

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE
REGULAR SESSION, 2016
FIRST DAY

Charleston, W. Va., Wednesday, January 13, 2016

Pursuant to section eighteen, article six of the Constitution of the State of West Virginia, which prescribes that the Legislature shall convene annually on the second Wednesday in January, the Senate assembled in its chamber in the state capitol in the City of Charleston, West Virginia, on this thirteenth day of January, two thousand sixteen, for the second annual sixty-day session of the eighty-second Legislature, and at 12 o'clock Noon was called to order by the President, the Honorable William P. Cole III.

Prayer was offered by Terry Liller, President of the Mineral County Development Authority and Member of the Keyser City Council.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Charles S. Trump IV, a senator from the fifteenth district.

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

The following communication was reported by the Clerk:

STATE OF WEST VIRGINIA
CHARLESTON

August 30, 2015

The Honorable William P. Cole, III
President of the Senate
Room 229M, Building 1
State Capitol Complex
Charleston, WV 25305

Dear Mr. President:

I hereby resign from the West Virginia State Senate, effective August 30, 2015, in order to accept an appointment from Governor Earl Ray Tomblin to the West Virginia Parole Board.

It has been an honor to serve under your leadership and The Governor of the Great State of West Virginia, Earl Ray Tomblin. I am proud of what we have accomplished together on behalf of the people of West Virginia.

I want to thank the constituents of the 3rd District for their support and trust in me and I will continue to serve their best interests. I look forward to my new role which will allow me to further serve all the people of West Virginia in regards to enhancing public safety, holding offenders more accountable and adopting policies that are more cost effective.

On a personal note, it has been a pleasure to work with you and all of the senators in the 82nd Legislature. I will never forget the relationships we developed. Once again, thank you Mr. President, for your friendship, and for the opportunity to serve under your leadership.

With gratitude and warm regards,

David Clay Nohe

cc: Governor Earl Ray Tomblin
Secretary of State Natalie E. Tennant
Senate Clerk Clark Barnes

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:

STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
CHARLESTON

September 15, 2015

The Honorable Natalie Tennant
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Tennant:

Pursuant to W. Va. Code § 3-10-5, I have this day appointed Bob Ashley, Post Office Box 823, Spencer, Roane County, West Virginia 25276, as a Senator representing the Third Senatorial District, to fill the vacancy created by the resignation of the Honorable David Nohe.

Sincerely,

Earl Ray Tomblin
Governor

cc: President of the Senate
Speaker of the House of Delegates

Clerk of the Senate
Clerk of the House of Delegates
West Virginia Ethics Commission

The several oaths of office prescribed by the Constitution were administered by the Honorable William P. Cole III, President of the West Virginia Senate, to Bob Ashley, of the County of Roane, on September 15, 2015.

The following communication was next reported by the Clerk:

THE SENATE OF WEST VIRGINIA
CHARLESTON

January 3, 2016

President of the Senate
William P. Cole III
Room 229M, Building 1
State Capitol Complex
Charleston, WV 25305

Dear President Cole,

This letter is to inform you of my resignation from the West Virginia State Senate as Senator from the 9th District. My last day being January 3, 2016.

It has been my honor to serve with you while working for the citizens of the great state of West Virginia.

Warmest Regards,

Daniel J. Hall
Senator-(R) Wyoming
9th District

On the call of the roll, the following answered to their names:

Senators Ashley, Beach, Blair, Boley, Boso, Carmichael, Facemire, Ferns, Gaunch, Hall, Karnes, Kessler, Kirkendoll, Laird, Leonhardt, Maynard, Miller, Mullins, Palumbo, Plymale, Prezioso, Romano, Snyder, Stollings, Sypolt, Takubo, Trump, Unger, Walters, Williams, Woelfel, Yost and Cole (Mr. President).

Thirty-three members having answered to their names, the President declared the presence of a quorum.

The following communication was reported by the Clerk:

THE SENATE OF WEST VIRGINIA
OFFICE OF THE PRESIDENT
LIEUTENANT GOVERNOR
CHARLESTON

January 12, 2016

The Honorable Clark S. Barnes

Clerk of the Senate
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

I am this date appointing Jeffrey L. Branham of 23 Cumberland Way, Cross Lanes, West Virginia, as Acting Doorkeeper of the West Virginia Senate for the remainder of the 82nd Legislature.

This appointment fills the vacancy created by the death of Anthony Gallo.

Respectfully submitted,

William P. Cole III
President of the Senate –
Lieutenant Governor

Whereupon, Mr. Branham previously qualified as Acting Doorkeeper by taking the several oaths of office prescribed by law and administered by the Honorable William P. Cole III, President of the West Virginia Senate.

At the request of Senator Carmichael, unanimous consent being granted, Senator Carmichael offered the following resolution from the floor:

Senate Resolution 1—Raising a committee to notify the House of Delegates that the Senate has assembled in regular session.

Resolved by the Senate:

That a committee of three be appointed by the President to inform the House of Delegates that the Senate has assembled in regular sixty-day session, with a quorum present, and is ready to proceed with the business of this regular session.

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

Whereupon, the President appointed as members of such committee, the following:

Senators Blair, Ferns and Plymale.

Subsequently, Senator Blair reported that the committee had performed the duty assigned to it.

The first message this session from the House of Delegates, by

Delegates Stansbury, R. Smith and Boggs, announced that the House of Delegates has assembled, with a quorum present, and is ready to proceed with the business of this second regular session of the eighty-second Legislature.

At the request of Senator Carmichael, unanimous consent being granted, Senator Carmichael offered the following resolution from the floor:

Senate Resolution 2—Providing for the appointment of a committee to inform the Governor that the Legislature has assembled in regular session.

Resolved by the Senate:

That a committee of three on the part of the Senate be appointed by the President, to join with a similar committee on the part of the House of Delegates, to notify His Excellency, the Governor, that the Legislature has assembled in regular sixty-day session, with a quorum of each house present, and is ready to receive any communication or message that he may desire to present.

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

Whereupon, the President appointed as members of such committee, the following:

Senators Maynard, Karnes and Woelfel.

A message from the House of Delegates, by

Delegates Border-Sheppard, Duke and Hartman, announced that the Speaker had appointed them a committee of three to join with a similar committee on the part of the Senate under the provisions of Senate Resolution 2 to wait upon the Governor. Senate and House members of this select committee then proceeded to the executive offices.

Subsequently, Senator Maynard reported that the joint Senate and House committee had performed the duty assigned to it.

The Senate proceeded to the sixth order of business.

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

By Senators Cole (Mr. President), Blair, Boso, Ferns, Gaunch, Trump, Carmichael, Sypolt and Takubo:

Senate Bill 1—A Bill to amend and reenact §21-1A-3 and §21-1A-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §21-5G-1, §21-5G-2, §21-5G-3, §21-5G-4, §21-5G-5, §21-5G-6, §21-5G-7 and §21-5G-8, all relating to establishing the West Virginia Workplace Freedom Act; eliminating language allowing employment agreements require membership in a labor organization as a condition of employment; prohibiting any requirement that a person become or remain a member of a labor organization as condition of employment; prohibiting any requirement that a person must pay dues or other fees to a labor organization as a condition of employment; prohibiting any requirement that a person contribute to a charity in lieu of paying dues or other fees to a labor organization; providing that certain agreements or practices between labor organizations and employers are unlawful; providing for criminal penalties; providing for administrative remedies; providing for civil relief, including damages, attorney's fees and injunctive relief; providing for exceptions; requiring prosecuting attorneys and the Attorney General to investigate complaints; defining terms; construction; applicability; and severability.

Referred to the Committee on the Judiciary.

By Senators Blair, Boso and Trump:

Senate Bill 2—A Bill to repeal §21-5A-1, §21-5A-2, §21-5A-3, §21-5A-5, §21-5A-6, §21-5A-7, §21-5A-8, §21-5A-9, §21-5A-10, §21-5A-11 and §21-5A-12 of the Code of West Virginia, 1931, as amended, all relating to repealing prevailing hourly rate of wages requirements by or on behalf of public authorities engaged in construction of public improvements.

Referred to the Committee on Government Organization.

By Senators Trump, Gaunch, Karnes, Leonhardt, Walters, Sypolt, Blair and Carmichael:

Senate Bill 3—A Bill to amend and reenact §29A-3-1 of the Code of West Virginia, 1931, as amended; to amend and reenact §29A-3A-2 of said code; and to amend and reenact §29A-3B-2 of said code, all relating to rule making under the state Administrative Procedures Act; and providing for a sunset of rules five years after the effective date of this amendment and legislation approving rules and five years after the effective date of all new or modified rules.

Referred to the Committee on the Judiciary.

By Senators Trump, Gaunch, Karnes, Carmichael, Blair and Takubo:

Senate Bill 4—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-8-15, relating to candidates or candidate committees for legislative office disclosing contributions received while the Legislature is in session; requiring timely disclosure of certain contributions from persons while the Legislature is in session; clarifying that the legislative session includes interim and special session; requiring timely disclosure of fund-raising events, including contributions, of candidates or candidate committees for legislative office while the Legislature is in session; defining terms; imposing same reporting requirements upon former candidates or candidate committees for legislative office who are still in office; requiring Secretary of State to create a form for disclosure; requiring Secretary of State to publish information on the Secretary of State's website; authorizing Secretary of State to establish means for electronic filing and disclosure in the alternative; and authorizing Secretary of State to promulgate legislative and emergency rules.

Referred to the Committee on the Judiciary.

By Senators Gaunch, Ferns, Karnes, Leonhardt, Trump, Carmichael, Blair, Sypolt and Takubo:

Senate Bill 5—A Bill to amend and reenact §3-1-34 and §3-1-41 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §3-1-51; and to amend and reenact §17B-2-1 of said code, all relating to voting procedures; requiring a person desiring to vote to present documentation identifying the voter to one of the poll clerks; setting forth requirements for that documentation; identifying acceptable documentation; exempting from disclosure the address of individuals in the Address Confidentiality Program; directing Secretary of State to educate voters about the identification requirement and develop a program to help ensure that all eligible voters obtain identification; providing for casting of provisional ballot by a person without adequate proof of identification; providing certain exemptions from requirement to present a photo identification card; modifying provisional ballot procedures; and providing for issuance of identification cards at no charge.

Referred to the Committee on the Judiciary.

By Senators Ferns, Carmichael, Gaunch, Takubo, Trump, Prezioso, Stollings, Plymale, Blair, Karnes and Sypolt:

Senate Bill 6—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-3-6, relating to drug screening for applicants of benefits from the Temporary Assistance for Needy Families Program; requiring drug testing of applicants for whom there is a reasonable suspicion of substance abuse; creating a pilot program; setting forth an effective date; defining terms; providing basis for reasonable suspicion of drug use; requiring participation in a substance abuse treatment, counseling and job skills program with an adverse drug test; precluding assistance for refusal to take a drug test; establishing administrative review of decisions to deny benefits; providing a mechanism for dependent children to receive benefits if a parent is deemed ineligible; setting forth prohibition from benefits for an adverse drug test; requiring investigation by Child Protective Services upon an adverse drug test; setting forth a procedure for reapplication for

benefits; authorizing rulemaking by the Department of Health and Human Resources; requiring results of the drug screen or drug test remain confidential; providing criminal penalties; requiring an annual report to the Legislature; setting out elements of the annual report; requiring federal approval of the program; and requiring the secretary to modify the program to meet any federal objections and allowing for exceptions.

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

By Senators Leonhardt, Carmichael, Ashley, Stollings, Trump and Blair:

Senate Bill 7—A Bill to amend and reenact §55-7-13d of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §55-7-13e; and to amend and reenact §55-7B-5 of said code, all relating to the establishment of a wrongful conduct rule; providing legislative findings and purposes; prohibiting the recovery of damages that arise, in whole or in part, out of a plaintiff's commission or attempted commission of illegal or immoral acts or transactions; defining "illegal or immoral act or transaction"; providing for the burden of proof for establishing the commission of illegal or immoral acts or transactions; requiring proximate cause for a bar on recovery; setting forth exceptions to wrongful conduct rule; providing for the applicability of the wrongful conduct rule to all civil actions for personal injury and wrongful death, including any and all claims brought against a health care provider under the Medical Professional Liability Act; applicability; and severability.

Referred to the Committee on the Judiciary.

By Senators Gaunch, Karnes, Leonhardt, Trump and Blair:

Senate Bill 8—A Bill to amend and reenact §5-3-3 and §5-3-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §5-3-3a, all relating generally to appointment of attorneys to assist the Attorney General; establishing competitive bidding process for use of private attorneys on a contingency fee basis by Attorney General; requiring written determinations for Attorney General's selection of private attorneys to represent state on a contingency fee basis; setting fees for contingency fee legal arrangements or contracts between private attorneys and Attorney General; establishing supervision requirements for private lawyers representing state on a contingency fee basis; requiring the posting of certain documents relating to Attorney General's retention of private attorneys to represent state on a contingency fee basis; requiring Attorney General reports on certain legal causes and matters to the Governor, President of the Senate and Speaker of the House; outlining contents of those reports; updating and removing outdated provisions; and defining terms.

Referred to the Committee on the Judiciary.

By Senators Blair, Carmichael and Takubo:

Senate Bill 9—A Bill to amend and reenact §3-1-17 of the Code of West Virginia, 1931, as amended; to amend and reenact §3-4A-11a of said code; to amend said code by adding thereto a new section, designated §3-5-6e; to amend and reenact §3-5-7 and §3-5-13 of said code; to amend and reenact §3-10-3 and §3-10-3a of said code; to amend and reenact §6-5-1 of said code; to amend said code by adding thereto a new article, designated §51-1B-1, §51-1B-2, §51-1B-3, §51-1B-4, §51-1B-5, §51-1B-6, §51-1B-7, §51-1B-8, §51-1B-9, §51-1B-10, §51-1B-11 and §51-1B-12; and to amend and reenact §58-5-1 of said code, all relating to creating a new court to be known as West Virginia Intermediate Court of Appeals; requiring election of Judges of the Intermediate Court of Appeals be on nonpartisan basis; requiring elections be on a division basis when more than one judge is to be elected; providing for timing and frequency of election; providing for commencement of terms of office; establishing ballot design and printing; providing that elections be held on same date as primary election; requiring nonpartisan ballots; establishing filing announcement of candidacies, including

timing, location and necessary information; providing for order of appearance of offices on the ballot; establishing ballot content; providing procedures for filling of vacancies; providing occasions for special elections to be held to fill vacancies; requiring Intermediate Court of Appeals be operational by July 1, 2017; establishing northern and southern districts; providing three judges for each district; establishing qualifications for judges; establishing court jurisdiction; providing for deflective review; providing West Virginia Supreme Court of Appeals will either keep an appeal or transfer it to Intermediate Court; designating the clerk of the Supreme Court as the clerk of the Intermediate Court of Appeals; providing that certain appeals to be reviewed as a matter of right and those matters in which the appeals are discretionary; providing appeals in certain administrative cases are discretionary; authorizing appeals from Intermediate Court to Supreme Court; authorizing Governor make initial appointments by July 1, 2016; creating staggered terms; providing for elections for ten-year terms after initial appointments; authorizing a Chief Judge; authorizing staff for court and judges; providing for compensation and expenses of judges and staff; providing for temporary assignment of circuit court judges; authorizing Supreme Court to provide facilities, furniture, fixtures and equipment for Intermediate Court; establishing precedential effect of Intermediate Court orders and decisions; providing budget of Intermediate Court be part of Supreme Court budget; and providing for severability.

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

By Senators Sypolt, Ferns, Gaunch, Karnes, Leonhardt, Trump, Walters, Boley, Boso, Takubo and Blair:

Senate Bill 10—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-2-31, relating to the creation of the Unborn Child Protection from Dismemberment Abortion Act; providing definitions; making it unlawful for any person to purposely perform or attempt to perform a dismemberment abortion and thereby kill an unborn child unless necessary to prevent serious health risk to the unborn child's mother; hearing before West Virginia Board of Medicine; persons not liable for performing or attempting to perform a dismemberment abortion; who may seek injunctive relief; who may seek cause of action for civil damages against a person who has performed a dismemberment abortion; what damages may be awarded; requiring the court to rule whether the anonymity of any woman upon whom an abortion has been performed or attempted to be performed shall be preserved from public disclosure if she does not give her consent to such disclosure; declaring that section may not be construed as creating or recognizing a right to abortion, nor a right to a particular method of abortion; creating a felony offense for violations; and providing criminal penalties.

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

By Senators Karnes, Gaunch, Leonhardt, Trump, Takubo, Boso and Blair:

Senate Bill 11—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-11C-1, §5-11C-2, §5-11C-3, §5-11C-4 and §5-11C-5, all relating to establishing the West Virginia Freedom of Conscience Protection Act; ensuring that, in all cases where state action burdens the exercise of religion, strict scrutiny is applied; to provide a claim or defense to a person or persons whose exercise of religion is burdened by state action; including a short title; providing definitions; and addressing applicability construction, remedies and severability.

Referred to the Committee on the Judiciary.

