

WEST VIRGINIA LEGISLATURE

# SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE  
REGULAR SESSION, 2018  
FOURTEENTH DAY

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Charleston, West Virginia, Tuesday, January 23, 2018

The Senate met at 11:10 a.m.

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

Prayer was offered by Pastor Jesse Waggoner, Senior Pastor, Mount Calvary Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Dave Sypolt, a senator from the fourteenth district.

Pending the reading of the Journal of Monday, January 22, 2018,

At the request of Senator Azinger, 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 Clerk presented the following communication from a state agency as required by the provisions of law:

Lottery (Comprehensive Annual Financial Report) (§29-22-20)

The Senate proceeded to the third order of business.

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

**Senate Concurrent Resolution 6**, Supporting construction of Gold Star Families Memorial Monument.

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 3089**—A Bill to amend the Code of West Virginia, 1931, as amended; by adding thereto a new section, designated §18-2A-10, relating to the adoption

of instructional resources for use in the public schools; providing for transition to new provisions for instructional resources adoption; defining instructional resources; providing for adoption cycle rule; requiring person, firm or corporation desiring to offer instructional resources for use by students to file statement containing and verifying certain information; requiring state board to provide list of vendors to counties; prohibiting county board from adopting or using instructional resources not in compliance; disqualification of person, firm or corporation for failure to honor terms of filing; supplementary resources exempted; requiring necessary instructional resources be furnished to students free of charge, including reasonable access to electronic resources; requiring county board policy on instructional resources adoption and specifying minimum provisions; and prohibiting board of education member or employee from acting as sales agents for person, firm or corporation filing statement with superintendent.

Referred to the Committee on Education.

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 4002**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §1-2-2c, relating to the decennial redistricting of the House of Delegates and providing that following the reapportionment and redistricting of the Legislature following the United States Census in 2020, all delegates shall be elected from one hundred single member districts.

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 4013**—A Bill to amend and reenact §56-1-1 of said code, all relating to venue in West Virginia state courts as it applies to nonresidents of the state and providing that a nonresident generally may not bring an action in the state unless all or a substantial part of the acts or omissions giving rise to the claim asserted occurred in this state and providing exceptions.

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 4026**—A Bill to amend and reenact §30-5-29 of the Code of West Virginia, 1931, as amended, relating to exempting cashiers from licensure under the Larry W. Border Pharmacy Practice Act.

Referred to the Committee on Health and Human Resources.

### **Executive Communications**

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

**Jim Justice**  
**Governor of West Virginia**

January 23, 2018

The Honorable Mac Warner  
Secretary of State  
State Capitol  
Charleston, West Virginia 25305

Dear Secretary Warner:

Pursuant to W. Va. Code §3-10-5, I have this day appointed the Honorable Karen Lynne Arvon, 101 Triangle Lane, Beckley, Raleigh County, West Virginia 25801, as a Senator representing the Ninth Senatorial District, to fill the vacancy created by the resignation of the Honorable Jeff Mullins from this day through the remainder of the unexpired term of said office.

Sincerely,

Jim Justice  
Governor

cc: President of the Senate  
Speaker of the House  
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 Mitch Carmichael, President of the Senate, to Lynne Carden Arvon, of the County of Raleigh, on January 23, 2018.

The Senate proceeded to the fourth order of business.

Senator Maynard, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

**Senate Bill 30**, Relating generally to hunting with dogs.

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

**Com. Sub. for Senate Bill 30** (originating in the Committee on Natural Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-5i; and to amend and reenact §20-2-16 of said code, all relating to hunting; permitting the use of leashed dogs to track mortally wounded deer or bear; providing that dogs used to track mortally wounded deer or bear are not to be taken into possession by a natural resource police officer; and clarifying the handling of dogs caught chasing deer.

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,

Mark R. Maynard,  
*Chair.*

The bill (Com. Sub. for S. B. 30), under the original double committee reference, was then referred to the Committee on the Judiciary.

