, I couldn't have asked for a better situation because, I'll tell you, some years were tough, some years were good and the chance to revisit was very good as far as I was concerned. I appreciated the idea that I would get a chance to look at it. I don't think it changes anything. As a matter of fact, in 401(k), I was advised every six months that the period was open, and I needed to sign whether I wanted to continue it or not. Now, you know, so as far as I'm concerned, my own personal experience, I think this is a good bill and as a matter of fact it cleans up some practice in the state that should have been going on probably for some time. But the United Way, every year sends a form. You have to fill it out and that's just been my experience, so I don't see it changing much in many respects. Thank you.

DELEGATE SUMMERS. Thank you, Mr. Speaker. The Gentleman from the 30th and the Gentleman from the 50th raised two good questions that I thought I should answer. The Gentleman from the 30th said to the Chairman of the Judiciary, "Did anybody come to you and say that we needed this bill"? I spoke up in committee and said I needed this bill. Several years ago I worked for a hospital and my union dues were deducted from every paycheck and when I started seeing who SEIU supported and saw that that wasn't in line with who ... what I believed in, I went to my HR people and I said, "I'm a Beck Objector. I want ... I do not want these fees taken out of my check." I went back, I went back, I went back. They never took care of this for me. I went to my union, they couldn't help me. This bills for me. This bill is for other people like me. This is about our paycheck. It's not about unions, it's not about United Way. It's about my money and my check and I want to have a say. I want to opt in. I don't want to have to fight to opt out. I hate when we make this political, that we're trying to attack different things. It's about the employee. We all want to fight for the

employee, but we want to make it political. I urge passage of this bill.

DELEGATE MARCUM. Ladies and gentlemen, this bill is ... needs rejected, Senate Bill 239. I'm worried as a small business owner what's going to happen to your small businesses in this state who ... we're putting another burden on small businesses to ... you have to do this and to put people subject to attorney fees and other similar penalties for a piece of paper that there's not even a form for is appalling. I mean, we wonder why the...the approval rating of this Legislature are at an all-time low. I mean, it's sad. We've been here this long, and we've done nothing to put people back to work. We've raised their taxes and now we're dealing with Senate Bill 239. Kind of makes you wonder why the people of West Virginia look at us and say, "These approval ratings and these ... this body are so low." This bill is a joke and I urge rejection.

DELEGATE ROWE. Thank you, Mr. Speaker. I've really been surprised by the discussion on the floor this afternoon. I had no clue that ... what this bill does to charities. I had no clue that we're changing the category of charity deductions for United Way and other charities by taking them out of the definition of deductions and putting them into the definition of assignments. Now you say, "Well, you know, does that really change a whole lot?" It changes everything because the United Way now has to go to folks and get a written card that talks about the three-quarters ... the three-quarters of the periodical earnings and wages have to be ... have to be listed and there has to be an exemption for that. I don't know what that language is when it comes to somebody just wanting to give to their local charity and the trigger on it is the employer. The small employer who doesn't have an attorney and an accountant sitting on their elbows who, you know, just kind of do things ... you just try ... you know when you own a small business you just try to keep the bills paid for crying out loud. But look out! If you let your employee sign up for the United Way and you forget after that year on your deductions and your employee forgets and it goes for a second year and you decided to discharge that employee because you ... maybe your business isn't doing very well. Ah ha, you have ... by making those deductions for the United Way beyond that twelve-month

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period, you as a small employer have violated this statute and you say, "Well what ... is the Department of Labor going to come after me?" Well maybe they could but ... "Did I commit a crime? Am I going to go to jail?" You're not going to go to jail. What you're going to get is a lawsuit from that employee for your wage loss ... for your taking deductions and sending them to the United Way for an extra year that you shouldn't have. Now what that means is that you are subject to a lawsuit by that employee and what's the penalty? Two times the wage amount. Are we talking a whole year's worth of contributions to a charity? Two times the wage amount that was improperly paid to a third party plus attorney fees. Now if you're a small businessman, what are you going to do if you really know about this statute? You're going to say to your employees, "Look, I don't ... you know, if you want to contribute to somebody, go ahead. I'm not going to allow any deductions other than what I have to make. I'm going to deduct for taxes and that's all I'm going to do." Now this statute ... I mean it grew like Topsy and I think that the Gentleman from Cabell who was talking about unintended consequences... I thought, "Well, surely that's not what this does..." It's exactly what it does. It's a gotcha statute for small employers. Now the big corporations with accountants and lawyers, they're not going to fall in this trap and they may have a bookkeeper that's so smart that every single year they check and make sure that this person signed up on February so I've got to make sure it's calendar around to February but now this other employee is signed up for June so I've got to calendar in June and they keep track of all that for you and you don't get sued and you don't have a wage payment collection action against you. The only solution for the small employer is to make sure that you don't deduct for charities. Now that's what this statute does. It leaves the small employer in a gotcha situation and it's just not necessary. The ... I mean the statute is a huge mistake on that basis, because before this statute, what we've got now is that charities are considered ... charitable deductions are not assignments subject to the requirement of having a one year check off and, you know, I just think that the folks who've been arguing that this is a disaster for small employers and for charities are completely right. I urge rejection of the bill.

DELEGATE FLEISCHAUER. Thank you. I wanted to respond to the lady from Taylor, and I agree with you that if you did not want to continue to contribute for the political contributions, that that was wrong. It was wrong that your union didn't fix it. It was wrong that your employer didn't fix it and that it ... that's not an improper reason to have legislation, but we could have done that in a much simpler way if that was the only intention of the bill, and the reason why so many of us feel like this is political is because we have ... instead ... well, you could have just said, "Okay, we're going ... from now on anyone who wants to stop making any political contributions to unions should do this," to make those intentions clear. That would have been one thing, but this goes so far beyond that by saying, "We're going to stop the whole process for deductions," and there are organizations out there like ALEC who have model legislation that looks very similar to this and that's why we ... maybe we're paranoid, but that's why we think this is designed to destroy unions and the collateral damage is very large. I got an email from a large employer who said this was going to be so much more complicated to take out all these deductions for charities and for payroll savings plans. It is going to be a pain for both small employers and big employers and people won't get around to doing it and that's why charities are predicting that there will be a 40% lower charitable contribution level. That will be very bad if that prediction is true for our state. We need our ... all of the groups that we donate to and it will ... once we make it inconvenient, it won't ... not only will it not happen, but employers will say, as the Gentleman from Kanawha said, "I do not want to be bothered with this." So, that is why many of us think that this ... the purpose behind this is to destroy unions. It's a very sad day, to me and for our state and the collateral damage is very unfortunate. So, I continue to urge rejection. Thank you, Mr. Speaker.

DELEGATE DISERIO. Let's be real here about what this bill is. It's another kick in the teeth to labor unions. You see the way I view this, the last time I checked, there was only about ten, maybe eleven percent of this country was unionized. Who'd worry about that? My district ... if ten percent of my district was not going to vote for me, I guess I wouldn't be too upset about that. So, it's not

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about the money that's going in here, it's about kicking these people in the teeth right now. Pretty transparent, there's transparency around here. It's clear to me that somewhere in this building was floating around a bill to raise campaign contributions limits because some can get big amounts of money and some can only depend on who they work for. Last week I also heard here what we should be teaching in the schools...teach about the Constitution. I'll tell you something we don't teach about, West Virginia labor history... Dumb them up. Don't let them know about the massacre at Matewan, the Battle of Blair Mountain, the march on Cliftonville where the Brooke County Sheriff was shot and killed. Dumb them up. Don't let them know about that stuff. You know, the name of this bill shouldn't be "Paycheck Protection", it should be "Keep the Majority in the Majority." Thank you, Mr. Speaker.

DELEGATE SHOTT. Thank you, Mr. Speaker. There's nothing in this bill that would prevent anyone from doing what they want with their money. What it basically does is treat everyone the same. In 1937 there were certain entities that were preferred including unions. You can make your own decisions as to why they were preferred. This bill does not eliminate unions; it just simply treats unions like any other deduction. It carves out and makes clear to avoid trapping employee ... employers what they can deduct without further documentation and everything else, whether it's union or employee, whether any other deduction is treated exactly the same and the process is simplified. Mr. Speaker, I urge passage.

INTRODUCTION OF JIM BOWEN

REMARKS
of
HON. SHIRLEY LOVE
April 8, 2017

DELEGATE LOVE. Mr. Speaker it's with honor that I introduce this gentleman who is a close friend of mine and the Delegate from the 50th District, Delegate Caputo. Anyway, he's sitting in the south gallery and this gentleman, he doesn't need a governor to give him a Distinguished West Virginian Award. He's already a distinguished West Virginian and not only that he ... he's a champion for labor and has been for several

years. He's known as the legend with the American labor rights. He's attended several Democratic National Conventions as a delegate and he led the charge at the Battle of Fort Pack and you're probably wondering what's the Battle of Fort Pack? That was in a military engagement, it was a battle for union rights for Local 5668 at Ravenswood and that ultimately turned into a victory for those folks. Not only is he a friend of labor, a friend of Delegate Caputo and myself, he's been a friend to a lot of the folks here in this gallery and I'm speaking of the past president of the AF of L-CIO in West Virginia, Mr. Jim Bowen. Let's give Jim a big House welcome! Stand up, Jim.

COM. SUB. FOR H. B. 2018

REMARKS
of
MEMBERS
April 9, 2017

DELEGATE BOGGS. Thank you, Mr. Speaker. I will be voting "no" on this and I appreciate all of the information that the Finance Chairman, my good friend, gave us but I have a lot of concerns. It's ... its late, we don't have a printed version, we haven't had the opportunity to study this at length.

Quite frankly, if there are this many cuts, this many hits, I have ... I think it would be prudent to look at this more closely.

While the Chairman, who said, the ADD wavier, the Agde and Disabled program, won't be cut, I have to wonder about child medical services, chore services, things that elderly depend on, that aren't really part of the ADD wavier or the IDD wavier program.

Also, I have some real concerns about what will happen by taking \$90 million more out of Rainy Day, and then at some future time, down the road, we try to float bonds, for jobs and for road construction, and for what we can actually get out of the bonds. It may...if we get downgraded, by the rating agencies, and I really don't know how long that might take, and it might not happen. It might happen rapidly. But, that is a concern, and I think in light of that and just out of an abundance of caution, I kind of feel when in

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doubt don't. And, I am definitely in doubt right now. So, I will be voting "no" on this budget.

DELEGATE SPONAUGLE. Thank you, Mr. Speaker. I likewise join my colleague. This budget is pretty bad. The Finance Chairman did a pretty good job with what he initially sent over. I disagree with several things. \$30 million in cuts to higher education, with just one item. But, by gosh, we've cut back now ... We've got \$40 million dollars cut in Medicaid. That's a 3 to 1 match, that basically \$200 million dollars there, in services. Your taking \$90 million dollars out of the Rainy Day Fund, which means we are not even balanced out zero. We can't even come to a positive on cash flow. We are way out of whack. Our bond rating is going to drop, as a result of that. You have your cutting medical services \$140 million dollars, with DHHR. And, WVU is getting pounded, getting a nine percent cut and Marshall's getting a nine percent cut. And, every college in the state is getting a four percent cut.

I don't know what the Senate is attempting to do, and quite frankly, I'm surprised this body is willing to roll over and play dead for the Senate. But, if that is what you all want to do, I'd urge rejection of this budget because, this is just pitiful. And, the House had a lot better deal than this. But, I don't know why you all want to kowtow to the Senate, but, I'm voting "no".

DELEGATE WILSON: Thank you, Mr. Speaker. I'm not real sure how getting the Senate to come over to our side is actually giving in to them. This right here, this is a major victory for the taxpayers of this state. For the people who bear the burdens. For the people who actually create the wealth this state lives on. For the people who made it possible for this building to exist and, all these programs to exist.

See the thing is, these programs are not something that you do so that you can become wealthy. These programs are things that exist once you are wealthy. This state is not wealthy. We're hurting. And, the people who are trying to make this state function, ... The people who actually carry the burdens. The people who actually make things happen here, are the ones who are suffering because

they are not getting a return on their investment.

This budget, this budget takes some of the burden off of them. This budget says, you know what? We know who is actually buttering our toast. We recognize who's actually feeding everybody.

Thank you very much. We recognize what you're doing, we honor it and, we will honor you by allowing you to keep a little bit more of what you've created. What you've made.

Thank you, Mr. Speaker.

DELEGATE ZATEZALO. Well, here we are. This is kind of an interesting time. We passed a budget out of here, that I spoke on before. I was very ... I don't know how we can be very pleased with budgets, at this time. With our existence at the State of West Virginia. But, I thought it was a good plan ... I thought the biggest thing that I saw was that we spent less than we did last year. I thought that was a good thing.

I know it might not be the biggest of big things but, it's important that in bad times, we spend less money. And so, I said well, the tax increases are something that I will live with because we're trying to make sure we are living as much within our means as we can, and still provide services.