By Senator Leonhardt:

Senate Bill 12—A Bill to amend and reenact §7-20-1, §7-20-2, §7-20-3, §7-20-6, §7-20-7, §7-20-7a, §7-20-14, §7-20-15, §7-20-16, §7-20-23 and §7-20-24 of the Code of West Virginia, 1931, as

amended; and to amend said code by adding thereto twenty-eight new sections, designated §7-20-25, §7-20-26, §7-20-27, §7-20-28, §7-20-29, §7-20-30, §7-20-31, §7-20-32, §7-20-33, §7-20-34, §7-20-35, §7-20-36, §7-20-37, §7-20-38, §7-20-39, §7-20-40, §7-20-41, §7-20-42, §7-20-43, §7-20-44, §7-20-45, §7-20-46, §7-20-47, §7-20-48, §7-20-49, §7-20-50, §7-20-51 and §7-20-52, all relating generally to County Local Powers Act fees; taxes and expenditures for county development; restating short title; amending its purpose and legislative findings; amending certain definitions and adding definitions; amending criteria and requirements to implement and collect certain fees; amending authorization for county commissions to impose impact fees, services fees and other taxes; providing that certain fees and taxes collected may be deposited in special fund and used to pay debt service on revenue bonds issued to finance capital improvements or to finance them on a pay-as-you-go basis; making technical corrections; allowing county commissions and Commissioner of Highways to enter into intergovernmental agreements for construction and modernization of state roads, bridges and related infrastructure and financing in their respective counties; providing procedures for creation and finalization or project plans and amendments of plans; requiring notice to certain locally elected public officials and general public on proposed road, bridge and related infrastructure construction projects and project amendments with opportunity for public comment; providing means to finance cost of proposed road, bridge and related infrastructure construction projects and project amendments; allowing reallocation of ad valorem property taxes after ratification of constitutional amendment of certain property tax collections to finance, in whole or in part, capital improvements to infrastructure; providing for applications for a construction project and the contents of applications; creating special fund; requiring approval of boards of education for reallocation of regular property tax levies; providing for termination of reallocation of levies; authorizing Commissioner of Highways to issue revenue bonds and refunding bonds to finance road, bridge and related infrastructure projects financed, in whole or in part, by county commissions; providing that all bonds are exempt from tax, are negotiable and are lawful investments; providing procedures for issuance of bonds; allowing projects to also be constructed on pay-as-you-go basis; providing that these powers are supplemental powers of county commissions and Commissioner of Highways; requiring reports; exempting public officials from personal liability; providing a severability clause; and effective dates.

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

By Senators Carmichael, Boso, Gaunch, Leonhardt, Trump, Walters, Blair, Takubo, Miller and Unger:

Senate Bill 13—A Bill to amend and reenact §17C-12-7 of the Code of West Virginia, 1931, as amended, relating to increasing penalties for overtaking and passing a school bus stopped for the purpose of receiving and discharging children; and providing penalties in the event that the driver of the passing vehicle cannot be ascertained.

Referred to the Committee on the Judiciary.

By Senators Trump, Boso, Ferns, Leonhardt, Takubo and Blair:

Senate Bill 14—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §55-71-1, §55-71-2, §55-71-3, §55-71-4, §55-71-5, §55-71-6 and §55-71-7, all relating to providing limits on successor corporation asbestos-related liabilities.

Referred to the Committee on the Judiciary.

By Senators Boso and Gaunch:

Senate Bill 15—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-30, relating generally to manufacturers and sellers of prescription drugs and medical devices and liability of those entities for alleged inadequate warning or instruction;

and adopting the learned intermediary doctrine as defense to civil action based upon inadequate warnings or instructions.

Referred to the Committee on the Judiciary.

By Senators Ashley, Plymale, Williams, Miller, Stollings and Unger:

Senate Bill 16—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13BB-1, §11-13BB-2, §11-13BB-3, §11-13BB-4, §11-13BB-5, §11-13BB-6 and §11-13BB-7, all relating generally to providing tax credit for providing broadband to certain extremely high-cost census blocks; requiring Tax Commissioner to propose rules for legislative approval to administer this article; definitions; amount of credit; and how credit is taken and its application, including an annual cap on the credit and prohibiting a carryover or carryback to subsequent or previous tax years.

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

By Senators Beach, Williams, Miller and Blair:

Senate Bill 17—A Bill to amend and reenact §30-7-15a, §30-7-15b and §30-7-15c of the Code of West Virginia, 1931, as amended; and to amend and reenact §30-15-7, §30-15-7a, §30-15-7b and §30-15-7c of said code, all relating to expanding prescriptive authority of advanced nurse practitioners and certified nurse-midwives; removing requirement for collaborative relationships with physicians; removing certain notifications; removing minimum requirements for certain legislative rules; and permitting certain fees to be set by rule.

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

By Senators Beach and Miller:

Senate Bill 18—A Bill to amend and reenact §30-7-3 of the Code of West Virginia, 1931, as amended, relating to increasing membership of the Board of Examiners for Registered Professional Nurses from five to ten members; providing that nine members be registered nurses and one member a public consumer; and setting forth qualifications of those nurses who may serve.

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

By Senator Beach:

Senate Bill 19—A Bill to amend and reenact §17B-1-1 of the Code of West Virginia, 1931, as amended; to amend and reenact §17B-2-7b of said code; to amend said code by adding thereto a new section, designated §17C-1-69; and to amend and reenact §17C-15-44 of said code, all relating to autocycles; defining “autocycle”; creating an autocycle exemption from motorcycle examination, licensing and endorsement requirements; allowing a person with a valid driver's license to operate an autocycle; creating an autocycle exemption from helmet and certain other motorcycle or motor-driven cycle safety requirements; and deleting obsolete language regarding the motorcycle safety and education committee.

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

By Senator Beach:

Senate Bill 20—A Bill to amend and reenact §20-1-19 of the Code of West Virginia, 1931, as amended, relating to West Virginia state parks and state forests; and changing name of Coopers

Rock State Forest to Coopers Rock State Park.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senators Beach, Williams and Kessler:

Senate Bill 21—A Bill to amend and reenact §11-16-18 of the Code of West Virginia, 1931, as amended; to amend and reenact §60-3A-18 of said code; to amend and reenact §60-7-12 of said code; and to amend and reenact §60-8-34 of said code, all relating to allowing restaurants, private clubs, mini-distilleries and wineries to sell alcohol at 10:00 a.m. on Sundays.

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

By Senator Karnes:

Senate Bill 22—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-2-11a, relating to limiting health insurance coverage for elective abortions to coverage provided through supplemental policies; and elective abortion exceptions.

Referred to the Committee on Banking and Insurance; and then to the Committee on the Judiciary.

By Senators Karnes and Boso:

Senate Bill 23—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §33-42-9 and §33-42-10, all relating to the care of aborted fetuses; requiring medical facilities that provide abortions to administer anesthesia to an unborn fetus when aborted if it is older than seven weeks; requiring all available medical means to be used to preserve the life of a fetus if it is alive when aborted; and providing criminal penalties.

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

By Senator Karnes:

Senate Bill 24—A Bill to repeal §17C-16-1, §17C-16-2, §17C-16-3, §17C-16-4, §17C-16-5, §17C-16-6, §17C-16-7, §17C-16-8 and §17C-16-9 of the Code of West Virginia, 1931, as amended, relating to mandatory state inspections of motor vehicles.

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

By Senators Karnes, Leonhardt and Blair:

Senate Bill 25—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §3-11A-1, §3-11A-2, §3-11A-3, §3-11A-4 and §3-11A-5, all relating to 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; defining terms; setting forth delegate duties and responsibilities; and providing a felony criminal penalty for violation of a delegate's oath.

Referred to the Committee on the Judiciary.

By Senator Karnes:

Senate Bill 26—A Bill to amend and reenact §16-5-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §16-5-10a, all relating to defining "midwife", "certified midwife" and "midwifery"; and requiring persons practicing midwifery in the State of West Virginia to make an annual report to the Bureau for Public Health as prescribed by the section of vital statistics.

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

By Senators Kirkendoll, Miller and Gaunch:

Senate Bill 27—A Bill to amend and reenact §7-5-24 of the Code of West Virginia, 1931, as amended; and to amend and reenact §11A-2-2 of said code, all relating to permitting sheriff to hire outside attorneys to assist in collection of taxes through the courts; and sharing cost of collection with various taxing units.

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

By Senators Kirkendoll, Stollings and Boso:

Senate Bill 28—A Bill to amend and reenact §7-1-3ff of the Code of West Virginia, 1931, as amended; and to amend and reenact §8-12-16 of said code, all relating to authorizing county commissions and municipalities to cooperate and enter into agreements removing or demolishing dwellings or buildings unfit for human habitation.

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

By Senator Palumbo:

Senate Bill 29—A Bill to amend and reenact §55-2-21 of the Code of West Virginia, 1931, as amended, relating generally to tolling statute of limitations in certain cases; limiting circumstances within which statute of limitations is tolled for institution of third-party complaints associated with pending civil actions; providing alternative periods when statute of limitations on third-party complaints is tolled; defining “third-party complaint”; and clarifying that this section does not limit doctrine of equitable tolling or discovery rule.

Referred to the Committee on the Judiciary.

By Senator Palumbo:

Senate Bill 30—A Bill to amend and reenact §61-7-14 of the Code of West Virginia, 1931, as amended, relating to correcting incorrect code reference resulting from recent amendment to said code requiring certain court personnel to complete certain handgun safety and training requirements before carrying a concealed handgun.

Referred to the Committee on the Judiciary.

By Senators Palumbo, Kessler and Gaunch:

Senate Bill 31—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §4-5-7, relating to prohibiting impersonation of a member, staff or person under direction of the Commission on Special Investigations; creating misdemeanor offense; and establishing penalties.

Referred to the Committee on the Judiciary.

By Senators Palumbo, Beach and Miller:

Senate Bill 32—A Bill to amend and reenact §3-5-11, §3-5-18 and §3-5-19 of the Code of West Virginia, 1931, as amended, all relating to withdrawal of candidates for office and filling vacancies; requiring the Secretary of State to create a notarized statement of withdrawal form; setting certain deadlines for the filing of a notarized statement of withdrawal form in order to have one's name

removed from ballot; setting deadline for when the Secretary of State shall certify names of general election candidates to counties; prohibiting certification of the name of a candidate who filed a timely notarized statement of withdrawal; clarifying process for determining candidate is disqualified; removing the State Election Commission from process of voluntary withdrawal of candidates; authorizing executive committee to replace a candidate who files a timely notarized statement of withdrawal and whose name would have otherwise appeared on the general election ballot; and setting and adjusting certain deadlines.

Referred to the Committee on the Judiciary.

By Senators Plymale, Beach, Takubo and Woelfel:

Senate Bill 33—A Bill to amend and reenact §60A-4-409 of the Code of West Virginia, 1931, as amended, relating to increasing penalty for illegally transporting Schedule I and II narcotic controlled substances into the state by making penalty a determinate sentence of not more than fifteen years; and exempting from coverage of statute certain methamphetamine precursors.

Referred to the Committee on the Judiciary.

By Senator Plymale:

Senate Bill 34—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-11-5a; to amend said code by adding thereto a new section, designated §8-21-10a; to amend and reenact §19-25-3 of said code; and to amend said code by adding thereto a new section, designated §20-5-3a, all relating to limiting liability of the section of Parks and Recreation of the Division of Natural Resources, county parks and recreation commissions, boards of parks and recreation commissioners, any officer or agent of a nonprofit state park of forest foundation and owners of land used for public parks and recreation purposes under an agreement with any of the foregoing entities.

Referred to the Committee on the Judiciary.

By Senator Snyder:

Senate Bill 35—A Bill to amend and reenact §5A-3-37 of the Code of West Virginia, 1931, as amended; and to amend and reenact §6-13-1 of said code, all relating to disabled veteran's preference eligibility in hiring for state civil service jobs; resident vendor bidding on state contracts; and redefining "disabled veteran" to meet federal definition.

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

By Senators Snyder and Blair:

Senate Bill 36—A Bill to amend and reenact §47-11A-8 of the Code of West Virginia, 1931, as amended, relating to unfair trade practices; and adding gasoline, diesel fuel and blended fuel to the list of products exempted from unfair trade practices.

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

By Senator Snyder:

Senate Bill 37—A Bill to amend and reenact §11-22-2 of the Code of West Virginia, 1931, as amended, relating to redistributing an existing excise tax paid upon transfer of real property so that tax is paid to the county where the property is situate instead of to the state; providing this be accomplished incrementally over a five-year period; requiring counties to dedicate excise tax to support regional jails; and making stylistic changes.

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

By Senator Snyder:

Senate Bill 38—A Bill to amend and reenact §11-14C-23 of the Code of West Virginia, 1931, as amended, relating to removal of certain tax discounts from motor fuel excise tax.

Referred to the Committee on Finance.

By Senators Stollings and Gaunch:

Senate Bill 39—A Bill to amend and reenact §17F-1-3 of the Code of West Virginia, 1931, as amended, relating to authorization and regulation of unlicensed off-road motorcycles upon public streets, roads and highways by municipalities and counties within the Hatfield-McCoy Recreation Area.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senator Stollings:

Senate Bill 40—A Bill to amend and reenact §29-26-2 of the Code of West Virginia, 1931, as amended, relating to modifying funding assistance from Courthouse Facilities Improvement Authority; and changing definition of facilities that are eligible for funding assistance from courthouse facilities that are occupied by county or judicial officials to ones that are currently owned and occupied by those officials or upon renovation will be owned and occupied by those officials.

Referred to the Committee on the Judiciary.

By Senator Stollings:

Senate Bill 41—A Bill to amend and reenact §61-8B-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §61-8B-6, all relating to modifying essential elements of offense of sexual assault in third degree; creating offense of sexual assault in fourth degree; and establishing criminal penalties.

Referred to the Committee on the Judiciary.

By Senators Stollings, Beach, Plymale, Blair, Gaunch, Kessler, Snyder, Carmichael, Williams and Miller:

Senate Bill 42—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-46-7, relating to permitting school nurses to possess and administer opioid antagonists on or near school premises.

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

By Senators Williams, Beach, Blair, Leonhardt and Miller:

Senate Bill 43—A Bill to amend and reenact §20-2-8 of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-3B-1 of said code, all relating to posting of property to prohibit hunting or trespassing; and allowing posting by certain clearly visible paint markings.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senators Williams and Miller:

Senate Bill 44—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-1A-6; and to amend said code by adding thereto a new section,

designated §20-1-7a, all relating to requiring public hearings upon transfer of certain land to or from the state; requiring public hearing be held at least thirty days prior to closing of sale; requiring certain notice of public hearing; and providing for availability of transcript of public hearing and list of attendees.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senators Williams, Stollings, Beach and Miller:

Senate Bill 45—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17-29-1, §17-29-2, §17-29-3, §17-29-4, §17-29-5, §17-29-6, §17-29-7, §17-29-8, §17-29-9, §17-29-10, §17-29-11, §17-29-12, §17-29-13 and §17-29-14, all relating to creating Tourist-Oriented Directional Signs Program; stating legislative purpose; setting forth application and eligibility requirements; establishing design and content guidelines; establishing sign location and placement criteria; establishing fee schedule; setting forth maintenance responsibility; permitting revocation of participation in program; exempting rulemaking from State Administrative Procedures Act; requiring rules be filed with Secretary of State; and defining terms.

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

By Senators Mullins, Facemire, Takubo, Miller and Romano:

Senate Bill 46—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §51-1B-1, §51-1B-2, §51-1B-3, §51-1B-4, §51-1B-5, §51-1B-6, §51-1B-7, §51-1B-8, §51-1B-9, §51-1B-10, §51-1B-11 and §51-1B-12, all relating to creation of a new court to be known as the West Virginia Intermediate Court of Appeals; requiring court to be operational by January 1, 2017; establishing northern and southern districts; providing three judges for each district; establishing qualifications for judges; establishing jurisdiction of the court; providing for deflective review; providing that the West Virginia Supreme Court of Appeals will either keep an appeal or transfer it to the Intermediate Court; providing that appeals in certain administrative cases are discretionary; authorizing appeals from the Intermediate Court to the Supreme Court; authorizing the Governor to make initial appointments by July 1, 2017; creating staggered terms; providing for elections for ten-year terms after initial appointments; authorizing a Chief Judge of the Intermediate Court; authorizing staff for court and judges; providing for compensation and expenses of judges and staff; providing for temporary assignment of circuit court judges; authorizing the Supreme Court to provide facilities, furniture, fixtures and equipment for the Intermediate Court; establishing precedential effect of Intermediate Court orders and decisions; providing that budget of the Intermediate Court will be part of the Supreme Court budget; and providing for severability of this article.

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

By Senator Ferns:

Senate Bill 47—A Bill to amend and reenact §30-3-13 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §30-3-13a, all relating generally to practice of medicine; rewriting licensing requirements for practice of medicine and surgery or podiatry; making exceptions; providing for unauthorized practice; requiring notice; establishing criminal penalties; permitting practice of telemedicine; establishing requirements; making exceptions; defining terms; and authorizing rulemaking.

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

By Senators Ferns and Leonhardt:

Senate Bill 48—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §62-16-1, §62-16-2, §62-16-3, §62-16-4, §62-16-5, §62-16-6, §62-16-7, §62-16-8, §62-16-9, §62-16-10, §62-16-11, §62-16-12, §62-16-13 and §62-16-14, all relating to establishing a Mental Health, Veteran and Service Members Court within the Supreme Court of Appeals; defining terms; setting forth policy and goals of the Legislature in establishing the court; granting authority to oversee the court to the Administrator of the Supreme Court; setting forth structure of the court; providing for written agreement to participate in the court; setting forth incentives for successful participation; providing for sanctions for violation of provisions of the court; setting out disposition on successful completion; providing for teams to function within the court; setting forth eligibility requirements for participation; setting forth procedure to participate in the court; allowing for mental health and drug treatment services for participants; providing for governance of the court by the Supreme Court of Appeals; setting forth information to be maintained on participants; providing for funding mechanisms which may include court fees; providing for limitation of liability; and providing for statutory construction.

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

By Senators Ferns and Stollings:

Senate Bill 49—A Bill to amend and reenact §11-27-8 of the Code of West Virginia, 1931, as amended, relating to excluding mobile x-ray services from the health care provider tax.

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

By Senator Ferns:

Senate Bill 50—A Bill to amend and reenact §16-5G-2 and §16-5G-4 of the Code of West Virginia, 1931, as amended, all relating to hospitals owned or operated by nonprofit corporations, nonprofit associations or local governmental units; clarifying that these hospitals may have only one governing body whose meetings shall be open to the public; enumerating matters which may be acted upon in executive session; and clarifying and expanding authorization for holding of executive sessions.

