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EIGHTY-FOURTH LEGISLATURE

Regular Sixty-Day Session, 2019

First Extraordinary Session, 2019

Second Extraordinary Session, 2019

VOLUME IV



NOTE: The fourth volume continues with Journal proceedings proper (page 3323) of March 9, the date of final adjournment; followed by the Appendix consisting of remarks of members during the Regular Session, 2019; History of Bills and Resolutions of both houses considered by the Senate; a Topical Index of all Senate bills introduced; and the Index of the Official Journal.

The remainder of this volume consists of the Journal proceedings proper, together with the Appendices and Indexes for the same of the First Extraordinary Session (March 10, 2019—September 23, 2019) and Second Extraordinary Session (November 18, 2019—November 19, 2019).

(3) The court shall, at the initial hearing in the matter, determine whether persons other than the child for whom counsel has been appointed:

(A) Have retained counsel; and

(B) Are financially able to retain counsel.

(4) A parent, guardian, custodian, or other person standing in loco parentis with the child who is alleged to have neglected or abused the child and who has not retained counsel and is financially unable to retain counsel beyond the initial hearing, shall be afforded appointed counsel at every stage of the proceedings.

~~(4) (5) Under no circumstances may the same attorney represent both the child and another party the other party or parties., nor may the~~ The same attorney may not represent both parents or custodians more than one parent or custodian: However, Provided, That one attorney may represent both parents or custodians where both parents or guardians custodians consent to this representation after the attorney fully discloses to the client the possible conflict and where the attorney assures advises the court that she or he is able to represent each client without impairing her or his professional judgment.; however, if If more than one child from a family is involved in the proceeding, one attorney may represent all the children.

~~(5) (6) A parent who is a co-petitioner is entitled to his or her own attorney.~~

~~(7) The court may allow to each attorney so appointed pursuant to this section a fee in the same amount which appointed counsel can receive in felony cases.~~

~~(6) (8) The court shall, sua sponte or upon motion, appoint counsel to any unrepresented party if, at any stage of the proceedings, the court determines doing so is necessary to satisfy the requirements of fundamental fairness.~~

(g) *Continuing education for counsel.* — Any attorney representing a party under this article shall receive a minimum of

eight hours of continuing legal education training per reporting period on child abuse and neglect procedure and practice. In addition to this requirement, any attorney appointed to represent a child must first complete training on representation of children that is approved by the administrative office of the Supreme Court of Appeals. The Supreme Court of Appeals shall develop procedures for approval and certification of training required under this section. Where no attorney has completed the training required by this subsection, the court shall appoint a competent attorney with demonstrated knowledge of child welfare law to represent the parent or child. Any attorney appointed pursuant to this section shall perform all duties required of an attorney licensed to practice law in the State of West Virginia.

(h) *Right to be heard.* — In any proceeding pursuant to this article, the party or parties having custodial or other parental rights or responsibilities to the child shall be afforded a meaningful opportunity to be heard, including the opportunity to testify and to present and cross-examine witnesses. Foster parents, pre-adoptive parents, and relative caregivers shall also have a meaningful opportunity to be heard.

(i) *Findings of the court.* — Where relevant, the court shall consider the efforts of the department to remedy the alleged circumstances. At the conclusion of the adjudicatory hearing, the court shall make a determination based upon the evidence and shall make findings of fact and conclusions of law as to whether the child is abused or neglected and whether the respondent is abusing, neglecting, or, if applicable, a battered parent, all of which shall be incorporated into the order of the court. The findings must be based upon conditions existing at the time of the filing of the petition and proven by clear and convincing evidence.

(j) *Priority of proceedings.* — Any petition filed and any proceeding held under this article shall, to the extent practicable, be given priority over any other civil action before the court, except proceedings under §48-27-309 of this code and actions in which trial is in progress. Any petition filed under this article shall be docketed immediately upon filing. Any hearing to be held at the end of an improvement period and any other hearing to be held

during any proceedings under this article shall be held as nearly as practicable on successive days and, with respect to the hearing to be held at the end of an improvement period, shall be held as close in time as possible after the end of the improvement period and shall be held within 30 days of the termination of the improvement period.

(k) *Procedural safeguards.* — The petition may not be taken as confessed. A transcript or recording shall be made of all proceedings unless waived by all parties to the proceeding. The rules of evidence shall apply. Following the court's determination, it shall ~~be inquired of~~ ask the parents or custodians whether or not appeal is desired and the response transcribed. A negative response may not be construed as a waiver. The evidence shall be transcribed and made available to the parties or their counsel as soon as practicable, if the ~~same~~ transcript is required for purposes of further proceedings. If an indigent person intends to pursue further proceedings, the court reporter shall furnish a transcript of the hearing without cost to the indigent person if an affidavit is filed stating that he or she cannot pay for the transcript ~~therefor~~.

PART VI.

JUVENILE PROCEEDINGS

§49-4-722. Conviction for offense while in custody.

(a) Notwithstanding any other provision of law to the contrary, any person who is 18 years of age or older who is convicted as an adult of an offense that he or she committed while in the custody of the ~~Division~~ Bureau of Juvenile Services and who is ~~therefor~~ sentenced for the conviction to a regional jail or state correctional facility for the offense may not be returned to the custody of the ~~division~~ bureau upon the completion of his or her adult sentence.

(b) Upon the incarceration in a regional jail or state correctional facility of any person 18 years of age or older who remains subject to the juvenile jurisdiction of the circuit court for crimes committed in a juvenile facility, the Bureau of Juvenile Services shall provide written notification to both the circuit court with juvenile

jurisdiction over the person and the judicial authority in the county where the criminal charges are pending that the person is being detained, remains in the jurisdiction of a circuit court, and is pending a sentence as an adult offender. Prior to the imposition of a sentence on the criminal charges, the juvenile facility in which the adult crime occurred shall inform the judicial authority in the county with jurisdiction over the criminal offense which circuit court has juvenile jurisdiction over the person. The judicial authority in the county with jurisdiction over the criminal offense shall then notify the circuit court with juvenile jurisdiction over the person. The person may not be released from custody on the criminal offense until the judicial authority in the county where the criminal charges are pending has been notified by the circuit court with juvenile jurisdiction over the person that it has conducted the hearing required in §49-4-722(c) of this code.

~~(b)~~(c) Prior to completion of the adult sentence specified in subsection (a) of this section, the circuit court having jurisdiction over the underlying juvenile matter shall conduct a hearing to determine whether the person who has turned 18 years of age shall remain in the regional jail during pendency of the underlying juvenile matter or if another disposition or pretrial placement is appropriate and available: *Provided*, That the court may not remand a child who reached the age of 18 years to a juvenile facility or placement during the pendency of the underlying juvenile matter: *Provided, however*, That the Commissioner of the Division of Corrections and Rehabilitation is authorized to designate a unit in one or more of the institutions under his or her management to ensure that the detention of any person 18 years of age or older who is subject to subsection (a) of this section and who remains subject to the juvenile jurisdiction of a Circuit Court, may be placed in by the Commissioner, so that the person does not have contact with or come within sight or sound of any adult incarcerated persons.

The question being “Shall Engrossed Committee Substitute for House Bill 2503 pass?”

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Plymale,

Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Boley, Boso, Palumbo, and Sypolt—4.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2503) passed with its title.

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

At the request of Senator Unger, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

The Senate again 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 Senate amendment, as amended by the House of Delegates, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendment, as to

Eng. Com. Sub. for House Bill 2193, Providing a specific escheat of US savings bonds.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendment to the bill were reported by the Clerk:

By striking out everything after the enacting section and inserting in lieu thereof the following:

ARTICLE 8. UNIFORM UNCLAIMED PROPERTY ACT.

§36-8-1. Definitions.

As used in this article:

(1) “Administrator” means the State Treasurer.

(2) “Apparent owner” means a person whose name appears on the records of a holder as the person entitled to property held, issued or owing by the holder.

(3) “Business association” means a corporation, joint stock company, investment company, partnership, unincorporated association, joint venture, limited liability company, business trust, trust company, safe deposit company, financial organization, insurance company, mutual fund, utility or other business entity consisting of one or more persons, whether or not for profit.

(4) “Domicile” means the state of incorporation of a corporation and the state of the principal place of business of a holder other than a corporation.

(5) “Financial organization” means a savings and loan association, bank, banking organization or credit union.

(6) “Holder” means a person obligated to hold for the account of, or deliver or pay to, the owner property that is subject to this article.

(7) “Insurance company” means an association, corporation, or fraternal or mutual benefit organization, whether or not for profit, engaged in the business of providing life endowments, annuities or insurance, including accident, burial, casualty, credit life, contract performance, dental, disability, fidelity, fire, health, hospitalization, illness, life, malpractice, marine, mortgage, surety, wage protection and workers’ compensation insurance.

(8) “Mineral” means gas; oil; coal; other gaseous, liquid and solid hydrocarbons; oil shale; cement material; sand and gravel; road material; building stone; chemical raw material; gemstone; fissionable and nonfissionable ores; colloidal and other clay; steam and other geothermal resource; or any other substance defined as a mineral by the law of this state.

(9) “Mineral proceeds” means amounts payable for the extraction, production or sale of minerals, or, upon the abandonment of those payments, all payments that become payable thereafter. The term includes amounts payable:

(i) For the acquisition and retention of a mineral lease, including bonuses, royalties, compensatory royalties, shut-in royalties, minimum royalties and delay rentals;

(ii) For the extraction, production or sale of minerals, including net revenue interests, royalties, overriding royalties, extraction payments and production payments; and

(iii) Under an agreement or option, including a joint operating agreement, unit agreement, pooling agreement and farm-out agreement.

(10) “Money order” includes an express money order and a personal money order, on which the remitter is the purchaser. The term does not include a bank money order or any other instrument sold by a financial organization if the seller has obtained the name and address of the payee.

(11) “Owner” means a person who has a legal or equitable interest in property subject to this article or the person’s legal representative. The term includes a depositor in the case of a deposit, a beneficiary in the case of a trust other than a deposit in trust, and a creditor, claimant or payee in the case of other property.

(12) “Person” means an individual, business association, financial organization, estate, trust, government, governmental subdivision, agency or instrumentality, or any other legal or commercial entity.

(13) “Property” means tangible personal property described in section three of this article or a fixed and certain interest in intangible personal property that is held, issued or owed in the course of a holder’s business, or by a government, governmental subdivision, agency or instrumentality, and all income or increments therefrom. The term includes property that is referred to as or evidenced by:

(i) Money, a check, draft, warrant for payment issued by the State of West Virginia, deposit, interest or dividend;

(ii) Credit balance, customer's overpayment, gift certificate, security deposit, refund, credit memorandum, unpaid wage, unused ticket, mineral proceeds or unidentified remittance;

(iii) Stock or other evidence of ownership of an interest in a business association or financial organization;

(iv) A bond, debenture, note or other evidence of indebtedness;

(v) Money deposited to redeem stocks, bonds, coupons or other securities or to make distributions;

(vi) An amount due and payable under the terms of an annuity or insurance policy, including policies providing life insurance, property and casualty insurance, workers' compensation insurance or health and disability insurance; and

(vii) An amount distributable from a trust or custodial fund established under a plan to provide health, welfare, pension, vacation, severance, retirement, death, stock purchase, profit sharing, employee savings, supplemental unemployment insurance or similar benefits.

(14) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(15) "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any territory or insular possession subject to the jurisdiction of the United States.

(16) "United States savings bond" means property, tangible or intangible, in the form of a savings bond issued by the United States Treasury whether in paper form, electronic or paperless form, along with the proceeds thereof.

~~(16)~~ (17) "Utility" means a person who owns or operates for public use any plant, equipment, real property, franchise or license

for the transmission of communications or the production, storage, transmission, sale, delivery or furnishing of electricity, water, steam or gas as defined in §24-1-2 of this code.

§36-8-2a. Escheat of United States savings bonds.

(a) Notwithstanding any other section of this article or any other section of this code to the contrary, United States savings bonds held or owing in this state by any person, or issued, or owed, in the course of a holder's business, by a state or other government, governmental subdivision, agency, or instrumentality, and all proceeds thereof, shall be presumed abandoned in the state if:

(1) The last known address of the owner of the United States savings bond is in this state; and

(2) The United States savings bond has remained unclaimed and unredeemed for a period of five years after final maturity.

(b) United States savings bonds which are presumed abandoned under §36-8-2a(a) of this code, including bonds in the possession of the administrator, and those lost, stolen or destroyed bonds registered to persons with last known addresses in this state, shall, upon satisfaction by the administrator of the requirements of §36-8-2a(c) through (e) of this code, escheat to the State of West Virginia one year after such bonds are presumed abandoned, and all property rights and legal title to, and ownership of, the United States savings bonds or proceeds from the bonds, including all rights, powers and privileges of survivorship of any owner, co-owner, or beneficiary, shall vest solely in the State of West Virginia, subject only to the provisions of §36-8-15 and §36-8-16 of this code.

(c) After the expiration of the one-year period prescribed in §36-8-2a(b) of this code, if no claim has been filed pursuant to the provisions of §36-8-15 and §36-8-16 of this code for such United States savings bonds, but before such savings bonds escheat to the State of West Virginia, a civil action must be commenced by the administrator in the circuit court of Kanawha County, or in any other court of competent jurisdiction, for a determination that such

United States savings bonds shall escheat to the State of West Virginia.

(d) The administrator shall make service by publication of the civil action in accordance with Rule 4(e) of the West Virginia Rules of Civil Procedure.

(e) Any person claiming ownership, including all persons claiming rights, powers and privileges of survivorship and any co-owner or beneficiary, or his or her agent, may appear and defend his or her rights to the subject bond or bonds, and if the court is satisfied that the claimant is entitled to the bond or bonds, the court may award judgment in the claimant's favor. If no person files a claim or appears at the hearing to substantiate a claim, or if the court determines that a claimant is not entitled to the property claimed by such claimant, then the court, if satisfied by evidence that the administrator has substantially complied with this section, shall enter a judgment that the subject United States savings bonds have escheated to the State of West Virginia, and all property rights and legal title to and ownership of such United States savings bonds or proceeds from such bonds, including all rights, powers and privileges of survivorship of any owner, co-owner or beneficiary, shall vest solely in the State of West Virginia.

(f) Upon being awarded a judgment that the United States savings bond or bonds have escheated to the State of West Virginia, the administrator shall redeem such United States savings bonds. Upon recovery of the proceeds of any United States savings bonds, the administrator shall first pay all costs incident to the collection and recovery of such proceeds from the proceeds of such United States savings bonds and shall thereafter promptly deposit the remaining balance of such proceeds into the Unclaimed Property Fund pursuant to §36-8-13 of this code.

(g) Notwithstanding any other section of this article or any other section of this code to the contrary, any person making a claim for a United States savings bond escheated to the State of West Virginia under this section, or for the proceeds of such bond, may file a claim with the administrator pursuant to §36-8-15 of this code. Upon receipt of sufficient proof of the validity of such

person's claim, the administrator may, in his or her sole discretion, pay such claim less any expenses and costs which have been incurred by the state in securing full title and ownership of such property by escheat. If payment has been made to any claimant, no action thereafter may be maintained by any other claimant against the state or any officer thereof, for, or on account of, such funds.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 2193—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; defining “United States savings bond”; providing that a United States savings bond held or owing in West Virginia shall be presumed abandoned if the last known address of the owner is in West Virginia and the United States savings bond has remained unclaimed and unredeemed for a period of five years after final maturity; setting forth a procedure by which abandoned, lost, stolen and destroyed United States savings bonds may escheat to the state; requiring the State Treasurer to commence a civil action for a determination that a United States savings bond shall escheat to the state; requiring service by publication; providing that claimants may appear in court to defend their right to the subject bond or bonds; requiring the court to enter a judgment vesting title in the state if the State Treasurer has substantially complied with required procedure and no valid claim is made for a United States savings bond; requiring the Treasurer to redeem United States savings bonds that have escheated to the state; permitting the State Treasurer to pay collection and recovery costs from United States savings bond proceeds; requiring the State Treasurer to deposit remaining balance of proceeds into the Unclaimed Property Fund; permitting persons to file claims for escheated United States savings bonds or proceeds thereof after a United States savings bond has escheated to the state; and barring subsequent actions against the state after payment has been made to a claimant.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendment to the bill.

Engrossed Committee Substitute for House Bill 2193, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Boley, Boso, Palumbo, and Sypolt—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2193) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for Senate Bill 405, Increasing limit on additional expenses incurred in preparing notice list for redemption.

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

Delegates Pack, Bibby, and Tomblin.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with

its House of Delegates amended title, to take effect July 1, 2019, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 499, Amending WV tax laws to conform to changes in partnerships for federal income tax purposes.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page three, section three, line three, after the word “coal” by changing the comma to a semicolon and inserting the words “(3) the”;

And by renumbering the remaining subdivisions;

On page three, section three, line twenty, by striking out “11-10-5-f” and inserting in lieu thereof “§11-10-5f”;

On page fourteen, section fifteen, line twenty-nine, after §11-21-1 et seq.” by inserting a comma;

On page seventeen, section eighteen-c, lines three and four, by striking out the words “tracking report under IRC § 6226(b)(4)(a)” and inserting in lieu thereof the words “report under §11-21A-3 of this code”;

On page thirty-nine, section fifty-nine, line one, by striking out the word “If” and inserting in lieu thereof the words “Unless the provision of §11-21A-1 et seq. of this code apply, if”;

On page fifty-two, section one, line nineteen, after the word “that” by inserting the word “is”;

On page sixty-six, section twenty, line one, by striking out the word “If” and inserting in lieu thereof the words “Unless the provision of §11-21A-1 et seq. of this code apply, if”;

On page sixty-seven, section twenty, lines twenty-one through twenty-six, by striking out all of subsections (c) and (d) and inserting in lieu thereof the following:

(c) For the purposes of this section, assessments under a partial agreement, closing agreement covering specific matters, jeopardy or advance payment are considered part of the final determination and must be submitted to the Tax Commissioner with the final determination.

(d) If a partial agreement, a closing agreement covering specific matters or any other agreement with the United States Treasury Department would be final except for a federal extension still open for flow through adjustments from other entities or other jurisdictions, the final determination is the date the taxpayer signs the agreement. Flow-through adjustments include, but are not limited to, items of income gain, loss and deduction that flow through to equity owners, of a partnership, or other passthrough entity. Flow through adjustments are finally determined based on criteria specified in §11-24-20(g) of this code.

(e) The Tax Commissioner is not required to issue refunds based on any agreement other than a final determination.

(f) If a taxpayer has filed an amended federal return, and no corresponding West Virginia amended return has been filed with the Tax Commissioner, then the period of limitations for issuing a notice of assessment shall be reopened and shall not expire until three years from the date of delivery to the Tax Commissioner by the taxpayer of the amended federal return. However, upon the expiration of the period of limitations as provided in §11-10-15 of this code, then only those specific items of income, deductions, gains, losses, or credits, which were adjusted in the amended federal return shall be subject to adjustment for purposes of recomputing West Virginia income, deductions, gains, losses, credits, and the effect of such adjustments on West Virginia allocations and apportionments.

(g) For the purposes of this section, “final determination” means the appeal rights of both parties have expired or have been exhausted relative to the tax year for federal income tax purposes.

(h) The amendments made to this section in the year 2019 shall apply, without regard to taxable year, to federal determinations that become final on or after the effective date of the amendments to this section in the year 2019.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 499—A Bill to amend and reenact §11-10-3, §11-10-4, §11-10-7, §11-10-14, §11-10-15, and §11-10-16 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §11-10-18c; to amend and reenact §11-21-3, §11-21-51a, §11-21-59, and §11-21-71a of said code; to amend said code by adding thereto four new sections, designated §11-21-37a, §11-21-37b, §11-21-37c, and §11-21-59a; to amend said code by adding thereto a new article, designated §11-21A-1, §11-21A-2, §11-21A-3, §11-21A-4, §11-21A-5, §11-21A-6, §11-21A-7, §11-21A-8, §11-21A-9, §11-21A-10, §11-21A-11, and §11-21A-12; and to amend and reenact §11-24-20 of said code, all relating generally to amending West Virginia tax laws to conform to changes in how partnerships and their partners and other pass-through entities and their equity owners are treated for federal income tax purposes for tax years beginning after December 31, 2017; amending West Virginia Tax Procedures and Administration Act, Personal Income Tax Act, and Corporation Net Income Tax Act to provide for administration, collection, and enforcement of income tax on certain partnerships and other pass-through entities treated as partnerships for federal income tax purposes and their partners and equity owners in conformity with changes made by United States Congress in how these entities and their equity owners are treated for federal income tax purposes for taxable years beginning after December 31, 2017; providing for application of West Virginia Tax Procedure and Administration Act to apply to imputed income taxes imposed on partnerships and

other pass-through entities; imposing addition to tax for failure of partnership and other pass-through entity to file partnership's returns and reports; imposing imputed personal income tax on certain partnerships and other pass-through entities treated like partnerships for federal income tax purposes based on federal audit adjustments; providing general rules and special rules for allocation and apportionment of business income; providing for filing of amended composite personal income tax returns by pass-through entities on behalf of nonresident equity owners; providing additional rules for reporting of federal changes to federal taxable incomes; providing amended rules for reporting of federal adjustments by Internal Revenue Service or other competent authority; providing rules for reporting adjustments by other states' resident claims credit for tax paid to another state; providing for pass-through entity withholding on nonresidents when partnership or other pass-through entity pushes federal audit adjustments out to equity owners; adding a new article providing for administration, collection, and enforcement of additional West Virginia income taxes from certain partnerships and other pass-through entities treated like partnerships for federal income tax purposes, or their equity owners, that are attributable to federal audit adjustments; defining certain terms; providing for reporting of adjustments to federal taxable income; providing for reporting of federal audit adjustments resulting from federal audit of pass-through entity or from administrative adjustment requests; providing for assessment of additional West Virginia income taxes, interest, and additions to tax arising from federal adjustments to federal taxable income within applicable statute of limitations; allowing payment of estimated West Virginia income tax payments during course of federal audit of certain partnerships and other pass-through entities treated as partnerships for federal income tax purposes; providing for refund or credit of West Virginia income taxes attributable to finalized federal audit adjustments; providing rules for scope of audit adjustments and extensions of time; specifying effective dates; providing for legislative, interpretive, and procedural rules; providing for Tax Procedures and Administration Act and Tax Crimes and Penalties Act to apply to imputed income tax imposed on certain partnerships and other pass-through entities treated as partnerships for federal income tax purposes; providing additional

rules for reporting of changes in federal taxable income of corporations; making technical corrections in existing code sections being amended; and specifying effective dates.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 499, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Boley, Boso, Maynard, Palumbo, Sypolt, and Woelfel—6.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 499) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect July 1, 2019.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Boley, Boso, Maynard, Palumbo, Sypolt, and Woelfel—6.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 499) takes effect July 1, 2019.

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

The Senate again proceeded to the fifth order of business.

Filed Conference Committee Reports

The Clerk announced the following conference committee report had been filed at 7:40 p.m. tonight:

Eng. Com. Sub. for Com. Sub. for Senate Bill 522, Creating Special Road Repair Fund.

Without objection, the Senate returned to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 538, Relating to WV Highway Design-Build Pilot Program.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

Eng. Com. Sub. for Senate Bill 538—A Bill to amend and reenact §17-2D-2 of the Code of West Virginia, 1931, as amended, relating generally to the West Virginia Highway Design-Build Pilot Program; modifying and defining monetary project limits of the program and changing terminology; allowing exceptions for declared states of emergency; and allowing use of the program with limits for projects financed with and without bonds.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Committee Substitute for Senate Bill 538, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Boley, Boso, Palumbo, and Sybolt—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 538) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Boley, Boso, Palumbo, and Sybolt—4.

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. 538) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the

concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 539, Relating to accrued benefit of retirees in WV State Police Retirement System Plan B.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting section and inserting in lieu thereof the following:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF
THE GOVERNOR, SECRETARY OF STATE AND
ATTORNEY GENERAL; BOARD OF PUBLIC WORKS;
MISCELLANEOUS AGENCIES, COMMISSIONS,
OFFICES, PROGRAMS, ETC.**

**ARTICLE 10D. CONSOLIDATED PUBLIC RETIREMENT
BOARD.**

**§5-10D-1. Consolidated Public Retirement Board continued;
members; vacancies; investment of plan funds.**

(a) The Consolidated Public Retirement Board is continued to administer all public retirement plans in this state. It shall administer the Public Employees Retirement System established in §5-10-1 *et seq.* of this code; the Teachers Retirement System established in §18-7A-1 *et seq.* of this code; the Teachers' Defined Contribution Retirement System created by §18-7B-1 *et seq.* of said code; the West Virginia State Police Death, Disability and Retirement Fund created by §15-2-1 *et seq.* of this code; the West Virginia State Police Retirement System created by §15-2A-1 *et seq.* article two-a of said code; the Deputy Sheriff Death, Disability and Retirement Fund created by article fourteen-d, chapter seven §7-14D-1 *et seq.* of this code; the Judges' Retirement System created under §51-9-1 *et seq.* of this code; the Emergency Medical Services Retirement System established in §16-5V-1 *et seq.* of this

code; and the Municipal Police Officers and Firefighters Retirement System established in §8-22A-1 *et seq.* of this code.

(b) The membership of the Consolidated Public Retirement Board consists of:

- (1) The Governor or his or her designee;
- (2) The State Treasurer or his or her designee;
- (3) The State Auditor or his or her designee;

(4) The Secretary of the Department of Administration or his or her designee;

(5) Four residents of the state, who are not members, retirants or beneficiaries of any of the public retirement systems, to be appointed by the Governor, with the advice and consent of the Senate; and

(6) A member, annuitant or retirant of the Public Employees Retirement System who is or was a state employee; a member, annuitant or retirant of the Public Employees Retirement System who is not or was not a state employee; a member, annuitant or retirant of the Teachers Retirement System; a member, annuitant or retirant of the West Virginia State Police Death, Disability and Retirement Fund; a member, annuitant or retirant of the West Virginia State Police Retirement System; a member, annuitant or retirant of the Deputy Sheriff Death, Disability and Retirement Fund; a member, annuitant or retirant of the Teachers' Defined Contribution Retirement System; a member, annuitant or retirant of the Emergency Medical Services Retirement System; and beginning as soon as practicable after January 1, 2010, one person who is a member, annuitant or retirant of a municipal policemen's or firemen's pension and relief fund or the West Virginia Municipal Police Officers and Firefighters Retirement System, all to be appointed by the Governor, with the advice and consent of the Senate. The Governor shall choose the member representing the municipal policemen's or firemen's pension and relief fund or the West Virginia Municipal Police Officers and Firefighters Retirement System from two names submitted by the state's largest

organization of professional police officers and two names submitted by the state's largest organization of professional firefighters. Representation of the municipal police officers and firefighters shall alternate after each term on the board between persons having police officer and firefighter affiliation so that each professional group is represented on the board every other term.

All appointees to the board shall have recognized competence or significant experience in pension management or administration, actuarial analysis, institutional management or accounting. Those members appointed prior to January 1, 2010, shall be considered to have met these qualifications. One trustee shall be an attorney experienced in finance and pension matters and one trustee shall be a certified public accountant. Each member of the board must complete annual fiduciary training and timely complete any conflict of interest forms required to serve as a trustee.

(c) The appointed members of the board shall serve five-year terms. A member appointed pursuant to subdivision (6), subsection (b) of this section ceases to be a member of the board if he or she ceases to be a member of the represented system. If a vacancy occurs in the appointed membership, the Governor, within sixty days, shall fill the vacancy by appointment for the unexpired term. No more than six appointees may be of the same political party.

(d) The Consolidated Public Retirement Board has all the powers, duties, responsibilities and liabilities of the Public Employees Retirement System established pursuant to §5-10-1 *et seq.* of this code; the Teachers Retirement System established pursuant to §18-7A-1 *et seq.* of this code; the Teachers' Defined Contribution Retirement System established pursuant to §18-7B-1 *et seq.* of this code; the West Virginia State Police Death, Disability and Retirement Fund created pursuant to §15-2-1 *et seq.* of this code; the West Virginia State Police Retirement System created by §15-2A-1 *et seq.* of this code; the Deputy Sheriff Death, Disability and Retirement Fund created pursuant to §7-14D-1 *et seq.* of this code; the Judges' Retirement System created pursuant to §51-9-1 *et seq.* of this code; the Emergency Medical Services Retirement System established in §16-5V-1 *et seq.* of this code; and the

Municipal Police Officers and Firefighters Retirement System created pursuant to §8-22A-1 *et seq.* of this code, and their appropriate governing boards.

(e) The Consolidated Public Retirement Board may propose rules for legislative approval, in accordance with §29A-3-1 *et seq.* of this code, necessary to effectuate its powers, duties and responsibilities: *Provided*, That the board may adopt any or all of the rules, previously promulgated, of a retirement system which it administers.

(f) (1) The Consolidated Public Retirement Board shall continue to transfer all funds received for the benefit of the retirement systems, including, but not limited to, all employer and employee contributions, to the West Virginia Investment Management Board: *Provided*, That the employer and employee contributions of the Teachers' Defined Contribution Retirement System, established in §18-7B-3 of this code, and voluntary deferred compensation funds invested by the West Virginia Consolidated Public Retirement Board pursuant to §5-10B-5 of this code may not be transferred to the West Virginia Investment Management Board.

(2) The board may recover from a participating employer that fails to pay any amount due a retirement system in a timely manner the contribution due and an additional amount not to exceed interest or other earnings lost as a result of the untimely payment, or a reasonable minimum fee, whichever is greater, as provided by legislative rule promulgated pursuant to the provisions of §29A-3-1 *et seq.* of this code. Any amounts recovered shall be administered in the same manner in which the amount due is required to be administered.

(g) Notwithstanding any provision of this code or any legislative rule to the contrary, all assets of the public retirement plans set forth in subsection (a) of this section shall be held in trust. The Consolidated Public Retirement Board is a trustee for all public retirement plans, except with regard to the investment of funds: *Provided*, That the Consolidated Public Retirement Board is a trustee with regard to the investments of the Teachers' Defined

Contribution Retirement System and any other assets of the public retirement plans administered by the Consolidated Public Retirement Board as set forth in subsection (a) of this section for which no trustee has been expressly designated in this code.

(h) The board may employ the West Virginia Investment Management Board to provide investment management consulting services for the investment of funds in the Teachers' Defined Contribution Retirement System.

CHAPTER 15. PUBLIC SAFETY.

ARTICLE 2A. WEST VIRGINIA STATE POLICE RETIREMENT SYSTEM.

§15-2A-6. Retirement; commencement of benefits.

(a) A member may retire with full benefits upon attaining the age of fifty and completing twenty-five or more years of service or attaining the age of fifty-two and completing twenty years or more of service by filing with the board his or her voluntary application in writing for retirement. A member who is less than age fifty-two may retire upon completing twenty years or more of service: *Provided*, That he or she will receive a reduced benefit that is of equal actuarial value to the benefit the member would have received if the member deferred commencement of his or her accrued retirement benefit to the age of fifty-two.

(b) When the board retires a member with full benefits under the provisions of this section, the board, by order in writing, shall make a determination that the member is entitled to receive an annuity equal to two and three-fourths percent of his or her final average salary multiplied by the number of years, and fraction of a year, of his or her service at the time of retirement; *Provided*, That beginning July 1, 2019, the member is entitled to receive an annuity equal to three percent of this or her final average salary multiplied by the number of years, and fraction of a year, of his or her service at the time of retirement: *Provided, however*, That the amendments to this subsection enacted during the 2019 regular session of the Legislature apply to current retirants. Any annuity calculated

pursuant to the provisions of this subsection are subject to reduction if necessary to comply with the maximum benefit provisions of Section 415 of the Internal Revenue Code and section six-a of this article. The retirant's annuity shall begin the first day of the calendar month following the month in which the member's application for the annuity is filed with the board on or after his or her attaining age and service requirements and termination of employment.

(c) In no event may the provisions of section thirteen, article sixteen, chapter five of this code be applied in determining eligibility to retire with either a deferred or immediate commencement of benefit.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 539—A Bill to amend and reenact §5-101D-1 of the Code of West Virginia, 1931, as amended; and to amend and reenact §15-2A-6 of said code, all relating to the West Virginia State Police Retirement System; increasing accrued benefit of retirees in the West Virginia State Police Retirement System on a certain date; and adding a member to the Consolidated Public Retirement Board who is a member, annuitant or retirant of the West Virginia State Police Retirement System.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 539, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Boley, Boso, Palumbo, and Sypolt—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 539) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 550, Declaring certain claims to be moral obligations of state.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page two, item (7), by striking out the word “Hensley-Johnson” and inserting in lieu thereof the word “Helsley-Johnson”.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 550, as amended by the House of Delegates, was then put upon its passage.

Senator Mann requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as he is an undertaker.

The Chair replied that any impact on Senator Mann would be as a member of a class of persons and that he would be required to vote.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boley and Boso—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 550) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boley and Boso—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 550) takes effect from passage.

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

The Senate again proceeded to the fifth order of business.

Filed Conference Committee Reports

The Clerk announced the following conference committee report had been filed at 7:46 p.m. tonight:

Eng. Com. Sub. for Senate Bill 405, Increasing limit on additional expenses incurred in preparing notice list for redemption.

Without objection, the Senate returned to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 554, Removing salary caps for director of State Rail Authority.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting section and inserting in lieu thereof the following:

ARTICLE 18. WEST VIRGINIA STATE RAIL AUTHORITY.

§29-18-4a. Supervision of West Virginia State Rail Authority; executive director's salary set by the authority compensation.

The West Virginia State Rail Authority is under the supervision of the Secretary of the Department of Transportation pursuant to the provisions of §5F-1-1 of this code. Notwithstanding any other provisions of this code to the contrary, the salary of the Executive Director of the State Rail Authority shall be set by the authority. ~~Provided, That the salary set by the State Rail Authority for the Executive Director may not be less than \$60,000 and not more than \$70,000 per year;~~

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 554—A Bill to amend and reenact §29-18-4a of the Code of West Virginia, 1931, as amended, relating to supervision of the West Virginia State Rail Authority by Secretary of the Department of Transportation pursuant to law; and removing range of amounts from which salary is set for Executive Director of Authority.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 554, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 554) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 603, Exempting certain activities from licensing requirements for engaging in business of currency exchange.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

By striking out everything after the enacting section and inserting in lieu thereof the following:

ARTICLE 2. CHECKS AND MONEY ORDER SALES, MONEY TRANSMISSION SERVICES, TRANSPORTATION AND CURRENCY EXCHANGE.

§32A-2-3. Exemptions.

(a) The following are exempt from the provisions of this article:

(1) Banks, trust companies, foreign bank agencies, credit unions, savings banks, and savings and loan associations authorized to do business in the state or which qualify as federally insured depository institutions, whether organized under the laws of this state, any other state, or the United States;

(2) The United States and any department or agency of the United States;

(3) The United States Postal Service;

(4) This state and any political subdivision of this state;

(5) The provision of electronic transfer of government benefits for any federal, state, or county governmental agency as defined in Federal Reserve Board Regulation E, by a contractor for and on behalf of the United States or any department, agency, or instrumentality of the United States, or any state or any political subdivisions of a state;

(6) Persons engaged solely in the business of currency transportation who operate an armored car service in this state pursuant to licensure under §30-18-1 *et seq.* of this code: *Provided*, That the net worth of the licensee exceeds \$5 million. The term “armored car service” as used in this article means a service provided by a person transporting or offering to transport, under armed security guard, currency or other things of value in a motor vehicle specially equipped to offer a high degree of security. Persons seeking to claim this exemption shall notify the commissioner of their intent to do so and demonstrate that they qualify for its use. Persons seeking an exemption under this subdivision are not exempt from the provisions of this article if they also engage in currency exchange or currency transmission;

(7) Persons engaged in the business of currency transportation whose activities are limited exclusively to providing services to federally insured depository institutions, or to any federal, state, or local governmental entities;

(8) Persons engaged solely in the business of removing currency from vending machines providing goods or services, if the machines are not used for gambling purposes or to convey any gambling ticket, token, or other device used in a game of chance;

(9) The State Regulatory Registry, LLC, which administers the Nationwide Mortgage Licensing System and Registry on behalf of states and federal banking regulators; ~~and~~

(10) The North American Securities Administrators Association and any subsidiaries, which administer the Electronic Filing Depository system on behalf of state securities regulators; and

(11)(A) Persons operating a payment system that provides processing, clearing, or settlement services, between or among persons who are all excluded by this section, in connection with wire transfers, credit card transactions, debit card transactions, prepaid access transactions, automated clearinghouse transfers, or similar funds transfers;

(B) Contracted service providers of an entity set forth in §32A-2-3(a)(1) of this code that provide processing, clearing, or settlement services in connection with wire transfers, credit card transactions, debit card transactions, prepaid access transactions, automated clearinghouse transfers, or similar funds transfers; or

(C) Persons facilitating payment for goods or services (not including currency transmission or money transmission itself) pursuant to a contract with the payee and either payment to the person or persons facilitating the payment processing satisfies the payor's obligation to the payee or that obligation is extinguished.

(b) Any person who holds and maintains a valid license under this article may engage in the business of money transmission or currency exchange at one or more locations through or by means of an authorized delegate or delegates as set forth in §32A-2-27 of this code, as the licensee may designate and appoint from time to time. No such authorized delegate is required to obtain a separate license under this article, but the use of sub-delegates is prohibited and the authorized delegate may only conduct business on behalf of its licensee.

(c) The issuance and sale of stored value cards or similar prepaid products which are intended to purchase items only from the issuer or seller of the stored value card is exempt from the provisions of this article.

(d) Any person who is required and properly obtains a license under this article to transport currency is exempt from the requirements of §30-18-1 *et seq.* of this code.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 603, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith,

Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 603) passed with its title.

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

The Senate again proceeded to the fifth order of business.

Filed Conference Committee Reports

The Clerk announced the following conference committee report had been filed at 7:58 p.m. tonight:

Eng. Com. Sub. for Senate Bill 487, Relating to admissibility of health care staffing requirements in litigation.

On motion of Senator Takubo, at 7:59 p.m., the Senate recessed for 45 minutes.

The Senate reconvened at 8:54 p.m. and, without objection, returned to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 90, Transferring Safety and Treatment Program from DHHR to DMV.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting section and inserting in lieu thereof the following:

ARTICLE 3. CANCELLATION, SUSPENSION OR REVOCATION OF LICENSES.

§17B-3-3c. Suspending license for failure to pay fines or penalties imposed as the result of criminal conviction or for failure to appear in court.

(a) The Division shall suspend the license of any resident of this state or the privilege of a nonresident to drive a motor vehicle in this state upon receiving notice from a circuit court, magistrate court or municipal court of this state, pursuant to §50-3-2b, §8-10-2b or §62-4-17 of this code, that ~~such the~~ person has defaulted on the payment of costs, fines, forfeitures, penalties or restitution imposed on the person by the circuit court, magistrate court or municipal court upon conviction for any criminal offense by the date ~~such the~~ court had required ~~such the~~ person to pay the same, or that ~~such the~~ person has failed to appear in court when charged with ~~such an~~ offense. For the purposes of this section; §50-3-2b; §8-10-2b; and §62-4-17 of this code, “criminal offense” shall be defined as any violation of the provisions of this code, or the violation of any municipal ordinance, for which the violation ~~thereof of the offense~~ may result in a fine, confinement in jail or imprisonment in a correctional facility of this state: *Provided*, That any parking violation or other violation for which a citation may be issued to an unattended vehicle shall not be considered a criminal offense for the purposes of this section; §8-10-2b; §50-3-2b; or §62-4-17 of this code.

(b) A copy of the order of suspension shall be forwarded to ~~such the~~ person by certified mail, return receipt requested. No order of suspension becomes effective until 10 days after receipt of a copy of ~~such the~~ order. The order of suspension shall advise the person that because of the receipt of notice of the failure to pay costs, fines, forfeitures or penalties, or the failure to appear, a

presumption exists that the person named in the order of suspension is the same person named in the notice. The Commissioner may grant an administrative hearing which substantially complies with the requirements of the provisions §17C-5A-2 of this code upon a preliminary showing that a possibility exists that the person named in the notice of conviction is not the same person whose license is being suspended. ~~Such~~ The request for hearing shall be made within 10 days after receipt of a copy of the order of suspension. The sole purpose of this hearing shall be for the person requesting the hearing to present evidence that he or she is not the person named in the notice. In the event the Commissioner grants an administrative hearing, the Commissioner shall stay the license suspension pending the Commissioner's order resulting from the hearing.

(c) A suspension under this section and section three-a of this chapter will continue until the person provides proof of compliance from the municipal, magistrate or circuit court and pays the reinstatement fee as provided in §17B-3-9. The reinstatement fee is assessed upon issuance of the order of suspension regardless of the effective date of suspension.

(d) Upon notice from an appropriate state official that the person is successfully participating in an approved treatment and job program as prescribed in §61-11-26a and that the person is believed to be safe to drive, the Division of Motor Vehicles shall stay or supersede the imposition of any suspension under this section or §17B-3-3a of this code. The Division of Motor Vehicles shall waive the reinstatement fee established by the provisions §17B-3-9 upon receipt of proper documentation of the persons successful completion of a program under §61-11-26a and proof of compliance from the municipal, magistrate or circuit court. The stay or supersedeas shall be removed by the Division of Motor Vehicles upon receipt of notice from an appropriate state official of a participant's failure to complete or comply with the approved treatment and job program as established under §61-11-26a.

**ARTICLE 5A. ADMINISTRATIVE PROCEDURES FOR
SUSPENSION AND REVOCATION OF LICENSES FOR
DRIVING UNDER THE INFLUENCE OF ALCOHOL,
CONTROLLED SUBSTANCES, OR DRUGS.**

**§17C-5A-3. Safety and treatment program; reissuance of
license.**

(a) The ~~Department of Health and Human Resources, Division of Alcoholism and Drug Abuse~~ Division of Motor Vehicles shall administer a comprehensive safety and treatment program for persons whose licenses have been revoked under the provisions of this article or §17C-5-7 or §17B-3-5(6) of this code and shall also establish the minimum qualifications for mental health facilities, day report centers, community correction centers or other public agencies or private entities conducting the safety and treatment program: *Provided*, That the ~~Department of Health and Human Resources, Division of Alcoholism and Drug Abuse~~ Division of Motor Vehicles may establish standards whereby the division will accept or approve participation by violators in another treatment program which provides the same or substantially similar benefits as the safety and treatment program established pursuant to this section.

(b) The program shall include, but not be limited to, treatment of alcoholism, alcohol and drug abuse, psychological counseling, educational courses on the dangers of alcohol and drugs as they relate to driving, defensive driving or other safety driving instruction and other programs designed to properly educate, train and rehabilitate the offender. *Provided*, that successful compliance with the substance abuse and counseling program prescribed in §61-11-26a is sufficient to meet the requirements of this section.

(c) The ~~Department of Health and Human Resources, Division of Alcoholism and Drug Abuse~~ Division of Motor Vehicles shall provide for the preparation of an educational and treatment the program for each person whose license has been revoked under the provisions of this article or §17C-5-7 or §17B-3-5(6) of this code which shall contain the following: (1) A listing and evaluation of the offender's prior traffic record; (2) the characteristics and

history of alcohol or drug use, if any; (3) his or her amenability to rehabilitation through the alcohol safety program; and (4) a recommendation as to treatment or rehabilitation and the terms and conditions of the treatment or rehabilitation. The program shall be prepared by persons knowledgeable in the diagnosis of alcohol or drug abuse and treatment.

(d) There is hereby created a special revenue account within the State Treasury known as the ~~Department of Health and Human Resources~~ Division of Motor Vehicles Safety and Treatment Fund. The account shall be administered by the ~~Secretary~~ Commissioner of the Department of Health and Human Resources Division of Motor Vehicles for the purpose of administering the comprehensive safety and treatment program established by subsection (a) of this section. The account may be invested, and all earnings and interest accruing shall be retained in the account. The Auditor shall conduct an audit of the fund at least every three fiscal years.

~~Effective July 1, 2010, the State Treasurer shall make a one-time transfer of \$250,000 from the Motor Vehicle Fees Fund into the Department of Health and Human Resources Safety and Treatment Fund. Effective July 1, 2019, all moneys held in the Department of Health and Human Resources Safety and Treatment Fund shall be transferred to the Division of Motor Vehicles Safety and Treatment Fund.~~

(e) (1) The program provider shall collect the established fee from each participant upon enrollment unless the ~~department~~ division has determined that the participant is an indigent based upon criteria established pursuant to legislative rule authorized in this section.

(2) If the ~~department~~ division determined that a participant is an indigent based upon criteria established pursuant to the legislative rule authorized by this section, the department shall provide the applicant with proof of its determination regarding indigency, which proof the applicant shall present to the interlock provider as part of the application process provided in §17C-5A-3a of this ~~article~~ code and/or the rules promulgated pursuant thereto.

(3) Program providers shall remit to the ~~Department of Health and Human Resources~~ Division of Motor Vehicles a portion of the fee collected, which shall be deposited by the ~~Secretary of the Department of Health and Human Resources~~ Commissioner of the Division of Motor Vehicles into the ~~Department of Health and Human Resources~~ Division of Motor Vehicles Safety and Treatment Fund. The ~~Department of Health and Human Resources~~ Division of Motor Vehicles shall reimburse enrollment fees to program providers for each eligible indigent offender.

(f) On or before January 15 of each year, the ~~Secretary of the Department of Health and Human Resources~~ Commissioner of the Division of Motor Vehicles shall report to the Legislature on:

(1) The total number of offenders participating in the safety and treatment program during the prior year;

(2) The total number of indigent offenders participating in the safety and treatment program during the prior year;

(3) The total number of program providers during the prior year; and

(4) The total amount of reimbursements paid to program provider during the prior year.

(g) The Commissioner of the Division of Motor Vehicles, after giving due consideration to the program developed for the offender, shall prescribe the necessary terms and conditions for the reissuance of the license to operate a motor vehicle in this state revoked under this article or §17C-5-7 or §17B-3-5(6) of this code which shall include successful completion of the educational, treatment or rehabilitation program, subject to the following:

(1) When the period of revocation is six months, the license to operate a motor vehicle in this State may not be reissued until: (A) At least ninety days have elapsed from the date of the initial revocation, during which time the revocation was actually in effect; (B) the offender has successfully completed the program; (C) all costs of the program and administration have been paid; and (D) all costs assessed as a result of a revocation hearing have been paid.

(2) When the period of revocation is for a period of one year or for more than a year, the license to operate a motor vehicle in this state may not be reissued until: (A) At least one-half of the time period has elapsed from the date of the initial revocation, during which time the revocation was actually in effect; (B) the offender has successfully completed the program; (C) all costs of the program and administration have been paid; and (D) all costs assessed as a result of a revocation hearing have been paid. Notwithstanding any provision in this code, a person whose license is revoked for refusing to take a chemical test as required by §17C-5-7 for a first offense is not eligible to reduce the revocation period by completing the safety and treatment program.

(3) When the period of revocation is for life, the license to operate a motor vehicle in this State may not be reissued until: (A) At least 10 years have elapsed from the date of the initial revocation, during which time the revocation was actually in effect; (B) the offender has successfully completed the program; (C) all costs of the program and administration have been paid; and (D) all costs assessed as a result of a revocation hearing have been paid.

(4) Notwithstanding any provision of this code or any rule, any mental health facilities or other public agencies or private entities conducting the safety and treatment program when certifying that a person has successfully completed a safety and treatment program shall only have to certify that the person has successfully completed the program.

(h) (1) ~~The Department of Health and Human Resources, Division of Alcoholism and Drug Abuse~~ Division of Motor Vehicles shall provide for the preparation of an educational program for each person whose license has been suspended for sixty days pursuant to the provisions of §17C-5A-2(n) of this ~~chapter~~ code. The educational program shall consist of not less than 12 nor more than 18 hours of actual classroom time.

(2) When a 60-day period of suspension has been ordered, the license to operate a motor vehicle may not be reinstated until: (A) At least 60 days have elapsed from the date of the initial suspension, during which time the suspension was ~~actually~~ in

effect; (B) the offender has successfully completed the educational program; (C) all costs of the program and administration have been paid; and (D) all costs assessed as a result of a suspension hearing have been paid.

(i) A required component of the treatment program provided in §17C-5A-3(b) and the education program provided for in §17C-5A-3(c) shall be participation by the violator with a victim impact panel program providing a forum for victims of alcohol and drug-related offenses and offenders to share first-hand experiences on the impact of alcohol and drug-related offenses in their lives. ~~The Department of Health and Human Resources, Division of Alcoholism and Drug Abuse~~ Division of Motor Vehicles shall propose and implement a plan for victim impact panels where appropriate numbers of victims are available and willing to participate and shall establish guidelines for other innovative programs which may be substituted where the victims are not available to assist persons whose licenses have been suspended or revoked for alcohol and drug-related offenses to gain a full understanding of the severity of their offenses in terms of the impact of the offenses on victims and offenders. The plan shall require, at a minimum, discussion and consideration of the following:

- (1) Economic losses suffered by victims or offenders;
- (2) Death or physical injuries suffered by victims or offenders;
- (3) Psychological injuries suffered by victims or offenders;
- (4) Changes in the personal welfare or familial relationships of victims or offenders; and
- (5) Other information relating to the impact of alcohol and drug-related offenses upon victims or offenders.

~~The Department of Health and Human Resources, Division of Alcoholism and Drug Abuse~~ Division of Motor Vehicles shall ensure that any meetings between victims and offenders shall be nonconfrontational and ensure the physical safety of the persons involved.

(j) (1) ~~The Secretary of the Department of Health and Human Resources Commissioner of the Division of Motor Vehicles~~ shall promulgate a rule for legislative approval in accordance with article three, chapter twenty-nine-a of this code to administer the provisions of this section and establish a fee to be collected from each offender enrolled in the safety and treatment program. The rule shall include: (A) A reimbursement mechanism to program providers of required fees for the safety and treatment program for indigent offenders, criteria for determining eligibility of indigent offenders, and any necessary application forms; and (B) program standards that encompass provider criteria including minimum professional training requirements for providers, curriculum approval, minimum course length requirements and other items that may be necessary to properly implement the provisions of this section.

(2) The Legislature finds that an emergency exists and, therefore, the ~~Secretary Commissioner~~ shall file by July 1, ~~2010~~ 2019, an emergency rule to implement this section pursuant to the provisions of section fifteen, article three, chapter twenty-nine-a of this code.

(k) Nothing in this section may be construed to prohibit day report or community correction programs, authorized pursuant to article eleven-c, chapter sixty-two of this code, from administering a comprehensive safety and treatment program pursuant to this section.

~~(l) The Division of Motor Vehicles shall provide fair, impartial, and expeditious grievance and appellate procedures for participants of the Safety and Treatment Program who wish to challenge an adverse decision by the agency conducting the program that negatively affects, or unnecessarily delays, the participant's outcome in that program. After all administrative remedies provided by this article or its related promulgated rules have been exhausted, participants who have been deemed unsuccessful in the program, rendering them ineligible for license reinstatement, or whose outcomes in the program have been unnecessarily delayed, are entitled to judicial review or the adverse decisions in the regular courts of this state, pursuant to §29A 5 4 of this code. The~~

~~Commissioner of the Division of Motor Vehicles is hereby authorized to promulgate rules related to the grievance and appellate procedures referenced in this subsection.~~

§17C-5A-3a. Establishment of and participation in the Motor Vehicle Alcohol Test and Lock Program.

(a) (1) The Division of Motor Vehicles shall control and regulate a Motor Vehicle Alcohol Test and Lock Program for persons whose licenses have been revoked pursuant to this article or the provisions of §17C-5-1 *et. seq. of this code* or have been convicted under §17C-5-2 *of this code*, or who are serving a term of a conditional probation pursuant to §17C-5-2b *of this code*.

(2) The program shall include the establishment of a user's fee for persons participating in the program which shall be paid in advance and deposited into the Driver's Rehabilitation Fund: *Provided*, That on and after July 1, 2007, any unexpended balance remaining in the Driver's Rehabilitation Fund shall be transferred to the Motor Vehicle Fees Fund created under the provisions of §17A-2-21 of this code and all further fees collected shall be deposited in that fund.

(3) (A) Except where specified otherwise, the use of the term "program" in this section refers to the Motor Vehicle Alcohol Test and Lock Program.

(B) The Commissioner of the Division of Motor Vehicles shall propose legislative rules for promulgation in accordance with the provisions of §29A-1-1 of this code for the purpose of implementing the provisions of this section. The rules shall also prescribe those requirements which, in addition to the requirements specified by this section for eligibility to participate in the program, the commissioner determines must be met to obtain the commissioner's approval to operate a motor vehicle equipped with a motor vehicle alcohol test and lock system.

(C) Nothing in this section may be construed to prohibit day report or community correction programs authorized pursuant to §62-11C-1 *et. seq.*, or a home incarceration program authorized

pursuant to §62-11B-1 *et. seq.* of this code, from being a provider of motor vehicle alcohol test and lock systems for eligible participants as authorized by this section.

(4) For purposes of this section, a “motor vehicle alcohol test and lock system” means a mechanical or computerized system which, in the opinion of the commissioner, prevents the operation of a motor vehicle when, through the system’s assessment of the blood alcohol content of the person operating or attempting to operate the vehicle, the person is determined to be under the influence of alcohol.

(5) The fee for installation and removal of ignition interlock devices shall be waived for persons determined to be indigent by the ~~Department of Health and Human Resources~~ Division of Motor Vehicles pursuant to §17C-5A-3 of this code. The commissioner shall establish by legislative rule, proposed pursuant to §29A-3-1 *et. seq.* of this code, procedures to be followed with regard to persons determined by the ~~Department of Health and Human Resources~~ Division of Motor Vehicles to be indigent. The rule shall include, but is not limited to, promulgation of application forms; establishment of procedures for the review of applications; and the establishment of a mechanism for the payment of installations for eligible offenders.

(6) On or before January 15 of each year, the Commissioner of the Division of Motor Vehicles shall report to the Legislature on:

(A) The total number of offenders participating in the program during the prior year;

(B) The total number of indigent offenders participating in the program during the prior year;

(C) The terms of any contracts with the providers of ignition interlock devices; and

(D) The total cost of the program to the state during the prior year.

(b) (1) Any person whose license is revoked for the first time pursuant to this article or the provisions of §17C-5-1 *et. seq.* of this code is eligible to participate in the program when the person's minimum revocation period as specified by §17C-5A-3a(c) has expired and the person is enrolled in or has successfully completed the safety and treatment program or presents proof to the commissioner within 60 days of receiving approval to participate by the commissioner that he or she is enrolled in a safety and treatment program: *Provided*, That anyone whose license is revoked for the first time for driving with a blood alcohol concentration of 0.15 percent or more, by weight, must participate in the program when the person's minimum revocation period as specified by §17C-5A-3a(c) has expired and the person is enrolled in or has successfully completed the safety and treatment program or presents proof to the commissioner within 60 days of receiving approval to participate by the commissioner that he or she is enrolled in a safety and treatment program.

(2) Any person whose license has been suspended for driving a motor vehicle while under the age of 21 years with an alcohol concentration in his or her blood 0.02 percent or more, by weight, but less than 0.08 percent, by weight, is eligible to participate in the program after 30 days have elapsed from the date of the initial suspension, during which time the suspension was actually in effect: *Provided*, That in the case of a person under the age of 18, the person is eligible to participate in the program after 30 days have elapsed from the date of the initial suspension, during which time the suspension was actually in effect or after the person's 18th birthday, whichever is later. Before the commissioner approves a person to operate a motor vehicle equipped with a motor vehicle alcohol test and lock system, the person must agree to comply with the following conditions:

(A) If not already enrolled, the person shall enroll in and complete the educational program provided in §17C-5A-3(d) of this code at the earliest time that placement in the educational program is available, unless good cause is demonstrated to the commissioner as to why placement should be postponed;

(B) The person shall pay all costs of the educational program, any administrative costs and all costs assessed for any suspension hearing.

(3) Notwithstanding the provisions of this section to the contrary, a person eligible to participate in the program under this subsection may not operate a motor vehicle unless approved to do so by the commissioner.

(c) A person who participates in the program under §17C-5A-3a(b)(1) of this code is subject to a minimum revocation period and minimum period for the use of the ignition interlock device as follows:

(1) For a person whose license has been revoked for a first offense for six months for driving under the influence of alcohol, or a combination of alcohol and any controlled substance or other drug, or with a blood alcohol concentration of 0.08 percent, by weight, but less 0.15 percent, by weight, the minimum period of revocation for participation in the test and lock program is 15 days and the minimum period for the use of the ignition interlock device is 125 days;

(2) For a person whose license has been revoked for a first offense for refusing a secondary chemical test, the minimum period of revocation for participation in the test and lock program is 45 days and the minimum period for the use of the ignition interlock device is one year;

(3) For a person whose license has been revoked for a first offense for driving with a blood alcohol concentration of 0.15 percent or more, by weight, the minimum period of revocation for participation in the test and lock program is 45 days and the minimum period for the use of the ignition interlock device is 270 days;

(4) For a person whose license has been revoked for a first offense for driving under the influence of alcohol, or a combination of alcohol and any controlled substance or other drug, or with a blood alcohol concentration of 0.08 percent or more, by weight, or did drive a motor vehicle while under the age of 21 years with an alcohol concentration in his or her blood of 0.02 percent or more, by weight, but less than 0.08 percent, by weight, and while driving does any act forbidden by law or fails to perform any duty imposed

by law, which act or failure proximately causes the death of any person within one year next following the act or failure, and commits the act or failure in reckless disregard of the safety of others and when the influence of alcohol, controlled substances or drugs is shown to be a contributing cause to the death, the minimum period of revocation before the person is eligible for participation in the test and lock program is 12 months and the minimum period for the use of the ignition interlock device is two years;

(5) For a person whose license has been revoked for a first offense for driving under the influence of alcohol, or a combination of alcohol and any controlled substance or other drug, or with a blood alcohol concentration of 0.08 percent or more, by weight, and while driving does any act forbidden by law or fails to perform any duty imposed by law in the driving of the vehicle, which act or failure proximately causes the death of any person within one year next following the act or failure, the minimum period of revocation is six months and the minimum period for the use of the ignition interlock device is two years;

(6) For a person whose license has been revoked for a first offense for driving under the influence of alcohol, or a combination of alcohol and any controlled substance or other drug, or with a blood alcohol concentration of 0.08 percent or more, by weight, and while driving does any act forbidden by law or fails to perform any duty imposed by law in the driving of the vehicle, which act or failure proximately causes bodily injury to any person other than himself or herself, the minimum period of revocation for participation in the program is two months and the minimum period for the use of the ignition interlock device is one year;

(7) For a person whose license has been revoked for a first offense for driving under the influence of alcohol, or a combination of alcohol and any controlled substance or other drug, or with a blood alcohol concentration of 0.08 percent or more, by weight, and while driving has on or within the motor vehicle one or more other persons who are unemancipated minors who have not reached their 16th birthday, the minimum period of revocation for

participation in the program is two months and the minimum period for the use of the ignition interlock device is 10 months.

(d) Notwithstanding any provision of the code to the contrary, a person shall participate in the program if the person is convicted under §17C-5-2 or the person's license is revoked under §17C-5A-2 or §17C-5-7 of this code and the person was previously either convicted or his or her license was revoked under any provision cited in this subsection within the past 10 years. The minimum revocation period for a person required to participate in the program under this subsection is one year and the minimum period for the use of the ignition interlock device is two years, except that the minimum revocation period for a person required to participate because of a violation for driving while under the age of 21 with a blood alcohol concentration of 0.02 percent, or more, by weight, but less than 0.08 percent, or more, by weight, is two months and the minimum period of participation is one year. The division shall add an additional two months to the minimum period for the use of the ignition interlock device if the offense was committed while a minor was in the vehicle. The division shall add an additional six months to the minimum period for the use of the ignition interlock device if a person other than the driver received injuries. The division shall add an additional two years to the minimum period for the use of the ignition interlock device if a person other than the driver is injured and the injuries result in that person's death. The division shall add one year to the minimum period for the use of the ignition interlock device for each additional previous conviction or revocation within the past 10 years. Any person required to participate under this subsection must have an ignition interlock device installed on every vehicle he or she owns or operates.

(e) (1) If a person applies for and is accepted into the Motor Vehicle Alcohol Test and Lock Program prior to the effective date of the revocation, the commissioner shall defer the revocation period of such person under the provisions of this section. Such deferral shall continue throughout the applicable minimum period for the use of the ignition interlock device plus an additional period equal to the applicable minimum revocation period. If a person

successfully completes all terms of the Motor Vehicle Alcohol Test and Lock Program for a period equal to the minimum period for the use of the ignition interlock device pursuant to §17C-5A-3a(c), plus any applicable minimum revocation period, the commissioner shall waive the revocation period.

(2) The application and acceptance of a person into the Motor Vehicle Alcohol Test and Lock Program pursuant to this §17C-5A-3(e)(1) constitutes an automatic waiver of their right to an administrative hearing. The Office of Administrative Hearings may not conduct a hearing on a matter which is the basis for a person actively participating in the Motor Vehicle Alcohol Test and Lock Program.

(f) Notwithstanding any other provision in this code, a person whose license is revoked for driving under the influence of drugs is not eligible to participate in the Motor Vehicle Alcohol Test and Lock Program. Provided that, the Division of Motor Vehicles may reduce any revocation period required of a person with a second or subsequent offense for driving under the influence of drugs to a minimum of one year and thereafter issue a restricted license on the conditions that the person is in the treatment and job program prescribed in §61-11-26a, has satisfactorily performed in the treatment component of the program and that the person submits to two years of monthly drug testing. If the person is otherwise required to participate in the Alcohol Test and Lock Program for another offense, he or she may do so while meeting the conditions described in this subsection. If the person fails to submit to a drug test or submits to a test that reveals the presence of controlled substances or drugs, then the full revocation period is reinstated, and the person is only credited with revocation time actually served prior to receiving restricted privileges. The Commissioner of the Division of Motor Vehicles is hereby authorized to promulgate emergency rules to implement the provisions of this subsection article.

(g) An applicant for the test and lock program may not have been convicted of any violation of §17B-4-3 of this code for driving while the applicant's driver's license was suspended or revoked within the six-month period preceding the date of

application for admission to the test and lock program unless such is necessary for employment purposes.

(h) Upon permitting an eligible person to participate in the program, the commissioner shall issue to the person, and the person is required to exhibit on demand, a driver's license which shall reflect that the person is restricted to the operation of a motor vehicle which is equipped with an approved motor vehicle alcohol test and lock system.

(i) The commissioner may extend the minimum period of revocation and the minimum period of participation in the program for a person who violates the terms and conditions of participation in the program as found in this section, or legislative rule, or any agreement or contract between the participant and the division or program service provider. If the commissioner finds that any person participating in the program pursuant to §17C-5-2b of this code must be removed therefrom for violation(s) of the terms and conditions thereof, he or she shall notify the person, the court that imposed the term of participation in the program and the prosecuting attorney in the county wherein the order imposing participation in the program was entered.

(j) A person whose license has been suspended for a first offense of driving while under the age of 21 with a blood alcohol concentration of 0.02 percent, or more, by weight, but less than 0.08 percent, or more, by weight, who has completed the educational program and who has not violated the terms required by the commissioner of the person's participation in the program is entitled to the reinstatement of his or her driver's license six months from the date the person is permitted to operate a motor vehicle by the commissioner. When a license has been reinstated pursuant to this subsection, the records ordering the suspension, records of any administrative hearing, records of any blood alcohol test results and all other records pertaining to the suspension shall be expunged by operation of law: *Provided*, That a person is entitled to expungement under the provisions of this subsection only once. The expungement shall be accomplished by physically marking the records to show that the records have been expunged and by securely sealing and filing the records. Expungement has

the legal effect as if the suspension never occurred. The records may not be disclosed or made available for inspection and in response to a request for record information, the commissioner shall reply that no information is available. Information from the file may be used by the commissioner for research and statistical purposes so long as the use of the information does not divulge the identity of the person.

(k) In addition to any other penalty imposed by this code, any person who operates a motor vehicle not equipped with an approved motor vehicle alcohol test and lock system during that person's participation in the Motor Vehicle Alcohol Test and Lock Program is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for a period not less than one month nor more than six months and fined not less than \$100 nor more than \$500. Any person who attempts to bypass the alcohol test and lock system is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail not more than six months and fined not less than \$100 nor more than \$1,000: *Provided*, That notwithstanding any provision of this code to the contrary, a person enrolled and participating in the test and lock program may operate a motor vehicle solely at his or her job site if the operation is a condition of his or her employment. For the purpose of this section, "job site" does not include any street or highway open to the use of the public for purposes of vehicular traffic.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 90—A Bill to amend and reenact §17C-3-3c, §17C-5A-3 and §17C-5A-3a of the Code of West Virginia, 1931, as amended, relating to transferring the Safety and Treatment Program, which treats and educates people whose licenses were revoked due to concerns of alcohol and/or drug use while operating a motor vehicle, from the Department of Health and Human Resources to the Division of Motor Vehicles; requiring the Division of Motor Vehicles to stay or supersede imposition of suspension of under §17C-3-3a of this

code if a person successfully participates in an approved treatment and job program as prescribed in §61-11-26a of this code; requiring the Division of Motor Vehicles to waive reinstatement fees established by §17B-3-9 of this code when provided proof of successful completion of an approved treatment and job program prescribed in §61-11-26a of this code, and proof of compliance from judicial authorities; providing that any stay or supersedeas shall be removed by the Division of Motor Vehicles if the participant fails to complete or comply with the approved treatment and job program established under §61-11-26a of this code; providing that successful compliance with the substance abuse and counselling program prescribed in §61-11-26a of this code is sufficient to meet the requirements of the safety and treatment program administered under §17C-5A-3 of this code; creating a special revenue account known as the Division of Motor Vehicles Safety and Treatment Fund to be administered by the Commissioner of the Division of Motor Vehicles; providing that as of July 1, 2019, all moneys held in the Department of Health and Human Resources Safety and Treatment Fund shall be transferred to the Division of Motor Vehicles Safety and Treatment Fund; establishing that program providers shall remit a portion of the collected fee to be deposited by the Commissioner of the Division of Motor Vehicles into the Division of Motor Vehicles Safety and Treatment Fund; requiring the Division of Motor Vehicles to reimburse enrollment fees for each eligible indigent offender; requiring the Commissioner of the Division of Motor Vehicles to report to the legislature on specific matters on or before January 15 of each year; providing the Division of Motor Vehicles shall provide an educational program for each person whose license has been suspended pursuant to §17C-5A-2(n) of this code; providing under certain circumstances that the Division of Motor Vehicles shall propose and implement a plan for victim impact panels; requiring the Division of Motor Vehicles to ensure meetings between victims and offenders is nonconfrontational and safe; requiring the Commissioner of the Division of Motor Vehicles to promulgate a legislative rule for approval to establish a fee for enrollment in the safety and treatment program, a reimbursement program, and program standards; establishing that the Legislature finds an emergency exists requiring the Commissioner to file an

emergency rule to implement §17C-5A-3 of this code by July 1, 2019; requiring that the fees related to ignition interlock devices shall be waived for the indigent as determined by the Division of Motor Vehicles; providing that the Department of Motor Vehicles may reduce a license revocation period for second or subsequent offense for driving under the influence of drugs to a one year minimum; providing the Department of Motor Vehicles may issue a restricted license on conditions an individual participates in the treatment and job program as prescribed in §61-11-26a of this code, satisfactorily performs in the treatment program, and submits to two years of monthly drug testing; providing that if a person is required to participate in an alcohol test and lock program for another offense, they may do so while meeting certain described conditions; establishing that if a person fails to submit to drug tests or fails to pass the drug test the full period of revocation is reinstated; establishes that a person whose revocation period is reinstated is only credited for revocation time served prior to receipt of restricted privileges; and authorizing the Commissioner of the Department of Motor Vehicles to promulgate emergency rules.

On motion of Senator Boso, the following amendment to the House of Delegates amendments to the bill (Eng. Com. Sub. for Com. Sub. for S. B. 90) was reported by the Clerk and adopted:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 90—A Bill to amend and reenact §17B-3-3c of the Code of West Virginia, 1931, as amended; and to amend and reenact §17C-5A-3 and §17C-5A-3a of said code; all relating to the Safety and Treatment Program; transferring the program from the Department of Health and Human Resources to the Division of Motor Vehicles; waiving license reinstatement fees in some circumstances; and providing for a method to reduce the license revocation period.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 90, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—29.

The nays were: Ihlenfeld and Plymale—2.

Absent: Boley, Mann, and Smith—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 90) passed with its Senate amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 613, Requiring DNR include election of organ donation on hunting licenses.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

Eng. Com. Sub. for Senate Bill 613—A Bill to amend and reenact §16-19-3, §16-19-5, and §16-19-19 of the Code of West Virginia, 1931, as amended; and to amend and reenact §20-2-31 of said code, all relating to permitting individuals to make an

anatomical gift by authorizing a statement or symbol to be imprinted on his or her hunting or fishing license; amending definition of document of gift to include a statement or symbol on a hunting or fishing license; adding definition; requiring the Division of Natural Resources to provide information regarding a donor's making, amendment to, or revocation of an anatomical gift to a donor registry; requiring the Director of the Division of Natural Resources to provide information regarding the anatomical organ donation program; providing for the reimbursement of costs to the Division of Natural Resources for costs relating to the creation and administration of an anatomical gift record by the Center for Organ Recovery and Education; and absolving the Division of Natural Resources of responsibility to collect and provide records if it is not reimbursed for costs.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Committee Substitute for Senate Bill 613, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Boley, Mann, and Smith—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 613) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty,

Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Boley, Mann, and Smith—3.

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. 613) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect July 1, 2019, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 656, Relating to electronic filing of tax returns.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On pages three through six, by striking out all of section seven;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 656—A Bill to amend and reenact §11-10-5t and §11-10-5z of the Code of West Virginia, 1931, as amended, all relating to electronic filing of tax returns and electronic funds transfers in payment of taxes; and raising to \$50,000 the tax

liability threshold amount at which taxpayers must file returns electronically or pay by electronic funds transfers.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 656, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Boley, Mann, and Smith—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 656) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect July 1, 2019.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Boley, Mann, and Smith—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 656) takes effect July 1, 2019.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 669, Allowing appointment of commissioners to acknowledge signatures.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page four, section three, after line six, by adding a new subdivision, designated subdivision (4), to read as follows:

(4) No provision of this section shall be construed to prohibit the practice of law by a duly licensed attorney.;

On page five, section five, line six, by striking out the words “notary publics” and inserting in lieu thereof the words “notaries public”;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 669—A Bill to amend the Code of West Virginia, 1931, by adding thereto a new article, designated §39-4A-1, §39-4A-2, §39-4A-3, §39-4A-4, and §39-4A-5, all relating to the appointment of commissioners to acknowledge signatures by persons residing in or out of the State of West Virginia covering deeds, leases, and other writings pertaining to West Virginia property for recordation in the State of West Virginia; authorizing the Secretary of State to appoint a qualified person as a

commissioner; setting forth qualifications for appointment; establishing application requirements and procedures; authorizing the Secretary of State to deny, refuse to renew, revoke, suspend, or impose a condition on a commission; establishing application fee; establishing term of office; establishing powers and duties of commissioners; setting forth prohibited acts; authorizing rulemaking by the Secretary of State; incorporating requirements, duties, prohibitions, penalties, and procedures set forth in the Revised Uniform Law on Notarial Acts; and requiring inclusion of active commissioners in online database of notaries public.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 669, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boley and Mann—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 669) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 677, Supplemental appropriation to Division of Health and Division of Human Services.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page one, after the first Whereas clause, by the inserting the following;

“WHEREAS, The Governor submitted to the Legislature a statement of the State Fund, General Revenue and Executive Message dated March 6, 2019, which included a revised estimate of revenues for the fiscal year 2019; and”.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 677, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sybolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boley and Mann—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 677) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty,

Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boley and Mann—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 677) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 679, Supplemental appropriation to Division of Finance.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page one, after the first Whereas clause, by the inserting the following;

“WHEREAS, The Governor submitted to the Legislature a statement of the State Fund, General Revenue and Executive Message dated March 6, 2019, which included a revised estimate of revenues for the fiscal year 2019; and”.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 679, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boley and Mann—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 679) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boley and Mann—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 679) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 680, Supplemental appropriations to various divisions in DMAPS.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page one, after the first Whereas clause, by the inserting the following;

“WHEREAS, The Governor submitted to the Legislature a statement of the State Fund, General Revenue and Executive Message dated March 6, 2019, which included a revised estimate of revenues for the fiscal year 2019; and”;

And,

On page two, line twenty-one, by striking out “0570” and inserting in lieu thereof “0446”.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 680, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boley and Mann—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 680) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Boley and Mann—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 680) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2486, Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendments to the bill was reported by the Clerk:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 2486—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-1-22; and to amend and reenact §30-5-11,

§30-5-11a, §30-10-8, §30-10-10, §30-13A-9, §30-13A-12, §30-20-8, §30-20-10, §30-21-7, §30-22-10, §30-23-9, §30-23-15, §30-23-17, §30-23-20, §30-25-8, §30-26-5, §30-26-13, §30-30-8, §30-30-10, §30-30-12, §30-30-14, §30-30-26, §30-31-8, §30-31-9, §30-38-12 and §30-39-6 of said code, all relating to the use of post-criminal conduct in professional and occupational initial licensure decision making; creating a rational nexus requirement between prior criminal conduct and initial licensure decision making; removing offenses described as one of moral turpitude as a basis for license denial unless the underlying crime bears a rational nexus to the occupation requiring licensure, certification or registration; limiting licensure disqualification; authorizing persons to petition licensure boards for a determination as to whether a person's criminal record precludes licensure; and providing for rulemaking.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 2486, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2486) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment, as amended by the House of Delegates, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. House Bill 3141, Requiring capitol building commission authorization for certain renovations.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendment to the bill was reported by the Clerk:

On page one, section four, after the words “under a contract” by inserting the words “or before work on a change order in excess of \$40,000 is begun”.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendment to the bill.

Engrossed House Bill 3141, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3141) passed with its title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, to take effect from passage, and requested the concurrence of the Senate in the changed effective date, as to

Eng. Com. Sub. for House Bill 2010, Relating to foster care.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

On further motion of Senator Takubo, the Senate concurred in the changed effective date of the bill, that being to take effect from passage, instead of ninety days from passage.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: Lindsay—1.

Absent: Boley—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 H. B. 2010) takes effect from passage.

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

The Senate again proceeded to the fourth order of business.

Senator Carmichael (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

Senate Concurrent Resolution 41, Requesting study creating paid family and medical leave insurance program.

Senate Concurrent Resolution 50, Requesting study requiring purchasers of roundwood collect information from sellers of roundwood.

Senate Concurrent Resolution 60, Requesting study of new model providing a thorough and efficient system of free schools.

And,

Senate Concurrent Resolution 61, Requesting study requiring county boards of education provide adequate mental health evaluations and services to students.

And reports the same back with the recommendation that they each be adopted.

Respectfully submitted,

Mitch Carmichael,
Chairman ex officio.

At the request of Senator Takubo, unanimous consent being granted, the resolutions (S. C. R. 41, 50, 60, and 61) contained in the preceding report from the Committee on Rules were taken up for immediate consideration and considered simultaneously.

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

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

Senator Carmichael (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

Senate Concurrent Resolution 51, Requesting study relating to creation of long-term care medical review panels.

Senate Concurrent Resolution 52, Requesting study the settlements and verdicts under WV Board of Risk and Insurance Management.

Senate Concurrent Resolution 53, Requesting study state's appraisal laws.

Senate Concurrent Resolution 54, Requesting study granting access to adoption records to adult adoptees.

Senate Concurrent Resolution 55, Requesting study on price gouging during and after declaration of state of emergency in West Virginia.

Senate Concurrent Resolution 56, Requesting study of enacting laws clarifying definition of employee and independent contractor for unemployment compensation and workers' compensation.

Senate Concurrent Resolution 57, Requesting study state measures to strengthen and modernize protections for trade secrets and intellectual property.

Senate Concurrent Resolution 58, Requesting study cost and benefits of placing AEDs in WV schools.

And,

Senate Concurrent Resolution 59, Requesting study of causes of increased incidents of black lung.

And reports the same back with the recommendation that they each be adopted.

Respectfully submitted,

Mitch Carmichael,
Chairman ex officio.

At the request of Senator Takubo, unanimous consent being granted, the resolutions (S. C. R. 51, 52, 53, 54, 55, 56, 57, 58, and 59) contained in the preceding report from the Committee on Rules were taken up for immediate consideration and considered simultaneously.

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

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

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

Your Committee on Transportation and Infrastructure has had under consideration

House Concurrent Resolution 74, U. S. Army PFC James Leslie Pridemore Memorial Road.

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

Respectfully submitted,

Charles H. Clements,
Chair.

At the request of Senator Clements, unanimous consent being granted, the resolution (H. C. R. 74) contained in the preceding report from the Committee on Transportation and Infrastructure was taken up for immediate consideration.

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

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

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

Your Committee on Finance has had under consideration

Senate Concurrent Resolution 66 (originating in the Committee on Finance)—Requesting the Joint Committee on Government and Finance study amending the Joint Rules of the House of Delegates and the Senate to make the operation of the two houses more efficient.

Whereas, Every year of the Legislature, some important and critical pieces of legislation are lost due to the constraints of time placed upon the Legislature in the Joint Rules; and

Whereas, Creating a more efficient, automated, and effective process of bill introduction, bill processing, committee referral, and bill carryover from session to session would serve not only to make the full Legislature more equipped to process legislation, but would also benefit the public through transparency and inclusion; and

Whereas, It might be of benefit for the Joint Rules to enable a procedure for bills that are not rejected, tabled, or postponed indefinitely to not have to go through the process of complete reintroduction; and

Whereas, In addition to carrying legislation over during any session of the Legislature, there may also be some benefit to allowing legislators to introduce legislation prior to the beginning of the session to gain input from state agencies, external stakeholders, and the public; and

Whereas, Any changes to rules should take into account the powers and duties of the presiding officer, the committee chairman, the lead sponsors or sponsors, and should be couched in terms of proper parliamentary procedure; and

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to study amending the Joint Rules of the House of Delegates and the Senate to make the operation of the two houses more efficient; and, be it

Further Resolved, That the Joint Committee on Government and Finance study the modernization of the Joint Rules of the House of Delegates and the Senate to account for carrying over bills, adjusting “crossover” day, and allowing for introduction of bills prior to the commencement of the session, and, be it

Further Resolved, That the study include consideration of the manner in which other states manage their legislative calendar; and, be it

Further Resolved, That in completing the study the Legislature should consult with other states, various legislative groups, and specialist in parliamentary procedure; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2020, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

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

Respectfully submitted,

Craig Blair,
Chair.

At the request of Senator Takubo, unanimous consent being granted, the resolution (S. C. R. 66) contained in the preceding report from the Committee on Finance was taken up for immediate consideration.

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

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

On motion of Senator Takubo, at 9:27 p.m., the Senate recessed for 15 minutes.

The Senate reconvened at 9:46 p.m. and, at the request of Senator Weld, and by unanimous consent, returned to the second order of business and the introduction of guests.

The Senate again proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the further amendment by that body to the amendments to the bill, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates further amendment, as to

Eng. Senate Bill 635, Relating generally to coal mining activities.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates further amendment to the amendments to the bill was reported by the Clerk:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 635—A Bill to amend and reenact §5B-2A-5, §5B-2A-6, §5B-2A-8, and §5B-2A-9 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto three new sections, designated §11-28-1, §11-28-2, and §11-28-3; to amend and reenact §22-3-14 of said code; to amend and reenact §22-11-10 of said code; to amend and reenact §22-30-3 and §22-30-24 of said code; to amend and reenact §22A-1-21 and §22A-1-35 of said code; to amend said code by adding thereto a new sections, designated §22A-1-43; to amend and reenact §22A-1A-1 and §22A-1A-2 of said code; to amend and reenact §22A-2-2, §22A-2-12, and §22A-2-13 of said code; to amend said code by

adding thereto a new section, designated, §22A-2-80; to amend and reenact §22A-8-5 of said code; to amend said code by adding thereto a new section, designated §22A-8-10; to amend and reenact §61-3-12 of said code; and to amend said code by adding thereto a new section, designated §61-3B-6, all relating generally to coal mining activities; eliminating the requirement for submission of the community impact statement; requiring review of new mining activity for submission to the Office of Coalfield Community Development; eliminating requirements for submission of certain additional information; requiring the submission of certain information related to land and infrastructure needs upon request of the Office of Coalfield Community Development; requiring and authorizing the Secretary of the Department of Environmental Protection to promulgate rules relating to mine subsidence protection for dwelling owners; creating a tax credit for post coal mine site development; adding definitions; delineating eligibility for tax credit for post coal mine site development; specifying application of the tax credit for post coal mine site development; authorizing the Secretary of the Department of Environmental Protection to promulgate rules for permit modification and renewal fees for surface mining operations pursuant to the Water Pollution Control Act; authorizing the Secretary of the Department of Environmental Protection to promulgate rules relating to exemptions pursuant to the Aboveground Storage Tank Act; requiring a miner who was issued an assessment to either pay the fine or appeal a violation within 30 days; requiring the Office of Miners' Health, Safety, and Training Mine Rescue Team be provided to a coal operation where the operation has no mine rescue team available within one hour's drive; permitting employers to drug test an employee involved in an accident that results in physical injuries or damage to equipment or property; requiring miners testing positive for drug use to undergo a mandatory minimum six-month suspension; eliminating timing requirements for submission of a detailed mine ventilation plan to the Director of the Office of Miners' Health, Safety, and Training; authorizing the Director of the Office of Miners' Health, Safety, and Training to promulgate emergency rules for establishing a course of instruction for apprentice miners; requiring apprentice miners to work at least 90 days in a mine within sight and sound of

a mine foreman or assistant foreman; permitting the Director of the Office of Miners' Health, Safety, and Training to decertify miners who fail to perform daily examinations; authorizing the Director of the Office of Miners' Health, Safety, and Training to promulgate rules generally; holding mine owners, the state, and person or entities engaged in rescue operations harmless for injury or death resulting from mine trespass; authorizing a temporary exemption from environmental regulations during rescue operations; revoking certifications of persons convicted of mine trespass; removing underground coal mines from those places subject to the crime of unlawful entry of building other than a dwelling; creating the new criminal misdemeanor and felony offenses of mine trespass; establishing penalties for mine trespass including enhanced penalties for bodily injury or death during rescue operations; authorizing increased liability for damages caused during a mine trespass; and exempting lawful activities under the West Virginia and United States Constitutions, and state and federal law from the operation of the mine trespass criminal statute.