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

Your Committee on Finance has had under consideration

**Senate Bill 67**, Exempting DNR police officers' pensions from state income tax.

And,

**Com. Sub. for Senate Bill 116**, Providing court costs collected under Second Chance Driver's License Program are not subject to 5 percent offset.

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

Respectfully submitted,

Craig Blair,  
*Chair.*

Senator Maynard, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

**Senate Bill 143**, Permitting DNR identification tag be used to identify trap.

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

Respectfully submitted,

Mark R. Maynard,  
*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 Bills 155, 156, 157, 158, 159, 160, 161, 162, 163, and 164**, DEP rule relating to hazardous waste management system.

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

**Com. Sub. for Senate Bill 163** (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating generally to authorizing the Department of Environmental Protection to promulgate certain legislative rules as filed, as modified, and as amended and to repeal certain legislative and procedural rules; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to hazardous waste management system; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to underground storage tanks; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to West Virginia surface mining reclamation; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to standards of performance for new stationary sources; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from combustion of solid waste; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from municipal solid waste landfills; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from hazardous waste treatment, storage, and disposal facilities; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to emission standards for hazardous air pollutants; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to voluntary remediation and redevelopment; directing the Department of Environmental Protection to repeal a legislative rule relating to state construction grants program rule; and directing the Department of Environmental Protection to repeal a procedural rule relating to freedom of information act requests.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,  
*Chair.*

Senator Maynard, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

**Senate Bill 234**, DNR rule relating to wildlife disease management.

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 the Judiciary.

Respectfully submitted,

Mark R. Maynard,  
*Chair.*

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary, with an amendment from the Committee on Natural Resources pending.

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

Your Committee on Finance has had under consideration

**Senate Bill 311**, Specifying consumers sales and service tax exemption for purchase of certain services and tangible personal property related to aircraft.

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 were introduced, read by their titles, and referred to the appropriate committees:

**By Senators Gaunch and Blair:**

**Senate Bill 339**—A Bill to amend and reenact §5-16D-1, §5-16D-3, §5-16D-4, and §5-16D-6 of the Code of West Virginia, 1931, as amended, all relating to the West Virginia Retirement Health Benefit Trust Fund within the Public Employees Insurance Agency; modifying definitions to provide flexibility for compliance with the Governmental Accounting Standards Board guidance; defining new terms; and allowing the current allocation process for unfunded liability to continue.

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

**By Senator Blair:**

**Senate Bill 340**—A Bill to amend and reenact §5-16-5 of the Code of West Virginia, 1931, as amended, relating to the employer-employee cost-sharing ratio of premiums from active members of the Public Employees Insurance Agency; and providing for a maximum percentage of premiums to be paid by employers.

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

**By Senators Ferns and Rucker:**

**Senate Bill 341**—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, 2019; establishing northern and southern districts; providing three judges for each district; establishing qualifications for judges; establishing court jurisdiction; providing for defunctive review; providing West Virginia Supreme Court of Appeals will either keep an appeal or transfer it to Intermediate Court of Appeals; designating the Clerk of the Supreme Court of Appeals as the Clerk of the Intermediate Court of Appeals; providing that certain appeals 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 of Appeals to Supreme Court of Appeals; authorizing Governor make initial appointments by July 1, 2018; creating staggered terms; providing for elections for 10-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 of Appeals to provide facilities, furniture, fixtures, and equipment for Intermediate Court of Appeals; establishing precedential effect of Intermediate Court of Appeals' orders and decisions; providing budget of Intermediate Court of Appeals be part of Supreme Court of Appeals budget; and providing for severability.

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

**By Senators Blair and Boso:**

**Senate Bill 342**—A Bill to amend and reenact §5A-10-9 of the Code of West Virginia, 1931, as amended, relating to requiring agencies to provide an annual inventory of real property holdings to the Real Estate Division; removing the exemption of certain agencies from reporting property holdings to the Real Estate Division; clarifying the information to be reported annually by agencies; and requiring an annual report by the Real Estate Division to the Governor and Legislature.