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

By Senator Ferns:

Senate Bill 51—A Bill to amend and reenact §21-3-19 of the Code of West Virginia, 1931, as amended, relating to exempting certain employers from discriminating against tobacco users.

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

By Senator Ferns:

Senate Bill 52—A Bill to amend and reenact §62-6B-2, §62-6B-3 and §62-6B-4 of the Code of West Virginia, 1931, as amended, all relating to modifying requirements that allow a child witness to testify by closed circuit television.

Referred to the Committee on the Judiciary.

By Senators Sypolt, Williams and Blair:

Senate Bill 53—A Bill to amend and reenact §62-3-3 of the Code of West Virginia, 1931, as

amended, relating to changing number of strikes in jury selection in felony cases to provide four strikes each to the accused and the prosecution; and setting forth the order strikes are to be taken.

Referred to the Committee on the Judiciary.

By Senator Sypolt:

Senate Bill 54—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-15-9o, relating generally to altering the way tax is collected on homeowners' associations; exempting from consumers sales and service tax liability dues, fees and assessments paid by members to homeowners' associations when used by the homeowners' association for payment of common expenses; taxable expenses of homeowners' association; and definitions.

Referred to the Committee on Finance.

By Senators Sypolt, Miller and Blair:

Senate Bill 55—A Bill to amend and reenact §11-1C-2, §11-1C-4 and §11-1C-7 of the Code of West Virginia, 1931, as amended, all relating to reproduction, distribution and sale of tax maps; defining terms; specifying powers of the Property Valuation Training and Procedures Commission to promulgate rules; specifying duties of county assessors; requiring that sale, reproduction and distribution of certain records be in accordance with specified legislative rules; and specifying certain fees.

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

By Senator Yost:

Senate Bill 56—A Bill to amend and reenact §5-22-1 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Fairness in Competitive Bidding Act; and lowering threshold amount, from \$250,000 to \$100,000, for triggering a low bidder's duty to submit list of subcontractors on government contracts.

Referred to the Committee on Government Organization.

By Senator Yost:

Senate Bill 57—A Bill to amend and reenact §11A-1-9 of the Code of West Virginia, 1931, as amended, relating to co-owner of real property becoming sole owner when he or she pays all property taxes on real property for a minimum of five years.

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

By Senator Yost:

Senate Bill 58—A Bill to amend and reenact §18A-4-8b of the Code of West Virginia, 1931, as amended, relating to county boards of education; temporary reassignment of injured or ill service personnel under specified conditions; compensation and benefits; vacancies and job postings; and expiration of reassignments.

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

By Senators Yost, Boso and Miller:

Senate Bill 59—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-5-19a, relating to providing a fifty-percent discount to members of the

West Virginia National Guard and the West Virginia National Guard Reserve for campground rental fees in state parks.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Yost:

Senate Bill 60—A Bill to amend and reenact §23-4-3b of the Code of West Virginia, 1931, as amended, relating to workers' compensation; and modifying health care guidelines for reasonable and necessary medical treatment.

Referred to the Committee on Banking and Insurance; then to the Committee on Labor; and then to the Committee on the Judiciary.

By Senator Yost:

Senate Bill 61—A Bill to amend and reenact §23-4-1g of the Code of West Virginia, 1931, as amended, relating to the liberal weighing of evidence during any part of workers' compensation claim.

Referred to the Committee on Banking and Insurance; then to the Committee on the Judiciary; and then to the Committee on Finance.

By Senators Yost and Kessler:

Senate Bill 62—A Bill to amend and reenact §23-4-1 of the Code of West Virginia, 1931, as amended, relating to whom workers' compensation fund is disbursed; including rebuttable presumptions for certain injuries and diseases for firefighters, including members of volunteer fire departments; and allowing coverage to employees for occupational pneumoconiosis or other occupational disease for work performed out of state.

Referred to the Committee on Banking and Insurance; then to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Yost:

Senate Bill 63—A Bill to amend and reenact §23-4-6a of the Code of West Virginia, 1931, as amended, relating to workers' compensation benefits; and providing an award for occupational pneumoconiosis when there is a finding of no measurable pulmonary impairment.

Referred to the Committee on Banking and Insurance; then to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Yost:

Senate Bill 64—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-3-5a; to amend and reenact §15-2-10 of said code; to amend said code by adding thereto a new section, designated §18-2-23b; and to amend and reenact §18B-5-4 of said code, all relating to requiring all uniforms purchased by the state to be used or worn by employees of the state, including State Police officers, State Board of Education employees and employees of state institutions of higher education, to be manufactured in the United States; providing effective date; and removing outdated provision.

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

By Senator Yost:

Senate Bill 65—A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to exempting all military, National Guard and reserve income from state income taxes.

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

By Senator Yost:

Senate Bill 66—A Bill to amend and reenact §17-4-19 of the Code of West Virginia, 1931, as amended; and to amend and reenact §17-17-7, §17-17-16 and §17-17-17 of said code, all relating to certification requirements for applicators who paint state bridges.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Government Organization.

By Senator Yost:

Senate Bill 67—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2I-1, §5B-2I-2, §5B-2I-3 and §5B-2I-4, all relating to creating the Keep Jobs in West Virginia Act; requiring all work performed for state by contractors be performed in the United States; making legislative findings; permitting state to seek damages and void contracts for work done outside the country; and providing exceptions.

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

By Senators Ferns and Takubo:

Senate Bill 68—A Bill to repeal §16-29B-19, §16-29B-20, §16-29B-21 and §16-29B-21a of the Code of West Virginia, 1931, as amended; and to amend and reenact §16-29B-10 of said code, relating generally to powers and duties of the Health Care Authority; eliminating authority of the Health Care Authority to conduct rate review and set rates for hospitals; and establishing grandfathering clause.

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

By Senators Laird, Snyder, Miller and Blair:

Senate Bill 69—A Bill to amend and reenact §20-5-2 of the Code of West Virginia, 1931, as amended, relating to development of corporate sponsorships for state parks and recreational areas managed by the parks and recreation section.

Referred to the Committee on Natural Resources; and then to the Committee on Government Organization.

By Senator Yost:

Senate Bill 70—A Bill to amend and reenact §23-1-1 of the Code of West Virginia, 1931, as amended, relating generally to workers' compensation; acknowledging that deficit crisis is over; recognizing that West Virginia's labor force is its greatest asset and resource; stating that injured workers should receive preeminent and efficient treatment; and stating that it is the intent of the Legislature that a rule of liberal construction based on any remedial basis of workers' compensation legislation shall be applied when deciding cases.

Referred to the Committee on Banking and Insurance; then to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Yost:

Senate Bill 71—A Bill to amend and reenact §23-4-6 of the Code of West Virginia, 1931, as amended, relating to classification and criteria for disability benefits.

Referred to the Committee on Banking and Insurance; then to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Yost:

Senate Bill 72—A Bill to amend and reenact §23-4-3 of the Code of West Virginia, 1931, as amended, relating generally to workers' compensation benefits; providing quick and efficient delivery of medical benefits to injured workers; providing for medical treatment that is reasonably and causally related to injury; ensuring that treating doctor's opinion is not superseded by guidelines; and allowing for diagnosis updates based on diagnostic testing that is consistent with legislative intent set forth in said code.

Referred to the Committee on Banking and Insurance; then to the Committee on the Judiciary; and then to the Committee on Finance.

By Senators Yost and Miller:

Senate Bill 73—A Bill to amend and reenact §17C-4-1 of the Code of West Virginia, 1931, as amended, relating to crashes involving death or personal injuries; creating crime of knowingly leaving scene of a crash resulting in serious bodily injury; establishing presumption of knowledge based upon crash conditions; and providing criminal penalties of fine and imprisonment.

Referred to the Committee on the Judiciary.

By Senator Yost:

Senate Bill 74—A Bill to amend and reenact §22A-1A-1 of the Code of West Virginia, 1931, as amended, relating to employers' substance abuse screening policies and programs for safety-sensitive positions in mining operations; and providing for certificate suspension and revocation proceedings when certified individual is denied employment, withdraws application for employment, is discharged or resigns for violation of employer's substance abuse screening policy and program.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Yost:

Senate Bill 75—A Bill to amend and reenact §18A-2-13 of the Code of West Virginia, 1931, as amended, relating to establishing cook-meal ratios for full-day and half-day cooks in schools.

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

By Senator Yost:

Senate Bill 76—A Bill to amend and reenact §23-4-1c of the Code of West Virginia, 1931, as amended, relating to workers' compensation; requiring covered employee to be paid maximum temporary total disability benefits for lost time without penalty to employee; and eliminating any offset to employers for employees who have a wage replacement plan.

Referred to the Committee on Banking and Insurance; then to the Committee on the Judiciary; and then to the Committee on Finance.

By Senators Yost and Miller:

Senate Bill 77—A Bill to repeal §11-12-86 of the Code of West Virginia, 1931, as amended; to repeal §29-3-23, §29-3-24, §29-3-25 and §29-3-26 of said code; to amend said code by adding thereto a new section, designated §9A-1-11b; to amend said code by adding thereto a new article, designated §29-3E-1, §29-3E-2, §29-3E-3, §29-3E-4, §29-3E-5, §29-3E-6, §29-3E-7, §29-3E-8, §29-

3E-9, §29-3E-10, §29-3E-11, §29-3E-12 and §29-3E-13; and to amend and reenact §61-3E-1 and §61-3E-11 of said code, all relating to legalizing and regulating the sale and use of fireworks; creating West Virginia Veterans Program Fund; creating Fireworks Safety Act; defining terms; establishing registration requirements for retailer selling sparkling devices, novelties or toy caps; establishing certification requirements for retailer selling consumer fireworks; establishing permit requirements for presenting public display of fireworks; creating fireworks safety fee of twenty percent of all sales for the retail sale of consumer fireworks; designating allocation of fee; giving State Fire Marshal rule-making authority; setting out exemptions; stating unlawful acts; and providing criminal penalties.

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

By Senator Yost:

Senate Bill 78—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-6-29, relating to the creation of Equal Pay Coordinator within the Division of Personnel to ensure pay equity among state employees; making legislative findings; setting forth qualifications for position; providing powers and duties of coordinator; providing for development of strategic plan to ensure pay equity in state government; authorizing other agencies to share necessary information with coordinator; requiring reports; and providing rule-making authority.

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

By Senators Yost and Miller:

Senate Bill 79—A Bill to amend and reenact §20-2-42c of the Code of West Virginia, 1931, as amended, relating to allowing members of the West Virginia National Guard or its reserve to obtain free hunting and fishing licenses while serving in the West Virginia National Guard or its reserve and, upon full retirement, licenses for life.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Yost:

Senate Bill 80—A Bill to amend and reenact §48-23-601 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §48-23-602, all relating to compiling and making available nonidentifying social and medical histories of birth parents prior to an adoption.

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

By Senator Yost:

Senate Bill 81—A Bill to amend and reenact §20-2-42c of the Code of West Virginia, 1931, as amended, relating to allowing members of the West Virginia National Guard or its reserve to obtain Class C hunting and fishing licenses for a one-time fee while serving in the West Virginia National Guard or its reserve and all veterans of the armed forces with an honorable discharge or full retirement to obtain license for life upon full retirement or honorable discharge.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Yost:

Senate Bill 82—A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to personal income tax; and increasing adjustments to gross income for military, National Guard and reserve retirement income of resident individuals.

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

By Senator Yost:

Senate Bill 83—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §8-15B-1, §8-15B-2, §8-15B-3, §8-15B-4 and §8-15B-5, all relating to meeting and conference rights for members of police or fire departments employed by political subdivisions; providing for right of these members to self-organization; allowing designation of exclusive representative agent; imposing duty to meet and confer with employees; allowing deduction of employee organization dues and assessments; providing for compulsory arbitration of disputes; listing prohibited acts; allowing hearings before Civil Service Commission; providing judicial review; specifying powers and duties of Civil Service Commission; and allowing injunctive relief.

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

By Senator Yost:

Senate Bill 84—A Bill to amend and reenact §61-8A-1, §61-8A-2, §61-8A-3, §61-8A-4 and §61-8A-5 of the Code of West Virginia, 1931, as amended, all relating generally to prohibition on preparation, distribution or exhibition of harmful matter to minors; revising definition of “obscene matter” to contain specific matter that is harmful to minors; and revising article to reflect definition change.

Referred to the Committee on the Judiciary.

By Senator Yost:

Senate Bill 85—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §49-3-103; and to amend and reenact §59-1-10 of said code, all relating to 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; raising price of certified copy of birth certificate, death certificate or marriage license from \$5 to \$11; and creating a fund within the State Treasury to pay for implementation and sustenance of court-appointed special advocate programs.

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

By Senator Yost:

Senate Bill 86—A Bill to amend and reenact §11-21-12d of the Code of West Virginia, 1931, as amended, relating to continuing personal income tax adjustment to gross income of certain retirees receiving pensions from defined pension plans that terminated and are being paid a reduced maximum benefit guarantee.

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

By Senator Yost:

Senate Bill 87—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-24, relating to requiring Department of Health and Human Resources review rates paid to health care providers.

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

By Senator Walters:

Senate Bill 88—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18B-1F-10, relating to creating and funding establishment of facility that

studies and creates solutions to separate individual chemicals out of water; and providing funding from Legislature's Tax Reduction and Federal Funding Increased Compliance Fund.

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

By Senators Walters, Miller and Gaunch:

Senate Bill 89—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-18f, relating to county boards of education; licensed school psychologists; and providing that maximum licensed school psychologist-pupil ratio is one thousand five hundred pupils for each licensed school psychologist.

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

By Senators Yost and Miller:

Senate Bill 90—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §29-6A-1, §29-6A-2, §29-6A-3, §29-6A-4, §29-6A-5, §29-6A-6, §29-6A-7, §29-6A-8, §29-6A-9, §29-6A-10, §29-6A-11, §29-6A-12, §29-6A-13, §29-6A-14, §29-6A-15, §29-6A-16, §29-6A-17, §29-6A-18, §29-6A-19, §29-6A-20, §29-6A-21, §29-6A-22, §29-6A-23 and §29-6A-24, all relating to promoting orderly and constructive employment relations between the state and its employees; increasing efficiency of the state; ensuring health and safety of citizens of this state; requiring state to recognize, negotiate and bargain with employee organizations representing state employees and to enter into written agreements evidencing result of bargaining; and encouraging labor peace through establishment of standards and procedures which protect the rights of the state, the state's employees and citizens of this state.

Referred to the Committee on Labor; then to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Yost:

Senate Bill 91— A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-3-61, relating to requiring materials, supplies, equipment and other items purchased by the state and its agencies to be made in the United States; providing exceptions; and defining terms.

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

By Senator Yost:

Senate Bill 92—A Bill to amend and reenact §11-6B-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-6B-3a, all relating to creation of a \$20,000 annual flood zone homestead property tax exemption; defining "high-risk area"; and providing eligibility qualifications for flood zone homestead property tax exemption.

Referred to the Committee on Finance.

By Senator Walters:

Senate Bill 93—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §37-16-1, §37-16-2, §37-16-3 and §37-16-4, all relating to requiring a seller of real property satisfy upon closing any unpaid charges owed to the county and municipality in which property is located.

Referred to the Committee on the Judiciary.

By Senator Walters:

Senate Bill 94—A Bill to amend and reenact §17C-16-4 of the Code of West Virginia, 1931, as amended, relating to designating Superintendent of the West Virginia State Police as current administrator and enforcer of motor vehicle inspection program.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Government Organization.

By Senator Walters:

Senate Bill 95—A Bill to amend and reenact §5A-6-4c of the Code of West Virginia, 1931, as amended, relating to audits of certain government contracts; requiring Chief Technology Officer to ensure routine audits are made of all major information technology projects approved; requiring change orders be supported by certain documentation; requiring a post-audit review be conducted on certain major information technology projects; requiring certain contract terms for major information technology projects with a cost in excess of \$1 million; and requiring amounts not paid under a retainage agreement or collected under a performance bond be returned to the agency or agencies paying for the project or deposited in the state's general revenue account.

Referred to the Committee on Government Organization.

By Senators Walters and Miller:

Senate Bill 96—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2I-1, §5B-2I-2, §5B-2I-3, §5B-2I-4, §5B-2I-5, §5B-2I-6 and §5B-2I-7, all relating to authorizing local units of government to adopt local energy efficiency partnership programs and to create districts to promote the use of energy efficiency improvements by owners of certain real property; providing for financing of programs through voluntary property assessments, commercial lending and other means; authorizing local unit of government to issue bonds, notes and other evidences of indebtedness and to pay the cost of energy efficiency improvements from the proceeds thereof; providing for the repayment of bonds, notes and other evidences of indebtedness; authorizing certain fees; prescribing powers and duties of certain governmental officers and entities; and providing remedies.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on Government Organization.

By Senators Miller, Unger, Kessler, Beach, Snyder, Facemire and Romano:

Senate Bill 97—A Bill to amend and reenact §25-1-11d of the Code of West Virginia, 1931, as amended, relating to providing a \$2,008 increase in the annual salary of employees of the Division of Corrections.

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

By Senators Miller, Kessler, Romano, Woelfel, Beach, Snyder and Facemire:

Senate Bill 98—A Bill to amend and reenact §11-13Z-1 and §11-13Z-3 of the Code of West Virginia, 1931, as amended, all relating to residential solar energy tax credits; applying credit to residential installation of solar energy system or systems; and extending tax credit until July 1, 2022.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on Finance.