On motion of Senator Takubo, the Senate concurred in the foregoing further House of Delegates amendment to the amendments to the bill.

Engrossed Senate Bill 635, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 635) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 635) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, adoption as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Com. Sub. for Senate Concurrent Resolution 4, US Marine Corps Lt. Col. Dennis Ray Blankenship Memorial Road.

On motion of Senator Takubo, the resolution was taken up for immediate consideration.

The following House of Delegates amendments to the resolution were reported by the Clerk:

By striking out everything after the title and inserting in lieu thereof the following:

Whereas, Dennis Ray Blankenship was born January 8, 1938, in Bartley, McDowell County, West Virginia; and

Whereas, Dennis Ray Blankenship served in the United States Marine Corps during the Vietnam War and reached the rank of Lieutenant Colonel; and

Whereas, Lt. Col. Dennis Ray Blankenship was highly decorated for his conspicuous gallantry and intrepidity in action, and was awarded the Silver Star; and

Whereas, Naming a portion of road in McDowell County is an appropriate recognition of his service and sacrifice for his country, his state, his community, and McDowell County; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a portion of State Route 16 from milepost 22.85 to milepost 26.7 in McDowell County, the “U.S. Marine Corps Lt. Col. Dennis Ray Blankenship Memorial Road”; and, be it

Further Resolved, That the Division of Highways is requested to have made and be placed signs identifying the road as the “U.S. Marine Corps Lt. Col. Dennis Ray Blankenship 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.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Com. Sub. for Senate Concurrent Resolution 4—Requesting the Division of Highways name a portion of State Route 16 from milepost 22.85 to milepost 26.7 in McDowell County, the “U.S. Marine Corps Lt. Col. Dennis Ray Blankenship Memorial Road”.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the resolution.

The question being on the adoption of the resolution (Com. Sub. for S. C. R. 4), as amended, the same was put and prevailed.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, adoption as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Com. Sub. for Senate Concurrent Resolution 40, US Army CPL Roy E. Clark Memorial Bridge.

On motion of Senator Takubo, the resolution was taken up for immediate consideration.

The following House of Delegates amendments to the resolution were reported by the Clerk:

By striking out everything after the title and inserting in lieu thereof the following:

Whereas, Roy Edward Clark was born March 22, 1946, in Culloden, West Virginia, the son of Lawrence Willard Clark and Mazy Ann Woodard; and

Whereas, Roy E. Clark graduated from Hurricane High School in 1966, where he was known by his friends as a kind, humble, honest, and caring young man; Roy loved athletics and was a member of both the basketball and track teams; and

Whereas, After graduating high school, Roy E. Clark served with the U.S. Army in Vietnam, Company C, 5th Battalion, 46th Infantry, 198th Infantry Brigade; and

Whereas, On May 24, 1969, CPL Roy E. Clark was mortally wounded when his company came under heavy enemy fire near the village of Trà Vinh, Vietnam; with complete disregard for his own safety, CPL Roy E. Clark continued to expose himself to intense

enemy fire, laying down a suppressive fire that provided cover to his comrades, enabling them to reach a safe position; and

Whereas, CPL Roy E. Clark was posthumously awarded the Bronze star with “V” for valor for saving the lives of many of his fellow soldiers through his timely and courageous actions; and

Whereas, It is fitting that an enduring memorial be established to commemorate CPL Roy E. Clark and his sacrifice for his state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways name bridge number 2657, S-242(17), (40A030), located on West Virginia Route 34 within the city limits of Hurricane, in Putnam County, the “U.S. Army CPL Roy E. Clark Memorial Bridge”; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the “U.S. Army CPL Roy E. Clark Memorial Bridge”; 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.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Com. Sub. for Senate Concurrent Resolution 40— Requesting the Division of Highways name bridge number 2657, S-242(17), (40A030), located on West Virginia Route 34 within the city limits of Hurricane, in Putnam County, the “U.S. Army CPL Roy E. Clark Memorial Bridge”.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the resolution.

The question being on the adoption of the resolution (Com. Sub. for S. C. R. 40), as amended, the same was put and prevailed.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2540, Prohibiting the waste of game animals, game birds or game fish.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendments to the bill was reported by the Clerk:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 2540—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-5i, relating to prohibiting the waste of any edible portion of big game animals or game fish; defining the term edible portion; setting forth exceptions to the term edible portion; making it unlawful to take any big game and detach or remove the head, hide, antlers, tusks, paws, claws, gallbladder, teeth, beards, or spurs only and leave the carcass to waste; setting forth exceptions if the person is unable to locate the carcass of any lawfully taken big game prior to the spoilage or decay of any or all edible portions; and establishing criminal penalties for violations.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 2540, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Jeffries, Lindsay, Mann, Maroney, Maynard, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Swope, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—29.

The nays were: Ihlenfeld, Palumbo, Stollings, and Sypolt—4.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2540) passed with its House of Delegates amended title.

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

The Senate proceeded to the fifth order of business.

Senator Sypolt, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for Senate Bill 241, Permitting county court clerks scan certain documents in electronic form.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendments of the House to Engrossed Committee Substitute for Senate Bill 241 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That the Senate agree to the amendments of the House of Delegates to the bill and that both houses agree to a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 241—A Bill to amend and reenact §39-1-11 of the Code of West Virginia, 1931, as amended, relating to writings to be recorded under the direction of the county

clerk; permitting the clerk, with authorization from the county commission, to scan and make available online when financially feasible certain documents in electronic form rather than in well-bound books, not prepare indices in separate books, and replace existing books by scanning them in approved electronic format; requiring that existing books be retained; providing exception to retention of books; requiring that copies of documents in electronic format are stored on an off-site server; and updating terms.

Respectfully submitted,

Dave Sypolt, *Chair*, Chandler Swope, Douglas E. Facemire,
Conferees on the part of the Senate.

Carl Martin, *Chair*, Kenneth Paul Hicks, Evan Worrell,
Conferees on the part of the House of Delegates.

On motions of Senator Sypolt, severally made, the report of the committee of conference was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for Senate Bill 241, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—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. 241) passed with its conference amended title.

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

Senator Maynard, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 317,
Authorizing three or more adjacent counties form multicounty trail network authority.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the House to Engrossed Committee Substitute for Committee Substitute for Senate Bill 317 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions as to the amendment of the Senate, striking out everything after the enacting clause, and agree to the same as follows:

**ARTICLE 17. MULTICOUNTY TRAIL NETWORK
AUTHORITIES.**

§20-17-1. Legislative findings.

The West Virginia Legislature finds that outdoor recreation is an increasingly vital part of the state's economy and that outdoor recreation participants spend billions of dollars annually in the state and support a significant number of local jobs.

The Legislature further finds that well-managed areas for trail-oriented recreation in the state will increase outdoor recreational tourism, increasing revenue to the state and creating more jobs for West Virginia citizens.

The Legislature further finds that, with the cooperation of private landowners, there is an opportunity to provide citizens and recreational tourists with greater access to trail-oriented recreation by incorporating private property into recreational trail systems and areas throughout West Virginia to provide significant economic and recreational benefits to communities in the state.

The Legislature further finds that, under an appropriate contractual and management scheme, well-managed trail systems may exist on private property without diminishing the landowner's interest, control, or profitability in the land and without increasing the landowner's exposure to liability.

The Legislature further finds that creating and empowering multicounty trail network authorities, that can work with the landowners, county officials, community leaders, state and federal government agencies, recreational user groups, and other interested parties to expand trail systems will greatly assist in improving and linking recreational trail systems.

The Legislature further finds that it is in the best interests of the state to encourage private landowners to make land available for public use, through multicounty trail network authorities, for recreational purposes by limiting landowner liability for injury to persons entering thereon, by limiting landowner liability for injury to the property of persons entering thereon, and by limiting landowner liability to persons who may be injured or otherwise damaged by the acts or omissions of persons entering thereon.

§20-17-2. Definitions.

Unless the context clearly requires a different meaning, the terms used in this article have the following meanings:

(1) "Adjacent county" means a nonparticipating county that directly borders any participating county in a multicounty trail network authority;

(2) "Authority" means a multicounty trail network authority created pursuant to this article;

(3) "Board" means the board of a multicounty trail network authority;

(4) "Contiguous counties" means a group of counties in which each county shares the border of at least one other county in the group;

(5) “Fee” means the amount of money asked in return for an invitation to enter or go upon a recreational area of a trail network, including a one-time fee for a particular event, amusement, occurrence, adventure, incident, experience, or occasion as set by an authority, which may differ in amount for different categories of participants;

(6) “Land” or “property” includes, but is not limited to, roads, water, watercourses, private ways, buildings, premises, structures, and machinery or equipment, when attached to the realty;

(7) “Owner” or “owner of land” means a person vested with title to real estate and those with the ability to exercise control over real estate and includes, but is not limited to, a tenant, lessee, licensee, holder of a dominant estate, or other lawful occupant;

(8) “Participant” means any person using a recreational area of a trail network for recreational purposes;

(9) “Person” means any public or private corporation, institution, association, society, firm, organization, or company organized or existing under the laws of this or any other state or country; the State of West Virginia; any state governmental agency; any political subdivision of the state or of its counties or municipalities; a sanitary district; a public service district; a drainage district; a conservation district; a watershed improvement district; a partnership, trust, or estate; a person or individual; a group of persons or individuals acting individually or as a group; any other legal entity; or any authorized agent, lessee, receiver, or trustee of any of the foregoing;

(10) “Participating county” means one of the three or more counties forming a multicounty trail network authority;

(11) “Recreational area” means the recreational trails and appurtenant facilities, including trail head centers, parking areas, camping facilities, picnic areas, recreational areas, historic or cultural interpretive sites, and other facilities or attractions that are a part of a multicounty trail network authority system; and

(12) “Recreational purposes” means:

(A) Any outdoor activity undertaken, or practice or instruction in any such activity, for the purpose of exercise, relaxation, or pleasure, including, but not limited to any one or any combination of the following noncommercial recreational activities: Hunting, fishing, swimming, boating, kayaking, camping, picnicking, hiking, rock climbing, bouldering, bicycling, horseback riding, spelunking, nature study, water skiing, winter sports, and visiting, viewing, or enjoying historical, archaeological, scenic, or scientific sites, aircraft, or ultralight operations on private airstrips or farms, or otherwise using land for purposes of the user;

(B) Parking on or traversing land, outside of the state road system, for the purpose of engaging in a recreational activity described in paragraph (A) of this subdivision; or

(C) Maintaining or making improvements on land, including, but not limited to, artificial improvements for the purpose of making the land accessible or usable for a recreational activity described in paragraph (A) of this subdivision.

§20-17-3. Multicounty trail network authorities authorized; addition of counties; merger of existing authorities.

(a) For the purposes of this article, three or more contiguous counties may, upon approval of the county commission of each county desiring to participate, form a multicounty trail network authority. An authority established pursuant to this section is a public corporation and a joint development entity existing for the purpose of facilitating the development and operation of a system of recreational trails and areas throughout the participating counties. Such trails will be designated and made available for recreational purposes with significant portions of the trails system being located on private property throughout West Virginia, made available for use through lease, license, easement, or other appropriate legal form by a willing landowner.

(b) An adjacent county may join a multicounty trail network authority as a participating county upon approval of both the board of the authority and the county commission of the adjacent county wishing to become a participating county.

(c) Two or more existing authorities may merge and become a single authority encompassing the participating counties in each merging authority upon approval of the board of each authority. Upon merger of two or more authorities, the board of the newly created authority will be composed of all board members serving on the board of each merging authority at the time the merger takes place. Thereafter, the authority will fill any vacancies and appoint board members as required by §20-17-4 of this code. The board of the newly created authority shall adopt appropriate procedures and bylaws to ensure that the newly created authority complies with all requirements of this article.

§20-17-4. Board; quorum; executive director; expenses; application of state Freedom of Information Act.

(a) The board is the governing body of an authority and the board shall exercise all the powers given the authority in this article. The county commission of each participating county shall appoint two members to the board, as follows:

(1) Each participating county shall appoint one member who represents and is associated with a corporation or individual landowner whose land is being used or is expected to be used in the future as part of the authority's recreational area. This member shall be appointed to a four-year term.

(2) Each participating county shall appoint one member who is an experienced instructor, guide, or participant in recreational activities in the county or an individual who represents and is associated with travel, tourism, economic development, land surveying, or relevant engineering efforts within the county. The initial appointment for this member shall be for a two-year term, but all subsequent appointments shall be for a four-year term.

(3) Any appointed member whose term has expired shall serve until his or her successor has been duly appointed and qualified. Any person appointed to fill a vacancy shall serve only for the unexpired term. Any appointed member is eligible for reappointment. Members of the board are not entitled to compensation for services performed as members but are entitled

to reimbursement for all reasonable and necessary expenses actually incurred in the performance of their duties.

(b) Upon joining an existing authority as a participating county pursuant to §20-17-3 of this code, the newly participating county shall appoint board members only for the length of the unexpired terms of the authority's board members serving at the time the county joins the authority. Thereafter, the county shall appoint board members according to the regular appointment procedure provided in subsection (a) of this section.

(c) The board shall meet quarterly, unless a special meeting is called by its chairman. During the first meeting of each fiscal year beginning in an odd-numbered year, or as soon as feasible thereafter, the board shall elect a chairman, secretary, and treasurer from among its own members to serve for two-year terms.

(d) A majority of the members of the board constitutes a quorum and a quorum shall be present for the board to conduct business.

(e) The board may prescribe, amend, and repeal bylaws and rules governing the use of the trail system, safety standards for participants, and the manner in which the business of the authority is conducted.

(f) The board shall review and approve an annual budget. The fiscal year for an authority begins on July 1 and ends on the 30th day of the following June.

(g) The board shall appoint an executive director to act as its chief executive officer, to serve at the will and pleasure of the board. The board, acting through its executive director, may employ any other personnel considered necessary and retain such temporary legal, engineering, financial, and other consultants or technicians as may be required for any special study or survey consistent with the provisions of this article. The executive director shall carry out plans to implement the provisions of this article and to exercise those powers enumerated in the bylaws. The executive director shall prepare an annual budget to be submitted to the board

for its review and approval prior to the commencement of each fiscal year. The budget shall contain a detailed account of all planned and proposed revenue and expenditures for the authority for the upcoming fiscal year, including a detailed list of employees by title, salary, cost of projected benefits, and total compensation. Before August 15 of each year, the executive director shall provide to the board and the county commission for each participating county a detailed list of actual expenditures and revenue, by account and recipient name, for the previous fiscal year and a copy of the approved budget for the current fiscal year.

(h) All costs incidental to the administration of the authority, including office expenses, personal services expenses, and current expenses, shall be paid in accordance with guidelines issued by the board from funds accruing to the authority.

(i) All expenses incurred by an authority in carrying out the provisions of this article shall be payable solely from funds that have accrued to the authority pursuant to this article. An authority may not incur liability or an obligation above the amount of funds that have accrued to the authority pursuant to this article.

(j) A multicounty trail network authority and the board is a "public body" for purposes of the West Virginia Freedom of Information Act, as provided in §29B-1-1 *et seq.* of this code.

§20-17-5. Financial review and oversight.

(a) An authority shall contract for and obtain an annual financial audit to be conducted by a private accounting firm in compliance with generally accepted government auditing standards. When complete, the audit shall be transmitted to the board, the president of the county commission of each participating county, and the Legislative Auditor. The cost of the audit shall be paid by the authority.

(b) If an authority receives any funds from the Legislature by appropriation or grant, the Legislative Auditor shall have the power and authority to examine the revenues, expenditures, and performance of the authority, and, for these purposes, shall have

the power to inspect the properties, equipment, and facilities of the authority and to request, inspect, and obtain copies of any records of the authority. For each fiscal year in which the authority receives any funds from the Legislature by appropriation or grant, the executive director shall provide to the Legislative Auditor and Secretary of Revenue a detailed list of actual expenditures and revenue by account and recipient name for the previous fiscal year within 45 days of the close of that fiscal year.

§20-17-6. Powers of an authority.

An authority, as a public corporation and joint development entity, may exercise all powers necessary or appropriate to carry out the purposes of this article, including, but not limited to, the power:

(1) To acquire, own, hold, and dispose of property, real and personal, tangible and intangible;

(2) To lease property, whether as lessee or lessor, and to acquire or grant through easement, license, or other appropriate legal form, the right to develop and use property and open it to the public;

(3) To mortgage or otherwise grant security interests in its property;

(4) To procure insurance against any losses in connection with its property, licenses, easements, operations, assets, or contracts, including hold-harmless agreements, in such amounts and from such insurers as the authority considers desirable;

(5) To maintain such sinking funds and reserves as the board determines appropriate for the purposes of meeting future monetary obligations and needs of the authority;

(6) To sue and be sued, implead and be impleaded, and complain and defend in any court;

(7) To contract for the provision of legal services by private counsel and, notwithstanding the provisions of §5-3-1 *et seq.* of

this code, the counsel may, in addition to the provisions of other legal services, represent the authority in court, negotiate contracts and other agreements on behalf of the authority, render advice to the authority on any matter relating to the authority, prepare contracts and other agreements, and provide such other legal services as may be requested by the authority;

(8) To adopt, use, and alter at will a corporate seal;

(9) To make, amend, repeal, and adopt bylaws for the management and regulation of the authority's affairs;

(10) To appoint officers, agents, and employees and to contract for and engage the services of consultants;

(11) To make contracts of every kind and nature and to execute all instruments necessary or convenient for carrying out the purposes of this article, including contracts with any other governmental agency of this state or of the federal government or with any person, individual, partnership, or corporation;

(12) Without in any way limiting any other subdivision of this section, to accept grants and loans from, and enter into contracts and other transactions with, any federal agency;

(13) To maintain an office at such place or places within the state as it may designate;

(14) To borrow money, to issue notes, to provide for the payment of notes, to provide for the rights of the holders of notes, and to purchase, hold, and dispose of any of its notes;

(15) To issue notes payable solely from the revenue or other funds available to the authority, which may be issued in such principal amounts as necessary to provide funds for any purpose under this article, including:

(A) The payment, funding, or refunding of the principal of, interest on, or redemption premiums on notes issued by it, whether the notes or interest to be funded or refunded have or have not become due; and

(B) The establishment or increase of reserves to secure or to pay notes, or the interest on the notes, and all other costs or expenses of the authority incident to and necessary or convenient to carry out its corporate purposes and powers. Notes may be additionally secured by a pledge of any revenues, funds, assets, or moneys of the authority from any source;

(16) To issue renewal notes, except that no renewal notes may be issued to mature more than 10 years from the date of issuance of the notes renewed;

(17) To apply the proceeds from the sale of renewal notes to the purchase, redemption, or payment of the notes to be refunded;

(18) To accept gifts or grants of property, funds, security interests, money, materials, labor, supplies, or services from the federal government or from any governmental unit or any person, firm, or corporation, and to take appropriate measures in procuring, accepting, or disposing of gifts or grants;

(19) To the extent permitted under its contracts with the holders of notes of the authority, to consent to any modification of the rate of interest, time of payment of any installment of principal or interest, security or any other term of any note, contract or agreement of any kind to which the authority is a party;

(20) To construct, reconstruct, improve, maintain, repair, operate, and manage the recreational areas at the locations within the participating counties as may be determined by the authority;

(21) To enter into an agreement with the West Virginia Division of Natural Resources for natural resources police officers to provide law-enforcement services within the authority's recreational area and to reimburse the Division of Natural Resources for its costs therefor;

(22) To exercise all power and authority provided in this article necessary and convenient to plan, finance, construct, renovate, maintain, and operate or oversee the operation of the authority at such locations within the participating counties as may be determined by the authority;

(23) To exercise all of the powers which a corporation may lawfully exercise under the laws of this state;

(24) To develop, maintain, and operate or contract for the development, maintenance, and operation of the authority;

(25) To enter into contracts with landowners and other persons holding an interest in the land being used for its recreational facilities to hold those landowners and other persons harmless with respect to any claim in tort growing out of the use of the land for recreational purposes or growing out of the recreational activities operated or managed by the authority from any claim except a claim for damages proximately caused by the willful or malicious conduct of the landowner or any of his or her agents or employees;

(26) To assess and collect a reasonable fee from those persons who use the trails, parking facilities, visitor centers, or other facilities which are part of the recreational area and to retain and utilize that revenue for any purposes consistent with this article: *Provided, That such fee does not constitute a "charge" or a "fee" within the meaning and for the purposes of §19-25-5 of this code: Provided, however, That the authority may not charge a fee for any user to enter or go upon any trail that is already open for use by the public without fee as of January 1, 2019;*

(27) To enter into contracts or other appropriate legal arrangements with landowners under which land is made available for use as part of the recreational area;

(28) To directly operate and manage recreation activities and facilities within the recreational area;

(29) To promulgate and publish rules governing the use of the recreational area and the safety of participants, including rules designating particular trails or segments of trails within the recreational area for certain activities and limiting use of designated trails to such activities;

(30) To coordinate and conduct athletic races, competitions, or events within the recreational area, in cooperation with the county

commissions of participating counties in which such events will take place; and

(31) To exercise such other and additional powers as may be necessary or appropriate to carry out the purposes of this article.

§20-17-7. Requirements for trail users and prohibited acts; criminal penalties.

(a) A person may not enter or remain upon a recreational area without a valid, nontransferable user permit issued by the appropriate authority and properly displayed, except properly identified landowners or leaseholders or their officers, employees, or agents while on the land that the person owns or leases for purposes related to the ownership or lease of the land.

(b) An authority may require recreational users to wear protective helmets or use safety equipment that the authority determines to be appropriate for the recreational activity in which the user is engaged.

(c) Each trail user operating a bicycle or mountain bicycle shall obey all traffic laws, traffic-control devices, and signs within the recreational area, including those which restrict trails to certain types of bicycles or mountain bicycles.

(d) Each trail user shall at all times remain within and on a designated and marked trail while within the recreational area.

(e) A person may not ignite or maintain any fire within the recreational area except in a designated camp site.

(f) A person may not operate a motor vehicle within the recreational area unless the person is authorized to operate a motor vehicle in the area to perform maintenance services or emergency response.

(g) A person who violates any provision of this section is guilty of a misdemeanor and, upon conviction, shall be fined not more than \$100. Prosecution or conviction for the misdemeanor described in this subsection shall not prevent or disqualify any other civil or criminal remedies for the conduct prohibited by this section.

§20-17-8. Limiting liability.

(a) An owner of land used by an authority owes no duty of care to keep his or her land safe for entry or use by others for recreational purposes, or to give any warning of a dangerous or hazardous condition, use, structure, activity, or wild animal on such land to persons entering or going upon the land for such purposes. The provisions of this section apply regardless of whether the person entering or going upon the leased land is permitted to enter the land or is a trespasser.

(b) Unless otherwise agreed in writing, an owner of land who grants a lease, easement, or license of land to an authority for recreational purposes does not, by giving a lease, easement or license: (1) Extend any assurance to any person using the land that the land is safe for any purpose; (2) confer upon those persons the legal status of a party to whom a duty of care is owed; or (3) assume responsibility for or incur liability for any injury to person or property or death caused by an act or omission of a person who enters upon the leased land. The provisions of this section apply whether the person entering or going upon the leased land is permitted to enter the land or is a trespasser.

(c) Nothing in this section limits in any way any liability which otherwise exists for deliberate, willful, or malicious infliction of injury to persons or property: *Provided*, That nothing herein limits in any way the obligation of a person entering upon or using the land of another for recreational purposes to exercise due care in his or her use of the land and in his or her activities thereon, so as to prevent the creation of hazards or the commission of waste by himself or herself.

§20-17-9. Purchasing and bidding procedures; criminal penalties.

(a) *Purchasing and bidding procedures; criminal penalties.* —

(1) Whenever an authority proposes to purchase or contract for commodities or services reasonably anticipated to equal or exceed \$25,000 in cost, the purchase or contract shall be based on

competitive bidding. Where the purchase of particular commodities or services is reasonably anticipated to be less than \$25,000, the executive director may, on behalf of the authority, solicit bids or price quotes in any manner that the executive director deems appropriate and the authority shall obtain its commodities or services by the lowest bid. In lieu of seeking bids or quotes for commodities or services in this price range, the authority may purchase those commodities and services pursuant to state prequalification agreements as provided in §5A-3-10e of this code.

(2) Where the cost for the purchase of commodities or services is reasonably anticipated to exceed \$25,000, the executive director shall solicit sealed bids for such commodities or services: *Provided*, That the executive director may permit bids by electronic transmission to be accepted in lieu of sealed bids. Bids shall be solicited by public notice. The notice shall be published as a Class II legal advertisement in all participating counties in compliance with the provisions of §59-3-1 *et seq.* of this code and by such other means as the executive director deems appropriate. The notice shall state the general character of the work and general character of the materials to be furnished, the place where plans and specifications therefor may be examined, and the time and place for receiving bids. After all bids are received, the authority shall enter into a written contract with the lowest responsible bidder; however, the authority may reject any or all bids that fail to meet the specifications required by the authority or that exceed the authority's budget estimation for those commodities or services. If the executive director determines in writing that there is only one responsive and responsible bidder and that there has been sufficient public notice to attract competitive bids, he or she may negotiate the price for a noncompetitive award or the specifications for a noncompetitive award based solely on the original purpose of the solicitation.

(3) For any contract that exceeds \$25,000 in total cost, the authority shall require the vendors to post a bond, with form and surety to be approved by the authority, in an amount equal to at least 50 percent of the contract price conditioned upon faithful performance and completion of the contract.

(4) The bidding requirements specified in this section do not apply to any leases for real property upon which the authority makes improvements for public access to the recreational area, information distribution, and welcome centers. This exemption does not apply to leases for offices, vehicle and heavy equipment storage, or administrative facilities.

(5) Any person who violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, shall be confined in jail not less than 10 days nor more than one year, or fined not less than \$10 nor more than \$1,000, or both fined and confined.

(b) Conflicts of interest in contracts prohibited. —

An authority or any of its board members, officers, employees, or agents may not enter into any contracts, agreements, or arrangements for purchases of services or commodities violating the requirements of §6B-2-5 or §61-10-15 of this code.

(c) Civil remedies. —

The county commission of a participating county in an authority may challenge the validity of any contract or purchase entered, solicited, or proposed by the authority in violation of this section by seeking declaratory or injunctive relief in the circuit court of the county of the challenging party. If the court finds by a preponderance of evidence that the provisions of those sections have been violated, the court may declare the contract or purchase to be void and may grant any injunctive relief necessary to correct the violations and protect the funds of the authority as a joint development entity.

**ARTICLE 17A. MOUNTAINEER TRAIL NETWORK
RECREATION AUTHORITY.**

§20-17A-1. Legislative findings; purpose.

The Legislature further finds that, with the cooperation of private landowners, there is an opportunity to provide trail-oriented recreation facilities primarily on private property in the mountainous terrain of the Potomac Highlands and north central

West Virginia and that the facilities will provide significant economic and recreational benefits to the state and to the communities in the Potomac Highlands and north central West Virginia through increased tourism in the same manner as whitewater rafting, snow skiing, and utility terrain motor vehicle riding benefit the state and communities surrounding those activities.

The Legislature further finds that the creation and empowering of a joint development entity to work with the landowners, county officials and community leaders, state and federal government agencies, recreational user groups, and other interested parties to enable and facilitate the implementation of the facilities will greatly assist in the realization of these potential benefits.

The purpose of this article is to provide additional opportunities and regulatory authorization for recreational trail networks and to provide for increased access to recreational areas, including, but not limited to, creating a contiguous trail system that connects to the Chesapeake and Ohio Canal Tow Path.

§20-17A-2. Creation of Mountaineer Trail Network Recreation Authority and establishment of recreation area.

(a) There is hereby created the “Mountaineer Trail Network Recreation Authority” consisting of representatives from the counties of Barbour, Grant, Harrison, Marion, Mineral, Monongalia, Preston, Randolph, Taylor, and Tucker organized pursuant to the provisions of §20-17-1 *et seq.* of this code. This authority is authorized to establish a Mountaineer Trail Network Recreation Area within the jurisdictions of those counties and the authority shall be subject to the powers, duties, immunities, and restrictions provided in §20-17-1 *et seq.* of this code. Visitors and participants in recreational activities within the trail network shall, in similar respects, be subject to the user requirements and prohibitions of §20-17-7 of this code.

(b) Notwithstanding subsection (a) of this section, an adjacent county may join the Mountaineer Trail Network Recreation

Authority pursuant to the procedures set forth in §20-17-3(b) of this code.

(c) Notwithstanding subsection (a) of this section, the Mountaineer Trail Network Recreation Authority may merge with another multicounty trail network authority, pursuant to the procedures set forth in §20-17-3(c) of this code.

§20-17A-3. Recreational purposes.

The permitted recreational purposes for the Mountaineer Trail Network Recreation Area include, but are not limited to, any one or any combination of the following noncommercial recreational activities: Hunting, fishing, swimming, boating, camping, picnicking, hiking, bicycling, mountain bicycling, running, cross-country running, nature study, winter sports and visiting, viewing or enjoying historical, archaeological, scenic, or scientific sites.

§20-17A-4. Governing body and expenses

(a) The governing body of the authority shall be a board constituted according to the provisions of §20-17-4 of this code.

(b) All costs incidental to the administration of the authority, including office expenses, personal services expenses and current expenses, shall be paid in accordance with guidelines issued by the board from funds accruing to the authority.

(c) All expenses incurred in carrying out the provisions of this article shall be payable solely from funds provided under the authority of this article and according to the requirements of §20-17-1 *et seq.* of this code. No liability or obligation may be incurred by the authority under this article beyond the extent to which moneys have been provided under the authority of this article.

§20-17A-5. Protection for private landowners.

Owners of land used by the authority shall have the full benefit of the limitations of liability provided in §20-17-8 of this code.

And,

That both houses agree to a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 317—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-17-1, §20-17-2, §20-17-3, §20-17-4, §20-17-5, §20-17-6, §20-17-7, §20-17-8 and §20-17-9; and to amend said code by adding thereto a new article, designated §20-17A-1, §20-17A-2, §20-17A-3, §20-17A-4, and §20-17A-5, all relating generally to forming multicounty trail network authorities; creating a framework for establishment of multicounty trail network authorities and authorizing the formation of the Mountaineer Trail Network Recreation Authority; providing legislative findings; defining terms; providing that an authority is a public corporation and joint development entity; providing procedures for counties to join a trail network authority as a participating county and providing for the merger of two established authorities; providing for appointment of individuals to the board of an authority and for the filling of vacancies in the board; establishing the terms of appointment to a board; requiring quarterly meetings of a board; describing how a quorum is established; authorizing a board to promulgate bylaws and rules; providing that an authority is subject to Freedom of Information Act laws; describing the powers and duties of an authority and its board; requiring a board to appoint an executive director; describing powers and duties of an executive director; authorizing employment of authority staff; requiring creation of an annual budget; providing for payment of an authority's expenses; allowing reimbursement of board member expenses; establishing financial audit requirements; requiring reporting and oversight of state funds; prohibiting certain actions by users of recreational area land and providing criminal penalties; limiting the liability of owners of land used by an authority; setting forth purchasing and bidding procedures for authority contracts and purchases; providing criminal penalties for violation of purchasing and bidding requirements; clarifying that certain provisions of the code prohibiting certain officers from having a pecuniary interest in contracts applies to board members, officers, personnel, and agents

of an authority; providing civil remedies for participating counties challenging purchasing contracts violating certain requirements; establishing the Mountaineer Trail Network Recreation Authority and authorizing the creation of the Mountaineer Trail Network Recreation Area; identifying participating counties; authorizing counties to join the Mountaineer Trail Network Recreation Authority through certain procedures; authorizing the Mountaineer Trail Network Recreation Authority to merge with other multicounty trail network authorities through certain procedures; providing legislative findings and purposes for this authority; listing the recreational purposes for the recreation area; specifying manner of governance and payment of expenses; and ensuring liability protections for cooperating land owners.

Respectfully submitted,

Mark R. Maynard, *Chair*, Randy E. Smith, Robert D. Beach,
Conferees on the part of the Senate.

Gary G. Howell, *Chair*, John Paul Hott, Evan Hansen,
Conferees on the part of the House of Delegates.

Senator Maynard, Senate cochair of the committee of conference, was recognized to explain the report.

Thereafter, Senator Maynard moved that the report be taken up for immediate consideration and adopted.

Following discussion,

The question being on the adoption of Senator Maynard's aforestated motion, the same was put and prevailed.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 317, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker,

Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—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 Com. Sub. for S. B. 317) passed with its conference amended title.

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

Senator Weld, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for Senate Bill 481, Relating to Judicial Vacancy Advisory Commission.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the House to Engrossed Committee Substitute for Senate Bill 481 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions as to the amendment of the House, and the Senate and House agree to an amendment as follows:

On page two, section three-a, lines thirty through thirty-seven, by striking out all of subdivision (1) and subdivision (2) and inserting in lieu thereof a new subdivision (1) and subdivision (2), to read as follows:

(1) No more than two appointed members of the commission may be residents of the same state senatorial district, as provided in §1-2-1 of this code, at the time of appointment: *Provided*, That the members appointed to, and serving on, the commission prior to

the enactment of this subdivision are not disqualified from service for the remainder of the member's term based on the residency requirements of this subdivision.

(2) No more than three appointed members of the commission may be residents of the same congressional district: *Provided*, That, if the number of congressional districts in the state is reduced to two, then no more than four appointed members of the commission may be residents of the same congressional district: *Provided, however*, That the members appointed to, and serving on, the commission prior to the date on which the number of congressional districts in the state is reduced to two are not disqualified from service for the remainder of the member's term based on the residency requirements of this subdivision.;

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Com. Sub. for Senate Bill 481—A Bill to amend and reenact §3-10-3a of the Code of West Virginia, 1931, as amended, relating to the Judicial Vacancy Advisory Commission; altering the residency requirements for members of the commission; providing that no more than two of the commission's appointed members may be residents of the same state senatorial district; providing that if the number of congressional districts in the state is reduced to two, no more than four of the commission's appointed members may be residents of the same congressional district; providing that members appointed to, and serving on, the commission prior to the effective date of the new residency requirements will not be disqualified from serving for the remainder of their terms; and deleting obsolete language.

Respectfully submitted,

Ryan W. Weld, *Chair*, Patricia Puertas Rucker, Michael J. Romano, *Conferees on the part of the Senate*.

Larry D. Kump, *Chair*, Brandon Steele, Nathan Brown, *Conferees on the part of the House of Delegates*.

Senator Weld, Senate cochair of the committee of conference, was recognized to explain the report.

Thereafter, on motion of Senator Weld, the report was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for Senate Bill 481, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—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. 481) passed with its conference amended title.

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

Senator Takubo, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for Senate Bill 487, Relating to admissibility of health care staffing requirements in litigation.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the House to Engrossed Committee Substitute for Senate Bill 487 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions as to the amendment of the Senate, striking out everything after the enacting clause, and agree to the same as follows:

ARTICLE 7B. MEDICAL PROFESSIONAL LIABILITY.

§55-7B-7a. Admissibility and use of certain information.

(a) In an action brought, there is a rebuttable presumption that the following information may not be introduced unless it applies specifically to the injured person or it involves substantially similar conduct that occurred within one year of the particular incident involved:

(1) A state or federal survey, audit, review, or other report of a health care provider or health care facility;

(2) Disciplinary actions against a health care provider's license, registration, or certification;

(3) An accreditation report of a health care provider or health care facility; and

(4) An assessment of a civil or criminal penalty.

(b) In any action brought alleging inappropriate staffing or inadequate supervision, if the health care facility or health care provider demonstrates compliance with the minimum staffing requirements under state law, the health care facility or health care provider is entitled to a ~~rebuttable~~ conclusive presumption that appropriate staffing was provided, and a rebuttable presumption that adequate supervision of patients to prevent accidents was provided, and the jury shall be instructed accordingly.

(c) If staffing is less than the requirements dictated by the applicable regulations, then there is a rebuttable presumption that there was inadequate supervision of patients and that inadequate staffing or inadequate supervision was a contributing cause of the patient's fall and injuries or death arising therefrom, and the jury shall be instructed accordingly.

(d) Information under this section may only be introduced in a proceeding if it is otherwise admissible under the West Virginia Rules of Evidence.;

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Com. Sub. for Senate Bill 487—A Bill to amend and reenact §55-7B-7a of the Code of West Virginia, 1931, as amended, relating to the admissibility of health care staffing requirements in medical professional liability litigation; providing that compliance with minimum staffing requirements under state law creates a conclusive presumption that appropriate staffing was provided and a rebuttable presumption that adequate supervision of patients to prevent accidents was provided; requiring that if staffing is less than requirements dictated by state law then there is a rebuttable presumption that there was inadequate supervision of patients and that inadequate staffing or inadequate supervision was a contributing cause of the patient's fall and resulting injuries or death; and requiring the jury be instructed accordingly.

Respectfully submitted,

Tom Takubo, *Chair*, Gregory L. Boso, Michael A. Woelfel,
Conferees on the part of the Senate.

Moore Capito, *Chair*, Geoff Foster, Chad Lovejoy (*did not sign*), *Conferees on the part of the House of Delegates.*

On motions of Senator Takubo, severally made, the report of the committee of conference was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for Senate Bill 487, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso,

Roberts, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—27.

The nays were: Beach, Ihlenfeld, Jeffries, Lindsay, Romano, and Woelfel—6.

Absent: Boley—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. 487) passed with its conference amended title.

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

Senator Blair, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 522, Creating Special Road Repair Fund.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendments of the House to Engrossed Committee Substitute for Committee Substitute for Senate Bill 522 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions as to the amendment of the House of Delegates on page one, section seven, beginning on line one, and agree to the same as follows:

By striking out subsections (a) and (b) in their entirety and inserting in lieu thereof the following:

“There is created a special sub-account in the State Road Fund, designated the Special Road Repair Fund, to be expended solely for the purposes specified in §17-30-1 *et seq.* of this code for the maintenance and repair of the state’s roads and highways. The

Commissioner is hereby authorized to transfer no more than \$80 million to this sub-account from the State Road Fund in any fiscal year for the sole purpose of repairs of non-federal aid eligible roads.”;

And, to amend the title to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 522—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2A-6b; to amend said code by adding thereto a new section, designated §17-3-11; and to amend said code by adding thereto a new article, designated §17-30-1, §17-30-2, §17-30-3, §17-30-4, and §17-30-5, all relating to enhancing maintenance and repair of the state’s roads and highways generally; establishing roads accountability and transparency; directing the State Auditor to develop and maintain a searchable website of funding actions and expenditures relating state and public roads; setting forth the minimum content to be contained in the website; directing the Commissioner of Highways to provide information and data to the State Auditor; requiring an annual update to the Joint Committee on Government and Finance; creating the Special Road Repair Fund as a sub-account of the State Road Fund; authorizing the Commissioner to transfer certain funds into the sub-account for certain purposes; creating the Enhanced Road Repair and Maintenance Program; stating legislative finding and purpose of program; requiring Division of Highways county supervisors consult with county commissions and legislators to submit project requests to the Division of Highways; setting forth a funding formula; setting forth requirements concerning bidding, vendors, and contracts with private vendors; specifying uses of Special Road Repair Fund; defining terms; providing requirements for Commissioner of Highways and districts; requiring for rulemaking; and requiring reporting by Division of Highways and Legislative Auditor.;

And,

That the Senate agree to the remaining amendments of the House of Delegates to the bill.

Respectfully submitted,

Craig Blair, *Chair*, Randy E. Smith, Robert H. Plymale, *Conferees on the part of the Senate.*

Vernon Criss, *Chair*, Daniel Linville, Jason Barrett, *Conferees on the part of the House of Delegates.*

On motions of Senator Smith, severally made, the report of the committee of conference was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 522, as amended by the conference report, was then put upon its passage.

Pending discussion,

The question being “Shall Engrossed Committee Substitute for Committee Substitute for Senate Bill 522 pass?”

On the passage of the bill, as amended, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—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 Com. Sub. for S. B. 522) passed with its conference amended title.

Senator Takubo moved that the bill take effect July 1, 2019.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—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 Com. Sub. for S. B. 522) takes effect July 1, 2019.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment, as amended by the House of Delegates, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. House Bill 3044, Requiring the Commissioner of Highways to develop a formula for allocating road funds.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendment to the bill was reported by the Clerk:

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

§17-30-3. Formula for allocation of funds.

(a) Prior to the beginning of the regular legislative session in 2020, the commissioner shall develop and propose a formula for the effective and efficient allocation of state road funds among the

districts and counties in this state, to be promulgated as a legislative rule.

(b) The commissioner shall include, but not be limited to, the following factors in the formula developed pursuant to this section:

(1) The population served in each county according to the most recent United States Census;

(2) The amount of population growth in each county according to the most recent United States Census projection;

(3) The number of total lane miles in a county and their condition;

(4) The approximate number of vehicle miles travelled within a county;

(5) The approximate number of heavy truck miles travelled within a county; and

(6) The number of bridges in a county and their condition.

(c) Before developing the formula required by this section, the commissioner shall review and consider all public comments submitted to the commissioner pursuant to §17-30-4 of this code.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendment to the bill.

Engrossed House Bill 3044, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sybolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3044) passed with its title.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. House Bill 2709, Relating to hunting licenses.

On motion of Senator Trump, the bill was taken up for immediate consideration.

Senator Trump moved that the Senate refuse to recede from its amendments to the bill and insist upon its position.

Following discussion,

The question being on the adoption of Senator Trump's aforesaid motion, the same was put and did not prevail.

Thereupon, Engrossed House Bill 2709, as amended by deletion, was then put upon its passage.

Following a point of inquiry to the President,

Senator Trump moved that the Senate reconsider its action by which immediately hereinbefore it rejected Senator Trump's motion that the Senate refuse to recede from its amendments to the bill and insist upon its position.

Following discussion,

The question being on the adoption of Senator Trump's reconsideration motion, and on this question, Senator Trump demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boso, Clements, Cline, Mann, Maynard, Roberts, Rucker, Smith, Swope, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—16.

The nays were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Palumbo, Plymale, Prezioso, Romano, Stollings, Sypolt, Unger, and Woelfel—17.

Absent: Boley—1.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Trump's reconsideration motion had not prevailed.

Thereupon, Engrossed House Bill 2709, as amended by deletion, was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed House Bill 2709 pass?"

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2709) passed with its title.

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

The Senate again proceeded to the fifth order of business.

Senator Boso, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for Senate Bill 405, Increasing limit on additional expenses incurred in preparing notice list for redemption.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the Senate to Engrossed Committee Substitute for Senate Bill 405 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions as to the amendment of the Senate, striking out everything after the enacting clause, and agree to the same as follows:

**ARTICLE 3. SALE OF TAX LIENS AND NONENTERED,
ESCHEATED AND WASTE AND UNAPPROPRIATED
LANDS**

§11A-3-23. Redemption from purchase; receipt; list of redemptions; lien; lien of person redeeming interest of another; record.

(a) After the sale of any tax lien on any real estate pursuant to §11A-3-5 of this code, the owner of, or any other person who was entitled to pay the taxes on, any real estate for which a tax lien on the real estate was purchased by an individual may redeem at any time before a tax deed is issued for the real estate. In order to redeem, he or she shall pay to the State Auditor the following amounts:

(1) An amount equal to the taxes, interest and charges due on the date of the sale, with interest at the rate of one percent per month from the date of sale;

(2) All other taxes which have since been paid by the purchaser, his or her heirs or assigns, with interest at the rate of one percent per month from the date of payment;

(3) Any additional expenses incurred from January 1 of the year following the sheriff's sale to the date of redemption for the preparation of the list of those to be served with notice to redeem and any written documentation used for the preparation of the list, with interest at the rate of one percent per month from the date of payment for reasonable legal expenses incurred for the services of an attorney who has performed an examination of the title to the real estate and rendered written documentation used for the preparation of the list: ~~Provided, That the~~ The maximum amount the owner or other authorized person shall pay, excluding the interest, for the expenses incurred for the preparation of the list of those to be served required by §11A-3-19 of this code is ~~\$300~~ \$500: ~~Provided however, That the~~ An attorney may only charge a fee for legal services actually performed and must certify that he or she conducted an examination to determine the list of those to be served required by §11A-3-19 of this code; and

(4) All additional statutory costs paid by the purchaser.

(b) Where the State Auditor has not received from the purchaser satisfactory proof of the expenses incurred in preparing the notice to redeem, and any written documentation used for the preparation of the list of those to be served with notice to redeem, including the certification required in subdivision (3), subsection (a) of this section, incident thereto, in the form of receipts or other evidence of legal expenses, incurred as provided in section nineteen of this article, the person redeeming shall pay the State Auditor the sum of ~~\$300~~ \$500 plus interest at the rate of one percent per month from January 1 of the year following the sheriff's sale for disposition by the sheriff pursuant to the provisions of §11A-3-10, §11A-3-24, §11A-3-25, and §11A-3-32 of this code.

(c) The person redeeming shall be given a receipt for the payment and the written opinion or report used for the preparation of the list of those to be served with notice to redeem required by section nineteen of this article.

(d) Any person who, by reason of the fact that no provision is made for partial redemption of the tax lien on real estate purchased by an individual, is compelled in order to protect himself or herself to redeem the tax lien on all of the real estate when it belongs, in whole or in part, to some other person, shall have a lien on the interest of that other person for the amount paid to redeem the interest. He or she shall lose his or her right to the lien, however, unless within thirty days after payment he or she files with the clerk of the county commission his or her claim in writing against the owner of the interest, together with the receipt provided in this section. The clerk shall docket the claim on the judgment lien docket in his or her office and properly index the claim. The lien may be enforced as other judgment liens are enforced.

(e) Before a tax deed is issued, the county clerk may accept, on behalf of the State Auditor, the payment necessary to redeem any real estate encumbered with a tax lien and write a receipt. The amount of the payment necessary to redeem any real estate encumbered with a tax lien shall be provided by the State Auditor and the State Auditor shall update the required payments plus interest at least monthly.

(f) On or before the tenth day of each month, the county clerk shall deliver to the State Auditor the redemption money paid and the name and address of the person who redeemed the property on a form prescribed by the State Auditor.

§11A-3-25. Distribution of surplus to purchaser.

(a) Where the land has been redeemed in the manner set forth in §11A-3-23 of this code, and the State Auditor has delivered the redemption money to the sheriff pursuant to §11A-3-24 of this code, the sheriff shall, upon receipt of the sum necessary to redeem, promptly notify the purchaser or his or her heirs or assigns, by mail, of the fact of the redemption and pay to the purchaser or his or her heirs or assigns the following amounts:

(1) From the sale of tax lien surplus fund provided by §11A-3-10 of this code:

(A) The surplus of money paid in excess of the amount of the taxes, interest and charges paid by the purchaser to the sheriff at the sale; and

(B) The amount of taxes, interest and charges paid by the purchaser on the date of the sale, plus the interest at the rate of one percent per month from the date of sale to the date of redemption;

(2) All other taxes on the land which have since been paid by the purchaser or his or her heirs or assigns, with interest at the rate of one percent per month from the date of payment to the date of redemption;

(3) Any additional reasonable expenses that the purchaser may have incurred from January 1 of the year following the sheriff's sale to the date of redemption for the preparation of the list of those to be served with notice to redeem and any written documentation used for the preparation of the list, in accordance with §11A-3-19 of this code, with interest at the rate of one percent per month from the date of payment, but the amount which shall be paid, excluding the interest, for the expenses incurred for the preparation of the list of those to be served with notice to redeem required by §11A-3-19 of this code shall not exceed the amount actually incurred by the purchaser or ~~\$300~~ \$500, whichever is less: *Provided*, That the attorney may only charge a fee for legal services actually performed and must certify that he or she conducted an examination to determine the list of those to be served required by §11A-3-19 of this code; and

(4) All additional statutory costs paid by the purchaser.

(b) (1) The notice shall include:

(A) A copy of the redemption certificate issued by the State Auditor;

(B) An itemized statement of the redemption money to which the purchaser is entitled pursuant to the provisions of this section; and

(C) Where, at the time of the redemption, the State Auditor has not received from the purchaser satisfactory proof of the expenses incurred in preparing the list of those to be served with notice to redeem and any written documentation used for the preparation of the list in accordance with §11A-3-19 of this code, the State Auditor shall also include instructions to the purchaser as to how these expenses may be claimed.

(2) Subject to the limitations of this section, the purchaser is entitled to recover any expenses incurred in preparing the list of those to be served with notice to redeem and any written documentation used for the preparation of the list from January 1 of the year following the sheriff's sale to the date of the sale to the date of the redemption.

(c) Where, pursuant to §11A-3-23 of this code, the State Auditor has not received from the purchaser satisfactory proof of the expenses incurred in preparing the list of those to be served with notice to redeem, including written documentation used for preparation of the list, in the form of receipts or other evidence within thirty days from the date of notification by the State Auditor, the sheriff shall refund the amount to the person redeeming and the purchaser is barred from any claim. Where, pursuant to that section, the State Auditor has received from the person redeeming and therefore delivered to the sheriff the sum of ~~\$300~~ \$500 plus interest at the rate of one percent per month from January 1 of the year following the sheriff's sale to the date of the sale to the date of redemption, and the purchaser provides the sheriff within thirty days from the date of notification satisfactory proof of the expenses, and the amount of the expenses is less than the amount paid by the person redeeming, the sheriff shall refund the difference to the person redeeming.

§11A-3-36. Operating fund for land department in Auditor's office.

(a) The Auditor shall establish a special operating fund for the land department in his or her office. He or she shall pay into such fund all redemption fees, all publication or other charges collected by him or her, if such charges were paid by or were payable to him

or her, the unclaimed surplus proceeds received by him or her from the sale of delinquent and other lands pursuant to this article, and all payments made to him or her under the provisions of §11A-3-64 and §11A-3-65 of this code, except such part thereof as represents state taxes and interest. All payments so excepted shall be credited by the Auditor to the general school fund or other proper state fund.

(b) The operating fund shall be used by the Auditor in cases of deficits in land sales to pay any balances due to deputy commissioners for services rendered, and any unpaid costs including those for publication which have accrued or will accrue under the provisions of this article, to pay fees due surveyors under the provisions of §11A-3-43, and to pay for the operation and maintenance of the land department in his or her office. ~~The surplus over and above the amount of \$100,000, remaining in the fund at the end of any fiscal year, shall be paid by the Auditor into the general school fund.~~ The surplus over and above the amount of 20 percent of gross revenue from operation of the fund from the prior year, remaining at the end of any fiscal year, shall be paid by the Auditor into the General School Fund.

§11A-3-56. Redemption from purchase; receipt; list of redemptions; lien; lien of person redeeming interest of another; record.

(a) After the sale of any tax lien on any real estate pursuant to 11A-3-45 or §11A-3-48 of this code, the owner of, or any other person who was entitled to pay the taxes on, any real estate for which a tax lien thereon was purchased by an individual, may redeem at any time before a tax deed is issued therefor. In order to redeem, he or she must pay to the deputy commissioner the following amounts:

(1) An amount equal to the taxes, interest and charges due on the date of the sale, with interest thereon at the rate of one percent per month from the date of sale;

(2) ~~all~~ All other taxes thereon, which have since been paid by the purchaser, his or her heirs or assigns, with interest at the rate of one percent per month from the date of payment;

(3) ~~such~~ Such additional expenses as may have been incurred in preparing the list of those to be served with notice to redeem, and for any licensed attorney's title examination incident thereto, with interest at the rate of one percent per month from the date of payment, but the amount he or she shall be required to pay, excluding said interest, for such expenses incurred for the preparation of the list of those to be served with notice to redeem required by §11A-3-52 of this code, and for any licensed attorney's title examination incident thereto, shall not exceed \$200 \$500. An attorney may only charge a fee for legal services actually performed and must certify that he or she conducted an examination to determine the list of those to be served required by §11A-3-52 of this code;

(4) ~~all~~ All additional statutory costs paid by the purchaser; and

(5) ~~the~~ The deputy commissioner's fee and commission as provided by §11A-3-66 of this code. Where the deputy commissioner has not received from the purchaser satisfactory proof of the expenses incurred in preparing the notice to redeem, ~~and any examination of title or of any licensed attorney's title examination~~ incident thereto, in the form of receipts or other evidence thereof, the person redeeming shall pay the deputy commissioner the sum of \$200 \$500 plus interest thereon at the rate of one percent per month from the date of the sale for disposition pursuant to the provisions of §11A-3-57, §11A-3-58, and §11A-3-64 of this code. Upon payment to the deputy commissioner of those and any other unpaid statutory charges required by this article, and of any unpaid expenses incurred by the sheriff, the Auditor and the deputy commissioner in the exercise of their duties pursuant to this article, the deputy commissioner shall prepare an original and five copies of the receipt for the payment and shall note on said receipts that the property has been redeemed. The original of such receipt shall be given to the person redeeming. The deputy commissioner shall retain a copy of the receipt and forward one copy each to the sheriff, assessor, the Auditor and the clerk of the county

commission. The clerk shall endorse on the receipt the fact and time of such filing and note the fact of redemption on his or her record of delinquent lands.

(b) Any person who, by reason of the fact that no provision is made for partial redemption of the tax lien on real estate purchased by an individual, is compelled in order to protect himself or herself to redeem the tax lien on all of such real estate when it belongs, in whole or in part, to some other person, shall have a lien on the interest of such other person for the amount paid to redeem such interest. He or she shall lose his or her right to the lien, however, unless within thirty days after payment he or she shall file with the clerk of the county commission his or her claim in writing against the owner of such interest, together with the receipt provided for in this section. The clerk shall docket the claim on the judgment lien docket in his or her office and properly index the same. Such lien may be enforced as other judgment liens are enforced.

§11A-3-57. Notice of redemption to purchaser; moneys received by sheriff.

(a) Upon payment of the sum necessary to redeem, the deputy commissioner shall promptly deliver to the sheriff the redemption money paid and the name and address of the purchaser, his or her heirs or assigns.

(b) Of the redemption money received by the sheriff pursuant to this section, the sheriff shall hold as surplus to be disposed of pursuant to §11A-3-64 of this code an amount thereof equal to the amount of taxes, interest and charges due on the date of the sale, plus the interest at the rate of one percent per month thereon from the date of sale to the date of redemption.

§11A-3-58. Distribution to purchaser.

(a) Where the land has been redeemed in the manner set forth in §11A-3-56 of this code, and the deputy commissioner has delivered the redemption money to the sheriff pursuant to §11A-3-57 of this code, the sheriff shall, upon delivery of the sum necessary to redeem, promptly notify the purchaser, his or her heirs or

assigns, by mail, of the redemption and pay to the purchaser, his or her heirs or assigns, the following amounts:

(1) The amount paid to the deputy commissioner at the sale;

(2) all other taxes thereon, which have since been paid by the purchaser, his or her heirs or assigns, with interest at the rate of one percent per month from the date of payment;

(3) such additional expenses as may have been incurred in preparing the list of those to be served with notice to redeem, and for any licensed attorney's title examination incident thereto, with interest at the rate of one percent per month from the date of payment, but the amount which shall be paid, excluding said interest, for such expenses incurred for the preparation of the list of those to be served with notice to redeem required by §11A-3-52 of this code, and for any licensed attorney's title examination incident thereto, shall not exceed ~~\$200~~ \$500; and

(4) all additional statutory costs paid by the purchaser.

(b) (1) The notice shall include:

(A) A copy of the redemption certificate issued by the deputy commissioner;

(B) An itemized statement of the redemption money to which the purchaser is entitled pursuant to the provisions of this section; and

(C) Where, at the time of the redemption, the deputy commissioner has not received from the purchaser satisfactory proof of the expenses incurred in preparing the list of those to be served with notice to redeem ~~and any~~ or for any licensed attorney's title examination incident thereto, the deputy commissioner shall also include instructions to the purchaser as to how these expenses may be claimed.

(2) Subject to the limitations of this section, the purchaser is entitled to recover any expenses incurred in preparing the list of those to be served with notice to redeem and for any licensed

attorney's title examination incident thereto from the date of the sale to the date of the redemption.

(c) Where, pursuant §11A-3-56 of this code, the deputy commissioner has not received from the purchaser satisfactory proof of the expenses incurred in preparing the notice to redeem, in the form of receipts or other evidence of legal expenses, and any or for any licensed attorney's title examination and rendered written documentation used for the preparation of the list incident thereto, in the form of receipts or other evidence thereof, and therefore received from the purchaser as required by said section and delivered to the sheriff the sum of ~~\$200~~ \$500 plus interest thereon at the rate of one percent per month from the date of the sale to the date of redemption, and the sheriff has not received from the purchaser such satisfactory proof of such expenses within thirty days from the date of notification, the sheriff shall refund such amount to the person redeeming and the purchaser is barred from any claim thereto. Where, pursuant to §11A-3-56 of this code, the deputy commissioner has received from the purchaser and therefore delivered to the sheriff said sum of ~~\$200~~ \$500 plus interest thereon at the rate of one percent per month from the date of the sale to the date of redemption, and the purchaser provides the sheriff within thirty days from the date of notification such satisfactory proof of such expenses, and the amount of such expenses is less than the amount paid by the person redeeming, the sheriff shall refund the difference to the person redeeming.

§11A-3-59. Deed to purchaser; record.

If the real estate described in the notice is not redeemed within the time specified therein, but in no event prior to 30 days after notices to redeem have been personally served, or an attempt of personal service has been made, or such notices have been mailed or, if necessary, published in accordance with the provisions of §11A-3-55 of this code, following the deputy commissioner's sale, the deputy commissioner shall, upon the request of the purchaser, make and deliver to the person entitled thereto a quitclaim deed for such real estate in form or effect as follows:

This deed, made this _____ day of _____, 20____, by and between _____, deputy commissioner of delinquent and nonentered lands of _____ County, West Virginia, grantor, and _____, purchaser (or _____ heir, devisee, assignee of _____, purchaser) grantee, witnesseth, that

Whereas, in pursuance of the statutes in such case made and provided, _____, deputy commissioner of delinquent and nonentered lands of _____ County, did, on the _____ day of _____, 20____, sell the real estate hereinafter mentioned and described for the taxes delinquent thereon for the year(s) 20____, (or as nonentered land for failure of the owner thereof to have the land entered on the land books for the years _____, or as property escheated to the State of West Virginia, or as waste or unappropriated property) for the sum of \$_____, that being the amount of purchase money paid to the deputy commissioner, and _____ (here insert name of purchaser) did become the purchaser of such real estate, which was returned delinquent in the name of _____ (or nonentered in the name of, or escheated from the estate of, or which was discovered as waste or unappropriated property); and

Whereas, the deputy commissioner has caused the notice to redeem to be served on all persons required by law to be served therewith; and

Whereas, the real estate so purchased has not been redeemed in the manner provided by law and the time for redemption set forth in such notice has expired.

Now, therefore, the grantor for and in consideration of the premises recited herein, and pursuant to the provisions of Article 3, Chapter 11A of the West Virginia Code, doth grant unto _____, grantee, his or her heirs and assigns forever, the real estate so purchased, situate in the County of _____, bounded and described as follows: _____ (here insert description of property)

Witness the following signature:

Deputy Commissioner of Delinquent and Nonentered Lands of
_____ County

Except when ordered as provided in §11A-3-60 of this code, the deputy commissioner shall execute and deliver a deed within 120 days after the purchaser's right to the deed accrued.

For the preparation and execution of the deed and for all the recording required by this section, a fee of \$50 and the recording expenses shall be charged, to be paid by the grantee upon delivery of the deed. The deed, when duly acknowledged or proven, shall be recorded by the clerk of the county commission in the deed book in his or her office, together with the assignment from the purchaser, if one was made, the notice to redeem, the return of service of such notice, the affidavit of publication, if the notice was served by publication, and any return receipts for notices sent by certified mail.

Upon payment of the final costs and fees required by this article, the purchaser shall have the right to inspect and perform necessary and reasonable repairs for the preservation of the real property: *Provided*, That the current occupant has a duty to preserve the property to the best of his or her ability and control.;

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Com. Sub. for Senate Bill 405—A Bill to amend and reenact §11A-3-23, §11A-3-25, §11A-3-56, §11A-3-57, §11A-3-58, and §11A-3-59 of the Code of West Virginia, 1931, as amended, all relating to increasing the limit to \$500 on additional expenses a purchaser may recover in preparing notice list for redemption of purchase and for licensed attorney's title examination.

Respectfully submitted,

Gregory L. Boso, *Chair*, Dave Sypolt, Corey Palumbo, *Conferees on the part of the Senate.*

Jeffrey Pack, *Chair*, Tom Bibby, Tim Tomblin, *Conferees on the part of the House of Delegates.*

Senator Boso, Senate cochair of the committee of conference, was recognized to explain the report.

Thereafter, on motion of Senator Boso, the report was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for Senate Bill 405, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: Palumbo—1.

Absent: Boley—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. 405) passed with its conference amended title.

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

Senator Weld, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Senate Bill 596, Adjusting voluntary contribution amounts on certain DMV forms.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the House to Senate Bill 596 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That the House of Delegates recede from its amendments to the bill;

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Senate Bill 596—A Bill to amend and reenact §17A-2-12a of the Code of West Virginia, 1931, as amended, relating to the ability of applicants to make voluntary contributions of specified dollar amounts to the West Virginia Department of Veterans Assistance on forms created by the Division of Motor Vehicles and adding thereto a category for unspecified amounts.

Respectfully submitted,

Ryan W. Weld, *Chair*, Dave Sypolt, Glenn D. Jeffries,
Conferees on the part of the Senate.

Jason Harshbarger, *Chair*, Chris Phillips, William G. Hartman,
Conferees on the part of the House of Delegates.

On motions of Senator Weld, severally made, the report of the committee of conference was taken up for immediate consideration and adopted.

Engrossed Senate Bill 596, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker,

Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Boley—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 596) passed with its conference amended title.

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

Without objection, the Senate returned to the third order of business.

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

House Concurrent Resolution 28—Requesting the Division of Highways name bridge number 20-61-13.51 (20A817), locally known as New Chesapeake Bridge, carrying WV Route 61 over Fields Creek in Kanawha County, the “Charleston Police Capt. Jerry D. Hill Memorial Bridge”.

At the request of Senator Palumbo, and by unanimous consent, reference of the resolution to a committee was dispensed with and it was taken up for immediate consideration.

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

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

On motion of Senator Takubo, at 10:31 p.m., the Senate recessed until 11 p.m. tonight.

The Senate reconvened at 11:10 p.m. tonight.

A message from the Clerk of the House of Delegates announced the further amendment by that body to the amendments to the bill, passage as amended, and requested the concurrence of the Senate in the House of Delegates further amendment, as to

Eng. Com. Sub. for Senate Bill 561, Permitting Alcohol Beverage Control Administration request assistance of local law enforcement.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates further amendment to the amendments to the bill was reported by the Clerk:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 561—A Bill to amend and reenact §7-1-3ss of the Code of West Virginia, 1931, as amended; to amend and reenact §11-16-18 of said code; to amend said code by adding thereto two new sections, designated §60-2-17a and §60-2-17b; to amend and reenact §60-6-7, §60-6-8, and §60-6-9 of said code; to amend and reenact §60-7-2, §60-7-3, §60-7-4, §60-7-5, §60-7-6, and §60-7-12 of said code; to amend said code by adding thereto two new sections, designated §60-7-6a and §60-7-8a; to amend and reenact §60-8-34 of said code; and to amend and reenact §61-8-27 of said code, all relating to alcoholic beverages generally; creating a county option election on forbidding nonintoxicating beer, wine or alcoholic liquors to be sold, given or dispensed after 10:00 a.m. on Sundays in lieu of an county option election to permit such sales; delineating hours of unlawful sale on a Sunday generally; permitting the Alcohol Beverage Control Administration to request the assistance of law enforcement; limiting the jurisdiction of such requested law enforcement assistance; implementing a \$100 operations fee and establishing special revenue account and fund; clarifying that consumption of alcoholic liquors in public is unlawful; clarifying that West Virginia licensees can only sell liquor by the drink with certain exceptions; clarifying prohibition on liquor bottle sales in Class A

licenses; providing for a bottle service fee and establishing requirements for bottle service; clarifying certain licensing requirements for licensure; providing guidance on certain lawful conduct such as wine bottle sales and frozen drink machines; forbidding the operation of certain bring your own bottle establishments; creating a private fair and festival license; definitions; license requirements; license fee; creating the private hotel license and license fee; creating a private nine-hole golf course license and fee; removing the need for golf carts to be offered at licensed golf courses; definitions; license requirements; license fee; permitting a private resort hotel to have inner-connection with a resident brewer who has a brewpub; providing a 30-day requirement to issue or deny a completed license application; creating a reactivation fee for licensees who fail to timely file their renewal application and pay their annual license fees; permitting a license privilege for certain licensees to operate a connected but separately operated Class A on-premises license and a Class B off-premises license; clarifying that certain state-licensed gaming is permissible in a private club; clarifying permitted hours of operation for certain licensees; clarifying unlawful Sunday sales for certain wine licensees; and permitting minors to attend a private hotel, private nine-hole golf course, and a private fair or festival under certain conditions.

Senator Takubo moved that the Senate concur in the foregoing further House of Delegates amendment to the amendments to the bill.

Following discussion,

The question being on the adoption of Senator Takubo's aforestated motion, the same was put and prevailed.

Engrossed Committee Substitute for Senate Bill 561, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope,

Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Beach, Boley, Maroney, and Woelfel—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 561) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. House Bill 3139, Relating to funding of the Public Employees Health Insurance Program.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page two, section fifteen-a, subsection (b), by striking out the words “shall consist of moneys collected from” and inserting in lieu thereof the words “may consist of moneys appropriated by the Legislature.”;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. House Bill 3139—A Bill to amend and reenact §5-16-25 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11B-2-15a, all relating generally to funding of Public Employees Health Insurance Program; requiring the finance board to maintain a reserve fund at actuarily recommended amounts of at least 10 percent of plan costs; removing requirement to transfer moneys resulting from plan savings into reserve fund; removing requirement that excess funds be transferred to West Virginia Retiree Health Benefit Trust Fund; establishing PEIA Rainy Day Fund as special, nonexpiring, interest-bearing revenue account in the State Treasury; providing funding for the Fund from appropriations, investment income and other sources; providing for the administration of the fund, including investment of funds, transfer of funds, and purposes for which the fund can be used; and authorizing the promulgation of emergency and legislative rules.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed House Bill 3139, as amended, was then put upon its passage.

Pending discussion,

The question being “Shall Engrossed House Bill 3139 pass?”

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Boley, Maroney, and Woelfel—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3139) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Boley, Maroney, and Woelfel—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3139) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment, as amended by the House of Delegates, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. House Bill 3143, Relating to requirements for consumer loans in West Virginia.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendment to the bill was reported by the Clerk:

On page one, after the article heading, by inserting a new section, designated section one hundred one, to read as follows:

§46A-4-101. Authority to make loans.

Unless a person has first obtained a license from the commissioner authorizing ~~him~~ the person to make regulated consumer loans, he ~~shall~~ or she may not engage in the business of:

(1) Making regulated consumer loans; or

(2) Taking assignments of ~~and~~ or undertaking direct collection of payments from or enforcement of rights against consumers arising from regulated consumer loans: Provided, That the licensing provisions of this act do not pertain to any “collection agency” as defined in, and licensed by, the “Collection Agency Act of 1973” at W. Va. Code §§47-16-1 et seq.

Senator Takubo moved that the Senate concur in the foregoing House of Delegates amendment to the Senate amendment to the bill.

Following discussion,

The question being on the adoption of Senator Takubo’s aforestated motion, the same was put and prevailed.

Engrossed House Bill 3143, as amended, was then put upon its passage.

Pending discussion,

The question being “Shall Engrossed House Bill 3143 pass?”

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Mann, Maynard, Palumbo, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—25.

The nays were: Baldwin, Ihlenfeld, Jeffries, Lindsay, Prezioso, and Unger—6.

Absent: Boley, Maroney, and Woelfel—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3143) passed with its title.

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

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

Com. Sub. for House Concurrent Resolution 5—Requesting the Division of Highways name bridge number 32-122-7.94 (32A054) (37.54070, -80.66364), locally known as Indian Creek Bridge #1, carrying WV 122 over Indian Creek in Monroe County, the “U. S. Army T/5 Maurice V. Mann Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 9—Requesting the Division of Highways rename bridge number 25-64/1-0.04 (25A106), locally known as Kingmont Road Overpass, carrying Route 64 over Interstate 79 in Marion County, as the “Kingmont Veterans Bridge PVT Jarrett Springer, U. S. Army WWII, PFC Benjamin “Benny” Hamrick, USMC Vietnam”.

House Concurrent Resolution 36—Requesting the Division of Highways name bridge number 42-42-5.95 (42A-097) crossing the Middle Fork River at Helvetia, Adolph Road, at Adolph, Randolph County, be named the “SPEC 5 Garry Monzel ‘Michael’ Shannon Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 37—Requesting the Division of Highways name bridge number 42-21-13.39, locally known as the Spillway Bridge, near Elkins in Randolph County, crossing the Tygart Valley River on Georgetown Road, the “SSGT Thomas Gavin Hess Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 40—Requesting the Division of Highways name bridge number 16-55-11.40 (16A136), locally known as U. S. 220 Connector Bridge,

carrying West Virginia Route 55 over South Valley Branch Railroad and Dumpling Run in Hardy County, the “U. S. Army CAPT William H. Denney, Jr. Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 42—Requesting the Division of Highways name bridge number :44-7-3.42 (44A015), locally known as Grace Bridge, carrying County Route 7 over Spring Creek in Roane County, the “U. S. Navy Petty Officer 2d Class Joseph Allen Ashley Memorial Bridge”.

House Concurrent Resolution 46—Requesting the Division of Highways name bridge number 16-55/2C-3.76, crossing U. S. 48 at the East Moorefield exit, locally known as the Cunningham Lane Bridge in Moorefield, Hardy County, the “PVT Jack C. Evans Memorial Bridge”.

House Concurrent Resolution 47—Requesting the Division of Highways to add “UMWA President 1972-1979” to bridge number 20-77-83.84 (20A615), carrying Interstate 77/64 over Route 79/3 and Cabin Creek in Kanawha County that was named in 2017 as the “U. S. Army PFC Arnold Miller Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 49—Requesting the Division of Highways to name bridge number 54-14-24.76 (54A039), locally known as Big Run Bridge, carrying WV 14 over Big Run in Wood County, the “U. S. Marine Corps PFC Danny Marshall Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 52—Requesting the Division of Highways name bridge number 36-33-33.85 (36A165), carrying U. S. Route 33 over the South Branch of the Potomac River in Pendleton County, the “Dr. H. Luke Eye Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 53—Requesting the Division of Highways name northbound and southbound bridges numbered 04-79-54.18 (04A109, 04A110), locally known as the Co 21 Overpass Bridges, carrying Interstate 79 over County Route 21 in Braxton County, the “Ray P. Reip Memorial Bridge”.

House Concurrent Resolution 54—Requesting the Division of Highways name the new Cairo Bridge (State Project No. S343-31-9.82 Federal Project No. STP-0031(037)D) to be located on Main Street, in Cairo, Ritchie County that crosses the North Fork Hughes River, and replaces bridge number 43-31-9.82, the “U. S. Navy AOAN David ‘Wayne’ Cornell Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 55—Requesting the Division of Highways name bridge number 18-77-119.86 NB & SB (18A150, 18151) locally known as Goldtown Interchange Bridges, carrying Interstate 77 over County Route 21 and Pocatlico Creek in Jackson County, the “U. S. Navy Seaman 1st Class Brady William Milam Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 58—Requesting Division of Highways to name that portion of I-64/I-77 beginning at mile marker 93 and ending at mile marker 94 in Kanawha County, the “U. S. Army SGT Tommy Meadows Memorial Road”.

House Concurrent Resolution 63—Requesting the Division of Highways name a section of U.S. Route 250 from its intersection with U.S. 219 at Huttonsville, West Virginia, south to the Pocahontas County Line at Randolph County, the “U. S. Army SSG Boggs G. Collins Memorial Road”.

Com. Sub. for House Concurrent Resolution 64—Requesting the Division of Highways to name bridge number 04-5/6-7.33 (O4A193), locally known as the Riffle Box Beam Bridge, carrying County Route 5/6 over Perkins Fork of Cedar Creek in Braxton County, the “U. S. Army CPL Jerry Lee Noble Memorial Bridge”.

House Concurrent Resolution 68—Requesting the Division of Highways name that portion of U. S. Route 19 (Princeton Avenue) in Bluefield, beginning at Monroe Street and ending at Clay Street, in Mercer County, the “Bluefield Police Lt. Aaron L. Crook Memorial Road”.

Com. Sub. for House Concurrent Resolution 70—Requesting the Division of Highways name bridge number: 44-119-9.04 (44A109), locally known as Walton Bridge, carrying U. S. 119 over the Pocatalico River in Roane County, the “Danny Wayne Marks Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 72—Requesting the Division of Highways name that portion of County Route 14 in Roane, West Virginia, north of Spencer, from its intersection with County Route 9 (Spring Creek Road) to Route 14/12 (Hospital Drive), the “U. S. Army PFC Harold Paul Cottle Memorial Highway”.

House Concurrent Resolution 73—Requesting the Division of Highways name bridge number 24-161-14.11 (24A189), locally known as Blackwolf Bridge, carrying WV 161 over the Tug Fork in McDowell County, the “U. S. Army SGT Matthew T. Miller Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 76—Requesting the Division of Highways name bridge Number :04-1-4.02 (04A001), locally known as Orlando Bridge, carrying County Route 1 over Oil Creek in Braxton County, the “Reverend Lonnie Ramsey Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 78—Requesting the Division of Highways name bridge number 20-61/7-0.56 (20A185), locally known as Pratt Pony Truss, carrying County Route 61/7 over Paint Creek in Kanawha County, the “U. S. Air Force Amn Kenneth Wayne Hammar Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 79—Requesting the Division of Highways name bridge number 42-25-0.04 (42A185), locally known as Glenmore Bridge, carrying County Route 25 over Isner Creek in Randolph County, the “U. S. Army PFC Homer Jacob Day Memorial Bridge”.

Com. Sub. for House Concurrent Resolution 82—Requesting the Division of Highways to name bridge number 20-60-22.55 EB & WB (20A346, 20A680), locally known as

Campbells Creek Overpass EB & WB, carrying US 60 (EB & WB) over Port Amherst Drive and Railroad in Kanawha County, the “U. S. Navy GM1 Samuel H. Slack, Jr. Memorial Bridge”.

House Concurrent Resolution 91—Requesting the Division of Highways name bridge number :51-20-39.84 (51A084), locally known as Hacker Valley Truss, carrying WV Route 20 over the Left Fork of Holly River in Webster County, the “U. S. Army SGT. Robert Henry Waggy Memorial Bridge”.

Senator Takubo requested unanimous consent that references of the resolutions (Com. Sub. for H. C. R. 5, 9, 37, 40, 42, 49, 52, 53, 55, 58, 64, 70, 72, 76, 78, 79, and 82 and H. C. R. 36, 46, 47, 54, 63, 68, 73, and 91) to a committee be dispensed with, and that they be taken up for immediate consideration and considered simultaneously.

Which consent was not granted, Senator Sypolt objecting.

On motion of Senator Takubo, references of the aforesaid resolutions to a committee were dispensed with, and they were taken up for immediate consideration and considered simultaneously.

The question being on the adoption of the resolutions.

Following discussion and a point of inquiry to the President, with resultant response thereto,

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

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

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

House Concurrent Resolution 85—Requesting the Joint Committee on Government and Finance study the feasibility of combining the volunteer fire departments in our state under a single policy for workers’ compensation coverage, self-insuring workers’ compensation coverage for volunteer fire departments, or other workers’ compensation coverage options.

House Concurrent Resolution 86—Requesting the Joint Committee on Government and Finance to study the consolidation of municipal, county and municipal, and county and county governments for efficiencies and economies of scale and to determine what appropriate incentives the state can provide.

House Concurrent Resolution 87—Requesting the Joint Committee on Government and Finance study the Public Service Commission to compare the interstate and intrastate regulation of haulers subjected to single, dual and multiple regulatory jurisdictions.

House Concurrent Resolution 88—Requesting the Joint Committee on Government and Finance study the Board of Risk and Insurance Management by evaluating their contracting for services, reviewing their premium structures and rates, identifying their activities to provide transparency to the public and governmental entities and reviewing their fiscal responsibilities.

House Concurrent Resolution 93—Requesting the Joint Committee on Energy study legislation relating to the deregulation of natural gas for certain high-volume natural gas consumers.

House Concurrent Resolution 108—Requesting the Joint Committee on Government and Finance to study the feasibility and propriety of authorizing and regulating a program for the rental of privately owned passenger motor vehicles through what is commonly known as a peer-to-peer car sharing program, establishing a regulatory framework to enable peer-to-peer car sharing entities to operate in West Virginia and the manner in which individually owned passenger motor vehicles are rented, maintained and insured in the program.

At the request of Senator Takubo, and by unanimous consent, references of the resolutions (H. C. R. 85, 86, 87, 88, 93, and 108) to a committee were dispensed with, and they were taken up for immediate consideration and considered simultaneously.

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

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

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

House Concurrent Resolution 83—Requesting the creation of the West Virginia Distressed Water and Wastewater Utility Systems Viability Study Committee to conduct a study regarding the state’s distressed water and wastewater infrastructure and submit a written report of findings and recommendations to the Joint Committee on Government and Finance.

At the request of Senator Takubo, and by unanimous consent, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

On motion of Senator Jeffries, the following amendments to the resolution (H. C. R. 83) were reported by the Clerk, considered simultaneously, and adopted:

On page three, after subsection (g), by inserting a new subsection, designated subsection (h), to read as follows:

“(h) The Executive Director of the West Virginia Water Development Authority, or designee;”;

And,

By relettering the remaining subsections.

The question now being on the adoption of the resolution (H. C. R. 83), as amended, the same was put and prevailed.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendment to the House of Delegates amendment, and requested the Senate to recede therefrom, as to

Eng. Senate Bill 665, Allowing for expedited oil and gas well permitting.

Senator Takubo moved that the Senate refuse to recede from its amendment to the House of Delegates amendment to the bill.

Following discussion,

The question being on the adoption of Senator Takubo's aforesated motion, and on this question, Senator Trump demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Boley, Maroney, and Woelfel—3.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Takubo's aforesated motion had prevailed.

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

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

House Concurrent Resolution 61—Applying to and urging Congress to call a convention of the states, under the authority reserved to the states in Article V of the United States Constitution, limited to proposing amendments to the Constitution of the United States and to limit the terms of office that a person may be elected as a Member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a Member of the United States Senate.

At the request of Senator Takubo, and by unanimous consent, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution.

Following extended discussion,

The midnight hour having arrived, the President stated all unfinished legislative business had expired due to the time element.

A series of messages from the House of Delegates having been received at his desk, the following communications were reported by the Clerk:

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendment to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for Senate Bill 4, Relating generally to Municipal Home Rule Program.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended, with its House of Delegates amended title, of

Eng. Senate Bill 28, Removing hotel occupancy tax limit collected for medical care and emergency services.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for Senate Bill 40, Establishing Military Service Members Court program.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for Com. Sub. for Senate Bill 90, Transferring Safety and Treatment Program from DHHR to DMV.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of the committee of conference report, passage as amended by the conference report with its conference amended title, of

Eng. Com. Sub. for Senate Bill 241, Permitting county court clerks scan certain documents in electronic form.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of the committee of conference report, passage as amended by the conference report with its conference amended title, of

Eng. Com. Sub. for Senate Bill 295, Relating to crimes against public justice.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of the committee of conference report, passage as amended by the conference report with its conference amended title, of

Eng. Com. Sub. for Com. Sub. for Senate Bill 317, Authorizing three or more adjacent counties form multicounty trail network authority.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendment to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for Senate Bill 352, Relating to Division of Corrections and Rehabilitation acquiring and disposing of services, goods, and commodities.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendment to, and the passage as amended, with its Senate amended title, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 398, Relating to compensation for senior judges.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of the committee of conference report, passage as amended by the conference report with its conference amended title, of

Eng. Com. Sub. for Senate Bill 405, Increasing limit on additional expenses incurred in preparing notice list for redemption.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 424, Supplemental appropriation to Civil Contingent Fund.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 435, Supplemental appropriation to State Department of Education and Vocational Division.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of the committee of conference report, passage as amended by the conference report with its conference amended title, of

Eng. Com. Sub. for Senate Bill 481, Relating to Judicial Vacancy Advisory Commission.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of the committee of conference report, passage as amended by the conference report with its conference amended title, of

Eng. Com. Sub. for Senate Bill 487, Relating to admissibility of health care staffing requirements in litigation.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of the committee of conference report, passage as amended by the conference report with its conference amended title, to take effect July 1, 2019, of

Eng. Com. Sub. for Com. Sub. for Senate Bill 522, Creating Special Road Repair Fund.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of the committee of conference report, passage as amended by the conference report with its conference amended title, of

Eng. Senate Bill 596, Adjusting voluntary contribution amounts on certain DMV forms.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for Senate Bill 622, Relating generally to regulation and control of financing elections.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to the House of Delegates amendments to, and the passage as amended, with its Senate amended title, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 624, Allowing county boards of education use alternative assessment provided in Every Student Succeeds Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended, with its Senate amended title, to take effect July 1, 2019, of

Eng. Com. Sub. for Com. Sub. for Senate Bill 632, Improving student safety.

A message from the Clerk of the House of Delegates announced that that body had receded from its amendments to, and the passage as amended by deletion, of

Eng. Senate Bill 673, Relating to public higher education accountability and planning.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 678, Supplemental appropriation from State Excess Lottery Revenue Fund to Office of Technology.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 681, Supplemental appropriation from Lottery Net Profits to Educational Broadcasting Authority.

A message from the Clerk of the House of Delegates announced the rejection by that body of

Eng. Com. Sub. for Senate Joint Resolution 5, Clarification of the Judiciary's Role in Impeachment Proceedings Amendment.

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

Senate Concurrent Resolution 5, Home of Coach Bob Bolen Mountain State University 2004 NAIA Champions sign.

