

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE
REGULAR SESSION, 2017
TWENTY-NINTH DAY

Charleston, West Virginia, Wednesday, March 8, 2017

The Senate met at 11 a.m.

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

Prayer was offered by the Reverend Jeffrey S. Allen, Executive Director, West Virginia Council of Churches, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Jeff Mullins, a senator from the ninth district.

Pending the reading of the Journal of Tuesday, March 7, 2017,

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

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

The Senate then proceeded to the third order of business.

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

Eng. Com. Sub. for House Bill 2367—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §61-3F-1, §61-3F-2 and §61-3F-3, all relating to establishing a criminal offense of organized retail crime; defining terms; making it unlawful for a person to knowingly commit an organized retail crime; making it unlawful for a person to knowingly organize, supervise, finance, conspire, receive retail goods from, or otherwise manage or assist another person in committing an organized retail crime; establishing criminal penalties; providing for the aggregation of counts and sum of property value; providing for prosecution in any county in which a retail crime occurred; allowing for inference by trier of fact that a particular scheme or course of conduct was undertaken for profit; and providing for seizure and forfeiture of cash, assets or other property derived in part or total from any proceeds from participating in an organized retail crime.

Referred to the Committee on the Judiciary.

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

Eng. Com. Sub. for House Bill 2579—A Bill to amend and reenact §60A-4-409 of the Code of West Virginia, 1931, as amended, relating to increasing the penalties for transporting controlled substances into the state; and providing for a differing penalty as to marihuana.

Referred to the Committee on the Judiciary.

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

Eng. Com. Sub. for House Bill 2674—A Bill to amend and reenact §27-3-1 of the Code of West Virginia, 1931, as amended, and to amend the said Code, by adding thereto two new sections, designated §44A-3-17 and §44A-3-18, all relating to the disclosure of certain confidential information relating to persons in guardianship; access to and receipt of certain information regarding a protected person by certain relatives of the protected person; authorizing relatives of a protected person to petition the circuit court for access and information about a protected person; defining “relative”; providing a relative may petition the court for an order granting access to a protected person; setting forth time standards in which to conduct a hearing after a petition is filed; providing for an emergency hearing under particular circumstances; providing for service of a petition upon a guardian and setting time standards for service thereof; providing for the entry of an order by the court following notice and hearing conducted thereon; providing standards for a court to observe and implement in issuing a ruling on a petition; providing the court may award attorney’s fees and costs be paid to a prevailing party; setting forth particular duties for a guardian to provide relatives notice about a protected person’s condition and circumstances; authorizing court to retain jurisdiction; regarding dissemination of information about a protected person to relatives; and providing a guardian method whereby one may be relieved of responsibility for providing information regarding a protected person to a relative.

Referred to the Committee on the Judiciary.

A message from The Clerk of the House of Delegates announced the passage by that body, to take effect January 1, 2018, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2678—A Bill to amend and reenact §56-6-31 of the Code of West Virginia, 1931, as amended, relating to the rate of interest allowed for prejudgment and post-judgment interest; providing that every judgment or decree for the payment of money entered by any court of this state shall bear simple interest; providing that the court may award prejudgment interest on all or some of the amount of the special or liquidated damages; defining special damages; proving that if an obligation is based upon a written agreement, then the obligation bears prejudgment interest at the rate and terms set forth in the written agreement until the date the judgment or decree is entered; providing that the rate of prejudgment interest is two percentage points above the Fifth Federal Reserve District secondary discount rate in effect on January 2, of the year in which the right to bring the action has accrued; providing that the court will determine that prejudgment interest rate and that the determined rate shall remain constant from that date until the date of the judgment or decree; providing that the rate of prejudgment interest may not exceed nine percent per annum or be less than four percent per annum; requiring that the administrative office of the Supreme Court of Appeals shall annually determine the prejudgment interest rate and take appropriate measures to notify the courts and members of the West Virginia State Bar of the rate of interest in effect; creating an exception to how prejudgment

interest is calculated for cases in which the right to bring the action accrued prior to 2009; providing that the rate of post-judgment interest is two percentage points above the Fifth Federal Reserve District secondary discount rate in effect on January 2, of the year in which the judgment or decree is entered; providing that the rate of post-judgment interest may not exceed nine percent per annum or be less than four percent per annum; requiring that the administrative office of the Supreme Court of Appeals shall annually determine the post-judgment interest rate and take appropriate measures to notify the courts and members of the West Virginia State Bar of the rate of interest in effect; and stating that the amendments to this section become effective January 1, 2018.

Referred to the Committee on the Judiciary.

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

Eng. House Bill 2691—A Bill to amend and reenact §30-27-8 and §30-27-10 of the Code of West Virginia, 1931, as amended, all relating to allowing a person who is qualified by training to be a barber and a cosmetologist to elect to practice solely as a barber and maintain licensure through continuing education subjects related to barbering.

Referred to the Committee on Government Organization.

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

Eng. House Bill 2725—A Bill to amend and reenact §30-27-5 of the Code of West Virginia, 1931, as amended, relating to restricting the authority of the Board of Barbers and Cosmetologists to regulate the use of commonly available, retail beauty products.