By Senators Miller, Woelfel, Romano, Facemire, Beach, Snyder and Laird:

Senate Bill 99—A Bill to amend and reenact §29-21-13a of the Code of West Virginia, 1931, as amended; and to amend and reenact §49-6-2 of said code, all relating to compensation and expenses for attorneys appointed by circuit courts in child abuse and neglect proceedings.

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

By Senator Miller:

Senate Bill 100—A Bill to amend and reenact §18-5-22 of the Code of West Virginia, 1931, as amended, relating to requirements for employment of nurses in public schools; changing student-school nurse staffing ratio; expanding its coverage to all grades; and eliminating county's ability to obtain contract services for nursing.

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

By Senators Miller and Beach:

Senate Bill 101—A Bill to amend and reenact §19-1-2 of the Code of West Virginia, 1931, as amended, relating to qualifications of Commissioner of Agriculture; and eliminating certain requirements.

Referred to the Committee on Agriculture and Rural Development; and then to the Committee on the Judiciary.

By Senators Trump, Boso and Gaunch:

Senate Bill 102—A Bill to amend and reenact §7-4-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §30-29-12, all relating to West Virginia officials carrying a concealed firearm nationwide as provided in the federal Law-Enforcement Officers Safety Act, 18 U. S. C. §926B; providing statutory authority necessary to give prosecuting attorneys and assistant prosecuting attorneys the option to carry firearms pursuant to that federal act upon completion of required training and annual background check; providing that law-enforcement agencies are neither prohibited from nor required to permit an officer to carry his or her service weapon off duty; and requiring West Virginia law-enforcement agencies to offer access to training and certification for honorably retired officers to be permitted to carry a concealed firearm nationwide as a qualified retired law-enforcement officer as provided in the federal Law-Enforcement Officers Safety Act of 2004.

Referred to the Committee on the Judiciary.

By Senators Laird, Unger, Romano, Kessler, Miller, Snyder and Facemire:

Senate Bill 103—A Bill to repeal §17B-3-3c of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §17B-3-14; and to amend and reenact §17B-4-3 of said code, all relating to suspension or revocation of driver's licenses; making legislative findings; establishing driver's license restoration program; waiving certain reinstatement requirements to restore driving privileges; reducing period for suspension upon receipt of notice of driving while suspended for offenses other than driving under the influence; and granting rule-making authority.

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

By Senators Plymale, Woelfel and Stollings:

Senate Bill 104—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-30, relating generally to manufacturers and sellers of prescription

drugs and medical devices and liability of those entities for alleged inadequate warning or instruction; and adopting the learned intermediary doctrine as defense to civil action based upon inadequate warnings or instructions.

Referred to the Committee on the Judiciary.

By Senators Trump and Gauch:

Senate Bill 105—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-25b, relating to education; providing for the Tim Tebow Act; permitting a child instructed at home, by a private tutor or at a nonpublic school to participate in extracurricular athletic or other extracurricular activities in public schools and at nonpublic schools that accept the student; providing requirements, standards and insurance coverage; and providing that accommodating schools may not be impeded from competing against other schools.

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

By Senator Trump:

Senate Bill 106—A Bill to amend and reenact §46A-6-107 of the Code of West Virginia, 1931, as amended, 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; prohibition against exclusion, modification or limitation of any warranty or remedy; waiver of warranty on used manufactured homes as to a particular defect or malfunction which dealer has disclosed; conditions permitting “as is” sale of used manufactured homes; conspicuous disclosure of “as is” sale; “as is” sale does not waive express warranties made by dealer; and dealer to conform to federal regulations.

Referred to the Committee on the Judiciary.

By Senator Trump:

Senate Bill 107—A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §56-12-1, §56-12-2, §56-12-3, §56-12-4, §56-12-5, §56-12-6, §56-12-7 and §56-12-8, all relating to creating the Uniform Interstate Depositions and Discovery Act.

Referred to the Committee on the Judiciary.

By Senators Trump and Blair:

Senate Bill 108—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §1-2-2a, relating to requiring the election by divisions in House of Delegate districts that have two or more delegates.

Referred to the Committee on the Judiciary.

By Senator Trump:

Senate Bill 109—A Bill to repeal §31A-2-4c of the Code of West Virginia, 1931, as amended; to repeal §38-1-8a of said code; and to repeal §44-13-4a of said code, all relating to repealing provisions requiring the filing of certain reports by trustees for property conveyed that is occupied, or intended to be occupied as a residence by the grantor; and repealing provisions requiring compiling and maintaining of information relating to certain deeds of trusts by county clerks and the West Virginia Housing Development Fund.

Referred to the Committee on Banking and Insurance; and then to the Committee on the Judiciary.

By Senators Trump and Gaunch:

Senate Bill 110—A Bill to amend and reenact §17E-1-13 of the Code of West Virginia, 1931, as amended, relating to disqualification of a commercial driver's license for a conviction of driving a motor vehicle under the influence of alcohol or a controlled substance; and providing that an offense committed before January 1, 1990, or before the initial issuance of a commercial instructional permit by any state may not be considered an offense in determining a lifetime disqualification.

Referred to the Committee on the Judiciary.

By Senators Kessler, Snyder and Beach:

Senate Bill 111—A Bill to amend and reenact §5-11-2, §5-11-3, §5-11-4, §5-11-8, §5-11-9 and §5-11-13 of the Code of West Virginia, 1931, as amended; and to amend and reenact §5-11A-3, §5-11A-5, §5-11A-6 and §5-11A-7 of said code, all relating to unlawful discriminatory practices; prohibiting discrimination based upon age or sexual orientation; and defining "sexual orientation".

Referred to the Committee on the Judiciary.

By Senators Kessler and Miller:

Senate Bill 112—A Bill to amend and reenact §11-13A-5b of the Code of West Virginia, 1931, as amended, relating to the West Virginia Future Fund; including the Revenue Shortfall Reserve Fund - Part B in the calculation of when deposits may be made into fund; and adding definition for "education and workforce development".

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on Finance.

By Senators Kessler, Unger, Snyder, Miller, Romano, Beach and Facemire:

Senate Bill 113—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-1b, relating to increasing pay to teachers over a five-year period.

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

By Senators Kessler, Unger, Romano, Facemire, Snyder, Miller and Beach:

Senate Bill 114—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-1b, relating to increasing pay to school service personnel over five years.

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

By Senators Kessler, Miller, Beach and Snyder:

Senate Bill 115—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-5-2a, relating to increasing pay to state employees over a three-year period.

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

By Senators Kessler and Beach:

Senate Bill 116—A Bill to amend and reenact §29-22B-1101 of the Code of West Virginia, 1931, as amended, relating to increasing number of limited video lottery terminals allowed at a retail location; and requiring Lottery Commission to conduct a bid for current permit holders prior to September 1, 2016.

Referred to the Committee on the Judiciary.

By Senator Kessler:

Senate Bill 117—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-22B-1108a, relating to creating a preference for certain limited video lottery current permit holders in bid process.

Referred to the Committee on the Judiciary.

By Senator Kessler:

Senate Bill 118—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-14-2a, relating to requiring certain disclosures with respect to group life insurance policies.

Referred to the Committee on Banking and Insurance; and then to the Committee on the Judiciary.

By Senators Kessler, Laird and Miller:

Senate Bill 119—A Bill to amend and reenact §61-11-26 of the Code of West Virginia, 1931, as amended, relating generally to expungement of certain criminal convictions; permitting expungement of certain felony convictions; establishing amount of time after felony conviction before expungement may be sought; creating exceptions; clarifying retirement or employment benefits lost due to conviction are not reinstated due to expungement; declaring expungement does not preclude person who has received expungement from being subject to sentencing enhancements for second and subsequent violations; declaring information in State Police database sufficient to prove existence of prior convictions; establishing fee to offset State Police costs associated with administering this section and the Criminal Identification Bureau; establishing special revenue account in State Treasury for funds received; and prohibiting expiration of funds.

Referred to the Committee on the Judiciary.

By Senator Kessler:

Senate Bill 120—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-1E-1, §21-1E-2, §21-1E-3, §21-1E-4, §21-1E-5, §21-1E-6, §21-1E-7, §21-1E-8, §21-1E-9, §21-1E-10, §21-1E-11, §21-1E-12 and §21-1E-13, all relating to creating Earned Sick Time Act; requiring employers to provide paid sick leave; stating legislative purpose; defining terms; setting standards for use and accrual of earned sick time; distinguishing between unpaid and paid sick time for certain employees based on size of employer; excepting more generous employer policies; requiring certain certification; excepting collective bargaining agreements; requiring notice and posting requirements; setting forth duties of Commissioner of Labor; providing rule-making authority; requiring employers retain certain documents; creating penalties and enforcement measures; creating misdemeanor offense; noting lack of an intent to preempt, limit or affect other requirements; and providing an effective date.

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

By Senators Beach and Miller:

Senate Bill 121—A Bill to amend and reenact §17A-2-13 of the Code of West Virginia, 1931, as amended; 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-10-3, §17A-10-10 and §17A-10-11 of said code; to amend and reenact §17B-2-1, §17B-2-3a, §17B-2-6, §17B-2-8 and §17B-2-11 of said code; and to amend and reenact §17D-2-2 of said code, all relating to increasing fees; increasing fee for vehicle records and certified record fee; increasing registration

fee for Class A motor vehicles; increasing fee for issuance and duplication of various documents by the division including titles, registrations, plates and decals; increasing fee for issuance, duplication and renewal of a driver's license; requiring payment of fee for each attempt at written and road skills test; and increasing fee for driving records.

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

By Senators Trump, Gaunch, Karnes and Blair:

Senate Bill 122—A Bill to amend and reenact §7-20-1, §7-20-2, §7-20-3, §7-20-6, §7-20-7, §7-20-7a, §7-20-14, §7-20-15, §7-20-16, §7-20-23 and §7-20-24 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto twenty-eight new sections, designated §7-20-25, §7-20-26, §7-20-27, §7-20-28, §7-20-29, §7-20-30, §7-20-31, §7-20-32, §7-20-33, §7-20-34, §7-20-35, §7-20-36, §7-20-37, §7-20-38, §7-20-39, §7-20-40, §7-20-41, §7-20-42, §7-20-43, §7-20-44, §7-20-45, §7-20-46, §7-20-47, §7-20-48, §7-20-49, §7-20-50, §7-20-51 and §7-20-52, all relating generally to County Local Powers Act fees; taxes and expenditures for county development; restating short title; amending its purpose and legislative findings; amending certain definitions and adding definitions; amending criteria and requirements to implement and collect certain fees; amending authorization for county commissions to impose impact fees, services fees and other taxes; providing that certain fees and taxes collected may be deposited in special fund and used to pay debt service on revenue bonds issued to finance capital improvements or to finance them on a pay-as-you-go basis; making technical corrections; allowing county commissions and Commissioner of Highways to enter into intergovernmental agreements for construction and modernization of state roads, bridges and related infrastructure and financing in their respective counties; providing procedures for creation and finalization or project plans and amendments of plans; requiring notice to certain locally elected public officials and general public on proposed road, bridge and related infrastructure construction projects and project amendments with opportunity for public comment; providing means to finance cost of proposed road, bridge and related infrastructure construction projects and project amendments; allowing reallocation of ad valorem property taxes after ratification of constitutional amendment of certain property tax collections to finance, in whole or in part, capital improvements to infrastructure; providing for applications for a construction project and the contents of applications; creating special fund; requiring approval of boards of education for reallocation of regular property tax levies; providing for termination of reallocation of levies; authorizing Commissioner of Highways to issue revenue bonds and refunding bonds to finance road, bridge and related infrastructure projects financed, in whole or in part, by county commissions; providing that all bonds are exempt from tax, are negotiable and are lawful investments; providing procedures for issuance of bonds; allowing projects to also be constructed on pay-as-you-go basis; providing that these powers are supplemental powers of county commissions and Commissioner of Highways; requiring reports; exempting public officials from personal liability; providing a severability clause; and effective dates.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senator Stollings:

Senate Bill 123—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-4F-1, §16-4F-2, §16-4F-3, §16-4F-4 and §16-4F-5; to amend and reenact §30-3-14 of said code; to amend and reenact §30-3E-3 of said code; to amend and reenact §30-5-14 of said code; to amend and reenact §30-7-15a of said code; and to amend and reenact §30-14-11 of said code, all relating to treatment for sexually transmitted diseases; providing for expedited partner therapy; defining terms; allowing prescribing of antibiotics to sexual partners of patient without prior examination of partner; requiring patient counseling; establishing counseling criteria; requiring informational materials be prepared by the Department of Health and Human Resources; providing limited liability for providing expedited partnership therapy; requiring rulemaking; and providing that physicians, physician assistants, pharmacists and advanced practice

registered nurses are not subject to disciplinary action for providing certain treatment for sexually transmitted diseases for sexual partners of patient.

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

By Senator Miller:

Senate Bill 124—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto eleven new sections, designated §24-2F-1, §24-2F-2 §24-2F-3, §24-2F-4, §24-2F-5, §24-2F-6, §24-2F-7, §24-2F-9, §24-2F-10, §24-2F-11 and §24-2F-12; and to amend and reenact §24-2F-8 of said code, all relating to an alternative and renewable energy portfolio standard; setting forth legislative findings; defining terms; establishing standards for the sale of electricity generated from alternative and renewable energy resources; providing for compliance assessments; creating a system of tradable alternative and renewable energy resource credits; providing for the awarding of credits based upon electricity generated or purchased from alternative and renewable energy resource facilities; providing for the awarding of credits for certain greenhouse emissions reduction and offset projects; providing for the awarding of credits for certain energy efficiency and demand-side energy initiative projects; requiring application to Public Service Commission for approval of alternative and renewable energy portfolio standard compliance plans; setting forth minimum requirements for compliance plan applications; requiring Public Service Commission approval of compliance plan applications; requiring annual progress reports; providing for incentive ratemaking for investments in new alternative and renewable energy resource facilities in West Virginia; requiring Public Service Commission to adopt certain net metering and interconnection rules and standards; authorizing interagency agreements; requiring an ongoing assessment of alternative and renewable energy resources in West Virginia; requiring Public Service Commission to consider adopting portfolio standards for certain electric cooperatives and other electric facilities or utilities; requiring Public Service Commission to consider extending alternative and renewable resource credits to electric distribution companies or electric generation suppliers other than electric utilities; establishing Alternative and Renewable Energy Resources Research Fund; providing for the awarding of matching grants for certain research projects; and authorizing Public Service Commission to promulgate rules.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senators Kessler and Stollings:

Senate Bill 125—A Bill to amend and reenact §11-17-3 of the Code of West Virginia, 1931, as amended, relating to incrementally increasing cigarette tax by a total of \$1 per pack in order to fund substance abuse and workforce development initiatives; setting forth timing of increases; and detailing how newly generated funds are to be distributed.

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

By Senators Laird, Unger, Miller, Facemire and Romano:

Senate Bill 126—A Bill to amend and reenact §20-7-1a and §20-7-1c of the Code of West Virginia, 1931, as amended, all relating to providing increase in compensation for natural resources police officers.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senators Laird, Williams, Stollings, Miller, Beach and Blair:

Senate Bill 127—A Bill to amend and reenact §48-9-103 of the Code of West Virginia, 1931, as amended; and to amend and reenact §48-10-403 and §48-10-502 of said code, all relating to grandparent's rights; permitting grandparent or psychological parent to institute action for custodial or decision-making responsibility of a child; allowing guardian ad litem to recommend psychological evaluation; increasing importance of the factor considering grandparent's significant caretaking of child; and minimizing parent's bias toward a grandparent as a factor in visitation.

Referred to the Committee on the Judiciary.

By Senators Laird and Kessler:

Senate Bill 128—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12j, relating to creating a West Virginia personal income tax modification reducing federal adjusted gross income for persons who choose to spay or neuter their dogs or cats.

Referred to the Committee on Finance.

By Senator Laird:

Senate Bill 129—A Bill to amend and reenact §29A-5-1 of the Code of West Virginia, 1931, as amended, relating to providing that hearing examiners conducting state agency administrative hearings be selected from a panel of five hearing examiners by a process in which the state agency first strikes two hearing examiners and the respondent subsequently strikes two hearing examiners; and making stylistic changes.

Referred to the Committee on the Judiciary.

By Senator Laird:

Senate Bill 130—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-8a, relating to air-ambulance fees paid by the West Virginia Public Employees Insurance Agency; and establishing maximum amount permitted to be collected.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Laird:

Senate Bill 131—A Bill to amend and reenact §10-1-2 of the Code of West Virginia, 1931, as amended, relating to permitting counties to impose additional levy on property within the county for the sole purpose of funding public libraries.

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

By Senators Laird, Unger and Miller:

Senate Bill 132—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-14-3a, relating to requiring municipal law-enforcement officers to wear certain armor vests when feasible; and requiring municipal police chiefs to create policy regarding mandatory use of certain armor vests.

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

By Senators Laird, Snyder, Romano, Facemire and Miller:

Senate Bill 133—A Bill to amend and reenact §25-1-11d of the Code of West Virginia, 1931, as amended; to amend and reenact §31-20-27 of said code; and to amend and reenact §49-5E-5a of said code, all relating to salaries for Division of Corrections, Regional Jail Authority and Division of Juvenile Services employees; providing increase in annual salary of employees of Division of Corrections, Regional Jail Authority and Division of Juvenile Services; providing increase in starting salary of employees of Division of Corrections, Regional Jail Authority and Division of Juvenile Services; and providing for longevity pay increases for employees of Division of Corrections, Regional Jail Authority and Division of Juvenile Services.

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

By Senator Laird:

Senate Bill 134—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18B-20-1, §18B-20-2 and §18B-20-3, all relating to establishment of an Economic Adjustment Evaluation Task Force to study impact of the closure or substantial change in the scope of operation of any campus of a state two- or four-year institution of higher learning; composition of task force; and report of task force to Joint Committee on Government and Finance.