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

Senate Concurrent Resolution 6, US Army SP4 Darrell Gregory Triplett Memorial Bridge.

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

Senate Concurrent Resolution 16, US Army SP4 Wilbur Allen Smith Memorial Bridge.

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

Senate Concurrent Resolution 17, Sardis District Veterans Memorial Bridge.

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

Com. Sub. for Senate Concurrent Resolution 24, Hazel Dickens Memorial Bridge.

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

Com. Sub. for Senate Concurrent Resolution 26, Thompson-Lambert Memorial Bridge.

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

Com. Sub. for Senate Concurrent Resolution 28, US Army SP5 James Henry Caruthers Memorial Road.

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

Senate Concurrent Resolution 31, SGT James E. Mattingly Bridge.

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

Senate Concurrent Resolution 32, US Army SSG Henry Kilgore Bridge.

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

Com. Sub. for Senate Concurrent Resolution 34, US Army SPC Julian Lee Berisford Memorial Bridge.

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

Com. Sub. for Senate Concurrent Resolution 36, US Army CPL Cory M. Hewitt Memorial Bridge.

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

Senate Concurrent Resolution 38, Urging CSX support New River Train.

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

Com. Sub. for Senate Concurrent Resolution 45, US Army Corporal T-5 Albert John “Engine” Arco Memorial Bridge.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2001, Relating to exempting social security benefits from personal income tax.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 2049, Relating to a prime contractor's responsibility for wages and benefits.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, to take effect from passage, of

Eng. Com. Sub. for House Bill 2079, Removing certain limitations on medical cannabis grower, processor and dispensary licenses.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2083, Providing an identification card for released inmates who do not have a West Virginia identification card or driver's license.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. House Bill 2474, Relating to a reserving methodology for health insurance and annuity contracts.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 2503, Relating to court actions.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, of

Eng. Com. Sub. for House Bill 2583, Family Planning Access Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2618, Including undue influence as a factor in the definition of financial exploitation of an elderly person or protected person.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect from passage, of

Eng. House Bill 2665, Supplemental appropriation for PEIA Rainy Day Fee.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2673, Creating the Oil and Gas Abandoned Well Plugging Fund.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2674, Creating a student loan repayment program for a mental health provider.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2694, Relating to the state's ability to regulate hemp.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect July 1, 2019, of

Eng. Com. Sub. for House Bill 2761, Modernizing the self-service storage lien law.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 2768, Reducing the use of certain prescription drugs.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2770, Fairness in Cost-Sharing Calculation Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2807, Creating an additional modification to the West Virginia adjusted gross income of shareholders of S corporations engaged in banking.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. House Bill 2828, Relating to Qualified Opportunity Zones.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, of

Eng. Com. Sub. for House Bill 2849, Establishing different classes of pharmacy technicians.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2933, Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. House Bill 2934, West Virginia Lottery Interactive Wagering Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, of

Eng. Com. Sub. for House Bill 2947, Relating generally to telemedicine prescription practice requirements and exceptions.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. House Bill 2968, Adding remote service unit to the definition of customer bank communications terminals.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2982, Amending and updating the laws relating to auctioneers.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. House Bill 3020, Relating to sole source contracts for goods and services with nonprofit corporations affiliated with the respective education institutions.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect from passage, of

Eng. Com. Sub. for House Bill 3024, West Virginia Business Ready Sites Program.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 3057, Relating to the Adult Drug Court Participation Fund.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 3131, Relating to providing salary adjustments to employees of the Department of Health and Human Resources.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. House Bill 3142, Relating to reducing the severance tax on thermal or steam coal.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. House Bill 3144, North Central Appalachian Coal Severance Tax Rebate Act.

The Senate again proceeded to the sixth order of business.

At the request of Senator Takubo, and by unanimous consent, Senator Takubo offered the following pre-adjournalment resolution from the floor:

Senate Resolution 79—Raising a committee to notify the House of Delegates the Senate is ready to adjourn *sine die*.

Resolved by the Senate:

That the President be authorized to appoint a committee of three to notify the House of Delegates that the Senate has completed its labors and is ready to adjourn *sine die*.

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

Senator Carmichael (Mr. President), under the provisions of the foregoing resolution, appointed the following committee to notify the House of Delegates of impending Senate adjournment:

Senators Boso, Roberts, and Ihlenfeld.

At the request of Senator Takubo, and by unanimous consent, Senator Takubo then offered the following resolution from the floor:

Senate Resolution 80—Raising a committee to notify His Excellency, the Governor, that the Legislature is ready to adjourn *sine die*.

Resolved by the Senate:

That the President be authorized to appoint a committee of three to join with a similar committee of the House of Delegates to notify His Excellency, the Governor, that the Legislature has completed its labors and is ready to adjourn *sine die*.

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

Under the provisions of the foregoing resolution, Senator Carmichael (Mr. President) appointed the following committee to notify His Excellency, the Governor, that the Legislature is ready to adjourn:

Senators Weld, Tarr, and Palumbo.

Thereafter, the President recognized the presence of a three-member delegation from the House of Delegates, namely:

Delegates Foster, Sypolt, and Boggs, who announced that that body had completed its labors and was ready to adjourn *sine die*.

The President then acknowledged another delegation from the House of Delegates, consisting of

Delegates J. Kelly, Phillips, and Byrd, who announced that they had been appointed by that body to join with the similar committee named by the Senate to wait upon His Excellency and were ready to proceed with its assignment.

Senators Weld, Tarr, and Palumbo, comprising the Senate committee, then joined with the House committee and proceeded to the executive offices to notify His Excellency, the Governor, of imminent legislative adjournment, and receive any message he might desire to transmit to the members of the Senate.

On motion of Senator Maynard, the Joint Committee on Enrolled Bills was directed after it has examined, found truly enrolled and presented to His Excellency, the Governor, for his action, bills passed but not presented to him prior to adjournment of the regular sixty-day session of the Legislature, to file its reports with the Clerk of bills so enrolled, showing the date such bills were presented to the Governor; said reports to be included in the final Journal, together with Governor's action on said bills.

In accordance with the foregoing motion, the following reports of the Joint Committee on Enrolled Bills were filed as follows:

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 11th day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(Com. Sub. for S. B. 72), Creating Sexual Assault Victims' Bill of Rights.

(Com. Sub. for Com. Sub. for S. B. 310), Establishing certain requirements for dental insurance.

(Com. Sub. for S. B. 393), Protecting right to farm.

(Com. Sub. for S. B. 408), Determining indigency for public defender services.

(Com. Sub. for S. B. 441), Relating to higher education campus police officers.

(Com. Sub. for S. B. 520), Requiring entities report drug overdoses.

(S. B. 636), Authorizing legislative rules for Higher Education Policy Commission.

(Com. Sub. for S. B. 641), Relating to Primary Care Support Program.

(Com. Sub. for H. B. 3007), Authorizing the Commissioner of Agriculture to require background checks.

(Com. Sub. for H. B. 3021), Relating to the disposition of permit fees, registration fees and civil penalties imposed against thoroughbred horse racing licensees.

(H. B. 3045), Exempting certain complimentary hotel rooms from hotel occupancy tax.

(H. B. 3083), Adding temporary work during the legislative session as exclusion to the term employment for purposes of unemployment compensation.

(H. B. 3095), Establishing a minimum monthly retirement annuity for certain retirants.

And,

(H. B. 3148), Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Senator Lindsay, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 13th day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(S. B. 424), Supplemental appropriation to Civil Contingent Fund.

(S. B. 435), Supplemental appropriation to State Department of Education and Vocational Division.

(S. B. 677), Supplemental appropriation to Division of Health and Division of Human Services.

(S. B. 678), Supplemental appropriation from State Excess Lottery Revenue Fund to Office of Technology.

(S. B. 679), Supplemental appropriation to Division of Finance.

(S. B. 680), Supplemental appropriations to various divisions in DMAPS.

(S. B. 681), Supplemental appropriation from Lottery Net Profits to Educational Broadcasting Authority.

(Com. Sub. for H. B. 2020), Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution.

(H. B. 2665), Supplemental appropriation for PEIA Rainy Day Fee.

(H. B. 2667), Supplemental appropriation to the Department of Military Affairs and Public Safety, Division of Corrections.

And,

(H. B. 3135), Expiring funds to the balance of the Department of Commerce, Development Office.

Respectfully submitted,

Richard D. Lindsay II,
Member, Senate Committee.
Moore Capito,
Chair, House Committee.

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 18th day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(Com. Sub. for H. B. 2363), Relating to the Upper Kanawha Valley Resiliency and Revitalization Program.

(Com. Sub. for H. B. 2452), Creating the West Virginia Cybersecurity Office.

(H. B. 2515), Exempting the sale and installation of mobility enhancing equipment from the sales and use tax.

And,

(H. B. 2525), Tobacco Cessation Therapy Access Act.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 19th day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(Com. Sub. for S. B. 60), Licensing practice of athletic training.

(Com. Sub. for S. B. 101), Equalizing penalties for intimidating and retaliating against certain public officers and other persons.

(Com. Sub. for S. B. 187), Authorizing Department of Revenue to promulgate legislative rules.

(Com. Sub. for S. B. 237), Improving ability of law enforcement to locate and return missing persons.

(Com. Sub. for Com. Sub. for S. B. 285), Relating to sale of homemade food items.

(Com. Sub. for S. B. 330), Requiring contact information be listed on agency's online directory and website.

(Com. Sub. for S. B. 344), Relating to operation of state-owned farms.

(Com. Sub. for S. B. 491), Extending effective date for voter registration in conjunction with driver licensing.

(S. B. 493), Correcting terminology referring to racing vehicles illegally on street.

(Com. Sub. for S. B. 511), Creating alternating wine proprietorships.

(Com. Sub. for S. B. 537), Creating workgroup to review hospice need standards.

(Com. Sub. for S. B. 597), Conforming state law to federal law for registration of appraisal management companies.

(S. B. 617), Relating to method of payment to Municipal Pensions Security Fund.

(S. B. 625), Clarifying and defining authority of State Athletic Commission.

(S. B. 633), Authorizing Board of Physical Therapy conduct criminal background checks on applicants for licenses.

(Com. Sub. for S. B. 653), Relating generally to practice of medical corporations.

(S. B. 655), Relating to conservation districts generally.

(Com. Sub. for S. B. 657), Providing consumer protection regarding self-propelled farm equipment.

(S. B. 676), Relating to off-road vehicle recreation.

(H. B. 2311), Exempting short-term license holders to submit information to the State Tax Commission once the term of the permit has expired.

(Com. Sub. for H. B. 2362), Ardala Miller Memorial Act.

(Com. Sub. for H. B. 2405), Imposing a healthcare related provider tax on certain health care organizations.

(H. B. 2509), Clarifying that theft of a controlled substance is a felony.

(H. B. 2530), Creating a voluntary certification for recovery residences.

(H. B. 2547), Relating to the election prohibition zone.

(Com. Sub. for H. B. 2550), Creating a matching program for the Small Business Innovation and Research Program and the Small Business Technology Transfer Program.

(H. B. 2872), Authorizing law-enforcement officers to assist the State Fire Marshal.

And,

(H. B. 2958), Authorizing the State Auditor to conduct regular financial examinations or audits of all volunteer fire companies.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 20th day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(Com. Sub. for Com. Sub. for S. B. 1), Increasing access to career education and workforce training.

(Com. Sub. for S. B. 3), Establishing WV Small Wireless Facilities Deployment Act.

(S. B. 28), Removing hotel occupancy tax limit collected for medical care and emergency services.

(Com. Sub. for S. B. 30), Eliminating tax on annuity considerations collected by life insurer.

(Com. Sub. for S. B. 40), Establishing Military Service Members Court program.

(Com. Sub. for S. B. 61), Adding certain crimes for which prosecutor may apply for court order authorizing interception of communications.

(Com. Sub. for Com. Sub. for S. B. 90), Transferring Safety and Treatment Program from DHHR to DMV.

(Com. Sub. for S. B. 100), Increasing court fees to fund law-enforcement standards training and expenses.

(Com. Sub. for S. B. 147), Shifting funding from Landfill Closure Assistance Fund to local solid waste authorities.

(Com. Sub. for S. B. 152), Relating generally to criminal offense expungement.

(Com. Sub. for S. B. 163), Authorizing DEP promulgate legislative rules.

(Com. Sub. for S. B. 175), Authorizing DHHR promulgate legislative rules.

(S. B. 190), DOH promulgate legislative rule relating to employment procedures.

(Com. Sub. for S. B. 223), Authorizing Department of Commerce promulgate legislative rules.

(Com. Sub. for S. B. 241), Permitting county court clerks scan certain documents in electronic form.

(Com. Sub. for S. B. 295), Relating to crimes against public justice.

(Com. Sub. for S. B. 316), Preserving previously approved state Municipal Policemen's or Firemen's pensions.

(Com. Sub. for S. B. 345), Relating to fire service equipment and training funds for VFDs.

(Com. Sub. for S. B. 352), Relating to Division of Corrections and Rehabilitation acquiring and disposing of services, goods, and commodities.

(Com. Sub. for S. B. 373), Relating to financial responsibility of inmates.

(Com. Sub. for S. B. 398), Relating to compensation for senior judges.

(Com. Sub. for S. B. 502), Exempting sales of investment metal bullion and coins.

(S. B. 519), Requiring county emergency dispatchers complete course for telephonic cardiopulmonary resuscitation.

(S. B. 531), Relating generally to workers' compensation claims.

(Com. Sub. for S. B. 546), Creating tax on certain acute care hospitals.

(S. B. 587), Relating to PEIA reimbursement of air ambulance providers.

(S. B. 635), Relating generally to coal mining activities.

(S. B. 664), Authorizing certain members of federal judiciary perform marriages.

(S. B. 667), Creating WV Motorsport Committee.

(S. B. 668), Relating to physician assistants collaborating with physicians in hospitals.

(S. B. 675), Requiring DEP create and implement Adopt-A-Stream Program.

(H. B. 2954), Defining certain terms used in insurance.

And,

(Com. Sub. for H. B. 2975), Relating to imposition of sexual acts on persons incarcerated.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 21st day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(Com. Sub. for H. B. 2001), Relating to exempting social security benefits from personal income tax.

(Com. Sub. for H. B. 2010), Relating to foster care.

(Com. Sub. for H. B. 2049), Relating to a prime contractor's responsibility for wages and benefits.

(H. B. 2209), Allowing military veterans who meet certain qualifications to qualify for examination for license as an emergency medical technician.

(Com. Sub. for H. B. 2378), Relating generally to grounds for revocation of a teaching certificate.

(Com. Sub. for H. B. 2396), West Virginia Fresh Food Act.

(H. B. 2412), Relating to criminal acts concerning government procurement of commodities and services.

(Com. Sub. for H. B. 2422), Relating to the time for the observation of “Celebrate Freedom Week”.

(Com. Sub. for H. B. 2490), Preventing proposing or enforcing rules that prevent recreational water facilities from making necessary upgrades.

(Com. Sub. for H. B. 2540), Prohibiting the waste of game animals, game birds or game fish.

(Com. Sub. for H. B. 2541), Requiring certain safety measures be taken at public schools.

(Com. Sub. for H. B. 2579), Relating to the collection of tax and the priority of distribution of an estate or property in receivership.

(Com. Sub. for H. B. 2601), Relating to the review and approval of state property leases.

(Com. Sub. for H. B. 2617), Relating to the form for making offer of optional uninsured and underinsured coverage by insurers.

(H. B. 2647), Self Storage Limited License Act.

(Com. Sub. for H. B. 2661), Relating to natural gas utilities.

(Com. Sub. for H. B. 2662), Relating to certificates or employment of school personnel.

(Com. Sub. for H. B. 2715), Relating to Class Q special hunting permit for disabled persons.

(H. B. 2716), Relating to vessel lighting and equipment requirements.

(H. B. 2739), Relating to contributions on behalf of employees to a retirement plan administered by the Consolidated Public Retirement Board.

(Com. Sub. for H. B. 2907), Requiring a form of a certified commitment order to the Division of Corrections and Rehabilitation.

(H. B. 2992), Relating to governmental websites.

(H. B. 3044), Requiring the Commissioner of Highways to develop a formula for allocating road funds.

And,

(Com. Sub. for H. B. 3057), Relating to the Adult Drug Court Participation Fund.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 22nd day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(Com. Sub. for S. B. 4), Relating generally to Municipal Home Rule Program.

(S. B. 16), Authorizing expenditure of surplus funds by Wyoming County Commission.

(S. B. 36), Allowing adjustment of gross income for calculating personal income liability for certain retirees.

(Com. Sub. for S. B. 103), Relating generally to Public Defender Services.

(S. B. 153), Providing greater flexibility for making infrastructure project grants.

(Com. Sub. for S. B. 154), Using school facilities for funeral and memorial services for certain community members.

(Com. Sub. for S. B. 199), Authorizing certain miscellaneous agencies and boards promulgate legislative rules.

(Com. Sub. for S. B. 238), Increasing certain penalties for illegally passing stopped school bus.

(Com. Sub. for S. B. 264), Requiring courts to order restitution to crime victims where economically practicable.

(Com. Sub. for S. B. 291), Relating generally to survivor benefits for emergency response providers.

(Com. Sub. for Com. Sub. for S. B. 317), Authorizing three or more adjacent counties form multicounty trail network authority.

(Com. Sub. for S. B. 318), Transferring Medicaid Fraud Control Unit to Attorney General's office.

(Com. Sub. for S. B. 329), Relating to agricultural education in high schools.

(Com. Sub. for S. B. 340), Repealing obsolete provisions of code relating to WV Physicians Mutual Insurance Company.

(Com. Sub. for S. B. 357), Relating generally to Division of Administrative Services.

(Com. Sub. for S. B. 360), Relating to third-party litigation financing.

(Com. Sub. for S. B. 369), Relating to generic drug products.

(Com. Sub. for S. B. 396), Waiving occupational licensing fees for low-income individuals and military families.

(Com. Sub. for S. B. 400), Allowing Board of Dentistry create specialty licenses.

(Com. Sub. for Com. Sub. for S. B. 402), Authorizing Division of Forestry investigate and enforce timber theft violations.

(Com. Sub. for S. B. 404), Relating generally to sediment control during commercial timber harvesting operations.

(Com. Sub. for S. B. 405), Increasing limit on additional expenses incurred in preparing notice list for redemption.

(S. B. 421), Relating to annual legislative review of economic development tax credit.

(S. B. 461), Relating generally to lottery prizes.

(Com. Sub. for S. B. 481), Relating to Judicial Vacancy Advisory Commission.

(Com. Sub. for S. B. 485), Clarifying notification requirements for property insurance purposes.

(Com. Sub. for S. B. 487), Relating to admissibility of health care staffing requirements in litigation.

(Com. Sub. for S. B. 496), Transferring authority to regulate milk from DHHR to Department of Agriculture.

(S. B. 499), Amending WV tax laws to conform to changes in partnerships for federal income tax purposes.

(Com. Sub. for Com. Sub. for S. B. 522), Creating Special Road Repair Fund.

(Com. Sub. for S. B. 529), Clarifying provisions of Nonintoxicating Beer Act.

(Com. Sub. for S. B. 538), Relating to WV Highway Design-Build Pilot Program.

(Com. Sub. for S. B. 539), Relating to accrued benefit of retirees in WV State Police Retirement System Plan B.

(Com. Sub. for Com. Sub. for S. B. 543), Relating generally to automobile warranties and inspections.

(S. B. 544), Increasing salaries for members of WV State Police over three-year period.

(S. B. 550), Declaring certain claims to be moral obligations of state.

(S. B. 554), Removing salary caps for director of State Rail Authority.

(Com. Sub. for S. B. 561), Permitting Alcohol Beverage Control Administration request assistance of local law enforcement.

(Com. Sub. for S. B. 564), Expanding comprehensive coverage for pregnant women through Medicaid.

(S. B. 566), Relating to compensation for State Athletic Commission members.

(S. B. 596), Adjusting voluntary contribution amounts on certain DMV forms.

(Com. Sub. for S. B. 600), Relating to preservation of biological evidence obtained through criminal investigations and trials.

(Com. Sub. for S. B. 601), Relating to mandatory supervision of adult inmates.

(Com. Sub. for S. B. 603), Exempting certain activities from licensing requirements for engaging in business of currency exchange.

(S. B. 605), Permitting Secondary School Activities Commission discipline schools for not following protocol for concussions and head injuries.

(Com. Sub. for S. B. 613), Requiring DNR include election of organ donation on hunting licenses.

(Com. Sub. for S. B. 622), Relating generally to regulation and control of financing elections.

(Com. Sub. for S. B. 624), Allowing county boards of education use alternative assessment provided in Every Student Succeeds Act.

(S. B. 627), Relating generally to Rural Rehabilitation Loan Program.

(Com. Sub. for Com. Sub. for S. B. 632), Improving student safety.

(Com. Sub. for S. B. 640), Regulating sudden cardiac arrest prevention.

(S. B. 656), Relating to electronic filing of tax returns.

(S. B. 658), Relating to motor vehicle salesperson licenses.

(S. B. 669), Allowing appointment of commissioners to acknowledge signatures.

(S. B. 670), Relating to WV College Prepaid Tuition and Savings Program.

(S. B. 672), Authorizing School Building Authority to promulgate legislative rules.

(S. B. 673), Relating to public higher education accountability and planning.

And,

(Com. Sub. for H. B. 2486), Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Senator Tarr, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 25th day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(Com. Sub. for H. B. 2004), Providing for a program of instruction in workforce preparedness.

(H. B. 2009), Creating a new category of Innovation in Education grant program.

(Com. Sub. for H. B. 2079), Removing certain limitations on medical cannabis grower, processor and dispensary licenses.

(Com. Sub. for H. B. 2083), Providing an identification card for released inmates who do not have a West Virginia identification card or driver's license.

(Com. Sub. for H. B. 2193), Providing a specific escheat of US savings bonds.

(H. B. 2474), Relating to a reserving methodology for health insurance and annuity contracts.

(Com. Sub. for H. B. 2479), Corporate Governance Annual Disclosure Act.

(H. B. 2480), Relating to the regulation of an internationally active insurance group.

(Com. Sub. for H. B. 2503), Relating to court actions.

(Com. Sub. for H. B. 2524), Permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances.

(Com. Sub. for H. B. 2583), Family Planning Access Act.

(Com. Sub. for H. B. 2600), Relating to publication of sample ballots.

(Com. Sub. for H. B. 2618), Including undue influence as a factor in the definition of financial exploitation of an elderly person or protected person.

(Com. Sub. for H. B. 2673), Creating the Oil and Gas Abandoned Well Plugging Fund.

(Com. Sub. for H. B. 2674), Creating a student loan repayment program for a mental health provider.

(Com. Sub. for H. B. 2694), Relating to the state's ability to regulate hemp.

(H. B. 2709), Relating to hunting licenses.

(Com. Sub. for H. B. 2761), Modernizing the self-service storage lien law.

(Com. Sub. for H. B. 2768), Reducing the use of certain prescription drugs.

(Com. Sub. for H. B. 2770), Fairness in Cost-Sharing Calculation Act.

(Com. Sub. for H. B. 2809), Relating to prohibited acts and penalties in the Hatfield-McCoy Recreation Area.

(Com. Sub. for H. B. 2813), Relating generally to collection of use tax.

(H. B. 2816), Removing the terms "hearing impaired," "hearing impairment," and "deaf mute" from the West Virginia Code and substituting terms.

(H. B. 2828), Relating to Qualified Opportunity Zones.

(Com. Sub. for H. B. 2831), Finding and declaring certain claims against the state and its agencies to be moral obligations of the state.

(H. B. 2846), Relating to special vehicle registration plates.

(Com. Sub. for H. B. 2849), Establishing different classes of pharmacy technicians.

(H. B. 2850), Relating to qualifications for commercial driver's license.

(H. B. 2853), Establishing the West Virginia Program for Open Education Resources.

(H. B. 2856), Relating to the administration of the operating fund of the securities division of the Auditor's office.

(H. B. 2926), Requiring the Secretary of the Department of Veterans' Affairs to study the housing needs of veterans.

(Com. Sub. for H. B. 2933), Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury.

(H. B. 2934), West Virginia Lottery Interactive Wagering Act.

(Com. Sub. for H. B. 2945), Relating to vendors paying a single annual fee for a permit issued by a local health department.

(Com. Sub. for H. B. 2947), Relating generally to telemedicine prescription practice requirements and exceptions.

(H. B. 2968), Adding remote service unit to the definition of customer bank communications terminals.

(Com. Sub. for H. B. 2982), Amending and updating the laws relating to auctioneers.

(Com. Sub. for H. B. 3016), Relating to the State Aeronautics Commission.

(H. B. 3020), Relating to sole source contracts for goods and services with nonprofit corporations affiliated with the respective education institutions.

(Com. Sub. for H. B. 3024), West Virginia Business Ready Sites Program.

(Com. Sub. for H. B. 3131), Relating to providing salary adjustments to employees of the Department of Health and Human Resources.

(H. B. 3132), Relating to exempting providers that serve no more than 30 patients with office-based medication-assisted treatment.

(H. B. 3139), Relating to funding of the Public Employees Health Insurance Program.

(H. B. 3141), Requiring capitol building commission authorization for certain renovations.

(H. B. 3142), Relating to reducing the severance tax on thermal or steam coal.

(H. B. 3143), Relating to requirements for consumer loans in West Virginia.

And,

(H. B. 3144), North Central Appalachian Coal Severance Tax Rebate Act.

Respectfully submitted,

Eric J. Tarr,
Member, Senate Committee.
Moore Capito,
Chair, House Committee.

Senator Tarr, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 27th day of March, 2019, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

(**Com. Sub. for H. B. 2807**), Creating an additional modification to the West Virginia adjusted gross income of shareholders of S corporations engaged in banking.

Respectfully submitted,

Eric J. Tarr,
Member, Senate Committee.
Moore Capito,
Chair, House Committee.

Executive Communications

Under authorization of Senate approval therefor in prior proceedings today, to include in this day's Journal communications showing the Governor's action on enrolled bills presented to him in post-session reports, the following are inserted hereinafter:

The Clerk then presented communications from His Excellency, the Governor, advising that on March 14, 2019, he had approved **Enr. Senate Bill 424, Enr. Senate Bill 435, Enr. Senate Bill 677, Enr. Senate Bill 678, Enr. Senate Bill 679, Enr. Senate Bill 680, Enr. Senate Bill 681, Enr. House Bill 2665, Enr. House Bill 2667, and Enr. House Bill 3135**; on March 19, 2019, he had approved **Enr. Committee Substitute for House Bill 2204, Enr. Committee Substitute for House Bill 2359, Enr. House Bill 2547, Enr. House Bill 2608, Enr. Committee Substitute for House Bill 2737, Enr. House Bill 2827, Enr. Committee Substitute for House Bill 2854, Enr. Committee Substitute for House Bill 3007, Enr. House Bill 3045, Enr. House Bill 3083, and Enr. House Bill 3095**; on March 22, 2019, he had approved **Enr. Senate Bill 16, Enr. Senate Bill 36, Enr. Committee Substitute for Senate Bill 199, Enr. Committee Substitute for Senate Bill 223, Enr. Committee Substitute for Senate Bill 241, Enr. Committee Substitute for Senate Bill 264, Enr. Committee Substitute for Senate Bill 291, Enr. Committee Substitute for Senate Bill 329, Enr. Committee Substitute for Senate Bill 340, Enr. Committee Substitute for Senate Bill 357, Enr. Committee Substitute for Senate Bill 400, Enr. Committee Substitute for**

Senate Bill 408, Enr. Senate Bill 421, Enr. Committee Substitute for Senate Bill 441, Enr. Committee Substitute for Senate Bill 481, Enr. Committee Substitute for Senate Bill 518, Enr. Senate Bill 544, Enr. Senate Bill 617, Enr. Senate Bill 627, Enr. Committee Substitute for House Bill 2396, Enr. Committee Substitute for House Bill 2422, Enr. Committee Substitute for House Bill 2476, Enr. Committee Substitute for House Bill 2601, Enr. Committee Substitute for House Bill 2715, Enr. House Bill 2716, Enr. House Bill 2743, and Enr. Committee Substitute for House Bill 2907; on March 25, 2019, he had approved Enr. Committee Substitute for Committee Substitute for Senate Bill 1, Enr. Committee Substitute for Senate Bill 4, Enr. Senate Bill 28, Enr. Committee Substitute for Senate Bill 40, Enr. Committee Substitute for Committee Substitute for Senate Bill 90, Enr. Committee Substitute for Senate Bill 100, Enr. Committee Substitute for Senate Bill 101, Enr. Committee Substitute for Senate Bill 152, Enr. Senate Bill 153, Enr. Committee Substitute for Senate Bill 154, Enr. Committee Substitute for Senate Bill 237, Enr. Committee Substitute for Senate Bill 238, Enr. Committee Substitute for Committee Substitute for Senate Bill 285, Enr. Committee Substitute for Senate Bill 295, Enr. Committee Substitute for Committee Substitute for Senate Bill 310, Enr. Committee Substitute for Senate Bill 316, Enr. Committee Substitute for Committee Substitute for Senate Bill 317, Enr. Committee Substitute for Senate Bill 318, Enr. Committee Substitute for Senate Bill 330, Enr. Committee Substitute for Senate Bill 345, Enr. Committee Substitute for Senate Bill 352, Enr. Committee Substitute for Senate Bill 360, Enr. Committee Substitute for Senate Bill 369, Enr. Committee Substitute for Senate Bill 373, Enr. Committee Substitute for Senate Bill 396, Enr. Committee Substitute for Senate Bill 398, Enr. Committee Substitute for Committee Substitute for Senate Bill 402, Enr. Committee Substitute for Senate Bill 404, Enr. Committee Substitute for Senate Bill 405, Enr. Senate Bill 453, Enr. Senate Bill 461, Enr. Committee Substitute for Senate Bill 485, Enr. Committee Substitute for Senate Bill 491, Enr. Committee Substitute for Senate Bill 496, Enr. Senate Bill

499, Enr. Committee Substitute for Committee Substitute for Senate Bill 510, Enr. Committee Substitute for Senate Bill 511, Enr. Committee Substitute for Senate Bill 520, Enr. Committee Substitute for Senate Bill 529, Enr. Senate Bill 531, Enr. Committee Substitute for Committee Substitute for Senate Bill 543, Enr. Committee Substitute for Senate Bill 546, Enr. Senate Bill 554, Enr. Committee Substitute for Senate Bill 561, Enr. Committee Substitute for Senate Bill 564, Enr. Senate Bill 566, Enr. Senate Bill 587, Enr. Senate Bill 593, Enr. Senate Bill 596, Enr. Committee Substitute for Senate Bill 597, Enr. Committee Substitute for Senate Bill 601, Enr. Committee Substitute for Senate Bill 603, Enr. Senate Bill 605, Enr. Senate Bill 625, Enr. Committee Substitute for Committee Substitute for Senate Bill 632, Enr. Committee Substitute for Senate Bill 640, Enr. Committee Substitute for Senate Bill 641, Enr. Committee Substitute for Senate Bill 653, Enr. Senate Bill 655, Enr. Senate Bill 656, Enr. Committee Substitute for Senate Bill 657, Enr. Senate Bill 658, Enr. Senate Bill 667, Enr. Senate Bill 668, Enr. Senate Bill 669, Enr. Senate Bill 670, Enr. Senate Bill 673, Enr. Senate Bill 675, Enr. House Bill 2209, Enr. House Bill 2311, Enr. Committee Substitute for House Bill 2362, Enr. Committee Substitute for House Bill 2452, Enr. Committee Substitute for House Bill 2490, Enr. House Bill 2515, Enr. Committee Substitute for House Bill 2540, Enr. Committee Substitute for House Bill 2541, Enr. Committee Substitute for House Bill 2609, Enr. Committee Substitute for House Bill 2617, Enr. Committee Substitute for House Bill 2690, Enr. House Bill 2691, Enr. Committee Substitute for House Bill 2740, Enr. House Bill 2746, Enr. House Bill 2872, Enr. House Bill 2954, Enr. House Bill 2958, Enr. Committee Substitute for House Bill 2975, Enr. Committee Substitute for House Bill 3021, and Enr. House Bill 3093; on March 26, 2019, he had approved Enr. Committee Substitute for Senate Bill 60, Enr. Committee Substitute for Senate Bill 72, Enr. Committee Substitute for Senate Bill 157, Enr. Committee Substitute for Senate Bill 163, Enr. Committee Substitute for Senate Bill 175, Enr. Committee Substitute for Senate Bill 187, Enr. Committee Substitute for Senate Bill 344, Enr.

Senate Bill 493, Enr. Senate Bill 519, Enr. Senate Bill 545, Enr. Senate Bill 550, Enr. Committee Substitute for Senate Bill 600, Enr. Committee Substitute for Senate Bill 613, Enr. Senate Bill 636, Enr. Senate Bill 664, Enr. Senate Bill 672, Enr. Committee Substitute for House Bill 2004, Enr. Committee Substitute for House Bill 2010, Enr. Committee Substitute for House Bill 2049, Enr. Committee Substitute for House Bill 2083, Enr. Committee Substitute for House Bill 2183, Enr. Committee Substitute for House Bill 2193, Enr. Committee Substitute for House Bill 2378, Enr. Committee Substitute for House Bill 2439, Enr. House Bill 2474, Enr. Committee Substitute for House Bill 2479, Enr. House Bill 2480, Enr. House Bill 2509, Enr. House Bill 2510, Enr. Committee Substitute for House Bill 2524, Enr. House Bill 2525, Enr. Committee Substitute for House Bill 2538, Enr. Committee Substitute for House Bill 2583, Enr. Committee Substitute for House Bill 2600, Enr. Committee Substitute for House Bill 2618, Enr. House Bill 2647, Enr. Committee Substitute for House Bill 2662, Enr. House Bill 2709, Enr. House Bill 2739, Enr. House Bill 2759, Enr. Committee Substitute for House Bill 2761, Enr. Committee Substitute for House Bill 2768, Enr. Committee Substitute for House Bill 2809, Enr. House Bill 2816, Enr. Committee Substitute for House Bill 2831, Enr. Committee Substitute for House Bill 2846, Enr. Committee Substitute for House Bill 2849, Enr. House Bill 2850, Enr. House Bill 2853, Enr. House Bill 2856, Enr. House Bill 2926, Enr. Committee Substitute for House Bill 2945, Enr. Committee Substitute for House Bill 2947, Enr. House Bill 2968, Enr. Committee Substitute for House Bill 2982, Enr. Committee Substitute for House Bill 3016, Enr. Committee Substitute for House Bill 3057, Enr. Committee Substitute for House Bill 3131, Enr. House Bill 3132, Enr. House Bill 3140, Enr. House Bill 3141, and Enr. House Bill 3143; and on March 27, 2019, he had approved Enr. Committee Substitute for Senate Bill 3, Enr. Committee Substitute for Senate Bill 30, Second Enr. Committee Substitute for Senate Bill 61, Enr. Committee Substitute for Senate Bill 103, Enr. Committee Substitute for Senate Bill 393, Enr. Committee Substitute for Senate Bill

502, Enr. Committee Substitute for Senate Bill 537, Enr. Committee Substitute for Senate Bill 538, Enr. Committee Substitute for Senate Bill 539, Enr. Committee Substitute for Senate Bill 622, Enr. Senate Bill 635, Enr. Committee Substitute for House Bill 2001, Enr. House Bill 2009, Enr. Committee Substitute for House Bill 2405, Enr. Committee Substitute for House Bill 2550, Enr. Committee Substitute for House Bill 2694, Enr. Committee Substitute for House Bill 2770, Enr. Committee Substitute for House Bill 2813, Enr. House Bill 2829, Enr. Committee Substitute for House Bill 2848, Enr. House Bill 3020, Enr. House Bill 3139, Enr. House Bill 3142, and Enr. House Bill 3144.

[CLERK'S NOTE: **Enr. House Bill 2934** became law without the Governor's signature on March 28, 2019, under the provisions of Section 14, Article VII of the Constitution of West Virginia.]



Jim Justice
Governor of West Virginia

March 14, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State of West Virginia
Building 1, Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled Committee Substitute for House Bill 2020

Dear Secretary of State Warner:

Pursuant to the provisions of Section fifty-one, Article VI of the Constitution of West Virginia, I hereby return Enrolled Committee Substitute for House Bill No. 2020, passed March 8, 2019, approved with the following objections:

My first objection to the Bill is contained in Item 45, page 34, line 2, which states:

“Teachers’ Retirement Savings Realized 09500 42,954,000”

The above appropriation includes funding above what is necessary as certified by the Consolidated Public Retirement Board. Therefore, I am reducing the appropriation by the amount of \$5,372,000 to \$37,582,000.

My second objection to the Bill is contained in Item 75, page 60, line 2, which states:

“Unclassified (R).....09900 5,837”

The above appropriation includes an indication of Reappropriation which is contradictory to the directive language included below the fund. Therefore, I am striking the “(R)”.

My third objection to the Bill is contained in Item 75, page 60, line 8 through line 10, which state:

OFFICE OF THE GOVERNOR

Warner
March 14, 2019
Page 2

“Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 0465, appropriation 09900) at the close of the fiscal year 2019 is hereby reappropriated for expenditure during the fiscal year 2020.”

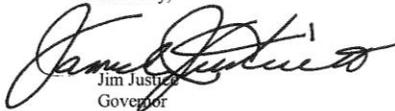
The appropriation for “Unclassified – Total” is not assigned to appropriation code “09900”, therefore I am striking “09900” in line 9.

My fourth objection to the Bill is contained in Item 141, page 86, line 1, which states:
“Current Expenses.....13000 \$42,954,000

Due to the reduction of appropriation contained in my first objection, spending authority for this item is reduced to reflect the difference. Therefore, I am reducing the appropriation by the amount of \$5,372,000 to \$37,582,000.

For these reasons stated herein, I have approved, subject to the above objections, Enrolled Committee Substitute for House Bill No. 2020

Sincerely,



Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates

Veto Messages

Jim Justice
Governor of West Virginia

March 14, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State of West Virginia
Building 1, Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled House Bill 3148

Dear Secretary of State Warner:

Pursuant to the provisions of Section fifty-one, Article VI of the Constitution of West Virginia, I hereby disapprove and return Enrolled House Bill 3148. This supplemental takes fifty-three million dollars out of General Revenue and appropriates it to the Department of Health and Human Resources, Division of Human Services. WV DHHR already projects a Medicaid surplus balance for the Department of Health and Human Resources reaching approximately one hundred ninety million dollars for Fiscal Year 2020. I believe that there are other matters in our state that can benefit from the fifty-three million dollars in Fiscal Year 2019.

For these reasons, I disapprove and return Enrolled House Bill 3148.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled Committee Substitute for Senate Bill No. 147

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill No. 147.

Enrolled Committee Substitute for Senate Bill No. 147 shifts \$1.00 of the solid waste assessment fee imposed by §22-16-4, currently \$3.50, to county and regional solid waste authorities. The \$1.00 per ton reduction in the assessment would affect the Landfill Closure Assistance Fund administered by Department of Environmental Protection, which is used to close landfills in an environmentally protective and sound manner and to pay ongoing maintenance costs on the closed landfills as they age. The annual reduction in this Fund is approximately \$2.1 million dollars.

Enrolled Community Substitute for Senate Bill 147 is concerning because the fee reduction to the Closure Fund will severely impair the DEP's ability to continue maintenance on the already closed landfills and to the ability to close the upcoming ones in a safe manner, posing a threat to the health and safety of our citizens. Putting public health at risk for West Virginians is a bad policy choice, and one that I cannot endorse.

For these reasons, I must disapprove and return Enrolled Committee Substitute for Senate Bill No. 147.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled Senate Bill 190

Dear Secretary Warner:

Pursuant to the provisions of Section fifty-one, Article VI of the Constitution of West Virginia, I hereby disapprove and return Enrolled Senate Bill 190. The rule at issue in the bill makes only one substantive change, which is to allow both salaried and hourly classified services employees to be paid overtime when they have taken leave earlier in the work week.

The intent of the rule appears to be to avoid having employees lose annual leave that cannot be carried forward into the next calendar year. This issue is not unique to Division of Highways employees and has been addressed by this administration through an executive order that allowed Division of Corrections employees, many of whom worked mandatory overtime due to staffing shortages, to carry forward more than the limit of annual leave hours. If the inability of employees to use annual leave by the end of the calendar year is a systemic problem due to snow removal duties, a similar executive order could address the issue on a year-to-year basis.

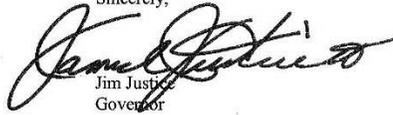
The other problem with the rule is that it fails to recognize the difference between employees entitled to overtime under the federal Fair Labor Standards Act (FLSA), and those employees that are exempt from the overtime requirements of the act. Employees that are exempt from FLSA are not entitled to earn overtime, although an employer can elect to pay those employees overtime. Employees who are exempt from FLSA are those who are employed in a "bona fide executive, administrative or professional capacity." 29 CFR 541.0(a). These types of positions are not typically involved with emergency response or public safety functions, therefore overtime for these employees would generally be unnecessary. By excluding these FLSA-exempt employees from eligibility to receive overtime, unnecessary costs to the State Road Fund are saved, allowing for those funds to instead be available for more roads projects.

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OFFICE OF THE GOVERNOR

For these reasons, I disapprove and return Enrolled Senate Bill 190.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice". The signature is written in a cursive style with a large initial "J".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled Senate Bill 440

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Senate Bill No. 440.

I applaud the Legislature for tackling the issue of hazing at our universities, however the language included in this bill is overly broad and encompasses numerous organizations outside of the higher education community. For example, the following broad language appearing in the definitions of the bill: "any organization whose members include students of an institution of higher education," could include organizations such as the West Virginia Legislature or the American Civil Liberties Union, if any of their members were enrolled in classes at an institution of higher education in the state.

I believe Enrolled Senate Bill 440 contains overly-general language that encompasses a greater number of organizations than intended. For this reason, I must disapprove and return Enrolled Senate Bill No. 440. However, I encourage the Legislature to revisit the issue in the next Regular Session.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled Committee Substitute for Senate Bill No. 487

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill No. 487.

Enrolled Committee Substitute for Senate Bill No. 487 amends §55-7B-7a the Medical Professional Liability Act, which involves liability cases from injuries or deaths resulting from falls in a healthcare facility. SB 487 provides a *conclusive presumption* that "appropriate staffing was provided" in any legal action alleging inappropriate staffing if a health care facility or provider demonstrates compliance with minimum staffing requirements under West Virginia law. Furthermore, Enrolled Committee Substitute for Senate Bill 487 also provides a rebuttable presumption that adequate supervision of patients to prevent falls was provided if minimum staffing levels are met.

The presumptions created in Enrolled Committee Substitute for Senate Bill 487 are poor public policy because compliance with minimum staffing state regulations do not ensure adequate and competent care to meet the needs of West Virginia's nursing home population. Quality of care, based on the needs of the patient and their care plan, must be considered, in addition to nurse staffing levels.

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OFFICE OF THE GOVERNOR

Furthermore, West Virginia state nurse staffing levels are often lower than federal staffing regulations or Centers for Medicare & Medicaid Services (CMS) recommendations. Granting an irrefutable presumption for all nurse staffing litigation based solely on state nursing regulations could result in dismissing litigation based on the staffing levels recommended by federal regulations or CMS recommendations when the state staffing levels are lower than the federal standards.

Establishing a conclusive presumption that cannot be refuted for nurse staffing levels is not justified by merely meeting the minimum staffing levels as defined by state law without taking quality of care provided the residents into consideration. Caring for West Virginia's vulnerable elderly population is of the utmost importance and requires better.

For these reasons, I must disapprove and return Enrolled Committee Substitute for Senate Bill No. 487.

Sincerely,



Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates



Jim Justice
Governor of West Virginia
March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled Senate Bill 522

Dear Secretary Warner:

Pursuant to the provisions of Section fifty-one, Article VI of the Constitution of West Virginia, I hereby disapprove and return Enrolled Senate Bill 522.

The purpose of the bill, while well-intentioned, is problematic because it represents a legislative encroachment into executive functions. The bill would have the county supervisor, with consultation of the county commission and the legislators representing that county to compile a list of secondary roads projects in the county and prioritize those projects.

Maintaining our state and secondary roads system, including assigning priority to particular projects, is without question an executive function. "The separation of powers provision of the State Constitution, which prohibits any one department of the State government from exercising the powers of the others, is not merely a suggestion; it is part of the fundamental law of the State, and as such, it must be strictly construed and closely followed." *State ex rel West Virginia Citizens Action Group v. West Virginia Economic Development Grant Committee*, 213 W.Va. 255 (2003). Much like the authority of presiding officers of both houses to appoint members to the Economic Development Grant Committee, which the court found to be a legislative assertion of post-enactment control over executive branch decisions, allowing sitting legislators to assume an executive role and assist in making decisions about which roads deserve attention and in what order certainly violates the separation of powers.

For these reasons, I disapprove and return Enrolled Senate Bill 522.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled Committee Substitute for Senate Bill No. 624

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill No. 624.

Enrolled Committee Substitute for Senate Bill No. 624 provides an assessment option for county boards of education to use as an alternative to the currently contracted assessment in statewide contract with a vendor selected by a competitive bid process.

Enrolled Community Substitute for Senate Bill 624 is concerning because it directly conflicts with West Virginia Code §18-2E-5(d)(7) and would put the WV Board of Education in the untenable position of having to decide which statute to follow. WV Code §18-2E-5(d)(7) requires that "the comprehensive statewide student assessment adopted prior to the testing window of the 2017-2018 school year shall continue to be used for at least a total of four consecutive years." By allowing county boards of education to utilize an alternative assessment option during the period of time implicated in the statute for at least a four-year period of assessment consistency, the WV Board of Education would be violating their statutory mandate already in effect.

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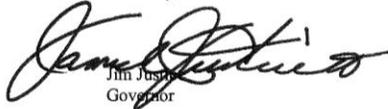
OFFICE OF THE GOVERNOR

Having a statutory conflict in place in the provision of statewide student assessment, would not only cause confusion between county boards of education but could encourage litigation between counties and the state in an attempt to address the conflict. Further, the statutory conflict could give rise to contractual litigation between the state and the current vendor of the statewide contract, who was chosen by a competitive bid process, and any other vendor able to provide an alternative assessment option.

Additionally, the West Virginia Department of Education recently received a letter from the United States Department of Education (USDE) advising that the ACT assessment was conditionally approved to be used as a locally selected assessment in lieu of the statewide assessment. The letter was accompanied by a specific list of items the WV Department of Education is required to submit to receive full USDE approval. Not only does the USDE's letter render SB624 unnecessary but given the clear set of instructions provided to the WV Department of Education, there is no need to add unnecessary statutory language that may work to impede on the WV Department of Education's ability to adhere to those instructions.

For these reasons, I must disapprove and return Enrolled Committee Substitute for Senate Bill No. 624.

Sincerely,



Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled Senate Bill 633

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Senate Bill 633.

Enrolled Senate Bill No. 633 allows for the WV Board of Physical Therapy to conduct criminal background checks on applicants for a license. Further, the bill allows for disqualification for licensure and prohibition from disqualification based on certain crimes if found as a result of the background check. It is these crimes and how they affect the issuance of a license, that is missing from the bill's title.

The bill is technically flawed because its title is defective. See *State ex rel. Davis v. Oakley*, 156 W. Va. 154, 191 S.E.2d 610 (1972) (requiring bill title to provide notice of bill's contents). Specifically, there are nine subsections that are not reflected in the title of the bill and therefore does not provide the notice required of the bill's contents. The passage of this bill is very important to the operation of the WV Physical Therapy Board as it implements the multi-state compact that was approved by the legislature in 2018. Therefore, I ask that this bill be corrected and resubmitted to the legislature for approval.

For these reasons, I must disapprove and return Enrolled Senate Bill No. 633.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled Senate Bill 676

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Senate Bill 676.

Enrolled Senate Bill No. 676 revises existing road classification categories currently contained on the Division of Highways digital road map. Division of Highways already creates and publishes a digital road map with road classifications very similar to these categories and therefore, this bill is unnecessary, and duplicative.

For these reasons, I must disapprove and return Enrolled Senate Bill No. 676.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled Committee Substitute for House Bill 2079

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2079, relating to medical cannabis.

The bill imposes excise taxes on growers, processors, and dispensaries of medical cannabis that favors wholly vertically integrated businesses. While the Legislature has authority to classify different businesses and to tax them differently, the classifications must be (1) reasonable, (2) based on pertinent and real differences, and (3) have as their object a purpose that is germane to the enabling legislation. See *United Fuel Gas Co. v. Battle*, 167 S.E.2d 890 (1969), *cert. denied*, *United Fuel Gas Co. v. Haden*, 396 U.S. 116 (1969). Applying this test, it is impossible to justify the classifications in the bill.

For this reason, I must disapprove and return Enrolled Committee Substitute for House Bill 2079. However, because I support the medical cannabis program for those West Virginians that need it, therefore I encourage the Legislature to address the constitutional issues above and present a bill for signature that treats all taxpayers that will be engaged in this industry in West Virginia fairly.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled Committee Substitute for House Bill 2363

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2363, which is intended to extend the Upper Kanawha Valley Resiliency and Revitalization Program until 2024 and which further requires an assessment by members of a revitalization council to "assess the option of utilizing the authority granted in W.Va. Code §18-5-11 of the Code to allow Kanawha County and Fayette County to jointly create or maintain schools that serve the Upper Kanawha Valley" and to "determine whether students in the Upper Kanawha Valley can receive their Constitutionally protected education in the Upper Kanawha Valley."

Certain provisions of Enrolled Committee Substitute for House Bill 2363 attempt to encroach upon the authority of the West Virginia Board of Education, and the State Superintendent as its chief executive officer, to provide for the general supervision of public schools in West Virginia, which authority must be equitably exercised across the state without disparate treatment between districts.

For these reasons I must disapprove and return Enrolled Committee Substitute for House Bill 2363.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Hon. Roger Hanshaw
Speaker of the House of Delegates
The Hon. Mitch Carmichael
President of the Senate

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled House Bill No. 2412

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled House Bill No. 2412.

Enrolled House Bill No. 2412 amends §61-5B-1 to move statutes regarding prohibited acts in government procurement from Chapter 5A, Article 3 to Chapter 61, the chapter containing statutes outlining criminal acts. While the statute, when contained in Chapter 5A, applied to procurement officers contained in the WV Department of Administration's Purchasing Division, its application is not so clear when moved to Chapter 61, the criminal code. For example, the statute reads "no person purchasing or contracting for the purchase of commodities..." (§61-5B-2) could be broadly applied to anyone in a chain of people who are part of the buying and ordering process required in the purchasing of government goods.

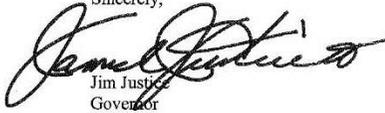
Furthermore, the statute makes it a crime for a person to accept "*anything of value*" from a "business entity offering to sell, providing or contracting to sell...commodities." 'Anything of value' is too vague a term to give notice to a person that they are about to commit a crime. Without some monetary framework for this term, it would be unenforceable for prosecutors and would result in confusion and wasted resources in the attempt to prosecute these crimes.

Creating this prohibition within the criminal chapter of the West Virginia Code requires the statute to give clear notice of who and what is in jeopardy of violation of this criminal offense. This statute does not rise to that level and cannot stand. I request that the Legislature address these issues and resubmit the bill in the future.

OFFICE OF THE GOVERNOR

For these reasons, I must disapprove and return Enrolled House Bill No. 2412.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice". The signature is written in a cursive style with a large initial "J".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates



Jim Justice
Governor of West Virginia
March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled House Bill 2486

Dear Secretary Warner:

Pursuant to the provisions of Section fifty-one, Article VI of the Constitution of West Virginia, I hereby disapprove and return Enrolled House Bill 2486.

The intended purpose of Enrolled House Bill 2486 is to preclude certain prior criminal history from being the basis for a denial of a professional license. However, the bill is in conflict to some extent with W.Va. Code §30-1D-1, "Lynette's Law", which mandates certain boards conduct a criminal background check for applicants. Of the boards subject to the requirements in "Lynette's Law", only Board of Medicine and Board of Osteopathy are exempted from the language of Enrolled House Bill 2486. So, the Board of Dentistry, Board of Pharmacy, Board of Examiners for Registered Professional Nurses, Board of Examiners for Licensed Practical Nurses, Board of Optometry, Board of Veterinary Medicine, and Board of Psychology are left in the untenable position of requiring applicants to submit to a background check, yet precluding the Boards from acting on any prior criminal history unrelated to the practice being regulated by the Board. The Boards that would be subject to the conflicting statutes have promulgated rules governing evaluation of the criminal history in relation to the practice, which would be null and void by the passage of this bill.

Additionally, determination for whether the past criminal conduct of an applicant is related to the profession is vague and subjective, and could result in litigation for boards that issue an unfavorable decision on an applicant.

For these reasons, I disapprove and return Enrolled House Bill 2486.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for House Bill 2503

Dear Secretary Warner:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2674. This bill would require a petition alleging abuse or neglect of a child to name each parent, guardian, or custodian and to specifically state which are alleged to have abused or neglected the child, and would make provision for counsel to be provided in such hearings, among other things.

While I certainly appreciate the intent of this bill, the bill is technically flawed because its title is defective. *See State ex rel. Davis v. Oakley*, 156 W.Va. 154, 191 S.E.2d 610 (1972) (requiring bill titles to provide notice of a bill's contents). Specifically, the title provides that the bill requires "that notice be given by courts that a hearing required by subsection (a) of this section has been held." It is unclear to what subsection that title provision is meant to relate as the bill amends two different sections, neither of which specifically provides for a hearing under their respective subsections (a).

As a result of this flaw, I must disapprove and return Enrolled Committee Substitute for House Bill 2503, and would welcome a similar bill to be submitted in a subsequent legislative session to correct the error noted above.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Hon. Roger Hanshaw
Speaker of the House of Delegates
The Hon. Mitch Carmichael
President of the Senate

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled House Bill No. 2530

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled House Bill No. 2530.

Enrolled House Bill No. 2530 creates a voluntary certification process for drug and alcohol-free recovery residences. It provided for inspection standards, regulations, fees, criminal penalties, fines and rulemaking. In §16-56-2, the "certifying agency" is granted rulemaking authority, after consultation with WV Department of Health and Human Resources. "Certifying agency" is undefined but is required to be under contract with DHHR.

Legislative rules under §29A-1-1 et seq. act with the force of law. An undefined "certifying agency" who acts as a contractor with DHHR could be a governmental agency but that is not a requirement of the bill. If the contract was awarded to a for profit business or even nonprofit corporation, how could they effectuate laws through the promulgation of rules. Constitutionally, the force of law cannot be promulgated by a private entity.

Although this bill had unanimous support and was with a well-intended purpose, this rulemaking issue would cause legal and constitutional conflicts that are untenable. I request that this bill be corrected of these issues and be submitted again for legislative approval.

For these reasons, I must disapprove and return Enrolled House Bill No. 2530.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice". Below the signature, the name "Jim Justice" and the title "Governor" are printed in a small font.

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled Committee Substitute for House Bill No. 2531

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill No. 2531.

Enrolled Committee Substitute for House Bill No. 2531 allows additional health care professionals to provide counseling in medication-assisted treatment settings for substance use disorders. This bill serves an important purpose and is needed; however, it contains a severe technical flaw that renders it void.

The enrolled version of this bill omits subsection (f) through (s) of WV Code §16-5Y-5, with no evidence of strike-throughs. The bill's enrolled version eliminates 14 sections of current West Virginia Code. If approved, this bill would effectively delete current sections of West Virginia Code with no notice to the members of the legislature who voted for this bill.

For these reasons, I must disapprove and return Enrolled Committee Substitute for House Bill No. 2531.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled Committee Substitute for House Bill 2579

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2579, which undoes historic tax policy in this State at the expense of the State of West Virginia.

Enrolled Committee Substitute for House Bill 2579 destroys the trust fund nature of collected consumers sales and service taxes, withheld employer withholding taxes and collected motor fuel excise taxes held in trust for the State by a business that is in bankruptcy, foreclosure or receivership; and eliminates the personal liability of a fiduciary for failing to remit collected trust fund taxes. The bill allows these public monies to be used for purely private purposes in violation of Article X, § 6 of the Constitution of West Virginia.

For these reasons I must disapprove and return Enrolled Committee Substitute for House Bill 2579.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled Committee Substitute for House Bill 2661

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2661. The bill would permit a gas utility to petition the Public Service Commission for approval of requests for proposals containing proposed incentives for the drilling of new natural gas wells and/or increasing production from existing natural gas well to procure dependable supplies of natural gas to serve gas utility customers where such dependable, lower-priced supplies of natural gas are not readily available to serve those customers. The bill would also allow utilities to defer their actual expenditures attributable to the cost reasonably necessary to convert customers to a different source of energy in the event the Public Service Commission determines that abandoning gas services is in the public interest, subject only to Public Service Commission review of whether those costs are reasonably necessary to convert each customer and are not reflected in current base rates or have not been otherwise pursuant to filings.

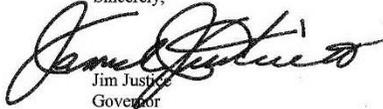
The bill is technically flawed because its title is defective. *See State ex rel. Davis v. Oakley*, 156 W. Va. 154, 191 S.E.2d 610 (1972) (requiring bill titles to provide notice of a bill's contents). Specifically, the title notes that a utility may make a request for incentivized drilling, but fails to note that the bill also requires the Public Service Commission to approve such request upon the sole finding that dependable, lower-priced supplies of natural gas are not available and that the winning proposal will be deemed to be the utility's reasonable cost to dependably serve at the lowest available price. The title also fails to note that the bill allows utilities to defer their expenditures for abandonment of service and conversion to another source until a future rate case or an adjustment filing, subject only to Public Service Commission review of whether those costs were reasonably necessary. Further, the bill unnecessarily constrains the Public Service Commission in its ratemaking authority and obstructs existing statutory provisions that protect natural gas customers from paying unreasonable rates.

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OFFICE OF THE GOVERNOR

For these reasons I must disapprove and return Enrolled Committee Substitute for House Bill 2661.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice", with a stylized flourish at the end.

Jim Justice
Governor

cc: The Hon. Roger Hanshaw
Speaker of the House of Delegates
The Hon. Mitch Carmichael
President of the Senate



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for House Bill 2673

Dear Secretary Warner:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2673. This bill would reduce to 2.5% the severance tax rate on natural gas or oil for any natural gas produced from a well which produced an average between 5,000 and 60,000 cubic feet of gas and for any oil produced from any well which produced an average between one-half barrel and ten barrels per day, each calculated from the calendar year immediately preceding the beginning date of a given tax year. The bill also would direct the proceeds of this reduced 2.5% severance tax rate to an Oil and Gas Abandoned Well Plugging Fund, for use by the Department of Environmental Protection to plug abandoned oil and gas wells and reclaim property disturbed by the plugging.

The goal of providing additional needed funding to the Department of Environmental Protection to plug abandoned oil and gas wells and reclaim property disturbed by the plugging is a goal that needs to be pursued and achieved. However, this needed funding should come from general revenues generated by the current severance tax rate, among other sources, rather than from significantly diminished revenues generated by a 50% tax rate cut, which, under the bill, effectively becomes a 100% tax rate cut when \$4 million is in the Fund. I believe it would be to the detriment of the State and to the many causes to which general revenues are put to allow for such an increase in the amount of natural gas and oil produced with an effective tax rate of 0% once \$4 million has been deposited to the Fund, in order to direct funding to a purpose more efficiently funded from general revenues.

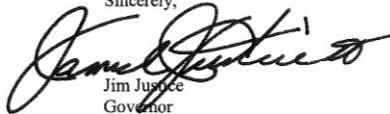
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OFFICE OF THE GOVERNOR

Further, there is potential conflict regarding the dedication of the severance tax proceeds from the privilege of producing oil and natural gas. Currently, 10% of the severance tax attributable to the severance tax on oil and natural gas is dedicated for the use and benefit of the counties and municipalities of the State, and of that amount 75% is to go to the oil and natural gas producing counties. As enacted, this bill would affect the amount available for these distributions needed to provide funds to counties and municipalities throughout the State.

For the reasons provided above, I disapprove and return Enrolled Committee Substitute for House Bill 2673.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice", is written over the typed name and title.

Jim Justice
Governor

cc: The Hon. Roger Hanshaw
Speaker of the House of Delegates
The Hon. Mitch Carmichael
President of the Senate



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for House Bill 2674

Dear Secretary Warner:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2674. This bill purports to establish a student loan repayment program for mental health providers residing in West Virginia and practicing in underserved areas of the state, and to allow two nonresident students per year, in each cohort, to attend each of the state's medical schools at the in-state tuition rate.

The aim of this bill is laudable: to get mental health providers into practice in underserved areas throughout the state. The bill, however, is technically flawed because its title is defective. See *State ex rel. Davis v. Oakley*, 156 W.Va. 154, 191 S.E.2d 610 (1972) (requiring bill titles to provide notice of a bill's contents). Specifically, the title notes that the bill authorizes legislative rules to be promulgated, but the bill authorizes the Commissioner of the Higher Education Policy Commission to promulgate rules.

As a result of this flaw, I disapprove and return Enrolled Committee Substitute for House Bill 2674, but welcome a similar bill in a subsequent legislative session to achieve its purposes.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

cc: The Hon. Roger Hanshaw
Speaker of the House of Delegates
The Hon. Mitch Carmichael
President of the Senate

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for House Bill 2703

Dear Secretary Warner:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2703. This bill would provide an increase in the allowable refund of up to 1% for tax collected for fuels lost to evaporation.

Although I appreciate the intent of this bill, it is technically flawed because its title is defective. *See State ex rel. Davis v. Oakley*, 156 W.Va. 154, 191 S.E.2d 610 (1972) (requiring bill titles to provide notice of a bill's contents). Specifically, the bill amends W.Va. Code §11-14C-30, but the title states that the bill amends W.Va. Code §11-14-10.

As a result of this flaw, I disapprove and return Enrolled Committee Substitute for House Bill 2703, but would welcome a similar bill correcting the error noted above in a subsequent legislative session.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

cc: The Hon. Roger Hanshaw
Speaker of the House of Delegates
The Hon. Mitch Carmichael
President of the Senate

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled Committee Substitute for House Bill 2734

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2734, which is intended to provide business and occupation tax credit and corporation net income tax credit to certain public service businesses for reducing sewer utility rates for low-income residential customers.

Enrolled Committee Substitute for House Bill 2734 is technically flawed because its title is defective. *See State ex rel. Davis v. Oakley*, 156 W. Va. 154, 1919 S.E.2d 610 (requiring bill titles to provide notice of a bill's content). Specifically, the title does not mention that credits are allowable for taxable years beginning on and after January 1, 2019 or that the bill defines certain terms. Additionally, there are other technical flaws in the bill. The bill includes erroneous code references. The language in §11-13F-3(a) and (b) in the bill erroneously refers to §24-13-1 et seq. when the correct reference is to §11-13-1 et seq. Additionally, within the bill, §11-13F-2(a)(2) and §11-13F-3(a) refer to §24-2A-3 when they should refer to §24-2A-2.

For these reasons I must disapprove and return Enrolled Committee Substitute for House Bill 2734. However, I support the underlying policy in the bill, and encourage the Legislature to present a bill for signature that addresses the technical deficiencies mentioned above.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled Committee Substitute for House Bill 2807

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2807 the purposes of which is to allow electing small business corporations (S corporations) and limited liability companies that are financial organizations to claim certain decreasing modifications when determining their West Virginia adjusted federal taxable income that they could have claimed had they been subject to the West Virginia corporation net income tax.

Enrolled Committee Substitute for House Bill 2807 includes numerous technical flaws. For example, while attempting to update W. Va. Code §11-21-17a to incorporate the current way of citing to the West Virginia Code, a technical error was made in the bill -- the bill changed references to subsections (b), (c) and (d) of W. Va. Code §11-21-12, to reference §11-21-12b, §11-21-12c, and §11-21-12d, thereby changing the meaning of Bill §11-21-17a. The reference to the definition of "financial organizations" is also incorrect, as are other Code sections referenced in the bill.

For these reasons I must disapprove and return Enrolled Committee Substitute for House Bill 2807, but welcome a similar bill to be introduced in a subsequent legislative session to correct the issues noted above.

Sincerely

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Hon. Roger Hanshaw
Speaker of the House of Delegates
The Hon. Mitch Carmichael
President of the Senate

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia
March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled House Bill 2828

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled House Bill 2828, which is intended to promote, through tax incentives, investment and business growth in the state's low-income communities.

While Enrolled House Bill 2828 certainly has laudable purposes, it contains numerous technical flaws. For example, the title of the Bill is materially defective because it (1) does not state that the Bill creates an insurance premiums tax credit for qualified community development entities making qualified equity investments; (2) does not refer to the 60-million-dollar limit on certification for qualified equity investments; and (3) does not say that under certain circumstances the credit can be recaptured by the Insurance Commissioner. Within new article 31-15D in the Bill there are several references to 26 U.S.C. § 45D, as amended. This is an unconstitutional delegation of the Legislature's authority to the United States Congress. See Syl. Pt. 1, *State v. Grinstead*, 157 W. Va. 1001, 206 S.E.2d 912 (1974). Additionally, while the Bill allows credit for qualified community development entities making qualified investments, only insurance companies pay the insurance premiums tax to the Insurance Commissioner, which makes the credit impossible to administer as written.

For these reasons I must disapprove and return Enrolled House Bill 2828, but welcome a similar bill in a subsequent legislative session, correcting the technical errors noted above.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

cc: The Hon. Roger Hanshaw
Speaker of the House of Delegates
The Hon. Mitch Carmichael
President of the Senate

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
 Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
 Secretary of State
 Building 1, Suite 157-K
 State Capitol
 Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for House Bill 2933

Dear Secretary Warner:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 2933. This bill purports to modify the criminal penalties imposed on a parent, guardian, or custodian for child abuse resulting in injury and child abuse or neglect creating risk of injury.

Although I support the intent of the bill, Enrolled Committee Substitute for House Bill 2933 is technically flawed because either its title is defective, *see State ex rel. Davis v. Oakley*, 156 W.Va. 154, 191 S.E.2d 610 (1972) (requiring bill titles to provide notice of a bill's contents), or the bill inadvertently makes ambiguous or ineffective certain limitations on penalties for conviction under W.Va. Code §61-8D-4. Specifically, the bill repeals language creating a "misdemeanor" for certain offenses, but fails to repeal or amend subsection (f) which provides certain limitations on the penalties to be assessed against those "convicted of a misdemeanor." The title does not provide notice of the repeal of these limitations (i.e., that one may now be required to register pursuant to the requirements of W.Va. Code §15-13-1 et seq. or, solely by virtue of conviction under the section, have their custody, visitation, or parental rights automatically restricted), or the bill makes ambiguous or ineffective these certain limitations, and, therefore, is technically flawed.

As a result of the flaws noted above, I disapprove and return Enrolled Committee Substitute 2933, but welcome a similar bill in a subsequent legislative session, correcting or clarifying this issue.

Sincerely,

Jim Justice
 Governor

cc: The Hon. Roger Hanshaw
 Speaker of the House of Delegates
 The Hon. Mitch Carmichael
 President of the Senate

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled House Bill 2992

Dear Secretary Warner:

Pursuant to the provisions of Section fifty-one, Article VI of the Constitution of West Virginia, I hereby disapprove and return Enrolled House Bill 2992.

Two years ago, I vetoed HB 2446, a bill with the same language. This bill is overly broad in its application, requiring "contact information of each staff member, including office location." There is no exception for employees who are engaged in undercover law enforcement operations, for employees whose office location is their personal residence, or for employees whose safety would be at risk by publishing their office location.

I understand the importance of providing the public with readily accessible information about state and local government, as intended by this bill. However, the bill should provide some flexibility for those employees to protect their safety, the safety of their coworkers or the integrity of law enforcement operations. I encourage the Legislature to revisit this bill and present it for signature with the exemptions necessary to protect certain employees.

For these reasons, I disapprove and return Enrolled House Bill 2992.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia
March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for House Bill 3024

Dear Secretary Warner:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 3024. This bill purports to create a pilot program to encourage utility infrastructure development to industrial sites throughout West Virginia.

Although the bill's purpose is certainly important and encouraged, the bill is technically flawed because its title is defective. *See State ex rel. Davis v. Oakley*, 156 W.Va. 154, 191 S.E.2d 610 (1972) (requiring bill titles to provide notice of a bill's contents). Specifically, the bill requires the West Virginia Development Office to certify sites as having the potential for industrial development without adequate public utility services from one or more public utilities regulated by the Public Service Commission; requires the Public Service Commission to receive and review for approval applications for multi-year comprehensive plans for infrastructure development to construct public utility infrastructure, which applications are in lieu of a proceeding under W.Va. Code §24-2-11; and requires an applicant for approval of a site as an industrial development site to publish the anticipated rates and any rate increase under the proposal as a Class I legal advertisement in compliance with the provisions of W.Va. Code §59-3-1 et seq., none of which is adequately noticed in the title, which only provides an overly general and vague description of the pilot program authorized under the bill.

As a result of these flaws, I disapprove and return Enrolled Committee Substitute for House Bill 3024, but welcome a similar bill in a subsequent legislative session to correct the issues described above.

Sincerely,

Jim Justice
Governor

cc: The Hon. Mitch Carmichael
President of the Senate
The Hon. Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2019

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled House Bill 3044

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled House Bill 3044, which is intended to require the Commissioner of Highways to develop a formula for the effective and efficient allocation of state and federal road funds among the districts and counties of the state, which formula must include factors including county population, county population growth projections, total lane miles, heavy truck use, and bridge numbers and bridge conditions in a given county.

The West Virginia Division of Highways is a maintenance organization first and foremost, dedicated to keeping the roads and highways of this state in good working order and repair. While a formula may prove useful in predicting where federal and state road money should be spent over a long period, I believe being required to follow a formula for the actual dollar allocation would limit the Division's ability to dedicate funds to maintenance projects where and when needed around the state.

For these reasons I must disapprove and return Enrolled House Bill 3044.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000

All business of the sixty-day session now being concluded,

Senator Weld, from the select committee to notify His Excellency, the Governor, that the Legislature is ready to adjourn *sine die*, returned to the chamber and was recognized by the President. Senator Weld then reported this mission accomplished.

Thereupon,

On motion of Senator Takubo, at 12:03 a.m., the Senate adjourned *sine die*.

We hereby certify that the foregoing Senate record of the proceedings of the regular sixty-day session of the Eighty-Fourth Legislature, 2019, is the Official Journal of the Senate for said session.

President of the Senate

Clerk of the Senate

Appendix – Remarks

WEST VIRGINIA STATE OF THE STATE ADDRESS

*(As provided electronically
by the Governor's Office)*

PRESENTED BY
**HONORABLE
JIM JUSTICE**

(Governor of West Virginia)

Wednesday, January 9, 2019

West Virginia State Capitol January 9, 2019

SPEAKER HANSHAW: Ladies and gentlemen, His Excellency, the Governor of the State of West Virginia, the Honorable James C. Justice.

(APPLAUSE)

GOVERNOR JUSTICE: Sit, sit, listen. Let's get at this. Thank you, sir. Well, when I was getting wired up out there just a second ago, there was a scene on the practical jokers where we have a ball of wires and they're in a ball and they're trying to get somebody to untangle it, and Marshal and I were fighting with that just a few minutes ago, boy.

But nevertheless, it's great to be here, it's holy ground, sacred ground, and I know just how serious and how big of an impact we have on so, so many.

So let me tell you this: I'm fortunate to report that since the first time I was here, I weigh about the same amount. Now, that's not good news. But I hope tonight I'll have a lot of good news for you.

You know, I know how hard you work. I know how hard it is to serve. I know how much you have to sacrifice from your families and your businesses. And mine the same. And so I've got Cathy, our First Lady, over here, Jill, my daughter, that has a beautiful, beautiful grand -- son, and our only grandson, J. C.

And her husband Adam's not with us right now, because he's looking after J. C. as he's bouncing off the wall everywhere. And my son Jay. And it --

(APPLAUSE)

GOVERNOR JUSTICE: And his wife Catherine's not able to be with us tonight. And right beside Jay is my older son Bray. So -- and believe you me, he's a whole lot more to handle than all the rest of them.

But tonight, they've made a little more room for me, and they've given me the opportunity to sit on my stool. Now, I do that lots of places, and I do that because my knees are in really bad shape. Of course, you know that. And I've had 10,000 surgeries -- and I'm exaggerating to make my point, but -- and I've still got to have some more. I was just too slow in sports to get out of the way, and so I got hit a lot. And --

But tonight, I'm proud to be sitting and talking to you and not at a podium maybe lecturing to you. And the same is true for all those that are out there watching us on TV right now.

To me, I need to be talking to them as if I were in their living room, or if I were sitting on a log with them in the middle of the woods grouse hunting.

You know, that's what I think the people really, really connect with and really get. Now, I know that it would be impossible for any of us to disagree that the first time you ever saw me, the first time I walked in the door, things were pretty doggone tough.

The first set of books they handed me -- you know this, and you know I'm not exaggerating in any shape, form or fashion. But our state was bankrupt. There's no way around it. I mean, when you look at the current year you're in with the \$217,000,000 deficit that you're going to have that year, six months have already elapsed before I walked in the door, and we're saying, we're going to be \$217,000,000 short that year. And the next year, it's gonna be \$497,000,000,

and the next year, 600 and some. And in the last year, \$772,000,000.

Now, that's not how bad it's going to be; that's cumulative how bad it's going to be. So yeah, add them all up. And before you know it, you get to a number that is so astronomical, it's not even comprehensible.

Now, anybody would say -- anybody would say, "Well, what are we going to do? What are we going to do? How much money do we got in the bank?" And immediately turn to the Rainy Day.

And we say, "Well, we can't take any more money out of Rainy Day, because if we take more money out of Rainy Day, the bonds are already going to be de-rated, and they were. So what are you going to do? What are you going to do?"

And I prayed a lot. A lot. And I truly give the good Lord the credit for all the good ideas, and I'll take the credit for the bad ones. And I've had plenty of credit for the bad ones. And I said, somehow, some way overcome them and work.

But at the end of the day, after we went through everything there was to go through, 23 months later, we're here today, 23 months. Seems like an eternity, but it just seems like it just happened yesterday.

There's been lots and lots and lots of hard work. You've done a lot of great work, you really have. And I could never thank you enough for it. I could never thank you enough for the State, for the people of West Virginia. I do feel like I came up with a dadgum good bunch of ideas, but at the same time, I thank you for your work.

This is not a king or a dictatorship. This is not one. This is a body of people that are all in this together, working for one cause, in my book, and that is for the people of this state.

Now, I'm very proud tonight to say just -- when I got here, we had multiple, multiple years - four or five years - of cut budgets. Didn't have anywhere to go. Had to cut. Had to cut to balance the budget.

Well, we haven't had any cut budgets recently, and we're not going to have one today either. Today, we have things that are so good, so pluses. No new taxes. Did you hear that? No new taxes.

(APPLAUSE)

GOVERNOR JUSTICE: In fact, we're going to embark on significant tax cuts. Now, I know there is those out in the never-never land that are wondering, well, how? How can it be? How can you possibly, possibly embark on all of these things that have been introduced or that are floating around out there?

I'm going to tell you tonight. And I'm going to tell you, at the end of the day, you're going to see a budget that is increased less than the rate of inflation, a budget that is increasing significantly less than the -- than the economic growth of our state, and it's going to be able to do all the things that I've told you that we could do.

I challenge you over and over to watch the numbers. We all know on day one that -- red, red, red. Today, we have an all-time record. Now, I'm telling you, this bothers me. But when you're able to announce to the world - whether it be in the media or social media or all of our friends or whomever it may be, but you're able to announce - that the biggest in the State's history -- now, that's pretty damn big to me.

I mean, that's all there is to it. The biggest in the State's history. The biggest in the State's history. For six months, a surplus bigger than we've ever had before. And the largest revenue that we've ever had before in the first six months of collection.

And I tease about Bray all the time. But I'd say if you go back to whenever in West Virginia, even Bray wasn't here then. Now, it's possible, but I'm not sure -- we probably should get a birth certificate.

But nevertheless, it is really an accomplishment.

No one guy can do this. There's no way.

Tonight, I would -- I would have said before, make education our centerpiece. You see, I've really been a believer that education is the hot spot that really can change our image.

You know, so many on the outside -- you and I know how good it is here in West Virginia, and we know how great our people are here. We know how good our schools are, and we know how low crime we have and all the goodness that we have and the beauty beyond belief.

But the outside world doesn't know it. The outside world, in all honesty, thinks that we're - or maybe thought is the right word, that we're backward, or that we're absolutely naive. I've said it over and over, we had to kill a deer every day in school to feed the kids.

But that's not the way it is. That's not West Virginia. So I said, let's make education our centerpiece. It in itself, that stake we put in the sand right there, that very stake, has changed a lot of our image.

Now, we decided to make education our centerpiece. I am telling you, in my world, at least, we have made education our centerpiece.

Now, we have decided to invest. We got rid of A through F. We absolutely got rid of so much of the ridiculous testing, and we put control back in the local hands as much as we can.

We absolutely gave a 5 percent teacher's pay raise, and we ended up giving a 5 percent

across-the-board pay raise to all State employees. We did change our image. We've still got a long ways to go, but we did change it.

Very proudly tonight, very proudly tonight, I am saying that within my budget, I have included a 5 percent pay raise for all State employees.

In regard to PEIA, PEIA, I promised that we would put \$50,000,000 in PEIA one year, \$50,000,000 the next year, \$100,000,000 total. That was the beginning of the talks.

Then we decided, well, we've got enough surplus dollars, we could put \$100,000,000 into PEIA right now. Now, it's not a --

(APPLAUSE)

GOVERNOR JUSTICE: I'm -- I'm really only getting started. And that's the good part. The other thing is just this: Through -- \$100,000,000 in PEIA is not going to solve PEIA forevermore. But today, PEIA does not need any true-up moneys. Putting \$100,000,000 into PEIA is a giant first step. And we can do that, and that is exactly what we're going to do.

But in addition -- in addition, just think about this: Dave Hardy, our Secretary of Revenue and his great disciples, they have found a way that really and truly, we can dedicate not 100 percent

of that as required, but only \$105,000,000 will earn us \$150,000,000 that we can dedicate to PEIA today.

So that's not what we're going to do. We're not going to do \$100,000,000; we're going to do \$150,000,000. And you know what we're going to do? We're not going to take one dime of that from the budgets, the upcoming budgets.

Now -- I'll talk about that again in just a second. But -- am I messing up here somewhere? My PBS mic's not on. Well, that's good. Let's just take time to fix it.

I'm not in charge of the electronics now. This isn't a shock collar, is it? While we're doing that, I'm going to untangle wires. No, I'm not either. I can't -- I can't pull it off.

Okay, are we good? All right, we'll try again.

I'm going to start from the beginning.

No, I better not do that, huh? Of course, you know my commitment to education. I love kids. I love -- I love what they bring to us every day. I have a great fortune to be with kids in the wintertime, a whole lot. And I just -- I think you can learn so much, and they're -- it's easy to say that they're a hope, but they are. And they're naive, and they learn so much, and we owe them everything.

You know, tonight, we have with us a teacher, Jada Reeves. She teaches at Bradley Elementary School. Bradley Elementary School -- my son Jay and Jill know Bradley Elementary School really, really well, because Mo Ball who's sitting here in the grandstand with us somewhere, Mo Ball took them -- Mo Ball was a custodian at Bradley Elementary forever, and he was a basketball coach at the school and did great stuff with -- with lots and lots and lots of kids, is my best buddy on the planet.

Now -- so Jay and Jill went there many, many, many times working and honing their basketball skills with Mo. But Jada Reeves, a fifth grade teacher from Bradley Elementary School, would please stand up, and we want -- let's recognize her as our Teacher of the Year.

(APPLAUSE)

GOVERNOR JUSTICE: Everybody started clapping before I could tell them that you were

our Teacher of the Year. Congratulations. They must love you, and so do I. Thank you.

Another individual I'd like to introduce real quickly is Dan Anderson. Dan Anderson leads our charges at Appalachian Bible School, and what he's done at Mount Olive, he needs a great big round of applause. So wherever Dan is -- is he here with us tonight?

Please stand, Dan.

(APPLAUSE)

GOVERNOR JUSTICE: Tonight, I'm putting a challenge out to our State Department of Ed. We have to improve our math scores. In 2020 -- right now, we've got to get it done very quickly. Right today, we've got to go to work, and we've got to improve our math scores. We've got to do something about absenteeism, and we've got to make West Virginia the first state --

You know, I love to say "first," I love to say "first."

-- the first state to offer computer science class in every high school within our state.

The other thing is, I want them to always be revisiting our state aid formula just to look -- just to look at ways or possibilities to always make it better.

I want to urge you to pass into law the ability to raise our math, our science, our foreign language or our special ed teacher salaries in order to be able to be competitive and to attract those people here.

(APPLAUSE)

GOVERNOR JUSTICE: I want you to allow our teachers to be able to bank their leave days. We got away from doing that, but I absolutely believe that it will be beneficial to us, it will surely help in our absenteeism, and it will be beneficial to our teachers. So --

(APPLAUSE)

GOVERNOR JUSTICE: I also want our Promise scholarship to be covered for vocational education.

(APPLAUSE)

GOVERNOR JUSTICE: Now, there's a special project in West Virginia that's been amazingly special. You know, my wife Cathy, she's -- she's not involved like a scatter gun in every project known to man, but nobody is kinder, nobody is more directed, nobody is more sincere to communities and schools than Cathy.

My salary -- if I didn't do this, she'd kill me. But my salary is all dedicated, 100 percent, to Communities in Schools. Now, Community --

(APPLAUSE)

GOVERNOR JUSTICE: Communities in Schools, I think in West Virginia, really started in Greenbrier County.

Now, there was a lady that brought it there -- I think it was Emily Haas if I'm -- is that correct, Cathy? And really brought it when Bobby Haas was with the Dallas Cowboys and they moved back -- or to Greenbrier County. It is incredibly successful. It is unbelievably successful.

Tonight, you're going to hear a lot of just this: We have got to refocus ourselves on our youth and some way steer them away from this horrible drug epidemic and help them become a work force that we've got to have in West Virginia.