Well, it kind of didn't work out that way because some of the bills that we used were defeated outside of this body. That's unfortunate for all of us, in my opinion. It's unfortunate because it makes the budget less desirable. However, when you don't want to vote for taxes, and I mean all of us. I'm not throwing any stones in any direction. There are plenty of people in this body, across the aisle and across, all the way across the building, who don't want any new taxes. We heard that, very clearly.

When you get to those two items, then what you get, is the budget that we have. I think it is responsible, and I do think it is difficult. There's no doubt about it. And so, we have a few ways to go here. I'd say we pass this budget right now and, let's get to the negotiating table, because I think it's the best we can do given the tools that we've been

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provided ... The tools that we've been provided.

The people don't want the taxes. This is what we have. I think it is probably, a good thing to go at it from a very conservative standpoint. I think it's reasonable to do that. Because, in the end, the less taxes you have, the better you're going to be, up to a point.

When you start to cut services, it hurts. It hurts badly. But, I think that's where we are right now and, I would support this budget. So, thank you very much, Mr. Speaker.

DELEGATE BOGGS: Thank you, Mr. Speaker. I apologize, I had a thought that I just wanted to mention to the body and I neglected it when I was in this. I'm on the board at our local hospital. Now, many of you ... I think several of you are hospital board members. But, our hospitals are some of the largest employers that we have. And our doctors, and our clinics. And, I'm really concerned after sitting and listening to this and, thinking about this. If we make some of these facilities wait longer, this is going to put them in a real hardship. I mean ... I mean, really between a rock and a hard place, folks.

And, you know, I know, you take a critical access hospital, or maybe, a small hospital and you have to ... and they're waiting and, I have to hear from them, that they have to wait a long time, because the ... until the claims are processed, if this is going to take longer, ... it really has me concerned about what could happen to our health care delivery system all over the State. Maybe some of the big hospitals can absorb it but if you're in one of the categories that has a small or medium size hospitals, you're probably going to hear from someone. So, thank you, Mr. Speaker.

DELEGATE SOBONYA: Thank you, Mr. Speaker. First, we heard that we haven't passed the budget fast enough. Even though the budget came out of the House Finance Committee faster than in memory. Now, we've heard that we're passing the budget too fast.

Then we heard that this is a terrible budget. But, I don't remember seeing one green light when we tried to eliminate the greyhound breeder money that would have put \$15 million dollars into this budget. Less

cuts for higher education or hospitals, or for whatever.

We didn't see one green light for the slot machine modernization bill. The Workers' Comp redirect. The Courtesy Patrol, Education and the Arts, the beer tax, the film tax credit removal, the Women's Commission elimination, the broaden the base, lower the rate.

And, now we're hearing complaints about the Rainy Day Fund, when in fact the last budget that the minority party crafted and put together for us to vote on, had more Rainy Day money than we've ever used.

We have to get a balanced budget to the Governor. This may not be the budget that we had in mind and that we wanted to vote for, but when you don't have the revenue to keep from having all these cuts, that's what happens.

It shouldn't have been, like a one partisan thing, having not one green light for all those things I listed. So, when you don't pass the revenue and, pass the cuts in government, that's what you get.

So, I urge adoption, passage of this budget. Thank you, Mr. Speaker.

DELEGATE COWLES: Thank you very much, Mr. Speaker. Ladies and gentlemen, I rise in support of the budget bill. I would remind everybody that the money that is in the Rainy Day Fund, that too is the people's money.

We've said that we need to tighten our belt, that state government needs to tighten its belt. We hold a press conference and said that we were going to try to live within our means and, what's before you is indeed, a slim budget. It is that effort.

But, it does fund critical functions of state government. The state police and PROMISE Scholarships and, veterans and senior programs and DHHR and CPS workers, highways, schools, ADD wavier and the IDD wavier.

It does fund K-12, as much as we could. We tried to hold it harmless, as much as we could. I think it is a fair and solid effort, Mr.

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Chairman. Outstanding work, Mr. Vice Chairman. Staff, it is a bridge to a time where I think, our state economy is going to be doing better.

It's already showing signs of improvement. It's a tight budget for another year, no doubt. It's a good work product. I hope soon, we can come down and spend money on programs because the economy is doing better because people's home budgets are doing better. But, until then, we need to live within our means and tighten our belt. And, that's the budget before you right now and, I urge your green vote. Thank you, Mr. Speaker.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
HON. RODNEY MILLER
May 15, 2017

DELEGATE R. MILLER. Thank you, Mr. Speaker. On a little bit more somber note, members of the House, as you may know today in Washington D.C. thousands of law-enforcement officers from across the United States have assembled to pay their respects to those who have paid the ultimate sacrifice for their nation, their state and for their communities. Today is National Law Enforcement Officers' Memorial Day. Each and every day there are brave men and women who tell their families bye and go to work for the simple task of making our communities a better and safer place to live and work. Unfortunately, some of these guardians of peace never make it home, leaving spouses, children and other family members behind in the wake of violence. They took an oath to do what many would never think of doing, taking a vow to protect their fellow man at whatever cost, even that of their own life. Many in West Virginia have made these sacrifices and even paid that ultimate sacrifice. During 2017, the United States has seen approximately a 39% increase in the number of law enforcement fatalities when compared to the same time frame in 2016. Today at the National Law Enforcers' Memorial in Washington the names of more than 21,183 are engraved on the memorial walls. In the last ten years there was an average of one death every 63 hours or 151 per year. In 2016 there were 143 law-

enforcement officers killed in the line of duty. In 2015 there were recorded 51,548 assaults against law enforcement officers resulting in 14,453 injuries, some of which were career ending. In case you've never noticed there are 210 names placed on the West Virginia Law Enforcement Memorial on the corner of the concourse of the Culture Center near Greenbrier Street where the Fallen Partner Memorial stands. Last week a memorial observance was held by West Virginia law-enforcement at our own memorial. This week-long observance has been held annually since President John F. Kennedy proclaimed the first National Peace Officers' Memorial Day, in 1962, as we honor the fallen. I, like many others, hope and pray that we never see the blood spilled on another badge in our state or nation. We certainly owe these brave men and women our humblest thanks and support for what they do to try and protect us from those who seek to cause us harm. They certainly don't do it for the money but rather for a sense of pride in their communities and for the benefit of their fellowman. Please remember that as we continue to deliberate on the budget. This is serious to our constituents. Mr. Speaker, I join the Gentleman from the 9th in recognition of National Law Enforcement Officers' Memorial Day. We would ask a unanimous consent for a moment of silence to show our respect for those officers who have paid the ultimate sacrifice as well as to honor those who continue to serve our great state.

COAL MINING FATALITY IN WYOMING COUNTY

REMARKS
of
HON. TONY PAYNTER
May 19, 2017

DELEGATE PAYNTER. I'd like to tell everybody know we had another accident in Wyoming County at Pinnacle Mine last night. We lost a good man. He was from Man, West Virginia, graduated from Man, had three kids and ... these guys, they put it on the line every night for their families and to give us electricity, to provide for the state, for the world. They don't get much respect and it's a thankless job but these guys, they deserve all the respect we give them. They're salt of the earth people and all our coal miners are the same way. It's ... no matter how safe we make this, it's always going to

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be a dangerous job and I'd just like to ask for a moment of silence for him and God bless all of our coal miners and their families.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
HON. CINDY FRICH
June 5, 2017

DELEGATE FRICH. Thank you, Mr. Speaker. Today some Delegates and I have introduced House Hill 119, the bill to discontinue the West Virginia Greyhound Breeding Development Fund. This special session bill is the same bill as the bill passed by both the Senate and the House during the Regular Session. This bill would save the state taxpayers approximately 15 million dollars. Unfortunately, Governor Justice vetoed the Regular Session bill, yet he continues to demand that this body raise taxes on the good citizens of our state. Why should West Virginians have their tax rates raised while our state continues to waste money on such wasteful spending? The state funding of greyhounds has a negative return on investment and most of the purse money goes out of state. Many people and organizations believe that we are subsidizing a sport that they see as animal abuse. In addition, will we choose to cut higher education's reinvestment into our people and our state on behalf of such folly? If we pass this bill and the Governor acts differently, we will not need to cut higher education. We could make better tax...we could make better revenue and expenditure decisions. I know what my choice is. What is yours?

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

PTSD AMONG VETERANS

REMARKS
of
HON. CAROL MILLER
June 6, 2017

DELEGATE C. MILLER. Thank you, Mr. Speaker. I know everyone in this room

appreciates all of the people who guard our wonderful country, who protect us, be it locally, nationally or all over the world. Many of those same people suffer from PTSD and I'd like you all to just take a moment to put them in your hearts and raise them up and stand with me for a silent moment.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
MEMBERS
June 7, 2017

DELEGATE PUSHKIN. Thank you, Mr. Speaker. I guess with everything that's been going on down here since we've been back in the special session working on the ... trying to balance the state's budget, especially with the ... all the national news going on it's fairly easy for certain stories and the news to slip through the cracks and that's why I had this article from a ... it was actually today's paper, came out yesterday afternoon and was in this morning's paper in the, I guess, Kansas City Star and I think it's timely and pertinent to what we're dealing with now and I had it placed on your desk. But what happened yesterday in Kansas, a Republican Legislature had pulled together 2/3 a majority to override a Republican governor's veto because they had to get together and raise income taxes in Kansas because about the ... like five years ago they went down the path of drastically lowering income taxes, you know, probably with the best intentions, thinking that's going to cause people to move to the state, it's going to spur new business, it's going to create jobs. Well, it didn't work out that way and the reason I believe that's pertinent to what we're doing now ... because I see this to be the mantra from the leadership in the Senate that that's the path that we should be taking here in West Virginia.

It's very difficult to overturn that once you start heading down that path. You could say that, you know, we're not Kansas and you'd be correct in saying that. We're not Kansas. One of the differences is five years ago Kansas didn't have this huge deficit. Well, we already have it. We're trying to go down this path where we're already in the hole

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about a half a billion dollars. So, it just makes sense to me that the first step of getting out of the hole that we're in, would possibly be to, you know, put down the shovel and stop digging and not be looking at greater tax cuts to get us even deeper into the hole where they haven't worked out in Kansas. You know, it's often we hear the state budget and revenue bills compared to, like the average family household in West Virginia and we've often heard we have to tighten our belts and live within our means, and I agree with that. However, any household will tell you certain bills need to be paid, and if you can't pay the bills working 40 hours a week, you don't cut down to 35 hours a week or 30 hours a week. You're going to get deeper into the hole. So, there are plenty of ways ... when it's all said and done, we know it's going to happen here. We're going to have to put down our differences, come together and pass some sort of revenue bill that's fair to everyone in the state, that makes sense. I've introduced one, I introduced House Bill 110. If anyone has any questions about it I would, you know, be glad to speak about it with you, take what you like out of it, leave the rest, there's plenty of good ideas. The important thing is that it adds up. It pays for essential services; it doesn't hurt the most vulnerable people in this state. It doesn't shift the burden onto the working class and we wouldn't be back in this same mess next year if we were to pass this bill. If it addresses structural holes in our state's budget. So, that's just one possibility, one solution. There are plenty more we can come up with. I think the important thing is for what the people want us to do is leave a party, leave political ideology, leave personalities at the door here, come together, you know, do our math before we do our job and pass a revenue bill that makes sense and then get the heck out of here. Thank you.

DELEGATE LOVE. Thank you, Mr. Speaker. I was listening to television yesterday evening and a little incident similar to what the Delegate was talking about, depressions and recessions and cutting and inserting and what have you, and it reminded me of a little piece of paper that I read one time that I, I put it aside in my political archives and I looked it up and looked to find it, a little wrinkled but ... now whether this relates to our Legislature this time, you have to draw your own conclusion. But the name of it is "A Parable of Our Times." It says, a man lived by the side of the road and he sold

hot dogs. He was hard of hearing, so he had no radio, and he had trouble with his eyes, so he didn't read the newspapers. But he sold good hot dogs. So, he put up a sign on the highway telling how good they were. He stood by the side of the road and shouted out, "Hey mister, buy a hot dog, mister." And people bought. And he increased his meat and his roll orders, and he bought a bigger stove to take care of his trade. Then he got his son to come home from college to help him. But then something happened. His son said, "Dad, haven't you been listening to the radio? If money stays tight we're going to, bound to have some bad business. There may be a big depression coming on. You'd better prepare for poor trade." Whereupon the father thought, "Well, my son, he's gone to college and he reads the newspapers and he listens to the radio and he ought to know." So, the father cut down on his meat and the roll orders and he took down his advertising signs and he no longer bothered to stand by the side of the highway to sell his hot dogs and his hot dog sales fell almost overnight. "You were right, son." The father told the boy. "We are certainly headed for a depression." And that's called "The Parable of Our Times". I hope you enjoyed. Thank you. Thank you, Mr. Speaker.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS of MEMBERS June 8, 2017

DELEGATE FLUHARTY: Thank you, Mr. Speaker. Earlier this week we had another bill introduced in an attempt to defund the Greyhound industry. And, at that time, I sat here, frustrated, as many of you probably thought, because it's a direct attack on Wheeling and the Northern Panhandle.

