

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE
REGULAR SESSION, 2016
SIXTH DAY

Charleston, W. Va., Monday, January 18, 2016

The Senate met at 11 a.m.

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

Prayer was offered by Bishop Joe Thomas, Nondenominational Fellowship Pentecostal Ministries, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Mitch Carmichael, a senator from the fourth district.

Pending the reading of the Journal of Friday, January 15, 2016,

At the request of Senator Beach, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

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

The Senate then proceeded to the fourth order of business.

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

Your Committee on the Judiciary has had under consideration

Senate Bill 1, Establishing WV Workplace Freedom Act.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolution were introduced, read by their titles, and referred to the appropriate committees:

By Senators Snyder, Romano, Gaunch, Kessler and Blair:

Senate Bill 311—A Bill to amend and reenact §31-17-8 of the Code of West Virginia, 1931, as amended, relating to making permanent the exception allowing a mortgage modification or refinancing loan to be made in participation with and in compliance with the federal Homes Affordable Modification Program, a part of the federal Making Home Affordable program, or any other mortgage modification or refinancing loan funded through any other federal or state program or litigation settlement, when the aggregate total of the outstanding principal balances of all other primary or subordinate mortgage loans secured by the same property exceeds the fair market value of the property.

Referred to the Committee on Government Organization.

By Senators Gaunch, Ashley, Blair, Carmichael, Ferns, Stollings, Trump, Walters, Boso and Plymale:

Senate Bill 312—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §9-10-1, §9-10-2, §9-10-3, §9-10-4, §9-10-5, §9-10-6, §9-10-7, §9-10-8, §9-10-9, §9-10-10, §9-10-11, §9-10-12 and §9-10-13, all relating to welfare fraud prevention.

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

By Senator Gaunch:

Senate Joint Resolution 8—Proposing an amendment to the Constitution of the State of West Virginia, amending section three, article VI thereof; and amending section one, article VII thereof, all relating to limiting the terms of office of Senators, Delegates, Governor, Secretary of State, Auditor, Treasurer, Commissioner of Agriculture and Attorney General; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary.

Senators Snyder, Unger, Romano, Plymale, Kessler and Stollings offered the following resolution:

Senate Resolution 5—Congratulating the Jefferson High School baseball team for winning the 2015 Class AAA state baseball championship.

Whereas, The Jefferson High School baseball team has a long history of success winning state championships and 2015 was no exception. The Cougars ended another outstanding season by winning their 11th state baseball championship; and

Whereas, Under the guidance of legendary Coach John Lowery, now in his 46th year of coaching, the Jefferson High School baseball team performed in dominating fashion, finishing with a record of 36 wins and only two losses; and

Whereas, The 2015 Jefferson High School baseball team will go down in state history as one of the best high school baseball teams ever assembled in the state of West Virginia; and

Whereas, The Jefferson High School baseball team is a shining example to all West Virginians of what can be accomplished with dedication, commitment and teamwork; therefore, be it

Resolved by the Senate:

That the Senate hereby congratulates the Jefferson High School baseball team for winning the 2015 Class AAA state baseball championship; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the Jefferson County High School baseball team.

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

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

Upon expiration of the recess, the Senate reconvened and proceeded to the tenth order of business.

Senate Bill 253, Exempting drug treatment and drug recovery facilities from county and municipal ordinances.

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

Com. Sub. for Senate Bill 263, Allowing travel and other expense reimbursement for members of Municipal Home Rule Board.

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

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

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senator Miller.

Thereafter, at the request of Senator Snyder, and by unanimous consent, the remarks by Senator Miller were ordered printed in the Appendix to the Journal.

The Senate next proceeded to the thirteenth order of business.

Senator Kessler called attention to today being the birthday of the senator from Harrison and on behalf of the Senate extended felicitations and good wishes to Senator Romano, with Senator Kessler leading the members in singing "Happy Birthday".

Pending announcement of meetings of standing committees of the Senate, including majority and minority party caucuses,

On motion of Senator Carmichael, the Senate adjourned until tomorrow, Tuesday, January 19, 2016, at 11 a.m.

SENATE CALENDAR

**Tuesday, January 19, 2016
11:00 AM**

SECOND READING

- S. B. 253 - Exempting drug treatment and drug recovery facilities from county and municipal ordinances.
- Com. Sub. for S. B. 263 - Allowing travel and other expense reimbursement for members of Municipal Home Rule Board.

FIRST READING

- S. B. 1 - Establishing WV Workplace Freedom Act - (Com. amend. pending)(original similar to HB4006).

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2016

Tuesday, January 19, 2016

10 a.m.	Transportation & Infrastructure	(Room No. 451M)
1 p.m.	Health & Human Resources	(Room No. 451M)
1 p.m.	Energy, Industry & Mining	(Room No. 208W)
2 p.m.	Government Organization	(Room No. 208W)