Referred to the Committee on Government Organization.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following communication from His Excellency, the Governor:

Jim Justice
Governor of West Virginia
March 8, 2017

Senate Executive Message No. 5 Regular Session 2017

TO: The Honorable Members of the
West Virginia Senate

Ladies and Gentlemen:

I respectfully withdraw the following nominations from Senate Executive Message No. 3-T, Regular Session 2017, submitted by the Honorable Earl Ray Tomblin on January 13, 2017; both nominees have resigned:

8. For Member, West Virginia Northern Community and Technical College Board of Governors, Jonathon H. Greer, Wheeling, Ohio County, for the term ending June 30, 2020.

46. For Member, West Virginia Board of Veterinary Medicine, Ronald Lee Smith, Charleston, Kanawha County, for the term ending June 30, 2021.

Thank you for correcting your records.

Sincerely,

Jim Justice
Governor

Cc: Secretary of State
Senate Clerk

Which communication was received and referred to the Committee on Confirmations.

The Senate proceeded to the fourth order of business.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 326, Requiring Department of Defense family advocacy groups be notified about abuse or neglect of military member's child.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Health and Human Resources.

Respectfully submitted,

Ryan W. Weld,
Chair.

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

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 327, Relating to teaching certificates for teachers whose spouses are members of armed forces on active duty stationed in state.

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

Com. Sub. for Senate Bill 327 (originating in the Committee on Military)—A Bill to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended, relating generally to teaching certificates; providing that the state superintendent may issue a temporary teaching

certificate to an individual who is married to an active duty member of the United States armed forces; requiring that the individual hold an unencumbered teaching certificate or license issued by an equivalent credentialing body; requiring that the individual's spouse is assigned to a duty station in this state; requiring that the individual is assigned to a duty station in this state; providing that the temporary teaching certificate is valid for one year; and providing that the temporary teaching certificate may be renewed.

And,

Senate Bill 520, Relating to in-state resident tuition rates for certain reserve members.

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

Com. Sub. for Senate Bill 520 (originating in the Committee on Military)—A Bill to amend and reenact §18B-10-1a of the Code of West Virginia, 1931, as amended, relating generally to in-state residency tuition rates; providing that members of a reserve unit in West Virginia shall qualify as residents for purposes of calculating tuition rates; striking the requirement that members of the National Guard participate in the National Guard Education Services Program; and providing that current members of the United States armed forces shall qualify as residents for purposes of calculating tuition rates.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Education.

Respectfully submitted,

Ryan W. Weld,
Chair.

The bills (Com. Sub. for S. B. 327 and 520), under the original double committee references, were then referred to the Committee on Education.

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

Your Committee on Health and Human Resources has had under consideration

Senate Bill 333, Requiring all DHHR-licensed facilities access WV Controlled Substances Monitoring Program Database.

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

Com. Sub. for Senate Bill 333 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §60A-9-4 of the Code of West Virginia, 1931, as amended; to amend and reenact §60A-9-5 and §60A-9-5a of said code; and to amend said code by adding thereto a new section, designated §60A-9-9, all relating the Controlled Substances Monitoring Program Database; requiring reporting instances of an overdose or a suspected overdose to the database; setting out elements to be reported; allowing access to the database to deans of the state's medical schools to monitoring prescribing practices of residents; allowing the Board of Pharmacy to require that drugs of concern be reported to the database; exempting reporting requirements for drugs of concern from criminal penalties; allowing the Board of

Pharmacy to develop administrative penalties for not reporting drugs of concern; providing for rulemaking; requiring the licensing boards to report to the Board of Pharmacy when notified of unusual prescribing habits of a licensee; and making technical corrections.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Tom Takubo,
Chair.

The bill (Com. Sub. for S. B. 333), under the original double committee reference, was then referred to the Committee on the Judiciary.

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

Your Committee on Government Organization has had under consideration

Senate Bill 350, Allowing licensed professional counselors be issued temporary permit.

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

Com. Sub. for Senate Bill 350 (originating in the Committee on Government Organization)—A Bill to amend and reenact §30-31-3, §30-31-6, §30-31-8 and §30-31-9 of the Code of West Virginia, 1931, as amended, all relating to licenses and temporary permits for licensure for professional counselors, marriage and family therapists.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Craig Blair,
Chair.

Senator Boso, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 382, Allowing automobile auctions obtain abandoned vehicles' titles.

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

Com. Sub. for Senate Bill 382 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend and reenact §17-24A-4 of the Code of West Virginia, 1931, as amended; and to amend and reenact §17A-4-10 of said code, all relating to certificates of title and registration for motor vehicles; allowing licensed automobile auctions to obtain title to abandoned or junked motor vehicles; making technical corrections; allowing insurance companies to obtain salvage certificates, cosmetic total loss salvage certificates or nonrepairable motor vehicle certificates to motor vehicles for which a total loss claim was paid; allowing licensed automobile

auction to obtain salvage certificates or nonrepairable motor vehicle certificates to certain vehicles; specifying application requirements that require the Division of Motor Vehicles to issue certificates; and requiring applicant to indemnify and hold harmless the division from liability due to error or misrepresentation of applicant.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Gregory L. Boso,
Chair.

The bill (Com. Sub. for S. B. 382), under the original double committee reference, was then referred to the Committee on Government Organization.

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

Your Committee on Health and Human Resources has had under consideration

Senate Bill 398, Creating Emergency Volunteer Health Practitioners Act.