Referred to the Committee on Government Organization.

**By Senator Sypolt:**

**Senate Bill 343**—A Bill to amend and reenact §11A-3-58 of the Code of West Virginia, 1931, as amended, relating to limiting expenses incurred in preparing notice to redeem, including title examination, to \$500.

Referred to the Committee on Government Organization.

**By Senators Sypolt and Baldwin:**

**Senate Bill 344**—A Bill to amend and reenact §17-2A-14 of the Code of West Virginia, 1931, as amended, relating to disposition of certain surplus equipment and materials; and requiring recycling of metal if cost effective.

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

**By Senator Maynard:**

**Senate Bill 345**—A Bill to amend and reenact §20-1-7 of the Code of West Virginia, 1931, as amended, relating to wildlife resources; and authorizing the Director of the Division of Natural Resources to establish procedures and a fee schedule for individuals applying for limited permit hunts.

Referred to the Committee on Natural Resources.

**By Senators Maynard and Cline:**

**Senate Bill 346**—A Bill to amend and reenact §20-2B-7 of the Code of West Virginia, 1931, as amended, relating to permitting full-time, nonresident students attending an in-state college or university to purchase lifetime resident statewide hunting, trapping, trout fishing and fishing licenses.

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

**By Senator Maynard:**

**Senate Bill 347**—A Bill to amend and reenact §20-7-11, §20-7-12, §20-7-13, §20-7-14, §20-7-18, §20-7-18d, and §20-7-19 of the Code of West Virginia, 1931, as amended, all relating to the operation of motorboats; defining the term “state of principle operation”; establishing a fee schedule for motorboat registration; establishing motorboat numbering, lighting, fire extinguishers, engine bilges, and flotation device requirements; increasing the financial amount of property damage before certain accidents need to be reported; clarifying the requirements for the operation of personal watercrafts; limiting the hours during the day water skiing and surfing are permitted; and authorizing rulemaking.

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

**By Senator Maynard:**

**Senate Bill 348**—A Bill to amend and reenact §20-7-1d and §20-7-1f of the Code of West Virginia, 1931, as amended, all relating to awarding service weapons to special natural resources police officers upon retirement; disposal of service weapon when replaced due to routine wear; and furnishing uniform for burial.

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

**By Senators Maynard, Takubo, Cline, and Plymale:**

**Senate Bill 349**—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 Senators Ferns, Trump, Maynard, Jeffries, Baldwin, and Plymale:**

**Senate Bill 350**—A Bill to amend and reenact §29-22A-5 of the Code of West Virginia, 1931, as amended, relating to eliminating the obsolete requirement that the Lottery Commission file all racetrack video lottery game rules with the Secretary of State.

Referred to the Committee on the Judiciary.

Senators Takubo and Stollings offered the following resolution:



**Senate Concurrent Resolution 7**—Requesting the federal government grant a waiver for the waiting period requirement for tubal ligation procedures.

Whereas, Postpartum sterilization has the advantage of one-time hospitalization, which results in ease and convenience for the woman. Its efficacy and effectiveness were demonstrated in the U. S. Collaborative Review of Sterilization study—a large, prospective, multicenter, observational study of more than 10,000 women undergoing transabdominal sterilization who were followed up to 14 years; and

Whereas, U. S. health policy requires Medicaid beneficiaries to wait 30 days before tubal sterilization. In a journal analysis, national experts argue that this practice violates health care justice, as elective tubal sterilization is readily available to women with a private source of payment; and

Whereas, Elective tubal sterilization is readily available to women with a private source of payment, this situation is not the case for Medicaid beneficiaries who are required to wait, which can be impractical unless the paperwork is concluded well in advance of the birth; and

Whereas, Revision of the federal consent mandate in order to create fair and equitable access to sterilization services for women enrolled in Medicaid or covered by other government insurance would improve access to all women in West Virginia; and

Whereas, The state formally requested a waiver from the Centers for Medicare & Medicaid Services of the waiting period requirement for tubal ligation procedures; and