But, I let it slide because I took it off as politics as usual. And, if there's one thing I've learned in politics, it's don't feed the trolls. Well, since that time, I was checking my voicemail and I had a message from a constituent in Wheeling, an older woman, and she was holding back tears in the voicemail, worrying about her future, her family's future and what's going to happen

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next, because she's preparing for round two, thinking that we're up against it again.

Now, everybody in here knows that that bill has no chance of passing right now, and you probably have a better chance at winning the Powerball than you do of passing that bill.

But, it reminded me that we shouldn't play political games here in Charleston. And that's exactly what we're doing with the Greyhound Industry, and people's livelihoods. What we do here matters, people are paying attention, and there are consequences. So, lets quit playing political games with the lives of West Virginians, during the special session, when we're down here wasting taxpayer dollars on meritless pieces of legislation. Thank you.

DELEGATE PUSHKIN. Thank you, Mr. Speaker. I guess with everything that's been going on down here since we've been back in the special session working on the...trying to balance the state's budget, especially with the...all the national news going on, it fairly easy for certain stories and the news to slip through the cracks and that's why I had this article from a ...it was actually today's paper, came out yesterday afternoon and was in this morning's paper in the, I guess, Kansas City Star and I think it's timely and pertinent to what we're dealing with now and I had it placed on your desks. But what happened yesterday in Kansas, a Republican Legislature had pulled together two thirds a majority to override a Republican governor's veto because they had to get together and raise income taxes in Kansas because about the...like five years ago they wen down the path of drastically lowering income taxes, you know, probably with the best intentions, thinking that's going to cause people to move to the state, it's going to spur new business, it's going to create jobs. Well, it didn't work out that way and the reason I believe that's pertinent to what we're doing now...because I see this to be the mantra from the leadership in the Senate that that's the path that we should be taking here in West Virginia. It's very difficult to overturn that once you start heading down that path. You could say that, you know, we're not in Kansas and you'd be correct in saying that. We're not in Kansas. One of the difference is five years ago Kansas didn't have this huge deficit. Well, we already have it. We're trying to do down this path where we're already in the hold about a

half a billion dollars. So, it just makes sense to me that the first step of getting out of the hole that we're in, would possibly be to, you know, put down the shovel and stop digging and not be looking at greater tax cuts to get us even deeper into the hole where they haven't worked in Kansas. You know, it's often we hear the state budget and revenue bills compared to, like the average family household in West Virginia and we've often heard we have to tighten our belts and live within our means, and I agree with that. However, any household will tell you certain bills need to be paid, and if you can't pay bills working 40 hours a week, you don't cut down a 35 hour a week or 30 hours a week. You're going to get deeper into the hole.

So, there are plenty of ways...when it's all said and done, we know it's going to happen here. We're going to have to put down our differences, come together and pass some sort of revenue bill that's fair to everyone in the state, that makes sense. I've introduced one, I introduced House Bill 110. If anyone has any questions about it I would, you know, be glad to speak about it with you, take what you like out of it, leave the rest, there's plenty of good ideas. The important thing is that it adds up. It pays for essential services, it doesn't hurt the most vulnerable people in this state. It doesn't shift the burden onto the working class and we wouldn't be back in this same mess nest year if we were to pass this bill. If it addresses structural holes in our state's budget. So, that's just one possibility, one solution. There are plenty more we can come up with. I think the important thing is for what the people want us to do is leave a party, leave political ideology, leave personalities at the door here, come together, you know, do our math before we do our job and pass a revenue bill that makes sense then get the heck out of here. Thank you.

DELEGATE SUMMERS. Thank you, Mr. Speaker. I placed on your desk today the salary chart for corrections workers with comparisons to other surrounding states. The reason I did this is because I continued to be appalled that we as their employees ..., employers continue to think that this is acceptable. They make \$22,584 starting salary.

Currently, the West Virginia or the U. S. Federal Poverty Guidelines for a family of four in 2016, was \$24,300. We receive a

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budget proposal that begs for money for roads and begs for monies to save our state for tourism, but where is the request for the pay raise for these employees? \$22,584. We think that it's okay for that amount of money to make somebody endure the threat of violence and death, every day when they step into work, for twenty-two grand? In 2017, the West Virginia DMAPS put together a report, titled West Virginia DMAPS correctional staffing crisis, and I have it, and I can forward it to you if you want it. In this report there was data showing that they have 407 staff vacancies, as of May of 2017. And, that also, inexperience of new officers directly correlates with an increase in incidents of contraband, such as, weapons, drugs, perhaps you have heard that a lot of the prisons are seeing an increase in the amount of drugs.

Inmate on inmate violence and staff assaults. I think that this is a public safety issue that we also need to address. The report also shows that 75 percent of the employees at correctional institutions, leave within two years. So, we are training them, we're recruiting them and we're training them, and they just turn around and leave again. Because of the shortage we paid thirteen million dollars in overtime for 2016.

When are we going to prioritize the needs of these individual's in their pay? When are we going to be willing to make some of the difficult cuts that we need to do, such as the Women's Commission, such as gambling, such as Courtesy Patrol? These correctional officers deserve a voice and I wanted to be that voice for them, today. Thank you.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
HON. CINDY FRICH
June 12, 2017

DELEGATE FRICH. Thank you, Mr. Speaker. I believe it's reasonable to believe that House Bill 119 to eliminate funding for greyhound breeders, etc., is within the Governor's budget and revenue call, but what I believe is not reasonable is that the State of West Virginia continue funding more money per greyhound that it funds per student in

public education K-12. The numbers that I was looking at this weekend, at best, if you even include the dogs from out of state that are ket confined in the kennels at the tracks, we're spending...there's twice as much, almost, being spent per dog that per student and at worst, if you do this using the number of greyhounds whelped per year in West Virginia, it's three times as much money per greyhound than spent per student in K-12 in this state. That does not represent the values of my constituents and I don't think it represents the values of many of the rest of our constituents.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
MEMBERS
June 13, 2017

DELEGATE ARMSTEAD. Thank you, Mr. Speaker. Ladies and gentlemen, I've, like you, been here for several days working toward a budget resolution and I've listened to the comments that have been made and particularly those tonight and I want to set a few things straight because I think it's important that we understand where we are and how we got here.

Now, we all know that the budget situation we're in is a difficult one mainly because of our energy industry, our severance taxes and the downstream effect of those and we have a very serious issue in front of us and that is what our budget will be and what it can fund, what we can afford to fund at what level.

Now, I'm going to say something that a number of you have said many times when you go on the floor ... I didn't expect to get on the floor and talk either. I normally don't expect to get on the floor and talk but, I want to set some things straight and that is, first of all, there have been an awfully lot of people in this chamber here tonight who have been working day and night to try and resolve this issue and the implication and the accusation and the ... you know, the attacks on people's character as if we've been sitting here doing nothing, I take offense to and I take offense on behalf of a number of members on both

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sides of the aisle because I know that they've been working hard to try to resolve this, so I don't want this ... some type of image and accusation that people have been coming down here and doing nothing. I don't think that's true and I know that people have been working night and day to try to resolve these issues and I don't know and I think it goes to what someone just said a moment ago about the plan changing every day ... yes, it has. It's been changing not every day ... sometimes every hour because we've had a Governor who has changed that plan just about every day and changed components of that plan every day and we've had a Senate that has changed that plan and changed components of that plan every day and this house has worked together, I believe, in a very bipartisan fashion. In fact, the most bipartisan solution that's been passed throughout this special session came from this house. It was a solution that I believe we worked very, very closely with our colleagues both on the house republican and democrat side to craft and that was the solution that went to this conference committee that's also been the source of a number of comments tonight. But let me just say this, we have stood very strongly together I believe against a proposal that we feel simply is not the right direction for our state to go and that is a proposal that would raise sales taxes and other taxes so high that I think would have a tremendous burden on our citizens in order to do an income tax reduction that many of us believe simply has not been fully vetted and we don't really know what the impact of that would be.

So, we have put forward, I believe, in this chamber, a number of different solutions to that question that we have of how we go about constructing a budget, but we have had roadblock after roadblock after roadblock from our friends across the building and we've had roadblocks quite frankly from downstairs. But I'm not trying to cast this burden on anybody. I'm not trying to throw stones, but I am offended at the idea that any member of this house after we have worked together to try to come up with these solutions would get on this floor and somehow accuse people of sitting around and doing nothing. Yes, that is offensive and it's simply not true because I know the members of this house have been here practically every day, maybe taking Sunday off, trying to solve these dilemmas and working very hard in the

Finance Committee, our Chair, members of that committee, members of the colleagues across the aisle who have worked hard to do that, and I do believe we are making progress on that. Has it been as quick as I would like, of course not. We sent a budget the last day of session. The Governor should've signed that budget and we would've never been here. I feel strongly that that's the truth. When people say we're here because of anything this Legislature did is flat out wrong. We're here in a special session because the Governor vetoed a budget that we sent him. Whether you like that budget or don't like that budget, we're here because the Governor vetoed our budget that we sent so when people say we haven't passed a budget and we can't get a budget, we had a budget the Governor didn't like the budget and he had, in a very offensive manner, expressed his dislike of that budget, if you recall.

Now, what we've tried to do is work with the Governor's Office, work with the Senate. I think the plan that we came up with that was proposed in the conference committee today was a reasonable combination of ideas from the Governor's Office, from the Senate and from our caucus and the democratic caucus in our house. I think we've tried very hard to bring forth solutions and I think that ... and I'm proud of those solutions. I don't agree with everything in them but we have known from day one that in order to get an agreement that the House, the Senate and the Governor will agree, we're not going to love everything in it, nor is the Governor, nor is the Senate but that's where we've been working very hard to find that compromise and there was a comment made that we don't have a budget, we don't have a road bill ... if you were listening to the committee reports today you realize that today there is both a budget and a road bill that was reported from the Finance Committee and we're going to have debate on that and I know not everyone likes everything in those bills but that's what we've been doing ... working those bills, working them through committee, working them through this process.

So, I take the floor tonight just to say this; all of us want to be done. I don't think I'm going to have anybody that's going to say, "I want to stay here a few more days or a few more weeks". No one wants to do that, no one wants this government to shut down and I want to say that very clearly; the rhetoric and

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the thoughts about that is irresponsible. No one is wanting to shut this government down. If we wanted to shut this government down, we wouldn't be working day and night to try to solve this issue.

Now, we have a lot of different ideas about how you get there and there is a beauty and a frustration to that sometimes we all know, part of this process that we come with different ideas and it's our job to work together to put those ideas together in a piece of legislation or pieces of legislation that we can support with a majority of this house and majority of the Senate and the Governor can sign and that's what we're working to do and we're going to continue to do that and we're going to get a budget and we're going to put those fears to rest that people have but it's going to still, there's still some work in front of us and so I don't think there is anything to be gained by people getting on the floor of this house and attacking anyone and saying where is this or where is that. Be a part of the solution. Bring your ideas to the table which many of you have and when we talked about the conference committee for example, having a couple more days to meet. Well, I think whether that results in a conference committee report that comes out and gets adopted or not, those discussions have been useful, they've been productive, they've been helpful. We have excluded some things. We are moving toward, I believe more and more a direction that will get us a budget and I am confident although at times I'm frustrated just as you are, with the setbacks that we've seen with the ... and I have a great deal of respect for my colleagues on the other side of this building but, I do not believe they have been willing to recognize that there are certain things they want that are not going to happen; that there are certain components of legislation that they want to see that simply are not going to cross the finish line and we have taken action in this house time and time again to show that and we may need to take action again to show that but what we ... rather than say what we can't get across the finish line or what we can't get the votes for or what we can't do, let's work together to get the votes for a piece of legislation that will be a responsible budget that will fund government, that will fund these programs that have been talked about this evening that will put peoples' minds at ease and we're going to continue to work on that and someone suggested that maybe being here

until midnight when you hear work until midnight ... you're going to hear we may very well be pretty close to that tonight because we're going to be here back in this chamber again tonight and we're going to continue to work this evening on that and tomorrow and whatever time it takes to get it done.

So, I will say this that I do believe it is important as we go through the next few days that people are going to have to recognize that you're not going to like everything in whatever piece of legislation we end up adopting. I don't like everything in some of the ones we're working on. I like ... I have my beliefs and my views of what the answers are just like you do but, we need to really be willing to work together and find that piece of legislation that we can get the majority of this house to support and I truthfully believe that we have come forward with pieces of legislation as we've shown in the past with our votes that we'll do just that.

So, with that, I again thank you for the fact that you have each given up time of your lives away from your families. I think we are all ready to have this completed just like the people of West Virginia are ready to have it completed. But we've got some more work to do and we need to just buckle ourselves up and get across the finish line with these pieces of legislation we're working on. We will have opportunities for you to make amendments to discuss them here on the floor, but I do believe there is tremendous movement toward a solution and I think we just need to continue on course to get these pieces of legislation passed. Thank you.