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

Respectfully submitted,

Tom Takubo,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Government Organization.

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

Your Committee on Health and Human Resources has had under consideration

Senate Bill 423, Relating to operation of licensed group homes.

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

Com. Sub. for Senate Bill 423 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to operation of licensed group homes; requiring the Department of Health and Human Resources to seek a waiver from the Centers for Medicare and Medicaid Services for existing group homes in this state; and requiring the Department of Health and Human Resources to amend filings with the Centers for Medicare and Medicaid Services to allow a greater number of occupants to be served in licensed group homes.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Tom Takubo,
Chair.

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

Your Committee on Government Organization has had under consideration

Senate Bill 441, Establishing Municipal Home Rule Pilot Program.

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

Com. Sub. for Senate Bill 441 (originating in the Committee on Government Organization)—
A Bill to amend and reenact §8-1-5a of the Code of West Virginia, 1931, as amended, relating to municipal home rule; establishing the Municipal Home Rule Pilot Program as a permanent program identified as the Municipal Home Rule Program; providing that any ordinance, act, resolution, rule or regulation enacted pursuant to the Municipal Home Rule Pilot Program shall continue until repealed; allowing all municipalities to participate in the Municipal Home Rule Program; prohibiting municipalities participating in the Municipal Home Rule Program from passing an ordinance, act, resolution, rule or regulation that is contrary to certain laws governing the professional licensing or certification of public employees; and eliminating the automatic termination of the Municipal Home Rule Pilot Program on July 1, 2019.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Craig Blair,
Chair.

Senator Boso, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 459, Including “In God We Trust” license plate on statutory list of special license plates.

And has amended same.

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

Respectfully submitted,

Gregory L. Boso,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance, with an amendment from the Committee on Transportation and Infrastructure pending.

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

Your Committee on Government Organization has had under consideration

Senate Bill 481, Relating to municipal courts notifying DMV of person's failure to appear and pay costs.

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

Com. Sub. for Senate Bill 481 (originating in the Committee on Government Organization)—A Bill to amend and reenact §8-10-2a and §8-10-2b of the Code of West Virginia, 1931, as amended; and to amend and reenact §17B-3-6 of said code, all relating to eliminating the requirement that municipal courts wait at least ninety days prior to notifying the Division of Motor Vehicles of a person's failure to appear or failure to pay assessed costs, fines, forfeitures or penalties.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Craig Blair,
Chair.

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

Your Committee on the Judiciary has had under consideration

Senate Bill 490, Clarifying standard of liability for officers of corporation.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

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

Your Committee on Government Organization has had under consideration

Senate Bill 491, Relating to county litter control officers.

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

Respectfully submitted,

Craig Blair,
Chair.

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

Your Committee on the Judiciary has had under consideration

Senate Bill 492, Relating to court participation in drug court program.

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

Com. Sub. for Senate Bill 492 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §62-15-4 of the Code of West Virginia, 1931, as amended, relating eliminating requirement that every judicial circuit participate in a drug court program; and expressing legislative intent in removing requirement to continue legislative authorization for drug courts in circuits where judges have found them effective.

And,

Senate Bill 496, Relating generally to guaranteed asset protection waivers.

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

Com. Sub. for Senate Bill 496 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-4-22, relating generally to guaranteed asset protection waivers; providing short title, scope and legislative intent of section; defining certain terms; specifying requirements for offering guaranteed asset protection waivers; requiring contractual liability or other insurance policies on guaranteed asset protection waivers in certain circumstances; providing for disclosures and cancellation; exempting commercial transactions; providing for enforcement of section and severability; excluding waivers from consumers sales and service tax; specifying effective date of section; and providing for section to apply to guaranteed asset protection waivers issued on and after specified date.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Smith, from the Committee on Energy, Industry and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry and Mining has had under consideration

Senate Bill 505, Providing five-year reclamation period following completion of well pads for horizontal wells.

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

Com. Sub. for Senate Bill 505 (originating in the Committee on Energy, Industry and Mining)—A Bill to amend and reenact §22-6A-14 of the Code of West Virginia, 1931, as amended, relating to providing a five-year reclamation period following completion of the construction of a well pad for well pads designed for multiple horizontal wells.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Randy E. Smith,
Chair.

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

Your Committee on the Judiciary has had under consideration

Senate Concurrent Resolution 3, Urging Congress call convention of states to impose fiscal restraints on federal government.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

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

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2099, Defining the act of leaving the scene of a crash involving death or serious bodily injury as a felony; Erin's Law.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

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

Your Committee on Health and Human Resources has had under consideration

Eng. Com. Sub. for House Bill 2301, Relating to direct primary care.

And has amended same.

And,

Eng. House Bill 2431, Allowing influenza immunizations to be offered to patients and residents of specified facilities.

And has amended same.

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

Respectfully submitted,

Tom Takubo,
Chair.

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

Your Committee on Government Organization has had under consideration

Eng. Com. Sub. for House Bill 2347, Allowing schools licensed to provide barber, cosmetology and related training to hold theory classes and clinical classes at different locations.

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

Respectfully submitted,

Craig Blair,
Chair.

The Senate proceeded to the sixth order of business.