Now, the site coordinators working with kids in Communities in Schools do an unbelievable amount of work in a lot -- and they touch kids when they're having troubles, they're having all kinds of issues. A lot of us maybe here don't realize just what they do and just how good they truly are.

In Greenbrier County, I think they have 100 percent graduation rate. And today, we're only in about three or four counties within West Virginia, and we've expanded that since we've been here and since Cathy's gone to work on that.

Tonight, I am calling for \$5,000,000 within my budget to expand Communities in Schools statewide. And I've got a special presentation, because tonight -- and I -- and forgive me if I mispronounce, but if this gentleman could stand: Dale Erquiaga. Is that close?

Is Dale with us tonight? Up here? If Dale will stand, Dale is the guru of Communities in Schools.

And please give him a good round of applause. (APPLAUSE)

GOVERNOR JUSTICE: Now, also I've got one other smaller friend that from time to time - you know, he and I kind of bingo off of one another and we enjoy each other's company a little bit, he's a good guy, he's real involved in Communities in Schools, and I think we're going to show -- wherever it may be -- over here, we're going to show a little video.

(Video playing:)

SHAQUILLE O'NEAL: Communities in Schools is an incredible program doing great work, and I'm glad to hear the sincerity and commitment to Communities in Schools. You know, it's very encouraging when an entire state gets behind a program like this, because it's all about helping one another.

Thank you very much. Governor Jim, you know I love you. (Kisses)

(Video ended.) (APPLAUSE)

GOVERNOR JUSTICE: Shaq is really involved with Communities in Schools and does tremendous work, and he's a great friend, and don't be paying any attention to his kisses and love bit. But what a great, great person.

If I could jump from this to Commerce. The Department of Commerce today, we have new leadership. We have Ed Gaunch. Ed --

(APPLAUSE)

GOVERNOR JUSTICE: If I could say this about Ed, he brings -- he brings friendship; he brings respect, from you. He brings knowledge. He brings a lifetime of business wealth and experience to the table, and he's going to really help us.

I say this real quick: Don't think for a second that the China issue is off the table or the natural gas hub is gone. Today, like it or not like it, but we're still having a little bit of head-butting going on with the U.S. and China, and until the dust settles, you know, between our Presidents and everything, we're probably going to have a little head-butting going on, but they're still in touch all the time.

There's absolutely so much interest in West Virginia. We have so many possibilities for

manufacturing and natural gas hub and expansion of our coal industry and on and on and on, tourism through the roof, and so many different things, that we need a great man like Ed - and we've got him - and I'm really proud to have him.

Tonight I'd like to introduce one other person, Phil Dickinson. Now, Phil is here representing the British ambassador, and the British ambassador came just not long ago, and he's got all kinds of ideas and possibilities and things that they could bring to us right here from Europe, from England, and do great, great stuff as well.

So wherever Phil is, if Phil would stand. Good to have you, Phil.

(APPLAUSE)

GOVERNOR JUSTICE: Okay, if I could jump from there to tourism. And tourism is another wonderfully bright spot in West Virginia. Wherever Chelsea Ruby is, I'd like her to stand. Is she -- where's Chelsea? Chelsea, great job. Great, great job. Unbelievable job.

I mean, think about this -- (APPLAUSE)

GOVERNOR JUSTICE: I think that we could clearly say that in 2017, we had unbelievable growth. We greatly surpassed the natural growth. In 2018, it looks even stronger and stronger. Our hotel occupancy is up 11 percent. You know, our increased prices in revenue in our hotels is up 13.4 percent, and I will be asking you for another \$14,000,000, because every dollar we put in tourism comes flooding back to us.

It's a multiplier effect.

It's just absolutely a cash register. We put the money in, it comes flying right back at us. We see this every month in our surpluses. This is the state that ought to be the number one state in the nation as far as tourism, and that young lady is doing one whale of a job. Thank you, again, Chelsea.

(APPLAUSE)

GOVERNOR JUSTICE: Now I've got to report real quickly about our state parks. We sold \$60,000,000 of excess lottery bonds to upgrade our state parks. We have absolutely been doing that. That's all underway right now.

You know, we're getting a tremendous response with our state parks, and there's just lots and lots of good going on there.

As far as our DNR efforts we've made, you know, we have reestablished an Elk herd in West Virginia; we're extending deer seasons. We're doing so many things with our trout and our streams, and we're exposing this state in so many ways, it's unbelievable.

But now, let me just tell you one other thing that can be done. Now, a lot of people look at me like a three-headed monster when I told you things and you thought, no way, no way, coal severance tax aren't going to come back, this or that or whatever it may be.

But I am telling you today, Austin Caperton, who is a leader beyond belief, is not with us today right now because he has been under the weather and he's had some surgery, and Austin will be back soon. We miss him.

You talk about a super star. Now, he is a flat-out super star. But here's what I am going to ask Austin to do tomorrow, and that is just this: It's something that we need so badly within West Virginia, it's unbelievable.

We need to develop multiple lakes within West Virginia, multiple lakes that can give us hydroelectric power -- which maybe we don't need, but at the same time, they can give us flood control.

We need the ability to develop those lakes. Do you know if you step back and think about it, four of the most beautiful seasons in the world, the most incredible people on the planet, the most unbelievable natural resources, and we're located within 600 miles of two-thirds of the people in the country. The only thing we don't have is an ocean.

Now, I am telling you, our state needs more developable lakes. It is a project that you may think is a pipe dream, but I am telling you, without any doubt, there is an infrastructure program about to be announced by our President, and we need to be at the line waiting. Austin Caperton will lead the charge for us.

Now, if I could switch to that -- from there to roads. Our Roads to Prosperity program, no one can deny, it's absolutely been a knock-it-out-of-the-park, home run, grand slam, grand slam. It's created all kinds of new jobs. Absolutely, it's working. It's working in every way.

We salute all the great people that made the licks and made it all work and made it all happen.

Before I get into the last component of this, I'll say to the people out there in the world, the tolls on the turnpike are going to change to \$4.00 in a couple of days, and we have pleaded with you, pleaded with you, to buy your E-Z passes that are going to cost you almost next to nothing.

Now, the idea that Mountaineers -- now, others out of state can go too, but Mountaineers should go free. And that's as close to free as we will ever be able to get. You've got to go buy your E-Z Pass. We cannot make the horse drink, but we can take it to water, and we've taken you to water, so you have to go apply and buy your E-Z Pass.

Now, we've got a terrible backlog with the E-Z Pass situation, and we almost caused the dog mess of all times. We could have been out there at the toll booths, you know, on January 1st writing people notes and saying, "Well, you can go," "You can't go."

Before you know it, we'd have had traffic backed up to Pittsburgh. We figured it out and we got caught up, and we've had umpteen, umpteen people that put in all kinds of licks to get caught up.

You know, my office, Parkways, everybody in the world, and we are caught up. So please, if you have not applied, apply.

Now, back to our roads just a second. We've done -- I don't know how many, but it's hundreds of projects already. Here's the very thing, though, that we need to do: We've got to shift a little bit of the focus -- and we have had extensive discussions with the bond holders and everything else, that we can do this.

We've got to pull some of the money out of the bigger projects and move some of the money -- or significantly more money. Not more than all the big projects, but a little bit of additional moneys over to fix more of our secondary roads.

(APPLAUSE)

GOVERNOR JUSTICE: I'm glad to see you all get up. I thought you were going to sleep. Okay. If I could have General Hoyer stand, if where -- where is General Hoyer.

(APPLAUSE)

GOVERNOR JUSTICE: Okay, we're going to all stand again for this man. General, all I can say, for all of us and all of us as West Virginians, all of those as Americans, you talk about us having a super star in our midst, we all thank you. We all applaud you.

You know, I think of so many things, whether it be RISE or whether it be just the -- just the fact that he's ready at any moment to lay his life down for all of us, absolutely this man and what he's done is unbelievable.

You think about -- the Guard has brought in 300 jobs in the last year future -- or near past, and it's created an economic impact on the State of West Virginia of \$361,000,000.

A lot of times, that goes unnoticed. But in addition to all that, think about the Mountaineer Challenge Academy. Think about young men and women that are just absolutely lost, lost. Last year, they're going to have above a 90 percent graduation rate. And those people are on their way.

You know, so General, again, we all thank you in every way possible.

If I could speak of the RISE program just real quickly. We got a little bit diverted. And the reason we got diverted is one thing. And I'll talk a little bit about this in just a second. But you see, I came here, and I have never wanted a dime. Not a dime. I drive myself, put my own gas in. I don't want a dime.

Absolutely now, it's tough to step up like that.

Some people can't. But at the same time, when we get off track and it seems to me like that government is throwing away money or people are taking advantage or there's improprieties that look absolutely wrong, I'm going to be tough to deal with. That's all there is to it.

And we got going in a direction that we would have thrown away millions and millions and millions of dollars. We had to stop for a minute or two. And the General came to the rescue and stepped in.

And tonight we have John and Grace Harris with us, and they are the first -- first stick-built

home occupiers that we have now finished their home, and if they would stand, I'd love for you to give them an incredible round of applause.

(APPLAUSE)

GOVERNOR JUSTICE: There's lots more to do. And the General's all over it, and there's lots and lots and lots more to do. There's dollars -- there's significant dollars out there that are at our fingertips, and we may be -- we may not be -- we may not have to have all the dollars for the flood victims, and we may be able to redirect some of the dollars and the economic recovery or redirect some of the dollars into something that I feel is a real pet peeve, and that is just this:

You have a Senator in your midst tonight, a good man, that has been after this project for a long time, and that is some way tearing down these abandoned homes and abandoned buildings that scatter all over our state and clutter us in every way. And so we're going to try to redirect some of those dollars and do just exactly that.

Now, let me jump to the veterans. Our veterans, we owe all to. We all know that. We are able to exempt their retirement. Good stuff. There's a few other things that we're able to do right now that you'll see in the budget, good stuff.

But I can tell you just this: For any of us here that think that we don't owe every single thing that we have to our vets, we're just plain wrong.

Dennis is here tonight. If Dennis would stand, let's give him a big round of applause.

(APPLAUSE)

GOVERNOR JUSTICE: Okay, so we've done a bunch of stuff. You see my hand? My hand's got four fingers and a thumb. And sometimes your thumb can get in a lot of ways, get caught in a door or whatever it may be.

But these fingers, if they were to represent our economy, education, our veterans and our roads, we've done pretty good on those four fingers.

But every time we jam our hand in a glove, we hook our thumb, and it just won't go just right. We keep just messing up and messing up and messing up.

What's the last component? Now, there's lots and lots and lots of stuff still to do. But what's the last component? We've got to fix the drug problem. We have to fix the drug problem. We have to be committed enough to fix something that is absolutely cannibalizing us.

Now, in Cabell County, we just had information that we reduced our overdoses by 40 percent. Marshall University, we started a Governor's Council on Substance Abuse Prevention. We have done lots of stuff, and we're making headway.

The very number one thing you had to have to get the drug problem halfway under control is jobs. But you know what? We're losing the battle. We're losing.

Now, if you don't know that we're losing, get out there in the field and look and talk to people. We're losing. So I'm going to ask you tonight to trust me. I'm going to propose a program to you right now, and I'm going to ask for your trust.

You see, I would say to you just this: What would you do -- what would you do if you were in a baseball game or a softball game -- what would you do if the count was 3-2? What would you do if the bases were loaded? The other team was at bat and your team was one run ahead. The bases are loaded. The other team's at bat. There's two outs. The count's 3-2.

You're on second base. You're in right field. You're standing there pounding your glove, and you're saying -- as the pitch is on the way, are you saying, "Please, Lord, don't let them hit me because I'll muck it up."

Or are you hitting your glove and saying, "Please, Lord, have them hit me the ball. I'll make the play. I'll make the play. I want the ball."

Well, you see, right now, I'm going to ask you for the ball. Now, I'm going to call this "Jim's Dream," because I want it to be just that. I want it to be a dream that we can take our people off this terrible trail of terrible -- terrible drug trail, and we can put them in a job, and we can give them real live hope.

I'm going to tell you it's going to take some money to do this. Not all the money in the world. But let me just tell you -- and there's so many -- there's going to be so many opinions of what it -- how we ought to do this. This is the most

important thing that I'll talk to you about tonight.

You know, there's going to be opinions, "Well, we can do it at the community college," "We can do it at the four-year schools," "We can do it through the vo-tech," "We can do it through education," we can do it through this, we can do it through that.

But I'm going to tell you just this: Just give me a chance. Just give me a chance to fix it. You know, I can get it done. I want the ball.

So if Rebecca will unveil this. The "J" is going to stand for "jobs." The "I" is going to be "in." The "M" is going to be "making." And the little apostrophe is upside down, and we twisted it around to make a "U." "Succeed."

Now, looks a little funny, doesn't it? But it looks pretty much like I'd probably write.

But here's what I think we need to do: I think our best alternative today is the adult training -- or the adult learning educations in the education department. The problem is just this -- and here's the problem: Nobody's really going today. The reason nobody's really going is not because it's not a good program, it is because -- and I don't know how to speak of this any way but folksy, like you've heard me speak -- it's not the real deal.

It's not real training that they can go get a real job. But what I'm going to ask you for is \$5,000,000. \$5,000,000 to put into prevention.

I'm going to ask you for \$10,000,000 to put into DHHR into treatment. I'm going to ask you for \$10,000,000 for staffing and replacement and maintenance of equipment at the training centers, at the vo-tech centers.

And then I'm going to ask you that if I -- if I'm an addict, and I go to treatment and I get better and then I go into some level of training and I get a certificate, that you will be able -- I will be able to take that to a court and get immediate expungement of a misdemeanor that I have. Not felonies, but a misdemeanor.

(APPLAUSE)

GOVERNOR JUSTICE: I want to tell you one more time how it's going to work. Through the surpluses that we have today, I want to take \$20,000,000 out of those surpluses, through an

appropriation, \$20,000,000 out of their surpluses, and buy all the necessary equipment that I'm going to have to have at all of these centers to be able to do the level of training that I think needs to be done.

Now, think about it. You can't go learn how to drive a pickup truck and go to a surface mine job and tell them you can drive a 777 rock truck.

You can't go to somewhere and learn how to tack weld and go to a -- you know, to an industrial site and say you're an industrial welder. These people can't get jobs. Let's just tell it like it is. They can't get jobs.

And if we lay -- if we lay the burden on our continue -- on our ongoing budget, we lay a burden on that we say we need \$50,000,000 ongoing to be able to perpetuate a program like this, we don't need that. We don't need that.

It's time to start to be able to have the equipment onsite to be able to teach the welding, to teach the electrician stuff, to teach the heavy equipment operation, to teach and build our work force.

You know, I heard it 10,000 times. I don't know how to say it any better. Companies all over the place come in my office and they talk and they talk and they talk and then they say, "Well, you don't have a qualified work force here. I don't know how in the world we can come here."

The other thing: "You've got people who can't pass a drug test." I say, why don't we train them?

Why don't we train people to do something? Why aren't we training people? Why don't we absolutely, some way, somehow, let our people that are struggling on drugs beyond belief go get treatment and go get treatment for free, provided that they'll come out of treatment and go into some level of training and provided they'll take constant drug tests? Why don't we absolutely train our work force and give those people hope?

I don't get it. Now, we have too many ideas, too many ideas. Let me fail. Let me fail. Give me the ball. Just let me fail. Absolutely, I promise you, I'll run across the finish line, and I won't fail.

Our State Police had our first cadet class not long ago. We just started on Monday our second

cadet class. They need a few dollars to update the forensic lab, and I've got that in the budget.

(APPLAUSE)

GOVERNOR JUSTICE: Child welfare is a real issue. Of course, everyone knows my commitment and how I feel about kids. Foster care, we're really upside down, and we've got to figure out the foster care crisis, and I'm going to challenge all of you all to bring me -- bring me solutions. Bring me answers of what we can do.

I want to begin immediately -- I want to take

\$10,000,000 directly out of the surplus moneys that we have now, and I've got \$5,000,000 in the budget to immediately build back the Anthony Correctional Center. We need it built back.

As far as medical cannabis, we need to solve the riddle, guys. We're running out of time. There's a lot of people out there that are hurting, and they could probably very well use medical cannabis.

I want everyone here to understand -- (APPLAUSE)

GOVERNOR JUSTICE: I want everyone here to understand this and understand me loud and clear. I am adamantly, adamantly, etched in stone, adamantly against recreational marijuana.

Today -- and this is the fun stuff. Today, I'm requesting the elimination of the business inventory machinery tax.

(APPLAUSE)

GOVERNOR JUSTICE: Since the first day I came, I'm a business guy. I haven't changed. I'll tell you the truth. I'll tell you what I think. I think -- and I make mistakes. I'm a business guy.

I know that wherever we can, we look for -- and we found waste upon waste upon waste that we've been able to cut out. We found ways to streamline government, and now today, we can streamline even more.

We have found 2007 jobs in government today that have not been filled in the last year. They have been vacant for a year, and we want to eliminate them all.

Now, I don't mean this in any way to sound like a tough guy or whatever, but I meant it when I said that as far as -- I've done this job for nothing. And if you're going to do something for nothing and put your heart in it, you're not going to stand back and stand there comfortably with your buddies and your friends wasting money and just have everybody on the dole and think it's okay. It's not okay.

And whenever I can find it, I'm going to uncover it. And when I uncover it, I'm going to try to do something about it.

Tonight, we have another special person with us. She's with the AARP. Her name is Gaylene Miller. And if Gaylene could stand, wherever Gaylene is.

(APPLAUSE)

GOVERNOR JUSTICE: And Gaylene, don't sit back down, Gaylene. Stand, if you would, just for one second. Because together, you and I and all this great body -- I have sent up, and now today -- today is the time for us to eliminate the tax on Social Security.

(APPLAUSE)

(Bell rang.)

GOVERNOR JUSTICE: Oh. Was that one of your members that was ringing that bell? Okay. Let me just say this, that what we're going to do in regard to Social Security is two things. We're going to give you a choice. If you want the \$8,000 deduction, you can keep that. You can't keep -- have them both. If you don't want that and you want totally exempt on your Social Security from State income tax, you've got that. Your choice.

It's time to create an Intermediate Court of Appeals in West Virginia. It's another step forward to instill -- to restoring honor and integrity back to the court system.

I've just got a couple more, and I'll go quickly. Not long ago, our mine rescue teams, they brought three people out of a mine, and all of us know that without any question, they had no business being in the mine.

All of us know that maybe we just need to stiffen our laws even more to make it more of a deterrent for them to go. I'm all for that. I am 100 percent for that.

But I would tell you just this: They're our brothers and our sisters. They were in there. And just think, the mine rescuers -- I said, "Can you tell me -- can you tell me they're not there? Can you tell me that it's unsafe to go and try again?"

And they said, "We can't tell you that. But we feel like that it's not -- it's not unsafe, and we could go, but we don't think that they're alive," or "We really don't think that they're there."

But they weren't willing to quit, and neither was I. And lo and behold, we brought them out of there. Your brothers. Your sisters. They shouldn't have been there in the first place.

But just think: What if we had not gone back? What would have happened to those people? And if you can live with this -- I can't. We went back and we did exactly what my dad always said to do: "Damn you, there's always something you can do, and you better damn well always remember that."

We went back, and we found them. If we hadn't have gone back, you know what we would have done? We would have taken a D11 bulldozer and we would have pushed dirt against the mine opening so tight that there's no way somebody could get into the mine. And what would have happened to those people?

They had water; they had air. They would have set there until they starved to death. Starved to death. That's what would have happened to them.

We found them. They shouldn't have been there.

We should make the laws tougher, but we should celebrate that West Virginians found them. I couldn't be any more proud.

(APPLAUSE)

GOVERNOR JUSTICE: Now, I'll end by just telling you this: There's a guy not long ago, he set in my office and he said, "What about this job keeps you up?"

What about this job keeps you up at night?"

Well, I'll surprise you when I tell you this: What keeps me up is just this: Too many people out there, too many people out there still haven't heard the news. Too many of our people, no

question, are still hurting. But too many of our people believe still that they really just should be 50th and stay 50th.

By God, you should know your place. Too many of our people need to hear the good things that we're doing. Too many of our people need to pull the rope all together with us. They want to be -- they want to feel good. They want to feel joy in what they do.

Now, let me tell you just this, and this is all there is to it: I came to you again wanting nothing; I came to you just as a man that had incredible experience, a man who's probably made so many mistakes, maybe as many mistakes as there is in this room, and I've learned from them.

I've done all kinds of stuff. You learn. I've got a tremendous amount of wisdom, and absolutely, I would challenge every single person here to know that all I want to do is help. All I want to do is try to do all the good that can be done for our people, and whether I'm here on this planet two more days or with you two more years or with you six more years, I would say "Use me. I'm a resource that can be used, and I'm a resource that can help."

Now, I think big. I think create -- with a lot of creativity. Absolutely, look at my track record.

I'm not going to let you down. I'm absolutely not going to let you down.

So at the end of the day -- I've said this over and over and over. I meant it when I came here and said everything that I just got through telling you. I meant it when I said over and over and over that all I've ever really wanted for this state is goodness and its people. That's all I want.

And I meant it when I said to the people, and I've said to you, that I love you. And I do.

So with that, I'd say God bless you, and thank you again for having me, and let's get to work and do great work. Thank you all.

(APPLAUSE)

**Recognizing service of
Clifton E. Brooks, Sr.,**

**World War II veteran and member of
Tuskegee Airmen**

(Adoption of Senate Resolution 6)

**REMARKS OF
HONORABLE
RANDY E. SMITH**

Thursday, January 10, 2019

SENATOR SMITH: Thank you, Mr. President.

It's my honor to stand up for this resolution today for Mr. Clifford [sic] E. Brooks, Sr. I didn't know Mr. Brooks myself. I never had the pleasure of meeting him, but I've got to meet some of his family here the last couple of days and . . . talking to friends in Mineral County, he was a well-respected pillar of the community.

Mr. Brooks served his country during World War II as a cryptographer with the Tuskegee Airmen—sending out codes to keep their mission secret. He's part of the greatest generation that ever lived and he was awarded the Congressional Gold Medal—the highest expression of national appreciation which can be bestowed by the United States Congress for distinguished achievements and contributions by individuals or institution. And . . . with his dedicated service to the country . . . and . . . he was most recently recognized by the city of Keyser for his service by renaming the South End Park as Brooks Park.

So, . . . you know, he was a loving, you know, father, family man, and a pillar of the community and . . . you know, I'm just glad that we're able to recognize, you know, promote this resolution in his behalf for his family to show our appreciation for what Mr. Brooks did for our country and for his community. So . . .

Thank you, Mr. President.

**Recognizing service of
Clifton E. Brooks, Sr.,**

**World War II veteran and member of
Tuskegee Airmen**

(Adoption of Senate Resolution 6)

REMARKS OF
HONORABLE
MICHAEL A. WOELFEL

Thursday, January 10, 2019

SENATOR WOELFEL: Thank you, Mr. President.

I want to take a minute to mention—since we are here for Mineral County Day and a lot of our guests are from Keyser and Piedmont—Henry Louis Gates was born at Keyser and grew up at Piedmont.

Mr. Gates is an American historian and teacher. He's in charge, runs the Hutchins Center for African-American Studies at Harvard. You may have seen him on *Finding Your Roots* on Public Broadcasting.

In short, he's one of the most prominent West Virginians on the national scene today from Mineral County, from Keyser, from Piedmont.

Thank you.

REMARKS OF
HONORABLE
RICHARD N. OJEDA II

Thursday, January 10, 2019

SENATOR OJEDA: Thank you, Mr. President.

I'll try to be somewhat brief. But . . . I'm sure everybody has heard quite a few rumors out there and I just want to let everybody know that there is truth to the rumor. But I want to make sure that everybody understands what I'm doing.

It has been exciting to serve in this body and I have made some wonderful friends and I know that we have not always saw eye to eye. But I can tell you that I've never pushed one single bill that put a single penny in my pocket. Never have. I've never pushed anything that benefit me or my family.

The reason why I'm here today—and I didn't make this decision a year ago—is because I made promises with people that I was going to make sure that I pushed legislation. Over the last two years, all of my legislation has died with the exception of one. Everything else hasn't even really saw the light of day, not even on a committee floor. But I believe I have pushed some pretty good bills that should have saw the light of day.

I'm pleased that looking at the “blue list” yesterday I saw that there's a bill going to come out that talks about dealing with crimes that take place on the State Capitol Complex. I think that's important. And then maybe we can deal with a lobbyist who gained access to this capitol with an illegal swipe card. Maybe then we can stop those things from happening.

I want people to know that I pushed a bill two years ago—never saw the light of day—never saw the light of day last year—but I'm pushing it again this year. And this is a bill that I worked on with Congressional Medal of Honor recipient Woody Williams to create a program to help displaced coal miners and veterans when they get out of the military to be able to find a job. I think everybody here can understand that that's important—taking care of our veterans. And because we are a place where coal mining is a big deal, let's try to do something for those coal miners that find themselves without a job.

I pushed a bill to make it a hate crime if you attack somebody because of their sexual orientation. I don't like bullies and I don't think anybody in here really cares for bullies and when those things occur, usually, that's the case. How about we do unto others as we would like to have done unto ourselves? How about we follow that?

I pushed a second chance for employment bill to reduce the time that a person has to wait who has a nonviolent felon or a felon that is not a sexual predator-type felon to allow them to be able to expunge their records and get their life back. You do the crime, you do the time, but most people when they do the time they still get out and they carry a weight on their back and it takes them five years, 10 years. Some of them try but they can't get a job because they have to check the felon box. Some of them make it one year; some of them make it three years; but then they realize I can't put food on the table because all I can do is go knock on people's doors and say, “Can I cut your grass?” And then at about the five-year mark they realize they can't take it

anymore. They're about to lose everything and they go back to what they used to do because it helps them bring in money fast. And they get caught, and they fall right back in to that rotating cycle. Let's give those people that have fallen from grace the ability to get back on track and become productive members of society. It could be one of our children one day that could benefit from a bill like this.

I have a daughter that was born with scoliosis and her entire spine is in a metal cage and she lives with pain daily. She also has hip impingement syndrome and just a couple of weeks ago had her second surgery. She's finally going to get to start college in January. She graduated last year but due to surgeries she has not been able to start school. This is my child.

Two years ago, we passed historic legislation making West Virginia the twenty-ninth state to become legal for medical cannabis. And two years later we are just legal for medical cannabis on paper alone. We can talk—all the rumors that you hear about the evils of the devil's leaf if that's what you want to call it, but we know for a fact that it helps people with all types of illnesses: Multiple sclerosis, Parkinson's disease, Crohn's disease, epilepsy, and, once again, post-traumatic stress disorder. You show me a police officer and a firefighter that's done this job for 10 plus years and I'm going to show you somebody who has a hard time sleeping at night. Let's finally get West Virginia on track and push legislation that can finally allow our people to benefit and get the medicine that they need and they should get it without having to go and sell their souls to Big Pharma.

Now, I really wanted to say this yesterday because the man stood right there yesterday and he swore people in. The first official act, the Supreme Court was to remove black lung from workman's compensation. We're West Virginia. We love our coal miners. Whether they're union or nonunion, every coal miner that goes underground risks one day struggling with black lung and every single coal miner in this state has just had a knife stuck between their shoulder blades because we've removed black lung from the workman's compensation to make it harder for those people to be able to get. And last year I was told that my bill last year, the black lung bill, was going to be put into a study over the interims. I hope and pray that we can finally get that bill passed. And here's the thing, my bills don't see the light of day—but I'm okay with that. I'm here to make sure that they hit that Bluelist. Take my name off those bills. If you

like those bills, I think you should probably like the black lung bill, you seem to like the second chance for employment bill, take my name off of those bills and then pass them because they benefit West Virginians.

I have two new bills that I introduced this year. One of them is a 25 year and out retirement for correctional officers. We spend a lot of money in this state training correctional officers; and many of them don't make it to the sixth month, to the year mark. Why is that? Because of the OPTEMPO and because of the danger—I would say one of the most dangerous jobs in America today. A correctional officer will get into physical altercations probably once, twice a week. And we know, we've brought quite a few on this floor and heard some of the horror stories of how some of them have been beaten. Many of them get trained—which costs us money—they don't make it to the six-month mark and they're done. But if we gave them an incentive, something that said if I can stay in this job for 25 years I can retire, maybe then we wouldn't spend so much money to lose it with people dropping out. We would create an opportunity, which we already have by giving not one, but two pay raises to correctional officers, which they are very, very grateful for but given them also an incentive that says I'm going to do my 25, will keep a lot of people in that profession and we won't need to spend money training more.

And lastly, I'm pushing a bill requiring every lobbyist to wear a body camera. I believe in transparency. Why should lobbyists have better access to us than the people? Imagine if the people could punch in the name of a lobbyist and see every single conversation that they have. It would do away with a lot of backdoor dealings. And I'm not accusing people, but I know that sometimes things get done. I've thrown big energy lobbyists out of my office for saying things like, "Well, is there anything that maybe I could do to change your mind?" It happens. If we believe in transparency and we believe that we work for the people, then we should have no problems letting them see everything that we do.

And those are the bills that I would love to see the light of day. And if you don't want it to see the light of the day because it has my name on it, then remove my name from the bill but give it a chance. Let it hit a committee floor. Let the people out there get an opportunity to decide if they would like something like that to happen.

Now, I am . . . the rumor is true. Next week will be my last day on this floor. And I'm going

to go and I'm going to try to fight for not just West Virginia, but the issues that we have in West Virginia that we share with Kentucky, that we share with Michigan, that we share with California and New York. I'm going to try to fight for us on a national scale. And people can say "this guy doesn't have a chance" all you want. But make no mistake about it, I don't have the money, but they don't have the fight. I'm in this fight and regardless if you like me or not, I'm going to do everything in my power to elevate each and every one of yours and every one of your constituents lives.

Thank you, Mr. President.

Sappers clear the way. Airborne all the way.

**REMARKS OF
HONORABLE
CRAIG BLAIR**

Thursday, January 10, 2019

SENATOR BLAIR: Thank you, Mr. President.

When we did this resolution a while ago, I didn't know whether my comments would fit appropriately when we were doing it for an individual, but I asked the good folks in the back gallery to hang around for a few minutes because I wanted to share one of the top ten experiences in my life. And I have a little list of the really neat, or cool experiences that you have—and you've been with me on a couple of them. But this one, you were not on. And some of you, if you've heard this story, forgive me, but I wanted to share it.

And that is, is back in the early nineties, I didn't know anything about the Tuskegee Airmen. Zero. Nothing. I had no understanding. I don't think the movies had been out yet or anything like that, but I love airplanes. And so, my business would take me to Dayton, Ohio, about once a month, and I love going in to the air museum there. And so, my future wife was with me one time, so happens. And . . . so, we're going to the air museum. And, for record, my wife is half African-American. And so, we go in there, and we're looking at everything and then at the Tuskegee Airmen exhibit there's this gentleman, he's about this tall, and he had a leather jacket on that was like he flew an airplane and it was very worn. You could tell

that it was old. And we got to talking. Come to find out he was one of those pilots and, if you know anything about pilots, especially when they don't talk a whole lot, especially ones that have been in battle, they're quiet, and if you're . . . I got smart when I was learning to fly and everything, is keep your mouth shut, go sit down, and if they get to start talking to each other and telling their stories, you get to hear some amazing things.

Well, this gentleman, not so much got to talking to me but to my future bride, and I got to sit there and listen to him, and it was one—I've got goosebumps right now—it was one of the most phenomenal experiences that I've had in my life, hearing him tell the stories, Mr. President. Again, I wanted to tell it while the resolution was going on, I didn't know how that fit in. And since then, I had . . . I've probably met four or five Tuskegee Airmen in that time period. And . . . I can't remember the names, I struggle with the names, period. But what an experience to hear the stories being told from somebody that was actually there. So, I didn't know the gentleman from Mineral County, I'm sure he was a great man, but what a great group of people that Tuskegee Airmen were, period. I got to experience that and that is one of my top ten.

Thank you for taking the time. Thank you for hanging around and hearing of my short comment on that but what an experience.

Thank you, Mr. President.

**Designating January 14, 2019, as Marshall
University Day at Capitol**

(Adoption of Senate Resolution 8)

**REMARKS OF
HONORABLE
ROBERT H. PLYMALE**

Monday, January 14, 2019

SENATOR PLYMALE: Thank you, Mr. President.

For the ones that didn't wear green, we'll have uniforms for you next year that you can wear, like this. You know, as a graduate of Marshall University and as the person that has

represented that area in the fifth district for 27 years, this being my twenty-seventh—I did start when I was 12 so I got a special recognition to come up here and allow me to run at 12 years old.

You know, I have been here long enough to see four presidents, three interim presidents at Marshall University—and I say with great pride that I am very proud of Dr. Jerry Gilbert that's here today and the leadership that he has instilled and the leadership that he's demonstrated for Marshall University. The growth in programs and in research are phenomenal and I'm going to go through a few things that, you know, nearly 77 percent of the students at Marshall are from West Virginia; more than 13,100 Marshall students are currently taking classes in Cabell, Wayne, Kanawha, Putnam, and Mason counties, and online; nearly 1,500 high school students from across the state are choosing to begin their higher education journey early this year through the growing dual enrollment and online courses in high school programs. Marshall is a significant economic impact engine for West Virginia and it might surprise you, but their economic impact is over \$800 million. So, when you start talking about, you know, anchor institutions, economic engines, and this is pretty significant for an area that the Senator from Cabell and I represent geographically. But it goes beyond that geographic boundaries throughout the whole state.

Their researchers are finding solutions to problems facing all West Virginians and are getting recognition for it. Marshall's external funding for research has increased 35 percent over the last two years and that's a testament to the quality of research and instruction. Marshall, this year, assembled the Alliance for Economic Development in Southern West Virginia—and that's a coalition of 10 higher education institutions focused on creating jobs. That alliance represents more than 30,000 students in 21 counties. That's quite significant. And recently, Marshall is recognized as a world leader in addressing substance abuse disorder and recovery. Their medical school, their medical and outreach services have contributed to a 41 percent reduction in overdoses in our community in just the last year. The federal agencies are coming to Marshall to study what we are doing in hopes that can be replicated, not only in this state, but in the country. No other university in the country can say its addiction treatment and recovery programs are having that kind of impact. And they look forward to working with Governor Justice in Jim's Dreams

initiative to expand the University's workforce development training programs and those in recovery.

I could go on and on and on about it, but to be honest with you, we've taken a step back over the last few years that we really need to be looking at higher education and not reducing the funds going into higher education, but actually investing in those so that we can have the workforce of the future. Technology is going to be a big key in a lot of the things that are going on right now. You know, you can look at the cyber security, biomedical engineering, aerospace, and the additive manufacturing and 3-D printing. Those are the waves of the future and that's where we're going as a state and as a country and Marshall's leading the way.

It's my honor to . . . for 27 years to occupy the Senate seat where Marshall is represented, and it is a great honor to be there and thank you for your work.

**REMARKS OF
HONORABLE
STEPHEN BALDWIN**

Tuesday, January 15, 2019

SENATOR BALDWIN: Thank you, Mr. President.

I just want to be real brief today, but I see so many friends and leaders in community service and volunteerism here today, I just wanted to take a brief moment to lift them up and thank them here today.

You know, this is Martin Luther King's birthday today, January fifteenth, and I'm reminded of his famous quote when he asked life's most persistent and urgent question is, "What are you doing for others?"

And, Mr. President, today we have volunteer leaders here from across the state who have spent their life urgently and persistently serving others. They don't do it for the glory; they surely don't do it for the money. They do it because they believe in making a difference in their community.

And I see several friends here today who have spent the last two and a half years of their life helping us in Southern West Virginia recover

from the disastrous 2016 flood—and I thank you all. I see friends who are here today who spend each day of their lives nurturing our young people. I see friends here today who spend each day of their lives nurturing the most vulnerable among us in West Virginia. These are folks who need help. And so I would appeal to my colleagues here in the Senate who are influencers and who are leaders in their community to please lift up these folks and the opportunities that they provide for service throughout the state.

I want to thank our volunteers. I want to thank, Mr. President, thank you for the time for allowing me to give them a nod of support here today. Thank you all for your service. Thank you for your urgency. Thank you for your persistence.

Thank you, Mr. President.

REMARKS OF
**HONORABLE
BILL HAMILTON**

Tuesday, January 15, 2019

SENATOR HAMILTON: Thank you, Mr. President.

Based on the petition that I presented today on behalf of the senior centers of West Virginia, I'd like to express a few points on behalf of the senior centers. In the past three years, they've seen minimum wage increases from \$7.25 to \$8.75 along with corresponding benefits with no increase in their reimbursement rate. Regulations related to in-home care have grown and increased the cost of doing business, with no reimbursement rate increases. Meal rates are unchanged since 2010. Lighthouse in-home care rates unchanged since 2007. Family in-home respite care rates unchanged since 2006. Personal in-home care unchanged since 2013. And the hot and cold trucks that deliver meals to the elderly throughout the state have been on the road since 2008. In my district, I have counties that are running trucks with 150,000 to 180,000 miles on them. But if these senior centers are provided the proper amount of support by the Legislature, those senior centers are going to do the unthinkable, reduce or eliminate service offerings or, quite simply, in some cases, they're going to shut their doors.

And I really appreciate the Governor increasing the amount of the reimbursement rate for the meals, but we need to do a little bit further and with the . . . last year, the senior centers in West Virginia served two and a half billion meals and were reimbursed for about half of those. Now, let me ask you a question: "What restaurant could stay in business, and offering meals, and only getting reimbursed with half of their cost?" And I think we owe them our support.

Thank you, Mr. President.

**Designating January 16, 2019, as
Tucker County Day**

(Adoption of Senate Resolution 9)

REMARKS OF
**HONORABLE
DAVE SYPOLT**

Wednesday, January 16, 2019

SENATOR SYPOLT: Thank you, Mr. President.

It's hard to imagine recreation or tourism in West Virginia without first bringing to mind the picturesque views in Canaan Valley or the Blackwater State Park and falls and what not. I think that Tucker County has done a tremendous job and has grown exponentially in the last decade or so: Having two skiing slopes, three state parks, and three craft breweris now in existence . . . I will tell you, having traveled through that county for over a couple of decades now, I've seen the level of traffic and the cars parked along the street and the tourists are coming in from all over the place just to enjoy the opportunities and the food and the atmosphere.

So, Mr. President, I think this is a well-deserving resolution and I'm glad that we have members from our community that come today to share with us in this celebration and I urge adoption of this resolution.

**Designating January 16, 2019, as
Tucker County Day**

(Adoption of Senate Resolution 9)

REMARKS OF
HONORABLE
RANDY E. SMITH

Wednesday, January 16, 2019

SENATOR SMITH: Thank you, Mr. President.

You're probably surprised I'm standing up to speak on this resolution but . . . I support this resolution, being a somewhat of an implant into Tucker County the last five or six years, where I reside now. I wanted to say that . . . I look here and I see a lot of good friends that I've made in the last six years, some of them I knew before then, but . . . and they've welcomed me like a long lost son, like they've known me all my life and you'll find that if anyone here visits Tucker County, that's the way you'll be treated.

This county's unbelievable as the state or federal government owns about 50 percent of their land and timber management companies own another 20 some percent so, you know, they don't have a whole lot of tax base so they have to be very creative on how they, you know, they raise money. And I can honestly say, very seldom, if ever, do they come to me and say, "Hey, we need money for this" or "Can you get us money for that?" They always come and say, "Hey, will you support us on this? We're going to do this, will you support it?" And, it's a . . . I've never met a bunch that works as hard as what Tucker County does. And if you ever go to the county, you're going to fall in love because, you know, you have Blackwater Falls State Park there which has . . . let's see, they have the sled run, it's one of the largest ones on the East Coast; they have Canaan Valley State Park that has the tubing run, which is the largest one east of the Mississippi, so if you like to sled ride or tube that's the place you want to go and it has a nice escalator that takes you back to the top of the hill, so that really makes it nice. And, they also, you know, we have the Dolly Sods Wilderness Area there if you like to hike, you know; we got the Otter Creek Wilderness Area if you like to hunt, and fish, or hike. There's just so many opportunities, you know. There's a couple of stables up there and you've never went on a horseback ride until you went on one that takes you through Canaan Valley. It's just beautiful.

But, these people, they've got a special place in my heart and, like I said, they've always made me welcome. I'm proud, proud to represent Tucker County. I had them when I was a delegate and I was fortunate enough to keep them when I became a senator. And . . . I just love them to death and, like I said, if you like to canoe, kayak, anything outdoors, anything you want to do outdoors, I can guarantee you, you can do it in Tucker County. And if you like to drink beer, they've got three breweries up there, too, so . . .

And they're going to be at the Culture Center tonight for the Tucker County Day, and I encourage you to go over and meet these people and talk to them and you'll see why I kind of glow when I'm able to brag on them a little bit.

So, with that being said, I support the resolution.

REMARKS OF
HONORABLE
RANDY E. SMITH

Wednesday, January 16, 2019

SENATOR SMITH: Thank you, Mr. President.

I've been thinking the last couple of days—I know that scares some of you. But . . . everyone here, I'm sure, you know, was at the State of the State or watching it on tv and the newspaper. And . . . our Governor had came out with a *Jim's Dreams*—this is a copy of it, it's not a color copy—but he had the big white board set up, had *Jim's Dreams* in there and went through . . .

Got me thinking because, you know, I was always taught if you didn't have a dream, you really didn't have anything. What was your purpose in life? If we don't have dreams to do this or get this done or see this done, you know, all of us are here because we have dreams. I mean, things we want to see changed. So, I've got to thinking and I came up with *Randy's Dreams* and my dream is: Fix the dam roads—I knew that was going to hit a nerve. But . . . you know, we have a lot of problems in this state and I'm not taking way from the opioid problem we have, the education problems we have, you know, with the foster care . . . We have more than our share of problems in this state. But my fellow senator and I, and I'm sure everyone of

you in here . . . Senator Sypolt and I, we travel across our district, you know, we have eight counties and the number one complaint is roads, especially in Preston County. You know, Senator Sypolt lives in Preston County, I lived there for years, I'm back there often and . . . they've really got a problem in Preston County. And, you know, some of it is a district problem because we have a few counties that we don't get a lot of complaints from but, you know, Preston County and Mon County, we hear from all the time. I know the senators that represent Mon County, you hear it all the time. And it seems like, we say, you know, every year, it's yeah, we know they're bad, we know they're bad, but we don't do nothing about it. And that's where *Randy's Dreams* comes in.

You know, roads affect every member in this body like I said . . . and we definitely need more money. It's going to take money to fix our roads to get them back because we let them go for so many years, lot of it was we didn't have the money, we was in a deficit, and there was not money to put in the roads. But we can put all of the money we want into it, and a lot of these things aren't going to change unless we change the way we think as a state. You know, we're not in 1960 anymore, you know, when we had the lowest workforce participation in the country. You know, we can't hire . . . you know, for state road, there's jobs open. I mean in Preston County, last I checked, it was 19 jobs open and Mon County is even worse than that. And the gas industry had a lot to do with that, took a lot of the jobs, you know, because they can go drive trucks for \$25, \$30 an hour or they can stay with the state and make, you know, \$11 or \$12 an hour. And you have to feed your family. You know, I know what I'd be doing. So, we have to address that problem.

But, you know, we're going to have to change, you know, I'm asking the Highways Department and the Governor's Office to change the way, you know, whether it's the way we do the formula for, you know, funding, the funding formula, or, you know, maybe contract out certain . . . you know, like mowing. I can remember, you know, growing up for years and when I first, you know, got into the workforce, all of our roads were mowed, all of the ditches was cleaned. And now it just seems like, you know, it's not a priority. And they tell us, you know, well, we don't have the manpower, we don't have the equipment. And I get that. But you can't just throw your hands up and say the heck with it, you know, I can't keep up with it. You've got to come up with some way to fix that.

So, I'm asking that us as a body, which, you know, we've talked about it and there is a movement finally within our body and the body across the hall there to finally get aggressive and do something about this. And I'm asking the Governor, you know, he came out with a press release a couple of months ago where he called Donald Trump and got federal funding for Corridor H and a road up in Berkeley County. And I'm asking if he's that much power with Donald Trump, our President, then please call him and tell him we need some more money for our roads. I mean, if he's got that kind of relationship, maybe we can get more federal funding to help out. You know, I mean I'm asking the Governor to, you know, call one more favor out to help us get some funding. You know, if that's where our funding can come from, then I'm all for it. I really don't care where it comes from as long as we get it. And I'm asking him to get with his Highways Department and let's get out of 1960, 1970 of fixing our roads and let gets into 2019. And, you know, he's did a lot, you know, I give the Governor credit, he's did a lot with the, you know, with the road bonds, you know, for fixing more roads, but my thing is, we can't fix the ones we got and it kind of, you know, concerns me that we're building more. You know, 20 years from now or 15 years from now are our new roads that we're building now are going to be in the shape that our secondary roads and a lot of our primary roads are in now.

I don't mean to be so long winded, but this is something near and dear to me because if I could get rid of my road problems, I would love this Senate job. You know what I mean because if I get calls, you know, if I get 50 calls a week, I can guarantee you, 40 or 45 of those calls are on roads. And most of you know what I'm talking about because you've got the same thing. And it's just disheartening because people call with about any other problem, if they got a problem with Tax Department or Secretary of State or anything like that . . . normally, we can get that fixed for them. You know, we've got avenues we can go and help these people out, but if they call us with a road problem, it's just like, ahh, man, you know, it just seems like we don't have an avenue to get that fixed. And, you know, I'm not blaming the Highways Department because a lot of it lays on us with funding, but I honestly believe we could give them a billion dollars and if they'd spend it the same way they're doing it now and doing the same practices that they're doing now, a couple of years from now, they're going to need two billion because they didn't fix the problem.

So, I'm asking as a body to, you know, push the Governor to push his Highway administration to change their policies. You know, look at the districts—they're some districts that has more problems than others. You know, some of them, you know, people's even going to jail, some of the people committing suicide because . . . we've got a problem. And I just call on the Governor to either call the President or, you know, work with us but let's fulfill, if nothing else before I leave here, I would love to have *Randy's Dream* fulfilled. I would love to fix the darn roads.

So, with that being said, thank you, Mr. President, and hold the applause please. You're from Preston County, I love you, but I don't want you in trouble.

Thank you.

REMARKS OF
HONORABLE
ROBERT H. PLYMALE

Wednesday, January 16, 2019

SENATOR PLYMALE: Thank you, Mr. President.

I wasn't planning on speaking today but, as a member of the Blue Ribbon Commission, along with the Senator from Monongalia and the former Senator from Putnam (Senator Hall) When we were reviewing this, people laughed and they scoffed at the number that it would take to really do what we need to do with our roads—and that was \$1.1 billion and that's not in . . . that's in perpetuity—that's what you need to fix your roads for every year. And part of the problem is the deferred maintenance and I questioned and I talked a lot to members and to the administration at the time when we were doing our bonding that you should hold back some of your DMV fees and some of that and not bond that at the time, that you should be doing that for deferred maintenance. And your major issue right now, and I get the same calls, I get the same . . . on your texts—they'll text you the copy of a view of the road and I see more potholes than I see anything else. But, we are not taking care of the water. If you do not take care of the drainage—and this is a long-term problem—the deferred maintenance problem we're having right now is we're not taking care of the water coming off of our . . . drained off of

our roads, because, if it sits on the road, it's going to freeze and thaw and you're going to create potholes.

But . . . I will tell you this, the challenge that Tom Smith as the Secretary of Transportation has, is the problem that we have a lot of years past, and you can go past, you know, don't say, "Blame it on the Democrats", it's years past for many years, that we didn't do deferred maintenance. We are on a 33 and a half year paving cycle before we did the bond on our secondary roads; that's not your interstates, that's not where they're really putting the bulk of what it is, the interstates have a different funding mechanism. But from our standpoints of our secondary roads, I will agree with the Senator from Tucker. We have to put an emphasis on this and it's not taking the money we currently have and deferring that and taking that away from the priorities that are there now. That was part of the bond. We have to come up with some, whether it's surplus, whatever it is, to start looking at that and I will tell you, it won't even scratch the surface if you put \$5 million per district in there to address it. You're going to have to put \$10 to \$15 million per DOH district. I think this is something that is vitally important to the citizens of West Virginia and I will tell you that it is one that I hear from people in Wayne and Cabell every day, along with the Senator from Cabell. We hear this, we better do something about it.

Thank you.

REMARKS OF
HONORABLE
ROBERT D. BEACH

Wednesday, January 16, 2019

SENATOR BEACH: Thank you, Mr. President.

Ladies and gentlemen, I, too, had not planned to speak today. I was going to actually talk on this subject tomorrow at greater length.

Earlier this week, on Monday morning, in the House, we had a public hearing that included representatives of the DOH and DOT. And those in attendance were county commissioners from across, mainly, north central West Virginia, I believe. I don't think we had anyone from southern West Virginia. And we had it

scheduled for that time simply because we knew county commissioners would be in town for their event that they have each year.

So, they were very vocal in the problem that we have here in the State of West Virginia in regards to paving and those core projects of brushing and ditching and everything. But the thing that really stuck out in my mind was a member of our CVB who had with her a stack of documents—and she called it eight pages, but it was multiple, multiple entries on each page, and it was from *Trip Advisor*. And these were comments that folks were leaving about my community, Monongalia County, after they've been there for an event, whether it be a baseball, basketball, football, or bike fest that happens every July. And these were not positive comments, folks. These were very negative comments. And what stuck out was the fact that she says now we have to go back and the money we normally would put into advertising to promote an event, we basically have to use the dollars to basically argue against the negative impact that it has on our community. So, there's a lot of dollars being wasted in my community just to overcome the fact that we have bad roads.

Now, earlier this year, as a result of a north central West Virginia caucus of our county commissioners, I had ordered an audit done on District 4. Delegate Sponagle on the other side had piggy backed on that and had one on District 5. And the results were the same for District 4 and District 5. And one of the issues we were seeing, it was clearly present in this audit, was the fact that the money that was being allocated to the counties and to the districts was not being spent. It is recommended that they use 70 percent of that money that's allocated to the districts on core projects, which, as you know, is ditching and mowing and all those things. Except for one instance, they're only using about 50 percent of the funding—50 percent of it. So, my question is, where's the money going to that's not used? Well, a lot of it is going back to those areas like Putnam and Greenbrier who's had flooding in the past, addressing those infrastructure problems we have in those areas at that particular time and, again, I want to go back to what the gentleman from Wayne said, this is just not a recent problem. This study was done for the past 10 years, the audit. And it was the same each and every year: They weren't spending the money that's allocated to it.

The other thing that came out in the report was the fact that pointed clearly to a labor issue, especially for Mon County and I know the

gentleman from Tucker brought that up: Mon County has a labor issue. And the fact that we're only meeting 50 percent of the threshold on the employment for that particular garage is a real issue for us. We're getting the money, we just can't get it out in the field to have it put into use. So, we have to address a human resources problem we have within the DOH.

Many years ago, a former Governor put into play a policy which resulted in some actions that occurred in other districts but, at the time, he thought it was a good thing. Today, I believe, it's hamstrung our local garages and what they can do. And, it's the hiring practices of individuals for the garage. Right now, the policy that's in play is that fact that the garage, the local garage in your county, can interview staff that they need, labor that they need, but they can't hire at that time. That application, if it meets their needs, is sent here to Charleston for review. If it's accepted there, it's sent back to your district garage, then the approval goes on to your local garage. Folks, three weeks go by, that person who has applied for a job has a job already someplace in the world. Process starts all over again. So, later on this week, hopefully, it will come up, is a piece of legislation that I hope the Chairman from Transportation will take it up for consideration, is to eliminate that process, allow that authority to remain with your local garage like it used to be prior to 2005.

The other human resources issue we have, and the gentleman from Tucker mentioned it also, is what we're paying our people who work in the fields. You know, starting pay within the Department of Highways at our local garages is \$9, and that's for the person sitting behind the desk answering phone calls. So, we have to address that human resources issue of paying these folks, so there will be another piece of legislation that will give these folks \$3 an hour across-the-board pay increase—that will be coming your way as well. And I know that's a fiscal note, I don't know how much that would be. I don't have a clue. But I think it's something we need to take up and have a serious discussion. The House is also going to reintroduce that piece of legislation as well.

So, folks, I think we know what some of the problems are, I think we just have to have . . . muscle down and really take it on because it is an issue for each and every one of us across the State of West Virginia. I personally, just like the gentleman from Tucker, I'm tired of those phone calls. I mean, I could really have a nice evening at home if it wasn't for phone calls like that because,

you know, most times you're spending 15 - 20 minutes apologizing and then trying to explain why it's occurring and then finally explaining what little you can really do to help fix the problem that they have in their communities.

But folks, I hope we all join together. This is not an issue that's Democrat or Republican. This is an issue for all of us and it affects each and every county.

Thank you, Mr. President.

REMARKS OF
**HONORABLE
CHANDLER SWOPE**

Wednesday, January 16, 2019

SENATOR SWOPE: Thank you, Mr. President.

Also, I hadn't intended to speak to this issue today but this is an issue that's concerned me for quite some time and, being a business guy, I like to put things in proper perspective. So I think I can bring some perspective to this subject.

Over the previous 10 years before the bond issue, we were spending about \$700 million a year on maintenance, or on highways. The number you just heard was \$1.1 billion was the correct number, that's the number that we should have been spending. If you amortize that over 10 years, that means there's a \$4 billion deficit on this very need that we're talking about. And I fear that people think that the \$2.8 billion bond issue that we passed is going to solve that problem. That's not enough money to solve the problem. It will bring our . . . the Highway Department can only manage about \$1.2 to \$1.4 billion worth of work per year, which is slightly above the \$1.1 we should have been spending for yea many years. And I thought that adding that perspective to the subject would help people see the magnitude of the need and try to prepare for future years.

Thank you, Mr. President.

REMARKS OF
**HONORABLE
DAVE SYPOLT**

Wednesday, January 16, 2019

SENATOR SYPOLT: Thank you, Mr. President.

Interestingly enough, I, too, had not planned on standing up today. But, the conversation in here, though I agree with everyone who has spoken and I'm not going to contradict them one bit. It reminds me of a conversation I had with a former supervisor of District 4 Highways last summer. I was actually out of town at the time and received a phone call from a constituent, I don't remember—probably it was in Preston County—I don't remember which road it was or anything else, and I shot a text message to them and a gentleman called me back and I remember sitting in the motel room at one of those desks and I was trying to make few notes and we talked. It turned into a two-hour conversation. He was pretty frustrated, you know, and I was pretty frustrated, too. So, I wanted to preface my remarks by saying this is not my idea, but it is actually a culmination of what he had to say and what I had to say.

But, he had pitched a proposal similar to what the Senator from Tucker was talking about. We have to think anew and act anew. We can't follow the same old routine, we can't follow the same trappings in the past: We need to think anew and act anew. And his proposal—and there's been some loose talk about it throughout the capitol and throughout the state—and I've made that proposal, pitched it to the citizens before, and they seem to like it—but to put together a pilot program. And this pilot program would be to take the pressure off of . . . not replace . . . but take the pressure off of our county forces, our county programs.

In Preston County, one problem that we had last year was the rain—we had a lot of water, ditches were full, culverts were failing, road banks were slipping—so we had a lot of immediate concerns that had to be taken care right away. There was a mention of deferred maintenance and the 70 percent which is supposed to be earmarked for core programs Some of that money had to be deferred last year to address the immediate needs of, you know, passage of vehicles when there were trees and mud in the road, it had to be removed.

Another issue we had was that we had a late snowfall—I can't remember when it was, March, maybe it was the first part of April—you can't patch the road until the road, you know, the snow's off the road, they're not plowing

anymore, and the road dries up in order for those patches to hold.

So, their first order of priority for every county is the primary routes. We're talking about the U.S. 50s, we're talking about the State Route 92s, the State Route 72s, the State Route 7s. That's their first priority. By the time they got all the slips pretty well addressed, the traffic could pass again, and they're not all fixed yet, we're still working on them. And they had some of the ditches opened up, and they had the snow all removed, and the weather was clearing up, and they're ready to start patching, and they take care of the primary routes and, guess what, it was about August, maybe a little later. And that's when they started on the secondary roads. So, at the end of the day, after they finished the primary routes and they started on the secondary routes, guess what, they only had a couple months left before the snow flies again to even address those—only covered maybe 20 percent, maybe 30 percent of the secondary roads. The rest were untouched. And I have constituents tell me all the time: There's not been a state road truck out on our road for three years. It's probably true because they can't address all of them every year.

So, this proposal which the former supervisor put forth to me . . . and I've been talking to people and they seem to think it might work is if we would take the primary routes in our state under a pilot program—and I'm talking about maybe one county or two counties—and contract it out to the private sector—small sections, four to six miles maybe at a time, let the contractors bid on it for the patching, for the ditching, for the mowing, the basic stuff that happens, the snow removal, the stuff that happens year after year after year, and then the county forces would be relieved of that responsibility and they could begin as soon as the weather breaks to start on the secondary roads with their patching, their ditching, their culverts, and take care of all the things that need to be done to maintain our roads. I think it's a pilot program that's worthy of our attention. I think that there is opportunity in there to not only repair some of the problems of the past and get our maintenance back up to snuff; but it also is a jobs program. And the point was made to me by this former supervisor that, you know, how many farmers do you know in Preston County who have a 92 horsepower tractor and only uses it during hay season? You know with the brush hog attachment and articulating arm, that person could actually be a subcontractor and go out and mow those road banks twice a year, maybe they could get a little return on their investment for

their equipment. I think there's opportunity there for people to step up, be part of the solution, and also, you know, help the bottom line of our agricultural community. I think that there's contractors out there that are smaller in nature, the subcontractors throughout the state, that could go in and handle the smaller sections of the road. We're not talking about contracting for a 80-mile section of the road, four or five miles, six miles maybe at the most, something that a small contractor could handle and we're going to build our job base and we're going to build our businesses in the state.

With that being said, you know, I want everyone to approach this with an open mind. It's going to cost a little bit of money. We know that there's a fiscal note attached to road maintenance and we're not meeting those demands today, we're not meeting the expectations of our constituents. So, let's think anew and let's act anew. Let's look for ways that are unique that the citizens of the state can step up and be part of the solution.

Thank you very much, Mr. President.

**Congratulating Ritchie County High School
boys' cross-country team
2018 Class AA/A state championship**

(Adoption of Senate Resolution 10)

**REMARKS OF
HONORABLE
MICHAEL J. MARONEY**

Thursday, January 17, 2019

SENATOR MARONEY: Mr. President, thank you.

I'd like to speak on behalf of the accomplishment of this fine athletic team and congratulate them on behalf of myself and Senator Clements from District 2, but also from the entire body of the Senate.

The Ritchie County High School boys' cross-country team . . . they won their division in the state championship. It's the first time they've won the state championship. They had an extraordinary season this year. They were also the Region 1 champs and, also, the Little Kanawha Conference Championship was theirs as well.

They're led by Head Coach, Holli Haddox Vaughan; assistant coaches, Paula Hogue and David Bee. And, I'm going to just name the roster real quick. These are the runners that won all these championships: Clayton Bee, and Jarett Allender, Kent Bee, Adam Davis, Brady Layman, Gabriel Morrison, Isaac Slater, Huston Deem, Brenden Davis, Logan Hostuttler, Michael Jones, Dalton Hayes, Creed Knight, Zachery Bixman, J. D. Henderson, and Anden Keen.

And, it's a . . . you know, cross-country running, and running in general, is such an individual sport, even though it's a team championship and they all compete, each and every one of these runners has to have the heart and the will to beat the person next to them, to run when they're hurting, and they keep on running and they run faster. And it's an extremely difficult sport and to have this many great runners established on one team, they're going to go down as one of the best teams in the state's history.

I'd like to congratulate them.

**REMARKS OF
HONORABLE
BILL HAMILTON**

Thursday, January 17, 2019

SENATOR HAMILTON: Thank you, Mr. President.

I would like to take this time to talk about our volunteer firemen, which are seated in the gallery.

Last year, the Senate had an excellent bill, Senate Bill 625 (*Creating WV Volunteer Fire and Rescue Act of 2018*), and it had funding in it. It increased the surcharge to one percent on insurance, which was an increase of .45, and then it was divided among different categories which was to help the volunteer firemen for equipment. Now, when we think of equipment, we're thinking about trucks, but you've got to break it down a little bit more. Our turnout gear, that costs almost \$10,000 per man or woman to equip a fireman to fight fires for our communities. Workers' comp, it addressed that. They could use part of that increase to fund their workers' comp premiums, which is a really terrible problem for them. And lastly, but not,

you know, not to speak of it being last, but not only the equipment, but the training procedure. We need to help them in costs for these training . . . I mean, they've got to be properly trained. And then we've got a problem with volunteers. We can't get enough, we've got to come up with an idea to where we can attract more people into the fire service and the EMS, for an example.

And, as I told my caucus last year, this surcharge, increasing it to .45 to one percent, if you got a \$1,000 premium on your insurance, that's going to amount to \$10. That's a \$4.50 increase on your premium. Now, I come from the insurance business. I had 42 and a half years in the insurance business. When that surcharge, until 2006, it was one percent. And then when we put the tobacco settlement money in, we reduced that surcharge back to .55. In 42 and a half years, I never had anyone come in to me and complain about what went to the volunteer fire companies because they realize, in their community, they were a great asset to their community. And, no offense to the retired teachers retirement, but they said well, what does the retired teachers have to do with insurance premiums? And that was the only complaint I ever heard from anybody.

But we've got to find funding for them. I mean, it's absolutely necessary. I think right now we've got probably eight to twelve departments in this state—and I think there's 440—that are in danger of closing their doors. So, what happens when they close their doors? Well, the insurance service offices rate all territories . . . and if your community is rated as a Class 4 or a Class 5 and they lose their department, that rating is going to go from a Class 4 or 5 to the highest class, which is a 10. That means your commercial fire rates, your standard fire rates, and your home owners' rates are going to go up three to four times. Now, you think people will be coming in and complaining then? I guarantee you they will be.

But I ask that we give further consideration to them and fund this. I have a bill that hasn't come out yet that I've had for several years and it's increasing the surcharge and I would recommend that if anybody wants to amend it as to coincide with the Senate Bill 625, I would be happy to back that amendment. And I'll remind you, your firemen are mentioned in the original Christmas story in the Bible where it said: Three wise men came from afar.

Thank you very much.

REMARKS OF
HONORABLE
RYAN W. WELD

Thursday, January 17, 2019

SENATOR WELD: Thank you, Mr. President.

One of the problems that we hear a lot about, one of the biggest issues that we can't seem to shake as a state, is our unemployment problem, Mr. President. And it could be the result of a number of different things. Is it just that the jobs aren't there? The more and more that I read and things that I see, and data that I see, I think that there are a lot of jobs out there that we can get filled, so why is our unemployment rate so high? And I think that's a combination of a couple of factors. I think it's a factor, perhaps, first and foremost . . . and I don't mean to go in order on these, but our opioid problem. And I think that we have a lot of people that aren't able to get a job because they've got a problem and they self-disqualify when they walk in the door and have to take a drug test. And the other problem I think that we have is that we don't properly train our individuals in this state. We don't have the right workforce readiness skills that other states may have in place that would allow our folks to fill the positions that this state needs.

And I put on your desk today—everybody has a copy—I got this from the folks at Generation West Virginia. It says that 65 percent of jobs in 2020, so it's just a year away at this point, are going to require post-secondary education in training—and that's a pretty significant amount. I mean, that's an amount that shows that people aren't just going to . . . the days when you were able to graduate from high school and go work in a mill or go work in a mine, those aren't the days that we have now, Mr. President. And the jobs that we have now are going to require somebody to get some education, to get some training after high school. That number was only 28 percent in 1973. So, in that time span, it's increased from 28 percent to 65 percent.

And that is something that I think that we all in this body have to meet head on and try to really think about how we can approach this problem and how the younger generation of West Virginia, because, from my perspective, I'm a little bit older than when I started in the

Legislature, but I got here because, for me, it was important for people that were my age that had moved away to be able to either come home or stay here and, if we want the kids—the cross-country team that just walked out of here—if we want them to be able to stay here in West Virginia, we've got to ensure that we provide the framework for them to get the training to fill the jobs that we have here in this state and keep us going.

And so . . . as we think about this, if there were only a bill, Mr. President, that helped accomplish this, if we only had something, for the Senate, if we only had something that we thought could help us with this problem, and we do. And it's a bill that we sent out of here last year that established a program that would allow people to get the training that they're going to need to fill these 65 percent of jobs, that would allow for the state to be the last dollar in. This isn't a free program, this isn't a handout to everybody, the state is the last dollar in, and people have to meet requirements to be part of the program, but it's going to allow people to stay here, it's going to allow them to fill these 65 percent of the jobs that are going to be out there in the market. And we, as the Senate, unanimously sent that bill out of here and, unfortunately, it was something that we didn't, you know, get across the finish line last year. I know that we're working to make the bill better. We've been talking to our House colleagues on every side of the aisle to try to get this done because everybody in here realizes by their vote last year how important something like that truly is.

And so, I look forward to discussing that bill as it moves through the process because I really think that it's going to help in making sure that West Virginians meet the 65 percent of the jobs that are going to be out there and allow us to keep people here, allow us to bring people back to this state because, we all know, we lost 11,000 people year before last—as a state, we lost 11,000 people. I mean, that's an incredible number. And so, we need to make sure that we're doing everything that we can to keep people here and be able to give them a job, be able to help them get a job and stay here. By 2020, we are going to be short, as a nation, five million people to be able to fill the jobs that we need on that 65 percent basis. And so, a bill like the one that we've discussed that we sent out last year, that's going to be West Virginia's opportunity to lead, and our opportunity to shine as a state in this nation, to be able to meet that, to be able to exceed that, and make West Virginia the best place to live and work.

Thank you, Mr. President.

REMARKS OF
HONORABLE
ROLLAN A. ROBERTS

Thursday, January 17, 2019

SENATOR ROBERTS: Well, Mr. President, I'd like to publicly thank the Senate chamber for their warm welcome as a first-time senator. I kind of feel like the senator that had just begun in his Senate chamber and a couple of the senior senators asked him if he would like to go fishing with them. And so, they said, "Just show up, we have everything." And so, he did that and thought this is going to be a fabulous time.

And he arrived, and they already had the boat, they went out and put down the anchor, and one of the senior senators said to the other one, "Where are the fishing poles?" And he said, "I left them on the shore." He said, "Oh my!" He said, "No problem, I'll go get them." And he steps out on the boat, and he walks across the water and gets the poles and brings them back into the boat.

The junior senator said, "How did he do that?" And he's thinking very quickly here, what's going on? And then the other senator said, "Where's the bait?" And he said, "Left it on the shore." So, then the other senator steps out of the boat, walks across to shore, gets the bait, brings it back.

Well, a little while goes on, about an hour or so, and they're fishing and one of them says, "Where's the sandwiches?" "Left them on shore." And so, the junior senator, it's his turn, "Don't worry, fellas, I'll go get them." He steps out of the boat and sinks down. And one of the senior senators said to the other one, "When he comes back up, would you show him where the stepping stones are?"

I ask you to show me where those stepping stones are because it looks to me like some of you guys and ladies are walking on water here with all of the amazing things going on. But I appreciate your encouragement, I appreciate your help, and there is a lesson to learn from that story also that I will take to heart and that is: Don't go fishing with senior senators.

Thank you.

REMARKS OF
HONORABLE
GREGORY L. BOSEO

Thursday, January 17, 2019

SENATOR BOSEO: Thank you, Mr. President.

Obviously, when we get to looking at West Virginia we can look into rural communities throughout this state and find that their aging water and sewer systems are struggling to survive. Last week, as I was traveling back southbound on I-79, a light went off when I heard what some of the current surplus numbers were for our revenue—and we've got a good revenue stream coming into the State of West Virginia right now. And the light that went off was this: That right now, we've got some surplus revenue. We may not have it in a year or two years or three years down the road, but right now we've got some surplus revenue coming in. What better way than that we first guarantee that our Rainy Day Fund, our General Revenue Shortfall Fund, is funded, but to take that excess revenue and make it available to our communities so that they can rebuild their water and sewer infrastructure.

Recently, there was a report that came out in the *West Virginia Gazette*, Mr. President, and I'm sure you read it over the weekend. It talked about many of our water systems in Southern West Virginia where they pump three to four times the amount of water that they need on a daily basis, just simply because there's that much water loss in their system and they don't have the resources to build and restore and replace aging and delapidated components.

I have been working over the course of the last week, putting together a bill—and I hope to introduce it probably on Monday or Tuesday of next week—it'll be called the Sewer and Water Infrastructure Rehabilitation and Replacement Act. What this program will do, will create an opportunity for us to take excess revenues that ordinarily would go to the General Revenue Shortfall Fund, above the 17 percent and invest it and create basically an endowment and we would be able then, over time, to be able to utilize that money and put it back into our communities, once the fund is above 100 percent, we're able to generate the return on that,

we take those revenues and we put those into our rural communities.

We've got to find ways that we can help rural communities, especially where they don't have the financial resources, particularly in communities where the population has dwindled dramatically and they don't have the user fees coming in to be able to support heavy replacement. This would be a 75/25 program, they would get 75 percent grant money to be able to help. Projects would be capped at about a million bucks in grant funds in order to make that happen. But what we're doing, is we are making a commitment to invest in West Virginia, because we want business and industry to come here but, more importantly, we want our citizens to have safe drinking water, we want them to have clean waters within their communities. This will allow that to happen.

Mr. President, thank you.

**REMARKS OF
HONORABLE
SUE CLINE**

Thursday, January 17, 2019

SENATOR CLINE: Thank you, Mr. President . . . and thank you, Senator Boso.

That is . . . I just want to let you know something about our rural areas that don't have water and sewer. An example is where I live. In Wyoming County, I would say probably 75 percent, maybe more, does not have water and sewer. They have septic tanks and wells. And just in the area where I live, personally, over Christmas and Thanksgiving people were out of water for 14 days at a time. I mean, not one of drop of water because the lines are 80, 90 years old. They just have a tank on the hill, and when they get leaks, the leak drains, and it drains the tank—it takes two or three days to fill that back up. And that is a cycle that we go through every single day, every week, every month, you know, year in, year out. And that is just the kind of example that you need. Areas where we live, in Hanover, Coal Mountain, Sun Hill, Marianna—none of those areas have water, they don't have a public water system. And, that's how bad this situation is. That's how badly it's needed. And that's just one little part of Southern West Virginia.

And, I've been working on this with the Public Service Commission, we've been doing meetings and stuff and trying to find money for this. But it's . . . we've run out of resources. It's just the money is . . . just so . . . you know, so much money is needed. It's very hard to find grants . . . and they can't pay the loans because . . . like in our area, they don't even have . . . they pay \$20 a month water bill. There's no meters. There's no anything. That and we have like 110 people on a line. If we had meters and had good water system, we could put probably 400 or 500 people on the water lines and build it up and have a good water system because all the outlying areas, they have nothing except their own wells and their own septic tanks.

And I just want to let you know that that is how badly this is needed and how much money we need and it's a really big problem and it's a really big issue, and we need to really work on it because in this day and time and this century, we should not be without water. I mean people deserve clean water, at least drinking water. I mean, I live in that area and I, myself, do without water. And, so, I know what it's like. And I mean, I can't imagine people that have families and kids going to school and, I mean, it's just really hard. And we need to really work on this, we need to really, you know, put our heads together and see how we can come up with the money to do this, and to do it as quickly as we can because it's really a dire emergency need right now.

Thank you.

**REMARKS OF
HONORABLE
CHANDLER SWOPE**

Thursday, January 17, 2019

SENATOR SWOPE: Mr. President, I'd like to add my support to this infrastructure need. I represent McDowell County and it . . . I can document that it is 75 percent of the residents in McDowell County have no water or sewer, so it's a very large need—but here I go putting the business perspective on it again.

According to a recent report from the IJDC Board, the statewide needs of water and sewer total \$20 billion—billion with a "b". That's roughly four times our entire state budget. And I just thought I'd throw out that information so

everyone would know how dire this issue is and how much support it's going to need in the future.

Thank you, Mr. President.

**REMARKS OF
HONORABLE
MICHAEL A. WOELFEL**

Thursday, January 17, 2019

SENATOR WOELFEL: Thank you.

Let me just echo the very cogent words that we've heard here about reliable water. That's been one of my missions since I got here and I haven't been effective at addressing that. But we do now have, apparently, have a surplus and water is one of the basic human needs that people around the world, in most places, can rely on, but, unfortunately, in our rich state, folks can't.

I've heard some discussion about the surplus that we have. Some people, you know, have a feeling that we've got \$10 million to throw away on this or that—and the drug issue is an important issue. I know that for a fact most of the pure fentanyl and carfentanil comes from China to our country that has contributed to the opioid crisis. And I think they . . . I know they have a wall and I know it was effective, you know, 700, 800 years ago, but it's not doing anything to keep the carfentanil and fentanyl out of West Virginia.

Thanks.

**REMARKS OF
HONORABLE
KENNY MANN**

Thursday, January 17, 2019

SENATOR MANN: Thank you, Mr. President.

I'll be brief on this. I just want to follow up from the Senator from Upshur and what his comments was and just to know that I do agree with him as I have the honor of serving as president of a little fire department back in Monroe County. And I started out in that fire

department when I was in the fourth grade and back in them days there was no junior programs or anything like that. I just had an uncle that took me out there and we had a lot of good times. But, you know, growing up in that . . . and I'm seeing each and every day, it is hard to get more volunteers for it. Funding is scarce for fire departments and EMS. EMS, this is a growing problem that's really not made the surface and it needs to be brought into the spotlight. Our EMS, our ambulance services, stuff like that, across our counties are really struggling; funding's different now for them, and it's one of those things where, you know, you hope you never need them, but it's awful if they're not there.

And the Senator from Greenbrier, you know, we've had recently a fire department in Talcott, down in Summers County, that they just now got reopened . . . and they went for a while without their fire department. And ISO ratings were getting ready to go through the roof and I know that percentage that the Senator from Upshur . . . the increase would help tremendously. And also, if that fire department was not there when those rates go up, I mean, it's going to be far more than what that little increase would be. So, I would I say I support that.

Now, as for the education side of things, I've tried to explore things, I've talked to a few people that, you know, how do you get more volunteers—and that's tough. Everybody's got their thing that they do. But one thing that I'd like to see and talk to the Department of Education on is I don't know why we couldn't come up with some type of a fire/EMS elective for our schools that would also allow a child to go through, in high school level, to be able to receive credit for graduation if they take the class, plus they get their fire and EMS. I think that's something that could be explored. In the schools across the state they have to do so much community service now before they graduate, that could also help out in that situation as well.

I think as the Commissioner of Agriculture said yesterday in the Finance Committee, he was talking about FFA. When we think of those organizations and then something like this with the fire departments, EMS, starting out on a younger age, what better drug preventative group, you know, could be out there that could help? This could really get a kid feeling accepted and have a purpose in life and I think there's a lot of them. It's not for everybody but I really think that it could help contribute to growing our departments.

So, I would just say that I hope we could look into that in the future. I don't want to put any unfunded state mandates on our schools but, at the same time, I think we need to open up and see that this is a need, and it's a growing need in our state.

Thank you, Mr. President.

**REMARKS OF
HONORABLE
RANDY E. SMITH**

Thursday, January 17, 2019

SENATOR SMITH: Thank you, Mr. President.

I just wanted to rise and thank my colleagues. Because of you, I slept like a baby last night knowing that you have the same dream I have. And I just want to keep focus on that. Let's fix the roads. Thank you.

Thank you, Mr. President.

**REMARKS OF
HONORABLE
ERIC J. TARR**

Thursday, January 17, 2019

SENATOR TARR: I'd like to follow up, both on the . . . from the Senior Senator from the First, and also on the Junior Senator from the Fourteenth, on our workforce development side of things. One of the reasons we can't get our roads fixed is because we don't have people filling a lot of the spots within DOT and DOH. And a lot of the training that's required to get those jobs filled, we have a bill that's coming up in front of us with this community and technical college that, as it's written, gets a lot of people the certificates they need, the training they need, into a lot of those slots that are now not filled within our Department of Transportation.

So, we look at the money side of it—one of the things that this road bond has done is by taking money that was going to the core projects, like cleaning your ditches, doing the mowing, those things that happen to do with roads, the money that was being pulled from that has been

going into fix a lot of these major highways. So now with money going to the major highways, it does free up money to start working on some of the back roads now with the money that is available to them. What we don't have is workforce.

So, I would really encourage you, as you go along, with my fellow senators, and we're looking at this community and technical bill, is to realize what the intent of that bill is. It is to grow the workforce in West Virginia and grow it as fast as we can to make us competitive. But it also, besides that, it will help us with our roads. So, keep that in mind, please, as we look at it and thank you for your attention.

**Urging Congress pass fully funded
long-term surface transportation and
infrastructure measures**

(Adoption of Senate Concurrent Resolution 11)

**REMARKS OF
HONORABLE
CHARLES H. CLEMENTS**

Friday, January 18, 2019

SENATOR CLEMENTS: Thank you, Mr. President.

Senate Concurrent Resolution 11 is to encourage the federal government to address the crumbling infrastructure within the United States. It was on August 1, 2007, that the bridge on Interstate 35 in Minneapolis collapsed, killing 13 people and injuring 145. At the time this happened, I thought that the alarm clocks in Washington would go off and the government would do something about our dangerous highways. Unfortunately, they rolled over, hit the snooze button, and went back to sleep.

During the past presidential election, both candidates expressed infrastructure as a major platform for the committee for them, but nothing has been done, either by the Congress or our administration.

The I-35 bridge opened in 1967. How many bridges of this era do we have in West Virginia? The 2017 Infrastructure Report Card put out by the American Society of Civil Engineers reports that we have 1,247 bridges—that's 17 percent of

our bridges in this state—that are structurally deficient. We spent over \$154 million on bridge capital improvement projects in 2017 and I'm sure that we have spent more since then. The report card also says that we have . . . that 19 percent of the 38,770 miles of public roads are in poor condition. I'm sure that this number is well above that 19 percent today even with the projects that were completed with the Roads to Prosperity funding.

I am dedicated to finding a solution to the problems of our crumbling infrastructure and highways as good roads are necessary for the requirement for economic development and growth in West Virginia. The basic bottom line is that we need help to fund these infrastructure projects. We're not talking about millions, or hundreds of millions, we're talking about billions of dollars. Hopefully, this resolution is the first step in getting the help we need from Washington.

Mr. President, I urge adoption of the resolution and I'm requesting the yeas and nays on this issue.

**REMARKS OF
HONORABLE
PATRICIA PUERTAS RUCKER**

Friday, January 18, 2019

SENATOR RUCKER: Thank you, Mr. President.

So, today is Jefferson County Day in the Capitol and it's something I look forward to every single year. Obviously, Jefferson County is the county that's at the far, far east of the state and I appreciate that my constituents travel here that distance and they can see the commute that I have to travel, all 328 miles—and I will tell you that the trip is well worth it. Of course, we live in a beautiful part of the state, but all of West Virginia is beautiful. And one of my jobs as senator of that district is to bridge that gap and to help you guys understand the issues and the difficulties we face, but also the wonderful advantages. And, I think in the last few years, Jefferson and Berkeley County both have made great contributions to this state and we have acknowledged it here in the Senate for sure, and I think in all of the Legislature.

So, as always, I'm thankful to have the opportunity to have Jefferson County Day, to have constituents here, and I want to let everybody know that there will be a catered lunch outside the House chamber after session is over.

Thank you.

**REMARKS OF
HONORABLE
PATRICIA PUERTAS RUCKER**

Friday, January 18, 2019

SENATOR RUCKER: Sorry, one more I have to make.

So, I'm sure all of you can see that we have some scouts here. The Federation of North American Explorers is a Catholic volunteer youth movement that teaches responsibility, commitment, leadership, service, purity, and loyalty. The FNE youth explore nature and the outdoors, serve the community, provide leadership, and also practice their Catholic faith. Affiliated with the Union International Scouts and Guides in Europe, the movement is present in 21 countries; and we have a group, Our Lady of the Annunciation FNE, that is in Charles Town, West Virginia. We have separate units for boys, girls, and young adults, and I have the privilege of being one of the scouts myself. I'm an assistant leader of this troop and my leader is up there in the gallery, Laura Bacon. And I just have to let you guys know that it is a wonderful organization that I am proud to be part of and, like all scouts, I think it helps develop our youth and give them opportunities that they don't normally get to do.

So, thank you very much and I appreciate everyone making the scouts welcome, including my own daughter, Teresa.

**Designating January 21, 2019, as Down
Syndrome Awareness Day**

(Adoption of Senate Resolution 11)

**REMARKS OF
HONORABLE
GLENN D. JEFFRIES**

Monday, January 21, 2019

SENATOR JEFFRIES: Thank you, Mr. President.

I'm very honored today to recognize the special families involved in the Down Syndrome Network of West Virginia. About 600 babies with Down Syndrome are born in the United States each year. That means that one in every 700 is living with Down Syndrome. People with Down Syndrome have an extra portion of Chromosome 21 present in all and some of their cells and alters development and causes characteristics associated with Down Syndrome. It is the most frequent cause of mild to moderate disability and it occurs in all ethnic and economic groups.

We are fortunate today, due to the support of the families and the Down Syndrome Network, more West Virginians with Down Syndrome are participating in our society, including our schools, our workforce, and in social and recreational activities. When you are lucky enough to know someone with Down Syndrome, you find that they are unique personalities and interests. They want to learn, to have fun, to be respected, and to find their place in the world, just like everyone else.

I hope we remember that our special guests and their families are affected by the decisions that we make in this chamber. May I remind this body that we have more than 1,200 West Virginians on the waiting list for IDD waiver. Many of our citizens are with us today. I hope we will remember that some of them have been waiting for years. Let us please welcome the families of the Down Syndrome Network of West Virginia.

Mr. President, I urge adoption of this resolution and I request the yeas and nays.

Designating January 21, 2019, as Down Syndrome Awareness Day

(Adoption of Senate Resolution 11)

REMARKS OF
HONORABLE
GREGORY L. BOSO

Monday, January 21, 2019

SENATOR BOSO: Thank you, Mr. President.