DELEGATE COWLES. Thank you very much, Mr. Speaker. I would like to add a couple encouraging words if I might. You know, I ... I got pretty thick skin so I don't mind too much, but I would say a couple things. I would encourage ... you know, my friend, the Lady from the 50th and I serve on Finance together and some of you who sit towards the back over there who are worried about what's going on, I think I would encourage you to pay attention a little more closely. Today we pass out of Finance, a roads bill. We pass out of Finance a budget bill of 4.28 billion dollars in general revenue plus the road fund plus federal money plus special revenue. We just sent back to the Senate their furlough bill that has serious

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implications for state employees. If you like to talk about and care about state employees, pay attention. I would encourage you to pay attention when we're dealing with Senate messages. Perhaps you would understand that there are important things going on right now. My friend on the back row likes to say, "Maybe important things aren't happening right now because there are introductions from the floor." Cheap shot. Cheap shot. That's what that is. There are always introductions from the floor. It's a point of order during the business. If there are service dogs up in the gallery that need to be introduced or to the benefit of somebody, well then, please introduce them. Cheap shot. I would encourage you to ... if you care about the eloquent remarks of my friend from the 20th. I quote, "... to see the scared that's on West Virginia it's ... scary." Well, gee I don't know. I would suggest this. If you care about West Virginians you will have, before you really quickly, a budget bill that will fund Medicaid and senior programs and scholarships and road funding and volunteer fire departments and state police. Will that earn your vote; I would wonder? I would encourage your vote for the budget bill. There will be funding in there for those programs. Happy Birthday! My friend suggested that because here on the House floor, we're not working towards a resolution on this budget because people sing happy birthday on the floor. Are you kidding me? Is that what that means? That's not what that means, that's a cheap shot, friends. That's a cheap shot because my friends in the press are down there at the table. There are serious things that are going on right now. My friend suggests perhaps we work until midnight. I think we might have that opportunity. The conference committee is appointed through midnight today. It's been right here. We're coming back tonight. Important things, things that matter to my constituents, to my friends and neighbors, to your constituents and your friends and neighbors are happening right now. Big important bills. I would encourage you to pay attention. I would also encourage a couple other things. That none of these answers that we search for are easy. These are tough times for West Virginia. The fallout from the energy from the war on coal has been tough and will continue to be tough. Whatever the answers are, I promise you they are not found solely in one party or the other. They're not found on one side of the aisle or the other. We need to work together and

cheap shots and decisive of speeches in the middle of these type things are not helpful. So, I'd encourage you to work together, to work alongside us to accomplish things. Those are my encouraging words, Mr. Speaker. Thank you.

DELEGATE MARCUM. Thank you, Mr. Speaker. Ladies and gentlemen, we're here, the thirteenth day of June and I tell you it's pretty shameful, the leadership that we've been given in this body. To see that we're in the same boat we were in come the end of the regular session. That we have no budget bill, we have no road plan, we have no path to the future for West Virginia and to sit here and see the scare and the horrendous worry that's on the citizens of West Virginia if this government was to shut down is truly, truly scary. Too many personal feelings are getting in the way of progress, too many personal ideas are getting in the way of moving this state forward. We've had plenty of time to do our job, plenty of time, but, yet we're here still wasting the taxpayers' dollars. I think it's shameful that we're here and with all due respect I think it's because of lack of leadership. The lack of leadership to get things done in this house for the State of West Virginia. The state policemen, the state road workers, our teachers ... they're scared. They're terrified. Grandma and grandpa on Medicaid, they're worried to death. Students going to college should be some of the most exciting times of their lives. They don't know where they're going to get the next dollar from the PROMISE Scholarship if we don't do something. And to just see the individual obstruction of three or four individuals who are stopping moving this state forward. Everyday there's a new plan proposed, a new plan proposed. Let's let our personal feelings get out of the way, let's do what's right and let's move this state forward because it seems like we're taking a half step forward and ten steps backwards. We come in here, we clock in, we get paid, we go home, and we'll come back in a few days. We should be here every day until midnight until this is done. We should put the hard work in, put the time in and do what's right for the people of this state. But, no. It seems like we want to send it off to a conference committee and let three or four people handle it and then we hope it comes back and we hope it has the votes to pass. That's a joke and this legislative body is truly getting painted with the brush ... we're all getting painted with the same brush.

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And I want the people to know, who're listening today, I'm not obstruction ... I'm not obstructing progress. There's a slight few in here on the other side of the aisle that are and it's appalling that we're sitting here, this far into special session and we've got nothing done. No roads are being paved, no bridges are being built, no schools are being built. But, yet, we're sitting here twiddling our thumbs, coming in, clocking in and leaving. Mr. Speaker, I ask that there be some bold leadership out of this leadership team, that we put the long hours in and we get something done. Thank you.

DELEGATE LONGSTRETH. Thank you, Mr. Speaker. Mr. Speaker, someone told me one time that you can't take water from the front of the tub and throw it into the back of the tub and think you're going to come out forward. I will say this, and I do appreciate your comments. I think we've been working hard together as a body. I do want to remind people I think three-fourths of this Legislature has an agreement to where they think we should be going as a state and there's only a part of this Legislature that doesn't, and I don't think the public understands that. We worked hard together, and I think ..., and Finance has worked hard and we worked together to find some rational solution to this budget that is not going to hurt the people of West Virginia and that will help develop some revenue that we can find and we can agree on to move this state forward, and I think that all of us understand how important that is. But, we all need to work together. We don't need to cut each other at this point of time. That yes, the people are watching. They know ... they know what we're doing here, and I think they truly believe we are working to find a real solution. But I think we need to understand that it's not in the House side. I think we're working on a solution and that we need to look at the other side that may not be working on a solution as well as we are. But to say that we're not working is wrong. Because I think we're all working. We're all trying to throw out some ideas, we're trying to come up with what we believe is the best thing for this state. We don't want to hurt anyone. We don't want to hurt the people of West Virginia, but we also understand that we have to balance this budget and to sit here and say we've got to do it tonight, after we've been here working so long, I think it's wrong, and I said this

before too... I think in the news ... and the newspaper asked me, and I said I hope we never come down to the last day where we have to just hit a button for whatever is thrown out here because time is running out. Yea, time is running out, but we have – we still have some solutions we can still work on. So, let's not push it yet. We know we have the time date. We know we're going to get it done. But, let's all still work together on this and let's just not push a button just because we want to go home. Thank you, Mr. Speaker.

DELEGATE PUSHKIN. Thank you, Mr. Speaker. I appreciate your comments and I would never question yours or any member of this body's motives, nobody's work ethic, but you said something that ... you said, "We should all be working towards a solution." I believe we are. I think we all want to get out of here. You're right. We all want to work towards a solution ... to bring an idea to the table. Well, all I was trying to do was bring an idea to the table. I brought an idea to the table and it was tabled. So, I'm not sure if we really mean bring an idea to the table and I would never, ever use this seat, you know, that quite frankly belongs to the people who live in my District. I would never use this seat for a ... for a ... a political stunt or a ... or ... But what I was trying to do is ... Okay, we passed a roads bill out of Finance today, correct? Passed a budget bill. What's missing is a revenue bill and we all know that we need one and it's being held up because the Senate Republican members of the Conference Committee refuse to sign it. I was trying to bring another vehicle to the floor that we could work on. Might be some things in there you don't like. We could amend it on second reading. It was a vehicle that is going to be needed if we are going to balance a budget, and that's what I was trying to do. That's the idea of possible solution that I was trying to bring to the table before it was tabled.

DELEGATE SHOTT. Thank you, Mr. Speaker. I wonder if the Gentleman from the 20th would yield for questions. Is the Gentleman from the 20th not here? This is the Gentleman that asked us all to work to midnight tonight? Nothing further. Thank you, Mr. Speaker.

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ANNIVERSARY OF THE UNITED STATES ARMY

REMARKS

of

HON. CHUCK ROMINE

June 14, 2017

DELEGATE C. ROMINE. My son, Colonel David Romine, is stationed at the home of aviation for the army and he's also a proud graduate of the West Virginia School of Osteopathic Medicine at Lewisburg and he asked me to make an announcement today on the floor of the House. He asked me to wish the U. S. Army its 242nd Birthday. So, that's my message to you all.

MINING DEATH IN BOONE COUNTY

REMARKS

of

HON. RODNEY MILLER

June 14, 2017

DELEGATE R. MILLER. Thank you, Mr. Speaker. Unfortunately, Members of the House, I rise before you to deliver some tragic news today. We've experienced yet another coal mining fatality in the State of West Virginia over the last 24 hours. Rodney S. Osborne, 32 years old of Artie in Raleigh County, was killed last night around 9:00 p. m. at the Gateway Eagle Mine near Wharton, West Virginia in Boone County. Mr. Osborne leaves behind a wife and one child and while the details are only preliminary, probably shouldn't be released at this time, the cause of the fatality is under investigation. Mr. Speaker, I would ask for unanimous consent for a moment of silence for this miner as we send our condolences to his family and a respect to others who have sacrificed so much to power our nation.

THE BUDGET

REMARKS

of

HON. BRENT BOGGS

June 14, 2017

DELEGATE BOGGS. Thank you, Mr. Speaker. You know sometimes you make

notes, and sometimes you just kind of toss them aside. And, listening to the debate today that's been going on, it's been very important and very informative. But, over the past several days, weeks, there's been a lot of work, a lot of talk, a lot of things that have happened. And, I keep going back to the, what I consider the epic failure of the conference committee on House Bill 107, that actually would've generated some revenue. Pretty much our only opportunity to raise revenue.

So, that's not there and all the things that are lost, for the veterans, for the Social Security recipients, for the personal income tax lost. And, I keep going back to ... Faced with two choices, that I don't really like either one of them. I guess I have to say, at the end of the day, I like the House version better than what the Senate did, but I still don't really like it.

But, I go back to ... And, I know there's people in here that grew up during the cold war, like I did. And, went through duck and cover drills in school. And, I think at that time in my life was the only time that I really became aware of things outside of just the comfort of my home. But, I learned a term, and I hope I get it right, and for ... probably from the Gentleman from the 60th, if I'm not correct, I'm sure he'll correct me. But, there was something that ... supposedly kept us safe, over the years, between the Soviet Union and this country, was MAD, Mutually Assured Destruction.

Well, that's different than what we're talking about now, but make no mistake, ladies and gentlemen, we're just in a situation of Mutually Assured Destruction with higher ed, with our budget, with the failure to even go to twenty-five cents on the hundred dollars or, fifty cents on the hundred dollars, like there's no tomorrow. That next year's not going to come, which, by the way, we'll be back here in about seven months.

Mutually Assured Destruction, that you have two bad choices, that whoever hits the button first, and then somebody else retaliates, and they're all bad! They're all bad! Why in heavens name, would anybody looking at the outside of this state, looking in at what we're trying to do to higher ed, even

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with the modest cuts that are here, versus the Senate's, were ... we act like two percent is a victory.

And, if this goes to conference, does anybody believe that the Senate is going to agree to two percent? That's why it's a conference! We couldn't even come to an agreement on a revenue bill.

I'm, I'm frustrated. I am tired ... I am tired of ... this is not a political thing; this is not us versus the Senate versus the Governor. Is anybody talking to their constituents back home? Is anybody hearing from them? I am. My wife is. Every time she goes to the grocery store ... she's in Clarksburg today, and believe me, she's hearing from a lot of our constituents, by virtue of being married to a Legislator.

We are making a terrible, terrible mistake! Base broadening. Folks wake up, it was a tax increase. You can call it what you want, it was a tax increase. 6.5%, 6%, tax increase. I am ... I'm disappointed the previous amendment did not pass, but I don't want to let it go without saying that our smaller schools and our community and technical colleges are every bit as important to this state, as WVU and Marshall. They may not have the political clout, but in their own regions, they have every bit as much importance and economic impact, regionally. So, let's not forget that. At the end of the day, I'm going to vote for this bill.

Coming out ... Plugging in our House version to go to the Senate and, we'll see what happens. There's probably people across the hall and down stairs that probably don't like that. But, it's probably the ... In my opinion, it's at this point, to give some assurance to state employees.

Just while were here, I've received a number of phone calls and texts from people. They're scared to death. They want to know who to call ... who to call about their mortgage payment, if the government shuts down.

Mr. Speaker, I hope you don't mind, but I've just been referring people, 340-3210, your number, Mitch Carmichael's number, and 558-2000, downstairs. Cause I don't know what else to do. But I know one thing,

if we continue on this path of fantasy, that next year's not going to come, and it's not going to be worse, and higher ed cuts are not going to be worse, and the roads are not going to continue to deteriorate ... We are truly on a path of Mutually Assured Destruction, and our kids won't stay here, our grandkids won't stay here, and it's just going to be a matter of who turns out the lights. So, with that ringing endorsement of this plan out of the House, it's the best of all bad options until we can wake up and face facts, do what our constituents elected us to do, and lead. And I will just say, it's time for everybody to take their political hats off, and start lacing up some statesmanship and stateswomanship armor, to do what we need to do. To do what's right and proper for our citizens, not what's politically expedient to run on our next election.