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

By Senators Trump, Stollings, Cline and Weld:

Senate Bill 538—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §62-12-17a, relating generally to creating special conditions of parole; authorizing the Board of Parole to require parolees to engage in alcohol or antagonist drug opioid therapy as a special condition of parole if recommended by the Commissioner of Corrections; and establishing conditions for imposition and maintenance of the special condition.

Referred to the Committee on the Judiciary.

By Senators Ferns and Rucker:

Senate Bill 539—A Bill to amend and reenact §3-8-1, §3-8-1a, §3-8-2, §3-8-2b, §3-8-2c, §3-8-5, §3-8-5a, §3-8-5b, §3-8-5d, §3-8-5f, §3-8-7, §3-8-8, §3-8-9, §3-8-10, §3-8-11 and §3-8-12 of the Code of West Virginia, 1931, as amended, all relating generally to the regulation and control of financing elections; modifying findings and definitions; modifying provisions relating to receipts and expenditures in elections, electioneering communications, reporting requirements and financial statements; modifying offenses and criminal penalties; modifying provisions relating to

loans to candidates, organizations or persons for election purposes; and modifying provisions relating to corporate contributions and use of certain contributions.

Referred to the Committee on the Judiciary.

By Senators Maynard and Cline:

Senate Bill 540—A Bill to amend and reenact §18-5-18b of the Code of West Virginia, 1931, as amended, relating to county boards of education; school counselors; requiring all counselors to inform graduating high school students of the availability of student aid; and requiring all graduating high school students to apply for student aid.

Referred to the Committee on Education.

By Senators Maynard and Cline:

Senate Bill 541—A Bill to amend and reenact §18A-2-1 of the Code of West Virginia, 1931, as amended, relating to hiring of professional personnel; permitting posting of vacancies; and providing for job applications.

Referred to the Committee on Education.

By Senators Maynard, Cline, Mullins, Plymale, Swope, Takubo and Stollings:

Senate Bill 542—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-17A-8, relating to providing for special obligation notes to finance construction of completion of Interstate 73 and Interstate 74 through West Virginia; and providing for the repayment of the bonds by unmanned toll booth collections.

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

By Senators Mullins and Cline:

Senate Bill 543—A Bill to amend and reenact §18-5-18a of the Code of West Virginia, 1931, as amended, relating to allowing the maximum number of pupils per teacher to be exceeded by up to five pupils in certain instances; and removing restriction on number of classrooms with two or more grades that include one or more of certain grade levels.

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

By Senators Maynard, Stollings, Smith, Cline, Prezioso, Facemire, Boso and Palumbo:

Senate Bill 544—A Bill to amend and reenact §46A-6B-3 and §46A-6B-4 of the Code of West Virginia, 1931, as amended, all relating to the use of aftermarket crash parts by a motor vehicle repair shop; requiring a warranty equal to or better than the remainder of the original manufacturer's warranty; requiring specification of genuine crash parts be made by the insurer; requiring documentation of aftermarket crash parts be made available to consumer by a repair shop; permitting a right of recovery by the insurer from the aftermarket crash parts distributor; and changing the notice statement to consumer required to be provided by motor vehicle repair shop using aftermarket crash parts by stating that the parts are warranted by the manufacturer or distributor of the parts instead of the vehicle manufacturer.

Referred to the Committee on the Judiciary.

By Senator Cline:

Senate Bill 545—A Bill to amend and reenact §61-2-10b of the Code of West Virginia, 1931, as amended, relating to increasing the criminal penalties for malicious assault, unlawful assault and assault on a law-enforcement officer.

Referred to the Committee on the Judiciary.

By Senators Cline and Stollings:

Senate Bill 546—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-6-13, relating to the creation of emergency text number systems for children; and declaring that this be known as Constance's Law.

Referred to the Committee on Government Organization.

By Senator Blair:

Senate Bill 547—A Bill to amend and reenact §59-1-2 and §59-1-2b of the Code of West Virginia, 1931, as amended, all relating to modifying fees to be paid to the Secretary of State; making fees for limited liability companies to be consistent with corporations; adding a voluntary fee for businesses to expedite services to be provided by the Secretary of State; providing that the Secretary of State may set fees by legislative rule; and removing statutory caps imposed on retaining funds of the office.

Referred to the Committee on Finance.

By Senator Hall:

Senate Bill 548—A Bill to amend and reenact §36-8-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §36-8-2a, all relating to providing for the specific escheat of United States savings bonds and all rights and legal title thereto; and defining terms.

Referred to the Committee on the Judiciary.

By Senators Maynard and Cline:

Senate Bill 549—A Bill to amend and reenact §17C-15-44 of the Code of West Virginia, 1931, as amended, relating to allowing individuals at least twenty-one years of age to operate or ride a motorcycle without a helmet under specified conditions; and authorizing rules.

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

By Senator Maynard:

Senate Bill 550—A Bill to amend and reenact §5A-10-3 of the Code of West Virginia, 1931, as amended; and to amend and reenact §5A-11-3 of said code, all relating to the disposition of vacated school buildings or other state-owned buildings by the Public Land Corporation and Real Estate Division within the Department of Administration.

Referred to the Committee on Government Organization.