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

By Senator Beach:

Senate Bill 135—A Bill amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-26-1, §7-26-2, §7-26-3, §7-26-4, §7-26-5, §7-26-6, §7-26-7, §7-26-8, §7-26-9, §7-26-10, §7-26-11, §7-26-12, §7-26-13, §7-26-14, §7-26-15, §7-26-16, §7-26-17, §7-26-18, §7-26-19, §7-26-20, §7-26-21, §7-26-22, §7-26-23, §7-26-24, §7-26-25, §7-26-26, §7-26-27, §7-26-28, §7-26-29, §7-26-30, §7-26-31, §7-26-32, §7-26-33, §7-26-34, §7-26-35, §7-26-36, §7-26-37, §7-26-38, §7-26-39, §7-26-40, §7-26-41, §7-26-42, §7-26-43, §7-26-44 and §7-26-45, all relating generally to the role of county commissions and Commissioner of Highways in construction and financing of road and bridge projects in counties; providing short title, legislative purpose and findings; defining terms; authorizing county commissions to develop road construction project plans; specifying process for development and approval of road construction project plans and plan amendments; allowing joint road construction project plans; requiring county commissions to submit road construction project plans and plan amendments to Commissioner of Highways for approval; specifying contents of application and approval process; creating new account and subaccounts in State Road Fund; allowing road construction projects be financed on cash basis or by special revenue bonds issued by Commissioner of Highways; giving Commissioner of Highways jurisdiction over all road construction projects accepted into state road system; specifying that road construction projects are public improvements; requiring annual reporting by Commissioner of Highways on county road construction projects; providing procedures and requirements for issuance of special revenue bonds and refunding bonds for county road construction projects; providing that bonds are not debts of state, county or any political subdivisions, are negotiable instruments and are exempt from taxation; specifying that persons executing bonds have no personal liability; providing that powers relating to road construction project plans, construction of projects and issuance of special revenue bonds are additional powers; allowing county commissions with approved road construction projects to impose county transportation sales and use taxes; limiting rate of taxes; requiring transactions and uses subject or exempt from county sales and use taxes to conform to state consumers sales and service tax and use tax requirements except that county tax may not apply to sales of motor vehicles, motor fuels or to purchases where local taxation is prohibited by federal law; requiring Tax Commissioner to administer, collect and enforce county transportation sales and use tax and, for that purpose, specifying a fee allowed for commissioner's services; making county transportation sales and use

taxes subject to West Virginia Tax Procedure and Administration Act and to West Virginia Tax Crimes and Penalties Act; requiring that definitions, taxable transactions and exemptions from county transportation sales and use taxes automatically update when state consumers sales and service tax and use tax laws are amended; requiring county commissions to develop and maintain county rate and boundary databases; requiring county commission to notify Tax Commissioner if tax has been imposed or tax rate has changed; specifying when collection of county transportation sales and use taxes begins; requiring that net collection of county transportation sales and use taxes be deposited in subaccount of county in county road improvement account in the State Road Fund; providing that all powers are supplemental; exempting public officers from personal liability; providing for severability; providing criminal penalties; and providing Commissioner of Highways with authority to propose rules for legislative approval.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Government Organization.

By Senators Leonhardt and Boso:

Senate Bill 136—A Bill to amend and reenact §8-12-5a of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-7-6 and §61-7-6a of said code, all relating to exceptions to prohibitions against carrying one or more concealed deadly weapons and reciprocity agreements for licenses to carry concealed weapons; and providing that any law-abiding person twenty-one years of age or older may carry a concealed deadly weapon anywhere within the boundaries of the state, including on or within municipally owned or controlled buildings, recreation centers or properties, without first obtaining a license to carry concealed deadly weapons.

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

By Senators Plymale, Stollings, Woelfel and Miller:

Senate Bill 137—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-25b, relating to setting certain safety standards for youth lacrosse; and requiring West Virginia Secondary Schools Activities Commission to adopt certain safety standards for youth lacrosse under certain circumstances.

Referred to the Committee on Education.

By Senators Laird, Kessler, Miller, Romano, Stollings and Facemire:

Senate Bill 138—A Bill to amend and reenact §17B-3-3c and §17B-3-9 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §17B-3-9a, all relating to creating amnesty program for certain persons with suspended licenses to allow reinstatement; establishing time period and certain procedures for amnesty program; creating exceptions to amnesty period; making certain technical corrections; requiring certain tickets amnestied remain listed as unsatisfied on court records; requiring certain suspension or revocation time remaining be waived in certain situations; requiring public awareness campaign regarding amnesty program; and providing for rule-making authority.

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

By Senators Plymale, Kessler, Beach, Miller and Stollings:

Senate Bill 139—A Bill to amend and reenact §11-17-3 of the Code of West Virginia, 1931, as amended, relating to increasing tobacco tax in order to provide additional revenue for Public Employees Insurance Agency's health plans for public employees.

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

By Senators Trump, Unger and Miller:

Senate Bill 140—A Bill to amend and reenact §5-26-1 and §5-26-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto two new sections, designated §5-26-3 and §5-26-4, all relating to the Herbert Henderson Office of Minority Affairs; requiring office report to Select Committee on Minority Affairs; defining terms; continuing Minority Affairs Fund; establishing a community-based pilot demonstration project; providing for operation and funding of pilot project; setting forth objectives and goals of pilot project; and requiring leverage of existing resources.

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

By Senators Trump, Miller and Stollings:

Senate Bill 141—A Bill to amend and reenact §17E-1-3 of the Code of West Virginia, 1931, as amended, relating generally to commercial driver's licenses; changing definition of commercial motor vehicle; and removing requirement for commercial driver's license when a towing vehicle is below a certain gross vehicle weight rating.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Government Organization.

By Senators Woelfel, Takubo, Romano, Plymale and Facemire:

Senate Bill 142—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-2-2a, relating to registration of voters; automatically registering high school graduates to vote; authorizing Secretary of State to create a form to facilitate registration; requiring county superintendent of schools or private school administrator to submit certain information to the clerk of the county commission in order to facilitate registration; and setting forth the process that each county clerk shall follow in order to process the forms received.

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

By Senator Woelfel:

Senate Bill 143—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18B-14-3, relating to higher education athletic competition; requiring West Virginia University and Marshall University to compete in basketball each season; and permitting the universities to determine certain details regarding each game.

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

By Senators Plymale and Woelfel:

Senate Bill 144—A Bill to amend and reenact §15-2B-2, §15-2B-3, §15-2B-5, §15-2B-6, §15-2B-9 and §15-2B-11 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §15-9B-4, all relating to DNA evidence; requiring the collection of DNA samples from individuals arrested for certain felony crimes for inclusion in and search of the DNA Databank; defining terms; providing that DNA samples shall be taken by buccal swab rather than drawing blood; authorizing certain cooperative agreements; requiring qualified arrestees to submit to a DNA sample collection during the arrest intake; requiring a DNA sample be taken of any person convicted of a felony offense; authorizing the use of the DNA sample in accordance with this article; authorizing law-enforcement and corrections employees to use reasonable force to obtain a

DNA sample when an individual refuses; limiting liability when a person obtaining a DNA sample acts in good faith and deeming the sample taken in accordance with this article; setting forth a process for handling samples taken in error; requiring Superintendent of the State Police to submit emergency and legislative rules detailing the collection of DNA samples from qualifying arrestees; setting forth a process for expungement of the DNA sample; stating that any database match is not invalidated by a failure to or delay in expunging records; expanding authority of the sexual assault forensic examination commission; requiring the commission to authorize a sub-group to establish protocols and propose legislative rules regarding the submission of sexual assault forensic examination kits in a timely manner from health care providers to law-enforcement agencies and from law-enforcement agencies to the West Virginia State Police or the Marshall University Forensic Science Center with certain restrictions and requirements; authorizing promulgation of emergency rules with certain restrictions; requiring the rules to address testing of the kits, return of the kits and retention of the kits; permitting certain repackaging of kits not associated with an open case file; and ensuring that the changes and associated rules do not create a claim or right to relief by any person.

Referred to the Committee on the Judiciary.

By Senator Walters:

Senate Bill 145—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-20a, relating to required coverage for preventative dental care for any Medicaid-eligible adult who is a recipient of Medicaid benefits; requiring a state plan amendment and setting forth an application date requirement.

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

By Senators Plymale and Unger:

Senate Bill 146—A Bill to amend and reenact §18-5-44 of the Code of West Virginia, 1931, as amended, relating to minimum instructional days per week, minimum instructional minutes per week and minimum instructional days per year for early childhood education programs.

Referred to the Committee on Education.

By Senators Romano, Snyder and Facemire:

Senate Bill 147—A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section, designated §11-15-9o, relating to specifying exemption from the consumers sales and service tax and use tax for purchases of certain services and tangible personal property sold for the repair, remodeling and maintenance of certain specified aircraft; defining terms; and specifying method for claiming exemption.

Referred to the Committee on Finance.

[CLERK'S NOTE: Senate Bill 148 through Senate Bill 245 are recommended for introduction by the Legislative Rule-Making Review Committee and sponsored by Senator Maynard, Cochair.]

By Senator Maynard:

Senate Bill 148—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing Board of Accountancy to promulgate legislative rule relating to board rules and rules of professional conduct.

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

By Senator Maynard:

Senate Bill 149—A Bill to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to the purchasing division.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 150—A Bill to amend and reenact article 8, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Office of Administrative Hearings to promulgate a legislative rule relating to appeal procedures.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 151—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to the inspection of nontraditional domesticated animals.

Referred to the Committee on Agriculture and Rural Development; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 152—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to poultry litter and manure movement into primary poultry breeder rearing areas.

Referred to the Committee on Agriculture and Rural Development; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 153—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to livestock care standards.

Referred to the Committee on Agriculture and Rural Development; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 154—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to captive cervid farming.

Referred to the Committee on Agriculture and Rural Development; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 155—A Bill to amend and reenact article 7, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Alcohol Beverage Control Commission to promulgate a legislative rule relating to private club licensing.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 156—A Bill to amend and reenact article 7, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Alcohol Beverage Control Commission to promulgate a legislative rule relating to distilleries and mini-distilleries.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 157—A Bill to amend and reenact article 7, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Alcohol Beverage Control Commission to promulgate a legislative rule relating to nonintoxicating beer licensing and operations procedures.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 158—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Conservation Committee to promulgate a legislative rule relating to the West Virginia Conservation Agency Financial Assistance Program.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 159—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners in Counseling to promulgate a legislative rule relating to licensing.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 160—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners in Counseling to promulgate a legislative rule relating to licensed professional counselor license renewal and continuing professional education requirements.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 161—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners in Counseling to promulgate a legislative rule relating to marriage and family therapists licensing.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 162—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners in Counseling to promulgate a legislative rule relating to marriage and family license renewal and continuing professional education requirements.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 163—A Bill to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to benefit determination and appeal.

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

By Senator Maynard:

Senate Bill 164—A Bill to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to the Teachers' Defined Contribution System.

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

By Senator Maynard:

Senate Bill 165—A Bill to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to the Teachers' Retirement System.

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

By Senator Maynard:

Senate Bill 166—A Bill to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to refund, reinstatement, retroactive service, loan and correction of error interest factors.

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

By Senator Maynard:

Senate Bill 167—A Bill to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to service credit for accrued and unused sick leave.

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

By Senator Maynard:

Senate Bill 168—A Bill to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to the West Virginia State Police.

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

By Senator Maynard:

Senate Bill 169—A Bill to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to the Deputy Sheriff Retirement System.

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

By Senator Maynard:

Senate Bill 170—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia,

1931, as amended, relating to authorizing the Board of Dental Examiners to promulgate a legislative rule relating to continuing education requirements.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 171—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Dental Examiners to promulgate a legislative rule relating to expanded duties of dental hygienists and dental assistants.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 172—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Air Quality, to promulgate a legislative rule relating to standards of performance for new stationary sources.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 173—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Air Quality, to promulgate a legislative rule relating to the control of air pollution from combustion of solid waste.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 174—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Air Quality, to promulgate a legislative rule relating to the control of air pollution from hazardous waste treatment, storage and disposal facilities.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 175—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Air Quality, to promulgate a legislative rule relating to emission standards for hazardous air pollutants.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 176—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Air Quality, to promulgate a legislative rule relating to the control of annual nitrogen oxide emissions.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 177—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Air Quality, to promulgate a legislative rule relating to the control of ozone season nitrogen oxides emissions.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 178—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Air Quality, to promulgate a legislative rule relating to the control of annual sulfur dioxide emissions.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 179—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Oil and Gas, to promulgate a legislative rule relating to horizontal well development.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 180—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Water and Waste Management, to promulgate a legislative rule relating to requirements governing water quality standards.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 181—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Water and Waste Management, to promulgate a legislative rule relating to above ground storage tanks.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 182—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Water and Waste Management, to promulgate a legislative rule relating to surface mining reclamation.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 183—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Water and

Waste Management, to promulgate a legislative rule relating to administrative proceedings and civil penalty assessment.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 184—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Water and Waste Management, to promulgate a legislative rule relating to above ground storage tank fee assessments.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 185—A Bill to amend and reenact article 3, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection, Water and Waste Management, to promulgate a legislative rule relating to above ground storage tank administrative proceedings and civil penalty assessment.

Referred to the Committee on Energy, Industry and Mining; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 186—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to emergency medical services.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 187—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to fees for service.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 188—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to infectious medical waste.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 189—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to AIDS-related medical testing and confidentiality.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 190—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to tuberculosis testing, control, treatment and commitment.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 191—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to farmers market vendors.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 192—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to the certification of opioid overdose prevention and treatment training programs.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 193—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to chronic pain management licensure.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 194—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to neonatal abstinence centers.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 195—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to West Virginia clearance for access; registry and employment screening.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 196—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to child-care licensing requirements.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 197—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to family child-care facility licensing requirements.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 198—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to family child-care home registration requirements.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 199—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to West Virginia Works Program sanctions.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 200—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to qualifications for a restricted provisional license to practice as a social worker within the department.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 201—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to goals for foster children.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 202—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to prohibitions when hunting and trapping.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 203—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to general hunting.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 204—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia,

1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to deer hunting.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 205—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to wild boar hunting.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 206—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to elk restoration and management.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 207—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Election Commission to promulgate a legislative rule relating to the regulation of campaign finance.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 208—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Election Commission to promulgate a legislative rule relating to the West Virginia Supreme Court of Appeals public campaign financing program.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 209—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Board of Registration for Professional Engineers to promulgate a legislative rule relating to the examination, licensure and practice of professional engineers.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 210—A Bill to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Ethics Commission to promulgate a legislative rule relating to the public use of names or likenesses.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 211—A Bill to amend and reenact article 6, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Fire Commission to promulgate a legislative rule relating to the fire code.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 212—A Bill to amend and reenact article 6, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Fire Commission to promulgate a legislative rule relating to the state building code.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 213—A Bill to amend and reenact article 6, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Fire Commission to promulgate a legislative rule relating to standards for the certification of continuing education of municipal, county and other public sector building code officials, inspectors and plans examiners.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 214—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Governor's Committee on Crime, Delinquency and Correction to promulgate a legislative rule relating to law enforcement training and certification standards.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 215—A Bill to amend and reenact article 8, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Highways to promulgate a legislative rule relating to the state transportation infrastructure fund program.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 216—A Bill to amend and reenact article 5, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Human Rights Commission to promulgate a legislative rule relating to the Pregnant Workers' Fairness Act.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 217—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Labor to promulgate a legislative rule relating to wage payment and collection.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 218—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Labor to promulgate a legislative rule relating to minimum wage and maximum hours.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 219—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Labor to promulgate a legislative rule relating to Elevator Safety Act.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 220—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Labor to promulgate a legislative rule relating to the licensing of elevator mechanics and technicians and registration of apprentices.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 221—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Medical Imaging and Radiation Therapy Technology Board of Examiners to promulgate a legislative rule relating to the board.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 222—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing WorkForce West Virginia to promulgate a legislative rule relating to the West Virginia Prevailing Wage Act.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 223—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Medicine to promulgate a legislative rule relating to the establishment and regulation of limited license to practice medicine and surgery at certain state veterans nursing home facilities.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 224—A Bill to amend and reenact article 10, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Office of Miners' Health, Safety and Training to promulgate a legislative rule relating to substance abuse screening standards and procedures.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 225—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Nursing Home Administrators Licensing Board to promulgate a legislative rule relating to nursing home administrators.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 226—A Bill to amend and reenact article 2, chapter 64 of the Code of West Virginia,

1931, as amended, relating to authorizing the Division of Personnel to promulgate a legislative rule relating to the administrative rule of the West Virginia Division of Personnel.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 227—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to the licensure and practice of pharmacy.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 228—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to the Uniform Controlled Substances Act.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 229—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to record keeping and automated data processing systems.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 230—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to the licensure of wholesale drug distributors, third-party logistics providers and manufacturers.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 231—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Property Valuation and Procedures Commission to promulgate a legislative rule relating to tax map sales.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 232—A Bill to amend and reenact article 7, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Racing Commission to promulgate a legislative rule relating to thoroughbred racing.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 233—A Bill to amend and reenact article 7, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Racing Commission to promulgate a legislative rule relating to pari-mutuel wagering.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 234—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Social Work to promulgate a legislative rule relating to qualifications for the profession of social work.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 235—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Secretary of State to promulgate a legislative rule relating to registration forms and receipts.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 236—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Secretary of State to promulgate a legislative rule relating to the elimination of precinct registration books.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 237—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Secretary of State to promulgate a legislative rule relating to absentee voting by military voters who are members of reserve units called to active duty.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 238—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Secretary of State to promulgate a legislative rule relating to the Freedom of Information Act database.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 239—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners for Speech-Language Pathology and Audiology to promulgate a legislative rule relating to the licensure of speech pathology and audiology.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 240—A Bill to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners for Speech-Language Pathology and Audiology to promulgate a legislative rule relating to speech-language pathology and audiology assistants.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 241—A Bill to amend and reenact article 7, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Tax and Revenue to promulgate a legislative rule relating to the payment of taxes by electronic funds transfer.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 242—A Bill to amend and reenact article 7, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Tax and Revenue to promulgate a legislative rule relating to an exchange of information agreement between the Commissioner of the Tax Division of the Department of Revenue and the Secretary of the Department of Commerce, the Secretary of the Department of Environmental Protection, the Director of the Division of Forestry of the Department of Commerce and the Commissioners of the Public Service Commission.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 243—A Bill to amend and reenact article 8, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Transportation to promulgate a legislative rule relating to rail-fixed guideway systems state safety oversight.