I would be remiss if I didn't stand to rise in support of this particular resolution, and the families that it honors. I've got a very special young lady that's standing in the back of the chamber. Today is her eighteenth birthday, and, you know . . . I have watched her grow up. She was in our AWANA program when I was in Summersville. These people are very special, but their families are awesome. They really get in and champion what is necessary to provide support, not only immediately, but down the road in a long-term perspective of what they're going to need in the future.

They can learn, but more importantly, I've learned from them. Because . . . their loving spirit encourages us, it lifts us up when times are tough. These are very special people and I will tell you, Mr. President, that it is worthy that they be honored today and I urge, along with my fellow Senator from Putnam, that we adopt this resolution.

Celebrating achievements and contributions of Monongalia County

(Adoption of Senate Resolution 14)

REMARKS OF
HONORABLE
ROBERT D. BEACH

Tuesday, January 22, 2019

SENATOR BEACH: Thank you, thank you, Mr. President.

Ladies and gentlemen, these folks at the back of the room here, if you'll all turn your chairs, wave to them, are all good friends of mine from Morgantown, Monongalia County, and they represent folks from Blacksburg, Star City, the Suncrest area Whom am I forgetting? Westover, Granville—I believe I said that—and Morgantown. A wonderful group of people who contribute to my community greatly. I do what I do down here for 60 days and interact with these folks on a regular basis. We have a former county commissioner, we have a representative of our CVB, and the list goes on and on.

But, you know, we're home to WVU, we're home to folks that help develop the growth region for Monongalia County. And I speak on this subject each and every year because to me it's very exciting because I do live in the third largest county, population wise, in the State of West Virginia, whose offering things for the entire state that's in many ways life changing. And I take a lot of pride in that.

But, in recent years, and I want to talk on the artistic side for a moment and then I'll give the podium back to the President there, but, in recent years, we've become an area that's starting to thrive in artistic statues, reliefs, and busts, and many of those projects in Morgantown were developed and crafted by our very own Jamie Lester in Morgantown, an artist who you may know, if you pull out your change in your pocket, developed the quarter for the State of West Virginia that we know and love today. But, if you come to Morgantown, you are going to see statues of Jerry West, Don Knotts, Zackquill Morgan, Jack Fleming, Robert C. Byrd, a bust of that, and many more, and, of course, the famous Mountaineer which you find on the plaza there at the Lair on the WVU campus.

So folks, yeah, I'm very proud to know each and every one of these folks and happy to work with them on a regular basis and I hope the Senate will make them welcome here in just a moment.

Thank you, Mr. President.

**Celebrating achievements and contributions
of Monongalia County**

(Adoption of Senate Resolution 14)

**REMARKS OF
HONORABLE
DAVE SYPOLT**

Tuesday, January 22, 2019

SENATOR SYPOLT: Thank you, Mr. President.

It's interesting that sometimes people will look toward Morgantown and the Monongalia County area, maybe . . . and I would say it would be with a little bit of jealousy. And I hear it across the district. I hear it across the state.

They'll say, "Well, how come they get an interstate exchange? How come they get a ballpark? How come they get a business park?" I say, "You know what, those weren't state tax dollars that built those things, that was their communities working together with the citizens, putting together TIF districts, being innovative in their approaches, and leveraging multiple sources and building smart."

And I have to say that our hats are off to you. Monongalia County, by and large, has been a bright star throughout the entire state for decades now, and it's growing even brighter as time goes on. And, we appreciate everything you've done and the hard work that you've put into it.

**Celebrating achievements and contributions
of Monongalia County**

(Adoption of Senate Resolution 14)

**REMARKS OF
HONORABLE
CHARLES H. CLEMENTS**

Tuesday, January 22, 2019

SENATOR CLEMENTS: Thank you, Mr. Chairman.

I want to echo the remarks by the senators from Monongalia and Preston that Monongalia County is a shining star within our state. They show growth, they show great attitude, and they're leading forward with a lot of technology and everything that we need to grow as a state. And I represent all the rural part of Monongalia County and they're some of the most wonderful people that you will ever meet.

And so, I support this resolution a hundred percent for Mon County, the shining star within our state.

**Celebrating achievements and contributions
of Monongalia County**

(Adoption of Senate Resolution 14)

**REMARKS OF
HONORABLE
RANDY E. SMITH**

Tuesday, January 22, 2019

SENATOR SMITH: Thank you, Mr. President.

I'm only going to say one thing: Mon County is the home of the West Virginia Mountaineers! So, that's all I'm going to say.

Thank you.

**Celebrating achievements and contributions
of Monongalia County**

(Adoption of Senate Resolution 14)

REMARKS OF
**HONORABLE
ROMAN W. PREZIOSO, Jr.**

Tuesday, January 22, 2019

SENATOR PREZIOSO: Mr. President, as a proud representative of the County of Monongalia, if you've had the chance to visit there—and I know, many of you have—coming up for WVU football games or basketball games, you can see the growth exponentially every time you visit the county. You know, sometimes as the Senator from Preston mentioned, we get a little bit spoiled up our way. We've got a world class health care system with WVU Hospital and Ruby Memorial Hospital and Mon General. You know, we've got health care experts that are world renowned. You also have world class technology up there and I think that's what grows the community. When you get an environment of learning in a high-class university like that, you know, just like some other areas in the United States where you have universities and central hubs for technology, things tend to grow.

And if you've had a chance to visit Monongalia County, you can see that growth. And it's all because of the people there. They're all engaged, they work cooperatively together on the state level, the county level, the city level, and they work together to make Monongalia County—Morgantown, the best that it can be. And it is a shining example throughout the State of West Virginia.

Mr. President, I fully support this resolution.

Thank you.

**Celebrating achievements and contributions
of Monongalia County**

(Adoption of Senate Resolution 14)

REMARKS OF
**HONORABLE
MICHAEL J. MARONEY**

Tuesday, January 22, 2019

SENATOR MARONEY: Thank you, Mr. President.

I, too, stand to support the resolution. Just like the Senator from Wetzel, I represent a portion of Monongalia County, the western half of Monongalia County. I started my education career at WVU and I am very thankful that I did and I'm thankful of what they had to offer. Like the Senator from Marion, I'd like to commend the . . . not just the University, but the medical facility there. I recently took a tour of some of their new cardiothoracic surgical suites in the hospital and the way they do business there. It's like a five-star hotel with some of the best doctors in the world, not just in the country, in the world. And, it's something to see and any one of us, or any one of you all, would be very welcome to tour that facility. They would be very happy to have you just to . . . because they're very proud of it and they should be.

Speaking to the western half of the county, which I represent, which is not where the University is, there are very strong communities with a great people that I knew nothing about until I started driving around and back in the fall of 2016.

So, I would like to strongly support this resolution and commend Monongalia County on a job well done.

**Designating January 22, 2019, as
Preston County Day**

(Adoption of Senate Resolution 15)

REMARKS OF
**HONORABLE
DAVE SYPOLT**

Tuesday, January 22, 2019

SENATOR SYPOLT: Thank you, Mr. President.

As many people know from my announcement yesterday and what we've seen in the hall today, it was Preston County and Monongalia County Day. Now, due to the inconvenience of the construction at the rotunda, of course, the two sides had to split up. There was Preston County delegation, which received the resolution on the floor of the House before their chamber met. They are not going to be down here today but, nonetheless, I feel it fitting to recognize that today is Preston County Day and, hopefully, in the near future, when the construction is completed, we will have buckwheat cakes on Preston County Day once again. I noticed there was a little groan yesterday when I announced we weren't going to have any.

The theme of the resolution in the House, as was presented to us, centered around stewardship of the environment. And they talk about the Monongahela River being a recipient of the Cheat River which travels north out of the mountains of Pocahontas and Randolph County and in through Preston County and how during the past, prior to the Clean Air and Clean Water Act, we had a lot of mining operations going into those mountains and the degradation of the streams and the river and how the river had fallen into shambles. But the beauty of the story is, how in the past 10 to 15 years, through the efforts of many volunteer groups, through the efforts of the DEP, through the efforts of the state, we've cleaned up that river and now the lower portion of the Cheat River, which was once considered to be dead, there was really almost no aquatic life in it at all, is now, you know, teeming with life and it's used for many water sports. Many rafters and kayakers use that portion of the stream and I consider that a success story. It's actually a driving force of much of the tourism in Preston County and throughout our part of the state, known as one of the better whitewater rivers to raft.

That being said, you know, our hats are off to the efforts of everyone who has come together in our county and have kind of pulled itself up by the bootstraps, tried to provide opportunities, rail trail experiences, you know, off-roading experiences, river experiences, and trying to bring commerce back into our state after the downfall of some of the greatest years that we experienced in the past now that mining is gone.

That being said, Mr. President, I support this resolution and urge its adoption.

**Designating January 22, 2019, as
Preston County Day**

(Adoption of Senate Resolution 15)

**REMARKS OF
HONORABLE
ROBERT D. BEACH**

Tuesday, January 22, 2019

SENATOR BEACH: Thank you, Mr. President, to speak to the resolution as well.

You know, the gentleman, in his earlier comments in regards to Monongalia County, pointed out the fact that the folks are jealous of Monongalia County to some degree in Preston County. And I could say the same for Preston County. Just simply because of the scenic beauty that Preston County has to offer. As we continue in our growth in Monongalia County, we're losing green space. And, for a lot of us, including myself, that's a concern as we move forward in the next couple of decades how much we do lose. But, at the same time, we as Mon and Preston County, we share a lot. We share tributaries, we share a trail system, we share a fantastic state forest, but, more importantly, we share people. Because a lot of the folks in Preston County come to Morgantown, Monongalia County, for jobs. And we're grateful for that.

But, that being said, you know, we want to take care of the relationship we have with Preston County into the future and the CVB, our chambers, do a wonderful job of making sure that we are continuing in that relationship. And that what's good for one county is good for the other. And I fully support this resolution.

Thank you, Mr. President.

**Designating January 22, 2019, as
Preston County Day**

(Adoption of Senate Resolution 15)

REMARKS OF
HONORABLE
RANDY E. SMITH

Tuesday, January 22, 2019

SENATOR SMITH: Thank you, Mr. President.

I rise in support of the resolution also; being born and raised and spending most of my life in Preston County until just the last few years, you know, it's home to me for several years. And, if you ever get a chance to go to Preston County . . . my colleague talked about the Cheat River. You know, it's come a long way being cleaned up and it's one of the best trout streams in the state at the present time. So, if you have any trout fishermen in here, we have a group that's called Trout for Cheat that stocks the river. They tried to get the state to do it for years, and the state wouldn't do it because of concerns of being too large of a body of water and warm, and the average trout that they stock in there is two pound. This is a trout fisherman talking. But that's just one of the assets there.

But probably, here lately, one of the most famous things we're coming to acknowledge is they claim to have the worst roads in the state and even declared a state of emergency for that county. But even with that problem we have which we're going to address this year I'm sure . . . like I said, Preston County . . . you know, most of my family still lives there, my grandkids are there, and Preston County will always have a place in my heart because it's where my roots are at.

And if you ever get a chance to go to Preston County . . . and we have one of the . . . probably the largest zoo in the state, if you ever get a chance to go to the Hovatter's Zoo over there, it's worth the trip to take your children or grandchildren. It ranks right up there with the Pittsburgh Zoo and them because it's a more hands on and easier, accessible.

But, like I said, I'm proud to be from Preston County. That's where my roots are. And I support this resolution.

Thank you, Mr. President.

Congratulating Ripley High School girls' track team for winning 2018 Class AAA state championship

(Adoption of Senate Resolution 12)

REMARKS OF
HONORABLE
ERIC J. TARR

Tuesday, January 22, 2019

SENATOR TARR: On behalf of the Senate President and myself, it is my great privilege to congratulate the Ripley High School Girls' Track Team for winning the 2018 AAA State Championship. This Ripley High School Girls' Track Team had a remarkable year, which culminated in them winning the 2018 AAA State Championship. Ripley High School is the smallest of the 29 AAA high schools in West Virginia. I want to take a moment to recognize the individuals on this team and just some of the remarkable individual performances on this team. The Ripley High School Girls' Track Team is led by coaches, Krystle Cunningham, Keri Starcher, and consists of team members: Allison Fields, Cassidy Miller, Olivia Miller, Grace Bumpus, Tori Starcher, Allison Knox, Parker Anderson, Olivia Gandee, Addison Wilkinson, and Aurora Huffman.

Allison Fields place third in the 100 meter and 200 meter;

Cassidy Miller placed fourth in the 300-meter hurdles;

And Olivia Miller placed first in the high jump and second in the pole vault;

Grace Bumpus, Cassidy Miller, and Allison Fields, and Tori Starcher placed first as a team in the 4X400 meter relay;

Tori Starcher placed first in the 800 meter, first in the 1600 meter, and first in the 3200 meter, while setting a new state record of 4 minutes and 49.14 seconds in the 1600 meter. Tori Starcher was the meet point leader with 32 and a half points and was named the Gatorade Athlete of the Year in West Virginia.

This Ripley High School Girls' Track Team displayed its strong will and determination for an entire season and is a shining example of what can be accomplished with hard work,

dedication, and spirit. The 2018 Ripley High School Girls' Track Team will be remembered as one of the two best track teams ever assembled in West Virginia high school history.

My Senate colleagues, please join me in congratulating the Ripley High School Girls' Track Team for winning the 2018 Class AAA State Championship.

And I ask you to support this resolution.

**Recognizing Daniel Boone VFW Post 5578
for service to community, state, and country**

(Adoption of Senate Resolution 16)

REMARKS OF
**HONORABLE
RON STOLLINGS**

Wednesday, January 23, 2019

SENATOR STOLLINGS: Thank you, Mr. President.

Members of the body, it's a great pleasure and honor for me to recognize this great group of hardworking people, veterans, and the auxiliary from Madison in Boone County. And, you know, at the same time as we recognize this group, realize, and I know you all realize that in your own hometowns you have wonderful veterans' organizations in the VFW and the American Legion that have a huge impact on our communities, by being mentors, by doing all the public service that they do.

This group was recognized nationally as being named an All-American Post, one of only 50 posts nationwide, under the leadership of Curtis Mayhorn and the Quartermaster, Joe Gollie. You know, for the last 60 years, they give an incredible amount of food to the less fortunate in our communities. They give fruit baskets to numerous individuals, including nursing homes and convalescent homes. They provide a scholarship to people graduating from a school in Boone County. They visit all Boone County schools giving an "Americanism" program . . . providing senior high school graduates, again, in each county, a scholarship.

With all that, and all they do, we absolutely . . . It's an honor to recognize them and again,

they're great mentors and again, you can see that the auxiliary, you know, they really have a large role in this as well. So, for all your work and efforts, not only helping us keep America free, but all you do in the community for us, I urge adoption of the resolution.

**Designating January 23, 2019, as Sexual and
Domestic Violence Awareness Day**

(Adoption of Senate Resolution 17)

REMARKS OF
**HONORABLE
WILLIAM J. IHLENFELD II**

Wednesday, January 23, 2019

SENATOR IHLENFELD: Thank you, Mr. President.

I stand in support of this resolution and I'm proud that my first speech on this Senate floor is about this issue. Such an important issue to me and to all of our special guests who are about to join us here on the Senate floor. I spent 20 years as a state and federal prosecutor and handled everything from speeding tickets to homicides. But some of the most important and toughest cases that I worked on over the years involved domestic violence and sexual assault. We've got great police officers in this state—local, county, and state—and we're fortunate they respond and investigate those cases. And we've got great prosecutors who do the job in the courtroom.

But today, I want to shine a special light upon victim advocates who do often unseen work behind the scenes, supporting victims of domestic violence and sexual assault. Without these advocates, victims would not be able to navigate the criminal justice system which is a very complicated web, especially for someone who has suffered that kind of trauma. They wouldn't be able to find safety from their abusers, they wouldn't be able to start their lives anew without the help of advocates for both domestic violence and sexual assault.

We have 14 licensed domestic violence shelters in our state. They served in the last fiscal year over 14,000 people. Of those domestic violence shelters, some of them also provide rape crisis services as well as prevention programming to our youth. I want to specifically highlight the West Virginia

Coalition Against Domestic Violence and the West Virginia Foundation for Rape Information and Services. Those two groups lead the statewide efforts, they oversee our shelters, they oversee our advocates, they provide the framework for the important work that's done, they help to provide safe space for victims and they help individuals, children, and families to build lives that are free from violence.

As someone who has personally worked with these kinds of cases and who has worked with countless victims, both young and old, I can tell you how critically important, from firsthand experience, the work that these people do is to our state. We need them desperately and they need the full support of this body. And so, the more that we can do, whether it's passing a resolution here on this floor or providing financial support and other administrative support, we need to do that for these folks. And so, with all of that, Mr. President, I urge the passing of this resolution.

Designating January 23, 2019, as Sexual and Domestic Violence Awareness Day

(Adoption of Senate Resolution 17)

**REMARKS OF
HONORABLE
PAUL HARDESTY**

Wednesday, January 23, 2019

SENATOR HARDESTY: Yes sir, Mr. President.

This issue is near and dear to me as my daughter has chosen this career path as well. Let me tell you what these people provide: They provide a voice to the voiceless and they provide hope to the hopeless. And I applaud their efforts today and we do need, as the Senator from Ohio stated, we need to get behind these people and the services they provide.

Thank you very much, Mr. President.

**Recognizing 20th anniversary of
James "Tiger" Morton
Catastrophic Illness Fund**

(Adoption of Senate Resolution 18)

**REMARKS OF
HONORABLE
ROMAN W. PREZIOSO, JR.**

Wednesday, January 23, 2019

SENATOR PREZIOSO: Thank you, Mr. President.

Today we are recognizing the anniversary of the James "Tiger" Morton Catastrophic Illness Fund. And today I have the honor and privilege of presenting to you the memory of a man who was truly a West Virginia icon and the person who is behind this great program that helps many West Virginians.

For those of you that have known James "Tiger" Morton, he had an illustrious career as a minister, teacher, coach, principal, and special assistant to the Governor's Office. He also served as a legislative liaison and ombudsman for what now is the West Virginia Department of Health and Human Resources. For those of you who had the privilege of working with Tiger and knowing Tiger, he formed lasting relationships with people. He was a genuine West Virginian and he was more than a friend to people, he was a mentor, he brought out the best in every one of us. He earned the respect and admiration from colleagues throughout this body and throughout West Virginia and governors and legislators and I know many in this body have served with Tiger. Tiger wasn't a legislator, he worked in the Legislature . . . and to know him was to love him. He received many distinguished awards and he had a deep interest in children's well-being. He was, in my estimation, the epitome of a true humanitarian. He helped West Virginians in need by arranging for medical transplants, assisting with application for benefits, and everything in between.

Through his selfless devotion and compassion resulted in the creation of the James "Tiger" Morton Catastrophic Illness Fund in 1999 during the seventy-fourth regular session of the West Virginia Legislature. Tiger's contributions were so valued that his body laid in state in the Capitol upon his passing.

James "Tiger" Morton Catastrophic Illness Commission perpetuates his valuable legacy by providing a source of economic assistance outside the scope of existing public programs to

West Virginians facing catastrophic illness and saving many lives. This is the twentieth anniversary of the James “Tiger” Morton Catastrophic Illness Fund and the James “Tiger” Morton Catastrophic Illness Commission continues to make a difference in the lives of West Virginians.

Mr. President, I humbly urge the adoption of this resolution.

Designating January 23, 2019, as West Virginia for Broadband Day at Capitol

(Adoption of Senate Resolution 19)

REMARKS OF
HONORABLE
ROBERT H. PLYMALE

Wednesday, January 23, 2019

SENATOR PLYMALE: Thank you, Mr. President.

On behalf of the Senior Senator from the Fifteenth who, we both are on the Broadband Council, I'd like to say a few words about what this body and the body across the aisle has done over the last couple of years. You know, starting with Senate Bill 638 that really established a benchmark for where we could go, and the preceding bills of, you know, that have come from the House and we have, you know, as we call it, perfected them in the Senate

But, the State of West Virginia . . . and I was meeting with Kathryn de Wit who's with the Pew Charitable Trusts . . . and Kathryn de Wit . . . we talked about the progress that West Virginia's made, not only from a policy standpoint, but what we're trying to do with the Broadband Enhancement Council and the leadership of Rob Hinton and very . . . many things like that. I told her, I said you should look at the policies, you should look at the things that we're doing. I think we're leading the country and, you know, of course, they get that from every state and everything So, I was in a conference in October in D.C. and she was there and she hunted me down (not stalked), hunted me down and said, “Let me just tell you something, you're exactly right. You all have made more progress in the speed tests and the different things that you're doing from the

Broadband Enhancement Council You all are leaders in the country.”

So, to know where we've gone, where we were, and where we are now is light years and I really think that this is a great day that we should be talking about broadband and talking about what it means to . . . not only connecting our citizens, but this is telemedicine, you know, telehealth, this is schools, libraries, it's everything that we talk about in anchor institutions. It's the wave of the future and we're ahead of the country in this as a state.

Thank you.

Designating January 23, 2019, as West Virginia for Broadband Day at Capitol

(Adoption of Senate Resolution 19)

REMARKS OF
HONORABLE
RANDY E. SMITH

Wednesday, January 23, 2019

SENATOR SMITH: Thank you, Mr. President.

Sorry to disappoint you but if I wouldn't get up and speak on broadband, my co-senator would be disappointed in me. You know, I've been fighting broadband, this is seven years, that's what I came to the . . . when I started for the House, that was my number one thing on the agenda, and I like to tell people I was broadband when broadband wasn't cool. So, I'm glad to finally see that broadband is becoming cool because I honestly believe without us improving our broadband we're not going to prosper educationally or economically until we catch up with the rest of the country.

And, so, I'm proud to stand up and support this resolution.

Thank you, Mr. President.

**Increasing access to career education and
workforce training**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 1)*

REMARKS OF
**HONORABLE
PATRICIA PUERTAS RUCKER**

Wednesday, January 23, 2019

SENATOR RUCKER: Thank you, Mr. President.

This bill requires the establishment of Advanced Career Education programs and creates the West Virginia Invests Grant Program. ACE programs require community and technical colleges and career education centers, county boards of education, or both, to establish partnerships in order to create programs. These programs would be available to public, nonpublic, and home school students and begin when a student is in high school and end with the student obtaining a credential or an associate degree awarded by a community and technical college. The goal is certification or an associate degree or certification that has been determined to satisfy an area of workforce need as determined by the Department of Commerce. The ACE program is facilitated by the State Superintendent and the Chancellor of the Council for Community and Technical College Education, and they are required to jointly promulgate guidelines for the administration of the ACE programs.

This bill provides that beginning with the 2021 fiscal year any appropriation by the Legislature to support and/or alleviate the cost to citizens in this state to obtain advanced certifications and associate degrees can only be distributed to those community and technical college that form one or more ACE partnerships.

The second component of the bill is the West Virginia Invests Grant Program. The Vice Chancellor for Administration is required to administer this program. This program requires the council to award grants pursuant to certain specified requirements, including the requirement that the maximum amount of the grant is the cost of tuition charged to all students for coursework leading to completion of the chosen associate degree or certificate less all

other state and federal aid for which the student is eligible.

The bill establishes eligibility requirements for the grant, renewal qualifications for the grant, and requires each grant recipient to enter into an agreement which requires repayment of any amount of the grant awarded to the recipient, in whole or in part, if a recipient chooses to reside outside the state within two years following obtainment of the degree or certificate. The bill also provides exceptions to repayment.

Lastly, the bill creates the West Virginia Invests Fund which is to be expended for the purpose of administering the West Virginia Invests Grant Program.

The goal of this bill is to expand opportunities and getting West Virginians into jobs, and not just any jobs, but high paying jobs so they can provide for their families and improve their lives.

I urge passage of the bill.

**Increasing access to career education and
workforce e training**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 1)*

REMARKS OF
**HONORABLE
ROMAN W. PREZIOSO, JR.**

Wednesday, January 23, 2019

SENATOR PREZIOSO: Thank you, Mr. President.

I stand in support of Senate Bill 1. I truly, honestly believe that the education system that we have is the foundation of this country. I believe anything we do to strengthen our higher education system to provide individuals the opportunity to obtain a higher education degree, to obtain a skill or some certification that gives them the opportunity to work in the workforce and be productive citizens in the State of West Virginia, not only helps our state, it helps families, it attracts businesses, and I applaud the efforts of this body by taking the initiative and putting this bill forth. And I urge all to support the bill.

**Increasing access to career education and
workforce training**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 1)*

**REMARKS OF
HONORABLE
ROBERT H. PLYMALE**

Wednesday, January 23, 2019

SENATOR PLYMALE: Thank you, Mr. President.

I stand in support of this. Right now, there is a confluence of energy coming together related to the different plans in education. You have the ESSA plan which is Every Student Succeeds Act; that also was the No Child Left Behind, now the new ESSA plan. And with that, and with the Perkins Act that was passed a couple of years ago, and what is called WIOA . . . W-O-I-A [sic] . . . all three of those acts have said they have to work together and they have to work together for workforce, they have to have a common point that they all meet and that common point is exactly what's in this bill. That's why it's important to be talking about the next steps, as we did yesterday . . . everybody says okay, those were good amendments but those are the next steps. Well, the next steps are going to be the important next steps, because you're going to have community and technical colleges, you will have the CTE public education, and you'll have Workforce Investment Act. The workforce group working together. We have to have all these things working together to get where we need to on workforce participation. So, all of these elements coming together is the time now for this state to move forward.

This is a good first step and I look forward to working with you on the next ones.

**Increasing access to career education and
workforce training**

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 1)*

**REMARKS OF
HONORABLE
CRAIG BLAIR**

Wednesday, January 23, 2019

SENATOR BLAIR: Thank you, Mr. President.

Last year, I got up on this floor and gave a big passionate speech to this and I thought that this bill would have been completed by now. But here we are today, and I call this bill now—I've got a nickname for it and have used it for a good while—"last dollar in". When I talk about this, that's how I refer to it, I just call it "last dollar in".

Look . . . how do I want to explain this without going . . . I don't want to go down the path of last year is what I'm trying to get at it here. We know what this bill is going to do. It is not an entitlement in any way. In fact, it's an investment. It's an investment in the people of West Virginia, in the people of West Virginia like me. It's a big deal. Look, businesses are looking . . . they've got a checklist of different things that they're looking for and we're trying to knock down each and every one of those barriers, but one of the ones that we're trying to knock down is demonstrating to business that would potentially locate here or expand, is that we've got an educated, drug-free workforce.

This bill, very much so, "last dollar in", very much so, helps with that in a big way and the money that we're spending out on the front side to be able to implement this will be saved on the back side by increased income tax collections because instead of them being on one entitlement or another whether it's welfare, food stamps, unemployment, the list goes on and on, on that. No, they turn into taxpayers, instead of being tax takers, they turn into taxpayers. That's a win for the State of West Virginia. That's a win for the ability for those that are in less situations, or poorer situations, to be able to utilize this as well into the future. You don't have to have a certain grade point average, or I would have never been able to apply for that. This gets me there. It allows people like myself to be able to succeed in this state and businesses to succeed in this state, which helps us . . . of the overall message that we're trying to do and that is grow the fiscal pie in the State of West Virginia, instead of fighting over a shrinking pie, we're going to grow the pie and this is a key component to doing that, Mr. President. A key component to doing it.

More than anything though, it helps the students in secondary education, as well as those that are past that . . . onto post-secondary . . . in

such a way that when we have the opioid crisis and everything, and I've got to say this, and I didn't want to, but I'm going to: There's a drug correlation with boredom in the classroom, in the drug usage, tobacco, alcohol, and all the other ills that we have, when you get into the eighth, ninth, tenth, eleventh, twelfth grade levels and if you take people like myself, and I've used this over and over, like *Moby Dick* and *The Old Man and the Sea*, I hated it. I didn't want to read that, but if you had given me a tech manual on how to learn how to do refrigeration, or electrical, or whatever else it may be, I would have read it from cover to cover probably twice.

There are multiple paths of education in this state because we have multiple types of people, personalities from a very young age, moving through. This bill, Mr. President, addresses all those and I'll close with this: This bill helps West Virginians help themselves by the "last dollar in" and I can't wait to press the button on this.

Thank you, Mr. President.

Increasing access to career education and workforce training

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 1)*

REMARKS OF
**HONORABLE
PAUL HARDESTY**

Wednesday, January 23, 2019

SENATOR HARDESTY: Thank you, Mr. President.

I applaud your efforts on this bill. I've heard others say that it's an entitlement program. I cannot fathom how there's a correlation between this bill and entitlement. This is an investment in the youth of this state. This is an opportunity to change the status quo, to put more people on a path of prosperity, and I wholeheartedly support this bill and your efforts in it.

Thank you very much.

Increasing access to career education and workforce training

*(Passage of Eng. Com. Sub. for
Com. Sub. for Senate Bill 1)*

REMARKS OF
**HONORABLE
GREGORY L. BOSO**

Wednesday, January 23, 2019

SENATOR BOSO: Thank you, Mr. President, I'll be brief.

I've been on a number of mission trips where we've gone into third world countries and they were looking for us to come and work to be able to provide for them. One of the things that I learned though is a philosophy that is built within this particular piece of legislation and that analogy was this: You can go and you can feed people fish and you have to do it every day, but you can train them to fish for themselves and they'll feed themselves for a lifetime. This particular piece of legislation does just exactly that. This is an investment for West Virginia for perpetuity.

Thank you.

Designating January 24, 2019, as WVU and WVU Extension Service Day at Legislature

(Adoption of Senate Resolution 20)

REMARKS OF
**HONORABLE
ROMAN W. PREZIOSO, JR.**

Thursday, January 24, 2019

SENATOR PREZIOSO: Thank you, Mr. President.

Ladies and gentlemen of the Senate today is the West Virginia University and the West Virginia University Extension Service Day. We have in the rear of the gallery several distinguished guests, including the President of the University, Dr. Gordon Gee. We also have Steve Bonanno who is head of the Extension Services and, as an added attraction, we have the

“Mountaineer”. So, it’s my pleasure to introduce the folks from the University and talk a little bit about what’s going on at West Virginia University and the Extension Service.

As you well know, this is the first and largest land grant university in the state, serving citizens of West Virginia for more than 150 years. West Virginia University offers student programs of major research institutions at a price well below the national average. They offer more than 340 majors at the bachelor’s, master’s, doctoral, and professional levels, including everything from accounting to world languages.

West Virginia University Extension Service, the primary outreach arm of West Virginia University, is a front porch of WVU with offices in each of the 55 counties. Extension agents and service specialists deliver trusted traditions and progressive solutions to citizens of West Virginia in the areas of youth development, agriculture, and family and community development.

The West Virginia Extension Service 4-H Development Program, the state’s largest youth organization, has given more than 75,000 youth the opportunity to expand their horizons through hands-on programs and camping experiences such as building robots, helping the environment, coding as part of 4-H National Youth Science Day Challenge, traveling around the globe, and fostering healthy lifestyles.

I can’t begin to tell you the importance of West Virginia University in North Central West Virginia, and the State of West Virginia, and the entire country. They’re the economic engine in this state and I’m just proud to be a representative of that area and we certainly welcome the folks from the University and the Extension Service down here today.

And, Mr. President, I urge the adoption of this resolution.

Designating January 24, 2019, as Human Resources Day at Capitol

(Adoption of Senate Resolution 21)

REMARKS OF
HONORABLE
ROBERT D. BEACH

Thursday, January 24, 2019

SENATOR BEACH: Thank you, Mr. President.

It’s an exciting day for me that we have these folks with us here inside our chamber. As the Clerk has mentioned today is Human Resources Day at the Capitol and it just happened to be WVU Day as well, and they weren’t aware of that when they scheduled their time, so we get a two-for-one today.

The group we have back here at the end of the chamber are young people from WVU’s campus—I believe it’s just WVU, correct—and these are folks with Human Resources who will be out in the workplace sometime soon. And they’re quietly known as the people’s managers because they are in just about every successful business, institution, municipality, large organizations across this country. And they go quietly about their job in an effort to enhance morale, productivity, limit job turnover, and help organizations increase performance and improve results. Human Resources workers also help companies and organizations effectively use employee skills by providing training, development opportunities to improve those skills, and increase employee satisfaction with their job and working condition.

It’s my pleasure to welcome these young folk to the room and their instructors there at WVU and I ask unanimous consent to adopt the resolution.

REMARKS OF
HONORABLE
CHARLES S. TRUMP IV

Monday, January 28, 2019

SENATOR TRUMP: Thank you, Mr. President.

I rise today to talk a little bit about SB 251, which has hit the floor today from the Education Committee, excuse me, 451 (*Comprehensive education reform*), hit the floor today from the Education Committee and has been referred to the Committee of the Whole Senate. An idea which I endorse, Mr. President. I think it was a good idea.

The bill is a comprehensive bit of education reform. It is clearly, in my mind, constitutional under the West Virginia Constitution. It does not violate the single object rule. It embraces a single object which is the reform of public education in this state, something that we desperately need. There's been a good bit of publicity about some aspects of the bill, teacher pay raise, service personnel pay raise—there's been some publicity about that—the opportunity to create charter schools, or establish educational savings accounts.

I intend in my remarks not to talk about either of those today. What I'm hoping to talk about is something, Mr. President, that has not received much attention in the press and something that is in this bill and it is critically important and I would say, from my perspective and in my opinion, it is the most important component of this bill and that is the changes that it affects to school funding—the funding of public schools in West Virginia. And I want to talk a little bit about that now.

Everyone here knows, I believe, that our funding, primarily for county school boards, the operation of public school system, is a mix of state dollars and local dollars, local levies that are raised in the counties through the regular levy for education, and I want to talk a little bit about our school aid formula. Our school aid formula in West Virginia has many good features to it and we've got some real experts in this room on that school aid formula—I'm looking at three of the senators whom I consider to be experts on it in the front row on the opposite side of the aisle: The distinguished Minority Leader, the Senior Senator from the Sixteenth, and the Senator from Wayne, you know, are all, I consider to be experts in the school formula. And I want to talk a little bit about not only what's good about the school aid formula, but what's bad about it.

The idea behind the school aid formula is— and it's driven primarily by enrollment in the big steps, anyway—but the idea is to make sure that every single county in the State of West Virginia, with a combination of state dollars and local tax dollars, has enough money, enough funding to meet the constitutional, thorough and efficient, education requirement . . . that it has the minimum, at least, necessary to run a public education system within that county. And in truth, if I'm going to be honest about it, I'll say the formula does that. It does do that. And it's driven by enrollment. There are adjustments in the formula for different things, but it funds so

many educators per thousand students, so many service personnel per thousand students. There are other components or steps of the formula, but if . . .

I passed out some forms, I hope there's one on everybody's desk, but it's a three-page thing and it's got my name on the front page. If you look at page one—I'll tell you that this came to us, at least those of us who serve on the Education Committee, as part of a packet that the Department of Ed distributed this year—and it shows, based on current law, what the expectations are for the funding for the last steps of the formula. And so, if you look there on the . . . each county's listed down the left side, Barbour through Wyoming in alphabetical order. And then Step 8 in the next column, Total Basic Program Allowance, and there's a code reference there, Total Basic Program Allowance . . . so that really is what the formula produces, in other words, it's the number that the school aid formula says is the amount necessary to run the education system in each county. And then the formula works, once it produces that number, you look at the bottom for the whole state . . . the total's \$1.6 billion—\$1.6 billion, Mr. President.

And then the way the formula allocates money from the state is you look at the next step, the next column, Step 9 Local Share. And there's a code section reference there—and this is a subtraction step. And it says we're going to subtract from the number in the first column (Column 8) the amount that's raised as local levy in each county. And the difference between the two is Step 10 in the right column. And, if you see the right column where it says Step 10, it says Basic State Aid Allowance for County Boards. And that number is \$1.123 billion . . . at least it's expected to be based on current law for the budget we're trying to construct this year.

So, what was interesting to me—well, there are a couple of things that are interesting to me—but . . . bottom line is that's the formula . . . you find out how much each county needs to run its school system, you subtract what they raised locally, and then the state provides the difference. That's sort of the way it goes. And I'll go back to what I said in the beginning: It works to provide the minimum basic sum to make sure each county has the minimum basic amount to run its school system, thorough and efficient system of education. There are problems and it's not perfect.

Now, let me tell you something our school aid formula does not do. It's not very good at it. It's not very good at allowing any county to rise above the minimum basic. I would contend that our system right now holds, Mr. President, holds every county to the basic minimum. That's the problem I have with the school aid formula the way it is. It's not that it fails to make sure every county has the basic minimum. It does that. But what it does is it prevents, it really prevents in many ways counties from going beyond it. And we need to go beyond it. Our kids, our children are worth going beyond basic minimum, aren't they? I believe they are. And I believe the members of this body believe they are, they're worth it. You know, what we have under current law, under the current system, what we've got, Mr. President, the only mechanism really for a county, a school district to go beyond the basic minimum is for the county to enact, adopt an excess levy. It's permitted under the Constitution under the Better Schools Amendment from the 1950s. But that's it.

In terms of the basic formula—and look, we know, we know—in every county of this state, there are problems. Sometimes unique problems for which the counties need more money, more resources . . . and they're not the same in all 55 counties. There are counties that suffer in our part of the state from tremendous competition for teachers. During the meeting of the Education Committee the other night, Friday night, I heard something from the Senator from Greenbrier that blew my mind and I've been thinking about it ever since. He said—and I hoping I'm quoting him correctly and if I'm not, he'll stand up and say it's wrong—but he said I think that the number of miles that are driven by buses in Greenbrier County every day is equal to a trip from the east coast to the west coast and half way back. He's nodding so I got it pretty close. And if you think about that, okay, my little county where I live doesn't deal with that, you know. We're not . . . but we have some enormous counties. I don't know what the mileage is in Randolph County but it's as big as Greenbrier. But think about that. So, our school aid formula, as it is, does provide the bare minimum to everybody but nothing beyond that, in my opinion.

Senate Bill 451 makes some really important changes to our funding formula and I haven't heard anybody talk about them. There are lots of newspaper articles about charter schools . . . that's what everybody wants to talk about. But I think this is really the most important part of the bill, so I want to talk about a couple of ways that

this bill will change the formula . . . the school aid formula in West Virginia, for the better, for the positive. The bill provides, among other things, that every county will be funded at a level of 1,400 students. Alright. So that's—let me just tell you what that means. Right now, there are 11 counties in West Virginia that have fewer than 1,400 students:

Calhoun County—I'm giving the nonadjusted, the nonadjusted enrollment numbers for the 2018-19 year. Calhoun County has 961 students;

Doddridge County has 1,113 students;

Gilmer County has 809 students;

Pendleton County, 928 students;

Pleasants County, 1,100 students;

Pocahontas County, 1,003 students;

Ritchie County, 1,347 (rounded up) students;

Tucker County, 1,006 students;

Tyler County, 1,256 students;

Webster County, 1,311 students; and

Wirt County, 1,008 students.

This bill will do—and I think it's fair, Mr. President—because you know what it does, it recognizes that if you're going to run a school system, there's a certain fixed cost, you know it doesn't matter how many students you have, if you have only five students, it doesn't mean you can run a school system for the cost of five students, it sets a floor, and it says for any county that has fewer than 1,400 students, it's going to be funded as if it had 1,400 students. That is tremendous help to these 11 counties, Mr. President. It will lift them and, you know, can we not agree, we must agree, that there are fixed costs to running a school district regardless of how many students you have, whether you've got 10,000 or whether you have 1,000, there are certain fixed costs that you have to have, you have to spend money for, and so we haven't done that . . . the formula has in the past made adjustments to enrollment to try to provide some additional money for those small counties, but this will really do it. This will set the floor at 1,400 students. So, you know, for anybody who represents one of these counties . . . I haven't

heard anybody talk about this so what I'm hoping is, that this little floor speech—I'm sure I'm already wearing out my welcome—is going to raise some public consciousness of some of the things in this legislation that nobody's yet has been talking about.

The mix—the mix of state dollars and local dollars that funds the education allowance in each county . . . I want to talk a little bit about the history in this state . . . and the Department of Ed was great, and they . . . you know, I never cease to be amazed at the information they can put together and provide.

Please look at page two, it's numbered page two of the information I distributed I think to every member of this Senate. And this is, not county by county, but the state as a whole, and it covers the period of time, Mr. President, from 1979-80 to this year. It's a 40-year history, I think that's right, 40 years, 1979 till now is 40 years. See why I'm not on the Finance Committee. But what this shows us, if you look at the first column to the right of the year, it shows the Total Program Allowance, that's for the whole state, the whole state. The next column shows the Local Share, again not county by county, but for the whole state. The next column shows the percentage of the Local Share to the Total Allowance. Alright. In other words, it shows how much of the Total Allowance is being paid for by Local Share. The last two columns show the converse, you know, Basic State Aid Allowance as we learned from page one; the next to the last column is the difference between the Total Program Allowance and the Local Share, in terms of just aggregate dollars and then the last column is the reciprocal of the percentage of the Net State Aid to the Total Allowance.

So, bear with me a minute here, why is Charlie Trump up on the floor of the Senate rambling on about the 40-year history of the . . . ? And I'll tell you why, look at the numbers. Start with the column that is the percentage of Local Share to Total Allowance. It starts in 1979-80 at 13.21 percent. What that means, Mr. President, is of the education . . . of the dollars that funded public education throughout West Virginia in that year, 13.21 percent were raised locally, local tax dollars. The state provided, out of the state budget, the balance, 86.79 percent. Now, go back to that percentage share to Total Allowance and just let your eye draw down the page, from 1979-80 to where we are now. And what you see is this: Its more than doubled, it's gone, it's increased fairly steadily from 1979-80

to where we are today, 29 percent. More than doubled. What does that mean? What does that mean? It means that over the last 40 years, what we have done, we the state government, the Legislature, has shifted the burden from state dollars to local share. We have pushed from the state budget to the counties ever-increasing percentages of the responsibility of paying for public education. We've been starving them. Starving them is a strong word, but over time, over time, we've been pushing it out there every year.

Now, if you go back to page . . . the first page, you'll see at the bottom the Basic State Aid Allowance for County Boards, \$1.124 billion, and below that, in my handwriting, you see minus \$25 million. I tell you what that number is—and it was shocking to me when I heard it in Education Committee a couple of weeks ago. Last year, you know, we passed, this Legislature passed, Governor Justice signed into law, a very significant pay increase, teachers, service personnel, other state employees, but my remarks here are confined to the genre of education. The fiscal note we had on that, Mr. President, I don't remember exactly, but it was \$110, \$115, \$120 million. They told us this was what's going to cost to come up with that pay raise and we struggled, you know, and wanted to make sure we had the money there. Ultimately, we did, we passed it. They had a fiscal note of \$115 million. So, those pay raises, those pay raises are built in to these budget numbers. These are the budget numbers, if you look at the top of page one there for the 19-20 fiscal year, includes all the pay raises that the Legislature passed last year for teachers, service personnel. So, when we were in Education the first week and we had our presentation by Amy Willard of the Department of Ed who, you know, walked us through the formula and how it works, at the end of it, you know, we're like, well, we're going to come up \$1.124 billion of general revenue to fund the basic program this year. And so, the question was asked of her how does that compare with our number last year? Because we puffed our chests out and we said we dug in, we found \$115 million, gave everybody a 5 percent pay raise, which they need. So, how much more are we spending this year than last year? Is it really \$115 million? And the answer is you're going to spend \$25 million less with all those pay raises built in than you paid last year. It's a function of the decline in enrollment, a function of the decline in enrollment in our state.

But think about that. You know, we worried and struggled, can we afford a 5 percent pay raise? Ultimately, we said yes; we did it. We

thought the cost was going to be \$115 million, we got at \$1.124 billion, \$25 million less going in this year than we did last year, even with the pay raises.

So . . . and, at that, you go back to the second page, we're pushing more and more out of it onto the counties. It's wrong. It's wrong. We have to stop it. We have to reverse it. So, Senate Bill 451 does. I haven't even got to that part, Mr. President. I know everybody's tired of listening to me. But . . .

Senate Bill 451 contains language regarding the local share and it's in Chapter 18, Article 9A, Section 12. And it's in the section of code where it says we're going to subtract whatever the local levy is, the local share in the county, from the total need and we're going to send you only the difference. So what this bill proposes is to say, no, provided that for all years after 2018 in calculating the allocated state aid share of the county's basic foundation program, when subtracting the amount of the county's local share, if the county's local share as determined in Section 11 is greater than the county's local share was determined to be for fiscal year 2015-16, then the allocated state share shall be the difference between the cost of the basic foundation program and the county's 2015-16 determined local share.

Now, I haven't heard anybody talking about this yet. This is transformative. This is transformative because what this says is we're going to look at 2016, if your levy's higher than that, county, all we're ever going to take from you is what your levy was in 2016. If your levy grows, we're going to fund you as if it didn't. We're going to fund you based on what your levy was in 2015. In other words, we're going to stop this horrible, and what I would contend indefensible, indefensible trend of whenever a local tax base raises an additional dollar for education, what does it do? Does it help their children? No. It helps us. It comes back to the general revenue budget of the state. It's just a dollar that we don't provide to them in the school aid formula under the way that it's constructed now. So, what that language I just read to you, which I haven't heard anybody talk about yet, is in this bill says it stops. It stops today. We're going to quit taking money from the counties that they're trying to earn to run their education, we're going to quit shrinking our share that the state pays and we're going to let, we're going to let for the first time . . . now, let me back up and say for counties that don't have growing levies, we're still going backfill

them, the formula doesn't change, we're going to make sure they have a hundred percent of what they need to run their school system . . . we don't change that part. And if their levies decline, we backfill through the state formula to make it up. But what this says is if your levies are increasing, we're not going to penalize you; we're not going to take the money away from you, you get to keep it, you get to figure out how you're going to run that nation and a half mile of bus routes in your county every day. You're going to be able to figure out how you're going to compete with Loudoun County, Virginia, for teachers. You're going to be able deal with, every county Board of Ed, will be able to deal with . . . we're giving them a tool to deal with the problems that they're dealing with every day, locally, every month, to rise and meet the challenges of the school system.

Please look at page three, the third page of my handout, so the Department of Ed did this for me, and if that language that's in the bill I just read to you, if that becomes law, the far right column will tell you how much extra money, how much extra money, your county board of education in each county, will get from the State of West Virginia as we stop this business of taking away the local tax dollars and bringing them here to Charleston and spending them on other things. That's what we've been doing. I'm saying "we", you know, and it is not a partisan thing, it's not a House or a Senate thing, it's the government. It's all of us. It's what we've been doing. And I will confess, you know, I was away for a while, but I was here in this Legislature for 14 years, from 1993 till 2006 when this was going on. Here again four years, let's fix this together. That's what this bill's going to do and to me this is tremendously more important than whether we're talking about charter schools in a couple of places in this state or educational savings accounts for, you know, one percent of the kids. This is real help and relief to county boards of education to run their school systems, to provide teacher pay supplements if that's what they want to do to put those buses that they have to drive 4,500 miles a day on accelerated repair schedules. Every county in this state has unique needs and what we don't do, what we don't do enough, is give them the tools to solve their own problems. That's the point of this. Mr. President, that's partly why I am so excited about this legislation.

Now, I want to say just a couple other things. You know, and I will mention again the 1,400-student minimum threshold; that's really important. I think once the citizens and the boards of education around the state, the

administrators, the teachers realize what's in this bill that we're talking about now . . . this is going to generate a bunch of momentum and support for it, you know, in addition to the pay raise. You know, we need to raise pay, we just do. You know, we're not competitive. We should be competitive. But, even if we get competitive, we're not going to stay competitive as long as we run a school aid formula that robs every county of every extra dollar they raise locally into perpetuity in the future.

Let me tell you just another couple numbers: If you look at page two of this thing, the second page where it gives you the 40-year history, the program allowance in 1992-93 was a little over a billion dollars, \$1.038 billion, we'll say. And the state's share of that . . . so the reason I'm stopping at that number, the state's share of that over on the right was \$868 million. So, that's a number that means something to me because that was my first year in the House of Delegates. And so, I will tell the members here, my fellow senators: The budget for the State of West Virginia, the whole general revenue budget that year, was \$2.1 billion. That's what we had. A general revenue budget of \$2.1 billion and what we did with \$868 million of it was fund public education, fund the school aid formula. Now, what, \$4.5 billion . . . is that what we are? I'm looking to the Finance Chair to give me the number, the top line number on the Governor's revenue estimate this year, but we're at \$4.5 billion and follow it out to the right, the basic state aid is \$1.1. What are we doing? We're not funding education as we should be. Let's just say, you know, we've allowed money to be spent on lots of other things, Mr. President.

But, I submit, there's nothing that's more important than public education. You name it, I won't agree, I don't care. You know, you say Medicaid program. No. Public education is more important. You look at the growth in dollars over that period of time in the Medicaid program, it's unbelievable. It's inverse relationship to what we've done with public education. We have let it slide. I say, Mr. President, let's stop. It's time to turn this around and stop taking dollars from counties and using them for other purposes here in Charleston . . . and this is a commitment. If this becomes law, what's in this bill now, it'll mean in out years, the Legislature is going to have to step up to the plate. We're going to have to . . . we fixed that at 2015-16 going forward and I'm ready to do it. What's going to force us to direct money into public education, which we need to do, and over 40 years we have let erode.

So, Mr. President, I'll close because I know I've worn out my welcome. But, I did want to highlight this feature, these features of this legislation that, honestly, I haven't heard anybody talking about and I hope the press picks up on this, looks at this, and it starts a statewide conversation about what should we be doing to properly fund public education.

Thank you, Mr. President.

**REMARKS OF
HONORABLE
ROMAN W. PREZIOSO, JR.**

Monday, January 28, 2019

SENATOR PREZIOSO: Thank you, Mr. President.

To my learned colleague from Morgan, I agree with you on a lot of things that you did say. And, you know, I've been an educator all my life. And . . . our funding formula is unique. It's probably the only one of its type in the country. I remember when I was on the Education Commission of the States, I was interviewed and as we were going through the interview, the guy stepped back and said, "Well, your court actually mandates what's to be funded." And, to my colleague from Morgan, I wish you would get up and talk a little bit about the Reicht decision that was passed in '82, which was landmark education pertaining to our funding formula. I believe in 1975 a lady by the name of Pauley who was from Lincoln County filed a lawsuit against the Board of Education, said that, you know, her children weren't receiving the exact amount of money that other children were receiving throughout this state. And, therefore, that led to the famous Reicht decision in 1982. And, you know, we're dealing with that . . . and that's been a problem throughout this formula.

I think our formula addresses needs of transportation in the steps. It addresses some maintenance problems. It also has some caveats to address certain, you know, anomalies within county boards of education. So, to me, I would think that as we try to enhance more dollars for education, to pay teachers more, to allow teachers on border counties to compete with, you know, Virginia and Maryland, that there are things that we have to look at, but I think we're hamstrung by a court decision. Now, maybe it's time to revisit that, maybe we need to go back

into the system and, you know, challenge the court on giving us more latitude to be more diverse in our state aid formula, but I think the way it sits now is that, you know, we come together, we need to allow boards of education to function the best we can and I certainly agree with him. I've seen over the time that I've spent here the percentage of money that went towards public education and the amount of money that goes towards health care, you know. It's always been the attitude of some of us here in education that we want to maintain that percentage of money that goes to education and keep that money there and filter it back towards education. So, I think the problem lies deeper and, you know, I certainly agree with the Chairman of Judiciary, this is important.

This is an issue unto its own. We don't need to put this in an omnibus bill and try to sit here as a body and try to disaggregate all the data that goes in here. You know, we get scads and scads of information provided to us. It's difficult to comprehend. If you're not a practitioner in the education system, these numbers, you know, they may not mean a whole lot to you, but when you're back in the counties that operate system . . . you know, you're always looking at the bottom line. So, I would hope that we would slow down, let's take this bill apart, there are important parts of it. You know, let's debate the charter schools, let's debate the education savings accounts, but let's do it as one item at a time and let it fail or pass on its own merit. I believe that the way we're doing it now, we're just slowing down the process, we're circumventing our committee system . . .

You know, this body to me means something. You know, I was elected to come down here and do a particular job for the people, of not only my counties, but my state. And it's incumbent to me to take every issue seriously and I think all the issues that are in this education bill are serious. They deserve a conversation, they deserve a debate back and forth, they deserve to be heard from all the experts from everywhere we can get them, but we've got to slow this train down and let's rethink the way we do business and not sacrifice the integrity of this Senate.

REMARKS OF
HONORABLE
ROLLAN A. ROBERTS

Monday, January 28, 2019

SENATOR ROBERTS: Thank you, Mr. President.

I prepared these remarks before the session today and, with the events of the session, now I have had to change some of those to address the later issues.

I've spent my entire whole life, adult life, as a pastor, playing referee between people and God and people and people. I've been a referee in marriage, family, and business matters. I've been a referee at both weddings and funerals, though I didn't wear the striped shirt and blow a whistle as you see now. Now, as a senator, I find it necessary to become a referee in another venue. So, I brought this shirt and this whistle with me today and I would hereby issue a yellow card to both the majority and the minority. Both parties, as well as third party special interests, the whole state has been thrown into an uproar because past legislatures seemingly could not navigate us to a calmer and better place in educational excellence.

Everyone says they're for the children, but I think the children have been short changed for a very long time by selfishness and power-hungry tactics of those in charge of the educational process. This also includes people in organizations outside of the Legislature. Chaos and confusion, along with shouting and screaming, are no way to solve problems; that kind of behavior cheapens the teaching profession. That's not the way to run a classroom and it won't help the Legislature either.

I haven't been impressed by the lack of leadership in years past by the continual defense of the status quo and failed programs. Past leaders rode the education ship down to the bottom of the rankings and now act as though they have all the solutions . . . and that is shameful. People don't know who to trust. Past legislative behaviors remind me of the Sears Corporation Board of Directors who could have been what we call Amazon today but lacked vision which led to their demise and many everyday people suffered because of this. Our education system is much like the Charleston Town Center Mall debacle. For many years, our results have been sliding downhill, programs poorly managed, and irresponsibility appears to have been rampant. Based on national rankings if the state education were a business, it would have been also placed in receivership and put up

for auction. The sad thing is those who have depended upon the past Town Center leadership, are now paying the price for something that's been largely out of their control. And many everyday people are suffering because of this.

Teachers, students, parents, communities, and businesses are all suffering because of attitudes that have prevailed in past legislatures concerning education. Personally, I think that stinks! So today, I join the dream team. Governor Justice presented "Jim's Dream" as an attempt to solve problems; last week the Senator from Tucker County shared "Randy's Dream" . . . the fixing of infrastructure of roads in West Virginia; so today, I reveal "Rollan's Dream" . . . of a better education for our people and not the continued politicking that we watched and that I've observed in the private sector, and now have a part of trying to make a difference, a real meaningful difference in the days ahead.

As legislators we should not, dare not, and cannot keep failing our state. I campaigned and won decisively with a platform that included educational reform in the midst of all of the mess that happened last year. Sixteen thousand people voted and said I want something different, I don't want the same old thing going on. People are tired of the same old excuses and the blame game. They want reform. Educators need more than throwing more money their way, we need new leaders to lead in the direction of high-quality education. We desperately need to update and restructure the business model of West Virginia because, you know what, education is infrastructure. And if we don't get our act together when it comes to education in West Virginia, then you can forget the businesses coming here. You can forget the jobs, you can forget the prosperity.

As the only new senator sitting on the Education Committee last week, I was cheated and robbed by political tactics and posturing. Even an amendment that was offered by the Senator from Morgan to change the classroom size component to the bill was blocked in the committee. That didn't get out into the public, but for those that are listening to this Senate meeting today, I want you to know, thank you for offering that amendment, but as he was blocked he graciously said, "Okay, I'll pull that amendment." I'm taking all of this in and watching this as a new senator. I would have loved to have heard the pros and cons of the many components of the comprehensive education reform bill so I could confidently articulate my positions, but I was denied that

right. Now, I want to get a better grasp of some of the parts of which I'm not familiar, where and how that happens is out of my hands. But we all deserve to know and to hear. I've been voting on bills that I have researched in the past, but I was not on those committees. I don't know all of the history, I haven't lived all the history, but I have been a recipient and counseled and pastored people who are living with the decisions that are made right here in this body. It is important, and I do want to make wise decisions that will help people. I want to hear the explanations on the money. I want to understand the different caveats of the bill. The size of the bill does not bother me; the size of the problem that we have in education in West Virginia, that bothers me.

And I applaud the desire to reform and I condemn the desire to stall and to say, "Let's keep everything the same and not bother any of it." I'm grateful that the majority party is listening to my concerns, willing to consider advice, and willing to make adjustments for this bill to become better. It can be improved like any other bill. Let's improve it and let's help the people of West Virginia.

Thank you, Mr. President.

**REMARKS OF
HONORABLE
RON STOLLINGS**

Tuesday, January 29, 2019

SENATOR STOLLINGS: Thank you, Mr. President.

I noticed that we had Senate Bill 454 (*Providing exemptions from mandatory immunizations*) that was presented today and it will be working its way through the process. What it does is it exempts students from getting vaccinations; it gives a conscientious objection, it gives a religious objection.

I'm not sure if you all have seen it or not, but the northwest is under a state of emergency because of the measles outbreak. The Governor of Washington state was on tv today . . . closing down stores because of the risk. The northwest is one of those states that allows for these same exemptions that Senate Bill 454 would provide for our citizens here in West Virginia.

When I look back and see these other outbreaks of these vaccine-preventable diseases, there seems to be a halo around states like West Virginia that allows for medical exemptions for vaccines but not for these religious and conscientious objections.

So, I certainly hope that we pay attention and I encourage people to educate yourselves about the incredible benefit that vaccines bring to society with little or no negative consequences. You might get a sore arm for a day or two after you get your vaccine . . . and, if you do have a medical reason not to get a vaccine, you don't have to get in West Virginia. So, please educate yourself about how safe vaccines are and how much great benefit they are to society. Look at the news, look at the northwest, look at Washington state right now, it's in a state of emergency.

Thank you.

**REMARKS OF
HONORABLE
PAUL HARDESTY**

Tuesday, January 29, 2019

SENATOR HARDESTY: Thank you, Mr. President.

I also want to speak with respect to Senate Bill 451 (*Comprehensive education reform*). Although I am the newest member of this body, I've been around this building for a long time myself. Most of you all have seen me trolling around the building from time to time, I'm sure.

The procedural move that I saw implemented yesterday was one I have not seen in my 20 years of being here and my distinguished Minority Leader said in his 30 years he had not seen the move used as well. I started getting calls from back home last night about what is this. And I'm not going to give an opinion as to whether I think it was genuine or not, that's not for me to determine. From the media articles I read this morning and from the calls and emails I received since, I think the public and the media have already formed their own opinion with respect to that move—and that's their right.

First, I want to start off, and these comments are directed to the 20,000, approximately 20,000 teachers in West Virginia: I want to personally

apologize to you. Because what I read in this bill—I think I've got version four, before it even got a number, I had four versions . . . My apology to you 20,000 educators is simply this: You have been disrespected in certain portions of this bill . . . and for that I am profusely sorry.

I think we can all in this body agree and across West Virginia whether you choose to home school, private school, public school, or virtual school, if you have parents that are engaged and involved in their children's education, whichever format you choose to operate under—and that is your right—if you have engaged parents with children, you will have positive outcomes. I think we can all agree upon that, at least I hope we can. But what we're not factoring in is the number of broken homes: No parent, don't know who the parent is, grandma and grandpa trying to raise the child that has been dumped in their lap and they're saying, "I'm doing the best I can. I'm in a bad situation." You see, I do have some personal knowledge of this and it greatly troubles my soul when I see someone come looking for help and it's hard to provide.

Ladies and gentlemen, change and choice are fair questions. The ones that seek that in this bill, that's a fair question and deserves an answer. I get that. For what little time I've been here, you see, I try to vote my conscience. If I think it's right, I'm for it; I don't care if you are an "R" or a "D", that is of no relevance to me. I try to do what I think's right. But this change and choice that you've put—and I'm not going to use the word "omnibus", I will use the word "ominous"—this change and choice that you seek cannot come at the expense of decimating an already fragile public education system. It can't come at that, ladies and gentlemen, it's just fundamentally wrong. I think you're going to find out when we continue to work on this bill as a body of the whole, that some of the things you seek in here, there's going to be unintended consequences that you're going to have to answer for and probably will scare you to death.

I'll talk about the fiscal notes right now. It's my understanding that the annual fiscal note on just the days of conversion to PEIA could be in the \$27 million a year range. The one-time OPEB liability for this bill will have a tag of around \$30 million, and then I don't even know what CPRB's going to tell us with respect to how it affects the retirement system, I think that number could be far greater. Are we hitting what we're shooting at?

My distinguished Chairman from Judiciary, I have as much respect for him as any person under this dome. He's a good man. Yesterday evening, he called a stakeholders' meeting at the end of our Judiciary meeting on an unrelated bill. I would ask whoever drafted this bill where were the stakeholders at that actually work public education on a day-to-day basis, where were they at before this bill was drafted?

I'm not a very smart man, I'm probably the most technologically challenged person in the body, but I went last night and Googled one website—and I'm not going to mention their name because it's really not important—but two sections of this bill came directly from their website, word for word, verbatim, terminology, definitions, the whole nine yards. Is that their fundamental position? That's their right.

But you cannot decimate a—and I'm going to use the word "fragile" again—a fragile K-12 public education system in hopes of changing, wholesale changes in this bill . . . you just can't do it. It's wrong, it's fundamentally wrong. What we should be talking about is the fact that IEPs under the IDEA Act of 1975, that's when special education was implemented in this country . . . It's not been modified properly going forward. We're doing 504 Plans when we should be doing IEPs because we're not providing these children with the services they need because the current structure does not provide to do so. Those are the kind of conversations we need to be having.

In Southern West Virginia, the five counties I represent, almost 20 percent of the total student population are special needs children, 20 percent; as a state, we're probably pushing close to 18 percent now. And if we were actually doing proper IEPs as much we should, that 20 percent in Southern West Virginia may push towards and migrate towards 25 percent.

My concern is as we walk through this process, let's do not decimate a fragile public education system in this bill. It's wrong. Let's not disrespect those 20,000 educators, the ones that came before them and the ones that'll come after. When you strike the word "seniority" out of the whole section, what kind of message are you trying to send? I can't recruit certified teachers now. How hard do you think it's going to be to recruit certified teachers in Southern West Virginia with those kind of edits to the state law? It's misguided, it's shortsighted.

And ladies and gentlemen look, I won't debate many bills this session, but I will debate you all on every step of this bill. I read your biographies last night, the whole majority party, and they're very impressive. But, a very small percentage of you all that sit in the majority, based upon what is in your bios, have had little to no direct engagement in public education in the past five years. Whether you choose to school your children at home, or private—and that's your business and that's your right—and God bless you for it, that's fine. Some are older, some have got, maybe grandchildren, but how much interaction have you actually had, directly, with K-12 public education? It's going to come out when we debate this bill on the floor. And the model that you drafted this bill under, they can only provide your template for a perfect world in a perfect setting. West Virginia's got real problems. Our people need real solutions. Do not destroy K-12 as we know it for the substantive changes that you seek.

Thank you.

REMARKS OF
HONORABLE
MICHAEL J. MARONEY

Tuesday, January 29, 2019

SENATOR MARONEY: Thank you, Mr. President.

I, too, want to speak about Senate Bill 451 (*Comprehensive education reform*). And I'll save—although my blood pressure is rising a bit—I'm going to save a lot of my comments for the debate. I'll be happy to debate this bill point by point because I support it.

But . . . unlike my colleague, the newest member from Logan, just said, I don't mind spending \$25 million or \$36.2 million, and add it all together and get to the \$60 million, I haven't seen all the fiscal notes yet, but I don't mind spending the money to fix education. I think its money well invested. And I think this will help fix education.

And we're talking about decimating education . . . it's broken, it's fractured, it's decimated, okay. We're last. We're at the bottom and sometimes it's okay to finish last, but when there's no effort involved, okay, when we have 50 percent of our schools classified as

chronically absenteeism schools, and by definition that means half of the students have to be absent for 20 of the 180 days, okay, so half of our schools have half of their students absent 20 days and when we have 93 percent teachers, that's how much they show up according to Mr. Paine in the Finance Committee meeting, okay, so that's seven percent of the 200 days, 180 plus the 20; that's 14 days out a year. I haven't missed 14 days in 20 years. I think I've missed 11, I tried to count them, I don't know, until I came down here. But this isn't vacation. So, it's okay to finish last. I tell my kids, I don't get mad if they finish last, but if there's no effort involved when you finish last, well then there's a problem. And if we have this much absenteeism on both ends of the desk, then, yes, there is a problem. And we shouldn't be last, and it needs to be fixed.

And that's not what I wanted to say when I stood up, so now I'm going to get back. I'm not going to go . . . I think . . . I'm happy we're taking out the 28 and going to 25 because most of the complaints that I heard personally were for that. And I've heard a lot of parents call me in favor of this bill by the way. Okay. That's number one.

Number two is, it's the largest pay raise ever. In the last two years the teacher pay raise we gave . . . I challenge anyone to find a decade, a ten-year period, where we gave more money to teachers than we have in the last two years. I don't think you can. And if you do, you might find one. But I don't think you will. So, we give more money to our educators in two years than any other body has done in a decade. To me, that's amazing and that's undebatable, I think.

Let me get back to why I stood up initially. And I'll be brief. First of all, everyone wants to talk about skipping the Finance Committee. I get calls on it. I see members comment that's been in this body for more than 10 years . . . comment on we're skipping the Finance Committee. We're not skipping the Finance Committee. The Finance Committee is in this room and there's more people . . . it's a better Finance Committee because it has 34 people, not 17. So, I'm going to say that again because this needs to get out there. So anyone in here that has a recorder or a pen, please record it, write it down, tell your family and friends, you can snap it, you can tweet it, you can post it: The Finance Committee is happening, the Committee as the Whole is the Finance Committee, it's happening in here, although I haven't heard the announcement, I would expect our Finance Chair to probably be

presiding because he presides over the Finance Committee—I don't know that for sure—and people are going to testify, everyone's going to have a right to ask questions, and this is going to be the Finance Committee. And then, we'll get to hear the bill on the floor again as well. So, the Finance Committee is happening. So please people, get that out there. Please, please tell people that Finance Committee is happening and it's happening in this room. Okay. And more people are going to be involved in the Finance Committee and it's going to be a better Finance Committee.

There's one thing I want to talk about, and I have a lot more here, but I'm going to skip to just one more point and I'll save the rest because we've been in here for a long time today. But there's a part of this bill that nobody's talking about, that I've not heard one comment about, either in emails or phone calls or on the floor. And there is a provision in this bill that I feel like I would be remiss by not mentioning it as a Senate Health Chair; and that provision is for kids, it's for all the kids, all the children, because we have a problem in this state. We have broken homes, just like other states do, we have an opioid crisis, just like other states do, and we have kids that need extra services, more so today than five years ago or 10 years ago. This bill provides for every single school to hire some sort of child support personnel, a nurse, a guidance counselor, a psychologist . . . someone that's there to help the kid. Let's take a county, let's pretend like we have a county that has 12 schools. So now, we have 12 additional employees, or to be—I think 650 across the state by the way—but a county with 12, they might hire 4 nurses, they might hire 4 counselors, they might hire 4 psychologists, they might share them amongst the school system, and they're there for the kids for support. And in addition to that, this bill changes the definition of what that person does, and it just defines their role and takes out a previous provision that said hey, 75 percent of your time is doing what you're supposed to be doing, what you're trained to do, taking care of kids and the other 25 percent, you can check hall passes. No more of that. This is a hundred percent of these people, these extra 650 employees across the state, helping our kids. Maybe they'll save a life, there's school violence, maybe they'll save a whole bunch of lives one day. Maybe they'll promote a kid to go to college that otherwise wouldn't have, four-year community and technical college, whatever. Health and hygiene, maybe they're going to help that kid with their health and their hygiene. That's possible. Maybe there's a kid in a school today or 2 years ago that didn't have

someone to talk to, and the next thing you know they're one of the victims of the opioid crisis. Well, maybe some of these personnel that we're hiring are going to help in that faction as well.

I mean that is a fantastic part of this bill that nobody wants to talk about because we want to talk about going from 25 to 28 you know on those 12 classes that might have applied to, and that's okay. I'm glad we're taking that out. I was kind of against that myself. I'm glad it's coming out. It's a response to the outcry. But let's talk about this provision where we have 650 people out there, helping kids, a hundred percent of the time, saving lives, potentially, stopping addiction, putting people on the right path to go to college, serving as support for those kids. And I think we need to talk about that maybe a few more times before this bill gets voted on.

Thank you, Mr. President.

**Congratulating D. Frank Masters for
winning Conservation Farm of Year Award**

(Adoption of Senate Resolution 24)

**REMARKS OF
HONORABLE
STEPHEN BALDWIN**

Wednesday, January 30, 2019

SENATOR BALDWIN: Thank you, Mr. President.

I'm proud to welcome today, on behalf of the Senator from Monroe and myself, my neighbors from the thriving metropolis of Ronceverte, West Virginia—as my wife likes to call it—Frank, Jared, Jordon Masters. They've got a 17-acre farm in Ronceverte and they've won the West Virginia Conservation Farm of the Year. In fact, the last three conservation farms of the year have come from Greenbrier County, so thank you all for continuing that tradition.

I just wanted to let you all know a little bit about their farm. They donate beef and produce to local food pantries, they sell products to local restaurants, and they've worked for the past 10 plus years to implement conservation techniques and make the farm more efficient and sustainable. Several folks from the Greenbrier

Valley Conservation District are here today: Gary Sawyers, Avery Atkins, Lynn Woods, and then also from the West Virginia Conservation Agency, Brian Farkas, whom they've worked with in that process.

A lot of folks forget, Mr. President, that agriculture is big business in West Virginia. When Frank's not on the farm, he's a local leader in substance abuse recovery and Jordon and Jared are successful entrepreneurs, who Frank would probably say are the brains of the operation. These are good people, doing really good work, making us all tremendously proud.

So, congratulations to you all on winning Conservation Farm of the Year and thank you for your presence here today; and thank you, Mr. President, for making the time to congratulate them on their effort and accomplishment.

**Establishing common law “veil piercing”
claims not be used to impose personal
liability**

*(Passage of Eng. Com. Sub.
for Senate Bill 258)*

**REMARKS OF
HONORABLE
CHARLES S. TRUMP IV**

Wednesday, January 30, 2019

SENATOR TRUMP: Thank you, Mr. President.

We had extensive discussion of the bill, what is now the bill, on the floor yesterday during amendment stage. The Senate adopted a strike and insert amendment.

This bill amends a single section of the Uniform Limited Liability Company Act and the section is in §31B-3-303. The current law included in the act provides that a member or manager of a limited liability company is not personally liable for a debt, obligation, or liability of the company solely by reason of being or acting as a member or manager. For many of us, that has always been read to mean that there is a full shield from liability protection based on being a member of the LLC. In 2013, our state Supreme Court of Appeals decided a case, *Kubican v. The Tavern, LLC*. That was a

2013 decision of our Supreme Court, in which the court said that it was in response to a certified question from trial court that it would be permissible to apply corporate veil piercing jurisprudence to a limited liability company for its manager . . . member. In that case, it was a member, I believe. So, this bill seeks to nullify that decision.

The new language that we would add to the law says, "It is the intent and policy of the Legislature that for any claim against a limited liability company arising after the effective date of the reenactment of this section during the regular session of 2019, common law corporate veil piercing claims may not be used to impose personal liability on a member or manager of a limited liability company, and the West Virginia Supreme Court of Appeals' decision in *Kubican v. The Tavern* is nullified." Based on the amendments we adopted yesterday, the bill clarifies that there are still other mechanisms by which members can be held liable and I'll go ahead and list them briefly:

One is, if there's a provision to that effect in the articles of organization and the member against whom liability sought to be imposed has consented in writing to be liable for the obligations of the limited liability company;

Two, a member against whom liability is asserted has made a personal guarantee of the liability;

Three, relates to tax liability. So, we're trying to make clear that we're not shielding members from tax liability where there's statutes, federal or state, that provide for liability for tax obligations and limited liability company;

Four, acts of fraud.

And then the remainder of the bill, there are three more subsections but they discuss and delineate other circumstances, when, not through veil piercing, but when members of a limited liability company could have liability, either alongside or along with the limited liability company: Subsection (d) discusses enterprise liability; subsection (e) describes circumstances when a member is tortfeasor; and subsection (f) gives some clawback authority in circumstances where a limited liability company can't pay its judgements or obligations and the members have been guilty of depleting the assets or resources of the LLC. That creates, not a piercing of the veil of the LLC, but a clawback

authority to pull back from a member assets that he has wrongfully taken out of the LLC.

Mr. President, I'd be happy to try to answer any questions. Otherwise, I urge the passage of this bill.

Establishing common law "veil piercing" claims not be used to impose personal liability

*(Passage of Eng. Com. Sub.
for Senate Bill 258)*

REMARKS OF
**HONORABLE
MICHAEL J. ROMANO
AND
HONORABLE
CHARLES S. TRUMP IV**

Wednesday, January 30, 2019

SENATOR ROMANO: Thank you, Mr. President.

I'd ask that my friend from Morgan to yield for just a second.

MR. PRESIDENT: Senator from Morgan yield? Senator does yield.

SENATOR TRUMP: Yes.

MR. PRESIDENT: Senator may proceed.

SENATOR ROMANO: Senator, I don't want to rehash our whole discussion yesterday. I did happen to look again at your amendment that passed yesterday. Am I correct, that even if the articles of organization of an LLC make the members directly liable, that they're going to receive immunity too? Is that the intent of the striking of paragraph (c)(1)?

SENATOR TRUMP: No, it's actually just a rewording. The original statute had, as you'll see there, (1) and (2) which are stricken and we have combined (1) and (2) which are stricken into number (1) which is immediately below it. So, if you look at the new number (1), it is a restatement of (1) and (2) above it which is stricken, and they're combined into a single exception. So that if it's in the articles and the member has consented in writing. So, the substance of it is preserved, it's just in a different place.

SENATOR ROMANO: Yeah, I do see that, and I appreciate that. We struck out the model language and put in this new language.

SENATOR TRUMP: Well, because we were imposing other, I don't want to necessarily call them exceptions, but I guess they are exceptions . . . and so we thought the right way to do that . . . It seemed to me the old (1) and (2) went together as a single exception and so, when we added additional, we combined those two into one.

SENATOR ROMANO: Thank you sir, I appreciate it.

**Establishing common law “veil piercing”
claims not be used to impose personal
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*(Passage of Eng. Com. Sub.
for Senate Bill 258)*

**REMARKS OF
HONORABLE
MICHAEL J. ROMANO**

Wednesday, January 30, 2019

SENATOR ROMANO: Thank you.

Aside from that concern, which, you know, the senator certainly cleared me up on, I just want to, you know, point out very quickly that, you know, the law protects. The laws we make, the laws that the courts interpret, called the “common law”, and, you know, sometimes they need changed. Sometimes, they're causing problems that are unintended, or, you know, have somehow developed over the years but, you know, not here, not here. You haven't heard one complaint, not one bit of testimony that there's a crisis out there with LLCs because we allowed the limited liability veil to be pierced for the last five years. And remember this, corporations and LLCs are treated almost identically, and we've been able to pierce the corporate veil and go directly to the shareholders for a hundred years. It rarely happens, and when it happens, it's for the good. It's sometimes for the good of the corporation and sometimes it's for the good of people that are injured or defrauded or cheated, or one thing or another out there in the public.

Now, please remember when you vote, no other state's done this. Other states that have had piercing of LLC veil for decades, have not changed it. Many of them have recognized directly that the LLCs limited liability veil could be pierced, we went over those states yesterday. But what you really got to remember is the law stops bad behavior. It stops people from taking advantage of West Virginia law and hiding behind this impenetrable wall of immunity that we're about to give anybody that operates out of an LLC. It encourages bad behavior.

Now, you know, there's good people. I mean there's good people who are going to do the right thing. My friend from Putnam, I'm sure he's going to maintain insurance on all of his businesses so if something goes wrong, they do something wrong, that the people will be covered. But there's going to be a lot of people that aren't going to do that, they're not going to be good people, we know them all time. Imagine an opioid manufacturer and the example I gave with a West Virginia LLC. Sure, you can imagine a scenario where we'll be able to get to them and punish them. But, you know what, this makes it a million times harder. If they would come in and set up a West Virginia LLC and distribute out of it and have, you know, just a little bit of buffer between them and the LLC . . . you'd never be able to touch them, they'd put all the profits in their pockets. It would be even worse than it is now and that's hard to imagine.

Just imagine what you would do if I introduced a bill that gave attorneys immunity and allowed them to operate with complete immunity in their business. Or doctors. If we gave doctors complete immunity and allowed them to operate without insurance. Both of those professions have to have insurance but that's rare. But imagine if we gave all drivers of motor vehicles immunity and then got rid of the mandatory insurance that they're required to cover. That's exactly what we're doing with this bill. Only we're doing it for LLCs. You got to understand that. This leaves innocent people to bear the burden of whatever wrongs are done to them from behind the LLCs shells.

I know that when it comes down to my friend from Morgan and me, my friends over there aren't going to listen to me very often. But I can assure you that this is a bad bill for our state. That's why we'll be an outlier, that's why we'll be the only one that does this—the only one that gives complete immunity. And that's why all the bad people will come here to form bad businesses and do bad things. Again, there'll be

a lot of good people who will use this law too and perhaps need it in some way, but I encourage you not to be an encourager of bad behavior in our state. I encourage you to think about the people who are going to take unfair advantage of this. And I encourage you to vote “no” on this bill.

**Establishing common law “veil piercing”
claims not be used to impose personal
liability**

*(Passage of Eng. Com. Sub.
for Senate Bill 258)*

**REMARKS OF
HONORABLE
WILLIAM J. IHLENFELD II**

Wednesday, January 30, 2019

SENATOR IHLENFELD: Thank you, Mr. President.

I stand in opposition to this bill for a couple of reasons. First, I really don’t think this bill is necessary. In the early 2000s and well before I was blessed to be in this seat, there were doctors who filled up that rotunda. I saw it in the newspaper and read about it and they wore their white coats and they came here because there was a crisis. There was a crisis with medical malpractice premiums . . . something needed to be done. Rates were too high, doctors were leaving this state, and this body did something about it. That was a real crisis, that needed to happen, laws needed to be changed and they were changed.

There’s no crisis here. We don’t have people standing up with signs out in the hallway or as we walk into this building saying that their corporate veil has been pierced. Because it happens so rarely that it’s not something that rises to the level where we need to do anything about it. Most civil litigators—in addition to being a prosecutor, I’ve been a civil litigator for many years—most civil litigators that I’ve come into contact with will tell you they’ve never been involved in a case where the veil has been pierced. It’s talked about, it’s a strategy, it’s considered in certain cases, but very rarely does it happen.

Courts are very reluctant to pierce the corporate veil. Circuit courts in our state are very conservative. The standards very high, they’re not going to allow that to happen unless a real fraud or real injustice has occurred. And, if it is pierced, and, perhaps the circuit court didn’t apply the standard correctly as it is, guess who’s going to take a look at it . . . perhaps the most conservative business friendly Supreme Court we’ve ever had in our state’s history. So there is a backstop in case that is a concern of yours. But, as I said, it rarely happens.

The second reason I stand in opposition to this bill is that we’d be creating a safe haven for corporate fraud and irresponsibility. When I was the U. S. Attorney, we had a case that came in right near the end of my term involving a business, a corporation, in New Martinsville, Wetzel County, West Virginia. The company was known as Budget Finance; there was a lady by the name of Donna Brown who ran perhaps the largest Ponzi scheme in the history of our state. She guaranteed annual returns of between eight and twelve percent. She mailed checks out to investors who requested money, she sent them statements showing how much they had supposedly earned, she sent them 1099 forms, but she didn’t send them to the IRS, she was just sending them to her customers to make them think that it was a legitimate investment. It all collapsed in November of 2015. The FBI came in, the U. S. Attorney’s Office came in, the whole thing was shut down. But over 800 West Virginians lost over \$31 million because of this scheme that was set up within the veil of a corporation.

We should not be providing shields for people like Donna Brown. We should not be providing shields for companies like Budget Finance Company, and that’s exactly what we’re doing by going down this path. Limited liability companies are just that. And I’ve owned them myself, like many of you on this floor have. They limit liability. They don’t eliminate liability, they limit it. That’s the purpose of these companies. That’s how it works in all 50 states and we would be the one state that is going to provide immunity to members and managers of LLCs if we make this law.

And so, I urge you, for the reasons that I have stated, to vote against this bill.

Thank you, Mr. President.

**Establishing common law “veil piercing”
claims not be used to impose personal
liability**

*(Passage of Eng. Com. Sub.
for Senate Bill 258)*

REMARKS OF
**HONORABLE
CHARLES S. TRUMP IV**

Wednesday, January 30, 2019

SENATOR TRUMP: Thank you, Mr. President.

I have enjoyed the debate we’ve had on this over the last couple of days and probably some of these issues are somewhat esoteric to some of the members. But, I do feel an obligation to respond to some of the arguments that were made in opposition to the bill.

First of all, let’s recognize this: Limited liability companies have become enormously popular tools for business organization for legitimate businesses, and their popularity arises from a number of aspects or features of the LLC, which make it sort of unique among all the various organizations and opportunities to organize that preceded it. And they’re increasingly popular among small numbers of people; they generally have fewer members than corporations which can have many, many, many hundreds or thousands of shareholders. The LLC’s are popular because it provides liability shield for membership interest for investors who can lose their investment, they can lose their capital, lose their entire investment in an LLC, but it combines that with the tax features of partnership . . . so passed through to individual tax returns. And that makes them popular, throughout the country popular, and since West Virginia adopted the Uniform Limited Liability Act a little over 20 years ago, Mr. President, we’ve had thousands of LLCs formed in this state and so they are, in this respect, an engine for the development of small business. And I think many of us in this room understand that, you know, our future, our path forward is going to be to put fuel to that engine of small business, legitimate businesses.

Now, the bill has been criticized by a few of our members because, allegedly, it would provide a safe haven for fraud and, Mr. President, I say no sir, that’s not what this bill

says and that is a little bit beyond, let me just say that if we’re looking at the exceptions to the liability shield, a clear exception, number four, on page two, is if the member commits fraud which causes injury to an individual or entity, that eliminates that . . . the Donna Brown scenario that we heard about. We certainly don’t want to do anything that encourages or shields people from liability for fraudulent conduct and I would point out again, I’ll have to read . . . I read it yesterday, but I will read the whole language of subsection (e), which describes liability when the member, a member of an LLC is a tortfeasor, quote “Nothing in this section shall immunize or shield a member of a limited liability company solely because he or she is a member of a limited liability company from liability for his or her own tortious conduct that proximately causes injury to another party while the member is acting on behalf of the limited liability company. In such circumstance, the liability of a member is not through veil piercing, but rather primary as against any tortfeasor.”