Mr. Speaker, I thank you for allowing me to vent, but I know, on both sides of the aisle, over the last few days, there are many people, on both sides of this aisle that feel exactly like I do. And, I just hope, at some point, enough of them will say, enough is enough, and we will face facts. We'll face the responsibilities, so with that, thank you, Mr. Speaker.

AMENDMENT TO AMENDMENT ON S. B. 1013

REMARKS of

HON. CHAD LOVEJOY
June 14, 2017

DELEGATE LOVEJOY. Thank you, Mr. Speaker. I rise today in support of this amendment. You know, I believe in my heart that everyone in this room, on both sides generally shares the same goals and I think that we all agree that desperately we need jobs and we need to grow the economy here in West Virginia. I think this amendment goes to the heart of that shared goal. You know, a couple of months before we started our session there was a report that was released by the WVU Bureau of Business and Economic Research and it had two conclusions that kind of get to the heart of what we've talked about today. The first was that for one year, the year 2014, our 21 institutions of higher education contributed 2.7 billion dollars to the West Virginia

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economy and accounted for 22,000 jobs. Additionally, for my colleague in the 60th, it also found that there was a 7 to 1 return on investment of state funding that went to those institutions. Now, specifically in my town of Huntington, WV the report said that Marshall University contributed 397.7 million dollars to our economy and supported 3,267 jobs one year alone. The report proves what we've known for a long time in Huntington and I think the ... everyone here probably agrees with, that the higher education institutions like Marshall are indeed the economic backbones of our communities. That our investments in higher education institutions like Marshall yield real returns on our state funding. That investments in higher education institutions like Marshall University actually attract new employers to West Virginia. That investments in higher education institutions like Marshall University drive research and innovation that are needed to create a robust private sector economy. That investments in higher education institutions like Marshall University help keep education affordable and truly accessible to our young people, and finally, investments in higher education like Marshall University keep our young people working and living here in West Virginia and that's something every one of us has talked about. Mr. Speaker, I thank you for the opportunity to speak on behalf of this amendment, our institutions of higher education and the communities like mine, that are supported by their continued existence and funding.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS
of
MEMBERS
June 14, 2017

DELEGATE KELLY. Thank you, Mr. Speaker. Several of us have been down here every day of this special session. Frustrated? You bet we are, every one of us. There's not an individual in this room that hasn't seen some frustration and when you look at us, look at our families as well because our families too are frustrated. As my friend from the 34th said, his wife goes to the grocery store and she gets it too. My wife goes to the grocery store, believe me, she gets it and she

understands the frustration that we all face. We had a problem that we had to deal with. Today we took a vote and we dealt with it. Was it the best we could do? No. Was it the worst we could do? No. We could have done worse; we could have done better. My friend from the 55th, you're concerned that we didn't get everything that you wanted. No, we didn't. We didn't get everything I wanted but it's not the fault of the people in this House. Mr. Speaker, you did your job. You did your job well. To the Majority Leader, you did your job. You stood before this body and you fought. Mr. Finance Chairman, I can't say enough about the job that you've done. You have fought this battle like nobody else in this building. You've done a tremendous job and I thank you for that. To the Minority Leader, you've been a part of the team. You fought this battle. You fought with the members of this House, you tried to bring something forward. To your Whip, who sits next to you ... little short guy. Where is he? I always look over top of him. You did your job. Vice Chairman Boggs, you did your job. Our people did their job. They did it well.

Now, earlier this week we allowed members from the other end of this ... to come in one of our meetings. We allowed them to come into our House and tell us what it's all about to be part of the team. They stood before us and they said, "You have to be part of the team. You have to vote to make this happen." We went to a conference committee and those very people that made those comments were in that conference committee. There was a 70% vote in that conference committee in favor of what was supposed to come out of it. Let me tell you, in my next election I sure hope I get 70% and I think anybody else here would hope the same thing, but there was a 70% vote in that conference committee. The 30% that didn't vote, the 30% that wouldn't sign off were the same 30% that stood in front of our body the first of this week and said, "You have to be part of the team." Well where were they when the team was put together? They weren't there. They let this body down, they let the people of West Virginia down. We did our jobs. When we leave here let's be proud that we did our jobs, but we have to remember, we have to put the finger where the finger is due, on the people that did not do their jobs. Hold your head high. We did our job. We did the best we could do. Now let's hope they

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become part of the team and approve this budget when it goes back to them and let's hope that the Chief Executive downstairs accepts the responsibility that's been sent to him and signs this budget. Thank you, Mr. Speaker.

DELEGATE SPONAUGLE. Thank you, Mr. Speaker. This special session has been a total disaster. Let's just put that out there, a total disaster. It's not the House's fault on this but forty some days ago we passed a budget that got vetoed with a cow pile and we're passing ... we're sending out the same budget downstairs right now and expecting a different result. We spent now 18 days in special session to do the exact same thing we did on April 9th. The only difference is we're taking imaginary revenue numbers that were sent up from the Governor that we're not going to reach, sub that into the Rainy Day Fund. So, we're not pulling from the Rainy Day Fund and sending it right back over there and expecting a different result. I know ... I guess this is going to be the new way we just operate around here because I can tell you all right now, we're going to be right back here next year, sitting in these very seats, looking at a budget. We're going to be lucky ... lucky if we're just dealing with a hole of 150 million dollars. We're probably going to be looking at anywhere between 250 and 300 million. And you say, "Oh, that's next year!" Six months from now we're going to be starting on the next budget. We're going to have to be back filling all this stuff of imaginary numbers because we don't fix anything. We don't do anything. We sit here. We spin our tires. We put bubble gum, duct tape, throw something down to pass out. We don't fix anything. Some people in here want to do cuts. Well we don't have any cuts. Some people in here want to do revenue. We don't have any revenue. We're just using smoke and mirrors to pass a bunch of garbage out, so we don't shut the state down. I don't ... it's ... to me it's just ... I don't understand how hard it is to be able to come together as a body and fix a problem and we can't do it. We can't do squat. The House tried in a bipartisan effort, the house tried. We would have preferred additional revenues on our side. The other side wanted to do further cuts. We came together in a bipartisan manner to at least attempt to fill it up. What did the Senate do? The Senate took the time to want to drive another \$400 billion-dollar budget hole, personal income tax, and they got butt

hurt because it wasn't going to go through the House. They refused to go through the conference yesterday. They had ... you have ... they couldn't get their tax cuts out to the rich. They couldn't get their tax cuts out to the coal companies and so they didn't even show up for the conference, then they refuse to sign it. So, what are we doing? Nothing. We're sending down the same budget that we did here two months ago. We could have saved everybody's time and effort and not be down here for 18 days and a half million dollars. I mean, it's just a waste. It's a total waste. It's a disaster, an absolute disaster. I will not be voting for it, and it's not because of the House. It's the same thing we did two months ago when I voted "no" and I know fully well this is going to be the new precedent because we can't fix anything, that we're going to be here next year, sitting in these seats, going into election year, when politics are amped up to the 10th degree, beating each other up. That's unwise. That's frankly stupid. We should be able to fix it now so we're done and take this off the table for the next several years. But no, we're going to just put it together, get ready for another fight next year and we may actually face a budget shut down next year because it's kind of ... or a state shut down. Because it's going to come. Because you're not going to get much willing participation from the members in this body next year at this time vs. now. So, for those reasons I'm voting no, and God help the State of West Virginia if this is the best we can do.

S. B. 1003

 REMARKS
 of
 MEMBERS
June 16, 2017

DELEGATE GEARHEART. Ladies and Gentlemen, by now I think you all should get the idea I don't quit very easily even when things don't look good. I don't know how many of you know the history of the turnpike and I'm certainly not going to give you the litany of that, though many of you might be interested that the original route of the West Virginia Turnpike was from Wheeling to Princeton. The secondary route that was selected was from Parkersburg to Princeton and when those things proved to be too ... expensive to finance, then it was decided that

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it would go from Ripley to Princeton. All of those that, maybe somewhere along that route, should be heartened with the fact that you're not going to be tolled as this bill will require in perpetuity. I want to repeat that, there is no provision for paying ... for the ending of tolls. We've had 65 years of tolls on the West Virginia Turnpike and it can go 165, there will be no provision for the ending of tolls on the turnpike. If tolling is the gun in your area, there is no provision to end those tolls. So, if you ever allow those tolls in your area, or the county commissioners do, you'll never see the end of them whether or not they pay for what they're supposed to or not. Ladies and gentlemen the version of the bill that you're seeing in the amendment that was adopted tonight is the fifth version submitted by the Governor's Office. Five times they have tried to do this in such a manner that would soften the blow so that they could get votes from areas in the state other than mine, the one that takes the brunt of what's here. And it appears that the Governor's Office has accomplished that. I'm a single delegate, I never knew I had such power. You'd be surprised the team of folks and lawyers and the salaries that have been lobbying members for passage of this bill. I'm willing to say ... I think there were six in the committee room even as we went through this today and they were there all day, including outside bond council whose firm is destined to earn a nice fee from the bonds that will eventually be part of this project. Ladies and gentlemen, I'm not going to discuss this a whole lot further. I've softened my tone, I guess, from the committee meeting. To finish out ... what I'm going to do here though, I'm going to try to channel my inner Matthew McConaughey and as most of you can tell by looking at me, I'm not going to get in the Lincoln and I'm not going to look very cool and handsome, but I'm going to do the best that I can.

Many of you may have seen the movie "A Time to Kill". It's a great movie. It's a great movie, Matthew McConaughey, Samuel L. Jackson, Sandra Bullock, it's a really, really great movie and he's a great attorney and he closes an argument much better than I do, and you probably know how he does it and as such, it's not going to have the same effect. But I'm going to do the best that I can. I want you to imagine, you know and what his ... McConaughey's version he asks everyone to close their eyes. That usually helps when I'm speaking, that way you don't have to look at

me, but if you want to close your eyes and do this imagination thing, close your eyes. Have at it, I'm all for you. I want you to imagine that you're a young man and you have absolutely no access to the capital city of your state. You have aspirations, you want to do things, you want to go places but the capital city is a good six to eight hours away on the worst, nastiest, curvy, up and down, hilly road that you could ever imagine. But the good people that serve in this body have decided to build a road and they decided to build that road in the only way possible, and that was by tolling the highway. The taxes at that point in time just wouldn't do it, there was no other way, and this young man thought that that was a good idea even though he had to pay extra to do it, we deserve to be able to get to the capitol. Part of what this body said was once your part of the state does what it says it's going to do and pays extra so you can get to the capitol. You'll pay the same as everybody else. You'll pay just the same as everybody else. Now, time goes on and you get to be a young man and you get to travel a little bit on your own. You want to go to ball games. You want to go to dinner somewhere close to the capital city or somewhere up this route. You're going to start to travel this road. It's supposed to be paid for but the Legislature in its wisdom has decided we need to upgrade that road. It's too dangerous. Even though there wasn't a road at all now, the one we've got is not quite adequate, so let's allocate the additional money to make that road safe, and the young man's okay with that because as he goes up and down the highway he wants to be safe as he goes to a movie or a ballgame, and he certainly wants his guests to be safe. So, he's good. And that young man becomes a little older young man and he starts doing business and he's working for a company and he has to move from town to town and he's driving on that better highway and it's supposed to be paid for and now that's coming out of the hard-earned dollars that he feeds his family with. He's working hard and there are tolls out there. The State has decided to borrow some additional money and they've decided to borrow some additional money for some things that are nice and pleasant, one of which is Tamarack, that we all enjoy. It's beautiful, it's pleasant, it loses a million dollars a year but we all love it. The man becomes a little older, now he has a business of his own and it gets to the point where, not only is he paying to travel but he has

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commercial vehicles on the highway and he goes to the Legislature that's serving in 2017 after 65 years that the tolls have been in place and he says, "It's about time for these tolls to be removed. It's been 65 years paying for what was supposed to be paid for in 30 years."

And the Legislature says, "Oh, we've got legislation and it provides great and wonderful things and you'll be able to have a single pass and it won't cost you so much." However, the vehicles that he puts on the road to do business are now paying double and triple the amount, double and triple, just so he can do business. His customers leave him because what it takes to transport his goods is now no longer competitive. They'll find it another way, probably from north coming to south because there's not a toll that's going to impede him and that kind of circumstance. Make no mistake, Ladies and gentlemen, the Governor's Office point blank, without question, on three separate occasions, once under oath in committee today, indicated that tolls on the West Virginia Turnpike would double. We're going to take what has already been paid for and double it. This guy doesn't want to do business anymore. He's in his seventies now, he's made his. There's no more to be made, he can't be competitive, why not go to the coast, sit by the beach, sip a margarita and not participate in the economy of the State of West Virginia any more.