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

By Senator Maynard:

Senate Bill 244—A Bill to amend and reenact article 11, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Veterans' Assistance to promulgate a legislative rule relating to the state home for veterans.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 245—A Bill to amend and reenact article 11, chapter 64 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Veterans' Assistance to promulgate a legislative rule relating to VA headstones or markers.

Referred to the Committee on the Judiciary.

[CLERK'S NOTE: Senate Bill 148 through Senate Bill 245 are recommended for introduction by the Legislative Rule-Making Review Committee and sponsored by Senator Maynard, Cochair.]

By Senators Romano, Snyder and Gaunch:

Senate Bill 246—A Bill to amend and reenact §7-11B-10 and §7-11B-22 of the Code of West Virginia, 1931, as amended, all relating generally to tax increment financing districts; extending length of certain districts; providing for the discharge of any tax increment financing obligations outstanding on the termination date of a district and extending maturation of tax increment financing obligations.

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

By Senators Carmichael and Plymale:

Senate Bill 247—A Bill to amend and reenact §11-10-14a of the Code of West Virginia, 1931, as

amended, relating to including on the state personal income tax return a checkoff option to donate some or all of any tax refund to the Cedar Lakes Foundation Checkoff Program.

Referred to the Committee on Finance.

By Senator Stollings:

Senate Bill 248—A Bill to amend and reenact §16-9A-1, §16-9A-2, §16-9A-3, §16-9A-7 and §16-9A-8 of the Code of West Virginia, 1931, as amended, all relating to raising legal age for purchase of tobacco, tobacco products, tobacco-derived products, alternative nicotine products and vapor products to twenty-one.

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

By Senator Karnes, Trump and Leonhardt:

Senate Bill 249—A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended, relating to providing chief administrator or administrative head of private primary or secondary education provider the authority to specifically designate individuals that may possess a deadly weapon on that private education provider's premises.

Referred to the Committee on the Judiciary.

By Senator Trump:

Senate Bill 250—A Bill to amend and reenact §46A-1-105 of the Code of West Virginia, 1931, as amended, relating to excluding obligation to make required payments to property owners' or homeowners' association from provisions of the consumer credit and protection act.

Referred to the Committee on the Judiciary.

By Senators Trump and Woelfel:

Senate Bill 251—A Bill To amend and reenact §11-16-6, §11-16-6a, §11-16-6b, §11-16-8, §11-16-9, §11-16-11 and §11-16-18 of the Code of West Virginia, 1931, as amended, all relating to nonintoxicating beer; brewers and brewpubs; residency requirements for brewer's license and distributor's license; authorizing combined license for brewers and brewpubs; growler requirements and increasing daily number of growlers sold to customers; permitting multiple licenses to individuals and the operation of a brewery, winery or distillery by the same company or individual; eliminating festival fees and allowing breweries, wineries and distilleries to attend same festival events; eliminating Sunday sale restriction for brewers and brewpubs; removing food inventory requirement for retail package stores and wine specialty stores; providing that licenses are valid for one year from date of issue instead of being based on fiscal year; and permitting brewers to make their own analysis of the alcohol contents of the their products and gravity readings.

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

By Senator Trump:

Senate Bill 252—A Bill to amend and reenact §62-1D-2 of the Code of West Virginia, 1931, as amended, relating to Wiretapping and Electronic Surveillance Act; and excluding from protection under the act oral communications uttered in a place where there are notices posted informing persons that their oral communications are being intercepted.

Referred to the Committee on the Judiciary.

By Senators Trump and Woelfel:

Senate Bill 253—A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section, designated §8A-7-14, relating to exempting drug treatment facilities and drug recovery facilities from provisions of any county or municipal zoning ordinance.

Referred to the Committee on Government Organization.

By Senator Trump:

Senate Bill 254—A Bill to amend and reenact §7-11-5 of the Code of West Virginia, 1931, as amended, relating to prohibiting county parks commission from exercising rule-making authority to ban firearms.

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

By Senator Trump:

Senate Bill 255—A Bill to amend and reenact §46A-2-128 of the Code of West Virginia, 1931, as amended, relating to permitting creditor to collect and recover from a consumer the creditor's reasonable attorney fees, court costs, fees, late charges and other incidental expenses which are provided in the agreement creating the obligation.

Referred to the Committee on the Judiciary.

By Senator Trump:

Senate Bill 256—A Bill to amend and reenact §46A-3-113 of the Code of West Virginia, 1931, as amended, relating to allowing delinquency charge be collected on an installment which is paid in full in a timely manner if an earlier installment or delinquency has not been paid in full; and applying payments to the oldest unpaid installment first.

Referred to the Committee on Banking and Insurance; and then to the Committee on the Judiciary.

By Senators Trump and Woelfel:

Senate Bill 257—A Bill to amend and reenact §48-18-105 of the Code of West Virginia, 1931 as amended; and to amend and reenact §49-4-502 of said code, all relating to requiring the Bureau of Child Support Enforcement to appear in every abuse and neglect or delinquency case proceeding in circuit court which involves an issue of setting child support; requiring the prosecuting attorney provide formal notice of the date and time of these proceedings sufficiently in advance to the Bureau of Child Support Enforcement; requiring circuit judges to set child support in accordance with applicable child support guidelines; requiring parents to submit detailed income and expense disclosures in child abuse and neglect or delinquency cases set before a circuit court; and precluding attorneys appointed to represent parents in child abuse, neglect or delinquency cases from representing the parents to whom they are appointed on the setting of child support.

Referred to the Committee on the Judiciary.

By Senators Trump and Woelfel:

Senate Bill 258—A Bill to amend and reenact §60A-7-702, §60A-7-703, §60A-7-704, §60A-7-705, §60A-7-706 and §60A-7-707 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto two new sections, designated §60A-7-708 and §60A-7-709, all relating to the West Virginia Contraband Forfeiture Act; adopting a clear and convincing evidence standard; shortening time to institute forfeiture proceedings; designating persons be made respondents to a petition for forfeiture; redirecting disposition of all forfeited property; providing for disposition of

property when forfeiture is not ordered; and providing for effects of amendments to the law on pending actions.

Referred to the Committee on the Judiciary.

By Senators Blair, Karnes and Snyder:

Senate Bill 259—A Bill to repeal §47-11A-1, §47-11A-2, §47-11A-3, §47-11A-4, §47-11A-5, §47-11A-6, §47-11A-7, §47-11A-8, §47-11A-9, §47-11A-10, §47-11A-11, §47-11A-12, §47-11A-12a, §47-11A-13 and §47-11A-14 of the Code of West Virginia, 1931, as amended, relating to unfair trade practices and the Unfair Trade Practices Act.

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

By Senator Blair:

Senate Bill 260—A Bill to repeal §5A-6A-1, §5A-6A-2, §5A-6A-3, §5A-6A-4, §5A-6A-5, §5A-6A-6, §5A-6A-7, §5A-6A-8 and §5A-6A-9 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Permitting and Licensing Information Act.

Referred to the Committee on Government Organization.

By Senator Blair:

Senate Bill 261—A Bill to amend and reenact §5-1-25 of the Code of West Virginia, 1931, as amended, relating to the designation of daylight saving time.

Referred to the Committee on Government Organization.

By Senator Blair:

Senate Bill 262—A Bill to amend and reenact §25-1-17 and §25-1-18 of the Code of West Virginia, 1931, all relating to law enforcement not needing to obtain court orders prior to receiving recordings of inmate phone calls and inmate mail under certain circumstances.

Referred to the Committee on the Judiciary.

By Senators Blair and Snyder:

Senate Bill 263—A Bill to amend and reenact §8-1-5a of the Code of West Virginia, 1931, as amended, relating to the Municipal Home Rule Pilot Program; and allowing for members of the Municipal Home Rule Board be reimbursed for travel and other reasonable expenses.

Referred to the Committee on Government Organization.

By Senator Blair:

Senate Bill 264—A Bill to amend and reenact §4-10-3 of the Code of West Virginia, 1931, as amended, relating to the Performance Review Act; and modifying the definition of division.

Referred to the Committee on the Judiciary.

By Senators Blair and Snyder:

Senate Bill 265—A Bill to amend and reenact §10-1-22 of the Code of West Virginia, 1931, as amended, relating to confidentiality of certain library records; and clarifying that unpaid library volunteers may have necessary access to user records.

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

By Senator Blair:

Senate Bill 266—A Bill to amend and reenact §11-1C-3 of the Code of West Virginia, 1931, as amended, relating to Property Valuation Training and Procedures Commission; and limiting terms of appointed members.

Referred to the Committee on Government Organization.

By Senator Blair:

Senate Bill 267—A Bill to amend and reenact § 6-6-7 of the Code of West Virginia, 1931, as amended, relating to modifying the procedure for removal of certain county, school district and municipal officers.

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

By Senator Blair:

Senate Bill 268—A Bill to repeal § 5A-1-4 of the Code of West Virginia, 1931, as amended; to amend and reenact § 4-11-5 of said code; to amend and reenact §12-1-12a of said code; to amend and reenact §12-6-6 of said code; and to amend and reenact §12-6C-15 of said code; all relating to the Council of Finance and Administration and abolishing the Council of Finance and Administration.

Referred to the Committee on Government Organization.

By Senator Leonhardt:

Senate Joint Resolution 1—Proposing an amendment to the Constitution of the State of West Virginia, amending article X thereof, by adding thereto a new section, designated section one-d, relating to authorizing the Legislature to, by general law, allocate a portion of ad valorem property taxes paid by owners of certain new manufacturing facilities and large capital additions to existing manufacturing facilities located in counties in which county commissions elect to fund infrastructure capital improvements, in whole or in part, using property taxes; 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; and then to the Committee on Finance.

By Senators Snyder and Unger:

Senate Joint Resolution 2— Proposing an amendment to the Constitution of the State of West Virginia, amending section one-b, article X thereof, relating to homestead exemption increase; 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; and then to the Committee on Finance.

By Senator Kessler:

Senate Joint Resolution 3—Proposing an amendment to the Constitution of the State of West Virginia, amending article X thereof, by adding thereto a new section, designated section twelve, relating to the West Virginia Future Fund; prohibiting spending of principal; permitting spending of investment income in certain instances from the West Virginia Future Fund; defining “investment income”; 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; and then to the Committee on Finance.

By Senator Boley:

Senate Joint Resolution 4—Proposing an amendment to the Constitution of the State of West Virginia, amending section two, article twelve thereof, relating to reforming the West Virginia Board of Education so that its membership is made up of elected and appointed members; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

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

By Senator Boley:

Senate Joint Resolution 5—Proposing an amendment to the Constitution of the State of West Virginia, amending section two, article XII thereof, relating to reforming the West Virginia Board of Education so that its membership is made up of three members elected from each congressional district; providing that members serve six-year terms; providing that the board be a nonpartisan body; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

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

By Senators Trump, Plymale, Stollings and Williams:

Senate Joint Resolution 6—Proposing an amendment to the Constitution of the State of West Virginia, relating to authorizing the Legislature to issue and sell state bonds not exceeding the aggregate amount of \$2 billion to be used for improvement and construction of state roads and bridges; 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; and then to the Committee on Finance.

By Senators Trump, Carmichael, Karnes, Leonhardt, Walters, Takubo and Unger:

Senate Joint Resolution 7—Proposing an amendment to the Constitution of the State of West Virginia, amending article III thereof, by adding a new section, designated section twenty-three, relating to the right to hunt, fish and harvest wildlife; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

Senators Cole (Mr. President), Gaunch, Karnes, Trump and Leonhardt offered the following resolution:

Senate Concurrent Resolution 1—Urging Congress to propose the regulation freedom amendment to the United States Constitution.

Whereas, The Legislature is deeply concerned about the economic impact of federal regulations imposed upon West Virginia and the other states without adequate legislative oversight; and

Whereas, The growth and abuse of federal regulatory authority threatens our constitutional liberties, including those guaranteed by the Bill of Rights of our Constitution; and Whereas, The production of coal is critically important to West Virginia and the United States of America, to the economy of West Virginia and of the nation, and to the way of life of the citizens of West Virginia and to the survival of the inhabitants of West Virginia, of the United States of America and of the world; and

Whereas, The United States Environmental Protection Agency (EPA) has proposed and implemented a number of regulations in recent years that have crippled coal production in West Virginia and the United States; and

Whereas, The EPA has expanded dramatically its jurisdiction and authority, in ways that are neither necessary or advisable and in ways that were never contemplated by the Congress of the United States when it enacted the Clean Air Act; and

Whereas, This unwarranted expansion of federal jurisdiction and authority by the EPA is extremely detrimental to the continuation of normal mining activities in West Virginia and other states and, ultimately, the energy supply for the entire nation; and

Whereas, The growth and abuse of federal regulatory authority threatens our Constitutional liberties, including those guaranteed by the Bill of Rights in the first, second, fourth and fifth amendments of the United States Constitution; and

Whereas, Federal regulators, such as the EPA, must be more accountable to elected representatives of the people and not immune from such accountability; and

Whereas, The United States House of Representatives has passed with bipartisan support the Regulations from the Executive in Need of Scrutiny Act (REINS ACT) to require that Congress approve major new federal regulations before they can take effect; and

Whereas, Even if enacted, a law may be repealed or waived by a future Congress and President; and

Whereas, An amendment to the United States Constitution does not require the President's approval and cannot be waived by a future Congress and President; and

Whereas, The proposed Regulation Freedom Amendment to the U.S. Constitution would require Congress to approve major new federal regulations as follows: One quarter of the Members of the U. S. House or the U.S. Senate transmit to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House and Senate to adopt that regulation"; and

Whereas, Fifteen state legislative chambers have now adopted resolutions urging Congress to propose and adopt The Regulation Freedom Amendment; and

Whereas, The American Farm Bureau Federation and the Southern States Energy Board have also resolved to support The Regulation Freedom Amendment; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby urges the United States Congress to propose and adopt The Regulation Freedom Amendment; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the representatives and senators elected by the citizens of West Virginia serving the citizens of West Virginia in the Congress of the United States in Washington, D.C.

Which, under the rules, lies over one day.

Senators Beach, Prezioso, Williams, Sypolt, Stollings, Plymale, Laird, Leonhardt and Unger offered the following resolution:

Senate Resolution 3—Recognizing the achievements and contributions of Monongalia County and its citizens to the great State of West Virginia.

Whereas, Monongalia County was founded in 1776 after being settled by a small group of people along the banks of Decker's Creek and has a present-day population of approximately 100,000 people and continues to grow; and

Whereas, Monongalia County is home to West Virginia University, a public land-grant institution founded in 1867, and recognized as a top research university by the Carnegie Foundation for the Advancement of Teaching. WVU welcomes and shapes the minds of students from across the State of West Virginia, every state in the United States and approximately one hundred other nations; and

Whereas, Monongalia County offers its citizens and visitors from around the world many scenic and outdoor opportunities, such as the beautiful view from Cooper's Rock to a bicycle ride on the Caperton Trail; the best in medical care and hospitality; and is the proud home of the NYPL Champion "West Virginia Black Bears" baseball team; and

Whereas, Monongalia County offers recognized top rated educational experiences at all levels, from preschool to graduate programs and senior education opportunities; a competitive and innovative business community; a diversified economy that embraces health care, education, technology, energy development and small business entrepreneurship; a nationally acclaimed economic model; and is known as a place that offers big city amenities with the neighborly feel of small town life; and

Whereas, Monongalia County has been recognized in recent years in the following ways: "Best Performing Small Metros" (Milken Institute); "Best Small Metros for Business and Careers" (Forbes); "Best Quality of Life and Knowledge Worker Metros" (Expansion Manage.); "Boom Towns" (Inc.); "10 Great Places to Live" (Kiplinger's); "Boom Town" (Inc.); "Top 100 Leading Business Locations" (Area Development Magazine); "Best College Destination" (Best College Reviews); "Top College Destination" (American Institute for Economic Research); "Best Places to Retire for under \$100 a Day" (AARP); "Most Secure Small Cities" (Farmer's Insurance); "Adventure Town" (National Geographic Adventure Magazine); Best Small Towns to Live" (Men's Journal); and "Best Sports Cities" (Sporting News); and

Whereas, Monongalia County offers everything from sports to art galleries; energy to health care; corporate leaders to caring nonprofits; and tourism to education. From the scenic mountain home of West Virginia University, and everywhere in-between, every day is a great day to be a Mountaineer; therefore, be it

Resolved by the Senate:

That the Senate hereby recognizes the achievements and contributions of Monongalia County and its citizens to the great State of West Virginia; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the appropriate representatives from Monongalia County.

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

Thereafter, at the request of Senator Beach, and by unanimous consent, the remarks by Senator Prezioso regarding the adoption of Senate Resolution 3 were ordered printed in the Appendix to the Journal.

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

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

Senators Blair, Trump, Sypolt, Williams, Stollings, Laird and Unger offered the following resolution:

Senate Resolution 4— Acknowledging Mineral County's 150th anniversary on February 1, 2016, as a day to celebrate the county's rich history and the many fine accomplishments by its citizens.