So, I think that’s an important distinction and I think that fully responds to some of the concerns that were voiced a moment ago during our debate. This is not going to immunize or shield either fraudulent or tortious conduct by a member of an LLC. So, just so we know, you know, I want to say that this is, you know, not some radical hair-brained idea that has, you know, popped out of a vacuum. There has been, at least among academicians and law professors, lots of scholarly work over the last couple of decades about the problems of applying corporate veil piercing jurisprudence to limited liability companies.

There’s a fellow named Stephen Bainbridge, this is a law review article that he published. It’s called “Abolishing LLC Veil Piercing” and this was written almost 15 years ago, 2005, and this person is a professor at the UCLA School of Law and I’ll just quote if I may, a little bit of what he said, “Abolishing veil piercing would refocus judicial analysis on the appropriate question, did the defendant LLC member do anything for which he or she should be held directly liable?” And in his own inimitable way, it’s sort of the heart of the question that the Senator from Wayne County drove to during our consideration of this legislation in the Judiciary Committee. The question that immediately popped into his mind as we debated and discussed this bill and discussed the Kubican case . . . the question as he put it—and I won’t put it as artfully as he did—he said, but what did the member of that LLC do that should cause

him to be held liable in the Kubican case?" Professor Bainbridge of UCLA suggests that that should be the focus of the discussion. This bill does that.

There's a law review article called "Piercing the Veil of Limited Liability Companies, the Need for Better Standards". This is from DePaul University, published in the *DePaul Business and Commercial Law Journal*, and its author is Jeffrey K. Vandervoort; and I'd like to quote from that. It talks about the common law standard for piercing corporate veil is in such disarray and that's really, that's really part of the problem. Even corporate veil piercing is arbitrary and, in many cases, not moored to specific legal standards that really mean anything. The obvious question is, why should we be so determined to apply this mess to limited liability companies? That was his rhetorical question in this article. He goes on to say that application of vague and unsettled corporate piercing standards will effectively import the same frustrations to the LLC. To apply the corporate common law standards to the LLC is the equivalent of knowingly installing a defective auto part into a brand-new car. The corporate standards have not worked well and in the context of corporations and they will work even less effectively when applied to limited liability companies.

So, there's plenty of academic treatment discussion of this question. There's a professor at, I think he's at West Virginia University, I found this on the Internet, Joshua Fershee, who's also written about the subject and he has, I think, a business law professor's blog and, as long ago as 2014, he talked about the problems with veil piercing with respect to LLCs. I'll quote, "So this does not inherently warrant veil piercing. Courts can find uses of funds fraudulent transfers or improper uses of entity funds that the member needs to pay back". So, that's what we're doing in this bill. We have the clawback provisions instead of piercing. And he says, "That is not veil piercing, that is simply requiring the member to put back in the entity that which was wrongfully withdrawn."

So, I'm going to close up by just responding to one other argument. I think some of us conflate two things here. The question of insurance seems to be rolled into this all the time. We have laws in this state with respect to certain activities that of people, however they're organized, whether they're sole proprietorships or just individuals or corporations, or LLCs, whatever they are, the Legislature has by law in

certain circumstances said if a person is going to engage in this activity, he or she or it should have some sort of insurance in place. And I think it's wrong to conflate that question with this question. If it is a question of insurance, if a person is engaging in some activity that is so risky the law should require him or her or it to have insurance, then let's address that by law that addresses that specific question for that specific activity rather than leave to a judicial branch the application of, you know, unmoored and undisciplined standards for corporate veil piercing, which almost inevitably end up talking about things like lack of insurance or under capitalization. Viewed in hindsight, after the fact, arbitrarily decided. This bill will strengthen our LLC law and it will be good for West Virginia. I urge its passage.

**REMARKS OF
HONORABLE
RON STOLLINGS**

Thursday, January 31, 2019

SENATOR STOLLINGS: Thank you, Mr. President.

In the paper today—I put it on everybody's desk—it talks about the tobacco control report and what grade West Virginia received. And we received an "F" in funding for state tobacco prevention and programs; an "F" in level of state tobacco taxes; an "F" in coverage and access to cessation services and setting a minimum age of tobacco products to 21. We did receive a "D" for its strength in smoke-free workplace laws.

So, folks, we all know that tobacco's a killer and that's something that we can help here in the Senate by funding tobacco and passing some of the laws that we have in our committees. So again, if one percent . . . if we could cut tobacco use by one percent, we save \$23 million in health care costs per year in West Virginia.

Thank you.

**Designating February 5, 2019, as WV
Alzheimer's Association Day**

(Adoption of Senate Resolution 27)

**REMARKS OF
HONORABLE
TOM TAKUBO**

Tuesday, February 5, 2019

SENATOR TAKUBO: Thank you, Mr. President.

Alzheimer's is such a devastating disease and such an important topic . . . just a few facts, you know, it's something that continues to increase. Over 50 percent of those over age 85, unfortunately, come down with some form of dementia. It especially hits women. They currently are affected at a rate of two to three compared to their male counterparts. But it doesn't have to occur just at an older age. Five percent of Alzheimer's is actually diagnosed by the age of 30. It remains the sixth leading cause of death and as one can imagine the risk of depression, emotional stress, not only for the patients but for the caregivers, is tremendous. With that being said, 15 percent don't have any caregivers, they live alone still. Between 2000 and 2015, the death from heart disease has decreased significantly by about 11 percent while at the same time that of Alzheimer's continues to climb and is up . . . had an increase over that time period of 123 percent.

It's important that we have awareness of this disease and that we certainly have awareness for those that are caring for those with the disease. And for those reasons, I urge adoption.

**Designating February 5, 2019, as WV
Alzheimer's Association Day**

(Adoption of Senate Resolution 27)

**REMARKS OF
HONORABLE
RON STOLLINGS**

Tuesday, February 5, 2019

SENATOR STOLLINGS: Thank you, Mr. President.

I, too, rise in support of the resolution. Last year the Alzheimer's Association estimated that

there were more than 38,000 West Virginians over the age of 65 with Alzheimer's Disease. Personally, I think that's a very low number. I think there's significantly more. At the same time, the association estimated that more than five million Americans were living with Alzheimer's with that number expected to increase to 16 million by 2050. In fact, statistics show that one out of two seniors age 85 are living with Alzheimer's. So, if you make it to 85, you got a 50 percent chance of having Alzheimer's.

Alzheimer's Disease affects the entire family. It is estimated that there are more than 100,000 unpaid caregivers who care for their loved one in our state. Mr. President, I want those thousands of West Virginia families to know that there is help and there is hope. I encourage them to visit the Alzheimer's Association website "alz.org" to learn about the signs, symptoms, and progression of the disease or call the 1-800 number where trained counselors are available 24/7 to help with any question about Alzheimer's.

The West Virginia Bureau of Senior Services Alzheimer's Program has resources including the Family Alzheimer's In-Home Respite or FAIR Program. I have several patients receiving help from this program and the Lighthouse Programs. Folks can learn more about these programs by contacting their county senior center. The bureau is also working with 16 communities across the state who receive federal funds to improve service to their communities. Also, AARP has great resources for caregivers at "aarp.org/caregiving".

Next, an amazing example of research and efforts underway at our universities offer us hope . . . For example, Dr. Shirley Neitch, a board-certified geriatrician, leads the Hanshaw Geriatric Center at Marshall University where she leads a multidisciplinary team in best practices to care for West Virginians. In addition, she leads research projects including an effort called the Dementia Café in Huntington . . . this downtown Huntington café is the first of its kind in this state to offer a welcoming environment for individuals living with Alzheimer's Disease and their caregivers. Dr. Neitch also teaches thousands of physicians like myself and other health care professionals on how to diagnose and better treat plans for individuals living with Alzheimer's.

At West Virginia University's Rockefeller Neurosciences Institute, Dr. Ali Rezaei is leading

a team who performed the first procedure in the world of a Phase II trial focused on ultrasound to treat a patient with early stage Alzheimer's. The trial will evaluate the potential benefits of using focused ultrasound treatment to disrupt the blood-brain barrier in the regions of the brain affected by Alzheimer's such as the hippocampus.

I attended a world dementia conference in Switzerland this past year and there's so much effort internationally because we know this is going to be a very big problem, certainly financially. So, there's a shift to the left if we can to try to get this at an earlier stage and prevent it if at all possible.

Until we find that cure families need help now. I know there are numerous efforts underway to help West Virginia, the first dementia-friendly state, including West Virginia CARES about families living with dementia. More resources are available at "wvcares.org". What I mean by dementia friendly is that our citizens are informed about Alzheimer's Disease and other dementias and that they are helpful to families living with dementia. An example of that is the Boone County Sheriff's Department has participated in a four-hour training program by West Virginia CARES. Soon all members of the department will have received that training. They will become the first sheriff's department in the state where all members of the department have gone through this training . . . and I'm proud, Chief Deputy Chad Barker and the entire department.

As a physician, I'm frequently asked how can I prevent Alzheimer's Disease? I can tell you that while there is currently no cure, studies indicate that actions we take to improve cardiovascular or heart health are also good for brain health such as maintaining a healthy blood pressure, getting regular physical activity, and making healthy food choices.

When there are disasters such as floods in our state, we see neighbor helping neighbor. I would encourage all of us to think about how we can be supportive of families living with Alzheimer's Disease. Offer to pick up items at a grocery store, deliver a meal, and ask how you can be of the most help. Let's do what we do well in West Virginia, let's offer help and hope to our neighbors.

I urge adoption.

**Commemorating life and career of Coach
Joe Retton**

(Adoption of Senate Resolution 28)

REMARKS OF
**HONORABLE
ROMAN W. PREZIOSO, JR.**

Tuesday, February 5, 2019

SENATOR PREZIOSO: Thank you, Mr. President.

It's my distinct honor and privilege today to be part of presenting this resolution to probably one of the greatest coaches in West Virginia and probably America.

This past October, the State of West Virginia and, in particular, Fairmont, West Virginia, lost a legend. Iconic former Fairmont State University men's basketball coach Joe Retton passed away at the age of 87. Joe Retton served as professor at Fairmont State until the late 1980s. He was the head men's basketball coach from 1963 to 1982. During his 19 seasons with the Falcons, Coach Retton's teams compiled an impressive 478 wins and only 95 losses. He claimed 12 West Virginia intercollegiate athletic conference titles, won eight WVIAC tournament champions, and made 12 appearances in the NAIA national tournament, making it to the semifinals four times, and finishing as the national runners up in 1968.

Joe Retton's 836 [sic] winning percentage was the highest of any men's basketball coach at any level as he retired from coaching in 1982. During his time at Fairmont State University, Coach Retton was twice named the NAIA National Coach of the Year in 1969 and 1976. He was also honored as the Association [sic] Press Small College Coach of the Year in 1976. And was a six-time coach of the year selection in both the WVIAC and NAIA district 28. Coach Retton's team produced nine of Fairmont State's 12 Basketball All-American Selection. In 1987, he was inducted into the NAIA Hall of Fame and the following year was selected to the West Virginia Sports Writers Hall of Fame. He was also a member of the Fairmont State's Inaugural Athletics Hall of Fame in 1993.

A coal miner's son and a native of Grant Town in Marion County, Retton was a three-sport standout at Fairview High School who

continued his education and athletic career at Fairmont State, where he was an accomplished baseball player. After serving in Korea as a member of the United States Army, Coach Retton got his teaching and coaching start at Barrackville High School in Marion County where he compiled 147 wins, 19 losses record in seven seasons and won the state [inaudible] state championship in 1961.

It has been said that every great coach has a great woman and Joe Retton would wholeheartedly agree with that. He adored his wife of 54 years, Nancy Retton, who preceded him in death. Nancy played a significant role in Joe Retton's life's successes and was considered by many of his players to be their second mom. Retton was also dedicated to his sons, John and David, and his daughter-in-law, Angie, as well as his grandchildren, Maggie, Lucas, and Trent.

The excellence Joe Retton demonstrated both on and off the field continues to permeate in the halls of Fairmont State University. The school's successful and rich basketball tradition began under Coach Retton who will be forever remembered for the work he did for the school and for the relationships he formed there with his players, the Falcon fans, and members of the Fairmont community. Today is a testament to his accomplishments and legacy. Fairmont State University's basketball facility bears his name, the Joe Retton Arena at the Feaster Center. It's a fitting tribute to a man who loved, gave so much, and will be forever a part of athletic history at Fairmont State University and the State of West Virginia.

From Fairmont today is his son David Retton, who is the head football coach at Fairmont Senior High School. We also have President Mirta Martin, the President of Fairmont State University; Dr. Bud Sapp, who is a professor at Fairmont State University and a player for Coach Retton; we also have Coach Lambiat [inaudible]; and then we also have Coach Dave Cooper, and both Joe and Dave were a part of that team for the national runners up in '68; we have Mike Arcure, who was the assistant coach under Coach Retton; we also have Alyssa Welling; we have Chad Fowler who's the Athletic Director; Tim McNeely, the Vice President of Student Affairs; and George Levitsky; we also had a former player in this body, it was the Senator Dave Miller, who sends his regard, he couldn't be with us today.

Mr. President, it is certainly a sincere pleasure for me to be a small part of this resolution and I urge the adoption of it.

**Congratulating Doug Nuzum for winning
Earle S. Dillard Insurance Agent of Year
Award**

(Adoption of Senate Resolution 29)

**REMARKS OF
HONORABLE
ROMAN W. PREZIOSO, JR.**

Tuesday, February 5, 2019

SENATOR PREZIOSO: Thank you, Mr. President.

It's a pleasure again for me today to present my friend and long-time Marion Countian Doug Nuzum with the Earle S. Dillard Insurance Agent Award of the Year. The award is presented annually by the Independent Insurance Agents of West Virginia and to those associate member agents who throughout their career have personified the qualities most admired by the profession.

Doug Nuzum attended and graduated from West Virginia University where he met and married his wife, Donna. He's the father of four sons. He is part of the Hood Agency in Fairmont, West Virginia.

And in 1982, Doug was recognized with the Outstanding Young Man of America Award in recognition of his outstanding professional achievements, superior leadership ability, and exceptional service to his community. In 1989, he received his first designation of the Life Underwriter Training Council Fellow. And in 1982, completed his second designation of Accredited Advisor in Insurance.

I've known Doug for a long time and last night we had a chance to get together and Doug told me the story about one of the first times that he came to Charleston. He was a new member on the Insurance Board and he said that they were having a reception and during the reception there were a lot of people and as he stood there, he said that he backed into a candle and it caught his coat on fire in the back and he didn't know it. So, the coat smoldered and started to catch

fire, three little ladies looked over and said is that man on fire? And the maître d, I guess, had a big silver plate and he went over and was trying to put the fire out and as he was whiffing the fire, it was increasing in flame. And Doug said, “You know, that was the first time I came to Charleston and felt the heat. And every time I come down here, I feel the heat of the West Virginia State Senate.”

So, we’re lucky to have Doug here with us today. And, let me tell you a little bit more about Doug, he served as the President of the Professional Independent Insurance Agents of West Virginia. His community service includes work with the Boy Scouts of America, Marion County Chamber of Commerce, Marion County United Way. And I’ve had the pleasure to serve with Doug as a member of the Fairmont Kiwanis Club where he served as a past president.

Upon Doug’s retirement in December of 2017, his son Chad took over the leadership of the agency which is now the Hood Insurance Group, LLC.

Doug has demonstrated his excellence in the insurance industry and in his community. For his efforts he was presented the Earle S. Dillard Agent of the Year Award. It’s my pleasure to introduce you to Doug Nuzum, he’s accompanied by his son, Chad. And I urge, Mr. President, the adoption of this resolution.

**Congratulating Cabell Midland High School
boys’ cross-country team**

(Adoption of Senate Resolution 32)

REMARKS OF
**HONORABLE
ROBERT H. PLYMALE**

Wednesday, February 6, 2019

SENATOR PLYMALE: Thank you, Mr. President.

You know, sometimes people think that honoring state champions and everything is not a good thing to do. But I think it’s really important that we honor the student athletes that really strive hard. And, if any of you all have run cross-country—I did, I wasn’t a state champion, I was on the team because we had a very good

runner that was a state championship and they needed more people to fill the spots—so . . . this group is not that way. This group is . . .

You know, I’ve had the privilege of knowing Coach Parsons for a long time and his dedication to the sport, but to the student athletes that are here are something else. I mean right now, Yousef who is here, is also a Math Field Day second place winner in the county. So, you have very, very good students, but they’re also good at cross-country. And the fact that this is the tenth state championship . . . They were started in 1994, now everybody jokes that I’ve been here for a while, but they actually were started after I started here. I started here, being elected in 1992, Cabell-Midland High School was formed from Milton and Barboursville. These student athletes are tremendous. I watched a lot of these run in middle school. My grandson runs in middle school and actually finishes this year at Barboursville Middle, but I saw a lot of these people on the podium of winning the Cabell County, as well as moving on.

We have a St. Mary’s cross-country festival that they do at the evening that St. Mary’s Hospital sponsors. It’s one of the greatest events you could ever come to see and, I don’t know how many participants they have, Coach Parsons could tell you that, but the place is so packed there; you can’t . . . you have to, you know, park along Route 60 to be able to get into this place.

But I want to honor these students. They’ve done such a tremendous job. I congratulate them. It’s not easy to win a state championship. The state championship happens to be on their home course, but I will tell you this, if you’ve ever been to an event, they make this event special for the kids, they honor them and they let them walk through, and all the kids that finish and the state champions get to go into the gymnasium and they do such a wonderful job. That’s a real tribute to Coach Parsons and the student athletes there. I would like to thank them and congratulate them on their winning of this.

**Designating February 7, 2019, as Veterans
Visibility Day**

(Adoption of Senate Resolution 33)

REMARKS OF
**HONORABLE
RYAN W. WELD**

Thursday, February 7, 2019

SENATOR WELD: Thank you, Mr. President.

I wear a lot of labels in the world: Legislator, attorney, son, brother, but the one that I am the most proud of is veteran. And I think that I can probably speak for myself and the other member of this chamber who is a veteran, the Senator from Wetzel, although he may have worn the uniform a little before I did.

The military gave me a lot of things, it gave me lessons on leadership, it gave me lessons in responsibility, it gave me a lot. And the military takes, and I think that the folks that are surrounding the back of this chamber right now can say that pretty equitably, Mr. President. The military does take, but it gives a lot as well. And these are the faces behind you that have given to the State of West Virginia, that have given to our country, and it's why we've got this resolution today.

Mr. President, a lot of times we say, well, how can we thank veterans and what can we do to show our appreciation? And first off, let me say, and perhaps on behalf of everybody that's behind us in this chamber, that we say thank you to the nation. We say thank you for all that you've done for us, whether it be the GI bill, whether it be programs like Wounded Warrior. Thank you to a nation that has given all of that to us for what we have done.

But how do we properly thank a veteran and what does that mean and how do we do that? And I think that . . . every time I think about that, and I've said this before, I always think about the part of the movie *Saving Private Ryan*, and I'm sure that we have all probably seen that in this chamber of Tom Hanks leading the squad to find Private James Ryan in the days after the Omaha Beach landings. And when he finally finds him, they find themselves under attack and sadly enough during the attack, Tom Hanks is wounded and as he's dying, he looks at *Saving Private Ryan* and his final words were "Earn this. Earn it." And so, how do we earn it as a nation? How do we earn the gratitude of what the men and women who wear the uniform have done for us and the ultimate sacrifice that so many unfortunately have paid? And the answer to that question, I think, is not just in a thanking on Veterans Day, or Memorial Day, but by living the best life possible for yourself. Doing the best that you can do with what we've been provided for in this country by the men and women who've worn the uniform. And if that

means that you're a doctor or a mechanic, or that you volunteer at the senior center, all of us have a unique skill or talent that makes us that way and we should do the best to maximize those skills and those talents to earn the gratitude that we have been given by those who have worn the uniform, those who have paid that ultimate sacrifice. I ask everyone in this chamber and everybody listening to lead your best life every day and make your community, make your town, make your state, make your country the best place that it possibly can be because that is the best way to show the gratitude that you have for what these folks have done.

And so, Mr. President, I urge adoption of this resolution.

**Designating February 7, 2019, as Veterans
Visibility Day**

(Adoption of Senate Resolution 33)

**REMARKS OF
HONORABLE
RON STOLLINGS**

Thursday, February 7, 2019

SENATOR STOLLINGS: Thank you, Mr. President.

In discussing with our veterans that we're honoring today, found out that Charleston is going to host the Purple Heart Convention and I think it's incumbent upon us . . . and they're asking for signs coming in and out of Charleston, "Welcome to Charleston, West Virginia, Purple Heart City". It's incumbent upon us to make that happen. That's a small thing to honor people that have been wounded.

And I, too, urge adoption of this resolution.

**Designating February 7, 2019, as Veterans
Visibility Day**

(Adoption of Senate Resolution 33)

**REMARKS OF
HONORABLE
CHARLES H. CLEMENTS**

Thursday, February 7, 2019

SENATOR CLEMENTS: Thank you, Mr. President.

I'm not necessarily the eloquent speaker that my colleague from Brooke County is, but I know that serving in the military was one of the best things that ever happened in my life. And when I dealt with people throughout the time, and what they went through, particularly, the veterans from the second World War that I met . . . they served, and they served with enthusiasm. And that's not taking away from anybody.

I was in the military during the Vietnam War. I was never sent to Vietnam, but I knew a lot of people that did go, and I knew a lot of people that didn't come home. And then when the people came home, I don't think that the country realized what a sacrifice you all gave. You're here today, but we're here today as a free nation because of what you've done. Thank you.

And I urge adoption of the resolution.

Designating February 7, 2019, as Go Red for Women Day

(Adoption of Senate Resolution 34)

**REMARKS OF
HONORABLE
TOM TAKUBO**

Thursday, February 7, 2019

SENATOR TAKUBO: Thank you, Mr. President.

Go Red for Women is celebrating its fifteenth anniversary with the continued movement to motivate women to learn their family history and to meet the health care provider to determine their risk for cardiovascular diseases and stroke. Go Red has made significant progress in the fight against heart disease and strokes. The simple fact is, one in three women continue to lose their lives to cardiovascular diseases. That's a third of our mothers, our sisters, our friends.

Women are encouraged to commit to increasing awareness, speaking out about heart

disease, and empowering women to reduce their risk for cardiovascular diseases and to stand together with Go Red and taking charge of their own heart health. Together, there is nothing women can't achieve—and I fully agree with that. I know these individuals do an amazing job for the State of West Virginia and I certainly urge its adoption.

Recognizing Glenville State College and certain public school districts in WV

(Adoption of Senate Resolution 35)

**REMARKS OF
HONORABLE
MICHAEL J. ROMANO**

Thursday, February 7, 2019

SENATOR ROMANO: Thank you, Mr. President.

I stand with great pleasure and honor in favor of this resolution honoring Glenville State College and all of the surrounding counties, including Gilmer, Braxton, Calhoun, Doddridge, Fayette, Kanawha, Lewis, Nicholas, Pleasants, Pocahontas, Roane, Webster, Wood, Wirt, and Upshur, all of which who have entered into cooperatives with Glenville State College to educate teachers for West Virginia.

You know, at this time, when we're trying to decide what to do in higher education, this is a great example of the benefits that we receive from the few dollars that we hand out for higher education, what it brings to local communities in the form of economic development. Glenville State College is Gilmer County, and the benefits that they do for the entire state by educating in the areas where we need, particularly teachers at this time, and other specialties, they're able to be flexible to do that, and that's why I stand in favor of this resolution.

Thank you, Mr. President.

Recognizing Glenville State College and certain public school districts in WV

(Adoption of Senate Resolution 35)

REMARKS OF
HONORABLE
DOUGLAS E. FACEMIRE

Thursday, February 7, 2019

SENATOR FACEMIRE: Thank you, Mr. President.

You know, it is indeed an honor and a privilege to represent Glenville State College. As a little boy growing up in Sutton, we would go to Glenville and as far as we was concerned, we was going to watch the Los Angeles Lakers play.

But on a serious note, we know the problem that we have with teacher shortage in this state. I commend the President and his staff for coming up with this idea of partnering up with our county school boards to help promote teachers.

One of the things that I've always been so proud of is Glenville State College provides something that a lot of other schools can't: They provide a comfortable atmosphere for kids that grew up in rural areas. When you grew up in Sutton, or Webster Springs, or Clay, or different communities like that, the thoughts of going to WVU where you would have classes with several hundred people was a little bit intimidating. My son got his four-year degree at Glenville State, went on and got his Master's Degree at WVU. Still, to this day, he has communications with some of his professors and he's 32 years old, so he's been out for a while—says a lot about the school.

And one thing, if you ever talk to anyone who graduated from Glenville State College, they will first tell you that they got a great education while they was there, but also they become a member of an elite family. And when you go to Glenville, you will be part of that family and that's part of what they do. They educate you, they make you feel at home, and for kids coming out of rural communities, that's very important. And I'm very proud of the job and the role that Glenville State College provides for our state.

I urge adoption of this and let's go Pioneers.

Recognizing Glenville State College and certain public school districts in WV

(Adoption of Senate Resolution 35)

REMARKS OF
HONORABLE
MICHAEL J. MARONEY

Thursday, February 7, 2019

SENATOR MARONEY: Thank you, Mr. President.

I, too, stand in support of this resolution. And I'll be brief since most of the stuff's already been said. But, I would like to just recognize and let everyone know that Glenville, in not only producing valuable workforce to our state in various fields, especially the teaching field, they've also, over the years of budget cuts in the recent past, have held their tuition stable, unlike many others.

And they're also beginning to think outside the box. They have a new program they're getting ready to start, that's also going to . . . kind of go along with Senate Bill 1 in a certain way. They're trying to put people in the workforce in the areas where we need them in the workforce. They're going to need a little bit of funding. I support the funding and I support the resolution.

Recognizing Bethany College on 179th anniversary of charter

(Adoption of Senate Resolution 36)

REMARKS OF
HONORABLE
RYAN W. WELD

Monday, February 11, 2019

SENATOR WELD: Thank you, Mr. President.

It is my pleasure, on behalf of myself and the Senator from Ohio, to be able to honor Bethany College today. Bethany is the oldest baccalaureate institution in the state. It was founded when we were still a part of Virginia.

It's the birthplace of the Disciples of Christ Church. It has a long history in Brooke County and its people have a long history with Brooke County.

It's contributed a lot to our area. During World War II, Mr. President, over a thousand navy personnel were stationed there in part of a navy project that was being worked on. And it played a great role in that time period, but it's gone on to do a lot of things—I mean, even on the state level. Former Governor Underwood was a president of Bethany College. Their current president now, Dr. Tamara Rodenberg, came from Texas a couple of years ago and is an integral part of our community. On a personal note, my wife worked at Bethany College for several years and I know that she thoroughly enjoyed being a part of the Bethany College community.

And it's an honor to be able to represent an institution that has students from over 20 states, from 10 countries, that go to this college. It's a very historic institution. They've got two properties located on the campus that's absolutely gorgeous that are on the National Register of Historic Places. It's got a special place in the heart of the Northern Panhandle and I am very glad that they're here today.

A special thanks to one of our interns, Mr. Darren Johnson, who is a Bethany student, he's done a terrific job of getting this resolution together, working to get all of the information and getting everybody down here from the school. So, I appreciate his efforts, not just on this, but he's done a great job for the Senate.

So, I urge adoption.

Recognizing Bethany College on 179th anniversary of charter

(Adoption of Senate Resolution 36)

REMARKS OF
**HONORABLE
WILLIAM J. IHLENFELD II**

Monday, February 11, 2019

SENATOR IHLENFELD: Thank you, Mr. President.

I would just like to stand in support of this resolution and express that Bethany College is one of the Northern Panhandle's best kept secrets and one of the state's best kept secrets. It is a wonderful institution, first-class education for students, not only from here in West Virginia, but across the country and around the world. The list of alums from that institution are incredible . . . so many people that have done great things throughout the country and throughout the world. It's something that we're very proud of in the Northern Panhandle.

And, it's a—as Senator Weld said, the Senator from Brooke County—a beautiful campus. And, on a personal note, it's a place where I've spent a lot of time, not as a student, but many friends of mine have attended there and my daughter has played volleyball there on a number of occasions. So, I've spent a lot of time on that campus and I enjoy every time I'm here.

So, I would urge adoption of this resolution.

REMARKS OF
**HONORABLE
CRAIG BLAIR**

Monday, February 11, 2019

SENATOR BLAIR: Thank you, Mr. President.

I went home this weekend, it felt good. I seen some road construction—and this is what this message is going to be about, is road construction and the potholes. I had one short applause there which you're not allowed to do. I want to talk about that a little bit.

Something is wrong. Look, we passed the road bonds, and we increased the taxes on the different levels to be able to make it so that we could afford the bonds. But keep in mind we haven't sold all the bonds. And that means that we're collecting that money and the roads aren't getting fixed, it's not being applied to the bond right now, it's excess revenue coming in. It's not taking place. Maybe some places are better than others, but I've witnessed it. And you see the construction going on on the interstates and there's a lot of work being done, one of the roads that I travel, they just finished the bridge up, but this is contract work.

Mr. President, I want to make an argument to you and the members in here, that we need to get every county superintendent down here in front of us and get them to explain to us what's going on, because it can't be a shortage of money. Now, I've heard it said, well, it's a shortage of asphalt because it's being used elsewhere or the aggregate that they use to make asphalt. But I'm not buying that either. I'm not buying that for a minute. It's not that hard to go out here—and I'm not talking about major changes in the highway—what I'm talking about is fixing these potholes and the slips that are taking place out here. Some of them are absolutely terrible and have been there for a significant amount of time. I'm calling on the Governor's Office to look down through that chain of command and, frankly, I don't believe it's Secretary Smith, I think it goes further down . . . we need answers. The people over West Virginia are expecting us to fix the problems that we have in West Virginia. Well, apparently, this is a big one . . . and we've known about it, but we've put the resources in.

This is what's aggravating me more than anything. We know that we put the resources in to be able to do the bond and they didn't even sell the first bond so they had extra resources in the Department of Highways to be able to manage our roads—pay as you go, so to speak—and there's still some of that “pay as you go” money available to be able to fix these potholes. And it's not taking place. I can't tell you the last time I seen a dump truck with some asphalt on it and a couple of guys with shovels out filling potholes—haven't seen it nowhere where I've traveled through the State of West Virginia, but now I do get to see commercials of Dominos, I believe it is, where they're patching potholes and putting their name on it. Something's got to give, Mr. President.

I don't care if we extract money out of the Department of Highways, go to the counties, the county commissions, and say hire private contractors to go out and manage this. Because it's not getting done. The people expect it to get done. I believe that all of us in this body expect it to be done. The time has come. I don't care how we go about doing it, whether it's a committee process, although that moves too slow . . . but my good friend from Marion warned me about Committee as a Whole, that people would be using it for one thing or another, but I would make the argument that that is another good one where all 34 of us could actually bring them in here, ask the hard questions, get the hard answers so that we can make the right decisions along with them to

better serve the people of West Virginia. 'Cause, I clearly don't believe it's a funding shortage. When you talk about bridges and things like that, that's one thing, but there's something going on and we've put into place, where pay increases, the hiring practices to make it so that it can be expedited. We have done good work from that standpoint, but we're not seeing the results of what we thought was the good work to be able to make this happen. The Governor's Office hasn't come up here and said, “Hey, I need this or I need that.”

Something is wrong, Mr. President, and we're going to have to take the initiative ourselves, that's why I made the argument just now for the Committee as a Whole. Why not? It worked out well. Line them up in here and we're going to . . . the good ones will get to hear from the bad ones and the bad ones will get to hear from the good ones. We're going to find out why these potholes are not getting filled because it makes no sense to me. Let's say there is a shortage of asphalt. These companies run at night also, making this asphalt. You mean to tell me that we can't get a couple of dump trucks full of asphalt in each given area where they can go out at night and have a backup truck with the lights flashing and everything and you clean that hole out and pack it in there and take care of that. I believe that that can be done and we've dedicated the resources to be able to do that, but it's not happening. It must happen. And we must make it happen, Mr. President. Nobody else is doing it, so it's incumbent upon us. Let's we as a Senate body do that and solve this problem. The people expect it from us.

Thank you.

REMARKS OF
HONORABLE
RANDY E. SMITH

Monday, February 11, 2019

SENATOR SMITH: Thank you, Mr. President.

You know, I couldn't let that go. I echo the gentleman's remarks from the fifteenth. I went back this weekend and traveled several, several secondary roads—and, like I've been saying for a long time, we've got a crisis and it's a crisis. The one road had ducks in the potholes on the one road that I traveled in the northern part of

Preston County. And I was in Mon County and the senators from Mon County, you know, it's just unbelievable the population in that area and the tax money coming out of there that we have allowed those roads to get in the shape that they are. But, we're in crisis and we've got to do something and we have to do something quick because, you know, we can come down here and pass any economic bill we want to, any education bill, any bill, tourism, or whatever, and it's not going to do a bit of good if we do not fix our secondary roads, our infrastructure . . . and it's only fair to the taxpayers in our state that travel these roads. A lot of these people in our district never hits the interstate, you know, maybe on a weekend or a couple times a month, or whatever, but they have to deal with these secondary roads continuously. And I'm telling you, I can understand why they're mad because I'm mad, too, because I'm traveling the same roads a lot of the times.

And I just . . . I couldn't agree with the gentleman from the fifteenth, you know, we're going to have to do something and we're going to have to do it fast. And we've got to get serious about solving this problem. We've been kicking the problem down the road too long. This didn't happen overnight. It's been going on for several years now. You know, sometimes I feel like I should have been a preacher as much as I preach about the roads and broadband, but that's another subject.

But, I just hope that . . . you know, I liked the Committee of the Whole and getting people down here that's, you know, that . . . and find out why, why we can't get these fixed. You know, the people that's . . . if, you know, if it's not their fault, if it's the people above them, we need to find out what the problem is and we need to get it fixed. We need to stop the bleeding.

And, you know, the people was promised on this road bond, you know, the road bond money was supposed to go for new construction, replacing bridges, building new roads, and that's what was said, and I get that, but it was also told to us in these meetings that we had in our counties that it would free up money for secondary roads because money that was being allocated for these projects would be freed up when this road bond money came available. And we haven't seen any of it. I mean our roads are getting worse, they're not getting any better. So, I can understand why our constituents are upset and getting mad because they've have been misled from the

beginning and I just feel it's time that we do something about it because everything else we do, I feel, isn't going to matter unless we take care of this problem.

Congratulating Herbert Hoover High School softball team for winning 2018 Class AA State Championship

(Adoption of Senate Resolution 38)

**REMARKS OF
HONORABLE
COREY PALUMBO**

Tuesday, February 12, 2019

SENATOR PALUMBO: Thank you, Mr. President.

I rise in support of this resolution to congratulate the 2018 Herbert Hoover state softball championship team. It's the second consecutive championship that this team has won.

They're led by Coach Missy Smith and Assistant Coach Jamanda Rollyson. Missy Smith was the MaxPreps National Coach of the Year, so it's not very often that we have a coach in West Virginia that receives an honor as the National Coach of the Year.

Their record was 33-0 this year, and the team was actually ranked fifth in the whole country. Top team in West Virginia, but fifth in the entire nation for softball. The team also achieved the grade point average of 3.84, so they're not only doing fantastically well on the softball field, but also in the classroom.

And this is a group of young ladies, Mr. President, as you're aware, that's been fighting through adversity since the June 2016 flood. They're not in a permanent school, they continue to be drug along and not in a new building, and they're still thriving in adverse circumstances.

So, Mr. President, I urge adoption of this resolution and congratulations to this fantastic group of young ladies.

REMARKS OF
HONORABLE
MICHAEL J. MARONEY

Tuesday, February 12, 2019

SENATOR MARONEY: Thank you, Mr. President.

Mr. President and senators, today is Hospital Day at the Legislature. My comments will be brief. But with us we have visiting a number of hospital representatives and health care professionals from across the state. If you have a hospital representative visiting you from your local community, please take a moment to thank them for the services they provide. They're there 24 hours a day, seven days a week, 365 days a year to care for our health, our family's health, and our friends' health.

Hospitals play a critical role in improving the health of our citizens annually in West Virginia. Here are some annual totals just to be quick: They treat 7 million people in their outpatient departments; 1.2 million in their emergency room departments each year; deliver 19,000 babies in West Virginia each year; and care for over 227,000 as inpatients each year. Hospitals also play a role in developing our workforce, have numerous instructional programs that provide for a wide range of services in technical and professional careers. Lastly, they play a big role in our state's economy. Hospitals employ more than 46,000 people in our state and contribute about \$10.5 billion to West Virginia's economy.

So, I would just like to point those numbers out and let everyone know important our hospitals are to each and every one of our communities and give them the recognition they deserve today.

Thank you, Mr. President.

REMARKS OF
HONORABLE
PATRICIA PUERTAS RUCKER

Tuesday, February 12, 2019

SENATOR RUCKER: Thank you, Mr. President.

I rise today to speak of something that is important to Jefferson County and the entire Eastern Panhandle of our state. I offer my remarks because I am often reminded that what goes on in the Eastern Panhandle is not always adequately communicated to the rest of this state and the rich history of Jefferson County is sometimes not known. The subject of which I rise today relates to the passage of Senate Bill 13 (*Relating to distributions from State Excess Lottery Fund*), and I am grateful for all the legislators who supported that.

The county seat of Jefferson County is Charles Town, the site of the trial of John Brown, who was famous for his raid of Harper's Ferry. But many people do not know that the reason for why Charles Town has its name is because the brother of George Washington lived in Charles Town . . . and it was this same brother who ran the very first race in Charles Town in 1787 right down the main street. Today, the Charles Town Races has more than 1,000 thoroughbreds domiciled in our state. In modern history, we have been racing in Charles Town since 1933, that's 86 years. Fifty years ago, Barbara Jo Rubin made a historic ride when she became the first female jockey in America to win a race against men at a nationally recognized racetrack in the United States.

These thousands of thoroughbreds represent thousands of jobs. We have veterinarians, people who take care of the stables, people who run the stores. This is a very important business in Jefferson County, and one that helps the State of West Virginia.

Some of you may not know that in 1995 the Legislature enacted legislation to provide for the racetrack video lottery and with that came the modern-day business model for West Virginia's thoroughbred racing industry. The purpose of the legislation at that time was stated to be: To preserve live racing in our state and promote the sustainability of green space that was so critical to agribusiness. In 1995 when it started, 14 percent of those revenues were directed by statute into a purse fund. In 2004, the Legislature reduced that to seven percent. In 2004, the reduced revenues represented by the seven percent income was also reduced by another 10 percent in what has been termed as the "haircut bill". The impact of that loss has been thousands of dollars. For the farmers and the people who work on the farms, we have been dramatically

reduced and our ability to be able to compete and to keep these important people in our state.

So, I want to thank all of you to finally right this wrong and treat them the way that they deserve, as an important business in West Virginia that helps us and helps our state to prosper, and especially in Jefferson County.

Thank you.

**REMARKS OF
HONORABLE
ROBERT D. BEACH**

Tuesday, February 12, 2019

SENATOR BEACH: Thank you, Mr. President.

Ladies and gentlemen, as maybe you'll recall last year towards the end of the session, I began speaking about a project, Health Smart Card, here within this chamber. And I've had small conversations with the gentleman from Berkeley in regards to this last year and again this year just briefly. Well, the legislation has come upstairs and it's here on my desk. And so far, I've attracted signatures from both sides of the aisle.

But I just want to go real quick through a couple of things that the Health Smart Card would do, and keep in mind, it's the size of your debit card that you carry around in your wallet right now. And when you go into your physician's office, you slide the card across to them, your physician or your nurse practitioner will scan the card, you punch in your four-digit pin, which only you know, and then you move forward. All your data about your health is right there online available for your physician to take a look at.

But the bill, aside from that, does a lot more. You know, it's promoted in a way that it's technology based. So, what we're trying to do is to reduce waste, fraud, and abuse within our Medicaid program. And more importantly, it also helps us do live tracking, real time availability, of drug use of our Medicaid recipients.

I have, like I said, I solicited some signatures already, I have left my name off of the top of this, and I say that because this bill means so much to me that, if anyone on this side of the

aisle, that side of the aisle, would like to sponsor the legislation, be the lead sponsor, I'm willing to recede from my position to allow you to do this because it means that much to me. I think it means a lot to West Virginia and the money that we can save in DHHR and Medicaid here in the State of West Virginia.

But again, my idea is just let's get this moving. It's a quality piece of legislation and I'm looking for more signatures. And I'm going to leave it here in my desk—you may see me carrying it around the hallways later today . . . but I hope I can count on all of you to jump on board and let's see if we can't move this forward for West Virginia.

Thank you, Mr. President.

**REMARKS OF
HONORABLE
STEPHEN BALDWIN**

Tuesday, February 12, 2019

SENATOR BALDWIN: Thank you, Mr. President, I appreciate it.

I'd like to invite my colleagues on a field trip tomorrow. You know, it's not going to be as scenic as the field trip that the Senator from the Sixth invited folks on there recently to go off-roading in Jeeps, but it might be a wild ride, nonetheless.

I want to invite you to a drug test. There's a form that's placed on everybody's desk here this morning. It's the form that you can fill out and bring with you to the drug test tomorrow. It's going to be administered here at the capitol between 10 a.m. and 2 p.m.

You know, when I was a teenager, started work, I had to take drug tests as a condition of employment—so I've gotten used to it over the years. But, still, to many folks there's a stigma attached with testing . . . we need to end that stigma because testing does not mean that you're a bad person. It shows that you are accountable to your community, to your employer, to your state. It's a vital tool in helping get folks clean and get them back to work and life in their community.

You know, we pass legislation frequently which requires drug testing for employment, for

scholarships, and for more. And I think it's important that we lead by example. By taking the same drug test that we increasingly require from our citizens in order to keep their jobs, we can hold ourselves to the same level of accountability that we ask of them.

The tests are being offered by the West Virginia State Building and Construction Trades Council and it's administered by Nursing Corps as you see here on the form . . . it's a group that's been doing random drug testing for decades along with their affiliated contractors. Actually, I was very interested to learn that the Charleston Building Trades and Kanawha Valley Builders Association have been together for 25 years and they have cut their drug rate usage to two percent now—just two percent test positive, which is much lower than the national average. How are they able to do that? Because of random drug testing, random drug testing equates to accountability. Those, like the council, who are randomly drug testing their workers are able to keep a good pool of trained, drug-free workers ready to go.

You know, I've had a bill for several years requiring drug testing of legislators which some folks think is just, you know, a joke. It's not a joke. I'm quite serious about it because I believe in accountability . . . and I believe testing provides accountability that helps keep our population clean.

Now, tomorrow, as I said it's a field trip, it's voluntary, but I would ask you to go. Some of you have asked me about this—I won't mention any names—have asked privately what happens with the results. And, if you were to test positive, you would be contacted by the Nursing Corps and they would ask if there's any reasonable medical explanation for it. Council keeps all of those results private but they are going to release a general list of the numbers of legislators who participate, how many pass, and how many fail, and they'll do that next week.

So, Mr. President, thank you for your time. I would invite the body to take this as an example to lead by example. I'm going to go be tested tomorrow and I invite anyone to come and join me.

Thank you.

REMARKS OF
HONORABLE
DAVE SYPOLT

Tuesday, February 12, 2019

SENATOR SYPOLT: Thank you, Mr. President.

Today is February twelfth and 210 years ago there was a birth of a man who was credited much with the birth of our state—it was Abraham Lincoln. He's had many quotes over his life and many people have revered him as a very wise man, but we came across a quote in the newspaper this morning, in fact, I didn't even recognize it was his birthday until I saw this and it was brought to my attention—I guess I've been a little bit distracted this year. I don't claim to say when this quote was made. I know it was early in his career, maybe early in his political career. It says: Upon the subject of education, not presuming to dictate any plan or system respecting it, I can only say that I view it as the most important subject, which we as a people can be engaged in.

Now, all of us in the Legislature are aware of the bad news that we read about our education system in West Virginia. We know where we rank, we've seen the NAEP scores and a host of other negatives. It's all over the place. But there is good news, Mr. President. We recognize where much of the problem lies and the fact that we've put together a comprehensive education bill is proof of that.

There's even more good news, we've recognized by ranking of the states that money is not necessarily the problem. We dedicate nearly \$13,000 per student per year to our education system. That puts us relatively high. We're ranked sixteenth in the nation among other states, well above the median. What lies before us is the job of putting that money to good use in the most effective ways possible. We have landmark legislation ready to go, and if we have the courage to act on it, it's there. If we work together and we're not afraid to bring our school system into the twenty-first century, we have the means to succeed.

Now, from a simple perspective and understanding, I have many times characterized the West Virginia education system in this way: We have our students forming a foundation; we have service personnel, professional educators, and other professionals in the schools; we have school administration, we have principals, we have boards of education for every county in the state; we have a Department of Education, we have a Board of Education, we have a Superintendent of Schools and, if you look at

that graphically, it forms, approximately, a pyramid. We grow from the bottom up and I think that everyone accepts that as how education in West Virginia is delivered. It's kind of a top down process. But I contend to you—and I've said this for many years, maybe people aren't listening, maybe they don't care what I have to say—but I think that pyramid's the wrong way, we need to turn it upside down. We need to put the bottom of the pyramid at the top, the students have to be the most important, they have to be the top, the base has to be the top, we have to take their needs into account first. We just need the resolve and we have to have the political will to get this done. And I think that we will get it done.

Thank you, Mr. President.

Designating February 14, 2019, as Tiny Hearts Day

(Adoption of Senate Resolution 43)

REMARKS OF
**HONORABLE
TOM TAKUBO**

Thursday, February 14, 2019

SENATOR TAKUBO: Thank you, Mr. President.

The West Virginia Chapter of American Academy of Pediatrics is a nonprofit organization of more than 290 private-practice pediatricians, generalists, specialists, medical school faculty, pediatric trainees, nurse practitioners, physician assistants, public health practitioners, and administrators across the entire state of West Virginia. The mission of the West Virginia Academy of Pediatrics is to attain the optimal health and well-being of all infants, children, adolescents, and young adults by uniting and educating pediatricians and facilitating effective partnerships between pediatricians and other child experts and advocates. They work tirelessly for the prevention of major threats to children's health, including the management of chronic diseases, but also fighting the obesity epidemic ravaging our state, personal injuries, communicable diseases, and other child health problems that just can't be managed in the office alone.

In 2019, they have legislative priorities that include improved access to care, including care for vulnerable populations such as those in foster care and kinship care; maintaining strong immunization laws; obesity prevention and treatment; raising the legal age of purchase of tobacco to 21 and promoting tobacco cessation especially among the young kids; addressing the opioid epidemic and its impact on children; and firearm injury prevention.

The West Virginia Chapter of American Academy of Pediatrics will continue to put our kids' health first and be a voice for vulnerable children and families throughout West Virginia. They do a heck of a job and I am very proud to urge adoption of this resolution.

Designating February 14, 2019, as Tiny Hearts Day

(Adoption of Senate Resolution 43)

REMARKS OF
**HONORABLE
RON STOLLINGS**

Thursday, February 14, 2019

SENATOR STOLLINGS: Thank you, Mr. President.

I also rise in support of this resolution. These people are truly on the front line for protecting our future, the future of West Virginia, our children. They have passed out basically a blueprint, if you would, that the Junior Senator from the Seventeenth eloquently described. Folks, we really need to follow this blueprint to the degree we can. This Tobacco 21 issue is a very important issue. We know that one in five high school students is currently a tobacco user and 95 percent of smokers start before the age of 21. And adolescent brains are particularly vulnerable to nicotine addiction.

We also know that the vaping aspect has gone up some 500 percent, so that people in middle school and high school are vaping like crazy.

And you know we have a role to play. Let's pay attention to what West Virginia's pediatricians are telling us. Let's have the

bravery to pass some of this legislation that they're pushing very hard for. And it's a great honor to support the resolution.

**Recognizing Cabell Midland High School
Marching Knight Band**

(Adoption of Senate Resolution 45)

REMARKS OF
**HONORABLE
ROBERT H. PLYMALE**

Thursday, February 14, 2019

SENATOR PLYMALE: Thank you, Mr. President.

And, on behalf of the Senator from Cabell, we are really pleased to have them here today. Let me give you a couple things of their accomplishments. The band has won 102 marching band grand championships, six Marshall University Tri-State Marching Band Championships, and three national band grand championships. Now, you understand that they were only started in 1994 as a school. It has excelled in in-state as the feature for 13 years at the Joyful Night celebration at the State Capitol and is the eight-time winner of the West Virginia Black Walnut Festival Honor Band award. And they've been named the West Virginia State Marching Band Invitational Honor Band for seven consecutive years and are the reigning State Marching Band Champions. I'd like to congratulate them for all their hard work.

Let's also talk about . . . remember that students that participate in extracurricular activities such as band, and, in particular, band, excel academically and this group does that as well and I want to congratulate them for that as well, too.

Thank you.

**Recognizing Cabell Midland High School
Marching Knight Band**

(Adoption of Senate Resolution 45)

REMARKS OF
**HONORABLE
MICHAEL A. WOELFEL**

Thursday, February 14, 2019

SENATOR WOELFEL: Thank you, Mr. President.

I just want to echo the remarks of my Senior Senator from the Fifth. I'll also mention that two dynamic educators are with this group. Naturally, they're going to be in the back and not in the front . . . that's the principal, Lloyd McGuffin, and the director, Tim James, each of whom has devoted many, many years to the betterment of our youth.

Finally, Mr. President, I tried to prevail upon Commissioner Randall Reid-Smith to give that trophy to you because I think that's about the biggest trophy I've ever seen, but they're going to hold onto it.

**Designating February 15, 2019, as
Corrections Day**

(Adoption of Senate Resolution 46)

REMARKS OF
**HONORABLE
CHARLES H. CLEMENTS**

Friday, February 15, 2019

SENATOR CLEMENTS: Thank you, Mr. President.

Over the past two years that I've been in the Senate, I've been honored and privileged to work with these wonderful people as we went through a total reorganization of the corrections system within it. I've learned a lot of respect or gained so much respect for these people that are here, Secretary Sandy, Commissioner Jividen, and so many people I wouldn't want to continue to name them. But they do a wonderful job of a very difficult task.

When you stop and look at what they have to concern themselves, now with the jails that we have within our state, the prisons, the parole

boards, the communities, the people that are out there, they do a good job and we're doing everything we can to provide the resources that these people need to continue their great work.

Commissioner Jividen is the Commissioner of Corrections and she is leading the delegation that is here today and we also would like to say that receiving this citation today will be Officer Eric Dotson. He was a correctional officer at the North Central Regional Jail, he suffered severe injuries in a horrific 2015 traffic crash following a hospital transport. After enduring multiple surgeries, Officer Dotson was determined to return to duty. His grit and commitment have been an inspiration to the entire department. He is being honored later today with a special freedom award for distinguished service.

So, when we talk about, a lot of times, I don't know how to say this for a lot of these people, but we have a program called *Dirty Jobs*, but I've never seen him go to a prison that I know of and do what they have to do in our jails and prisons. They have been grossly underpaid over the years and I think we are addressing that issue now and I want to see these people receive the due credit that they deserve and I ask adoption of this resolution.

Congratulating Spring Valley High School volleyball team for winning 2018 Class AAA State Volleyball Championship

(Adoption of Senate Resolution 47)

REMARKS OF
HONORABLE
ROBERT H. PLYMALE

Friday, February 15, 2019

SENATOR PLYMALE: Thank you, Mr. President.

On behalf of myself and the Senator from Cabell we only represent four high schools, but I'll have to tell you this is the one that's in the heart here because this is the school where my kids graduated from. So, it is really a pleasure for me to have Spring Valley up here.

This is their third state championship; and they were only created and started . . . their first graduating class was in 1999. Having been

involved in the construction of about every facility there, I was very much honored to be one of the first people in the Spring Valley Hall of Fame when we did the building of all of the facilities. But what has really . . . I get great pride in, is the success of the kids that have come out of there and, particularly, these young women. The fact that they've been very dominant this year, they were 61 wins, 1 loss, and 3 ties. Now, I do know that the one loss I think was from Cabell Midland, but they beat them in the state championship. That just shows you the quality of volleyball in the Huntington area and in the state as well. They've won five regular season tournaments, the Mountain State Athletic Conference Championship, sectional championship, state championship. It is a team that was extremely dominant, and they also have young ladies that are going on to further their careers and that's a testament to the coaches, the past coaches, and the present coaches . . . how well they've done and how well they've succeeded.

They've become a dominant force in volleyball in a very short period of time. And I want to congratulate them and on behalf of the Senator from Cabell and myself, we are very proud to have them here but me especially because I live in Wayne County in this area and that's where my kids . . . my oldest daughter was actually in the first graduating class, and then I had . . . my other daughter was in 2001, and my son in 2004.

So, glad to have you here and glad to honor you.

Congratulating Spring Valley High School volleyball team for winning 2018 Class AAA State Volleyball Championship

(Adoption of Senate Resolution 47)

REMARKS OF
HONORABLE
MICHAEL A. WOELFEL

Friday, February 15, 2019

SENATOR WOELFEL: Thank you, Mr. President, I'll be brief.

Let me just recognize the exceptional coaches in the front here, Hannah Bailey and

Cadara Shreeve. But I also want to mention Joy Bailey, Hannah's mother, who really is an exceptional volleyball coach. She paved the way for some of the successes that these young ladies have achieved. I wish she could have been here today, she couldn't make it. Also, I'll point out what exceptional academic performances these young ladies show us.

Thank you.

Congratulating Spring Valley High School volleyball team for winning 2018 Class AAA State Volleyball Championship

(Adoption of Senate Resolution 47)

REMARKS OF
**HONORABLE
MARK R. MAYNARD**

Friday, February 15, 2019

SENATOR MAYNARD: Thank you, Mr. President.

The Senator from Mercer and myself can't take credit for Spring Valley being in our district, but the Spring Valley district does extend into our sixth senatorial district, so we can take credit for the students attending Spring Valley and I want to congratulate them and my home county is Wayne and I'm very familiar with the school and just my congratulations and I urge its support.

REMARKS OF
**HONORABLE
CHARLES H. CLEMENTS**

Friday, February 15, 2019

SENATOR CLEMENTS: Thank you, Mr. President.

We recently had discussion and just passed on second reading Senate Bill 266, which dealt with the Intermediate Court. And I know that I had offered in Judiciary an amendment to allow the oil and the gas disputes to go directly to the State Supreme Court and bypass the Intermediate Court if it is approved. And . . . I fought with myself as

to whether to reintroduce that resolution at second reading today and, actually, I had a second chance as it was on second reading yesterday but, the thing that changed my mind, and I think this is important that we realize and whether our actions last year with passage out of this body, 34 to nothing, and out of the House of Delegates, 96 to 2 with 2 absent, of Senate Bill 360 had anything to do with this. It is that EQT has settled a lawsuit for \$53 million over the, what they considered to be, you know, the court determined that they had short changed the royalty holders and the landowners and people quite a bit of money. And I was very encouraged when I read this one paragraph in this news release from the *MetroNews*. It says, "EQT is working diligently to resolve this matter with our leaseholders and earn their confidence as well as that of the state of West Virginia's residents and community leaders," EQT's CEO Robert McNally said in a media release on the company's website. "This was an opportunity to turn over a new leaf in our relationship with our West Virginia leaseholders and this mutually beneficial agreement demonstrates our renewed commitment to the state of West Virginia."

I was encouraged by that. That was what tipped me over to say I'm not going to reintroduce this. I think that maybe we are beginning to see that we can co-exist together with the gas development and the people and, above all, I'm very pleased to see that at least one company, and I'm sure most of them are already in that position, want to become better corporate citizens in the State of West Virginia.

Mr. President, I applaud the action of EQT and their relationship with the State of West Virginia.

Thank you.

**Designating February 18, 2019, as
Pancreatic Cancer Awareness Day**

(Adoption of Senate Resolution 48)

REMARKS OF
**HONORABLE
RANDY E. SMITH**

Monday, February 18, 2019

SENATOR SMITH: Thank you, Mr. President.

In 2019 an estimated 56,770 people will be diagnosed with pancreatic cancer in the United States—and 45,750 will die from the disease. Pancreatic cancer is one of the deadliest cancers. It's currently the third leading cause of cancer deaths in the United States and it's projected to become the second leading cause around 2020.

Pancreatic cancer is one of the deadliest cancers with a five-year relative survival rate in the single digits at just nine percent. Seventy-three percent of pancreatic cancer patients die within the first year of being diagnosed, while 91 percent of the patients die within the first five years. Approximately 300 deaths will occur in West Virginia in 2019 alone.

One of the less than 20 percent of patients diagnosed with pancreatic cancer who was able to have the Whipple surgery is our own John Homburg, who is a current bill drafter for the West Virginia Legislature and retired as the Director of Legislative Services in 2014.

While overall cancer incidences and cancer deaths are declining, the incident of pancreatic cancer and death rate for pancreatic cancer patients have been increasing. The number of new pancreatic cancer incidents have been increasing and it's projected to increase by 55 percent by the year 2030.

Mr. President, I urge passage of this resolution.

Designating February 18, 2019, as Advanced Technology Center Day

(Adoption of Senate Resolution 49)

**REMARKS OF
HONORABLE
PATRICIA PUERTAS RUCKER**

Monday, February 18, 2019

SENATOR RUCKER: Thank you, Mr. President.

Mr. President, today some of West Virginia's brightest innovators from BridgeValley Community and Technical College and Pierpont Community and Technical College are here demonstrating their amazing work. BridgeValley and Pierpont are teaching the next

generation of tech innovators and preparing them for success in today's competitive tech industry. These two institutions are providing students with cutting-edge technology in the classroom, excellent career development, and getting them ready to compete in the twenty-first century. Thanks to the outstanding staff, faculty, administration of these two institutions, West Virginia is being redefined as a tech center.

I am proud to stand and share my support on Advanced Technology Center Day. And I just want to point out this is one of the many things that we're hoping to expand with Senate Bill 1 and I hope that that's going to get passed out of the other house.

Thank you, Mr. President. I urge passage of this resolution.

Congratulating Fairmont Senior High School football team for winning 2018 Class AA state football championship

(Adoption of Senate Resolution 50)

**REMARKS OF
HONORABLE
ROMAN W. PREZIOSO, JR.**

Monday, February 18, 2019

SENATOR PREZIOSO: Thank you, Mr. President.

Ladies and gentlemen of the Senate, Fairmont Senior High School has a rich and storied history of academic and athletic accomplishments. Today, it's my honor to introduce you to the Fairmont Senior High School 2018 Class AA state champions. This was truly an amazing season. This Fairmont Senior High School football team had a 14-0 season record. They beat Weir—my colleague from Hancock—in the semi-finals; Bluefield in the finals.

Not only was their record pristine, statistics they recorded were astonishing. Fairmont Senior High School won by an average of 50 points per game, 50 points per game. They only gave up an average of 10 points per game. What's more amazing, they've never trailed in any quarter

throughout the entire season. Their offense scored 696 points and totaled 6,287 yards.

Fairmont Senior High School senior class is the winningest in school history with an overall record of 46-8, which included one state championship, two conference championships, three championship game appearances, one semi-final appearance, and back-to-back Big Ten Champions.

This senior class had five players continuing their college careers and I would like for the individual to step forward:

Quarterback, Connor Neal, set the school career and season records for completion, percentage yards, and TD passes, he is also the 2018 Kennedy Award Winner, Mr. West Virginia Football;

Brothers, Elijah and Exavier Posey, tied the school record for interceptions with six each; Exavier Posey set the school record for punt returns, he returned three punt returns for touchdowns;

Placekicker, Frank Smith, couldn't be with us today, but he set the single school record for most points by a kicker, most extra points attempted and made, and most field goals made.

The team had four All-State selections: Connor Neal, Rhett Heston, Elijah Posey, and Zach Frazier, four All-State selections.

They also had 10 conference selections: Connor Neal, Rhett Heston, Elijah Posey, Exavier Posey, Magnus Sheets, Jake Pitman (just happens to be my neighbor, where's Jake?), J. D. Smith, Zach Frazier, Nat Kowalski, and Dom Owens.

This Fairmont Senior High School football team is led by Coach Nick Bartic. Where is Nick—step up here. Nick was selected the 2018 Big Ten Conference Coach of the Year, has been coaching for 12 seasons, two of which he's head coach, and his head coaching record is an overall coaching record of 26-2.

I want to take a little bit of executive privilege here—Nick comes from a rich football history. His father, Martin "Sonny" Bartic, is with us today. And Martin was on the NAIA 1967 Fairmont State national champions. Martin is truly an All-American.

I don't know if any of the assistant coaches are here today, but I would like to name them for all the hard work that they did. They are: Mike Mainella, Mark Sampson, Tyler Phillips, Adam Pethel, Donnie Retton, Paul Kettering, Geno Guerrier, Vincent Delligatti, Nick Hedrick, Troy Bigelow and Ben Taylor.

Ladies and gentlemen, this Fairmont Senior High School football team is a shining example to all West Virginians what can be done, what can be accomplished with dedication, commitment, and teamwork.

It's sincerely my privilege to introduce to you the 2018 Class AA State Football Champions, the Fairmont Senior High School Polar Bears.

Mr. President, I urge the passage of this resolution.

Congratulating Fairmont Senior High School football team for winning 2018 Class AA state football championship

(Adoption of Senate Resolution 50)

REMARKS OF
**HONORABLE
RYAN W. WELD**

Monday, February 18, 2019

SENATOR WELD: Thank you, Mr. President.

You know, I would never oppose one of these resolutions, but I am going to have to stay neutral. My stepfather is the coach of Weir High, who this team, I think we'll call it "steamrolled" in the semi-finals, 59 to nothing back in November. But my stepfather did pay you guys the highest compliment and said that—he's been coaching since the seventies—and said that you guys were the toughest team that he's ever coached against. Played you twice and you beat him twice, once in the regular season and once in the playoffs.

So, congratulations guys. It's really an honor to have you guys here with us.

Comprehensive education reform

*(Passage of Eng. Com. Sub. for
Senate Bill 451)*

**REMARKS OF
HONORABLE
TOM TAKUBO**

Monday, February 18, 2019

SENATOR TAKUBO: Thank you, Mr. President.

I stand today to support this bill—and I just am incredibly disheartened about what’s happened over the past few weeks here in the Senate because our children should be the one wrap-around that we can all get behind. You know, get politics, move it aside, forget party, our children should be the one thing that we can all get behind.

Now, last year, teachers felt that they were underpaid—and I agree completely. I think we all did. The only disagreement last year is we had just come out of a major, major budget recession where both sides sat many nights, late nights, trying to cut \$50 million out of Medicaid, our most vulnerable of citizens in our state, and we were trying to have to pull \$50 million from those people. But we made cuts, we made changes, we boosted our economy and, last year, we had about a \$27 million surplus. The pay raise last year was about a hundred plus million dollars. We had to figure out where that money came from. But we agreed a hundred percent with our teachers who were concerned that they were paid at the bottom of the scale. They were ranking forty-seventh, forty-eighth, forty-ninth in teacher pay. And we agreed with them and so we pushed everything we could to give them a raise last year and we’re trying to do so again this year.

But we’re trying to do something else this year, Mr. President. Our students are also ranking at the bottom, our students are also forty-seventh and forty-ninth, and it’s time to do something about our kids. So, what I would ask any parent, tomorrow, when they’re trying to figure out how they’re going to have to get someone to watch their children because the teachers have decided that they disagree with what the Senate is trying to do, I would like them, when the parents go and ask them to explain to them what part of the 20 components

of this bill was so detrimental that you felt you had to shut down education and shut down academics for my child? Was it the five percent additional pay raise when the Senate understands that it is imperative that we get our teachers and service personnel up to competitive salaries with our neighbors so that they’re not encouraged to go across state lines and leave this state, that’s about a \$65 million price tag that the Senate is trying to help with?

Number two, was it the \$2,000 math bonus for teachers? When the Senate realizes that our kids are finishing forty-ninth in math consistently for decades . . . maybe those in this chamber that are fighting so hard against this bill have a feeling of guilt, because they did have the opportunity to make those changes. I remember looking back at the budget when we were in those crises and looking back just about 20 years ago when, within a couple of years, we had a billion-dollar excess. And I looked and, during those years, teachers and service personnel didn’t get a single dime in pay raise. Maybe it’s because our kids, 70 percent have to take remedial classes when they graduate high school trying to go into college because they still aren’t proficient in math.

You know, I’ve gotten texts and emails from teachers, of all people, saying, “Well, that’s not going to do anything.” Well, it’s better than doing nothing, Mr. President. It’s a start.

Maybe number three, when we gave more flexibility to the counties for salary supplements so that when that county knows they have critical needs areas, whether that be special ed, or whether that be science or math, when we gave those counties the additional funding far and above to recruit those teachers to take care of the kids . . . so, when they stand up here and they say, “Oh, this bill doesn’t help children,” I would disagree.

Number four, when we talked about a \$250 tax credit for school supplies, we heard time and time again, and we know it for a fact, my mother was a teacher, I’ve heard those stories, I know for a fact she did this: You see a kid without shoes, and—well, this is more for school supplies—but you see a kid without backpacks, and protractors, and things that they need, they get out their pocketbook, and they dole that out. This gives them a little bit, \$250, of that money back.

Number five, when we give a \$500 bonus . . . The State Superintendent says we’ve got a

problem. You know, our teachers are missing 14.7 or so days a year. How can they be teaching when they're not in the classroom? So, we understood that, and we tried to put a bonus, a \$500 bonus if you miss four days or less. We understand that everybody has to have doctors' appointments and you have to have some days off, but, for striving for that attendance, we try to bonus them.

Number six, voters approve regular school levy increases. We know that the local control is the best thing. We are the only state, Governor Manchin understood that, Governor Tomblin understood that . . . But, we are the only state that has all the control right here in Charleston. Why is it that legislators in Charleston should be telling somebody on the opposite end of the state what their county needs in terms of education? We try to give that control back.

Number seven, open enrollment. If a parent and a student feels that a better school across the county line, and that school is willing and able and has the seats available to take them, why can't they have that option?

Number eight, \$24 more million for student support and personnel. I would like the teachers to tell the parents when they're striking tomorrow, when I have heard time and time again that, "Guys, you don't understand, school is not what it used to be. Drug epidemic has ravaged these kids, they're from broken homes." We've heard that, and we're trying to do something about that. We've placed a school counselor, a social worker, a nurse into every school in this state and we've provided an additional \$24 million to do that to try to help.

School attendance changes . . . when children are truant we gave more latitude to school boards to try to reach out to those. Maybe its foster, we have an incredible foster, or maybe it's other guardians because they don't have parents to try to help those children get to school.

When we've put in the school aid formula to maintain 1,400 students to make sure that all counties have funding to maintain their schools, to maintain their buses.

This is what somebody voting "no" for this bill is voting "no" against, Mr. President.

This is, I guess, what I would ask to the teachers if you are from these counties. If you're from Berkeley County, you're saying why

where you against Berkeley County receiving \$3.2 more million in our county schools to help with education, help fix the problems that we're talking about? If you're from Braxton County, why would you strike because the Senate's trying to give you \$650,000 more to your county education? If you're from Cabell County, \$938,000; Doddridge County, \$1.57 million; Greenbrier County, \$307,000; Harrison County, \$661,000; Kanawha County, \$1.48 million additional dollars; Marshall County, \$1.6 million; Mason County, \$420,000; Monongalia County, \$1.9 million. If you're striking in Putnam County, \$2.2 million; Ritchie County, \$2.7 million; Tyler County, \$3.8 million; Upshur County, \$227,000; Wood County, \$80,000; Wyoming County, \$1.1 million. Is that what they're striking about tomorrow, Mr. President?

Number twelve, it clarifies that work stoppages can't affect the 180 days, those teachers are contracted for 180 days. If they choose to strike, there's not a person in this state that expects to get paid if they purposely walk off the job. Now, if those teachers make it up, absolutely they should be paid. And that's what the bill says. No extracurricular activities if they choose to voluntarily strike. What message are we sending to our children that we're trying to stress the importance of academics and education and this is going to be what brings them out of poverty, if it's okay to cancel academics, but it's not okay to still go play ball in the evening?

Number thirteen, maybe it's teacher input on student promotion. Who knows better than a teacher if a student has achieved academic success and needs to move on? What benefit are we possibly giving that child when we advance them knowing that they can't read or they're not proficient in math to go to the next grade level? We're giving that power back to the teachers.

Public charter schools. A cookie cutter doesn't help everybody. We've heard arguments here tonight that what you do for one should be done for all. We have a problem of education in this state, and its multi-factorial. It's not . . . you can't point in any one direction. But the one thing we do know is that 44 states, Puerto Rico, D. C., have all implemented charter schools and they are all having great success. Are every single charter school having success? No. Is every single public school having success? No. But, as a whole, they are succeeding. I've talked to 20 plus legislators across the country. They all, Democrat or Republican, said they do work,

your kids will succeed. That is a tool that will help your children succeed. We don't need to pilot it; the country already piloted charter schools . . . and they've worked. They are working.

Is it the ESA account so many teachers told me, said, "You don't understand because there are so many special needs kids in our classrooms that they're so disruptive that we can't teach." And that's truth, that's truthful. If you have a very disruptive group, how can you teach, how can you expect the other ones to learn? So, we've tried to provide a mechanism for special needs children so those parents who understand that their child may not be the best fit in a public school system has some help. Well, the argument here tonight is, "Well, so what, at \$3,300 is not enough. You might as well give them nothing." Is that the argument? Because that's what I've heard tonight. There is no argument otherwise that we should to anything different.

**REMARKS OF
HONORABLE
ERIC J. TARR**

Tuesday, February 19, 2019

SENATOR TARR: Thank you, Mr. President.

Today in Putnam County, we had students and parents come in to school. They got there without bus drivers and the schools there were staffed, I'm told, with a little over half their staff today. And the ones that were not there, there was not enough there to prepare food, so we had principals fixing breakfast—I assume they're probably fixing lunch, too. They'll be in school there all day.

And I tell you one of the things in being from Putnam County, as anywhere in West Virginia, we're in small communities, and you can go anywhere and see anybody you know so you get to hear things directly and indirectly. And the rumor mills go and, especially when there's miscommunication, whether by intent or just by the nature of a rumor that goes through a community

So, yesterday, we had an amendment that if it would have been in order that was proposed that legislators would not make money from the

education bill. And I've been in favor of that because one of the rumors is—which is comical enough to me—is that Eric Tarr was going to start a charter school. So, I got texts from friends with laughs and the LOLs saying are we starting a charter school now? And, you know, anybody that knows me, knows that I'm not going to start a business that's not for profit. So, in this bill, only charter schools can only be started if they're nonprofit. I have no experience in nonprofit. I have no intention whatsoever of starting a charter school, don't have an interest in being in that business.

But what I do have a strong interest in, as apparently much of the staff in our schools in Putnam County, and much of the parents in Putnam County, is having a school system that has an opportunity to grow to attract jobs to West Virginia and attract businesses to West Virginia so that we can grow the profit of our communities, grow paychecks, grow salaries, give people money to buy homes with. That's what education ultimately does.

I want to applaud, I want to take this moment to sincerely and from deep in my heart show the appreciation I have for that Putnam County community keeping their schools open, honoring our children, and honoring our parents, and doing their job.

So, Mr. President, thank you for the moment to speak.

**REMARKS OF
HONORABLE
MICHAEL J. ROMANO**

Tuesday, February 19, 2019

SENATOR ROMANO: Thank you, Mr. President.

You know, we've had a tradition here, at least since the few years I've been here and under your leadership and that of President Cole, that, you know, once an issue passes we try to let it go and move on to the next thing. And I wasn't going to stand today but, you know, there's thousands of teachers in the hallways today who are educators, and who, you know, life and education is education. And, they're not here because they want a pay raise, and they're not here because they're not getting enough money; they're here because they think the bill we

passed yesterday wasn't a good bill. And they don't think it is going to provide opportunities for our students or better wages for our students and, for that reason, they're here exercising their right of protest.

Now, we may agree with them or disagree with them, but one thing I know is we're not educators. One thing I know is there's nobody in this room that has been an educator in the public school system the way those folks out in the hallway can, and have. And I think we ought to take a good listen to those people that are out there and think about what we did yesterday. And I don't take the pride that some of the other members take in that bill and, certainly, I want that said and in the record.

Thank you, Mr. President.

**REMARKS OF
HONORABLE
DOUGLAS E. FACEMIRE**

Tuesday, February 19, 2019

SENATOR FACEMIRE: Thank you, Mr. President.

Boy, we've heard some nice things today. You can get on your machine and you can find an article that will say anything you want it to say. You can take any position you want to about liberties and freedoms, but you know what I've found about most people that really talk about liberty and freedom . . . it's their type of liberty and freedom. If you disagree with what they think, then you're against liberty and freedom.

Now look, the problem that we have here is, as legislators, we tried to put onto something that we don't know anything about. Isn't it funny that by the thousands our educators think this is bad? You know, I just wonder what would happen if the Legislature started trying to legislate medical procedures? Well, they would think that we were crazy. We're not qualified for that. And what this all comes down to—let's just call it for what it is—ALEC wanted the Republicans to push this, so they did. They're pushing it all around the country, whether it's good, bad, or in-between, that's what we've got here.

But the problem is in the midst of all of us bickering and carrying on, are we really worried about our children, or are we worried about our

agenda? If this charter school is such a good thing, why would we not just use those same rules in all the schools? Why wouldn't we want to try to bring all the children? The senator talked about New York City, that's great for that one third, what about the rest of the kids in that school? No one seems to be talking about them, no one seems to care about the kids that are going to be left behind. And how would you like to be a teacher in West Virginia today, when all you hear is how bad it is?

Well, let me just tell you something that I do know: I've got three kids. They all went through the school system in Braxton County, from kindergarten on. They went on to college—first kids in our family to go to college. They all ended up with master's degrees. Now, if this education is so bad, how did this happen?

But one thing I do want to close with in saying, we do have liberties and we do have freedoms and it is our responsibility, but it's also our responsibility to respect the rights of other people to disagree with us. That's the most important thing. But for us to sit here and talk about how bad the teachers are, and how bad this is, and how bad it is . . .

Look, let's be honest, the problem we have in West Virginia today is parenting. And I don't know how we legislate parenting. Whenever a child can stand up and cuss a teacher and the teacher can't do anything about it, you bring the parents in, the parents want to jump on the teacher . . . that's our problem. But carving out a system where kids with good parents can send their children at the cost of everybody else, I don't see anything fair, and I certainly don't see the liberty to that.

Thank you.

**Recognizing WV State Police on its 100th
Anniversary**

(Adoption of Senate Resolution 52)

**REMARKS OF
HONORABLE
RYAN W. WELD**

Wednesday, February 20, 2019

SENATOR WELD: Thank you, Mr. President.

The West Virginia State Police are the sixth oldest police agency in the United States. The agency was established a hundred years ago by an act of the state Legislature and the agency, like the state, was born in an era of political unrest and violence. The country was beginning to feel the impacts of World War I and trouble was nearly unavoidable.

In a very hotly contested battle in the Legislature, the State Police bill was passed by the House on March 24, 1919, passed by this body on March 29, and signed by Governor Cornwell into law on March 31. Three months later, Governor Cornwell appointed the first Superintendent of the West Virginia State Police, Jackson Arnold. Arnold and Cornwell worked together to quickly create the expectations of the quality of those they sought to join the agency. Then, good men of character—now, good men and women of character—tact, intelligence, and capable of maintaining neutrality. The fundamentals of the State Police agency operation must be politeness and service. The first trooper, Sam Taylor, was enlisted on July 24, 1919. By the end of November, 121 men were selected and assembled for duty. Today, there are more than 1,000 state troopers in 63 facilities across the state.

The West Virginia State Police houses and maintains various statewide law-enforcement entities such as the State Police Forensic Crime Lab, the Criminal Identification Bureau, the Automated Police Network System, and the Intelligence Exchange.

This year, the West Virginia State Police celebrates 100 years of service, serving our citizens with integrity, fairness, respect, honesty, courage, and compassion.

Mr. President, as an Assistant Prosecutor in Brooke County, I got to know many troopers in the Northern Panhandle and I can that the words that I just read rang true for all of them and the way that they handled their job and the way that they served the people of West Virginia. And I am certain that the same can be true for all of the men and women that we have in the back of the chamber right now. All of the members of this body know that on any given day while we're here in service to this state, we have at least two troopers in the back in service to us. And they stand there for as long as we're debating on the

floor, and as long as we're debating bills, and they don't even get to vote, but they have to listen to us the entire time; and I always respect that, and I always respect their dedication to their job and the people of this state.

So, I am happy to be a part of this resolution and I urge its adoption.

Recognizing WV State Police on its 100th Anniversary

(Adoption of Senate Resolution 52)

**REMARKS OF
HONORABLE
DOUGLAS E. FACEMIRE**

Wednesday, February 20, 2019

SENATOR FACEMIRE: Thank you, Mr. President.

Some of you know, and some of you don't, that we operate a trucking company that trucks all over the United States, Canada, and Mexico. And from time to time, I get in one of the trucks and go and from occasions I get the opportunity to talk to troopers in other states and sometimes it's not for a good reason, but, nevertheless, we always talk about West Virginia and our troopers. And the one thing that's always impressed me, regardless of what state I go to, the West Virginia State Troopers are respected by the rest of the troopers. They talk about our Academy, our training, and so on. And it makes you feel good when you're from West Virginia and probably getting ready to get a ticket anyhow, and at least say something good, but it's always struck me of how they respect our state troopers all over the country. And that says a lot.

I urge adoption of the resolution.

Recognizing WV State Police on its 100th Anniversary

(Adoption of Senate Resolution 52)

**REMARKS OF
HONORABLE
ERIC J. TARR**

Wednesday, February 20, 2019

SENATOR TARR: Thank you, Mr. President.

I get a little bit of a different perspective with the state troopers. Being a physical therapist, I've got to be able to treat several of these guys when they're off duty. And, one of the things that really has impressed me when I see them off duty is the professionalism of this group and where their heart is in their service. And so, you know, you really see the character of a person when they don't know somebody's watching. Well, when you're in a physical therapy environment, it's a fun, social-type thing and your guard's down. I can tell you, I have never found a reason not to have the utmost respect for these men.

So, I thank you for what you do, you put your life at risk, you put your limb at risk. I am very proud to support this resolution. Thank you for being here.

Recognizing WV State Police on its 100th Anniversary

(Adoption of Senate Resolution 52)

REMARKS OF
HONORABLE
RANDY E. SMITH

Wednesday, February 20, 2019

SENATOR SMITH: Thank you, Mr. President.

I'd feel I'd let them down if I didn't get up and speak about the group. I've got to be really good friends with a lot of them because I go back in the back of the gallery on occasions and at the beginning of the session and harass them a little bit. I'm always teasing them about making sure they keep an eye on the north gallery, that's the only gallery that can get to me. And, you know, we rib each other a good bit about the West Virginia car inspections, about them going to amend it that we can use gorilla tape as well as duct tape—and they had concerns about using the cheaper duct tape.

But what I'm getting at is this group here is probably, if not the, one of the most professional

groups we have in this state. Now, I've been stopped by them several times—and I'm not bragging, and I'm not complaining either—but they've always been professional. You know, I've had to deal with them a couple of times with deaths and it doesn't matter which situation we're in, they always have the professionalism. I mean it's always, "Yes, sir. No, sir. Yes, ma'am. No, ma'am," and a lot of time in their line of work, I don't know how they keep that professionalism with some of the people that they have to deal with because they deal with the people that we don't want to deal with and they keep their professionalism. And they're just a great group and I'm, you know, proud to call of a lot of them friends now, and I got to meet them not on bad circumstances, so that even makes the friendship a lot better.

But, I just wanted to stand up and just say how much I do appreciate them on and off the job. Like I said, they're a good group of people and they got voted "Best Looking Trooper Cars in the United States", so that says something for them right there. I mean they drive some pretty nice vehicles. So, with that being said, I urge adoption.

Recognizing WV State Police on its 100th Anniversary

(Adoption of Senate Resolution 52)

REMARKS OF
HONORABLE
WILLIAM J. IHLENFELD II

Wednesday, February 20, 2019

SENATOR IHLENFELD: Mr. President, my time with the State Police goes back many decades. And I think back to when I was about 12 years old and there was some criminal activity going on on my street back in Ohio County, and it wasn't common to have what, very apparently, was drug trafficking going on on my street. But there was an investigation, and then there was a bust, and the green cars pulled up and my dad said to me, "Son, don't worry, the State Police are here, it's going to be taken care of." And we stood out on our porch and we watched as they went in and arrested the bad guys and took them away.

So that was my first impression. And then fast forward about 13 years, I became an assistant prosecutor and I worked with this agency for nearly two decades. And it is the premiere law-enforcement agency in our state and not only do they keep our roadways safe, but they are relentless in going after drug traffickers and violent criminals and monitoring and tracking down sex offenders. It's this agency that keeps us all safe and this body needs to make sure that it supports this agency as much as it possibly can. It's harder and harder for the State Police to recruit, it's hard for all police agencies to recruit new officers, so we need to make sure that we support them as much as we possibly can. They've got a target on their backs, what they do is dangerous. They run into situations that all of us would run from and so we need to make sure we keep that in mind as we serve in this Senate. And so, I would urge full support of this agency and adoption of this resolution.

Recognizing WV State Police on its 100th Anniversary

(Adoption of Senate Resolution 52)

**REMARKS OF
HONORABLE
GREGORY L. BOSO**

Wednesday, February 20, 2019

SENATOR BOSO: Thank you, Mr. President.