By Senator Maynard:

Senate Bill 551—A Bill to amend and reenact §18-9D-15 of the Code of West Virginia, 1931, as amended, relating generally to limiting the School Building Authority's discretion to disburse

funds on an ad hoc basis by requiring that the School Building Authority distribute specific funds to county boards on the basis of a county's net student enrollment; and requiring that county boards deposit certain funds into a savings account and only use said funds to facilitate school maintenance, construction or improvement projects.

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

By Senator Maynard:

Senate Bill 552—A Bill to amend and reenact §15-5-4c of the Code of West Virginia, 1931, as amended, relating to emergency services; and authorizing the West Virginia Disaster Recovery Board to intervene to restore access to private property, real estate or other premises, when the access is destroyed as the direct result of damage from flooding or other natural or man-made causes.

Referred to the Committee on Government Organization.

By Senator Maynard:

Senate Bill 553—A Bill to amend and reenact §18A-4-2 of the Code of West Virginia, 1931, as amended, relating to providing teachers with a three percent pay raise.

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

By Senator Weld:

Senate Bill 554—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §4-1-6a, relating to false swearing in a legislative proceeding; providing criminal penalty; and providing disqualification from holding office or position of honor, trust or profit and serving as a juror.

Referred to the Committee on the Judiciary.

By Senator Ferns:

Senate Bill 555—A Bill to repeal §5-16-7e of the Code of West Virginia, 1931, as amended; to amend and reenact §5-16-1, §5-16-2, §5-16-3, §5-16-4, §5-16-5, §5-16-7, §5-16-7a, §5-16-7c, §5-16-7d, §5-16-8, §5-16-9, §5-16-10, §5-16-11, §5-16-12, §5-16-12a, §5-16-13, §5-16-15, §5-16-16, §5-16-17, §5-16-18 and §5-16-24 of said code; and to amend said code by adding thereto a new article, designated §5-16A-1, §5-16A-2, §5-16A-3, §5-16A-4, §5-16A-5, §5-16A-6, §5-16A-7, §5-16A-8, §5-16A-9, §5-16A-10, §5-16A-11, §5-16A-12, §5-16A-13, §5-16A-14, §5-16A-15, §5-16A-16, §5-16A-17, §5-16A-18, §5-16A-19 and §5-16A-20, all relating generally to the Public Employees Insurance Agency; providing for dissolution of the Public Employees Insurance Agency; converting state agency to employer-owned mutual insurance company; setting forth a short title; defining terms; clarifying the duties of the director; providing for private carriers to insure public employees; providing for employees of the agency to be exempt from provisions of civil service coverage; providing for personnel provisions for employees laid off in first year of operation; providing for retraining benefits for laid-off employees; providing for transfer of certain Public Employees Insurance Agency functions, rights, responsibilities, employees and assets to the Insurance Commissioner and the Public Employees Insurance Council; providing certain civil remedies to commission, mutual company and private carriers; providing for transfer of authority over certain funds to the Insurance Commissioner; providing for capital and surplus requirements of employers' mutual insurance company; providing for election of a board of directors of employers' mutual insurance company; providing for governance and organization of the new mutual insurance company; providing for establishment of claims index to assist insurers;

providing for establishment and administration of certain funds and accounts in the State Treasury; providing for adverse risk assignment plan; providing, upon meeting of certain criteria, for issuance of proclamation by the Governor; providing for preferential placement of any employee laid off after transfer of functions; providing certain retraining and other benefits; providing for novation of policies to new employers mutual insurance company; providing for requirements of a basic policy of public employees insurance; providing for setting of insurance rates; providing for collection of premiums; providing for transfer of rules to be applicable to the public employees insurance market; providing for transfer of certain assets to new mutual insurance company; providing for selection of finance board members by Governor; providing for a Public Employees Insurance Council; making technical corrections throughout; providing internal effective dates; providing for civil administrative and criminal penalties; and making conforming changes throughout.

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

By Senator Trump:

Senate Bill 556—A Bill to repeal §46A-5-106 and §46A-5-107 of the Code of West Virginia, 1931, as amended; to amend and reenact §46A-2-105, §46A-2-115, §46A-2-122 and §46A-2-128 of said code; and to amend and reenact §46A-5-101, §46A-5-104 and §46A-5-105 of said code, all relating to the Consumer Credit and Protection Act; modifying requirements for contracts allowing for balloon payments; establishing that reasonable charges meet certain requirements to be recoverable; modifying and adding definitions; excepting the collection of default charges from unconscionable conduct; establishing means of notice to debt collector of a consumer's representation by legal counsel; limiting monetary penalties for violations of statute; prohibiting the consumer from bringing a class action under the Consumer Credit and Protection Act; establishing the Attorney General and county prosecuting attorney may bring a class action under the Consumer Credit and Protection Act; modifying the statute of limitations from four years to one year; removing fee shifting provisions; and removing the remedy of cancellation of debt for willful violations.

Referred to the Committee on the Judiciary.