Now, Ladies and Gentlemen I want you to imagine as you open your eyes ... Unfortunately, you all have been looking at me, that's just the way it is. I want you to open your eyes and you look out the window and you're looking somewhere around I-70, I-79 in Morgantown, I-64 in Huntington, I-68 as you traverse from the Eastern Panhandle. None of you all have had to deal with that circumstance and I submit to you that southern West Virginia has done more than its part to take care of the highway funding circumstance that we have heard bemoaned over and over and over in this chamber. My friend from the 20th District indicated some riff or difference between north and south, I don't know that I necessarily believe that, however I do believe that we all like to look out for our own district. We were elected by a group of people, but I don't know that we all wanted to look out for our own district to the disadvantage of another part of the State

that has pulled its weight for the last 65 years so that the balance of you didn't have to contribute to this single highway, the only avenue to the state capital from southern West Virginia. I don't believe that you think that way. I just don't believe that you were sent here to try to punish another part of this state to your own district's advantage. However, I do want you to know that this bill does provide for potential tolling in your area. I don't care where in the state you are.

Interestingly enough, the Governor's Office will not, again under oath today, no one denies this, when asked under oath to identify the potential projects to be tolled, highways, the Commissioner of the Division of Highways refused to identify those projects. Now why do you think that is? Why do you think that is? In an earlier meeting a variety of legislators, that same group, the same question ... questions were asked. My friend who's absent from the Eastern Panhandle said, "Oh, we're not planning on tolling I-81, are we?" Well, we don't think so, that probably doesn't work.

My friend from Ohio County, "Oh, oh, Lord have mercy, the Wheeling Bridge, it's falling down. Will that qualify?"

Well, maybe it'll qualify, lot of out-of-state people. We don't want their money. You know, tourism's not a thing. We don't want them to come into this state.

"Oh, goodness gracious, it's being reconstructed even though it's an interstate, high traffic count."

You'd be amazed at how many questions my friend, once you found out that I-70 had the potential to be tolled, asked. Because it wouldn't identify the project but it darned sure qualifies. My friend from Greenbrier County where ... where the Gentleman who has bullied this bill through comes from ... asked about a highway in Greenbrier County and if it goes around Lewisburg, because we certainly don't want any tolls in Greenbrier County. Whether you're the governor or not, we can't have any tolls there.

Every person that was there that had a highway asked if they were going to get tolled because what you are voting for right

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now is exactly what you don't want. You don't want it. But you're willing to subject a group of people that have stood up for the last 65 years and paid to freight to take another one on the chin.

I used this analogy in an Op-Ed written for the "State Journal". You know, if you go back to the movies, any of you ever watched Animal House and the frat part of it? Boys get put into the frat and the paddle comes down and it slaps them on the fanny and the first thing they say is, "Thank you, sir can I have another?" POW! "Thank you, sir can I have another?" POW! Well, that's exactly what this is except we're not asking for it. It's just coming down, slapping us on the fanny. I haven't been slapped on the fanny today, what can I say?

Ladies and gentlemen, the Governor has bullied every member of this group to get highway money and he has done it at the expense of one highway. He's tried to soften it up for the balance of you so that you will continue to punish that one highway. I have done everything that I know to do to keep the southern part of the state from being punished. I've done everything I can do to stop tax increases, however we have, in fact, as of this morning approved about 130 million dollars of additional money to the Governor, the amount of money that will have the potential to be bonded. The amount of money that this bills be provided is unlimited. It's unlimited and that money can come from your district and that money that comes from your district can pay for a project in somebody else's district. Now, not to exclude my friends over here, but I want to talk to my friends over here for just a minute. This is a Republican majority legislature. We are looking at a very specific tax increase on a very specific part of the population, that very specifically violates the tenor of the values that you propert to represent. For those of you that happen to be members of the West Virginia Republican Party, for those of you that happen to pay attention to the platform of the West Virginia Republican Party, that my good friend from Berkeley County has chaired, the committee that has adopted that, should look very specifically at item E-E, that calls for the elimination of tolls on the West Virginia Turnpike at the payment of the bonds. I don't know how else to say it, guys. I'm not certain what purpose there is for us to be here and to be in the

majority based upon a set of values that we represent if we are just going to specifically ignore those values. Make no mistake, we are specifically ignoring who we are supposed to be.

The people over on this side of the aisle, I don't know how they want to vote, but they ought to be frothing at the mouth. "By golly, we'll get rid of those dog-gone Republicans. What difference does it make whether we're in charge or they're in charge? We get tax increases either way. We do it better than they do, we've been doing it longer."

I don't understand, guys. I have no clue why or how we're debating this bill. It has no place on this agenda. There's no place for it, and this Governor, the one that we've all had a little chuckle about every now and then ... admit it, you have. He's done some pretty chuckle worthy things, I think. All of us have had a little chuckle about this Governor, and now we're going to let him stand up, all six foot, five inches of him that can't hardly walk up the hall and bully us into voting for a tax because he put a little footnote at the bottom of his revenue. "Oh, oh, oh, you don't have this revenue if you don't pass this bill." Ladies and gentlemen, I almost hate to refer to it, but that's just about the same thing that we happen to see on a silver platter not long ago. I can't tell you how much I abhor this bill. I can't tell you how angry it makes me that it has appeared on an agenda. I can't tell you how angry I am that we are here in this chamber debating this circumstance that attacks the very people that have provided additional dollars to every one of your roads by paying for their own. They're paying for their own. Now, to close, to sweep this bill, the Governor listed a few counties that are going to get some advantage and the road dollars, the parkways projects that might take place are going to take place in those counties. We all ought to be excited about that. My friend from Fayette County, my friend from Nicholas County, you all are listed. You're going to get some additional road money from this. You think? Under direct question, the Secretary of the Division of Transportation indicated that there was no assurance that the money that was already committed to those counties and those districts would not be diverted once parkways money came into those districts. I want to be sure you understand what I'm saying, you already got some money that's

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coming toward you, but since you're going to get some other money, we'll take that away. We made you special, but you're no more special because we're still going to use the money somewhere else. You ever been to the circus and seen the guy with the shells and the little pea underneath it, moving it around? Have you ever been in a sales game or a sales seminar when someone taught you about bait and switch? I want to remind you, Ladies and gentlemen, that this is a dead tax increase, period. Vote for it, don't vote for it, you are in fact voting for a tax increase on the very people that have funded the highways that you have up to this point. I doubt seriously you're going to see near as many of them funding the highways in the future, should this pass. Thank you, Mr. Speaker.

DELEGATE SHOTT. Thank you, Mr. Speaker. I've been paying those darned tolls for almost 50 years now. I can remember in 1966, I drove a 1949 Ford to Huntington over that road and paid the toll, and actually, was glad to do so, because when I was a child I'd driven to Charleston many times on the old road and it took, what now takes an hour and a half to an hour and 45 minutes, in those days took about, close to three hours. And I'm not going to disagree with a thing that my friend and colleague from the 27th said. We've had this conversation a number of times, but I always look at what the choices are. And so, I'm going to ... it may surprise you, but I'm going to speak in favor of the bill and in favor of this proposal because I think the options are limited. If I thought that the road between Bluefield or between the tunnel in Charleston would be maintained in the same condition that it is today, without the tolls, I would be glad to vote in favor of this bill. If I believed that, but I don't believe it. I have lived through times that the ... many people believe that the state line ended in Beckley. I've been in times when ... I've lived through times when, I think a lot of people thought the state line ended in Charleston, but it's always the southern part of the state that gets the short end of the stick. So, I believe if we were just part of the Department of Transportation's regular budget, that that road would look like many of the roads around here, in Charleston, but it is well maintained. If you've driven it lately, it's very well maintained.

We have probably close to 350 people that are employed on that highway and if you've

listened to or read any of the information that's out there, about 75% of their salaries are paid by people that travel through this state that don't live here. Just like three-fourths of the amount of the overhead of that road are paid by people from out-of-state. So, if we end these tolls ... if we end these tolls, 100% of anybody's salary that's left after the tolls are ended, and 100% of the road maintenance would be borne by our Department of Transportation. I think there's no need to say how poorly funded the Department of Transportation is. You can just ride through the state and you can see how poorly funded it is.

This bill, when it started out was much less acceptable than it is today. There are a number of changes made to it that actually, I think, if you are a member of the ... those people who have to drive the highway to get here from anywhere south of Charleston, will appreciate. The money that's derived from this bond issue can only be used in those counties from which the people come that have to drive that toll road that comes to Charleston. If you're coming from Greenbrier County, this money can only be used ... the bonding that's done on this road can only be used in your county, in Mercer County, in Raleigh County, in Fayette County, in Wyoming County, and here in Kanawha County. It can only be used for road projects in those states. So, in other words, the way this bill would work, the tolls would be used to pay the bonds and the salaries of those people that work on the turnpike as well as the maintenance. The money derived from the sale of the bonds would be used for highway projects in those counties that have been burdened ... have been burdened by this road, as well as inconvenienced by it. Let's face it, it has been a ... it's a much better option than what it used to be to get to Charleston. It's also directed a lot of traffic through this part of ... through that part of the state that probably would have chosen to come around the state rather than drive that old road. So, there has been some economic benefit from this, but if you want to close your eyes and imagine something, if you live in any of these counties, imagine the economic activity that can be generated when those road projects that you've been waiting on for years, are finally done. That hundreds of millions of dollars are unleashed in these counties to complete road projects, have been identified

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as projects that need to be done. We have in southern West Virginia and between Bluefield and Princeton a bridge that was built almost eight years ago, that leads into a mountain side and goes no further. We call it The Bridge to Nowhere. It's part of what's called the King Coal Highway and it's been inactive and basically sitting there deteriorating without the first car that's driven over it for nearly eight years. That project is one of the projects that could benefit from the bonds derived from the turnpike. Other projects that are on the six-year plan, as well as those that were identified as potential target projects by the Governor in a release that was made here in, I believe, May. Is that right? Yea, in May, and those counties would be receiving the proceeds from the bonds that are generated by rebonding the turnpike. Now that's an incredible amount of economic activity, but what does it do for the other part of the state? If those projects are funded and completed, that frees up other money that's going to be derived from other sources. The GARVEE Bonds, the road bond that we passed today, it frees up money to do your projects elsewhere in the state. So, as I said, if we had a better choice in southern West Virginia, I would celebrate with my friend from the 27th, the removal of these tolls. I just don't see it. I don't see the possibility that we're going to have a road as good a shape as it is now in the future without these tolls and I see a lot of those 300 plus people unemployed without these tolls. So, I am in favor of the bill, I'd love to see the turnpike tolls end but I think the options are limited and this is the best one available to us. I also like this single fee program, which basically ... the maximum that the authority can charge you to drive unlimited across the turnpike would be \$25. So, those of us that come up frequently will be saving money. We'll be saving money when that goes into effect. Twenty-five dollars, you could drive the turnpike every day for a year if you wanted to. I urge you to think about the economic activity these additional hundreds of millions of dollars will contribute to the state and particularly those of us in those southern counties who will benefit from that bond money and projects that we've waited years to have.

DELEGATE ROHRBACH. Thank you, Mr. Speaker. One of my favorite American authors is John Steinbeck and if you've never read it, you ought to read a book he wrote late

in his life called *Travels with Charley*. Now, John Steinbeck did something that probably all, at least men yearn to do. He went down and bought a new truck, put a camper on the back, took his dog, which was a full, standard poodle and he made a big loop. He lived on Long Island and he made a big loop all around the United States, went back to his home land in California and made the whole loop. He was gone for a year and his comment about West Virginia when he drove through was of all the roads that he was on ... Now this book was written in the early sixties ... the West Virginia turnpike stood out as singularly the worst road in America. So, if you ever want to read a good book, read that book and you'll see what he thought of West Virginia. Our road was awful. Now, I'm not going to pretend that that road is that bad now but we need to keep our infrastructure up and if all we're going to have to charge are West Virginians a maximum of \$25 a year to keep all of our roads up, and frankly collect a tax off of out-of-state individuals, that's going to pay for most of it, to me that seems like a pretty good deal and I'm going to support this and I'd urge the members to support it. And if anybody needs a copy of *Travels with Charlie* see me and I'd love to loan mine to you. Thank you, Mr. Speaker.

DELEGATE ROWE. Okay, thank you, sir. Folks have spoken about this bill sort of grudgingly, maybe it's ... I want to embrace this bill. This bill is visionary. If the arguments were accepted by this Legislature when we were starting to build the turnpike about the evil of toll roads, we wouldn't have the West Virginia Turnpike. Now, I, like the Gentleman from Mercer, grew up in Monroe County and we drove up the ... when I drove up the turnpike as a child it was absolutely incredible, but I hate to tell you it was only a two-lane road for most of it. It was a horror trap as a three-lane road, there was somebody killed on that highway about every other week until we finally got it four-laned and it was a struggle to get it four-laned, and to have that road has been transformative in southern West Virginia. It has transformed Beckley into a center of southern West Virginia and it's the primary reason ... it's the roads and the development of Beckley that West Virginia University Tech left Montgomery and went to Beckley. Roads are transformative and if a toll ... and if we need to toll a road, why not let out-of-state people pay for part of the cost of maintaining these

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roads? We heard the tolls can be in perpetuity. Well the maintenance of a highway is in perpetuity. That's what it takes, but just to envision with me for a moment a four-lane highway that goes from Bluefield all the way west. Imagine a highway that goes from Beckley, west, how that would transform southern West Virginia. Let me say here that the high ... that I-64 was originally to go on Route 60 through Fayette County.