I have the privilege of having a unique association with this particular group as compared to most of the people in this body. We get to call ourselves "emergency first responders". As a firefighter, I've been out at three o'clock in the morning, two o'clock in the morning when you're having to tear a car apart to remove a young victim of an auto accident. Those are the tragedies that we get to see together. And I've had an opportunity over my 40 plus year career as a firefighter here in West Virginia to be able to work at some really difficult situations, very difficult times. Yes, they're very tough, they're very proven, they're very professional but one of the things that I've learned about this elite group of people is that they have a heart. And they hurt in very unique ways in those very difficult situations, whether it's on a car accident scene at two o'clock in the morning, or whether it is a mother who has

been beaten severely by a partner in a situation. After they walk away, I've seen the tears and the heartbreak on their faces. They have a heart. And they do this because of their passion and because of their love for their fellow human beings.

Ladies and gentlemen of the West Virginia State Police, on this one hundredth anniversary, I salute you.

Mr. President, I urge adoption of this resolution.

Recognizing WV State Police on its 100th Anniversary

(Adoption of Senate Resolution 52)

**REMARKS OF
HONORABLE
PAUL HARDESTY**

Wednesday February 20, 2019

SENATOR HARDESTY: Thank you, Mr. President.

I would be remiss if I didn't take this opportunity to stand up in support of this resolution. I also have a different perspective with respect to this agency, my son-in-law is a proud member of the West Virginia State Police and we're very proud of him and what he's accomplished.

As I look in the back of the room, I've got a lot of friends back here, male and female members of this great organization. And what comes to mind is these are the three "Cs" with the State Police; they have character, they have compassion on their fellow men and women across this state. When they don't have these green uniforms on, they're active participants in every community in which they live and we appreciate that. And lastly, the third "C", they have class, first class.

I appreciate what you all do for all West Virginians every day, putting your lives on the line, going into the toughest conditions possible, and delivering a consistent product. And for that, I'll always be indebted to each and every one of you.

I urge adoption of the resolution.

Recognizing WV State Police on its 100th Anniversary

(Adoption of Senate Resolution 52)

REMARKS OF
HONORABLE
ROBERT D. BEACH

Wednesday, February 20, 2019

SENATOR BEACH: Thank you, Mr. President.

You know, the gentleman from Nicholas said the words “first responders”. And I can remember on numerous occasions in my lifetime when these guys were the first responders. In the late sixties, I had an aunt who was kidnapped, these were the first responders. In the early seventies, tragedy hit our family with the Blacksville Mine Disaster, these were the first responders. Even a home fire, as the gentleman mentioned, of another family member, these were the first responders. And I can name occasion after occasion after occasion when these guys were there.

So, for us to take 100 years to celebrate, may seem like time has really passed, but I’m glad we’re all here to take advantage of that opportunity right now to celebrate this time with these folks.

I urge adoption, Mr. President, ask for the yeas and nays.

Recognizing recent increase in black lung cases in WV

(Adoption of Senate Resolution 53)

REMARKS OF
HONORABLE
RON STOLLINGS

Wednesday, February 20, 2019

SENATOR STOLLINGS: Thank you, Mr. President.

In my day job as a physician and a geriatrician, I see a lot of miners and retired miners and they have trouble breathing. We are seeing an increase in black lung and an increase in massive pulmonary fibrosis. The studies are backing that up. We’re not exactly sure why. Maybe we’re taking more rock than we used to and maybe we’re not wearing our respirators as much as we should but, nevertheless, it’s certainly on the rise.

I’ve also seen people with really bad looking x-rays that tell me they’ve gone for a black lung evaluation and they said, “Yeah, you have black lung but not enough to get any award for it.” And that’s very disheartening because they have really bad black lung. I’m talking massive pulmonary fibrosis. What turns out that basically we’re not looking at the x-ray anymore as a reason for an award. It’s just based on what’s called the FVC (forced vital capacity) or the FEV1, which is the amount of air that comes out of your lungs in the first second, or a ratio, or diffusion studies. And a lot of that measures obstructive airway disease more than restrictive airway disease, which is what black lung is.

So, I’ve spoken to a lot of people and, including folks at the school of public health, to try to keep a check on this and we have bills in our Senate here that we could help them with, and, particularly, Senate Bill 260 (*Eliminating prohibition on permanent partial disability awards based solely on diagnosis of occupational pneumoconiosis*), basically brings back in the x-ray as a possibility to consider for a black lung award. So hopefully, hopefully, that’ll be looked at, hopefully passed. So sometimes, it takes severe lung disease, severe black lung, before people can get an award. And autopsies even show black material in the airways causing this obstruction. So, I certainly want this Senate to do what it can for our hardworking coal miners, retired coal miners, and urge adoption of this resolution.

Recognizing recent increase in black lung cases in WV

(Adoption of Senate Resolution 53)

REMARKS OF
HONORABLE
TOM TAKUBO

Wednesday, February 20, 2019

SENATOR TAKUBO: Thank you, Mr. President.

I also stand in support of this resolution. My day job also puts me in contact with these individuals on a daily basis, and it is one of the most sad, disheartening things I see because there's really nothing that can be done for them, to be honest. We can always care, we try to help with symptom relief, but, as the Senator from Boone spoke, the medicines that we have typically used just don't work and once you watched these gentlemen that put their backbones into absolute back-breaking work for many, many, many years has to just sit and suffer. And we watch their lung function slowly deteriorate to the point that oftentimes the only thing that we can offer is lung transplantation. And, by the times they retire and by the times other health conditions have progressed, they may not be a candidate for that. And so, the pendulum has swung a little too far in this state.

These gentlemen oftentimes are proud, they don't want to ask for help, but they need it. And I agree that I hope this legislation passes. I certainly support this resolution and for bringing attention to the problem.

Recognizing recent increase in black lung cases in WV

(Adoption of Senate Resolution 53)

REMARKS OF
**HONORABLE
RANDY E. SMITH**

Wednesday, February 20, 2019

SENATOR SMITH: Thank you, Mr. President.

I stand in support of the resolution. Many of you know, this July will be 40 years for me as an underground coal miner. And, you know, I have black lung. I've had it about 15 years, I guess. It's been 15 years since I was diagnosed with it. And I can tell you it's not fun. I mean, I'm still, you know, basically, what they call the early stages. But I know I have grandchildren now and I know just as something as simple . . . just, you know, a few weeks ago I went sled riding with

them. And, you know, it's an awful feeling not to be able to get the air you need and . . . it's a terrible disease. Like I said, I've been in, this will be 40 years and I've lost a lot of friends to black lung and it is, it's a terrible disease, you know, and I'm relatively young. I mean don't ask my grandkids or anything, they think I'm an old man but, you know, I'm only 58, and . . .

You know, and I think a lot about what it's going to be like in another five years or another 10 years, if I make it that long. And anybody here that's ever got their breath knocked out of them, that feeling, I mean, believe it or not at one time I played football, I only weighed 115 pounds, but I was a tough 115 pounds, and, you know, I had my breath knocked out of me. And that's sort of how you get, you just get periods of time where you just can't, it's like you can't get enough breath and it's a bad feeling.

And, you know, this bill we're talking about isn't something, you know, drastic or whatever. It's just basically taking it back to what's fair, you know, using the science. You know, I go every year to get a breathing test where I blow into a tube and, you know, if it's a good day, I can blow pretty good in the tube, and if it's a bad day, you know, I struggle with it.

But it's a terrible disease and, you know, and I'll be the first one to admit, a lot of it, I was young and dumb and, you know, you're indispensable and you don't take care of yourself like you should, but that's still, you know, no excuse not to try to make, you know, these peoples lives, as they get older and it really affects them, you know, to get them some kind of help to, you know, basically, a lot of times to just pay bills. I mean we're not talking about buying vacation homes or whatever. It's just so you can take care of yourself and take care of your family.

So, with that being said, Mr. President, I urge adoption of the resolution.

Recognizing recent increase in black lung cases in WV

(Adoption of Senate Resolution 53)

REMARKS OF
**HONORABLE
BILL HAMILTON**

Wednesday, February 20, 2019

SENATOR HAMILTON: Thank you, Mr. President.

I fully support this resolution and Senate Bill 260 (*Eliminating prohibition on permanent partial disability awards based solely on diagnosis of occupational pneumoconiosis*).

I want to take this on a little bit different path. You know, black lung doesn't discriminate; whether you're a union miner or a nonunion miner, it affects everybody in the mines. And I remember about 13 years ago, United Mine Workers rescue teams answered a call to Sago in Upshur County. They didn't ask a question: Is this a union mine or a nonunion mine? They came. They were one of the first rescue teams on the grounds of Sago and now they're asking us to do something, recognize them, and recognize that black lung is a problem and we need to pass these two bills.

Thank you.

Recognizing Mike Webb for more than 50 years of dedicated public service

(Adoption of Senate Resolution 55)

REMARKS OF
HONORABLE
CHARLES H. CLEMENTS

Thursday, February 21, 2019

SENATOR CLEMENTS: Thank you, Mr. President.

I've known Mike Webb for many years now and he and I spent over 25 years together on a football field on Friday night, but his contribution has been much more than what went on on Friday night.

He's a graduate of St. Marys High School in St. Marys. He's a teacher, coach, administrator at St. Marys High School. He taught at Bruceton Mills, Parkersburg High for over 30 . . . and has taught at the collegiate level for 11 years.

Mike still resides in St. Marys, but his work off of the field is what's been important. He's done a great job in trying to develop our football

officials throughout the State of West Virginia. It's a difficult job to recruit; it's a difficult job to keep them, and it's a difficult job to train them well. And Mike has done every bit of that.

His work with the SSAC cannot be . . . I just can't express in words what he's done. He makes sure that all of the playoff games are properly staffed with officials, he goes around the state looking at the football fields and everything to make sure that they meet all the standards that we expect. It's not just a fall job, it's year around. And he has been very instrumental in keeping safety, safety in the game of football, as we know it today.

He has served on the NFHS high school football rules committee. He has been our voting representative with that association for many years and he has just recently decided it was time to retire. So, we're going to miss him. The state is going to miss him. He's done a tremendous job in keeping the game of football, as we know it today, safe.

Mr. President, I urge adoption of this resolution.

Designating February 22, 2019, as WV State University Day

(Adoption of Senate Resolution 57)

REMARKS OF
HONORABLE
GLENN D. JEFFRIES

Friday, February 22, 2019

SENATOR JEFFRIES: Thank you, Mr. President.

West Virginia State University is nationally recognized for its quality education and outstanding teaching. It was founded as a historical black college by the state Legislature on March 17, 1891. West Virginia State University is one of two land grant colleges in our state. Some may not know that the military education became an important part of the school in 1899. West Virginia State has graduated more than 900 second lieutenants and 15 generals. In 1954, the United States Supreme Court handed down the historical decision on school segregation and West Virginia State

College quickly became integrated. That process was recognized as a model for the country for the substantial enrollment increase.

Today, West Virginia State University offers 72 academic programs, 23 bachelor degrees, and seven master degrees. The West Virginia State Extension Service works in 38 counties with 20,000 people a year. West Virginia State University contributes greatly to our economy in biotechnology and other research, winning more than \$17 million in funding. For each dollar the state invests in the university, it returns \$16 in economic activity, with an estimated output of \$254 million each year.

West Virginia State has alumni around the world, including the Tuskegee Airman, Colonel Spanky Roberts; NBA legend, Earl Lloyd; Presidential Medal of Freedom recipient, Katherine Johnson, who inspired the award-winning film *Hidden Figures*.

I looked at the university's comments on Facebook page and they include:

Legacy, who said: Most of the success I've had in life today was built upon the foundation at State. I'm most thankful for meeting my wife and getting married at 19. We graduated together and have been married for 18 years.

Brittany, a current student, said: I transferred from West Virginia Tech and absolutely love this college. The professors truly care and you receive great information to help in your career field.

A proud mom, Terry Lee, said: Graduating was a lifelong dream for my son. He served in the Army National Guard, worked as a coal miner until the mines were shut down. He decided to re-enroll in college with a wife and two children to support. At age 38, he graduated with a Bachelor's of Science with highest honors.

West Virginia State University is a growing, thriving part of West Virginia's higher education. It's a community of students, outstanding facility, and staff who are devoted to excellence.

Mr. President, I urge passage of the resolution.

Designating February 22, 2019, as WV State University Day

(Adoption of Senate Resolution 57)

REMARKS OF
HONORABLE
RICHARD D. LINDSAY II

Friday, February 22, 2019

SENATOR LINDSAY: Yes, Mr. President, I'd like to speak to the resolution.

The Senior Senator and I are lucky to represent West Virginia State University as our constituent here in Kanawha County.

A couple of more things that I'd like to add that I think are important. As a former student athlete, this is really important. According to the most recent data, the 218 student athletes at West Virginia State University, over 130 of them carry a GPA of 3.0 or better, which is just amazing and tremendous work, and in doing so, they were not only able to compete in the classroom but on the field as well. They won titles and tournament recognition in women's tennis; softball; baseball; men and women's basketball.

Not only that, West Virginia State University is a tremendous resource for Kanawha County. They have a STEM afterschool program over at Mary C. Snow and, as I understand it, may be working with Nitro Elementary as well.

And finally, I would just like to add, not only do they have graduates like Katherine Johnson and Colonel Roberts, but my predecessor and our colleague, Ed Gaunch, Commerce Secretary, is a graduate of West Virginia State University as well.

So, thank you all for being here today. I'm happy to honor you.

Requiring entities report drug overdoses

(Passage of Eng. Com. Sub. for Senate Bill 520)

REMARKS OF
HONORABLE
WILLIAM J. IHLENFELD II

Tuesday, February 26, 2019

SENATOR IHLENFELD: Thank you, Mr. President.

I stand in support of this bill. For six years, I worked in the U. S. Attorney's Office and we struggled to get our arms around this problem, worked on it every day. And, while we were doing a great job prosecuting cases and working with prevention and treatment and recovery, we never really could get our arms around where the problem was and we worked with DEA agents and high-ranking members of the federal government and we always struggled to get a clear picture on where the problem was, not only within our state, but within our country. And I racked my brain daily to try to find some way to find, to use technology to figure this problem out. And I talked to IT people and it always came with a huge price tag on how to really truly map this problem.

And then one day in 2016 I was in a meeting in Greenbelt, Maryland, a drug task force meeting, and it was the Washington/Baltimore HIDTA, and they put up on the screen a new application, a new smartphone application that would help to track overdoses in this region of the country, and it was like an epiphany. I couldn't believe that what I had been trying to do, what I had been trying to find resources to put together, had already been created. And that was a couple of years ago and now other states have started to adopt this exact program and legislate it and we're doing the same exact thing here today. And so, what does this do for us by requiring . . . ? What we're doing with Senate Bill 520, it allows us to really see the problem. If we can't see the problem, we can't fix the problem. It allows us to collect data on a real time basis, it allows law enforcement and prevention and recovery, the head of our Drug Control Policy Office to really look at the problem and understand where it exists in all corners of our state. It comes with predictive analytics. This tool will help us to know what's coming, so if there is a bad batch in Baltimore, we know that it might be on the way to Martinsburg or Charles Town or other parts of the Eastern Panhandle. It also allows us to collect this data and use it to apply for federal grant funding.

This bill allows us to do something with this drug problem that we've never done before in this state, and that is to leverage technology. That's one thing that the bad guys can't do very well, and it's something that we should be doing

each and every day, and that's leveraging technology. This bill does just that. The best part about it all is that it comes with no cost. There's no cost at all to this technology, it's provided to us for free, the training's free, the technology's free.

And for all of these reasons, I would urge adoption.

REMARKS OF
HONORABLE
ERIC J. TARR

Wednesday, February 27, 2019

SENATOR TARR: Mr. President, I would be remiss if I didn't stand up and speak to the resolution that we just passed and the family that came down for Mike Shaw. You know, I commented to his son, Michael, down there and said that we have such big shoes to fill because of the résumé that previous guy read off with this resolution is an incredible résumé of public service.

I've got a chance to . . . actually, since Mike passed, when Mike passed, I started getting texts like crazy. I was sitting here, actually, when the messaging started coming through and I thought that that was pretty fitting. You know, he's a couple of times removed, my predecessor, to sit in this seat and he represented Mason County, and, Mr. President, representing your district as well.

Mike came from Mason County and many of the people there that are still very much in public service, they worked with Mike in so many different capacities, and I got to speak to a lot of them over the past couple of weeks. And even here, when those texts started gotten through . . . there's, you know, Senator Boley actually served with Mike. You know, so she started mentioning it as well, is this true? So . . . And the conversations went from there.

And what it's all reminded me of is that the impact that we make. So, when you have somebody who actually takes their role seriously here and pays attention to what we do and realize the long-lasting impact that we make on a community . . . The message that really has hit me in all the communications I've had, is the impact that Mike made. His friends, right off the bat, when I called back, I said we'll probably be recognizing Mike's service in the Senate, I said,

“Is there anything you’d like me to know?” And I had to tell them, I said, “Look, I’ve got just a few minutes, cause you know how [inaudible] life gets rushed here”, and then, legitimate, few minutes. There are so many stories that I got to hear about Mike and his family, about his service, and about his commitment to West Virginia.

I only hope that the service that I provide in this Senate seat honors the commitment that he had to it.

So, Mr. President, I appreciate you allowing us to do this resolution and there’s a lot more to be said and I’m sure I wouldn’t do it justice. But, thank you for letting me address the Senate.

REMARKS OF
HONORABLE
ROBERT H. PLYMALE

Wednesday, February 27, 2019

SENATOR PLYMALE: Thank you, Mr. President.

You know, I did not serve with Mike, but I had dinner with him a number of times, and actually had quite a few conversations. And, the Senator from Cabell and I actually represent to the Mason County line.

And, I will tell you that the word “commitment” is being used, but I would also add in two that I think fit him very, very well, “a gentleman” and “a scholar”. A person that his word, what he told you, was his bond and that was . . . and if you can say anything about anybody that ever serves here and then leaves here and you can make those statements about them, I think that’s the greatest tribute you can give them.

**Creating offense of impaired operation of
motor vehicle placing nonpassengers at risk
of physical injury**

*(Passage of Eng. Com. Sub. for
Senate Bill 105)*

REMARKS OF
HONORABLE
MICHAEL A. WOELFEL

Wednesday, February 27, 2019

SENATOR WOELFEL: Thank you, Mr. President.

Let me just say first thanks to the Judiciary Chair and his staff and the Senator from Wetzel, who added an amendment to make this a much better bill. This does arise from a horrific event in Cabell County where a lady shot heroin into her arm and then lost control of her vehicle and ran into a playground. Fortunately, no one was hurt. But, it will in fact, add under these circumstances to nonpassengers, third parties, whether they be children, adults, you know, anybody in the community, it will add an enhanced penalty for that outrageous set of circumstances and I urge passage.

REMARKS OF
HONORABLE
ROBERT H. PLYMALE

Saturday, March 2, 2019

SENATOR PLYMALE: Thank you, Mr. President.

Members of the body, I want to say that this is the history and all the documentation on Beech Fork. I was going to go through this today, but I’m not.

I just wanted to say thank you from the people of Cabell and Wayne County, in particular, and the six members that represent that area here . . . is the people have been telling me all they want is a voice and a chance to get this lodge and this conference center. In the amendment that we approved yesterday to House Bill 3140 (*Relating to the Division of Natural Resources Infrastructure*) and, with the Commerce Secretary agreeing to this process, will allow us that opportunity for our voice to be heard. And if we can make the right plea and decision and come up with a financing package that’s right, it will be done. There is \$3 million there in the bonding right now that we can put as a part of a package along with doing a road and some different things like this.

And speaking on behalf of all of the other five, I personally want to say thank you to this body for allowing us to do this. And this is a process that I think will work, but we will have the next six or eight months to find that out.

Also, I want say thank you to the Finance Chair, who we had talked about this before and was very willing to work with us in some way, but I think we've set a pathway forward that will include the citizens, include the county commissions, and we can get to where we need to.

Thank you.

**Recognizing WV School of Osteopathic
Medicine**

(Adoption of Senate Resolution 67)

**REMARKS OF
HONORABLE
STEPHEN BALDWIN**

Monday, March 4, 2019

SENATOR BALDWIN: Thank you, Mr. President, appreciate it very much.

I am proud to stand in support of my friends and neighbors who are in the back of the chamber here today. They are the nation's leading provider of rural primary docs. I want to say that once again just to make sure the body understands that here in West Virginia, in Southern West Virginia, the West Virginia School of Osteopathic Medicine is the nation's leading provider of rural primary care docs. We may not top many lists, but we top that one and that's one to be proud of.

When I attended the graduation ceremony this past year, one of the members of the first-ever class at WVSOM told stories about what the initial campus looked like. And it was fascinating. She said it was a single building, we had volunteer faculty, and the anatomy lab in the basement had no ventilation.

The "O" school has come a long way, a very long way since those days. They've grown to be an international leader in rural medicine. They're also a respected local employer in the Greenbrier Valley, providing good jobs in a growing field; they treat their employees well, they pay them a good salary; and they provide meaningful work each day.

I would be remiss I think if I did not mention the statewide impact that they have through their

statewide campus. They place third and fourth year students at hospitals across the State of West Virginia to provide primary care services for communities in need, and 80 percent of those residents stay in the communities where they complete their program. So, these folks are sticking around to serve and our very own majority leader is a graduate of the "O" school.

Dr. Jim Nimitz is here today for the first time as the President. He climbed the ladder, all the way up to the top seat. In his first year, he has challenged the school to live out its mission. And I can say to you, Mr. President, that this school is living out its mission each and every day, advancing medicine in West Virginia.

So, I urge my colleagues to support this resolution as we welcome Dr. Nimitz and his entire team here to the Senate today.

**Recognizing WV School of Osteopathic
Medicine**

(Adoption of Senate Resolution 67)

**REMARKS OF
HONORABLE
TOM TAKUBO**

Monday, March 4, 2019

SENATOR TAKUBO: Thank you, Mr. President.

I would just like to echo the sentiments from my colleague from Greenbrier. I would not have enough time in the session to speak of all the accolades and the wonderful things that this school has done, not only for myself, but really for the entire State of West Virginia.

One thing I did feel that I had to say is that there is a certain excitement. I think Dr. Nimitz has very big shoes to fill. We've had wonderful leadership at the "O" school and that's why we have succeeded as much as we have. But there are a few professors, teachers, all of us have in our memory banks that always bring a special something . . . somebody that exhibits everything that you'd want out of a professor or teacher but has, not only a passion for the students, but an absolute longing for success of those students, not just in their professional lives, but their personal lives. And so, to see Dr.

Nimitz get the president position is just . . . makes me ecstatic. And when I talk to a fellow alumni, there is just an excitement throughout the state that he is now at the helm and leading the “O” school and I’m sure they have many, many, many more years of wonderful success.

And I support the resolution fully and wholeheartedly.

Memorializing life of Honorable John Franklin Deem

(Adoption of Senate Resolution 68)

REMARKS OF
**HONORABLE
ROBERT H. PLYMALE**

Tuesday, March 5, 2019

SENATOR PLYMALE: Thank you, Mr. President.

Frank was, you know, he was a gentleman, but he was a character as well. And I remember many times when he was sitting on this side of the aisle and we were sitting over there he would send me notes and he would say, “Thanks, that was a good point.” But, you know, he would always debate you on things and that was a great . . . but he left it in here. He always left it in here and when you’d go back, you’d joke around. But, he was one of, probably, two or three people that have called me “Bobby” and I’ve never liked that, but I always let him do it because I respected him so much.

But, I remember a couple of times, you know, as the years got on here and he was in the House and coming back here—Becky will recall this—that, you know, he would come back here and eat and he loved to do that cause he loved the camaraderie and he loved to be able to talk to people about everything. And he would never hesitate to take a time to chide you, but he also would never hesitate to say something good. And he was always, he was always doing that.

But I do remember one—and I’m going to leave with this—that after he was elected in the Senate . . . when . . . in 1994 election, I believe. One time, the Senate President then, Earl Ray Tomblin, was giving him a hard time and he finally looked at him, he said, “Look, you’re up

there because I’m here.” Because he had beaten the Senate President. And . . . he all of the time would be reminding Earl Ray Tomblin of that. But, you know . . . there’s few people that are institutions, Frank was an institution to here.

Memorializing life of Honorable John Franklin Deem

(Adoption of Senate Resolution 68)

REMARKS OF
**HONORABLE
MICHAEL T. AZINGER**

Tuesday, March 5, 2019

SENATOR AZINGER: Thank you, Mr. President.

I appreciate the remarks from the senator.

I got to know Delegate Deem at the time that I served with him. But he’s a legend in Wood County. He could be, as the senator said, he could tell you how it is. And I remember one time I was serving in the House with him a couple of years ago and he told me how it was, and I didn’t like it, so I went and told him how it was. And he said, “Mike, I just was explaining to you, don’t take it personally.” He would never ever hold a grudge. He would let it pass and he would be your best buddy.

In some ways, I idolized the man. I mean he served in the House, in the Legislature, since—as the Clerk said—1954, until his death in 2018. That’s five decades that he served, right? And that’s a phenomenal thing. He served from Ritchie County, Pleasants, and Wood. Am I correct there? He’s from Ritchie County . . . and Marietta College, graduated with a petroleum engineering degree, Farm Bureau, Chamber of Commerce, Elks Club, American Legion, five-time delegate to the Republican Convention, and so on.

Here’s two things: I got elected with him in 2014 to the House and, not to exaggerate, but he was an institution. To watch him in his mid to late eighties, get up and make a floor speech like an 18-year-old. He was a force of nature. He was just amazing to watch on the floor and you knew, as he spoke, that he knew everybody else in the House of Delegates, he knew more than

everybody combined, I think. After all the time, the institutional knowledge that he had, he was an amazing thing.

And his sweet wife, Becky, who's always I thought way too pretty for him, I don't know how he got Becky . . . but a great family. I went to school with his son, John, since grade school, Worthington School.

Anyway, Frank Deem was a great man, will not be soon forgotten and I am glad that former Senator Bob Ashley came to me with this idea. They did it in the House and I am ashamed that I let that pass by, but Bob Ashley said, "You ought to do this." And we definitely should, and I'm glad we did.

And thank you all very much for coming down. God bless you all and we'll miss Frank Deem a lot.

Memorializing life of Honorable John Franklin Deem

(Adoption of Senate Resolution 68)

**REMARKS OF
HONORABLE
RON STOLLINGS**

Tuesday, March 5, 2019

SENATOR STOLLINGS: Thank you, Mr. President.

It's an honor to rise in support of this resolution. You know, Frank and I were good friends. We would end up in the same vacation destinations occasionally, and he was always very hospitable.

You know, when I look back in the chamber here, he also did his homework. I don't know of anyone, then or now, does as much research on the issues. And he would educate you. The Junior Rules back here is a sacred place where, you know, senators only should be, and 'ol Frank pretty much kept it that way. He thought that if you hadn't been elected to the Senate, you shouldn't be back there.

He also was very generous in providing a lot of the utensils that Howard Wellman, back in the

day, would use to improve our lives in a culinary fashion.

But Frank was a hardworking, strong man, of strong character, generous, smart, did his homework, and he basically leaves a very high bar for us to try to emulate him as we do our jobs here.

And he was also a bipartisan, he had to be bipartisan back in those days. But he, you know, he kept a lot of his conservative values, but at the same time he worked across the aisle with everybody. There was one particular bill, I remember, it had something to do with wine, I believe. It had to do with, you know, whether or not you could maybe ship to West Virginia or not. And there was some pretty strange bedfellows all lobbying for that. I remember the Senator from Mingo, Senator Chafin, and Frank, and myself working all in lockstep together and issues, maybe as frivolous as that, but at the same time, like I said, he was a great man.

I enjoyed every moment I ever spent with him and Becky, truly a wonderful supporter, and, you know, when Frank had some health issues that limited his mobility, it was Becky that basically allowed him to continue to serve, which is what he really wanted to do, he really wanted to serve this great state.

So, I urge adoption.

Memorializing life of Honorable John Franklin Deem

(Adoption of Senate Resolution 68)

**REMARKS OF
HONORABLE
RANDY E. SMITH**

Tuesday, March 5, 2019

SENATOR SMITH: Thank you, Mr. President.

I rise in support of the resolution. I had the privilege, and I do mean privilege, of serving with Frank over in the House for a couple of years, and the gentleman saying he was a character, that's an understatement. He's one of the most colorful characters I ever met. He used to call me "Smitty" all the time and I'd be going

there and he'd say, "Smitty, come here." And I remember one time he said, "You going to talk on this bill?" And I said, "Well, I wasn't planning on it, Frank." And he said, "Well, go tell your buddies that I'm leaving at 5 o'clock, if they want my vote, they better do it before 5 o'clock, cause Happy Hour's at 5 o'clock and I'm not missing my free drink." And I said, "All right Frank, I'll pass that on."

But he knew a lot of people from Grant County, used to have a deer camp up on Stony River and he used to tell me his hunting stories and we knew some of the same people and he was telling me about the hunting camp that they stayed in, and he said, "It was nothing for seven of us to be in one bed, Smitty". I said, "Well, Frank, that's all good but, you know, I wouldn't go around bragging about that around here." And he said, "Aw," he said, "Smitty, back then, it didn't matter how many you had in a bed." So

But he always had a spin to it . . . and I like to watch some of the younger people, and I was one of them, because he knew the Rules of the House and parliamentary procedure probably better than anybody I'd ever met. And he knew how to use them. A couple of times—Ryan might remember this—he'd get up and make a motion on a rule and it would just throw the whole House into a "frizzy". They didn't know how to handle it and we'd have to stop and they'd all be up there at the podium, and he'd let them ponder it for 10 or 15 minutes, and then he'd stand up and he'd say, "Mr. Speaker, I withdraw my motion." And it was just like they was all "pshew." Because, I mean he could outsmart any of them. I mean, he was tactful and that grin, he always had that grin when he would do something like that where he knew he got one on them, he'd give you that grin and that wink a lot of times letting you know that, you know, I'm in still in charge if I want to be. But he was one of the most colorful characters I've met since I've been down here and, you know, and I mean that as a compliment.

Becky, you know, you were the apple of his eye and the love of his life and everyone appreciated the way that you took care of Frank and kept him off us, you know, you kept him straight.

I think this is great, the tribute to him, and I support the resolution, Mr. President.

Memorializing life of Honorable John Franklin Deem

(Adoption of Senate Resolution 68)

REMARKS OF HONORABLE CHARLES S. TRUMP IV

Tuesday, March 5, 2019

SENATOR TRUMP: Thank you, Mr. President.

I rise also in support of the resolution. I got to meet Frank Deem in the Seventy-Second Legislature of West Virginia. I was relatively new to the House of Delegates and Senator Deem was re-elected to the State Senate in 1994—makes me a little long in the tooth now, Mr. President. That was more than 25 years ago and it's extraordinary if you think about it because, at that moment 25 years ago, Frank Deem had been in and out of the Legislature for 40 years, 25 years ago. When you think about that, what a legacy of service to the people of the State of West Virginia. If there's anybody else ever in the history of this state that's served in seven decades, seven different decades, I don't know who it is.

He was a mentor of mine in my early years in the Legislature. And what I always appreciated about Senator Deem was that his advice came unvarnished, always. Never any need for subtlety. He would say, "Charlie, don't believe a word that guy ever says." But he had great, great stories. He was already—when I started out here 25 years ago—a repository of, you know, the history of the Legislature, much of the history of it.

His first term in the House of Delegates in 1954, Cecil Underwood was the Minority Leader. And he used to tell me stories about how they would battle the majority in those days, in the middle of the twentieth century.

We're all going to miss him, Mr. President. He has left an extraordinary legacy of service to the people of this state. And, like all of us, he loved the Legislature, he loved this process, he loved its people, the members, the staff and he demonstrated it by devoting a huge portion of his life to it. And for that, we owe a debt of gratitude, not only to him, but to his family who

are assembled here today who shared him with us.

So, Mr. President, I happily . . . I rise in support of this resolution.

**Memorializing life of Honorable John
Franklin Deem**

(Adoption of Senate Resolution 68)

REMARKS OF
**HONORABLE
ROMAN W. PREZIOSO, JR.**

Tuesday, March 5, 2019

SENATOR PREZIOSO: Thank you, Mr. President.

It's also an honor and a pleasure for me to support this resolution. For those of us that had the pleasure and honor of knowing Frank Deem over the years—I served with him in the House and then the Senate—found him to be a true statesman. He was well read, well versed, and very strategic.

I know that we've debated long and hard on different issues and Frank was always knowledgeable about every issue. Every day I think he read *The Wall Street Journal* and he would come into this chamber, I remember, both chambers, and quote from *The Wall Street Journal*. And I remember he'd give fiery speeches and he had everybody's attention. When Frank Deem stood up, everybody listened. One of the memorial [sic] things that I remember, he coined the phrase, "Limousine Liberals" and he preached on that day in and day out.

But, you know, Frank, as people mentioned, certainly had the best intentions for Junior Rules. It was a place that we could go back and talk and discuss issues and learn about each other. And he was a true believer. I know that the Senator from Boone mentioned that, you know, he bought a lot of the equipment in the back and he enjoyed that . . . coming in in the evening and that camaraderie.

But, Frank also enjoyed a passion for golf. I remember he would a lot of times go to the Masters down in Augusta and we'd try to look

for him on the screen in the back, and he would even go to Scotland for the European Open. And he'd always send me a postcard, you know, "having a great time" and I enjoyed getting those when he would send those from overseas.

But, you know, Frank was really instrumental in the resurrection of the West Virginia University golf team. He was very passionate about golf. He thought that the landmark university should have a golf team and I remember he pressed hard to get that done.

So, for those of us that knew Frank and Becky—you know, she's a teacher and my wife is a teacher—we certainly appreciate all that Frank gave to this state and to his family. He was generous, courteous, and always willing to help you. He was a true statesman.

Thank you, Mr. President.

**Memorializing life of Honorable John
Franklin Deem**

(Adoption of Senate Resolution 68)

REMARKS OF
**HONORABLE
DOUGLAS E. FACEMIRE**

Tuesday, March 5, 2019

SENATOR FACEMIRE: You know, when I first got elected, the first time I ran, I didn't have an opponent in the fall. So, when I won the primary, I knew all I had to do was stay alive and I was going to be a senator. So, one day me and some of my friends was at home, and, you know, it was kind of a big thing for us, someone was going to be a senator in our crew. So, me and a couple of my friends said, "Let's go down to Charleston and check things out." Now this was in the summer, we wasn't in session or anything like that. So, we came down here and, you know, we're looking around and, you know, I mean we was acting like "country boys", we was all sitting here pretending we was senators and so on. But, anyway, we get back in to Junior Rules—I didn't even know what Junior Rules was—so we're standing back there, and here comes this guy, "What are you doing back here?" I said, "Well, I'm Doug Facemire," and I said, "I'm going to be a senator." He said, "You're not a senator yet. And this is for

senators. You get out of here.” And we wasn’t going to discuss it, he meant that.

But there was nobody that I’ve ever served with who cared about the decorum and the reputation of the West Virginia Senate. He was someone who understood the importance of this body and he also understood the importance of getting along. And, you know, if you was on the other side of Frank, Frank would do everything he possibly could to beat you, but, if you beat him, he was still a gentleman.

And we would have long discussions. And, me and Frank’s about the only ones in here that even knew what a cable tool was; before rotaries that’s how we drilled wells with cable tool. And we’d talk about that. Of course, Frank was in the grocery business and he had some really colorful stories about that that I could relate to.

But every morning, when it come to discussion, Frank was going to read us something out of *The New York Times* or *The Wall Street Journal*. And most of the things he was reading, we, as Democrats didn’t really want to hear. And he would look over, he sat right here, and he would stand up and, at that time the ethanol, the tax credit for the corn to make oil, and, if I heard one time out of Frank, I heard a hundred times that it takes five gallons of ethanol to make one gallon of diesel. Now, anybody that think’s that that’s good trading is crazy.

But he was a gentleman and he was a senator. He held this body to the highest standard and it was always a privilege to serve with Frank. Good or bad, he’d let you know how he felt about it. But that’s okay, too. But, Frank Deem was a West Virginia State Senator in the highest degree.

Thank you.

**Memorializing life of Honorable John
Franklin Deem**

(Adoption of Senate Resolution 68)

**REMARKS OF
HONORABLE
CRAIG BLAIR**

Tuesday, March 5, 2019

SENATOR BLAIR: Thank you, Mr. President.

I, too, rise in support of this. Frank was serving in the Legislature five years before I was born. And, when I was first elected, it was down in the House of Delegates on the whole other end of the building; and everybody that serves here knows that that can be . . . it could be a hundred miles away for what we do here.

But Frank would take time enough—I got to know him in the interim committee meetings—and take time enough to mentor me because he knew that I was a little ball of fire sometimes. And, of course, he was the same way at times, and he brought the understanding to me on how you come down and you’re a part of the collective, don’t get mad if it doesn’t go your way, but always push hard with the facts to get it right. And then the body would make the decision. But he mentored without mentoring. I paid close attention to him and many others, but Frank especially. And, when we’d go back in the back, Junior Rules has been mentioned, everybody’s that’s new to serving here needs to understand what takes place in the back is what makes this work out here. And the House of Delegates is missing that over there. Frank was instrumental in making all that happen back there. And boy did I ever learn it. Oh, I wanted to be back there so bad when I was in the House, and it was like, “No, not going to happen” and he told me as much. He goes, “Come be a senator, you get elected, then you’re going to be part of us. Until then, you’re on the other end of the building, but you’re the farm team, pay attention to what we do.” And I did. There was a lot to be learned from that man.

His legacy will live on every day we walk through those two doors. There’s no question about that and, hopefully, other people will continue to tell the stories like we do in back. Because every new member that comes through this place needs to hear those. Because of the institutional knowledge, that’s exactly why I brought up . . . it was five years after he first served in the House of Delegates that I was born. We cannot ever lose that institutional knowledge that people like Frank brought to the Legislature. And to his family, thank you so much for sharing him with us over these years. He was an icon.

Again, I wholeheartedly support this resolution.

REMARKS OF
HONORABLE
COREY PALUMBO

Wednesday, March 6, 2019

SENATOR PALUMBO: Thank you, Mr. President.

Just real briefly, I want to make a couple of remarks. On Monday, as you're aware, school officials in Kanawha County announced that the opening of Herbert Hoover High School would be delayed another year until 2022 and Clendenin Elementary School would be delayed another year until 2021.

What is happening to the kids in this area is despicable. The flood that everyone is aware of that occurred in June of 2016 in my district, the Junior Senator from the Seventeenth, Senator from the Eighth, Greenbrier, ravaged large parts of this state and the kids in the Elk River area continue to suffer. We are two and a half years after the flood and nothing's been done to replace those schools. You've got students who are going to spend their entire high school career in portables. The Governor likes to comment and brag about his close relationship with the President; I call on the Governor to reach out to the President because it's his FEMA that is holding up the construction of these new schools.

Again, Mr. President, we're sitting here two and a half years after these floods occurred—almost three years at this point, we're in March. Almost three years after the flood and there's no progress, zero progress made on these schools. There's no reason that this should be occurring, Mr. President. And there's nothing that the folks in Kanawha County can do about it. They can't buy a piece of property, they can't put a shovel in the ground until FEMA gives them their approval and they've been withholding it and delaying it, and delaying it, and delaying it. We're going to have entire classes of kids go through Herbert Hoover High School that never set foot in a building. It's despicable.

So, the Governor . . . Governor, he's your friend, he's your friend. Call him and make something happen, because this is wrong.

REMARKS OF
HONORABLE
STEPHEN BALDWIN

Wednesday, March 6, 2019

SENATOR BALDWIN: Thank you, Mr. President.

I just want to very briefly, you know, respond to comments we've had this morning. You know, we have a Joint Committee on Flooding. It hasn't met for months now and it exists to address these very issues and we've been working on these very issues for a couple of years, but we haven't even been able to meet for the last couple of months and they are pressing issues that students and homeowners and businesses are facing trying to recover and we need to convene that and get together.

Thank you, Mr. President.

REMARKS OF
HONORABLE
GLENN D. JEFFRIES

Wednesday, March 6, 2019

SENATOR JEFFRIES: Thank you, Mr. President.

I appreciate some of the remarks that were made, some of them I do, and some of them I don't about the flood. Well, first of all, I would appreciate it when some of the remarks that were made, that they would get their facts right. When that flood happened, there was a number of things that people were told, what they were to do . . . One day you're supposed to do this and the next day you're supposed to that.

Well, to my Senator from Wayne, by federal law, you couldn't go back in that school, it was in the floodway; you couldn't put no money toward that school. That's the reason that that school was tore down, the same thing with Clendenin, the elementary school.

I echo my Senator from Kanawha that this . . . it is a shame that we are going on three years with no progress and the federal government is holding it up. They're waiting on some clearances, supposed to have had them a year ago, six months ago, here we are again, delaying

another year, two years. We need some intervention, whether the Governor can do it, whether our congressmen can do it, our congressional, but we need some help. I hate to sit here and think about these kids up there, the devastation that they went through.

You know, I'll tell you a little story that when I was working up there, helping, not working, but helping. I'll never forget the second day that we were taking supplies up there, we were unloading a vehicle, we had some clothing stacked up down through there, and had some shoes for some of those kids, we got right down to the very end of it and there was a young child sitting there and looking at those shoes. They were three or four sizes too big for her. I'd give a million bucks right then to be able to have a pair of shoes for that young child. She sat there and wept and cried, along with myself.

You know, I really wasn't going to stand up and say anything, but, you know, when we start talking about we should do this, and we should do that, we should just step in and try to fix things. Well, if we can we would do it, but by federal law we were not allowed to go back into that school and that's the reason that school got tore down. Believe me, people didn't want to see that school removed.

So, we do need help, whether it's from the Governor, or whoever it may be, but we need some help. Everything's in place to start, but we need intervention within the federal government to get them to move on this.

Thank you, Mr. President.

**Congratulating Boone Memorial Hospital
for receiving five-star rating from Centers
for Medicare and Medicaid Services**

(Adoption of Senate Resolution 73)

**REMARKS OF
HONORABLE
RON STOLLINGS**

Thursday, March 7, 2019

SENATOR STOLLINGS: Thank you, Mr. President.

It's a great honor for me to recognize our little hospital in Madison, West Virginia, a 25-

bed critical access hospital. It's been in presence since the 1960s, but now they have a brand new hospital thanks to the USDA. The hospital really cares for the community. It's involved in the entire community and will be a part of the economic transformation and growth of that area because we have a really good hospital. They strive to provide a comprehensive range of in-patient and out-patient services, including prevention, wellness, diagnosis, treatment, and rehabilitation.

Also, prior to this great award, it received national recognition for performance leadership in patient perspectives and was the recipient of Over the Top Hospital (under 100 beds) Award, and has received the Gold Level in Hospital Challenge Awards presented by Donate Life West Virginia and the Center for Organ Recovery and Education. But, they received the only five-star award given to a hospital in West Virginia by CMS. That's impressive, I'm still trying to get my arms around it, I love it so much.

And we have some great leaders here today, including Mark Linville, Terri Castle, Chad Hovis, David Gresham, Dr. Howard Lafferty, Dr. Richard Knapp, Dr. Amy Sayre, Jackson Austin, and Blitz Turner.

So, I urge adoption of the resolution.

**REMARKS OF
HONORABLE
ROBERT H. PLYMALE**

Friday, March 8, 2019

SENATOR PLYMALE: Thank you, Mr. President and thank you members of the body.

In the last couple of days, there's been a faculty senate meeting at WVU, that Dr. Gee had made some statements and one of those statements was: No one cares about Marshall. And, he also went on to say some things about Dr. Gilbert.

But I would like to stand up and first say Dr. Gilbert is a fine person and he's well-respected in the community that I live in. I would also would like to say that he understated they only have a \$250 million impact. And, actually, there was a study that was recently done that says they have an \$800 million impact. And then, at the same time, he overstated the impact of WVU.

Well, he can be loose and free on a lot of those things, but don't be loose and free on saying that no one cares about Marshall. There's many of us that are graduates, I am a son of Marshall, and I'm a proud son of Marshall. And I think that it's important that we don't get into this rhetoric of people going back to their home and then making statements like that.

And I . . . for one, am not happy about that and I think he should apologize to Dr. Gilbert, not to me. But, he does need to apologize to Dr. Gilbert because Dr. Gilbert has been very, very fair and very honest in the way that he's dealt with this body here and the body across the aisle and . . . I just think it's important that we have civility also from our presidents of our universities.

Thank you.

**REMARKS OF
HONORABLE
MICHAEL T. AZINGER**

Friday, March 8, 2019

SENATOR AZINGER: Thank you, Mr. President.

I promise to be short. I just want to make an observation of an event that occurred just a few days ago. On March 1, the Judiciary Committee decided not to pass out of committee so-called "Campus Carry". And, a few days after that, news broke of a shooter who had attempted to murder a police officer and he was arrested mere blocks away from the campus of West Virginia University. The irony of it was as loud as the crack of a gun. The Legislature has declared that the students should not be allowed to defend themselves with a gun, even in situations like that where an active shooter is mere blocks away from the campus. So, I hope next year the Legislature will land on the side of liberty and freedom. For the Senator from Harrison, the Senior Senator from the Sixteenth have been struggling with these concepts a little bit, that's freedom. Second Amendment is freedom and hopefully next year we will pass out the "Campus Carry" law; pass it out and make it one more ounce of freedom in West Virginia.

Thank you, Mr. President.

**REMARKS OF
HONORABLE
ROMAN W. PREZIOSO, JR.**

Friday, March 8, 2019

SENATOR PREZIOSO: Thank you, Mr. President, I'll be brief.

This morning we heard some comments that, quite frankly, Mr. President, were somewhat baffling and unclear. The timing was suspect and I would be remiss if I didn't try to rebut those particular comments.

Since that time, it seems like eons ago that we heard them, I had the opportunity to speak to the President of West Virginia University and he relayed to me to relay to this body and, if you'll oblige me here, I'll read what his comments were. He said, "In an attempt to interject levity in a high-tension conversation, I made an inappropriate comment, as I have been known to do. That I do regret." And that's a quote from the President.

Also, he said that he has called President Gilbert to apologize. And all those particular events were done before the comments that we heard this morning.

So, I just wanted to pass that on to add some clarity to that situation and, you know, we all know President Gee and we certainly appreciate him making those comments to this body.

Thank you, Mr. President.

**REMARKS OF
HONORABLE
MICHAEL A. WOELFEL**

Saturday, March 9, 2019

SENATOR WOELFEL: In 1787, General George Washington was elected to preside over the Constitutional Convention of what would become the United States. We were the Confederation of States at that point. The very first sentence of the First Amendment, we now refer to it as the Establishment Clause, provides that government cannot take action unduly favoring one religion after another. Our government cannot take action which unduly favors one religion over another. Good reason:

All the religious persecution that many faced and for that reason they came to this country.

When I ran this last election cycle, my faith as a Roman Catholic was called into question as a potential disqualifier for me serving in the Senate and that was reduced to writing. I condemn that. We represent the government, and we, as members of this body of the Legislature, likewise, in my view, should not favor one religion over another when we're appearing here in our official capacity.

But that happened yesterday. We had an interfaith prayer presentation in the House and, by the way, my favorite part of the day here is when we get a prayer from a very diverse group of perspectives. One of the members of the House took a seat during an interfaith prayer. And to me that's showing a complete disrespect for those that don't share a particular faith. America welcomes Muslims, Jews, Catholics, Christians of all denominations, Hindus. And I condemn that. Yes, we have a right to exercise our freedom of religion but when we're divisive, when we disrespect another religion, when we turn our back on another religion, it undermines our state and our country. And my particular church has a rich history in that. It's called the Crusades. How many millions of people were killed over religious beliefs in the Crusades? Not to mention the Inquisition.

So, let me just close by saying that there's no place for that in this body, in this Legislature.

Thank you.

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HISTORY OF BILLS AND RESOLUTIONS CONSIDERED BY SENATE

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SENATE BILLS PASSED LEGISLATURE

- *1. By Sen. Carmichael (Mr. President), Sypolt, Cline, Takubo, Boso, Clements, Swope, Smith, Ihlenfeld, Baldwin, Stollings, Weld and Plymale - **Increasing access to career education and workforce training** - Passed 3/7/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 133, Acts, Regular Session, 2019
- *3. By Sen. Boso, Clements, Swope, Takubo, Cline and Trump - **Establishing WV Small Wireless Facilities Deployment Act** - Passed 3/5/2019; Effective from passage - To Governor 3/20/19 - Approved by Governor 3/27/19 - Chapter 42, Acts, Regular Session, 2019
- *4. By Sen. Weld, Plymale, Clements, Takubo, Sypolt, Swope, Cline and Ihlenfeld - **Relating generally to Municipal Home Rule Program** - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 60, Acts, Regular Session, 2019
- *13. By Sen. Blair - **Relating to distributions from State Excess Lottery Fund** - Passed 2/23/2019 - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 111, Acts, Regular Session, 2019
- 16. By Sen. Cline and Swope - **Authorizing expenditure of surplus funds by Wyoming County Commission** - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 266, Acts, Regular Session, 2019
- *17. By Sen. Trump and Boso - **Relating to probation eligibility** - Passed 1/29/2019; Effective from passage - To Governor 2/5/19 - Approved by Governor 2/11/19 - Chapter 77, Acts, Regular Session, 2019
- *18. By Sen. Trump, Boso, Takubo and Cline - **Relating to crimes committed on State Capitol Complex** (original similar to HB2092) - Passed 2/13/2019; Effective from passage - To Governor 2/19/19 - Approved by Governor 2/25/19 - Chapter 68, Acts, Regular Session, 2019
- *26. By Sen. Blair - **Permitting certain employees of educational service cooperatives participate in state's teacher retirement systems** (original similar to HB2780) - Passed 2/25/2019 - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 89, Acts, Regular Session, 2019
- 27. By Sen. Blair - **Removing restrictions on where certain traditional lottery games may be played** (original similar to HB2184) - Passed 2/5/2019 - To Governor 2/21/19 - Approved by Governor 2/27/19 - Chapter 112, Acts, Regular Session, 2019

28. By Sen. Blair, Boso and Clements - **Removing hotel occupancy tax limit collected for medical care and emergency services** - Passed 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 61, Acts, Regular Session, 2019
- *30. By Sen. Blair and Cline - **Eliminating tax on annuity considerations collected by life insurer** (original similar to HB2400) - Passed 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/27/19 - Chapter 142, Acts, Regular Session, 2019
36. By Sen. Weld and Boso - **Allowing adjustment of gross income for calculating personal income liability for certain retirees** - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 240, Acts, Regular Session, 2019
- *40. By Sen. Weld - **Establishing Military Service Members Court program** - Passed 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 78, Acts, Regular Session, 2019
- *60. By Sen. Plymale and Stollings - **Licensing practice of athletic training** (original similar to HB2401) - Passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 184, Acts, Regular Session, 2019
- *61. By Sen. Weld and Trump - **Adding certain crimes for which prosecutor may apply for court order authorizing interception of communications** (original similar to HB2940) - Passed 2/19/2019 - To Governor 2/25/19 - Vetoed by Governor 3/1/19 - Senate reconsidered action 3/5/2019 - Senate amended, repassed to meet objections of Governor 3/5/2019 - House concurred in Senate amendment 3/6/2019 - Repassed House to meet the objections of the Governor 3/6/2019 - To Governor 3/20/19 3/21/2019 - Approved by Governor 3/27/19 3/28/2019 - Chapter 79, Acts, Regular Session, 2019 4/16/2019
- *72. By Sen. Woelfel, Stollings and Baldwin - **Creating Sexual Assault Victims' Bill of Rights** - Passed 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/26/19 - Chapter 69, Acts, Regular Session, 2019
- *90. By Sen. Rucker - **Transferring Safety and Treatment Program from DHHR to DMV** - Passed 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 258, Acts, Regular Session, 2019
- *100. By Sen. Trump - **Increasing court fees to fund law-enforcement standards training and expenses** - Passed 3/6/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 66, Acts, Regular Session, 2019
- *101. By Sen. Trump - **Equalizing penalties for intimidating and retaliating against certain public officers and other persons** - Passed 3/5/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 70, Acts, Regular Session, 2019
- *103. By Sen. Trump - **Relating generally to Public Defender Services** - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/27/19 - Chapter 113, Acts, Regular Session, 2019

119. By Sen. Trump and Boso - **Specifying documents not subject to discovery in certain proceedings** - Passed 1/29/2019 - To Governor 2/5/19 - Approved by Governor 2/8/19 - Chapter 185, Acts, Regular Session, 2019
- *147. By Sen. Blair - **Shifting funding from Landfill Closure Assistance Fund to local solid waste authorities** (original similar to HB2496) - Passed 3/9/2019 - To Governor 3/20/19 - Vetoed by Governor 3/27/19
- *152. By Sen. Jeffries, Baldwin, Stollings, Woelfel and Lindsay - **Relating generally to criminal offense expungement** - Passed 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 71, Acts, Regular Session, 2019
153. By Sen. Jeffries, Stollings, Lindsay, Clements, Smith, Baldwin, Plymale, Ihlenfeld, Hamilton and Boso - **Providing greater flexibility for making infrastructure project grants** - Passed 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 85, Acts, Regular Session, 2019
- *154. By Sen. Jeffries, Baldwin, Stollings, Lindsay, Plymale, Hamilton and Boso - **Using school facilities for funeral and memorial services for certain community members** - Passed 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 90, Acts, Regular Session, 2019
- *157. By Sen. Maynard - **Authorizing Department of Administration promulgate legislative rules** (original similar to HB2231) - Passed 2/28/2019; Effective from passage - To Governor 3/8/19 - Approved by Governor 3/26/19 - Chapter 159, Acts, Regular Session, 2019
- *163. By Sen. Maynard - **Authorizing DEP promulgate legislative rules** (original similar to HB2236) - Passed 3/5/2019; Effective from passage - To Governor 3/20/19 - Approved by Governor 3/26/19 - Chapter 160, Acts, Regular Session, 2019
- *175. By Sen. Maynard - **Authorizing DHHR promulgate legislative rules** (original similar to HB2243) - Passed 3/6/2019; Effective from passage - To Governor 3/20/19 - Approved by Governor 3/26/19 - Chapter 161, Acts, Regular Session, 2019
177. By Sen. Maynard - **Fire Commission rule relating to State Building Code** (original similar to HB2240) - Passed 1/31/2019; Effective from passage - To Governor 2/8/19 - Approved by Governor 2/14/19 - Chapter 162, Acts, Regular Session, 2019
- *187. By Sen. Maynard - **Authorizing Department of Revenue to promulgate legislative rules** (original similar to HB2270) - Passed 3/6/2019; Effective from passage - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 163, Acts, Regular Session, 2019
190. By Sen. Maynard - **DOH promulgate legislative rule relating to employment procedures** (original similar to HB2245) - Passed 3/5/2019; Effective from passage - To Governor 3/20/19 - Vetoed by Governor 3/27/19
- *199. By Sen. Maynard - **Authorizing certain miscellaneous agencies and boards promulgate legislative rules** (original similar to HB2282) - Passed 3/8/2019;

Effective from passage - To Governor 3/22/19 - Approved by Governor 3/22/19
- Chapter 164, Acts, Regular Session, 2019

- *223. By Sen. Maynard - **Authorizing Department of Commerce promulgate legislative rules** (original similar to HB2246) - Passed 3/6/2019; Effective from passage - To Governor 3/20/19 - Approved by Governor 3/22/19 - Chapter 165, Acts, Regular Session, 2019
- *237. By Sen. Jeffries, Cline and Baldwin - **Improving ability of law enforcement to locate and return missing persons** - Passed 3/5/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 224, Acts, Regular Session, 2019
- *238. By Sen. Baldwin, Cline, Jeffries and Lindsay - **Increasing certain penalties for illegally passing stopped school bus** - Passed 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 259, Acts, Regular Session, 2019
- *240. By Sen. Maynard, Trump, Cline and Swope - **Repealing certain legislative rules no longer authorized or are obsolete** - Passed 2/11/2019; Effective from passage - To Governor 2/15/19 - Approved by Governor 2/19/19 - Chapter 166, Acts, Regular Session, 2019
- *241. By Sen. Weld, Cline, Hamilton and Baldwin - **Permitting county court clerks scan certain documents in electronic form** - Passed 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/22/19 - Chapter 233, Acts, Regular Session, 2019
- *255. By Sen. Boso, Baldwin and Maroney - **Relating to Emergency Medical Services Advisory Committee** - Passed 2/1/2019 - To Governor 2/8/19 - Approved by Governor 2/14/19 - Chapter 206, Acts, Regular Session, 2019
- *264. By Sen. Trump, Hamilton, Cline and Tarr - **Requiring courts to order restitution to crime victims where economically practicable** - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 72, Acts, Regular Session, 2019
267. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Requiring State Board of Education adopt policy detailing level of computer science instruction** (original similar to HB2415) - Passed 2/11/2019 - To Governor 2/15/19 - Approved by Governor 2/19/19 - Chapter 91, Acts, Regular Session, 2019
268. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Updating meaning of federal taxable income in WV Corporation Net Income Tax Act** (original similar to HB2414) - Passed 2/5/2019; Effective from passage - To Governor 2/21/19 - Approved by Governor 2/27/19 - Chapter 241, Acts, Regular Session, 2019
269. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Updating terms used in WV Personal Income Tax Act** (original similar to HB2413) - Passed 2/5/2019; Effective from passage - To Governor 2/21/19 - Approved by Governor 2/27/19 - Chapter 242, Acts, Regular Session, 2019

- *270. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Streamlining process for utilities access to DOH rights-of-way** (original similar to HB2416) - Passed 2/21/2019; Effective from passage - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 235, Acts, Regular Session, 2019
272. By Sen. Carmichael (Mr. President), Trump, Woelfel, Palumbo and Tarr - **Updating code relating to Commission on Special Investigations** (original similar to HB2434, SB71) - Passed 1/31/2019; Effective from passage - To Governor 2/5/19 - Vetoed by Governor 2/11/19 - Senate reconsidered action 2/20/2019 - Senate amended, repassed to meet objections of Governor 2/20/2019 - House concurred in Senate amendment 2/21/2019 - Repassed House to meet the objections of the Governor 2/21/2019 - To Governor 2/22/19 2/22/2019; Effective from passage - Effective ninety days from passage 2/22/2019; Effective from passage - Approved by Governor 2/28/19 2/28/2019 - Chapter 114, Acts, Regular Session, 2019 4/16/2019
- *285. By Sen. Sypolt, Azinger, Beach, Boso, Clements, Cline, Facemire, Hamilton, Maynard, Prezioso, Smith, Stollings, Swope, Takubo, Tarr, Trump, Rucker, Roberts and Maroney - **Relating to sale of homemade food items** (original similar to HB2564) - Passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 3, Acts, Regular Session, 2019
- *291. By Sen. Sypolt, Baldwin, Maynard, Rucker and Roberts - **Relating generally to survivor benefits for emergency response providers** (original similar to HB2438) - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 239, Acts, Regular Session, 2019
- *295. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Maynard, Smith, Sypolt, Cline, Trump, Rucker and Lindsay - **Relating to crimes against public justice** (original similar to HB3000) - Passed 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 73, Acts, Regular Session, 2019
- *310. By Sen. Stollings, Jeffries, Beach, Takubo and Prezioso - **Establishing certain requirements for dental insurance** (original similar to HB2754) - Passed 3/4/2019; Effective July 1, 2019 - To Governor 3/11/19 - Approved by Governor 3/25/19 - Chapter 143, Acts, Regular Session, 2019
- *316. By Sen. Plymale, Woelfel, Lindsay, Stollings and Hamilton - **Preserving previously approved state Municipal Policemen's or Firemen's pensions** (original similar to HB2409) - Passed 3/6/2019; Effective from passage - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 62, Acts, Regular Session, 2019
- *317. By Sen. Maynard, Cline and Sypolt - **Authorizing three or more adjacent counties form multicounty trail network authority** - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 176, Acts, Regular Session, 2019
- *318. By Sen. Trump, Rucker, Cline, Roberts, Sypolt, Tarr, Hamilton and Azinger - **Transferring Medicaid Fraud Control Unit to Attorney General's office** (original similar to HB2867) - Passed 3/7/2019; Effective October 1, 2019 - To

Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 138, Acts, Regular Session, 2019

- *323. By Sen. Baldwin, Beach, Maynard, Romano, Rucker, Smith, Sypolt, Plymale, Cline, Roberts, Hamilton and Stollings - **Establishing revenue fund and source to support Department of Agriculture's improvement to facilities** (original similar to HB2468, SB385) - Passed 2/13/2019; Effective from passage - To Governor 2/19/19 - Approved by Governor 2/25/19 - Chapter 4, Acts, Regular Session, 2019
324. By Sen. Sypolt, Beach, Rucker, Smith, Weld, Boso, Cline, Clements, Tarr and Hamilton - **Relating to Commissioner of Agriculture employees** (original similar to HB2528, HB2624) - Passed 2/7/2019; Effective from passage - To Governor 2/15/19 - Approved by Governor 2/19/19 - Chapter 5, Acts, Regular Session, 2019
- *329. By Sen. Cline and Hamilton - **Relating to agricultural education in high schools** - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 92, Acts, Regular Session, 2019
- *330. By Sen. Maynard and Cline - **Requiring contact information be listed on agency's online directory and website** - Passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 115, Acts, Regular Session, 2019
- *340. By Sen. Trump and Stollings - **Repealing obsolete provisions of code relating to WV Physicians Mutual Insurance Company** - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 47, Acts, Regular Session, 2019
- *344. By Sen. Carmichael (Mr. President), Prezioso and Cline - **Relating to operation of state-owned farms** (original similar to HB2560) - Passed 3/5/2019; Effective from passage - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 6, Acts, Regular Session, 2019
- *345. By Sen. Carmichael (Mr. President) and Prezioso - **Relating to fire service equipment and training funds for VFDs** (original similar to HB2558) - Passed 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 222, Acts, Regular Session, 2019
- *352. By Sen. Weld and Cline - **Relating to Division of Corrections and Rehabilitation acquiring and disposing of services, goods, and commodities** (original similar to HB2772) - Passed 3/9/2019; Effective from passage - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 55, Acts, Regular Session, 2019
354. By Sen. Blair, Boley, Maroney, Roberts, Swope, Sypolt, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso and Unger (Originating in Senate Finance) - **Expiring funds to balance of Auditor's Office - Chief Inspector's Fund** - Passed 2/8/2019; Effective from passage - To Governor 2/15/19 - Approved by Governor 2/19/19 - Chapter 19, Acts, Regular Session, 2019

- *356. By Sen. Weld, Clements, Maroney, Cline and Swope - **Requiring MAPS provide state and federal prosecutors information** (original similar to HB2698) - Passed 2/21/2019 - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 225, Acts, Regular Session, 2019
- *357. By Sen. Weld, Clements and Cline - **Relating generally to Division of Administrative Services** - Passed 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 226, Acts, Regular Session, 2019
358. By Sen. Weld, Clements, Cline and Swope - **Exempting Purchasing Division purchases for equipment to maintain security at state facilities** (original similar to HB2695) - Passed 2/21/2019 - To Governor 3/11/19 - Approved by Governor 3/7/19 - Chapter 227, Acts, Regular Session, 2019
- *360. By Sen. Trump - **Relating to third-party litigation financing** - Passed 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 49, Acts, Regular Session, 2019
- *369. By Sen. Takubo, Stollings and Baldwin - **Relating to generic drug products** (original similar to HB2811) - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 186, Acts, Regular Session, 2019
- *373. By Sen. Weld, Clements and Maroney - **Relating to financial responsibility of inmates** (original similar to HB2764) - Passed 3/5/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 56, Acts, Regular Session, 2019
377. By Sen. Maynard - **Relating to minimum wage and maximum hour standards** - Passed 2/20/2019 - To Governor 2/25/19 - Approved by Governor 3/1/19 - Chapter 157, Acts, Regular Session, 2019
- *387. By Sen. Weld - **Relating generally to extradition** (original similar to HB2757) - Passed 2/21/2019 - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 80, Acts, Regular Session, 2019
- *393. By Sen. Sypolt, Azinger, Baldwin, Blair, Boso, Clements, Hamilton, Jeffries, Maynard, Hardesty, Rucker, Smith, Takubo, Tarr, Plymale, Beach, Cline, Roberts, Swope and Trump - **Protecting right to farm** (original similar to HB2774, HB2900) - Passed 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/27/19 - Chapter 7, Acts, Regular Session, 2019
- *396. By Sen. Tarr and Cline - **Waiving occupational licensing fees for low-income individuals and military families** - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 187, Acts, Regular Session, 2019
- *398. By Sen. Trump, Takubo, Stollings and Prezioso - **Relating to compensation for senior judges** - Passed 3/9/2019; Effective from passage - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 67, Acts, Regular Session, 2019
- *400. By Sen. Romano and Takubo - **Allowing Board of Dentistry create specialty licenses** - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 188, Acts, Regular Session, 2019

- *402. By Sen. Sypolt, Beach, Stollings, Hamilton, Boso, Cline, Baldwin, Maroney and Prezioso - **Authorizing Division of Forestry investigate and enforce timber theft violations** (original similar to HB2717) - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 74, Acts, Regular Session, 2019
- *404. By Sen. Sypolt and Boso - **Relating generally to sediment control during commercial timber harvesting operations** (original similar to HB2714) - Passed 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 8, Acts, Regular Session, 2019
- *405. By Sen. Sypolt - **Increasing limit on additional expenses incurred in preparing notice list for redemption** - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 243, Acts, Regular Session, 2019
- *408. By Sen. Palumbo and Woelfel - **Determining indigency for public defender services** - Passed 3/4/2019 - To Governor 3/11/19 - Approved by Governor 3/22/19 - Chapter 116, Acts, Regular Session, 2019
421. By Sen. Smith, Sypolt, Cline and Maroney - **Relating to annual legislative review of economic development tax credit** - Passed 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 86, Acts, Regular Session, 2019
424. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Civil Contingent Fund** (original similar to HB3084) - Passed 3/9/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 20, Acts, Regular Session, 2019
435. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to State Department of Education and Vocational Division** (original similar to HB3085) - Passed 3/9/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 21, Acts, Regular Session, 2019
440. By Sen. Prezioso, Beach, Blair, Clements, Ihlenfeld, Maroney, Smith, Stollings, Sypolt, Takubo, Trump, Hamilton, Jeffries, Hardesty, Baldwin and Romano - **Relating to Antihazing Law** (original similar to SB345) - Passed 2/28/2019 - To Governor 3/8/19 - Vetoed by Governor 3/27/19
- *441. By Sen. Prezioso, Beach, Blair, Clements, Ihlenfeld, Maroney, Smith, Stollings, Sypolt, Takubo, Jeffries, Trump and Weld - **Relating to higher education campus police officers** (original similar to HB2513) - Passed 3/4/2019 - To Governor 3/11/19 - Approved by Governor 3/22/19 - Chapter 134, Acts, Regular Session, 2019
442. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing, amending, and decreasing appropriation to Insurance Commission** (original similar to HB2795) - Passed 2/22/2019; Effective from passage - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 22, Acts, Regular Session, 2019

443. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation of federal moneys to DHHR divisions** (original similar to HB2782) - Passed 2/22/2019; Effective from passage - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 23, Acts, Regular Session, 2019
444. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to DHHR divisions** - Passed 2/23/2019; Effective from passage - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 24, Acts, Regular Session, 2019
452. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Second Chance Driver's License Program** (original similar to HB2783) - Passed 2/21/2019; Effective from passage - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 25, Acts, Regular Session, 2019
453. By Sen. Azinger and Cline - **Relating to background checks of certain financial institutions** (original similar to HB2621) - Passed 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/25/19 - Chapter 38, Acts, Regular Session, 2019
461. By Sen. Blair - **Relating generally to lottery prizes** - Passed 3/8/2019; Effective from passage - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 117, Acts, Regular Session, 2019
- *481. By Sen. Trump - **Relating to Judicial Vacancy Advisory Commission** - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 118, Acts, Regular Session, 2019
- *485. By Sen. Azinger - **Clarifying notification requirements for property insurance purposes** (original similar to HB2909, HB2993) - Passed 3/11/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 144, Acts, Regular Session, 2019
- *487. By Sen. Maroney, Trump and Takubo - **Relating to admissibility of health care staffing requirements in litigation** - Passed 3/9/2019 - To Governor 3/22/19 - Vetoed by Governor 3/27/19
- *489. By Sen. Maroney, Takubo and Tarr - **Relating to Pharmacy Audit Integrity Act** (original similar to HB2806) - Passed 2/26/2019; Effective from passage - To Governor 3/1/19 - Approved by Governor 3/1/19 - Chapter 145, Acts, Regular Session, 2019
- *491. By Sen. Trump and Palumbo - **Extending effective date for voter registration in conjunction with driver licensing** - Passed 3/6/2019; Effective from passage - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 101, Acts, Regular Session, 2019
493. By Sen. Maynard - **Correcting terminology referring to racing vehicles illegally on street** - Passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 260, Acts, Regular Session, 2019

- *496. By Sen. Sypolt, Smith and Maroney - **Transferring authority to regulate milk from DHHR to Department of Agriculture** - Passed 3/8/2019; Effective from passage - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 9, Acts, Regular Session, 2019
499. By Sen. Blair and Cline - **Amending WV tax laws to conform to changes in partnerships for federal income tax purposes** (original similar to HB2798) - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 244, Acts, Regular Session, 2019
- *502. By Sen. Blair - **Exempting sales of investment metal bullion and coins** - Passed 3/8/2019; Effective July 1, 2019 - To Governor 3/20/19 - Approved by Governor 3/27/19 - Chapter 245, Acts, Regular Session, 2019
- *510. By Sen. Takubo, Maroney and Weld - **Relating to medical professional liability** - Passed 2/28/2019 - To Governor 3/8/19 - Approved by Governor 3/25/19 - Chapter 1, Acts, Regular Session, 2019
- *511. By Sen. Trump and Boso - **Creating alternating wine proprietorships** - Passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 15, Acts, Regular Session, 2019
- *518. By Sen. Maroney, Plymale, Stollings, Tarr, Woelfel, Takubo and Swope - **Restricting sale and trade of dextromethorphan** - Passed 3/2/2019 - To Governor 3/8/19 - Approved by Governor 3/22/19 - Chapter 53, Acts, Regular Session, 2019
519. By Sen. Maroney, Plymale, Stollings, Woelfel, Takubo, Boso and Swope - **Requiring county emergency dispatchers complete course for telephonic cardiopulmonary resuscitation** (original similar to HB2880) - Passed 3/5/2019 - To Governor 3/20/19 - Approved by Governor 3/26/19 - Chapter 228, Acts, Regular Session, 2019
- *520. By Sen. Maroney, Plymale, Stollings, Tarr, Woelfel, Takubo, Boso, Baldwin, Hardesty and Swope - **Requiring entities report drug overdoses** - Passed 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/25/19 - Chapter 207, Acts, Regular Session, 2019
- *522. By Sen. Smith, Maynard, Sypolt, Tarr, Plymale, Cline, Rucker and Maroney - **Creating Special Road Repair Fund** - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/22/19 - Vetoed by Governor 3/27/19
- *529. By Sen. Trump, Tarr and Rucker - **Clarifying provisions of Nonintoxicating Beer Act** (original similar to HB3100) - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 16, Acts, Regular Session, 2019
531. By Sen. Trump - **Relating generally to workers' compensation claims** - Passed 3/6/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 265, Acts, Regular Session, 2019
- *537. By Sen. Boso and Cline - **Creating workgroup to review hospice need standards** (original similar to HB2825) - Passed 3/8/2019 - To Governor

3/19/19 - Approved by Governor 3/27/19 - Chapter 208, Acts, Regular Session, 2019

- *538. By Sen. Clements, Stollings, Plymale and Cline - **Relating to WV Highway Design-Build Pilot Program** (original similar to HB3027) - Passed 3/9/2019; Effective from passage - To Governor 3/22/19 - Approved by Governor 3/27/19 - Chapter 236, Acts, Regular Session, 2019
- *539. By Sen. Mann, Baldwin, Facemire, Ihlenfeld, Jeffries, Maroney, Romano, Rucker, Stollings, Takubo, Weld, Woelfel, Unger, Hamilton, Hardesty, Beach, Prezioso, Plymale, Swope, Tarr, Cline and Lindsay - **Relating to accrued benefit of retirees in WV State Police Retirement System Plan B** (original similar to HB3070) - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/27/19 - Chapter 198, Acts, Regular Session, 2019
- *543. By Sen. Blair, Roberts and Tarr - **Relating generally to automobile warranties and inspections** - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 50, Acts, Regular Session, 2019
544. By Sen. Hamilton, Carmichael (Mr. President), Azinger, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel and Boso - **Increasing salaries for members of WV State Police over three-year period** (original similar to HB2885) - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 199, Acts, Regular Session, 2019
545. By Sen. Azinger - **Relating to HIV testing** (original similar to HB2908) - Passed 3/2/2019; Effective from passage - To Governor 3/8/19 - Approved by Governor 3/26/19 - Chapter 167, Acts, Regular Session, 2019
- *546. By Sen. Takubo, Maroney and Stollings - **Creating tax on certain acute care hospitals** - Passed 3/7/2019; Effective July 1, 2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 246, Acts, Regular Session, 2019
550. By Sen. Blair, Boley, Facemire, Hamilton, Ihlenfeld, Maroney, Palumbo, Plymale, Prezioso, Roberts, Swope, Sypolt, Tarr, Stollings, Jeffries, Hardesty, Romano and Cline - **Declaring certain claims to be moral obligations of state** - Passed 3/9/2019; Effective from passage - To Governor 3/22/19 - Approved by Governor 3/26/19 - Chapter 45, Acts, Regular Session, 2019
554. By Sen. Clements - **Removing salary caps for director of State Rail Authority** (original similar to HB3014) - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 200, Acts, Regular Session, 2019
- *561. By Sen. Trump, Takubo and Boso - **Permitting Alcohol Beverage Control Administration request assistance of local law enforcement** (original similar to HB3031) - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 17, Acts, Regular Session, 2019

- *564. By Sen. Takubo, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Prezioso, Romano, Stollings, Unger and Hamilton - **Expanding comprehensive coverage for pregnant women through Medicaid** (original similar to HB2956, SB559) - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 139, Acts, Regular Session, 2019
566. By Sen. Boso - **Relating to compensation for State Athletic Commission members** - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 119, Acts, Regular Session, 2019
587. By Sen. Trump - **Relating to PEIA reimbursement of air ambulance providers** - Passed 3/6/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 146, Acts, Regular Session, 2019
593. By Sen. Maroney, Stollings and Boso - **Permitting critical access hospital become community outpatient medical center** (original similar to HB2953) - Passed 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/25/19 - Chapter 209, Acts, Regular Session, 2019
596. By Sen. Weld, Stollings, Baldwin, Boso, Cline, Sypolt, Tarr and Maroney - **Adjusting voluntary contribution amounts on certain DMV forms** - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 171, Acts, Regular Session, 2019
- *597. By Sen. Boso and Sypolt - **Conforming state law to federal law for registration of appraisal management companies** - Passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 189, Acts, Regular Session, 2019
- *600. By Sen. Trump and Boso - **Relating to preservation of biological evidence obtained through criminal investigations and trials** - Passed 3/8/2019; Effective from passage - To Governor 3/22/19 - Approved by Governor 3/26/19 - Chapter 229, Acts, Regular Session, 2019
- *601. By Sen. Trump - **Relating to mandatory supervision of adult inmates** - Passed 3/8/2019; Effective from passage - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 57, Acts, Regular Session, 2019
- *603. By Sen. Tarr - **Exempting certain activities from licensing requirements for engaging in business of currency exchange** - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 39, Acts, Regular Session, 2019
605. By Sen. Rucker, Boso, Maroney, Tarr, Baldwin, Cline and Sypolt - **Permitting Secondary School Activities Commission discipline schools for not following protocol for concussions and head injuries** (original similar to HB2965) - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 93, Acts, Regular Session, 2019
- *613. By Sen. Maroney, Plymale, Takubo, Jeffries, Hamilton, Stollings, Roberts, Baldwin and Woelfel - **Requiring DNR include election of organ donation on hunting licenses** - Passed 3/9/2019; Effective from passage - To Governor

- 3/22/19 - Approved by Governor 3/26/19 - Chapter 210, Acts, Regular Session, 2019
617. By Sen. Azinger, Hamilton, Plymale and Ihlenfeld (Originating in Senate Pensions) - **Relating to method of payment to Municipal Pensions Security Fund** - Passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/22/19 - Chapter 63, Acts, Regular Session, 2019
- *622. By Sen. Tarr - **Relating generally to regulation and control of financing elections** - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/27/19 - Chapter 102, Acts, Regular Session, 2019
- *624. By Sen. Rucker, Plymale, Roberts and Cline - **Allowing county boards of education use alternative assessment provided in Every Student Succeeds Act** - Passed 3/9/2019; Effective from passage - To Governor 3/22/19 - Vetoed by Governor 3/27/19
625. By Sen. Boso - **Clarifying and defining authority of State Athletic Commission** (original similar to SB644) - Passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 120, Acts, Regular Session, 2019
627. By Sen. Sypolt - **Relating generally to Rural Rehabilitation Loan Program** (original similar to HB2964) - Passed 3/8/2019; Effective from passage - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 10, Acts, Regular Session, 2019
- *632. By Sen. Maynard, Azinger, Blair, Boso, Cline, Roberts, Rucker, Smith, Sypolt, Tarr, Trump and Jeffries - **Improving student safety** - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 94, Acts, Regular Session, 2019
633. By Sen. Tarr - **Authorizing Board of Physical Therapy conduct criminal background checks on applicants for licenses** - Passed 3/8/2019 - To Governor 3/19/19 - Vetoed by Governor 3/27/19
635. By Sen. Smith (Originating in Senate Energy, Industry and Mining) - **Relating generally to coal mining activities** - Passed 3/9/2019; Effective from passage - To Governor 3/20/19 - Approved by Governor 3/27/19 - Chapter 170, Acts, Regular Session, 2019
636. By Sen. Rucker, Azinger, Cline, Plymale, Roberts and Trump (Originating in Senate Education) - **Authorizing legislative rules for Higher Education Policy Commission** - Passed 3/4/2019; Effective from passage - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 135, Acts, Regular Session, 2019
- *640. By Sen. Stollings and Maroney - **Regulating sudden cardiac arrest prevention** - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 211, Acts, Regular Session, 2019

- *641. By Sen. Maroney and Takubo - **Relating to Primary Care Support Program** - Passed 3/4/2019; Effective from passage - To Governor 3/11/19 - Approved by Governor 3/25/19 - Chapter 212, Acts, Regular Session, 2019
- *653. By Sen. Stollings and Maroney - **Relating generally to practice of medical corporations** - Passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 190, Acts, Regular Session, 2019
655. By Sen. Trump - **Relating to conservation districts generally** - Passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 11, Acts, Regular Session, 2019
656. By Sen. Blair and Trump - **Relating to electronic filing of tax returns** - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 247, Acts, Regular Session, 2019
- *657. By Sen. Sypolt - **Providing consumer protection regarding self-propelled farm equipment** - Passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 51, Acts, Regular Session, 2019
658. By Sen. Romano - **Relating to motor vehicle salesperson licenses** - Passed 3/7/2019; Effective from passage - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 172, Acts, Regular Session, 2019
664. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Hardesty, Jeffries, Lindsay, Maynard, Romano, Smith, Woelfel and Trump (Originating in Senate Judiciary) - **Authorizing certain members of federal judiciary perform marriages** - Passed 3/5/2019; Effective from passage - To Governor 3/20/19 - Approved by Governor 3/26/19 - Chapter 84, Acts, Regular Session, 2019
667. By Sen. Maynard (Originating in Senate Economic Development) - **Creating WV Motorsport Committee** - Passed 3/5/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 87, Acts, Regular Session, 2019
668. By Sen. Azinger, Maynard, Palumbo, Prezioso, Roberts, Rucker, Stollings, Tarr, Takubo, Weld and Maroney (Originating in Senate Health and Human Resources) - **Relating to physician assistants collaborating with physicians in hospitals** - Passed 3/6/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 191, Acts, Regular Session, 2019
669. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Takubo, Weld, Woelfel and Trump (Originating in Senate Judiciary) - **Allowing appointment of commissioners to acknowledge signatures** - Passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 234, Acts, Regular Session, 2019
670. By Sen. Rucker, Blair, Azinger, Cline, Maynard, Plymale, Roberts and Trump (Originating in Senate Education) - **Relating to WV College Prepaid Tuition and Savings Program** - Passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 95, Acts, Regular Session, 2019
672. By Sen. Rucker, Blair, Azinger, Cline, Maynard, Roberts, Romano, Stollings and Trump (Originating in Senate Education) - **Authorizing School Building**

- Authority to promulgate legislative rules** - Passed 3/7/2019; Effective from passage - To Governor 3/22/19 - Approved by Governor 3/26/19 - Chapter 96, Acts, Regular Session, 2019
673. By Sen. Rucker, Blair, Azinger, Cline, Maynard, Roberts, Romano, Stollings, Trump and Unger (Originating in Senate Education) - **Relating to public higher education accountability and planning** - Passed 3/9/2019; Effective from passage - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 136, Acts, Regular Session, 2019
675. By Sen. Maynard, Mann, Beach, Cline, Facemire, Hamilton, Hardesty, Prezioso, Roberts, Rucker, Smith, Stollings and Sypolt (Originating in Senate Natural Resources) - **Requiring DEP create and implement Adopt-A-Stream Program** - Passed 3/6/2019; Effective from passage - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 106, Acts, Regular Session, 2019
676. By Sen. Maynard, Mann, Cline, Roberts, Rucker and Smith (Originating in Senate Natural Resources) - **Relating to off-road vehicle recreation** - Passed 3/7/2019; Effective from passage - To Governor 3/19/19 - Vetoed by Governor 3/27/19
677. By Sen. Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (Originating in Senate Finance) - **Supplemental appropriation to Division of Health and Division of Human Services** - Passed 3/9/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 26, Acts, Regular Session, 2019
678. By Sen. Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (Originating in Senate Finance) - **Supplemental appropriation from State Excess Lottery Revenue Fund to Office of Technology** - Passed 3/9/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 27, Acts, Regular Session, 2019
679. By Sen. Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (Originating in Senate Finance) - **Supplemental appropriation to Division of Finance** - Passed 3/9/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 28, Acts, Regular Session, 2019
680. By Sen. Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (Originating in Senate Finance) - **Supplemental appropriations to various divisions in DMAPS** - Passed 3/9/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 29, Acts, Regular Session, 2019
681. By Sen. Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (Originating in Senate Finance) - **Supplemental appropriation from Lottery Net Profits to Educational Broadcasting Authority** - Passed 3/9/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 30, Acts, Regular Session, 2019

