

West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Third Legislature
First Extraordinary Session

Held at Charleston
Published by the Clerk of the House



May 15, 2017
THIRD DAY

Monday, May 15, 2017

THIRD DAY

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

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

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

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

Absent: Caputo, Hill, Lewis and Walters.

Delegate Walters was also present for part of the session.

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

Messages from the Executive

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

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

By the Governor

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

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

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

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



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

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State

Motions

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

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Afternoon Session

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

Bills Introduced

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

By Mr. Speaker, Mr. Armstead and Delegate Miley

[By Request of the Executive]:

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

Leaves of Absence

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

Miscellaneous Business

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

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

**HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470**

**WEST VIRGINIA
HOUSE OF DELEGATES**

TUESDAY, MAY 16, 2017

HOUSE CONVENES AT 11:00 A.M.

**COMMITTEE ON FINANCE
9:15 A.M. – ROOM 460M**

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