Whereas, The waiver was denied; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Legislature hereby requests the federal government grant a waiver for the waiting period requirement for tubal ligation procedures; and, be it

*Further Resolved,* That the Legislature requests that the Centers for Medicare & Medicaid Services reconsider their decision and grant the state a waiver of the waiting period requirement for tubal ligation procedures; and, be it

*Further Resolved,* The revision of the federal consent mandate in order to create fair and equitable access to sterilization services for women enrolled in Medicaid or covered by other government insurance would improve access to all women in West Virginia; and, be it

*Further Resolved,* That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the United States Secretary of Health and Human Services, the Administrator of the Centers for Medicare & Medicaid Services, and to the members of the West Virginia congressional delegation.

Which, under the rules, lies over one day.

Senators Mann, Stollings, Rucker, Cline, Boso, Karnes, Maynard, Baldwin, Prezioso, Beach, Plymale, and Drennan offered the following resolution:

**Senate Resolution 14**—Designating Tuesday, January 23, 2018, as Higher Education Day at the Legislature.

Whereas, The State of West Virginia is committed to supporting higher education; and

Whereas, West Virginia's colleges and universities open the doors of opportunity for West Virginia's students; and

Whereas, West Virginia's education system helps students achieve their education and career goals, and meet the workforce needs of the State of West Virginia; and

Whereas, Higher education institutions contribute to the economic vitality of the state while enriching the culture of the communities and regions they serve; and

Whereas, West Virginia's colleges and universities advance the development of technology, partner in business and industry, conduct groundbreaking research, and improve lives through advanced health care; and

Whereas, Through the services of outstanding faculty, staff, administration, and leadership, West Virginia's colleges and universities carry out student-centered missions for the betterment of the entire state; therefore, be it

*Resolved by the Senate:*

That the Senate hereby designates Tuesday, January 23, 2018, as Higher Education Day at the Legislature; and, be it

*Further Resolved,* That the Senate recognizes the commitment to excellence the leaders of our colleges and universities have demonstrated; and, be it

*Further Resolved,* That the Clerk is hereby directed to forward a copy of this resolution to the Chancellor of the West Virginia Higher Education Policy Commission, the Chancellor of the West Virginia Council for Community and Technical College Education, the Executive Director of the West Virginia Independent Colleges and Universities, Inc., and to each of the presidents of West Virginia's public and independent colleges and universities.

At the request of Senator Mann, 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 Mann, Plymale, Blair, and Beach regarding the adoption of Senate Resolution 14 were ordered printed in the Appendix to the Journal.

On motion of Senator Ferns, at 11:35 a.m., the Senate recessed to present Senate Resolution 14.

The Senate reconvened at 11:42 a.m. today and, at the request of Senator Ferns, and by unanimous consent, returned to the fourth order of business.

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

Your Committee on the Judiciary has had under consideration

**Senate Bill 351** (originating in the Committee on the Judiciary)—A Bill to amend and reenact §3-1-19 of the Code of West Virginia, 1931, as amended, relating to ballot commissioners; and permitting ballot commissioners to serve while candidates for certain offices.

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

Respectfully submitted,

Charles S. Trump IV,  
*Chair.*

The Senate proceeded to the eighth order of business.

**Eng. Com. Sub. for Senate Bill 146**, Correcting technical error within Solid Waste Management Act.

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: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

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. 146) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

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. 146) 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 Senate Bill 37**, Equalizing penalty for entering without breaking regardless of time of day.

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 39**, Creating Sexual Assault Victims' Bill of Rights.

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 75**, Relating to sale or transfer of video lottery locations.

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 134**, Authorizing Division of Homeland Security and Emergency Management to engage individuals for emergency response and recovery.

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 292**, Relating to Commission on Special Investigations.

On second reading, coming up in regular order, was read a second time.