Whereas, Mineral County was created on February 1, 1866, by an Act of the West Virginia Legislature; and

Whereas, From its verdant low valleys to the towering backbone of the Allegheny Front, three thousand feet above the North Branch of the Potomac River, Mineral County lies a stone's throw from Maryland and just a three-hour drive from Washington; and

Whereas, Home of Potomac State College and named for its vast mineral resources, Mineral County was a railroad and coal center at the beginning of the 1900s. The county has an area of three hundred and twenty-nine square miles and an estimated 2012 population of 27,000, nine hundred and fifty-six. Keyser is the county seat; and

Whereas, Located in the Eastern Panhandle, Mineral County was part of Hampshire before the Civil War. Local residents were more pro-union than those living in the eastern part of Hampshire County. Following the war, in 1866, the new county was created. West Virginia had become a state just three years earlier; and

Whereas, There were skirmishes during the Civil War, and towns changed hands several times, usually only briefly. New Creek Station, now Keyser, was a training camp for Union soldiers from Pennsylvania, Ohio, Indiana and Illinois. Mineral County's Y-junction, where the Northwest Turnpike intersected the New Creek road — now U.S. 50 and U.S. 220 —was strategic for troop and supply movements into the Shenandoah Valley; and

Whereas, The present Eastern Panhandle of West Virginia was well-known to George Washington. He had crisscrossed the region as a young surveyor and commanded frontier defense during the French and Indian War. In 1755, he ordered a stockade and fort erected in present Mineral County as a defense against incursions by Delaware and Catawba Indians. The original log blockhouse still stands at Fort Ashby; and

Whereas, Many immigrants in the 19th century worked their way across the coalfields of Pennsylvania, down through Maryland, and settled in Mineral County. The area's population reflects a diverse mixture of Mennonites, German Swiss, English, Scots, Italians and Jews. Even Chinese immigrants found their way to Keyser in the early 1900s. Elk Garden became home for many Irish, including Flanigans and Faheys, McIntires and McDonoughs, Kilroys and Keegans, Conlons, Kenneys and Joyces; and

Whereas, Perhaps the most prominent historic figure was the industrialist Henry Gassaway Davis, who began as a brakeman for the Baltimore & Ohio Railroad at age twenty and later associated with U.S. presidents. He lived in Piedmont early in his life, as a storekeeper and railroad agent. Davis later was elected to the U.S. Senate and ran for vice president in 1904, when he and Democratic presidential candidate Alston Parker lost to Teddy Roosevelt. Davis founded Elkins and owned his own railroad; and

Whereas, Davis's purchase of the famous "Big Vein" of coal atop the Allegheny Front at Elk Garden led to a local industrial boom from the 1880s into the early twentieth century. From 1881 to 1923, three hundred and fifteen acres of coal was mined and two thousand miners worked at Elk Garden. High-quality semi-bituminous coal from Davis's Big Vein was displayed at the St. Louis World's Fair in 1893 and powered Admiral Dewey's fleet at the Battle of Manila Bay; and

Whereas, The arrival of the B&O Railroad, which reached the northern part of present Mineral County in 1842 and arrived at a point across the North Branch from Piedmont a decade later, had a major impact. The railroad increased the population in northern Hampshire County, and contributed to the political differences within the county that led to the creation of Mineral County on February 1, 1866. Keyser, named for a vice president of the B&O, was a key railroad point from which coal and produce were shipped. Keyser was selected as the county seat as a compromise between Elk Garden and Piedmont. Keyser earlier had been known as Paddytown, named for Patrick McCarty of County Tyrone, Ireland, who had settled there in the mid-1700s; and

Whereas, Keyser today is the region's hub. Once home to a B&O roundhouse, its citizens now work in education, agriculture, retail, vocational training, the arts, health care, and at small industrial parks. Major employers include Verso in both Mineral County and in nearby Luke, Maryland, and Allegheny Ballistics Laboratory at Rocket Center. The opening of Jennings Randolph Lake on the North Branch holds potential for attracting tourists from nearby Baltimore and Washington; and

Whereas, Potomac State College, beautifully situated atop a small hill that once had Fort Fuller, a branch of West Virginia University. Most of the approximately eighteen hundred students complete their last two years at WVU in Morgantown; and

Whereas, Several other Mineral County towns have rich histories. Piedmont, closely associated with the nearby Maryland communities of Westernport and Luke, is the hometown of Henry Louis Gates Jr., of Harvard University, a prominent African-American scholar, frequent commentator, author of many books and host of a PBS television show. Piedmont once had a roundhouse and machine shops of the B&O, and its people are closely tied to MeadWestvaco at Luke; and

Whereas, Ridgeley was Fort Ohio, and Fort Ashby, a frontier post, and Doll's Gap is said to be the birthplace of Nancy Hanks, mother of Abraham Lincoln; therefore, be it

Resolved by the Senate:

That the Senate hereby acknowledges February 1, 2016, as a day to celebrate Mineral County's 150th anniversary and the many fine accomplishments by its citizens; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the appropriate representatives from Mineral County.

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

Thereafter, at the request of Senator Beach, and by unanimous consent, the remarks by Senator Williams regarding the adoption of Senate Resolution 4 were ordered printed in the Appendix to the Journal.

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

Upon expiration of the recess, the Senate reconvened and, without objection, returned to the third order of business.

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

House Concurrent Resolution 1—Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor.

Whereas, His Excellency, the Governor, has advised that he will be pleased to address a Joint Assembly of the Senate and House of Delegates at the convenience of the two houses; therefore, be it

Resolved by the Legislature of West Virginia:

That His Excellency, the Governor, be hereby invited to address a Joint Assembly of the Legislature at 7:00 o'clock postmeridian this day; and, be it

Further Resolved, That the President of the Senate and the Speaker of the House of Delegates appoint three members of each of the respective houses of the Legislature as a committee to wait upon His Excellency, the Governor, and escort him into the Hall of the House of Delegates at the time herein appointed for hearing the address.

The message further announced the appointment of the following committee on the part of the House of Delegates:

Delegates Ireland, Kessinger and Perdue.

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

The question being on the adoption of the resolution, the same was put and prevailed.

Whereupon, the President appointed as Senate members of such committee, authorized by the foregoing resolution, the following:

Senators Carmichael, Boley and Kessler.

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

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Carmichael, the Senate recessed until 6:50 p.m. today.

Upon expiration of the recess, the Senate reconvened.

The hour of 7 p.m. having arrived, that being the time set for the joint assembly to hear the address of His Excellency, the Governor, the Senate recessed until five minutes after adjournment of the joint assembly. Members of the Senate then repaired in a body to the hall of the House of Delegates.

The address of His Excellency, the Governor, the Honorable Earl Ray Tomblin, delivered in the joint assembly, was as follows as provided electronically by the Governor's office:

**GOVERNOR'S OPENING MESSAGE TO THE SECOND ANNUAL SIXTY-DAY
SESSION OF THE EIGHTY-SECOND LEGISLATURE, 2016**

Mr. Speaker, Mr. President, members of the Board of Public Works, justices of the Supreme Court of Appeals, members of the Legislature, distinguished guests, and my fellow West Virginians.

Five years ago, when I first addressed this chamber as governor, I called on our state's Legislature to get to work and put West Virginia first.

Although many things have changed, including the makeup of this Legislature, our commitment to the people who call our beautiful state home has remained steadfast. Since 2011, we have created a number of new opportunities for future generations, and we have faced our fair share of challenging times.

Tonight, our state is at a crossroads, and I stand before you with a plan that preserves the best of our past while charting a bold new plan for our future.

ECONOMIC DEVELOPMENT

Since 2011, we have welcomed more than 250 companies and \$10 billion in major investments, providing hardworking West Virginians with more 11,000 good-paying jobs.

We've worked hard to create a business climate that makes West Virginia a strong competitor for major economic development projects. And we're not just competing, we're seeing huge success. Nationally and internationally recognized companies like Macy's, Amazon, Quad Graphics and Toyota already know that West Virginia is a great place to do business.

And tonight, I'm proud to announce polymer additive company Addivant has reaffirmed its commitment to our state and plans to expand.

After receiving FDA approval for a groundbreaking polymer to be used in food packaging, the company was on the hunt for a new location to expand its production facility. Major players from the Gulf Coast actively pursued Addivant, but our state's Development Office stepped up and showed company executives that West Virginia is the right place to invest.

This new expansion project not only saves nearly 100 jobs, but it brings at least \$12 million in new investments and additional opportunities for employment. Plastics manufacturing is just one of the downstream industries we are working to attract, and this expansion project is just the beginning of that growth.

Addivant chose to stay in West Virginia because of our strong business climate and a highly trained experienced workforce that's ready to get to work.

These types of investments don't happen overnight. They're a result of the hard work and positive changes we've made over the years.

We overhauled workers' compensation, and companies operating here have saved more than \$323 million since the program was privatized in 2006. We've reformed medical malpractice and improved our legal climate. We've enacted gradual reductions in our business and consumer taxes, and since I took office, we've saved employers and West Virginians more than \$225 million.

We rank higher than each of our neighboring states in this year's Business Tax Climate Index. Companies are noticing these changes, and they are paying off in big ways in regions across the state.

PROCTER & GAMBLE

This September, we joined officials from Procter & Gamble to celebrate the groundbreaking of the company's newest manufacturing plant – the first of its kind built in the United States since the 1970s.

Projects of this size and scope strengthen our economy, create new jobs and serve as an investment in both our state and our people. This factory – located in the Eastern Panhandle – will

create 1,000 jobs during the initial construction phase. Once fully operational, it is projected to employ the company's fifth largest workforce in the country.

We've worked hard to bring these jobs to West Virginia for West Virginians, and now, they need filled.

That's why more than a year before production begins, P&G has partnered with BlueRidge Community and Technical College to create specialized training programs to meet workforce needs. These certificate and degree programs are preparing students for careers in engineering, computer science, and electronics and training students to become skilled chemical operator technicians.

BlueRidge President Dr. Peter Checkovich and his team are working hard to make sure our students can compete for these good-paying jobs. P&G construction manager Luis Gutierrez is already working with crews on the ground as part of the company's initial construction efforts. He and his family love calling West Virginia home.

Please join me in thanking Dr. Checkovich for his continued efforts and welcoming Luis and his family to West Virginia.

WORKFORCE TRAINING

In 2012, we launched a new workforce training program called Learn and Earn.

This program helps students receive classroom instruction and hands-on experience, while earning a competitive salary, and gives employers a cost-effective way to recruit and train new employees.

We know this program is incredibly successful, and companies like Gestamp – which manufactures auto parts for some of the world's best known brands – are taking advantage of these training opportunities.

Since Gestamp first opened in 2013, the South Charleston plant has tripled production and more than doubled its total workforce. Today, Gestamp employs more than 700 West Virginians. These are real jobs, and the company is already seeing a real return-on-investment.

Through a partnership with BridgeValley Community and Technical College, students can get hands-on training and earn a one-year certificate, an associate's degree and a journeyman's card.

With us tonight are Paul Lezanic, Gestamp's new plant manager, and Jamie Thompson, a Learn & Earn graduate who is already training 12 new students. Please join me in welcoming Paul to West Virginia and congratulating Jamie on his success.

These partnerships are essential to helping those investing here train the workforce they need to grow. Tonight, I'm introducing legislation to expand the Learn and Earn program statewide by redirecting nearly \$300,000 of the current budget to create new, valuable learning experiences for our students.

We know we must do more to improve our state's workforce participation rate. I'm proud that today there are more job training programs in place than ever before.

With the help of more than \$40 million in federal grant funding, Workforce West Virginia is helping coal miners, their families and those who have exhausted their unemployment benefits find careers in growing industries. These programs help employers train workers their way at their worksites and provide up to \$5,000 in tuition assistance for classroom instruction and on-the-job training.

NDRC/HOBET

As we recognize these efforts to train our workforce, I ask you to remember those who call our state's southern coalfields home.

As a son of these coalfields, I have dedicated my life and my years of public service to supporting our miners and their families. Despite the difficult times we find ourselves in, West Virginia remains the fourth largest producer of electricity in the country, and I believe our coal industry will continue to support our families well into the future.

However, we cannot ignore the unprecedented shift that has taken place in our state and our nation. Forces beyond our control have severely damaged our coal industry, and even the most optimistic among us realize it is unlikely coal will ever reach production levels of the past.

For generations, our miners unearthed the coal used to produce the low-cost energy that fueled this country's Industrial Revolution – one that remains unmatched anywhere in the world. This nation owes these West Virginians a debt of gratitude and we are ready to cash in on that substantial IOU.

This fall, we submitted an application to the National Disaster Resilience Competition seeking more than \$140 million in funding from the United States Department of Housing and Urban Development. This competition has the potential to help six counties in our southern coalfields adjust, adapt and advance their communities.

If we're successful, these federal funds will help us rebuild aging infrastructure, promote land use planning and hazard reduction efforts and stimulate housing and economic development in areas outside of the region's floodplains.

We are also proposing to develop the largest industrial site in West Virginia history at the former Hobet surface mine in Boone and Lincoln counties. With 12,000 acres located just off Corridor G, this site is large enough to fit virtually every major economic development project in recent history – including Toyota, Procter & Gamble, Gestamp, Macy's, Amazon and more – with thousands of acres left over.

We know this is a major undertaking, and with the help of local landowners Marshall University, West Virginia University and the Virginia Conservation Legacy Fund, we are working together to find new uses for this site while mining activity continues.

Please join me in welcoming this outstanding team: interim Marshall University President Gary White, new Marshall University president Jerry Gilbert, WVU President E. Gordon Gee, and Tom Clarke and Ken McCoy of the Virginia Conservation Legacy Fund.

Tom and his team at VCLF also are helping us develop new and innovative ideas to include in the state's Clean Power Plan submission. While the DEP continues to work on a feasibility study, we anticipate our final plan may include ideas such as reforestation and the replacement of boilers to increase power plant efficiency.

Tom, thank you for your assistance on both of these important projects.

This is just the beginning of what we can do to help diversify the economy of not only this region, but our entire state.

When pursuing large-scale projects, our talented team at the Development Office consistently runs into one major obstacle – a lack of flat land. Redeveloped surface mine lands offer endless opportunities for residential, commercial and industrial development and in many cases all three.

As part of our federal grant application, we have identified at least five sites in each of Boone, Lincoln, Logan, Mingo, McDowell and Wyoming counties, which are all strong candidates for similar redevelopment efforts.

Much like the country owes West Virginia for our contributions over the years, we – as West Virginians – owe the people who call this region home the opportunity to do better for themselves and their families.

For years, taxes on the coal mined from our southern coalfields and the timber taken from our mountain sides have paid for our children's schools, the roads our residents drive on and the services on which so many West Virginians rely.

It's time we reinvest in these communities and give these families every opportunity to make a good living in the places they have called home for generations. Tonight, I hope you will join me in making that commitment for the betterment of our state and our people.

NATURAL GAS DEVELOPMENTS

As hardworking West Virginians continue to mine the coal that powers our nation and drill for the natural gas that offers new opportunities for growth, we must guarantee these natural resources meet our needs here at home.

As the ninth largest producer of natural gas in the country, we must work with those operating here to create the processing and pipeline infrastructure necessary to ensure this industry's continued growth.

The ongoing development of the Marcellus and Utica shale – and the Rogersville formation just being explored – is already bringing new revenues and new jobs for West Virginians.

That's one reason I sent a letter to the Federal Energy Regulatory Commission in support of the Columbia Gas Mountaineer Xpress pipeline project. This \$2 billion investment will transport a significant amount of natural gas to new markets.

Much like similar pipeline projects by EQT, Dominion and Momentum Mid-Stream, this investment has the potential to create thousands of good paying construction jobs, while generating significant tax revenues for counties to fund local schools, roads and other worthy endeavors.

SELF-EMPLOYMENT ASSISTANCE ACT

While these announcements grab headlines, we can't forget our state's small business owners who work day in and day out to support that same growth in our local communities. Ninety-six percent of West Virginia's employers are small business owners, and they are the backbone of our economy.

While we work to help tens of thousands of West Virginians on unemployment find new opportunities to succeed, we can't overlook the training and skills they already have.

That's why tonight I'm introducing the Self-Employment Assistance Act, a new program to strengthen our local economies, and make it easier for West Virginians receiving unemployment benefits to get the help they need to open a business.

Starting a new business can be hard. No matter how great the idea may be or how hard the owner works to make it a success.

With this exemption, new business owners will be able to reinvest in their company and their employees, while continuing to receive unemployment benefits to support their families.

For 14 years, Matt Dolin worked as a diesel mechanic at a local coal mine just outside of Charleston. When the mine closed, he lost his job. Matt knew he could earn a good income using the skills he already had, but he needed help starting his own business.

Earlier this year, Matt attended a West Virginia Small Business Development Center workshop in Putnam County. He sat down with business coach Bryan Shaw to develop a business plan and find a good location for his new venture.

A few months ago, Matt opened D&D Truck Shop, a full-service diesel truck and heavy equipment repair shop. Not long after he opened, Matt hired his first two employees – two mechanics who worked alongside him at the coal mine. With the help of the Governor’s Guaranteed Workforce Program, Matt is in the process of getting additional support to train new employees.

Although D&D Truck Shop has only been open for a few months, Matt is seeing tremendous growth, and he’s already looking to expand.

Matt, Casey and Ronnie, please stand so we may recognize you and congratulate you on the success of your new business.

SUBSTANCE ABUSE

Helping our residents develop the skills to find a new career is important, but keeping them off drugs is critical to our state’s continued growth. Substance abuse has become one of the greatest struggles our state has ever faced, and it is destroying the lives of far too many of our family members, friends and neighbors.

We must continue to make the fight against substance abuse a top priority.