By Senator Prezioso (By Request of the Executive):

Senate Bill 557—A Bill to repeal §5A-7-1, §5A-7-2, §5A-7-3, §5A-7-4, §5A-7-4a, §5A-7-5, §5A-7-6, §5A-7-7, §5A-7-8, §5A-7-9, §5A-7-10 and §5A-7-11 of the Code of West Virginia, 1931, as amended; to amend and reenact §5A-6-4 of said code; to amend said code by adding thereto two new sections, designated §-5A-6-4d and §5A-6-4e; and to amend and reenact §18B-4-2 of said code; all relating to the Office of Technology; dissolving the Information Services and Communications Division; authorizing the Chief Technology Officer to assess fees for services provided; requiring the Chief Technology Officer to oversee telecommunications services to state spending units; requiring the Chief Technology Officer to supervise and maintain the central mailing office; requiring the Chief Technology Officer to oversee the West Virginia Network for Educational Telecomputing; directing the deposit of any moneys received for services; creating a special revenue account for administration of telecommunications services; authorizing the Chief Technology Officer to review and pay uncontested amounts due for telecommunications services; providing a process for state spending units to contest amounts due; authorizing the Chief Technology Officer to invoice spending units for amounts paid on behalf of the spending unit; authorizing the Secretary of the Department of Administration to make a final decision on contested amounts due; authorizing the secretary to direct the transfer of funds into the special revenue account for unpaid telecommunications services; authorizing the secretary to assess a

penalty with notice on spending units for unpaid amounts for telecommunications services; and authorizing a special fund to receive moneys for services provided by the agency.

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

By Senators Beach, Facemire, Miller, Ojeda, Romano, Woelfel, Plymale and Stollings:

Senate Bill 558—A Bill to amend and reenact §17A-3-23 of the Code of West Virginia, 1931, as amended, relating to requiring state-owned or -leased vehicles be subject to registration requirements; requiring that state-owned or -leased vehicles have current registration; and requiring state-owned or -leased vehicles bear plates that indicate current registration.

Referred to the Committee on Government Organization.

By Senator Ferns:

Senate Bill 559—A Bill to amend and reenact §29-22B-501 of the Code of West Virginia, 1931, as amended, relating to the limited video lottery; and permitting limited video lottery retailers with more than one location to sell one or more of their operations to another person.

Referred to the Committee on the Judiciary.

By Senators Takubo, Maynard, Stollings, Swope, Plymale and Cline:

Senate Bill 560—A Bill to amend and reenact section §55-7B-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto thirteen new sections, designated §55-7B-6d, §55-7B-6e, §55-7B-6f, §55-7B-6g, §55-7B-6h, §55-7B-6i, §55-7B-6j, §55-7B-6k, §55-7B-6l, §55-7B-6m, §55-7B-6n, §55-7B-6o and §55-7B-6p, all relating to establishing a medical malpractice review panel; defining terms; allowing the Board of Medicine to convene a review panel; making use of the panel voluntary; providing for selection of a chairperson; setting forth powers and duties of the chairperson; providing for selection of panel members; setting out a procedure to challenge panel members; setting out powers and duties of the review panel; providing for matters which the panel may consider in their deliberations; requiring the panel to issue findings and expert opinions; establishing a procedure for the payment of costs and fees; allowing the report to be admissible in court in certain circumstances; granting civil and criminal immunity to panel members; providing for compensation of panel members; and providing for rulemaking.

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

By Senators Stollings and Ojeda:

Senate Bill 561—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-6b, relating to allowing a severely economically depressed county to retain fifty percent of coal severance tax collected in that county for economic development and education.

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

By Senator Blair:

Senate Bill 562—A Bill to amend and reenact §17-10-17 of the Code of West Virginia, 1931, as amended, relating to civil actions for damages brought against county commissions and municipalities by persons injured by reason of a slip, trip, fall or similar injury resulting from defect,

disrepair, maintenance of, or failure to maintain or repair any road, bridge, street, sidewalk, alleyway or public walkway.

Referred to the Committee on the Judiciary.

By Senator Trump:

Senate Bill 563—A Bill to repeal §46A-5-106 and §46A-5-107 of the Code of West Virginia, 1931, as amended; to amend and reenact §46A-2-105, §46A-2-115, §46A-2-122 and §46A-2-128 of said code; to amend said code by adding thereto two new sections, designated §46A-2-140 and §46A-2-141; and to amend and reenact §46A-5-101 and §46A-5-102 of said code, all relating to the Consumer Credit and Protection Act; modifying requirements for contracts allowing for balloon payments; establishing that reasonable charges meet certain requirements to be recoverable; modifying and adding definitions; excepting the collection of default charges from unconscionable conduct; establishing means of notice to debt collector of a consumer's representation by legal counsel; limiting monetary penalties for violations of statute; enforcing arbitration agreements; establishing that contents of a pleading not provide the basis for a claim of a violation of the Consumer Credit and Protection Act; prohibiting the consumer from bringing a class action under the Consumer Credit and Protection Act; establishing the Attorney General and county prosecuting attorney may bring a class action under the Consumer Credit and Protection Act; modifying the statute of limitations from four years to one year; and removing fee shifting provisions.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Joint Resolution 7—Proposing an amendment to the Constitution of the State of West Virginia, amending section three, article VI thereof, relating to limiting the number of years Senators and Delegates may serve; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary.

Senators Boso, Karnes and Beach offered the following resolution:

Senate Concurrent Resolution 28—Requesting the Division of Highways to name a section of road from the Intersection of U. S. Route 219 and WV State Route 15 at Valley Head, West Virginia, south to the Pocahontas County line in Randolph County, the "U. S. Army SPC 4 Randall W. Arbogast Memorial Road".