On motions of Senators Woelfel and Trump, the following amendment to the bill was reported by the Clerk and adopted:

On page seven, by striking out all of section five and inserting in lieu thereof a new section, designated section five, to read as follows:

**§4-5-5. Investigations exempt from public disclosure requirements; security, retention and disposal of commission records.**

(a) The investigations conducted by the commission and the materials, in any medium, including hard copy and electronic, placed in the files custody of the commission as a result of any such investigation are exempt from public disclosure under the provisions of §29B-1-1 et seq. of this code.

(b) Notwithstanding any other provision of this code to the contrary, the commission may dispose of printed materials placed in its files upon a vote of the commission: *Provided*, That the commission shall save copies of materials filed on or after January 1, 2010, in electronic form prior to their disposal.

(c) The commission shall provide reasonable safeguards for the confidentiality and integrity of the materials and information technology placed in its custody.

The bill (Com. Sub. for S. B. 292), as amended, was then ordered to engrossment and third reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Ojeda and Woelfel.

At the request of Senator Woelfel, unanimous consent being granted, the Senate stood in observance of a moment of silence in recognition of the passing of Joe Ciccarelli, Huntington Police Chief.

Thereafter, at the request of Senator Plymale, and by unanimous consent, the remarks by Senators Ojeda and Woelfel were ordered printed in the Appendix to the Journal.

Remarks were made by Senators Romano and Rucker.

Thereafter, at the request of Senator Prezioso, unanimous consent being granted, the remarks by Senator Romano were ordered printed in the Appendix to the Journal.

The Senate proceeded to the thirteenth order of business.

Senator Carmichael (Mr. President) announced the appointment of Senator Arvon to the Committee on Finance, the Committee on Health and Human Resources, the Committee on Banking and Insurance, the Committee on Pensions, and the Committee on the Workforce; Senator Blair to the Committee on Energy, Industry, and Mining; and the removal of Senator Trump from the Committee on Health and Human Resources.

At the request of Senator Blair, the name of Senator Blair was removed as a sponsor of **Senate Bill 340** (*Relating to employer-employee cost-sharing ratio of premiums for PEIA active members*).

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

On motion of Senator Ferns, at 12:04 p.m., the Senate adjourned until tomorrow, Wednesday, January 24, 2018, at 11 a.m.

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## **SENATE CALENDAR**

**Wednesday, January 24, 2018  
11:00 AM**

### **UNFINISHED BUSINESS**

S. C. R. 7 - Requesting federal government grant waiver for required waiting period for tubal ligation procedures

### **THIRD READING**

Eng. Com. Sub. for S. B. 37 - Equalizing penalty for entering without breaking regardless of time of day

Eng. Com. Sub. for S. B. 39 - Creating Sexual Assault Victims' Bill of Rights

Eng. Com. Sub. for S. B. 75 - Relating to sale or transfer of video lottery locations

Eng. Com. Sub. for S. B. 134 - Authorizing Division of Homeland Security and Emergency Management to engage individuals for emergency response and recovery (original similar to HB4033)

Eng. Com. Sub. for S. B. 292 - Relating to Commission on Special Investigations

### **FIRST READING**

S. B. 67 - Exempting DNR police officers' pensions from state income tax

Com. Sub. for S. B. 116 - Providing court costs collected under Second Chance Driver's License Program are not subject to 5 percent offset

S. B. 143 - Permitting DNR identification tag be used to identify trap

Com. Sub. for S. B. 163 - Authorizing DEP promulgate legislative rules (original similar to HB4093)

S. B. 311 - Specifying consumers sales and service tax exemption for purchase of certain services and tangible personal property related to aircraft

S. B. 351 - Permitting ballot commissioners serve while candidates for certain offices

**ANNOUNCED SENATE COMMITTEE MEETINGS**

**Regular Session 2018**

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**Wednesday, January 24, 2018**

2 p.m. Pensions (Room 451M)

2 p.m. Agriculture & Rural Development (Room 208W)

**Thursday, January 25, 2018**

1 p.m. Energy, Industry & Mining (Room 208W)