In 2011, I established my Advisory Council on Substance Abuse to help us find more localized ways to combat this epidemic. Since then, we have updated our prescription drug monitoring program, cracked down on the sale of drugs used to make meth and put an end to doctor shopping. We have shut down pill mills for irresponsible prescription practices, and my administration is committed to continuing the fight against drug companies that oversupply pain medication without proper orders.

Last year, we invested significant state funding to expand critical substance abuse treatment and recovery services.

In your seats tonight, you received a brochure that details 150 service providers in every region of the state. This brochure is available online and at local courthouses, hospitals, schools, churches, DHHR offices and libraries in all 55 counties.

This September, we launched 844-HELP-4-W-V, the state’s first 24-hour substance abuse help line. This call line gives people the opportunity to speak with certified professionals and receive referral support in their local communities. So far, the call line has connected more than 700 West Virginians with treatment and recovery services across the state.

In October, I welcomed President Obama and DHHS Secretary Sylvia Mathews Burwell for an honest discussion about the devastating toll this epidemic is causing West Virginia families and communities.

A few weeks later, I traveled to Martinsburg – what some consider ground zero of our state’s heroin epidemic – to host my own Substance Abuse Summit. We brought together a panel of West Virginians to share their experiences in the fight against substance abuse, recognize the progress

we've made and identify ways we can work together to create a brighter, drug-free future for our residents.

We want people to find help and hope in West Virginia. And that starts with making sure treatment facilities are providing comprehensive care.

Tonight, I'm introducing legislation to establish licensing requirements for medication-assisted treatment facilities. Research shows us that the use of Suboxone and Methadone alone does not support long-term recovery. These medications don't treat the root cause of an addiction, and only continue the addiction cycle.

This legislation requires counseling and behavioral therapies be used in conjunction with these medications to make sure those seeking treatment have the support they need to begin the recovery process.

Last year, I urged this Legislature to expand access to Narcan to help our state's first responders, friends and families of those struggling with addiction reverse the effects of a heroin overdose. Since May, we've coordinated training sessions in regions across the state to teach first responders and others how to administer this drug safely. Today, more than 100 people are certified to host these sessions in their local communities.

In 2015, first responders administered more than 3,000 doses of Narcan – giving those struggling with an opioid addiction the opportunity to get help.

When an overdose happens, every second counts. And in many cases, fire and EMS crews aren't always first on the scene.

This November, Patrolman Nick Castleman and Patrolman Seth Johnson found themselves first on the scene of a drug overdose on Charleston's West Side. The officers administered two life-saving doses of Narcan, and within minutes, the young man regained consciousness and was transported to the emergency room for treatment.

Patrolman Castleman and Patrolman Johnson are with us tonight. Gentlemen, please stand so we may thank you for the work you do to keep our communities safe.

This man's life was saved because of quick action by these officers, and our efforts to expand access to this life-saving drug.

Tonight, I once again urge this Legislature to expand access to Narcan by supporting my proposal to make it available to any West Virginian – without a prescription.

This new legislation requires pharmacists to become certified to train those who receive this drug to make sure they can safely administer it if a crisis occurs. It will also help us keep track of who is receiving Narcan to better focus state resources in areas hardest hit by opioid overdoses and be sure it isn't being used as a crutch to enable a heroin addiction.

JUVENILE JUSTICE

We know our state's substance abuse epidemic is heartbreaking for so many of our families and communities, but in many cases, our children suffer most.

That's why last year, following recommendations from my Commission on Juvenile Justice and with the help of this Legislature, we launched comprehensive juvenile justice reform. This legislative package provided \$600,000 in new funding to establish truancy diversion programs in each county to offer early intervention to those students who need it.

Since launching its own program in 2010, Putnam County has seen significant improvements in overall student attendance and achievement. Truancy referrals have dropped in half and four-year graduation rates have increased from 78 percent to 90 percent during that same period.

We know this program works, and it's making a difference for students like Winter Davis.

For most of her life, Winter didn't have a stable place to call home. From the time she was born, her parents struggled with substance abuse. She spent much of her youth living with a family of no relation, helping to care for their young children and elderly family members.

Between 2011 and 2012, Winter missed 39 days of school. She got behind in her classwork and was struggling to keep up with her classmates. With the help of Putnam County's truancy diversion program, attendance director Jennifer Hodges and Judge Phillip Stowers, Winter got the extra attention she needed and earned her high school diploma, graduating with a 3.7 GPA and zero unexcused absences.

Today, Winter is a certified EMT and plans to become a teacher for children with special needs a dream that she's had since the sixth grade.

Winter shared part of her story with me and said, "Life was not easy for me, but I am making the best choices I can. I'm the only one in my family that has gone to college and I'm going to finish college no matter what it takes."

Ladies and gentlemen, please join me in welcoming Winter Davis, Jennifer Hodges and Judge Stowers.

These reforms have also expanded youth reporting centers to get kids help in their local communities, instead of sending them to group facilities away from their families. By connecting children and families with substance abuse recovery services, mental health programs and functional family therapies, we are giving the whole family the opportunity to thrive.

Thanks to the changes approved by this Legislature, and the work of our local partners across the state, we've reduced the number of kids being sent to out-of-home placements by more than one-third and reduced the number of detention beds by more than 40 percent. So far, we've saved \$6 million and the **Division of Juvenile Services** is confident we can double that savings in the coming years.

By providing our kids with the help they need at home, we're giving them the opportunity to take advantage of the bright future we are creating here in West Virginia.

EDUCATION

In 2010, we started down a path to improve our state's public education system.

Instead of allowing paperwork to drive education, we refocused our efforts to provide our children with the skills they need to compete in today's global economy. Since then, we've expanded early childhood education to help our youngest students build a foundation for a lifetime of learning. We're engaging middle school and high school students with hands-on training programs.

We're breaking down bureaucratic silos between state agencies, providing a more seamless transition for students transferring between community and technical colleges and four-year institutions.

These reforms – and the standards that come with them – are giving our kids the knowledge and skills they need to succeed, and that starts by making sure our students are in the classroom for 180 days of instructional time.

Over the past year, the delivery of public education in West Virginia has been used as a political football by members of both parties. It's disappointing. It's unacceptable. And it's a disservice to our kids.

At a time when comprehensive reform has led to real improvements, and our students are more competitive with their peers in other states, we need to build on these successes – not introduce legislation that prioritizes summer vacations over a good education. We cannot allow politics or red tape to get in the way of providing our kids with a thorough and efficient education.

While there are a number of reasons why traditional charter schools are not the best option for our students, we can find common ground by rewarding schools for innovation and creativity while raising student achievement.

That's why I'm introducing legislation to restructure the current innovation zone system to establish a new program – called Innovation in Education.

This legislation reallocates nearly \$2.5 million in existing education funding to help schools develop new methods to increase our students' interest in science, technology, engineering, math and entrepreneurship. By giving schools the flexibility to focus on these subjects, we can teach our students how to think critically – a skill they need to be successful long after they've graduated high school.

BUDGET AND FINANCES

All of us in this chamber tonight and those watching and listening across the state know we are experiencing budget challenges unseen in more than a generation.

Nearly every agency and every branch of state government has shared in the burden of these reductions.

In spite of those challenges, we are paying not only our current bills, but keeping every financial commitment of the past, paying down our debts in workers' compensation, teachers' retirement and public employees' retirement. And we've done that without a single tax increase, while reducing tax burdens on West Virginia families and those doing business here by hundreds of millions of dollars.

Tonight, I am introducing legislation to pay off our old workers' compensation debt more than a **decade** ahead of schedule.

By accelerating this final payment, we can remove additional severance taxes on our coal and natural gas industries, providing much-needed relief to help them invest in our state and employ West Virginia workers. While historically low energy prices are good news when we fill up at the pump and pay our utility bills, they make it hard on our state budget.

As we work to find new ways to ensure our tax base is both stable and more diverse, we must also seriously consider new revenue opportunities.

Tonight, I am introducing legislation to increase our state's tobacco tax by 45 cents a pack to a total of one dollar. This increase will be considered too high by some people and too low by others. But it strikes a balance that protects retailers in our border counties and discourages our young people from smoking, while generating nearly \$71.5 million annually in new revenue.

Combined with savings from a new prescription drug contract, \$43 million of this new revenue will fund PEIA, meaning public employees will NOT SEE the dramatic benefit reductions initially proposed for the coming year.

I also am proposing legislation to eliminate a sales tax exemption and bring our state's telecommunications tax in line with 41 other states across the country. Once adopted, this legislation will place the same 6 percent sales tax on cell phone and phone line usage – putting us in step with what is done in the vast majority of other states. By eliminating this exemption, we can collect an extra \$60 million each year.

With these proposed changes – and despite low severance tax projections – the 2017 budget I present to you tonight uses no money, no money from our Rainy Day Fund and does not include any across-the-board budget cuts beyond those already in place.

In spite of the tight budget years of the past, our new six-year budget forecast shows surpluses of nearly \$7 million in 2019, \$89 million in 2020 and \$118 million in 2021. While I won't be in office to see these surpluses, I'm proud to have been part of more than 30 years of responsible fiscal policies that have put us on the path to a brighter financial future.

CLOSING

As we look ahead at the challenges we must overcome this year, we are reminded that West Virginians have never had it easy. But we have proved time and again, for generations, what has been true all along – the people who call our state home are among the best and brightest in the world.

Clara Grant Santucci grew up in what was once a one room school house with her five brothers and sisters. This Doddridge County native spent her childhood like so many of West Virginia's children – playing outside, caring for the family garden and racing her brothers and sisters on her family's gravel road. By high school, she was breaking records and winning state track titles.

Clara was determined to run cross country for Coach Sean Cleary at WVU, and her hard work paid off. As a Mountaineer, she became an All-American.

In 2011, she ran the Boston Marathon. Clara finished 16th overall and was the 3rd American finisher. And three years later, she made her mark on the national stage – winning the Pittsburgh Marathon with a time of 2 hours, 32 minutes and 25 seconds.

Last summer, Clara returned to the Pittsburgh Marathon. For most of the race, she sat in second place, but after catching sight of the leader, she found the mental toughness to not only win for the second year in a row but to finish 40 seconds ahead of her competition.

This February, Clara will travel to the U.S. Olympic Trials in Los Angeles for a chance to compete for Team U.S.A. in the 2016 Summer Olympics in Brazil.

Katherine Johnson, who was born in White Sulphur Springs in 1918, would become what NASA Administrator Charles Bolden called “one of the greatest minds ever to grace our agency or our country.”

For 33 years, she worked for the National Advisory Committee for Aeronautics, what is now known as NASA. She used the most advanced practical mathematics of her day to chart and verify the path John Glenn would travel as he orbited the earth.

In 1958, Katherine's research focused on calculating margins of error for spacecraft take-offs and landings. The 34-page document was the first paper ever published by NASA's Flight Research Division with a woman's name on it.

Throughout her career, Katherine published 26 scientific papers. Her research was used to complete the Mercury and Apollo missions and was critical to sending man into space and bringing him home safely.

For decades, Katherine's story was hidden in the pages of history. This November she was awarded the Presidential Medal of Freedom, our country's highest civilian honor for her incredible contributions.

In an interview with the Charleston Gazette-Mail, Katherine's daughter Joylette Hylick – a former NASA scientist herself – said it was her mother's quiet confidence that drove her to succeed.

Joylette told the Gazette-Mail, "my granddaddy told my mom she was no better than anybody else, and she was no LESS than anybody else. And she believed it."

Please join me as we celebrate the courage of these incredible West Virginians and wish Clara the best of luck in next month's Olympic trials.

Whether a marathon runner, an unemployed miner, a NASA scientist, a single mother going back to school, a budding entrepreneur, the CEO of an international company or a recent graduate overcoming challenges to help her local community, West Virginians have always been willing to work twice as hard and be twice as tough to get the job done.

Over the next 60 days and throughout the coming year, we know there is work to do and difficult choices to make. Tonight, I challenge each of you to find the courage to make these decisions for the sake of the next generation – not the next election.

It's time to get to work.

Thank you. God bless you, and God bless the great state of West Virginia.

(NOTE: For formal procedure in the joint assembly, see the Journal of the House of Delegates for this day.)

Night Session

The joint assembly having been dissolved, the Senate returned to its chamber and resumed its regular session.

Executive Communications

Senator Cole (Mr. President) presented the following communication from His Excellency, the Governor, submitting the executive budget and annual budget bill, which was received and read by the Clerk:

STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
CHARLESTON

January 13, 2016

Senate Executive Message No. 1
 The Honorable William P. Cole III
 West Virginia Senate
 State Capitol
 Charleston, West Virginia 25305

Dear President Cole:

I herewith submit, pursuant to the Constitution of the State of West Virginia, a budget and budget bill for the fiscal year beginning July 1, 2016.

Sincerely,

Earl Ray Tomblin
 Governor

Subsequently, Senator Cole (Mr. President) laid before the Senate the aforementioned annual budget bill,

By Senators Cole (Mr. President) and Kessler (By Request of the Executive):

Senate Bill 269--A Bill making appropriations of public money out of the Treasury in accordance with section fifty-one, article VI of the Constitution.

Which was read by its title and referred to the Committee on Finance.

Senator Cole (Mr. President) announced appointment of the standing committees of the Senate for this second session of the eighty-second Legislature, and at the request of Senator Carmichael, and by unanimous consent, the complete list was ordered printed in the Journal as follows:

STANDING COMMITTEES OF THE SENATE

2016

AGRICULTURE AND RURAL DEVELOPMENT

Senators Karnes (*Chair*), Trump (*Vice Chair*), Blair, Boley, Maynard, Sypolt, Beach, Laird, Miller, Williams and Woelfel.

BANKING AND INSURANCE

Senators Gaunch (*Chair*), Ashley (*Vice Chair*), Carmichael, Ferns, Hall, Mullins, Trump, Facemire, Palumbo, Prezioso, Romano, Snyder and Woelfel.

CONFIRMATIONS

Senators Boley (*Chair*), Ashley, Boso, Mullins, Takubo, Kessler, Miller, Palumbo and Plymale.

ECONOMIC DEVELOPMENT

Senators Takubo (*Chair*), Ferns (*Vice Chair*), Ashley, Blair, Leonhardt, Maynard, Mullins, Walters, Kessler, Plymale, Romano, Stollings, Woelfel and Yost.

EDUCATION

Senators Sypolt (*Chair*), Boley (*Vice Chair*), Ashley, Carmichael, Hall, Karnes, Takubo, Trump, Beach, Laird, Plymale, Romano, Stollings and Unger.

ENERGY, INDUSTRY AND MINING

Senators Boso (*Chair*), Blair (*Vice Chair*), Boley, Gaunch, Maynard, Mullins, Sypolt, Facemire, Kirkendoll, Snyder, Williams, Woelfel and Yost.

FINANCE

Senators Hall (*Chair*), Walters (*Vice Chair*), Blair, Boley, Boso, Carmichael, Mullins, Sypolt, Takubo, Facemire, Kessler, Laird, Plymale, Prezioso, Stollings, Unger and Yost.

GOVERNMENT ORGANIZATION

Senators Blair (*Chair*), Walters (*Vice Chair*), Boso, Ferns, Gaunch, Leonhardt, Maynard, Mullins, Facemire, Miller, Palumbo, Snyder, Williams and Yost.

HEALTH AND HUMAN RESOURCES

Senators Ferns (*Chair*), Takubo (*Vice Chair*), Ashley, Karnes, Leonhardt, Trump, Walters, Laird, Palumbo, Plymale, Prezioso, Stollings and Unger.

INTERSTATE COOPERATION

Senators Gaunch (*Chair*), Karnes (*Vice Chair*), Boso, Maynard, Kirkendoll, Palumbo and Unger.

JUDICIARY

Senators Trump (*Chair*), Ferns (*Vice Chair*), Ashley, Boso, Carmichael, Gaunch, Karnes, Leonhardt, Maynard, Beach, Kirkendoll, Miller, Palumbo, Romano, Snyder, Williams and Woelfel.

LABOR

Senators Ferns (*Chair*), Trump (*Vice Chair*), Blair, Gaunch, Karnes, Maynard, Laird, Prezioso, Stollings, Williams and Yost.

MILITARY

Senators Leonhardt (*Chair*), Boley (*Vice Chair*), Ashley, Sypolt, Walters, Facemire, Laird, Romano and Yost.

NATURAL RESOURCES

Senators Karnes (*Chair*), Maynard (*Vice Chair*), Ashley, Boso, Hall, Leonhardt, Takubo, Beach, Facemire, Laird, Miller, Snyder and Williams.

PENSIONS

Senators Gaunch (*Chair*), Trump (*Vice Chair*), Hall, Mullins, Kirkendoll, Plymale and Unger.

RULES

Senators Cole (*Chair*), Blair, Carmichael, Hall, Sypolt, Trump, Kessler, Plymale, Prezioso, Stollings and Williams.

TRANSPORTATION AND INFRASTRUCTURE

Senators Walters (*Chair*), Leonhardt (*Vice Chair*), Boley, Gaunch, Mullins, Beach, Kirkendoll, Plymale and Woelfel.

JOINT COMMITTEES

ENROLLED BILLS

Senators Maynard (*Chair*), Gaunch (*Vice Chair*), Boso, Miller and Unger.

The President then announced the appointment of Senator Blair, of the County of Berkeley, as the majority whip of the Senate.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Carmichael, the Senate adjourned until tomorrow, Thursday, January 14, 2016, at 11 a.m.

SENATE CALENDAR

**Thursday, January 14, 2016
11:00 AM**

UNFINISHED BUSINESS

S. C. R. No. 1 - Urging Congress propose regulation freedom amendment.

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2016

Thursday, January 14, 2016

9:30 a.m.	Finance	(Room No. 451M)
10 a.m.	Judiciary	(Room No. 208W)
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)
3 p.m.	Finance	(Room No. 451M)