Whereas, Randall W. Arbogast was born at Valley Head, West Virginia, on February 12, 1945, the eldest son of the late Warren Everett Arbogast and Arizona Ware Arbogast. He was a graduate of Tygarts Valley High School Class of 1964 and was employed by Pioneer Lumber Company until entering the U. S. Army on September 29, 1965, and was one of 4,000 soldiers assigned to the elements of the 196th Light Infantry Brigade. The 196th was the first "light" infantry brigade in U. S. military history. He was the only casualty of the Vietnam War from southern Randolph County communities of Valley Head, Mingo and Monterville, West Virginia. He was also the only graduate of Tygarts Valley High School to lose his life in the Vietnam War; and

Whereas, Randall served with B Company 4th Battalion 31 Infantry from September 29, 1965 thru February 11, 1967. On his 22nd birthday, February 12, 1967, he was transferred to B Company 1st Battalion Mechanized 5th Infantry 25th Infantry Division where he was assigned as

an 11C10 Indirect Fire Infantryman M-60 Machine Gunner. On May 3, 1967, his squad was engaged in hostile action with the enemy in Hau Nghia Province. He was hit with a blast from a white phosphorous grenade. Randall suffered sixty-eight percent total body burns with forty-seven percent being third degree burns. He was evacuated from the field and on May 8, 1967, arrived at Brook General Hospital, Fort Sam Houston, Texas, for treatment of his injuries. He died on May 31, 1967, of septicemia due to burns received in combat. He was by survived two brothers, Stanley and Steve Arbogast, and six sisters, Lou Arbogast Burkhardt, Leanne Arbogast, Jean Arbogast Hesson, Janice Arbogast Hadley, Kayleen Arbogast Dunsmoor and Carol Arbogast. SPC 4 Arbogast was awarded the Purple Heart, Bronze Star, the Republic of Vietnam Campaign Medal, the Vietnam Service Medal, the National Defense Medal and the Combat Infantry Badge. His name is listed on the Vietnam Memorial Wall in Washington, D. C.; and

Whereas, The death of this brave American soldier and his sacrifice to his country, state and community should not go unnoticed and the naming of a section of road from the Intersection of U. S. Route 219 and WV State Route 15 at Valley Head, West Virginia, south to the Pocahontas County line, the "U. S. Army SPC 4 Randall W. Arbogast Memorial Road" in Randolph County would be an appropriate tribute; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a section of road from the Intersection of U. S. Route 219 and WV State Route 15 at Valley Head, West Virginia, south to the Pocahontas County line in Randolph County, the "U. S. Army SPC 4 Randall W. Arbogast Memorial Road"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the road as the "U. S. Army SPC 4 Randall W. Arbogast Memorial Road"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

Which, under the rules, lies over one day.

Senators Gaunch, Plymale, Stollings, Beach, Cline and Unger offered the following resolution:

Senate Resolution 33—Designating March 8, 2017, as Disability Advocacy Day.

Whereas, There are over 400,000 West Virginians with disabilities; and

Whereas, People with disabilities have the right to live, work and fully participate in their communities to realize their dreams; and

Whereas, People with disabilities have the right to receive the support they need to exercise self-determination, achieve independence and become productive employees in the workplace; and

Whereas, West Virginia cannot afford to segregate its citizens with disabilities thereby impairing their ability to be productive members of society; and

Whereas, West Virginia's citizens with disabilities have banded together in a collective group, called the Fair Shake Network, to help bring their concerns to the forefront of public awareness; and

Whereas, The Fair Shake Network has developed a statewide network concerned with all types of disabilities and all age groups, providing opportunities for people to learn from each other and take action together; and

Whereas, The member organizations: Appalachian Center for Independent Living; West Virginia Developmental Disabilities Council; West Virginia Statewide Independent Living Council; West Virginia Division of Rehabilitation Services; WV Autism Training Center; West Virginia Parent Training and Information; Disability Rights of WV; West Virginia University Center for Excellence in Disabilities; West Virginia State Rehabilitation Council; Open Doors, Inc.; National Association of Social Workers, WV Chapter; WV Olmstead Office; Mountain State Parents CAN; WV Association of the Deaf; Central West Virginia Action Network; Mountain State Centers for Independent Living; and partner organizations including: Job Squad; Northern West Virginia Center for Independent Living; Ron Yost Personal Assistance Services Program; The Arc of WV; People First of WV; West Virginia Commission for the Deaf and Hard of Hearing; Fair Housing Action Network; and Aging and Disability Resource Network; have joined together to help increase public awareness of issues involving the many concerns of West Virginians with disabilities through the Fair Shake Network; and

Whereas, The purpose of Disability Advocacy Day is to increase the awareness and understanding of legislators, administrators, policymakers and the public of the public policy issues that are important to people with disabilities; therefore, be it

Resolved by the Senate:

That the Senate hereby designates March 8, 2017, as Disability Advocacy Day; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the appropriate representatives of the Fair Shake Network.

At the request of Senator Gaunch, 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 Ferns, and by unanimous consent, the remarks by Senators Gaunch and Woelfel regarding the adoption of Senate Resolution 33 were ordered printed in the Appendix to the Journal.

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

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

Eng. Senate Bill 198, Expanding Health Sciences Program to allow certain medical practitioners in underserved areas.

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

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

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 198) passed with its title.