Imagine now with me that we have a four lane that goes from Charleston through Montgomery to Summersville. That would be transformative to Fayette County which is a high growth tourist area. It would make it ... all that area accessible to tourism, adventure tourism. It would be incredible. Imagine with me if ... as I understand the vote ... the way the bill's written, if West Virginia and Virginia enter into an agreement where Virginia agrees to toll their portion of Corridor H, so that you have a four lane straight from Washington to Columbus, tell me who is going to drive through Pittsburgh to get to Columbus. Every single person that gets in a car going to Columbus from Washington, D. C. will go straight down the four-lane, and where do they go? They'll go to Elkins, West Virginia and Parkersburg, West Virginia. The vision of this bill is to transform West Virginia with roads that we can afford where the out-of-state folks pay their fair share, and there's nothing wrong with that. In fact, I think it's visionary and makes complete sense. If we can build roads west of Beckley into the southern coal fields, to Logan and beyond, if we can build roads west from Princeton and Bluefield, the southern coal fields will diversify their economies and just think about what would happen if we directed all of the east coast traffic in the Washington, Baltimore area straight west through Elkins and Parkersburg.

Ladies and gentlemen, this is an opportunity to change West Virginia, and you say, "But wait, if we have tolls we're going to have to pay..." Please! The single pay, it goes ... you pay it whenever you get your registration, it's done, and you get to go free anywhere you want. And out-of-state people get to do the same thing if they want to buy the system. Why not? But when somebody wants to drive from Cleveland to Myrtle Beach and they go through West

Virginia, why can't they pay a toll for the maintenance of that road? They're getting the convenience. So, I would just say that this is a visionary possibility that will create new roads that we cannot afford now, just like we couldn't afford the West Virginia Turnpike unless we put a toll on it. The tolls have been on it from day one and it's a great highway, it was the most expensive highway ever built when it was built. It could not have been built without tolls and today it has made Beckley and Princeton the urban areas that they are, and I just support this. I hope that the members will be voting in favor of the bill.

DELEGATE MARCUM. Thank you, Mr. Speaker. Seven years I've been here and glad to see there's finally a debate where we're probably going to see King Coal Highway get some work done on it. I've preached to this body, I've proposed legislation, I've done a lot of things, and now there's a chance we can finally vote on getting the King Coal Highway moving forward. Ladies and gentlemen this will do so much for the people of southern West Virginia. Imagine a four-lane highway from Prichard to Princeton running through the coal fields. Imagine that bridge to nowhere that the delegate was speaking, connected up to a bridge to nowhere that Kentucky has already built and has been waiting on us to connect to. But again, the State of West Virginia has been sitting on its hands. Well here's our chance to connect our road to their road on the mountain parkway. Here's our chance to make southern West Virginia the place it once was and bring people back home and diversify our economy. Here's our chance. The people in southern West Virginia want roads, they want the King Coal Highway more than anything, and they've told me, numerous people have told me they don't care if they have to pay a toll for this road, they just want the road built. I just imagine that road from Prichard to Princeton, what it would do for the economic development of southern West Virginia and I ... as much as we've bickered and fought in here, this is a day that I'm proud to be in here and vote for this bill because it has a chance to really open up southern West Virginia to diversify coal fields. So, Mr. Speaker and your leadership team, thank you. Thank you for bringing this bill out and I think it's a great day for southern West Virginia, if we pass this bill. Thank you

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DELEGATE NELSON. Thank you, Mr. Speaker. Just a couple of points, the Gentleman did mention that we've had various iterations of this bill. There's been a reason for that, to make sure that we put the right product, that's well thought out and have the input from many stakeholders. We've done that. Protection for the citizens of West Virginia with public meetings, making sure that we continue with the County Commission, and obviously, the legislative rulemaking as it relates to any new fee. It's been mentioned that the turnpike currently generates 90 million dollars a year, 76% of that comes from out of state travelers of our road. We've heard about the stipend that ... this bill will focus on those projects listed in the state-wide transportation improvement plan as well as the newly issued SOS Transportation Investment Program that listed many, many programs. We've set up the method to protect West Virginia citizens with the single fee program, a lot of work went into that, and it does ... it is maxed out right now or it has a cap on it. Potential tolling, existing roads cannot be tolled. I think the biggest thing with this, it does provide another alternative for different counties that do have road work to do. We desperately need our infrastructure and it's all about economic growth and I can't forget that this is one of our two building blocks for this budget as it relates to the revenue estimate given by the Governor. Mr. Speaker, I urge passage so we can all get home and he can sign our budget.

COM. SUB. FOR S. B. 1011

REMARKS
of
HON. MIKE CAPUTO
June 16, 2017

DELEGATE CAPUTO. Thank you, Mr. Chairman for your answers, I appreciate that. You know I'm going to oppose the sale of this or the potential sale of this. I think it's a big mistake. You have 57 beds occupied in this facility and these are high need ... very high need individuals for our state, that maybe don't have any family, maybe don't have anywhere else to go and who knows where these poor folks may wind up someday. I think we need to try to find a way to fix the facility as the Gentleman said, that it is structurally sound then things can be

done to bring it up to code and we all ought to be ashamed of ourselves for letting it get in that type of condition, myself included. But you know I have a facility similar to this in Marion County that a lot of people need and depend on every day and have nowhere else to go. So, if you want to begin the trail of just acting like we don't care about these kinds of people then I think this will be the first indication of that. These are the neediest of the needy. The people who have no one else to look out for them and pleased to make eleven bucks an hour and we don't even have a plan. We hear there's a severance package, might be better, might be worse. We don't know what's in it. We don't know where they're going to go. They could get hired. This just isn't right Ladies and gentlemen, to do this, you know. I'm not one to preach to anyone but, you know, I was always taught you'd be judged on how you treat the least of these and this is the least of these. This is truly the least of these. So, I can't go along with this. I can't in good conscious go along with this and I hope that the Members reject this. We've been rejecting a lot of things today. Let's reject something that helps people who can't help themselves. We sent messages across the hall today. Let's send a message to the Secretary. We got to pony up. We got to fix this facility. We have, I think, forty facilities across the state and by god, we ought to have a little compassion. We're West Virginians, we care about people. This isn't right, it just isn't right. Please vote no.

S. B. 1013

REMARKS
of
MEMBERS
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DELEGATE R. MILLER. Thank you, Mr. Speaker. I'm not sure ... I don't even know how to address this. How we can say with a straight face that we have won the day cutting the throats of the kids in our state. I don't know how we do that and I'm probably wasting my time because as I saw other people talking, I saw some of ... I guess your minds are already made up because I saw people joking and laughing and clowning around in this place. That really, really ticks me off. Some of our own body don't even have the decency to listen to discussion or arguments from the Members in this house.

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How do you make an informed decision when you don't even have all the information? To the Majority Leader, I appreciate you reciting the numbers on the cuts for us because we don't have that information. We don't have any of that and I know that's taking up a certain amount of time that we probably don't have. If we're talking about a quality for student ... per student ratio it appears to me, at least on the logistics of everything that it would cost more per pupil to provide services in more rural sections of West Virginia than it would be in the more urban areas. So, pound-per-pound, how you present those services and get them to some of the needed individuals, both adults and students, I think it does drive the cost. I think that's a legitimate element. My area is served by Southern West Virginia Community and Technical College. They do a great job. Everything that I'm hearing ... and we all have pet projects in our area. Nobody wants to see their own back yard cut. We have facilities who service in our own areas. No one wants to see those cuts.

We talk about the furlough bill and we try to decide what essential government services are, what essential employees are. What's more essential than training our youth to do the job and take care of us or be sitting here doing what we should be doing and taking care of the rest of the State of West Virginia. We're running ... and you've heard me say this before ... our most valuable resource out of West Virginia. We're not doing anything to keep our biggest, brightest and best in West Virginia. I have one that just graduated from Marshall. I have one that's a student at WVU. The one that just graduated from Marshall got her ID at the University of Kentucky today because what she wants to major in is not being presented in the State of West Virginia. What's the chances of her coming back to West Virginia to take care of us? Probably somewhere between a little and none, being welcomed by the University of Kentucky while we, in this chamber, are sending the message that we don't care.

When I talk to the people in my area they say, "Have you got us a budget yet?" Well I'm one of a hundred. I try to go down the explanation that we've all done in our areas. Well, what's the problem? The only thing that I can logistically say ... or legitimately say is we have a certain element that simply does not care about the West Virginian.

They're driving their own agenda and they don't care about their fellow West Virginians, plain and simple. I know I'm a freshman and I probably shouldn't be giving this lecture and I'm sure there's going to be some people get up and counter exactly what I'm saying but that's what I'm seeing as a freshman that don't know any better than to get up here and say this, but it's very difficult for me to sit here and not say something. We talk about the essential government services. If we ... if the services we are providing as a State of West Virginia are not essential, why are we doing them, period? Period. We just voted to close a couple of hospitals. I think that's pretty essential for these folks that don't have anything ... anywhere else to go. Maybe no one to care for them, no resources to take care of them. To some people that's not essential. To those people it's their life. We've got examples of that all over the state. Some of us participated in a backpack buddy program in the area last weekend. There's another one in Putnam County. We have one in Boone County that are feeding high school students, elementary school students, middle school students during the summer, shipping them food because they don't have food. What are we doing about that? Probably nothing. It seems to me ... I've heard the mantra along the way that we should be doubling down on lots of things. Doubling down on education. I think we've got the terminology wrong there. It seems like we're dumbing down on education. The last thing I'll say ... and this is purely my opinion and I'm sure others have a different opinion of this but it seems as though that we are strategic ... that we, because I don't agree with this, but I say we, because I'm a part of this body, that we are strategically, collectively, as a group, we are strategically and systematically dismantling state government and I don't know where we expect to go. I would urge defeat of this motion. Thank you, Mr. Speaker.

DELEGATE DISERIO. Thank you, Mr. Speaker. I did not plan to rise today until the Delegate from the 23rd did because I was sitting here wondering if I was the only one in this body that was absolutely appalled that people were not even paying attention when we're having discussion about our future and the future of our children and their education. We have heard in this body before and I don't have it in front of me, but West Virginia Northern Community College is going to be

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cut. We have heard in here, as I've heard from my friend from the 1st District talk about the gas and oil industry, the coal industry is dying. We should be looking at the gas and oil industry. We have been told that our people aren't smart enough to take the jobs. We don't have an educated workforce and it appalls me today that no one in this body ... and I was sitting around watching ... was paying any attention to when we're talking about educating our future leaders of this state. If this is all we're going to do is we're going to worry about taking away the education of our children. It's appalling to me and thank you, Mr. Speaker. I urge rejection of this motion.

DELEGATE CANESTRARO. Thank you, Mr. Speaker. Ladies and gentlemen, nothing is more important to a democracy than a well-informed electorate. The people of West Virginia, the people of my district deserve the truth. The truth is they deserve better than a 16 million dollar cut to higher education. They deserve better than a message given to them by this body that this is the best we can do. We've won today. Well, if this is a win it sure doesn't feel like one. What a poor message to send to the people of West Virginia. The only losers in this budget are the people that we serve. I urge rejection.

DELEGATE ROWE. Thank you, Mr. Speaker. I've just been working on some numbers here. First of all, I think we should acknowledge that the diabolical cuts that we got from the Senate earlier have been reduced, but is that any reason for joy? Well, no. In Morgantown, a student with a cut of 8.4 million dollars ... if I do my math right, and I'm not very good at math, and maybe 300,000 students. Each student will pay \$280 extra to make up this amount of money in tuition. Now, I know that people have been jumping out of buildings because we want to raise the gas tax by two or three cents, or sales tax, but I defy you to find any person that's being hit \$280 in one year in one fell swoop. You will not find any family that gets hit harder than \$280 for WVU students. How about Marshall with its 8% cut? And you say, "Now wait a minute, Larry, they just evened it out between the medical school." Yea, but what about the students that aren't in medical school at Marshall? Three hundred and two dollars, have we hit any family \$302? That's a 3.9 million dollar cut and say ... and I estimate 13,000 students. Three hundred and

two dollars a year in tuition to make up Marshall's cut. And of course, we get close to home for me, West Virginia State. One hundred and sixty-two dollars and believe me, West Virginia State is one of the schools that's going to have to make it up on tuition. A hundred and sixty-two dollars a year in tuition for West Virginia State. Now, that was ... it was \$80 when it left here, and I applaud and I appreciate this house's greater interest in protecting higher education in West Virginia. But to balance the budget on the backs of these students and these families that are being bankrupted by student loans is absolutely wrong. It's worse than that, it's immoral to have these kinds of cuts year after year after year on higher education. This isn't the first cut. We've been cutting them 7% and every year those turn into tuition increases and then we stand back, and we look at community college students. The average debt is \$15,000 and then we go, "Gosh, we don't have very many of our students go to college." Why is that? What is wrong with our policy? When are we going to think about what we're doing to our young people? These cuts are unconscionable. This is unbelievable.