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

Eng. Com. Sub. for Senate Bill 280, Moving administration of Civil Air Patrol to Adjutant General.

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

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

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 280) passed with its title.

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

Eng. Com. Sub. for Senate Bill 338, Relating to medical professional liability.

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

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—30.

The nays were: Facemire, Jeffries and Romano—3.

Absent: Maroney—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 338) passed with its title.

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

Eng. Com. Sub. for Senate Bill 358, Relating generally to trustee sale of timeshare estates.

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

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Jeffries, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—31.

The nays were: Facemire and Hall—2.

Absent: Maroney—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 358) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Jeffries, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—31.

The nays were: Facemire and Hall—2.

Absent: Maroney—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 358) takes effect from passage.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Com. Sub. for Senate Bill 173, Relating to autocycles.

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

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

Senate Bill 185, Allowing spending units designate fund into which proceeds from sale of surplus property must be deposited.

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

Com. Sub. for Senate Bill 206, Expanding definition of “kidnapping” to include taking or gaining custody of, confining or concealing person by force.

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

Com. Sub. for Senate Bill 220, Relating to offenses and penalties under Uniform Controlled Substances Act.

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

Senate Bill 365, Maintaining solvency of Unemployment Compensation Fund.

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

The Senate proceeded to the tenth order of business.

The following bills on first reading, coming up in regular order, were each read a first time and ordered to second reading:

Senate Bill 235, Relating to motorcycle registration renewal.

Com. Sub. for Senate Bill 259, Requiring administrators of intestate estates to give bond and take oath.

And,

Com. Sub. for Senate Bill 473, Permitting collection and sale of naturally shed deer antlers.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Boso, Miller, Woelfel, Hall and Ojeda.

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

At the request of Senator Trump, unanimous consent being granted, the remarks by Senator Ojeda were ordered printed in the Appendix to the Journal.

On motion of Senator Ferns, a leave of absence for the day was granted Senator Maroney.

Pending announcement of meetings of standing committees of the Senate, including a majority party caucus,

On motion of Senator Ferns, the Senate adjourned until tomorrow, Thursday, March 9, 2017, at 11 a.m.

SENATE CALENDAR

**Thursday, March 09, 2017
11:00 AM**

SPECIAL ORDER OF BUSINESS Thursday, March 09, 2017 – 11:00 AM

Consideration of executive nominations

UNFINISHED BUSINESS

- S. C. R. 3 - Urging Congress call convention of states to impose fiscal restraints on federal government
- S. C. R. 28 - US Army SPC4 Randall W. Arbogast Memorial Road

THIRD READING

- Eng. S. B. 185 - Allowing spending units designate fund into which proceeds from sale of surplus property must be deposited
- Eng. Com. Sub. for S. B. 206 - Expanding definition of "kidnapping" to include taking or gaining custody of, confining or concealing person by force
- Eng. Com. Sub. for S. B. 220 - Relating to offenses and penalties under Uniform Controlled Substances Act (original similar to HB2003, HB2643, HB2645)
- Eng. S. B. 365 - Maintaining solvency of Unemployment Compensation Fund (original similar to HB2784)

SECOND READING

- Com. Sub. for Com. Sub. for S. B. 173 - Relating to certain motor vehicles (original similar to HB2530, HB2576)
- S. B. 235 - Relating to motorcycle registration renewal
- Com. Sub. for S. B. 259 - Requiring administrators of intestate estates to give bond and take oath
- Com. Sub. for S. B. 473 - Permitting collection and sale of naturally shed deer antlers

FIRST READING

- Com. Sub. for S. B. 350 - Allowing licensed professional counselors be issued temporary permit
- Com. Sub. for S. B. 423 - Relating to operation of licensed group homes

- Com. Sub. for S. B. 441 - Establishing Municipal Home Rule Pilot Program
- Com. Sub. for S. B. 481 - Eliminating requirement municipal courts wait 90 days before notifying DMV of person's failure to appear or pay assessed costs
- S. B. 490 - Clarifying standard of liability for officers of corporation
- S. B. 491 - Relating to county litter control officers
- Com. Sub. for S. B. 492 - Eliminating requirement every circuit court participate in drug court program
- Com. Sub. for S. B. 496 - Relating generally to guaranteed asset protection waivers
- Com. Sub. for S. B. 505 - Providing five-year reclamation period following completion of well pads for horizontal wells
- Eng. Com. Sub. for H. B. 2099 - Defining the act of leaving the scene of a crash involving death or serious bodily injury as a felony; Erin's Law - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 2301 - Relating to direct primary care - (Com. title amend. pending)
- Eng. Com. Sub. for H. B. 2347 - Allowing schools licensed to provide barber, cosmetology and related training to hold theory classes and clinical classes at different locations
- Eng. H. B. 2431 - Allowing influenza immunizations to be offered to patients and residents of specified facilities - (Com. title amend. pending)

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2017

Thursday, March 9, 2017

9:30 a.m.	Finance	(Room 451M)
1 p.m.	Health & Human Resources	(Room 451M)
1 p.m.	Energy, Industry & Mining	(Room 208W)
2 p.m.	Education	(Room 451M)
2 p.m.	Government Organization	(Room 208W)
3 p.m.	Finance	(Room 451M)
5 p.m.	Education (If Needed)	(Room 451M)