We sent a budget over there ... and there were 2% cuts, and I supported that budget because that meant that a West Virginia State college student argued they were going to be paying \$80.

Well, we've been concerned about registration fees going up \$22 but you can't touch the tuition increases that we're putting on families in this bill, \$280 in Morgantown, \$302 to Marshall students, not the ones in the medical school but the ones in the other parts of the university and \$162 for West Virginia State and I'll guarantee you that you can divide all of the schools and you'll find these kinds of tuition increases throughout. How do these young people survive? I don't know. I went to law school in Morgantown, my tuition was \$160 a semester. That's not ... six years ... six semesters, that's not even \$1000. That was my law school tuition. Now that's the way it used to be. When my generation went through college they didn't bankrupt themselves to get out, but that's not true anymore. If your family doesn't have the funds to be able to pay for your child's college education, that child is in trouble and it's not for one year, it's for the rest of their lives. They are mortgaging their lives

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because of paying tuition increases like this; \$280 a year in Morgantown, \$300 at Marshall, \$162 at West Virginia State. This is an immoral budget; it's being balanced on the backs of young people. We've got to stop this. We absolutely have to stop it. We have to make college more affordable to people. We've got to get lower or a PROMISE Scholarship for community and technical students. It's time for us to do it. We need to take a stand right here, right now and say, "No! We are not going to balance the budget on the backs of the college students and their families." Mr. Speaker, I do not favor us accepting the amendments from the Senate. We should stick with our amendment at least on our education and let me point out something else. This is the way we do budgeting. Guess what, we have made ... we are taking 16 million dollars out of higher education. They restored five million to the Courtesy Patrol. Do you realize that if we took the five million out of the Courtesy Patrol that we can cut these ...? We can reduce these cuts by one-third and so all of a sudden, in Morgantown, instead of \$280, if you take that 5 million you can take a third off of that. It's about \$90 extra dollars off, and Marshall, you'd save students about \$100, every family if you just get rid of the Courtesy Patrol. How about at West Virginia State? About \$53. So, you know our budgeting makes no sense. When we get ... when we spend five million dollars on the Courtesy Patrol and take it out of higher education. Mr. Speaker, I do not support our accepting the amendment. We should not fund the Courtesy Patrol and instead put that five million dollars to higher education. Thank you.

DELEGATE PUSHKIN. I think it's important to figure out ... talk about how we got to this point, you know, to see where we're going which to me seems absolutely nowhere if we continue to cut higher education. Yes, we had a revenue bill that was sent over here and there was a motion to reject it. That failed. We inserted our revenue measure into it which didn't have enough in it. There was an attempt to add some more revenue. of course, we couldn't do that out of fear that they wouldn't take it up. Guess what, they didn't take it up anyway. So now we're over here trying to decide where to put our priorities. Which essential service do we massively cut, or do we just take it all out of higher ed. and as we said before, put it on the backs of

young people in this state who are supposed to be the future of this state who are leaving this state in droves. That's what we ... those are the choices we have to make because of the complete and utter dysfunction of this building and in a building to pass any kind of revenue measurement this year, when that is what we all know was needed. We all knew that. That's what was needed but we couldn't do it and that's why we are where we are today, and I've heard plenty of blaming. I've been part of it myself. We can blame the Senate Republicans, they can blame us. We can blame the Governor, we can blame ... you know what, let's look in the mirror when we leave here and blame ourselves because we cannot function. We've been unable to pass a revenue bill that was needed. So, if this is the best we can do, and this is what we have to pass, just do me a favor. Let's do ourselves a favor and not give ourselves a round of applause afterwards because we definitely do not deserve it.

DELEGATE PETHTEL. Thank you very much, Mr. Speaker. Ladies and gentlemen, I rise in support of concurrence in the Senate amendment for several reasons. You let me say once again as I said previously on this floor that I certainly don't like this budget. I don't like it that we're cutting, especially higher education or other areas of the budget. I certainly believe that we need more revenue. You know ... and I've done everything that I can to get more revenue. You know, last night the Senate passed a revenue bill 30-2 and it had personal income tax in it which I know all of us, or nearly all of us have been against this whole session. There was an amendment, a bipartisan amendment, take that out today ... and I very, very seldom vote against bipartisan amendments, but I voted against that amendment, one of 24 people. So that was the will of the House. That amendment passed 64-24. As I look here it would have given us approximately 83 million dollars more in revenue and when you take the 11.7 out for the transfer to the road fund it would have given us 71 million more. We inserted the conference committee report into a bill which I supported ... which I supported and sent it to the Senate. They decided not to take up that revenue bill. I also voted for 6.5% in the conference committee and that failed 6-4. I supported the Gentleman from Kanawha's amendment for 6.5% today and that amendment failed. So, this is where we are.

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You know, while I don't like this, I certainly believe that it's better than shutting down the government and like I said, I've done everything I can to get more revenue but that hasn't worked out. This is what we have in front of us and I'm going to support it in order to try to make sure that we don't shut the government down. Thank you.

DELEGATE MARCUM. Thank you, Mr. Speaker and I agree to keep my remarks brief until I start reading what has really happened and this is not ... and some of this has been described, to just say the least, ladies and gentlemen ... the Senate has sent us a budget that's cutting \$500,000. Basically, eliminating coal mine safety training programs at Southern West Virginia Community College, eliminating that program. Many people in here campaigned on helping coal, helping coal miners go back to work. How are we going to do that if they don't have a program to go to, to get their certifications? This is absurd. This is silly, and this is something that we all should be ashamed of if we vote for this. My friends across the aisle, my friends over here, the majority of you said you were going to help coal and coal miners. Well right here's the chance to prove if you are or not because if you vote for this, you're voting to cut coal miners, and this is a shame. Mr. Speaker, not only are we cutting education to the core, cutting our students, cutting somewhere where we should be putting money today, we're cutting our coal miners. You know we heard from the Gentleman from the 24th that coal's coming back, that mines are opening up. But how are we going to get coal miners in southern West Virginia if they don't have a training facility to go to? Our constituents deserve better. The young people of this state deserve better and to see, and I don't want to engage in personal politics right now, but to see Republicans attack coal miners like this, it frustrates me, Mr. Speaker. This is shameful, for this body to vote for something that's going to cut coal mine training from Southern West Virginia Community College ... \$500,000 to eliminate the program. Our future depends on education and coal, ladies and gentlemen and it's clear where the priorities are. Up north, the north-south divide continues in this body and across the hall and in this Legislature. Southern West Virginia powered this state for years and it was

alright for our coal dollars to go up north, but when we have a problem, when we need help, when we need a job, you know it's, "Aww, forget about it. Those guys down there, they'll be alright." You know, coal's coming back but without coal miners getting their training, who's going to go pay for it? No wonder people are leaving, ladies and gentlemen, no wonder. We're cutting education and we're cutting our coal miners. The proof is in the details. Read the budget, read what the Senate has done to this. Let's look to the future. Don't kick southern West Virginia in the mouth while we're down. Double down on southern West Virginia because we will come back. Thank you, Mr. Speaker.

DELEGATE ROWE. People have been talking about the numbers only to me in this, and to me in that. Hey, the cuts that the Senate did are all on the small four-year institutions. Marshall and WVU came out fine in this. They didn't use a dime in this switch. This is the small four-year institutions that took it right on the chin. Their cuts were doubled, their cuts were doubled. West Virginia State's cut was tripled. West Virginia State ... I know someone said that, "Oh, it was only a little bit between our version and the Senate's version." West Virginia State lost in this version back and forth, \$372,000 and whenever you divide that by students, West Virginia State's got to add 81 students next year to make up for this cut. They've got to find 81 more students just to make up for this cut. So, I ... you know, I ... again we seem to be paralyzed by one restriction or another. We've got to fund the Courtesy Patrol even though this body voted not to, that's five million dollars which is enough to support the restored 21st century fellows, the school-based truancy program and the 21st century learners. All of that can be covered by the Courtesy Patrol money but we can't get to it. We didn't plan on it. We get it at the last day and so we're going to fund the Courtesy Patrol for 5 million dollars instead of giving a decent amount of money to higher education and which of the schools are we talking about? WVU and Marshall had 6% leave in this house and they're coming back with 6% cuts. Who got the increase on this? The four-year institutions. West Virginia State is losing \$488,000 this year over its budget last year and whenever people are saying, "Oh, well you know we're talking

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about the ... last night's budget that we passed and the one that the Senate has and it's only this amount or that amount." Just to let you know, West Virginia State alone lost \$488,000 out of last year's budget. That is ... and those numbers, I think are pretty good, about \$160 a year for every student to pay tuition or don't raise tuition and find 81 new students to support the institution. West Virginia State and many of these institutions that have taken it on the chin tonight are not living fine and high and easy. I know that Fairmont State is doing well, I wish them well. They are a great institution and WVU and Marshall, great institutions but the other institutions that are the ones that got the hit tonight are having struggles and are having difficulty trying to meet their institutional commitment. So, I just say again to the body that this is not the amendment we should accept. We should spend a little energy and a little time, and we've got it, both energy and time to rework the higher education and try to do a little benefit for these four-year institutions and at least, even if we lose this vote, I hope everybody in this room makes a commitment to come up with some supplemental money next year to help these four-year institutions. Thank you, Mr. Speaker.

DELEGATE BOGGS. I urge rejection of the motion to concur with what the Senate has sent over to us. Oh, they've made some changes but once again we're just engaging in mutually assured destruction with higher education. Cuts on top of cuts on top of cuts on top of cuts, year after year after year after year to the point that we're going to start with the small colleges and we're going to render them unable to provide the necessary services, maybe that's intentional, I don't know and then it'll work its way up the ladder and up and up and up. I can see this as a huge tuition increase for students, for parents and for people in areas of the state and I'll speak to central West Virginia in particular, but I know it applies to southern West Virginia an all ... different pockets all areas of the state. People who are sincerely trying to pull themselves up by their boot straps have additional training it's ... community and technical colleges, skills through our four-year institutions and we just keep kicking them in the teeth and just pushing them down and I find that very troubling and I would certainly urge rejection of the motion to concur. Thank you.

REMARKS MADE DURING THE XIV ORDER OF BUSINESS

REMARKS

of

HON. MIKE PUSHKIN

October 16, 2017

DELEGATE PUSHKIN. Thank you, Mr. Speaker. I don't know if anyone ... I'm sure I'm not the only person who watched "60 Minutes" last night. The first story they had. If you didn't see it, I would strongly recommend that every member of this body go back and check it out on line however one does that. It's a story that really affects each and every one of us here in West Virginia and the gist of it is, it was a former DEA agent kind of spilled the beans on what really was going on. The part of the agency that he worked for that dealt with stopping the diversion of pharmaceutical drugs into our state ... a lot of it came to our state and into our communities ... that was really defanged by Congress, by an intentional effort from pharmaceutical manufacturers, from distributors, from, you know, pharmacy retail chains and working with members of Congress were able to pretty much defund that ... the job that was being done by the DEA in order to stem the tide of drugs that are coming into our state, legal drugs. Now, I'm not getting up here to place blame or point fingers because there's plenty of blame to go around and while members of Congress from one side of the aisle might have championed it, well, you know, a president from our party signed it into law. So, there's plenty of blame to go around and if we really, really want to look into stopping this epidemic I think we're going to have to dig a whole lot deeper and that's why it bothers me so much when I see things like that story. I mean if that story doesn't infuriate you, I don't know what will. How are we supposed to fight this war on drugs when we have members of congress that are being complicit with it? And we have an industry, the same industry that perpetuates this crime on states like West Virginia is the same industry that profits off of the treatment for addiction, too, and when we pass a law up here to spread the use of Vivitrol, for example, that's a great program. I'm glad we expanded it, then we look again. The price seems to go up; doubles, triples, quadruples. Or we pass a law to allow first responders to carry naloxone.

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Then look again, the price doubles, triples, quadruples. These are the things that we need to look at if we really want to make a difference in this epidemic that is ravaging our state. Now last session we tried to address this issue. We passed a lot of laws to create new felonies, to extend sentences. A lot of these laws were aimed at street level drug dealers and I watch this 60 Minutes and I see the real criminals, the real drug dealers who are wearing suits and lab coats, they get away with a fine. Now they might lose a court case every now and then but what they're doing is criminal. What they're doing is criminal. So, you know, what can we do about it if Congress isn't going to do their job? I'm not exactly sure. Maybe we should be, you know, holding committee ... meetings where we're calling executives of these pharmaceutical and maybe their lobbyists, calling them to the carpet and swearing them in and having them answer a couple of questions for us. Maybe that's what we should be doing. But, I just ... despite our best campaign slogans, we're continuing to lose the war on drugs and we're losing a generation of West Virginians in the meantime. We're losing a generation of Americans and you know, the sad part is I'm not sure politicians really have the answer. I'm not sure the politicians are going to be able to figure out how to stop this epidemic. But I sincerely hope that we stop being complicit in it. So, I recommend that everyone go back and watch that episode of "60 Minutes". It's sad.