**SENATE CONCURRENT RESOLUTIONS
ADOPTED BY LEGISLATURE**

1. By Sen. Carmichael (Mr. President), Takubo and Prezioso - **Adopting joint rules of Senate and House of Delegates** - Adopted 1/9/2019
2. By Sen. Carmichael (Mr. President), Blair and Prezioso - **Relating to payment of expenses of 84th Legislature** - Adopted 1/9/2019
- *4. By Sen. Swope - **US Marine Corps Lt. Col. Dennis Ray Blankenship Memorial Road** - Adopted 3/9/2019
5. By Sen. Cline and Plymale - **Home of Coach Bob Bolen Mountain State University 2004 NAIA Champions sign** - Adopted 3/9/2019
6. By Sen. Stollings, Baldwin and Beach - **US Army SP4 Darrell Gregory Triplett Memorial Bridge** - Adopted 3/9/2019
9. By Sen. Hamilton, Boso, Jeffries, Maynard, Smith, Sypolt, Maroney and Lindsay - **US Army PFC Winten L. Wayts Memorial Bridge** - Adopted 3/8/2019
12. By Sen. Stollings, Maroney and Swope - **US Army CPL Lee Roy Young Memorial Bridge** - Adopted 3/8/2019
16. By Sen. Romano, Azinger, Baldwin, Beach, Hardesty, Jeffries, Lindsay, Maynard, Unger, Boso, Palumbo, Swope and Stollings - **US Army SP4 Wilbur Allen Smith Memorial Bridge** - Adopted 3/9/2019
17. By Sen. Romano, Baldwin, Lindsay, Hardesty, Woelfel, Beach, Unger, Boso, Palumbo, Swope, Jeffries and Stollings - **Sardis District Veterans Memorial Bridge** - Adopted 3/9/2019
20. By Sen. Maroney, Clements, Baldwin, Stollings and Swope - **US Air Force SSGT Ryan David Hammond Memorial Bridge** - Adopted 3/8/2019
23. By Sen. Beach, Woelfel, Stollings, Baldwin, Swope, Lindsay and Maroney - **Jeffrey Alan Clovis Memorial Bridge** - Adopted 3/7/2019
- *24. By Sen. Swope, Woelfel, Stollings and Boso - **Hazel Dickens Memorial Bridge** - Adopted 3/9/2019
- *25. By Sen. Beach, Jeffries, Stollings, Baldwin, Palumbo and Swope - **US Army PFC Andrew "Bo" Martin Harper Memorial Bridge** - Adopted 3/7/2019
- *26. By Sen. Swope, Jeffries, Plymale, Beach, Lindsay, Stollings, Boso and Maynard - **Thompson-Lambert Memorial Bridge** - Adopted 3/9/2019
- *28. By Sen. Jeffries, Baldwin, Beach, Facemire, Ihlenfeld, Lindsay, Plymale, Prezioso, Romano, Stollings, Unger and Hardesty - **US Army SP5 James Henry Caruthers Memorial Road** - Adopted 3/9/2019

31. By Sen. Palumbo, Lindsay, Plymale, Stollings, Baldwin and Jeffries - **SGT James E. Mattingly Bridge** - Adopted 3/9/2019
32. By Sen. Hardesty, Lindsay, Beach, Plymale, Stollings, Baldwin and Jeffries - **US Army SSG Henry Kilgore Bridge** - Adopted 3/9/2019
- *34. By Sen. Maroney, Stollings, Baldwin, Beach, Plymale and Boso - **US Army SPC Julian Lee Berisford Memorial Bridge** - Adopted 3/9/2019
35. By Sen. Weld, Ihlenfeld, Jeffries, Stollings, Beach, Cline, Prezioso, Swope and Baldwin - **Designating days for displaying Honor and Remember Flag at WV Veterans Memorial** - Adopted 3/1/2019
- *36. By Sen. Maroney and Jeffries - **US Army CPL Cory M. Hewitt Memorial Bridge** - Adopted 3/9/2019
38. By Sen. Plymale, Baldwin, Cline, Maynard, Woelfel, Jeffries, Lindsay, Stollings and Roberts - **Urging CSX support New River Train** - Adopted 3/9/2019
- *40. By Sen. Tarr, Baldwin, Jeffries, Stollings and Swope - **US Army CPL Roy E. Clark Memorial Bridge** - Adopted 3/9/2019
- *45. By Sen. Romano, Facemire, Jeffries and Prezioso - **US Army Corporal T-5 Albert John "Engine" Arco Memorial Bridge** - Adopted 3/9/2019

HOUSE BILLS PASSED LEGISLATURE

- *2001. By Del. Harshbarger, Martin, P., McGeehan, Atkinson, Storch, Pack, Rowan, Hollen, Mandt, Kelly, J. and Sypolt - **Relating to exempting social security benefits from personal income tax** (original similar to HB2220) - Passed 3/9/2019 - To Governor 3/21/19 - Approved by Governor 3/27/19 - Chapter 248, Acts, Regular Session, 2019
- *2004. By Del. Espinosa, Graves, Harshbarger, Foster, Worrell, Hanna, Dean, Sypolt, Hamrick and Howell - **Providing for a program of instruction in workforce preparedness** - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 97, Acts, Regular Session, 2019
2009. By Del. Hamrick, Dean, Phillips, Cadle, Porterfield, Wilson, Jennings, Cooper and Espinosa - **Creating a new category of Innovation in Education grant program** - Passed 3/7/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 98, Acts, Regular Session, 2019
- *2010. By Del. Kessinger, Ellington, Hill, Summers, Pack, Storch, Rowan, Sypolt, Harshbarger, Phillips and Capito - **Relating to foster care** - Passed 3/12/2019; Effective from passage - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 44, Acts, Regular Session, 2019
- *2020. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution** - Passed

3/8/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor with deletions and reductions 3/14/19 - Chapter 31, Acts, Regular Session, 2019

2036. By Del. Cooper, Pack and Rowan - **Permitting vehicles displaying disabled veterans' special registration plates to park in places where persons with mobility impairments may park** - Passed 2/25/2019 - To Governor 3/4/19 - Approved by Governor 3/9/19 - Chapter 261, Acts, Regular Session, 2019
- *2049. By Del. Foster, Porterfield, Waxman, Kessinger, Cowles, Hardy, Fast and Jennings - **Relating to a prime contractor's responsibility for wages and benefits** - Passed 3/9/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 158, Acts, Regular Session, 2019
- *2079. By Del. Pushkin, Hill, Lavender-Bowe, Bates and Thompson, C. - **Removing certain limitations on medical cannabis grower, processor and dispensary licenses** - Passed 3/9/2019; Effective from passage - To Governor 3/25/19 - Vetoed by Governor 3/27/19
- *2083. By Del. Pushkin, Shott, Miley, Lovejoy and Miller - **Providing an identification card for released inmates who do not have a West Virginia identification card or driver's license** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 58, Acts, Regular Session, 2019
- *2183. By Del. Shott, Steele, Harshbarger and Wilson - **Clarifying where a charge of DUI may be brought against an individual** - Passed 3/5/2019 - To Governor 3/9/19 - Approved by Governor 3/26/19 - Chapter 262, Acts, Regular Session, 2019
- *2191. By Del. Westfall, Espinosa and Barrett - **Relating generally to limited video lottery** - Passed 2/12/2019; Effective from passage - To Governor 2/19/19 - Approved by Governor 2/25/19 - Chapter 121, Acts, Regular Session, 2019
- *2193. By Del. Shott - **Providing a specific escheat of US savings bonds** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 107, Acts, Regular Session, 2019
- *2204. By Del. Foster, Fast, Phillips, Waxman and Wilson - **Prohibiting state licensing boards from hiring lobbyists** - Passed 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/19/19 - Chapter 122, Acts, Regular Session, 2019
2209. By Del. Howell, Shott and Foster - **Allowing military veterans who meet certain qualifications to qualify for examination for license as an emergency medical technician** - Passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/25/19 - Chapter 192, Acts, Regular Session, 2019
- *2307. By Del. Howell, Hanna, Hott, Steele, Linville, Pack, Phillips, Cadle, Worrell, Hill and Wilson - **Relating to creating a provisional license for practicing barbering and cosmetology** - Passed 2/12/2019 - To Governor 2/14/19 - Approved by Governor 2/19/19 - Chapter 193, Acts, Regular Session, 2019

2311. By Del. Howell - **Exempting short-term license holders to submit information to the State Tax Commission once the term of the permit has expired** - Passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 249, Acts, Regular Session, 2019
- *2324. By Del. Summers and Pushkin - **Authorizing the acupuncture board to issue certificates to perform auricular acudetox therapy** - Passed 2/21/2019 - To Governor 2/26/19 - Approved by Governor 3/1/19 - Chapter 194, Acts, Regular Session, 2019
2351. By Del. Ellington, Hill, Rohrbach, Rowan, Summers, Thompson, C., Walker, Stagers, Atkinson and Angelucci (Originating in House Health and Human Resources) - **Relating to regulating prior authorizations** - Passed 2/20/2019; Effective from passage - To Governor 2/26/19 - Approved by Governor 3/1/19 - Chapter 147, Acts, Regular Session, 2019
- *2359. By Del. Howell, Hanna, Hott, Steele, Linville, Pack, Phillips, Cadle, Worrell, Hill and Wilson - **Relating to exemptions to the commercial driver's license requirements** - Passed 3/5/2019 - To Governor 3/9/19 - Approved by Governor 3/19/19 - Chapter 173, Acts, Regular Session, 2019
- *2362. By Del. Miller, Shott, Campbell, Lovejoy, Canestraro, Maynard, Hornbuckle, Summers and Robinson - **Ardala Miller Memorial Act** - Passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 103, Acts, Regular Session, 2019
- *2363. By Del. Stagers, Angelucci, Kessinger, Fast, Skaff and Robinson - **Relating to the Upper Kanawha Valley Resiliency and Revitalization Program** (original similar to SB151) - Passed 3/7/2019 - To Governor 3/18/19 - Vetoed by Governor 3/27/19
- *2378. By Del. Espinosa, Westfall and Lavender-Bowe - **Relating generally to grounds for revocation of a teaching certificate** - Passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 237, Acts, Regular Session, 2019
- *2396. By Del. Thompson, R. and Lovejoy - **West Virginia Fresh Food Act** - Passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 12, Acts, Regular Session, 2019
- *2405. By Del. Ellington, Summers, Pack, Atkinson, Hollen, Rohrbach, Pushkin, Walker and Fleischauer - **Imposing a healthcare related provider tax on certain health care organizations** - Passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/27/19 - Chapter 250, Acts, Regular Session, 2019
2412. By Del. Hanshaw (Mr. Speaker), Bates, Miley, Nelson, Shott and Wilson - **Relating to criminal acts concerning government procurement of commodities and services** (original similar to SB271) - Passed 3/8/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *2422. By Del. Summers - **Relating to the time for the observation of "Celebrate Freedom Week"** - Passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 99, Acts, Regular Session, 2019

- *2439. By Del. Maynard, Azinger, Cooper, Jennings, Lovejoy, Miller, Sponaugle and Sypolt - **Relating to fire service equipment and training funds for volunteer and part-volunteer fire companies** (original similar to SB292) - Passed 3/5/2019 - To Governor 3/9/19 - Approved by Governor 3/26/19 - Chapter 223, Acts, Regular Session, 2019
- *2446. By Del. Hollen, Steele and Mandt - **Blue Alert Plan** - Passed 2/13/2019 - To Governor 2/19/19 - Approved by Governor 2/25/19 - Chapter 230, Acts, Regular Session, 2019
- *2452. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Creating the West Virginia Cybersecurity Office** (original similar to SB314) - Passed 3/7/2019 - To Governor 3/18/19 - Approved by Governor 3/25/19 - Chapter 123, Acts, Regular Session, 2019
2459. By Del. Shott, Capito, Kessinger, Mandt, Fleischauer, Pushkin, Byrd, Robinson, Brown, S. and Lovejoy - **Exercising authority to exempt individuals domiciled within the state from certain restrictions contained in federal law** - Passed 2/20/2019 - To Governor 2/22/19 - Approved by Governor 2/28/19 - Chapter 140, Acts, Regular Session, 2019
2462. By Del. Hollen, Canestraro, Kelly, D., Foster, Fast, Harshbarger and Mandt - **Issuing a certificate to correctional employees to carry firearms** (original similar to SB337) - Passed 2/11/2019 - To Governor 2/14/19 - Approved by Governor 2/19/19 - Chapter 59, Acts, Regular Session, 2019
2474. By Del. Westfall, Azinger, Criss, Jeffries, D., Hamrick, Mandt, Nelson, Espinosa and Porterfield - **Relating to a reserving methodology for health insurance and annuity contracts** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 148, Acts, Regular Session, 2019
- *2476. By Del. Westfall, Azinger, Hott, Jeffries, D., Graves, Jennings, Criss, Mandt, Nelson, Espinosa and Porterfield - **Relating to the valuation of a motor vehicle involved in an insurance claim** - Passed 3/4/2019 - To Governor 3/6/19 - Approved by Governor 3/22/2019 - Chapter 149, Acts, Regular Session, 2019
- *2479. By Del. Jeffries, D., Westfall, Hott, Azinger, Graves, Sypolt, Criss, Mandt, Nelson, Espinosa and Porterfield - **Corporate Governance Annual Disclosure Act** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 150, Acts, Regular Session, 2019
2480. By Del. Hott, Westfall, Azinger, Jeffries, D., Graves, Jennings, Criss, Mandt, Nelson, Espinosa and Porterfield - **Relating to the regulation of an internationally active insurance group** - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 151, Acts, Regular Session, 2019
- *2481. By Del. Steele, Foster, Kessinger, Pushkin, Barrett and Pyles - **Permitting retail sale of alcoholic beverages on Sundays after 1 p.m.** - Passed 2/19/2019; Effective from passage - To Governor 2/22/19 - Approved by Governor 2/28/19 - Chapter 18, Acts, Regular Session, 2019

- *2486. By Del. Shott, Foster, Kessinger and Pushkin - **Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation** - Passed 3/9/2019 - To Governor 3/22/19 - Vetoed by Governor 3/27/19
- *2490. By Del. Howell, Pack, Hott, Hamrick, Dean, Graves, Ellington, Staggers, Steele and Higginbotham - **Preventing proposing or enforcing rules that prevent recreational water facilities from making necessary upgrades** - Passed 3/9/2019 - To Governor 3/21/19 - Approved by Governor 3/25/19 - Chapter 213, Acts, Regular Session, 2019
2492. By Del. Ellington, Hill, Summers, Pack, Atkinson, Wilson, Worrell, Jeffries, D., Hollen and Butler - **Relating to mandatory reporting procedures of abuse and neglect of adults and children** - Passed 2/19/2019 - To Governor 2/22/19 - Approved by Governor 2/28/19 - Chapter 141, Acts, Regular Session, 2019
- *2503. By Del. Steele, Pack, Harshbarger, Mandt, Jeffries, J., Graves, Wilson, Foster and Kessinger - **Relating to court actions** - Passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
2509. By Del. Pack, Dean, Wilson and Rohrbach - **Clarifying that theft of a controlled substance is a felony** - Passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 54, Acts, Regular Session, 2019
2510. By Del. Howell, Pack, Hott, Hamrick, Dean, Graves, Ellington, Linville, Higginbotham, Butler and Kessinger - **Relating to special funds of boards of examination or registration** - Passed 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/26/19 - Chapter 124, Acts, Regular Session, 2019
2515. By Del. Butler, Cadle, Wilson, Ellington, Shott, Howell, Hardy, Kump, Pack, Storch and Fast - **Exempting the sale and installation of mobility enhancing equipment from the sales and use tax** - Passed 3/6/2019 - To Governor 3/18/19 - Approved by Governor 3/25/19 - Chapter 251, Acts, Regular Session, 2019
- *2521. By Del. Harshbarger, Paynter, Cooper, Bibby, Kelly, D., Atkinson, Sypolt, Hanna, Mandt and Porterfield - **Relating to permitting fur-bearer parts** - Passed 2/15/2019 - To Governor 2/22/19 - Approved by Governor 2/28/19 - Chapter 177, Acts, Regular Session, 2019
- *2524. By Del. Atkinson, Hill, Jeffries, D., Hollen, Fleischauer and Staggers - **Permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances** - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 195, Acts, Regular Session, 2019
2525. By Del. Summers, Hill, Pack, Dean, Atkinson, Wilson, Worrell, Jeffries, D., Hollen, Butler and Rohrbach - **Tobacco Cessation Therapy Access Act** - Passed 3/6/2019 - To Governor 3/18/19 - Approved by Governor 3/26/19 - Chapter 214, Acts, Regular Session, 2019
2530. By Del. Rohrbach, Hollen, Ellington, Hanna, Hornbuckle, Kelly, D., Kessinger, Mandt, Pushkin, Robinson and Walker (Originating in House Prevention and Treatment of Substance Abuse) - **Creating a voluntary certification for**

- recovery residences** - Passed 3/6/2019 - To Governor 3/19/19 - Vetoed by Governor 3/27/19
- *2531. By Del. Rohrbach, Hollen, Ellington, Hanna, Hornbuckle, Kelly, D., Kessinger, Mandt, Robinson and Walker (Originating in House Prevention and Treatment of Substance Abuse) - **Permitting trained nurses to provide mental health services in a medication-assisted treatment program** - Passed 3/5/2019 - To Governor 3/9/19 - Vetoed by Governor 3/27/19
- *2538. By Del. Nelson, Pushkin, Hornbuckle, McGeehan, Householder, Barrett, Fluharty, Wilson, Byrd, Campbell and Queen - **Providing banking services for medical cannabis** - Passed 3/5/2019; Effective from passage - To Governor 3/9/19 - Approved by Governor 3/26/19 - Chapter 40, Acts, Regular Session, 2019
- *2540. By Del. Harshbarger, Paynter, Sypolt, Cooper, Hanna, Bibby, Hott and Brown, N. - **Prohibiting the waste of game animals, game birds or game fish** (original similar to SB305) - Passed 3/9/2019 - To Governor 3/21/19 - Approved by Governor 3/25/19 - Chapter 178, Acts, Regular Session, 2019
- *2541. By Del. Thompson, R., Evans, Lovejoy, Doyle, Hornbuckle, Hicks, Dean, Paynter, Zukoff and Pyles - **Requiring certain safety measures be taken at public schools** - Passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/25/19 - Chapter 100, Acts, Regular Session, 2019
2547. By Del. Shott - **Relating to the election prohibition zone** - Passed 3/5/2019 - To Governor 3/19/19 - Approved by Governor 3/19/19 - Chapter 104, Acts, Regular Session, 2019
- *2550. By Del. Capito, Nelson, Queen and Fast - **Creating a matching program for the Small Business Innovation and Research Program and the Small Business Technology Transfer Program** (original similar to SB602) - Passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/27/19 - Chapter 88, Acts, Regular Session, 2019
- *2579. By Del. Nelson and Criss - **Relating to the collection of tax and the priority of distribution of an estate or property in receivership** (original similar to SB406) - Passed 3/7/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *2583. By Del. Hill, Ellington, Pushkin, Rohrbach, Fleischauer, Walker, Stagers, McGeehan, Summers and Doyle - **Family Planning Access Act** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 215, Acts, Regular Session, 2019
- *2600. By Del. Summers and Kessinger - **Relating to publication of sample ballots** (original similar to HB2499) - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 105, Acts, Regular Session, 2019
- *2601. By Del. Hanshaw (Mr. Speaker), Miley and Nelson - **Relating to the review and approval of state property leases** (original similar to SB343) - Passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 125, Acts, Regular Session, 2019

- *2607. By Del. Hill, Staggers, Howell, Rowan and Jeffries, D. - **Relating to the licensure of nursing homes** (original similar to SB434) - Passed 2/20/2019 - To Governor 2/26/19 - Approved by Governor 3/1/19 - Chapter 216, Acts, Regular Session, 2019
2608. By Del. Nelson, Criss and Espinosa - **Repealing the requirement of printing the date a consumer deposit account was opened on paper checks** - Passed 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/19/19 - Chapter 48, Acts, Regular Session, 2019
- *2609. By Del. Nelson, Criss and Espinosa - **Relating to presumptions of abandonment and indication of ownership in property** (original similar to SB407) - Passed 3/4/2019 - To Governor 3/9/19 - Approved by Governor 3/25/19 - Chapter 108, Acts, Regular Session, 2019
- *2612. By Del. Hill, Wilson, Howell, Rowan, Fleischauer and Walker - **Proposing rules related to the completion or updating of source water protection plans** (original similar to SB430) - Passed 2/23/2019 - To Governor 2/28/19 - Approved by Governor 3/6/19 - Chapter 217, Acts, Regular Session, 2019
- *2617. By Del. Westfall, Hott, Jeffries, D., Espinosa and Porterfield - **Relating to the form for making offer of optional uninsured and underinsured coverage by insurers** - Passed 3/7/2019 - To Governor 3/21/19 - Approved by Governor 3/25/19 - Chapter 152, Acts, Regular Session, 2019
- *2618. By Del. Rowan, Martin, C., Rohrbach, Sypolt, Graves, Lovejoy, Longstreth, Boggs, Mandt, Maynard and Kelly, J. - **Including undue influence as a factor in the definition of financial exploitation of an elderly person or protected person** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 2, Acts, Regular Session, 2019
2647. By Del. Westfall, Maynard, Hartman, Atkinson and Espinosa - **Self Storage Limited License Act** - Passed 3/7/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 153, Acts, Regular Session, 2019
- *2661. By Del. Anderson, Azinger, Howell, Kelly, J., Westfall, Pethtel, Storch, Kelly, D., Swartzmiller, Nelson and Harshbarger - **Relating to natural gas utilities** - Passed 3/8/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *2662. By Del. Westfall, Rohrbach, Zukoff, Toney, Thompson, R., Kelly, J., Evans, Dean, Campbell and Cooper (Originating in House Education) - **Relating to certificates or employment of school personnel** - Passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 238, Acts, Regular Session, 2019
2665. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplemental appropriation for PEIA Rainy Day Fee** (original similar to SB423) - Passed 3/9/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 32, Acts, Regular Session, 2019
2666. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplemental appropriation to the Department of Veterans' Assistance** (original similar to SB446) - Passed 2/21/2019; Effective from passage - To

Governor 2/26/19 - Approved by Governor 3/1/19 - Chapter 33, Acts, Regular Session, 2019

2667. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplemental appropriation to the Department of Military Affairs and Public Safety, Division of Corrections** (original similar to SB425) - Passed 3/7/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 34, Acts, Regular Session, 2019
2668. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplemental appropriation to the Department of Administration, Public Defender Services** (original similar to SB422) - Passed 2/21/2019; Effective from passage - To Governor 2/26/19 - Approved by Governor 3/1/19 - Chapter 35, Acts, Regular Session, 2019
- *2673. By Del. Householder, Criss, Harshbarger, Anderson and Kelly, J. - **Creating the Oil and Gas Abandoned Well Plugging Fund** - Passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
- *2674. By Del. Atkinson, Westfall, Hollen, Jeffries, D., Azinger, Harshbarger, Canestraro, Kelly, J., Queen, Criss and Kessinger - **Creating a student loan repayment program for a mental health provider** - Passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
- *2690. By Del. Westfall, Azinger, Nelson, Williams and Porterfield - **Relating to guaranty associations** (original similar to SB506) - Passed 2/28/2019 - To Governor 3/5/19 - Approved by Governor 3/25/19 - Chapter 154, Acts, Regular Session, 2019
2691. By Del. Howell, Jeffries, D., Pack, Phillips, Worrell, Sypolt, Hott, Martin, C., Cadle, Dean and Storch - **Providing that a license to carry a concealed deadly weapon expires on the holder's birthday** - Passed 3/4/2019; Effective from passage - To Governor 3/6/19 - Approved by Governor 3/25/19 - Chapter 264, Acts, Regular Session, 2019
- *2694. By Del. Howell, Jeffries, D., Pack, Phillips, Sypolt, Hott, Cadle, Hamrick, Graves, McGeehan and Pushkin - **Relating to the state's ability to regulate hemp** (original similar to SB629) - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 13, Acts, Regular Session, 2019
- *2703. By Del. Pack, Steele, Cooper, Graves, Criss, Westfall, Queen, Azinger, Higginbotham, Barrett and Bates - **Relating to refunds of excise taxes collected from dealers of petroleum products** - Passed 3/7/2019 - To Governor 3/8/19 - Vetoed by Governor 3/27/19
2709. By Del. Atkinson, Worrell, McGeehan, Westfall, Miller, Swartzmiller, Kessinger, Cadle, Cooper and Brown, N. - **Relating to hunting licenses** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 179, Acts, Regular Session, 2019
- *2715. By Del. Harshbarger, Worrell, McGeehan, Westfall, Miller, Swartzmiller, Kessinger, Cadle, Cooper and Brown, N. - **Relating to Class Q special hunting**

- permit for disabled persons** - Passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 180, Acts, Regular Session, 2019
2716. By Del. Harshbarger, Worrell, McGeehan, Westfall, Miller, Swartzmiller, Atkinson, Kessinger, Cadle, Cooper and Porterfield - **Relating to vessel lighting and equipment requirements** - Passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 181, Acts, Regular Session, 2019
- *2734. By Del. Kessinger, Fast, Staggers and Robinson - **Relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities** - Passed 3/5/2019 - To Governor 3/9/19 - Vetoed by Governor 3/27/19
- *2737. By Del. Householder and Criss - **Relating to training of State Tax Division employees** (original similar to SB476) - Passed 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/19/19 - Chapter 201, Acts, Regular Session, 2019
2739. By Del. Hollen, Graves, Anderson and Malcolm - **Relating to contributions on behalf of employees to a retirement plan administered by the Consolidated Public Retirement Board** - Passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 75, Acts, Regular Session, 2019
- *2740. By Del. Shott, Harshbarger and Mandt - **Barring a parent from inheriting from a child in certain instances** (original similar to SB482) - Passed 3/1/2019 - To Governor 3/6/19 - Approved by Governor 3/25/19 - Chapter 83, Acts, Regular Session, 2019
2743. By Del. Hollen, Graves, Pethtel, Evans, Anderson and Malcolm - **Eliminating reference to municipal policemen's pension and relief funds and firemen's pension and relief funds in section restricting investment** - Passed 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/22/2019 - Chapter 64, Acts, Regular Session, 2019
2746. By Del. Shott - **Relating to administration of estates** (original similar to SB480) - Passed 2/28/2019 - To Governor 3/5/19 - Approved by Governor 3/25/19 - Chapter 109, Acts, Regular Session, 2019
2759. By Del. Shott - **Providing for the ancillary administration of West Virginia real estate owned by nonresidents by affidavit and without administration** (original similar to SB483) - Passed 3/1/2019 - To Governor 3/6/19 - Approved by Governor 3/26/19 - Chapter 110, Acts, Regular Session, 2019
- *2761. By Del. Westfall - **Modernizing the self-service storage lien law** - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 169, Acts, Regular Session, 2019
- *2768. By Del. Rohrbach - **Reducing the use of certain prescription drugs** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 218, Acts, Regular Session, 2019

- *2770. By Del. Rohrbach, Ellington, Barrett, Queen, Waxman, Byrd, Westfall, Nelson and Porterfield - **Fairness in Cost-Sharing Calculation Act** (original similar to SB509) - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 155, Acts, Regular Session, 2019
- *2807. By Del. Kelly, J., Nelson, Worrell, Kelly, D., Azinger, Criss, Caputo, Angelucci, Longstreth, Brown, N. and Espinosa - **Creating an additional modification to the West Virginia adjusted gross income of shareholders of S corporations engaged in banking** (original similar to SB505) - Passed 3/9/2019 - To Governor 3/27/19 - Vetoed by Governor 3/27/19
- *2809. By Del. Shott, Capito, Mandt, Paynter, Ellington, Porterfield and Evans - **Relating to prohibited acts and penalties in the Hatfield-McCoy Recreation Area** - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 182, Acts, Regular Session, 2019
- *2813. By Del. Householder and Criss - **Relating generally to collection of use tax** (original similar to SB477) - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 252, Acts, Regular Session, 2019
2816. By Del. Campbell, Canestraro, Higginbotham, Lavender-Bowe, Atkinson, Williams, Thompson, R., Caputo, Hornbuckle, Dean and Pack - **Removing the terms “hearing impaired,” “hearing impairment,” and “deaf mute” from the West Virginia Code and substituting terms** - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 126, Acts, Regular Session, 2019
- *2821. By Del. Householder and Criss - **Updating provisions for command, clerical and other pay** - Passed 2/25/2019 - To Governor 3/4/19 - Approved by Governor 3/9/19 - Chapter 231, Acts, Regular Session, 2019
2827. By Del. Sypolt, Phillips, Graves, Nelson, Pyles and Miller - **Removing the residency requirements for hiring deputy assessors** (original similar to SB565) - Passed 2/28/2019 - To Governor 3/5/19 - Approved by Governor 3/19/19 - Chapter 65, Acts, Regular Session, 2019
2828. By Del. Higginbotham, Queen, Skaff, Atkinson, Martin, C., Nelson, Toney, Waxman, Capito, Lovejoy and Hicks (Originating in House Small Business, Entrepreneurship and Economic Development) - **Relating to Qualified Opportunity Zones** - Passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
2829. By Del. Nelson, Householder, Shott, Ellington, Atkinson, Jennings, Sypolt, Hartman, Campbell, Cooper and Cowles - **Relating to the termination of severance taxes on limestone and sandstone** - Passed 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/27/19 - Chapter 253, Acts, Regular Session, 2019
- *2831. By Del. Criss, Storch, Cowles, Hill, Butler, Hardy, Boggs, Barrett, Pethel, Longstreth and Hartman - **Finding and declaring certain claims against the state and its agencies to be moral obligations of the state** - Passed 3/8/2019; Effective from passage - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 46, Acts, Regular Session, 2019

2846. By Del. Miller, Kelly, D., Swartzmiller, Robinson, Queen, Hornbuckle, Pack, Malcolm and Pyles - **Relating to special vehicle registration plates** - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 174, Acts, Regular Session, 2019
- *2848. By Del. Ellington, Summers, Nelson and Byrd - **Relating to the West Virginia ABLE Act** - Passed 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/27/19 - Chapter 219, Acts, Regular Session, 2019
- *2849. By Del. Howell, Pack, Martin, C., Jeffries, D., Dean and Hamrick - **Establishing different classes of pharmacy technicians** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 196, Acts, Regular Session, 2019
2850. By Del. Porterfield, Linville, Jeffries, J., Kessinger, Cadle, Paynter, Cooper and Foster - **Relating to qualifications for commercial driver's license** - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 175, Acts, Regular Session, 2019
2853. By Del. Higginbotham, Jennings, Skaff, Queen, Phillips, Bibby, Wilson, Atkinson and Byrd - **Establishing the West Virginia Program for Open Education Resources** - Passed 3/7/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 168, Acts, Regular Session, 2019
- *2854. By Del. Householder - **Exempting sales from the consumers sales and service tax and use tax by not for profit volunteer school support groups raising funds for schools** (original similar to SB457) - Passed 3/1/2019 - To Governor 3/7/19 - Approved by Governor 3/19/19 - Chapter 254, Acts, Regular Session, 2019
2856. By Del. Householder - **Relating to the administration of the operating fund of the securities division of the Auditor's office** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 127, Acts, Regular Session, 2019
2872. By Del. Kelly, D., Caputo, Maynard, Kelly, J., Anderson, Hollen, Miller, Steele, Harshbarger and Lovejoy - **Authorizing law-enforcement officers to assist the State Fire Marshal** (original similar to SB526) - Passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 232, Acts, Regular Session, 2019
- *2907. By Del. Steele, Miller, Caputo and Maynard - **Requiring a form of a certified commitment order to the Division of Corrections and Rehabilitation** (original similar to SB525) - Passed 3/6/2019; Effective from passage - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 81, Acts, Regular Session, 2019
2926. By Del. Rowe, Longstreth, Robinson, Estep-Burton, Pyles, Queen, Westfall, Bates, McGeehan, Evans and Miller - **Requiring the Secretary of the Department of Veterans' Affairs to study the housing needs of veterans** - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 263, Acts, Regular Session, 2019

- *2933. By Del. Shott and Lovejoy - **Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury** - Passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
2934. By Del. Barrett, Householder, Westfall, Bates, Graves, Fluharty, Criss, Sponaugle, Williams, Skaff and Storch - **West Virginia Lottery Interactive Wagering Act** - Passed 3/9/2019 - To Governor 3/25/19 - Became law without Governor's signature - Chapter 128, Acts, Regular Session, 2019
- *2945. By Del. Miley, Caputo, Lavender-Bowe, Householder, Nelson and Bates - **Relating to vendors paying a single annual fee for a permit issued by a local health department** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 220, Acts, Regular Session, 2019
- *2947. By Del. Steele, Pack, Rohrbach and Atkinson - **Relating generally to telemedicine prescription practice requirements and exceptions** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 197, Acts, Regular Session, 2019
2954. By Del. Summers - **Defining certain terms used in insurance** (original similar to SB591) - Passed 3/7/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 156, Acts, Regular Session, 2019
2958. By Del. Maynard, Westfall, Jennings, Pack, Paynter, Miller, Lovejoy, Linville, Jeffries, J. and Angelucci - **Authorizing the State Auditor to conduct regular financial examinations or audits of all volunteer fire companies** - Passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 129, Acts, Regular Session, 2019
2968. By Del. Nelson, Espinosa, Barrett, Byrd, McGeehan, Criss and Porterfield - **Adding remote service unit to the definition of customer bank communications terminals** (original similar to SB634) - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 41, Acts, Regular Session, 2019
- *2975. By Del. Miller and Kelly, D. - **Relating to imposition of sexual acts on persons incarcerated** - Passed 3/7/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 76, Acts, Regular Session, 2019
- *2982. By Del. Howell, Hott, Pack, Cadle, Martin, C. and Hamrick - **Amending and updating the laws relating to auctioneers** (original similar to SB619) - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 37, Acts, Regular Session, 2019
2992. By Del. Pack, Howell, Pyles, Jeffries, J., Phillips, Hott, Hansen, Tomblin, Nelson, Martin, C. and Sypolt (Originating in House Government Organization) - **Relating to governmental websites** - Passed 3/7/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *3007. By Del. Nelson, Harshbarger, Cadle, Atkinson, Cooper, Pack and Porterfield - **Authorizing the Commissioner of Agriculture to require background**

- checks** - Passed 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/19/19 - Chapter 14, Acts, Regular Session, 2019
- *3016. By Del. Butler and Porterfield - **Relating to the State Aeronautics Commission** (original similar to SB562) - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 130, Acts, Regular Session, 2019
3020. By Del. Espinosa - **Relating to sole source contracts for goods and services with nonprofit corporations affiliated with the respective education institutions** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 137, Acts, Regular Session, 2019
- *3021. By Del. Espinosa - **Relating to the disposition of permit fees, registration fees and civil penalties imposed against thoroughbred horse racing licensees** - Passed 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/25/19 - Chapter 131, Acts, Regular Session, 2019
- *3024. By Del. Hanshaw (Mr. Speaker), Atkinson and Nelson - **West Virginia Business Ready Sites Program** (original similar to HB3092) - Passed 3/9/2019; Effective from passage - To Governor 3/25/19 - Vetoed by Governor 3/27/19
3044. By Del. Williams, Summers, Fleischauer, Pyles, Walker, Hansen, Caputo, Miley, Zukoff, Queen and Sypolt - **Requiring the Commissioner of Highways to develop a formula for allocating road funds** - Passed 3/9/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
3045. By Del. Cowles, Maynard, Barrett, Skaff, Boggs, Williams and Porterfield - **Exempting certain complimentary hotel rooms from hotel occupancy tax** - Passed 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/19/19 - Chapter 255, Acts, Regular Session, 2019
- *3057. By Del. Shott - **Relating to the Adult Drug Court Participation Fund** - Passed 3/9/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 82, Acts, Regular Session, 2019
3083. By Del. Hanshaw (Mr. Speaker) and Miley - **Adding temporary work during the legislative session as exclusion to the term employment for purposes of unemployment compensation** - Passed 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/19/19 - Chapter 202, Acts, Regular Session, 2019
3093. By Del. Cowles, Porterfield and Rohrbach - **Relating to standards for factory-built homes** - Passed 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/25/19 - Chapter 43, Acts, Regular Session, 2019
3095. By Del. Summers, Hollen, Graves, Anderson, Malcolm, Pack, Pethel and Evans - **Establishing a minimum monthly retirement annuity for certain retirants** - Passed 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/19/19 - Chapter 203, Acts, Regular Session, 2019
- *3131. By Del. Ellington, Hill, Summers, Rohrbach, Hollen, Pack, Atkinson, Jeffries, D. and Rowan (Originating in House Health and Human Resources) - **Relating**

- to providing salary adjustments to employees of the Department of Health and Human Resources** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 204, Acts, Regular Session, 2019
3132. By Del. Rohrbach (Originating in House Prevention and Treatment of Substance Abuse) - **Relating to exempting providers that serve no more than 30 patients with office-based medication-assisted treatment** - Passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 221, Acts, Regular Session, 2019
3135. By Del. Criss, Cowles, Ellington, Espinosa, Hardy, Rowan, Barrett, Hartman, Longstreth, Rowe and Williams (Originating in House Finance) - **Expiring funds to the balance of the Department of Commerce, Development Office** - Passed 3/7/2019; Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 36, Acts, Regular Session, 2019
3139. By Del. Criss, Ellington, Hartman, Bates and Barrett (Originating in House Finance) - **Relating to funding of the Public Employees Health Insurance Program** - Passed 3/9/2019; Effective from passage - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 205, Acts, Regular Session, 2019
3140. By Del. Cowles, Hartman, Hardy, Espinosa, Ellington, Rowan, Pethel and Anderson (Originating in House Finance) - **Relating to the Division of Natural Resources Infrastructure** - Passed 3/4/2019; Effective from passage - To Governor 3/7/19 - Approved by Governor 3/26/19 - Chapter 183, Acts, Regular Session, 2019
3141. By Del. Shott, Byrd, Fast, Kelly, D. and Miller (Originating in House Judiciary) - **Requiring capitol building commission authorization for certain renovations** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 132, Acts, Regular Session, 2019
3142. By Del. Householder, Criss, Rowan, Linville and Maynard (Originating in House Finance) - **Relating to reducing the severance tax on thermal or steam coal** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 256, Acts, Regular Session, 2019
3143. By Del. Shott, Capito, Nelson and Foster (Originating in House Judiciary) - **Relating to requirements for consumer loans in West Virginia** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 52, Acts, Regular Session, 2019
3144. By Del. Hartman, Storch, Skaff, Graves, Espinosa, Rowan, Maynard, Hill, Longstreth and Barrett (Originating in House Finance) - **North Central Appalachian Coal Severance Tax Rebate Act** - Passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 257, Acts, Regular Session, 2019
3148. By Del. Householder and Criss (Originating in House Finance) - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services** - Passed 3/4/2019; Effective from passage - To Governor 3/11/19 - Vetoed by Governor 3/14/19

HOUSE CONCURRENT RESOLUTIONS ADOPTED BY LEGISLATURE

1. By Del. Hanshaw (Mr. Speaker) - **Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly** - Adopted 1/9/2019
2. By Del. Kelly, J., Anderson, Azinger, Cooper, Hollen, Criss, Shott, Ellington, Summers, Hanshaw (Mr. Speaker) and McGeehan - **Senator J. Frank Deem Memorial Bridge** - Adopted 3/6/2019
- *5. By Del. Cooper, Pack and Paynter - **U. S. Army T/5 Maurice V. Mann Memorial Bridge** - Adopted 3/9/2019
- *6. By Del. Rowe, Robinson and Estep-Burton - **U. S. Army PFC Earl Russell Cobb, SPC4 Carl Bradford Goodson, and SSGT George T. Saunders Jr. Memorial Bridge** - Adopted 3/9/2019
- *9. By Del. Caputo, Longstreth and Angelucci - **Kingmont Veterans Bridge PVT Jarrett Springer, U. S. Army WWII, PFC Benjamin "Benny" Hamrick, USMC Vietnam** - Adopted 3/9/2019
- *11. By Del. Summers, Hamrick, Waxman, Queen, Miley, Sypolt and Jennings - **U. S. Army Command Sergeant Major Timothy Allen Bolyard Memorial Bridge** - Adopted 3/6/2019
13. By Del. Howell, Cadle, Hanna, Hill, Hott, Linville, Pack, Phillips, Staggers, Steele, Wilson and Worrell - **Chief Robert Edward Dorsey Memorial Highway** - Adopted 3/6/2019
14. By Del. Thompson, R., Lovejoy, Linville, Rohrbach, Maynard and Hicks - **U. S. Army CPT Benjamin Ronk Memorial Bridge** - Adopted 3/9/2019
- *17. By Del. Robinson, Estep-Burton and Rowe - **U. S. Marine Corps CPL Larry Scott Kennedy Memorial Bridge** - Adopted 3/9/2019
19. By Del. Miley, Queen, Waxman and Hamrick - **U. S. Marine Sgt. Stephen E. Drummond Memorial Bridge** (original similar to SCR13) - Adopted 2/28/2019
20. By Del. Westfall, Atkinson, Criss, Hollen, Cadle, Storch, Mandt, Kelly, D., McGeehan, Miller and Higginbotham - **PFC Charles Everett Hurd Memorial Bridge** - Adopted 3/7/2019
23. By Del. Hanshaw (Mr. Speaker) - **U. S. Army SGT Rodney David King and U. S. Army SGT James Harris King Memorial Bridge** - Adopted 3/6/2019
- *26. By Del. Cadle, Westfall, Higginbotham, Toney, Cooper, Hott, Jeffries, J., Sypolt, Pack, Atkinson and Harshbarger - **George" Roush Memorial Bridge** - Adopted 3/7/2019

28. By Del. Lavender-Bowe, Capito, Estep-Burton, Nelson, Rowe, Robinson, Walker, Kelly, J., Graves, Angelucci and Campbell - **Charleston Police Capt. Jerry D. Hill Memorial Bridge** - Adopted 3/9/2019
- *32. By Del. Howell, Hanshaw (Mr. Speaker), Angelucci, Barrett, Bibby, Brown, S., Butler, Byrd, Cadle, Criss, Dean, Diserio, Doyle, Estep-Burton, Evans, Fast, Fluharty, Foster, Hamrick, Hanna, Hardy, Harshbarger, Hicks, Higginbotham, Hollen, Hott, Householder, Jeffries, J., Jennings, Kelly, J., Kessinger, Kump, Linville, Lovejoy, Mandt, Martin, C., Martin, P., Maynard, Miller, Pack, Paynter, Phillips, Pushkin, Pyles, Robinson, Rohrbach, Rowe, Sponaule, Staggers, Steele, Summers, Swartzmiller, Sypolt, Thompson, C., Toney, Walker, Waxman, Wilson, Worrell, Zukoff and Graves - **Requesting the Secretary of the Department of Transportation to authorize raising highway speed limits, where appropriate, to 75 miles per hour on Interstate highways in West Virginia and to 70 miles per hour on West Virginia's Appalachian Corridor highways** - Adopted 3/7/2019
36. By Del. Hartman, Thompson, C., Pethel, Sponaule and Brown, N. - **SPEC 5 Garry Monzel 'Michael' Shannon Memorial Bridge** - Adopted 3/9/2019
- *37. By Del. Hartman, Brown, N., Sponaule, Thompson, C., Boggs and Doyle - **SSGT Thomas Gavin Hess Memorial Bridge** - Adopted 3/9/2019
- *40. By Del. Sponaule, Campbell, Thompson, C., Angelucci, Caputo, Barrett, Staggers, Hartman, Hott, Rowan, Lavender-Bowe, Boggs, Brown, N., Brown, S. and Diserio - **U. S. Army CAPT William H. Denney, Jr. Memorial Bridge** - Adopted 3/9/2019
- *42. By Del. Atkinson, Westfall, Jeffries, D., Kelly, J. and Canestraro - **U. S. Navy Petty Officer 2d Class Joseph Allen Ashley Memorial Bridge** - Adopted 3/9/2019
44. By Del. Miller, Tomblin, Rodighiero, Westfall and Maynard - **U. S. Marine Corps PFC Randall Carl Phelps Memorial Bridge** - Adopted 3/6/2019
46. By Del. Sponaule, Hartman, Brown, N., Staggers, Barrett, Caputo, Miley, Diserio, Angelucci, Brown, S. and Boggs - **PVT Jack C. Evans Memorial Bridge** - Adopted 3/9/2019
47. By Del. Rowe, Caputo, Estep-Burton, Skaff, Robinson, Pushkin, Byrd, Capito, Malcolm, Nelson and Graves - **U. S. Army PFC Arnold Miller Memorial Bridge** - Adopted 3/9/2019
48. By Del. Rowan, Boggs, Canestraro, Estep-Burton, Fluharty, Graves, Linville, Longstreth, Lovejoy, Malcolm, Mandt, Maynard, Pethel, Pyles, Rodighiero, Rohrbach, Sypolt, Toney and Williams (Originating in House Senior, Children, and Family Issues) - **Urging the Commissioner of the Bureau for Public Health to designate Alzheimer's disease and other dementias as a public health issue** - Adopted 3/6/2019
- *49. By Del. Kelly, J., Anderson, Wilson, Atkinson, Kelly, D., Azinger, Criss, Hollen, Cadle, Bibby, Waxman, Hanshaw (Mr. Speaker), Angelucci, Butler, Byrd, Campbell, Canestraro, Capito, Cooper, Cowles, Dean, Doyle, Ellington,

Espinosa, Estep-Burton, Evans, Fast, Fleischauer, Fluharty, Graves, Hamrick, Hanna, Hansen, Hardy, Harshbarger, Hicks, Higginbotham, Hill, Hornbuckle, Hott, Householder, Howell, Jeffries, D., Jeffries, J., Kessinger, Lavender-Bowe, Linville, Longstreth, Lovejoy, Mandt, Maynard, McGeehan, Miller, Pack, Paynter, Phillips, Porterfield, Pushkin, Queen, Robinson, Rodighiero, Rohrbach, Rowan, Rowe, Shott, Skaff, Steele, Storch, Swartzmiller, Sypolt, Thompson, R., Tomblin, Toney, Walker, Westfall and Worrell - **U. S. Marine Corps PFC Danny Marshall Memorial Bridge** - Adopted 3/9/2019

- *52. By Del. Sponaugle, Hott, Rowan, Hartman, Thompson, C. and Boggs - **Dr. H. Luke Eye Memorial Bridge** - Adopted 3/9/2019
- *53. By Del. Boggs, Caputo, Sponaugle and Campbell - **Ray P. Reip Memorial Bridge** - Adopted 3/9/2019
54. By Del. Harshbarger, Worrell, Dean, Hamrick, Waxman, Hansen, Butler, McGeehan, Cadle, Mandt, Kelly, D. and Queen - **U. S. Navy AOAN David 'Wayne' Cornell Memorial Bridge** - Adopted 3/9/2019
- *55. By Del. Atkinson, Westfall, Kelly, J., Hollen, Higginbotham and Canestraro - **U. S. Navy Seaman 1st Class Brady William Milam Memorial Bridge** - Adopted 3/9/2019
- *58. By Del. Rowe - **U.S. Army SGT Tommy Meadows Memorial Road** - Adopted 3/9/2019
63. By Del. Hartman, Thompson, C., Sponaugle, Staggers and Brown, N. - **U. S. Army SSG Boggs G. Collins Memorial Road** - Adopted 3/9/2019
- *64. By Del. Boggs, Hartman, Brown, N., Angelucci, Thompson, C., Brown, S., Staggers, Howell and Pethtel - **U. S. Army CPL Jerry Lee Noble Memorial Bridge** - Adopted 3/9/2019
66. By Del. Jeffries, D., Malcolm, Martin, C., Bibby, Mandt, Kelly, D., Jennings, Phillips, Sypolt, Wilson and Atkinson - **U. S. Army SPC Thurman 'Duwayne' Young Memorial Bridge** - Adopted 3/6/2019
68. By Del. Shott, Ellington and Porterfield - **Bluefield Police Lt. Aaron L. Crook Memorial Road** - Adopted 3/9/2019
- *70. By Del. Atkinson, Westfall, Canestraro, Jeffries, D. and Hollen - **Danny Wayne Marks Memorial Bridge** - Adopted 3/9/2019
- *72. By Del. Atkinson, Kelly, J., Harshbarger, Westfall, Jennings and Hollen - **U. S. Army PFC Harold Paul Cottle Memorial Highway** - Adopted 3/9/2019
73. By Del. Evans, Thompson, R., Rodighiero, Zukoff, Williams, Pyles, Robinson, Doyle, Hornbuckle, Brown, S. and Swartzmiller - **U. S. Army SGT Matthew T. Miller Memorial Bridge** - Adopted 3/9/2019
74. By Del. Maynard, Jeffries, J., Paynter, Rohrbach, Hornbuckle, Lovejoy, Linville and Mandt - **U. S. Army PFC James Leslie Pridemore Memorial Road** - Adopted 3/9/2019

- *76. By Del. Boggs - **Reverend Lonnie Ramsey Memorial Bridge** - Adopted 3/9/2019
- *78. By Del. Robinson, Estep-Burton and Rowe - **U. S. Air Force Amn Kenneth Wayne Hammar Memorial Bridge** - Adopted 3/9/2019
- *79. By Del. Thompson, C., Hartman, Boggs, Brown, S., Angelucci, Sponaugle, Estep-Burton, Rodighiero, Zukoff, Rohrbach, Campbell, Bates, Brown, N., Doyle, Evans, Hornbuckle, Lavender-Bowe and Thompson, R. - **U. S. Army PFC Homer Jacob Day Memorial Bridge** - Adopted 3/9/2019
- *82. By Del. Boggs, Robinson, Estep-Burton, Rowe, Thompson, C., Sponaugle and Brown, S. - **U. S. Navy Veteran Samuel H. Slack, Jr. Memorial Bridge** (original similar to HB2011) - Adopted 3/9/2019
85. By Del. Maynard and Hanshaw (Mr. Speaker) - **Requesting the Joint Committee on Government and Finance study the feasibility of combining the volunteer fire departments** - Adopted 3/9/2019
86. By Del. Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, Jeffries, D., Jeffries, J., Martin, C., Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell (Originating in House Government Organization) - **Requesting study of municipal and county governments for efficiencies and economies of scale** - Adopted 3/9/2019
87. By Del. Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, Jeffries, D., Jeffries, J., Martin, C., Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell (Originating in House Government Organization) - **Requesting the Joint Committee on Government and Finance study the Public Service Commission** - Adopted 3/9/2019
88. By Del. Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, Jeffries, D., Jeffries, J., Martin, C., Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell (Originating in House Government Organization) - **Requesting the Joint Committee on Government and Finance study the Board of Risk and Insurance Management** - Adopted 3/9/2019
91. By Del. Hanna - **U. S. Army SGT. Robert Henry Waggy Memorial Bridge** - Adopted 3/9/2019
93. By Del. Foster and Kessinger - **Requesting the Joint Committee on Energy study legislation relating to the deregulation of natural gas** - Adopted 3/9/2019
108. By Del. Westfall, Azinger, Barrett, Bates, Brown, N., Capito, Criss, Espinosa, Estep-Burton, Graves, Hartman, Hott, Householder, Jeffries, D., Lovejoy, Martin, P., McGeehan, Nelson, Porterfield, Robinson, Rowe, Shott, Sponaugle, Waxman and Williams (Originating in House Banking and Insurance) - **Study of the peer-to-peer car sharing program** - Adopted 3/9/2019

**SENATE BILLS VETOED BY GOVERNOR,
AMENDED, REPASSED LEGISLATURE,
APPROVED BY GOVERNOR**

- *61. By Sen. Weld and Trump - **Adding certain crimes for which prosecutor may apply for court order authorizing interception of communications** (original similar to HB2940) - Passed 2/19/2019 - To Governor 2/25/19 - Vetoed by Governor 3/1/19 - Senate reconsidered action 3/5/2019 - Senate amended, repassed to meet objections of Governor 3/5/2019 - House concurred in Senate amendment 3/6/2019 - Repassed House to meet the objections of the Governor 3/6/2019 - To Governor 3/20/19 3/21/2019 - Approved by Governor 3/27/19 3/28/2019 - Chapter 79, Acts, Regular Session, 2019 4/16/2019
272. By Sen. Carmichael (Mr. President), Trump, Woelfel, Palumbo and Tarr - **Updating code relating to Commission on Special Investigations** (original similar to HB2434, SB71) - Passed 1/31/2019; Effective from passage - To Governor 2/5/19 - Vetoed by Governor 2/11/19 - Senate reconsidered action 2/20/2019 - Senate amended, repassed to meet objections of Governor 2/20/2019 - House concurred in Senate amendment 2/21/2019 - Repassed House to meet the objections of the Governor 2/21/2019 - To Governor 2/22/19 2/22/2019; Effective from passage - Effective ninety days from passage 2/22/2019; Effective from passage - Approved by Governor 2/28/19 2/28/2019 - Chapter 114, Acts, Regular Session, 2019 4/16/2019

SENATE BILLS VETOED BY GOVERNOR

- *147. By Sen. Blair - **Shifting funding from Landfill Closure Assistance Fund to local solid waste authorities** (original similar to HB2496) - Passed 3/9/2019 - To Governor 3/20/19 - Vetoed by Governor 3/27/19
190. By Sen. Maynard - **DOH promulgate legislative rule relating to employment procedures** (original similar to HB2245) - Passed 3/5/2019; Effective from passage - To Governor 3/20/19 - Vetoed by Governor 3/27/19
440. By Sen. Prezioso, Beach, Blair, Clements, Ihlenfeld, Maroney, Smith, Stollings, Sypolt, Takubo, Trump, Hamilton, Jeffries, Hardesty, Baldwin and Romano - **Relating to Antihazing Law** (original similar to SB345) - Passed 2/28/2019 - To Governor 3/8/19 - Vetoed by Governor 3/27/19
- *487. By Sen. Maroney, Trump and Takubo - **Relating to admissibility of health care staffing requirements in litigation** - Passed 3/9/2019 - To Governor 3/22/19 - Vetoed by Governor 3/27/19
- *522. By Sen. Smith, Maynard, Sypolt, Tarr, Plymale, Cline, Rucker and Maroney - **Creating Special Road Repair Fund** - Passed 3/9/2019; Effective July 1, 2019 - To Governor 3/22/19 - Vetoed by Governor 3/27/19
- *624. By Sen. Rucker, Plymale, Roberts and Cline - **Allowing county boards of education use alternative assessment provided in Every Student Succeeds**

Act - Passed 3/9/2019; Effective from passage - To Governor 3/22/19 - Vetoed by Governor 3/27/19

633. By Sen. Tarr - **Authorizing Board of Physical Therapy conduct criminal background checks on applicants for licenses** - Passed 3/8/2019 - To Governor 3/19/19 - Vetoed by Governor 3/27/19
676. By Sen. Maynard, Mann, Cline, Roberts, Rucker and Smith (Originating in Senate Natural Resources) - **Relating to off-road vehicle recreation** - Passed 3/7/2019; Effective from passage - To Governor 3/19/19 - Vetoed by Governor 3/27/19

HOUSE BILLS VETOED BY GOVERNOR

- *2079. By Del. Pushkin, Hill, Lavender-Bowe, Bates and Thompson, C. - **Removing certain limitations on medical cannabis grower, processor and dispensary licenses** - Passed 3/9/2019; Effective from passage - To Governor 3/25/19 - Vetoed by Governor 3/27/19
- *2363. By Del. Staggers, Angelucci, Kessinger, Fast, Skaff and Robinson - **Relating to the Upper Kanawha Valley Resiliency and Revitalization Program** (original similar to SB151) - Passed 3/7/2019 - To Governor 3/18/19 - Vetoed by Governor 3/27/19
2412. By Del. Hanshaw (Mr. Speaker), Bates, Miley, Nelson, Shott and Wilson - **Relating to criminal acts concerning government procurement of commodities and services** (original similar to SB271) - Passed 3/8/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *2486. By Del. Shott, Foster, Kessinger and Pushkin - **Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation** - Passed 3/9/2019 - To Governor 3/22/19 - Vetoed by Governor 3/27/19
- *2503. By Del. Steele, Pack, Harshbarger, Mandt, Jeffries, J., Graves, Wilson, Foster and Kessinger - **Relating to court actions** - Passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
2530. By Del. Rohrbach, Hollen, Ellington, Hanna, Hornbuckle, Kelly, D., Kessinger, Mandt, Pushkin, Robinson and Walker (Originating in House Prevention and Treatment of Substance Abuse) - **Creating a voluntary certification for recovery residences** - Passed 3/6/2019 - To Governor 3/19/19 - Vetoed by Governor 3/27/19
- *2531. By Del. Rohrbach, Hollen, Ellington, Hanna, Hornbuckle, Kelly, D., Kessinger, Mandt, Robinson and Walker (Originating in House Prevention and Treatment of Substance Abuse) - **Permitting trained nurses to provide mental health services in a medication-assisted treatment program** - Passed 3/5/2019 - To Governor 3/9/19 - Vetoed by Governor 3/27/19

- *2579. By Del. Nelson and Criss - **Relating to the collection of tax and the priority of distribution of an estate or property in receivership** (original similar to SB406) - Passed 3/7/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *2661. By Del. Anderson, Azinger, Howell, Kelly, J., Westfall, Pethtel, Storch, Kelly, D., Swartzmiller, Nelson and Harshbarger - **Relating to natural gas utilities** - Passed 3/8/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *2673. By Del. Householder, Criss, Harshbarger, Anderson and Kelly, J. - **Creating the Oil and Gas Abandoned Well Plugging Fund** - Passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
- *2674. By Del. Atkinson, Westfall, Hollen, Jeffries, D., Azinger, Harshbarger, Canestraro, Kelly, J., Queen, Criss and Kessinger - **Creating a student loan repayment program for a mental health provider** - Passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
- *2703. By Del. Pack, Steele, Cooper, Graves, Criss, Westfall, Queen, Azinger, Higginbotham, Barrett and Bates - **Relating to refunds of excise taxes collected from dealers of petroleum products** - Passed 3/7/2019 - To Governor 3/8/19 - Vetoed by Governor 3/27/19
- *2734. By Del. Kessinger, Fast, Staggers and Robinson - **Relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities** - Passed 3/5/2019 - To Governor 3/9/19 - Vetoed by Governor 3/27/19
- *2807. By Del. Kelly, J., Nelson, Worrell, Kelly, D., Azinger, Criss, Caputo, Angelucci, Longstreth, Brown, N. and Espinosa - **Creating an additional modification to the West Virginia adjusted gross income of shareholders of S corporations engaged in banking** (original similar to SB505) - Passed 3/9/2019 - To Governor 3/27/19 - Vetoed by Governor 3/27/19
2828. By Del. Higginbotham, Queen, Skaff, Atkinson, Martin, C., Nelson, Toney, Waxman, Capito, Lovejoy and Hicks (Originating in House Small Business, Entrepreneurship and Economic Development) - **Relating to Qualified Opportunity Zones** - Passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
- *2933. By Del. Shott and Lovejoy - **Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury** - Passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
2992. By Del. Pack, Howell, Pyles, Jeffries, J., Phillips, Hott, Hansen, Tomblin, Nelson, Martin, C. and Sypolt (Originating in House Government Organization) - **Relating to governmental websites** - Passed 3/7/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *3024. By Del. Hanshaw (Mr. Speaker), Atkinson and Nelson - **West Virginia Business Ready Sites Program** (original similar to HB3092) - Passed 3/9/2019; Effective from passage - To Governor 3/25/19 - Vetoed by Governor 3/27/19

3044. By Del. Williams, Summers, Fleischauer, Pyles, Walker, Hansen, Caputo, Miley, Zukoff, Queen and Sypolt - **Requiring the Commissioner of Highways to develop a formula for allocating road funds** - Passed 3/9/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19

3148. By Del. Householder and Criss (Originating in House Finance) - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services** - Passed 3/4/2019; Effective from passage - To Governor 3/11/19 - Vetoed by Governor 3/14/19

ALL SENATE BILLS INTRODUCED

- *1. By Sen. Carmichael (Mr. President), Sypolt, Cline, Takubo, Boso, Clements, Swope, Smith, Ihlenfeld, Baldwin, Stollings, Weld and Plymale - **Increasing access to career education and workforce training** - Introduced 1/9/2019 - To Education then Finance - Com. sub. reported 1/16/2019 - To Finance 1/16/2019 - Com. sub. for com. sub. reported 1/18/2019 - Passed Senate 1/23/2019 - To House 1/24/2019 - To Education then Finance - To House Finance - Amended - Passed House 3/6/2019 - Title amended - Senate concurred in House amendments and passed bill 3/7/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 133, Acts, Regular Session, 2019
2. By Sen. Trump, Boso, Takubo, Weld and Cline - **WV Appellate Reorganization Act of 2019** - Introduced 1/9/2019 - To Judiciary then Finance
- *3. By Sen. Boso, Clements, Swope, Takubo, Cline and Trump - **Establishing WV Small Wireless Facilities Deployment Act** - Introduced 1/9/2019 - To Government Organization - Com. sub. reported 1/16/2019 - Amended - Passed Senate 1/22/2019 - Effective from passage - To House 1/23/2019 - To Technology and Infrastructure then Judiciary - To House Judiciary - Amended - Passed House 3/4/2019 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/5/2019 - Effective from passage - To Governor 3/20/19 - Approved by Governor 3/27/19 - Chapter 42, Acts, Regular Session, 2019
- *4. By Sen. Weld, Plymale, Clements, Takubo, Sypolt, Swope, Cline and Ihlenfeld - **Relating generally to Municipal Home Rule Program** - Introduced 1/9/2019 - To Government Organization - Com. sub. reported 1/25/2019 - Amended - Passed Senate 2/1/2019 - To House 2/4/2019 - To Government Organization - Amended - Passed House 3/7/2019 - Senate amended House amendment and passed 3/8/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 60, Acts, Regular Session, 2019
5. By Sen. Takubo, Boso, Stollings and Jeffries - **Requiring certain insurers and managed care organizations develop prior authorization forms** - Introduced 1/9/2019 - To Health and Human Resources then Finance
6. By Sen. Blair, Plymale, Boso, Weld, Clements, Baldwin, Takubo, Swope, Cline, Trump, Stollings, Jeffries and Ihlenfeld - **Creating tax credits for certain educational expenses incurred by teachers** - Introduced 1/9/2019 - To Education then Finance

7. By Sen. Rucker, Boso, Sypolt and Cline - **Relating to public school transfer and enrollment policies** - Introduced 1/9/2019 - To Education
8. By Sen. Blair, Swope, Trump and Cline - **Dissolving Information Services and Communications Division** - Introduced 1/9/2019 - To Government Organization then Finance
9. By Sen. Blair, Plymale and Boso - **Alleviating double taxation on foreign income at state level** - Introduced 1/9/2019 - To Finance
10. By Sen. Blair, Boso and Swope - **Relating to Second Chance Driver's License Program** - Introduced 1/9/2019 - To Finance - Passed Senate 1/16/2019 - To House 1/17/2019 - To Technology and Infrastructure then Finance - To House Finance 2/26/2019
11. By Sen. Blair and Boso - **Relating to retirement and pension benefits of certain PERS and Teachers Retirement System members who serve in Legislature** - Introduced 1/9/2019 - To Pensions then Finance - To Finance 2/14/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - To Finance
12. By Sen. Blair, Jeffries, Takubo, Boso, Lindsay and Cline - **Exempting DNR police officers' pension benefits from state income tax** (original similar to SB38) - Introduced 1/9/2019 - To Pensions then Finance
- *13. By Sen. Blair - **Relating to distributions from State Excess Lottery Fund** - Introduced 1/9/2019 - To Finance - Com. sub. reported 2/6/2019 - Amended - Passed Senate 2/12/2019 - To House 2/13/2019 - To Finance - Amended - Passed House 2/22/2019 - Title amended - Senate concurred in House amendments and passed bill 2/23/2019 - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 111, Acts, Regular Session, 2019
- *14. By Sen. Blair, Boso, Weld, Jeffries, Sypolt, Stollings, Cline and Lindsay - **Creating WV Farm-to-School Grant Program** - Introduced 1/9/2019 - To Agriculture and Rural Development then Finance - Com. sub. reported 1/25/2019 - To Finance 1/25/2019 - Com. sub. for com. sub. reported 2/6/2019 - Passed Senate 2/11/2019 - To House 2/12/2019 - To Agriculture and Natural Resources then Finance - To House Finance 2/27/2019
15. By Sen. Beach, Stollings, Jeffries, Sypolt, Cline and Lindsay - **Establishing Mountaineer Trail Network Recreation Authority** (original similar to SB132) - Introduced 1/9/2019 - To Economic Development then Finance
16. By Sen. Cline and Swope - **Authorizing expenditure of surplus funds by Wyoming County Commission** - Introduced 1/9/2019 - To Finance - Passed Senate 2/8/2019 - To House 2/11/2019 - To Finance - Passed House 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 266, Acts, Regular Session, 2019
- *17. By Sen. Trump and Boso - **Relating to probation eligibility** - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 1/16/2019 - Passed Senate 1/21/2019 - Effective from passage - To House 1/22/2019 - To Judiciary -

Passed House 1/29/2019 - Effective from passage - To Governor 2/5/19 - Approved by Governor 2/11/19 - Chapter 77, Acts, Regular Session, 2019

- *18. By Sen. Trump, Boso, Takubo and Cline - **Relating to crimes committed on State Capitol Complex** (original similar to HB2092) - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 1/18/2019 - Amended - Passed Senate with amended title 1/23/2019 - Effective from passage - To House 1/24/2019 - To Judiciary - Passed House 2/13/2019 - Effective from passage - To Governor 2/19/19 - Approved by Governor 2/25/19 - Chapter 68, Acts, Regular Session, 2019
- *19. By Sen. Blair, Boso, Cline, Jeffries, Lindsay, Baldwin and Stollings - **Relating to Senior Farmers Market Nutrition Program** (original similar to HB3033) - Introduced 1/9/2019 - To Agriculture and Rural Development then Finance - To Finance 1/24/2019 - Com. sub. reported 2/6/2019 - Passed Senate 2/11/2019 - Effective from passage - To House 2/12/2019 - To Agriculture and Natural Resources then Finance - To House Finance 2/28/2019
20. By Sen. Blair, Cline and Takubo - **Providing wind power projects be taxed at real property rate** (original similar to SB47) - Introduced 1/9/2019 - To Finance
21. By Sen. Blair, Sypolt, Cline and Swope - **Establishing Katherine Johnson Academy** - Introduced 1/9/2019 - To Education then Finance
22. By Sen. Blair - **Adopting Revised Uniform Athlete Agents Act of 2015** - Introduced 1/9/2019 - To Government Organization then Finance
23. By Sen. Blair, Plymale, Sypolt, Cline and Boso - **Creating five-year sunset on all tax credits established in chapter 11 of code** - Introduced 1/9/2019 - To Finance
24. By Sen. Blair, Baldwin, Takubo and Sypolt - **Relating generally to local boards of health** (original similar to HB2950) - Introduced 1/9/2019 - To Finance - Passed Senate 1/16/2019 - To House 1/17/2019 - To Political Subdivisions then Finance - To House Finance 2/27/2019
25. By Sen. Trump, Boso, Cline and Swope - **Authorizing certain higher education governing boards to eliminate faculty tenure** - Introduced 1/9/2019 - To Education
- *26. By Sen. Blair - **Permitting certain employees of educational service cooperatives participate in state's teacher retirement systems** (original similar to HB2780) - Introduced 1/9/2019 - To Pensions - Com. sub. reported 2/7/2019 - Passed Senate 2/12/2019 - To House 2/13/2019 - To Finance - Passed House 2/25/2019 - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 89, Acts, Regular Session, 2019
27. By Sen. Blair - **Removing restrictions on where certain traditional lottery games may be played** (original similar to HB2184) - Introduced 1/9/2019 - To Finance - Passed Senate 1/16/2019 - To House 1/17/2019 - To Finance - Amended - Passed House 2/1/2019 - Title amended - Senate concurred in House

amendments and passed bill 2/5/2019 - To Governor 2/21/19 - Approved by Governor 2/27/19 - Chapter 112, Acts, Regular Session, 2019

28. By Sen. Blair, Boso and Clements - **Removing hotel occupancy tax limit collected for medical care and emergency services** - Introduced 1/9/2019 - To Finance - Passed Senate 1/16/2019 - To House 1/17/2019 - To Finance - Amended - Passed House 1/31/2019 - Title amended - Referred to Rules 2/1/2019 - Senate amended House amendment and passed 3/8/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 61, Acts, Regular Session, 2019
- *29. By Sen. Blair, Plymale, Stollings, Boso, Jeffries and Swope - **Creating ten-year tax credits for businesses locating on post-coal mine sites** - Introduced 1/9/2019 - To Economic Development then Finance - To Finance 1/17/2019 - Com. sub. reported 2/14/2019 - Passed Senate 2/19/2019 - To House 2/19/2019 - To Small Business, Entrepreneurship and Economic Development then Finance
- *30. By Sen. Blair and Cline - **Eliminating tax on annuity considerations collected by life insurer** (original similar to HB2400) - Introduced 1/9/2019 - To Banking and Insurance then Finance - To Finance 1/29/2019 - Com. sub. reported 2/5/2019 - Passed Senate 2/8/2019 - To House 2/11/2019 - To Banking and Insurance then Finance - To House Finance - Amended - Passed House 3/8/2019 - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/27/19 - Chapter 142, Acts, Regular Session, 2019
31. By Sen. Blair and Boso - **Relating generally to Local Powers Act** - Introduced 1/9/2019 - To Transportation and Infrastructure then Finance - To Finance 2/15/2019
32. By Sen. Cline - **Providing special license plate for realtors** - Introduced 1/9/2019 - To Government Organization
33. By Sen. Cline and Ihlenfeld - **Increasing penalties for certain crimes against law-enforcement officers** - Introduced 1/9/2019 - To Judiciary
34. By Sen. Cline - **Authorizing DOH or local authorities to establish minimum speed limits in certain areas** - Introduced 1/9/2019 - To Transportation and Infrastructure then Judiciary
35. By Sen. Weld, Boso and Baldwin - **Providing certain civil liability protections when removing animals from unattended motor vehicles** - Introduced 1/9/2019 - To Judiciary
36. By Sen. Weld and Boso - **Allowing adjustment of gross income for calculating personal income liability for certain retirees** - Introduced 1/9/2019 - To Finance - Passed Senate 1/16/2019 - Effective July 1, 2019 - To House 1/17/2019 - To Pensions and Retirement then Finance - To House Finance - House further considered bill - 2nd reference dispensed - Amended - Passed House 3/8/2019 - Effective July 1, 2019 - Senate concurred in House amendments and passed bill 3/9/2019 - Effective July 1, 2019 - To Governor

3/22/19 - Approved by Governor 3/22/19 - Chapter 240, Acts, Regular Session, 2019

37. By Sen. Weld and Baldwin - **Exempting certain persons from hunting, fishing, and trapping license and permit fees** - Introduced 1/9/2019 - To Natural Resources then Finance
38. By Sen. Weld, Boso, Jeffries and Lindsay - **Exempting DNR police officers' pension benefits from state income tax** (original similar to HB2111, SB12) - Introduced 1/9/2019 - To Pensions then Finance
- *39. By Sen. Weld, Boso and Baldwin - **Providing certain military members in-state residency tuition rates** - Introduced 1/9/2019 - To Education then Finance - Com. sub. reported 2/6/2019 - To Finance 2/6/2019
- *40. By Sen. Weld - **Establishing Military Service Members Court program** - Introduced 1/9/2019 - To Judiciary then Finance - Com. sub. reported 1/28/2019 - To Finance 1/28/2019 - Passed Senate 2/13/2019 - To House 2/14/2019 - To Judiciary then Finance - To House Finance - Amended - Passed House 3/8/2019 - Title amended - Senate amended House amendment and passed 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 78, Acts, Regular Session, 2019
41. By Sen. Trump and Boso - **Revising procedures for certain driver's license suspensions and revocations** - Introduced 1/9/2019 - To Judiciary then Finance
42. By Sen. Trump - **Increasing number of magistrates serving Berkeley County** - Introduced 1/9/2019 - To Judiciary then Finance
43. By Sen. Trump - **Relating generally to used motor vehicle warranties** - Introduced 1/9/2019 - To Judiciary
44. By Sen. Trump - **Appropriation Supremacy Act of 2019** - Introduced 1/9/2019 - To Judiciary then Finance
45. By Sen. Trump and Sypolt - **Permitting certain nonpublic school students to participate in activities under WV Secondary School Activities Commission** (original similar to HB2632) - Introduced 1/9/2019 - To Education then Finance
46. By Sen. Smith - **Requiring certain probationers participate in work release program and spend six months in work release center** - Introduced 1/9/2019 - To Judiciary
47. By Sen. Smith, Sypolt and Swope - **Providing wind power projects be taxed at real property rate** (original similar to SB20) - Introduced 1/9/2019 - To Finance - Passed Senate 2/13/2019 - To House 2/14/2019 - To Government Organization then Energy
48. By Sen. Smith - **Creating five-year sunset on all tax credits created under chapter 11 of code** - Introduced 1/9/2019 - To Finance

49. By Sen. Smith - **Relating to use of aftermarket crash parts by motor vehicle repair shop** - Introduced 1/9/2019 - To Judiciary
50. By Sen. Smith - **Relating to long-term care and substance abuse treatment** (original similar to HB2347) - Introduced 1/9/2019 - To Health and Human Resources then Finance
51. By Sen. Smith - **Transferring child welfare enforcement responsibilities to State Police** - Introduced 1/9/2019 - To Health and Human Resources then Government Organization
52. By Sen. Smith - **Entitling natural resource producers to economic opportunity tax credit** (original similar to HB2726) - Introduced 1/9/2019 - To Energy, Industry and Mining then Finance - To Finance 1/30/2019
53. By Sen. Smith and Swope - **Relating to tax treatment of wind power projects** - Introduced 1/9/2019 - To Finance
54. By Sen. Boso - **Allowing operating of small-engine mopeds without driver's license** - Introduced 1/9/2019 - To Transportation and Infrastructure then Finance
- *55. By Sen. Boso and Jeffries - **Relating to driving privileges and requirements for persons under 18** - Introduced 1/9/2019 - To Transportation and Infrastructure then Judiciary - To Judiciary 1/16/2019 - Com. sub. reported 1/23/2019 - Passed Senate 1/28/2019 - To House 1/29/2019 - To Technology and Infrastructure then Judiciary
56. By Sen. Boso - **Relating to distribution of fees collected for criminal conviction expungement** - Introduced 1/9/2019 - To Judiciary then Finance
57. By Sen. Boso - **Relating to Local Powers Act** - Introduced 1/9/2019 - To Transportation and Infrastructure then Finance
58. By Sen. Plymale - **Exempting florists from general sourcing rules in regard to sales and use taxes** - Introduced 1/9/2019 - To Economic Development then Finance
59. By Sen. Plymale, Boso, Stollings, Baldwin and Jeffries - **Creating Business PROMISE+ Scholarship** - Introduced 1/9/2019 - To Education then Finance
- *60. By Sen. Plymale and Stollings - **Licensing practice of athletic training** (original similar to HB2401) - Introduced 1/9/2019 - To Health and Human Resources then Government Organization - Com. sub. reported 2/11/2019 - 2nd reference dispensed - Amended - Passed Senate 2/15/2019 - To House 2/18/2019 - To Health and Human Resources - Amended - Passed House 3/2/2019 - Senate amended House amendment and passed 3/5/2019 - House concurred in Senate amendment and passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 184, Acts, Regular Session, 2019
- *61. By Sen. Weld and Trump - **Adding certain crimes for which prosecutor may apply for court order authorizing interception of communications** (original similar to HB2940) - Introduced 1/9/2019 - To Judiciary - Com. sub. reported

1/15/2019 - Amended - Passed Senate with amended title 1/21/2019 - To House 1/22/2019 - To Judiciary - Amended - Passed House 2/13/2019 - Senate amended House amendment and passed 2/15/2019 - House concurred in Senate title amendment 2/19/2019 - Passed House 2/19/2019 - To Governor 2/25/19 - Vetoed by Governor 3/1/19 - Senate reconsidered action - Senate amended, repassed to meet objections of Governor 3/5/2019 - House concurred in Senate amendment 3/6/2019 - Repassed House to meet the objections of the Governor 3/6/2019 - To Governor 3/20/19 - Approved by Governor 3/27/19 - Chapter 79, Acts, Regular Session, 2019

- *62. By Sen. Weld and Clements - **Requiring participation in drug court program before discharge of certain first-time drug offenses** (original similar to HB2922) - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 1/17/2019 - Passed Senate 1/22/2019 - To House 1/23/2019 - To Prevention and Treatment of Substance Abuse then Judiciary - To House Judiciary 2/1/2019
63. By Sen. Weld - **Relating to partial filling of prescriptions** - Introduced 1/9/2019 - To Health and Human Resources then Judiciary - To Judiciary 1/18/2019 - Passed Senate with amended title 1/29/2019 - To House 1/30/2019 - To Prevention and Treatment of Substance Abuse then Judiciary - To House Judiciary 2/8/2019
64. By Sen. Swope - **Relating generally to crane operator certification** (original similar to SB68) - Introduced 1/9/2019 - To Workforce then Judiciary
65. By Sen. Swope - **Prohibiting political subdivisions from regulating certain areas of employer-employee relationship and sale or marketing of consumer merchandise** (original similar to SB70) - Introduced 1/9/2019 - To Workforce then Judiciary
- *66. By Sen. Swope - **Prohibiting certain misleading lawsuit advertising practices** (original similar to HB2671) - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 2/11/2019 - Senate reconsidered action - Passed Senate 2/15/2019 - To House 2/18/2019 - To Judiciary
67. By Sen. Swope - **Relating to admissibility of certain evidence in civil actions for damages** - Introduced 1/9/2019 - To Judiciary
68. By Sen. Swope - **Relating generally to crane operator certification** (original similar to SB64) - Introduced 1/9/2019 - To Workforce then Judiciary
69. By Sen. Swope - **Requiring certain documents that include wage records be considered confidential** - Introduced 1/9/2019 - To Workforce then Government Organization
70. By Sen. Swope - **Prohibiting political subdivisions from regulating certain areas of employer-employee relationship and sale or marketing of consumer merchandise** (original similar to SB65) - Introduced 1/9/2019 - To Workforce then Judiciary
71. By Sen. Woelfel, Trump and Boso - **Relating generally to Commission on Special Investigations** (original similar to HB2434, SB272) - Introduced 1/9/2019 - To Judiciary

- *72. By Sen. Woelfel, Stollings and Baldwin - **Creating Sexual Assault Victims' Bill of Rights** - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 1/25/2019 - Passed Senate 1/30/2019 - To House 1/31/2019 - To Judiciary - Amended - Amended - Passed House 3/4/2019 - Senate concurred in House amendments and passed bill 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/26/19 - Chapter 69, Acts, Regular Session, 2019
73. By Sen. Cline - **Increasing vehicle weight limits on certain highways** - Introduced 1/9/2019 - To Transportation and Infrastructure then Judiciary
- *74. By Sen. Cline - **Exempting nonpaid volunteers at ski areas from workers' compensation benefits** - Introduced 1/9/2019 - To Banking and Insurance then Judiciary - Com. sub. reported 2/5/2019 - To Judiciary 2/5/2019 - Passed Senate 2/14/2019 - To House 2/15/2019 - To Banking and Insurance then Judiciary
75. By Sen. Sypolt and Boso - **Granting certain owners of breeding-age cows access to Coyote Control Program** (original similar to SB259) - Introduced 1/9/2019 - To Agriculture and Rural Development then Finance
76. By Sen. Cline - **Creating emergency text system for children** - Introduced 1/9/2019 - To Government Organization then Finance
77. By Sen. Cline - **Requiring vehicles with hydraulically operated beds be equipped with warning device when bed is in upward position** - Introduced 1/9/2019 - To Transportation and Infrastructure then Judiciary
78. By Sen. Cline and Baldwin - **Specifying forms of grandparent visitation** - Introduced 1/9/2019 - To Judiciary
79. By Sen. Boso, Stollings and Swope - **Establishing Katherine Johnson Academy** - Introduced 1/9/2019 - To Education then Finance
- *80. By Sen. Takubo, Clements and Jeffries - **Establishing tax credit for practicing physicians locating in WV** - Introduced 1/9/2019 - To Health and Human Resources then Finance - Com. sub. reported 2/20/2019 - To Finance 2/20/2019
- *81. By Sen. Takubo, Boso, Stollings, Jeffries, Lindsay and Ihlenfeld - **Prohibiting smoking in vehicle when minor under 17 present** - Introduced 1/9/2019 - To Health and Human Resources then Judiciary - Com. sub. reported 1/31/2019 - To Judiciary 1/31/2019
82. By Sen. Baldwin, Stollings, Jeffries and Lindsay - **Providing personal income tax credit for classroom teachers for nonreimbursed cost of supplies** - Introduced 1/9/2019 - To Education then Finance
83. By Sen. Baldwin and Plymale - **Funding for veterans' programs and volunteer fire departments** - Introduced 1/9/2019 - To Government Organization then Finance
84. By Sen. Baldwin - **Establishing Stay in State tax credit for higher education tuition** - Introduced 1/9/2019 - To Education then Finance

85. By Sen. Baldwin, Plymale, Jeffries and Lindsay - **Relating to drug testing of legislators** (original similar to HB2177) - Introduced 1/9/2019 - To Judiciary
- *86. By Sen. Beach, Jeffries and Lindsay - **Requiring county boards provide free feminine hygiene products in grades five to 12** (original similar to HB2464) - Introduced 1/9/2019 - To Health and Human Resources then Finance - Com. sub. reported 2/15/2019 - To Finance 2/15/2019 - Com. sub. for com. sub. reported 2/20/2019 - Amended - Passed Senate with amended title 2/23/2019 - To House 2/25/2019 - To Education then Finance
87. By Sen. Beach, Lindsay and Jeffries - **Requiring contractors provide county boards of education number of units constructed prior to issuance of permit** - Introduced 1/9/2019 - To Government Organization then Judiciary
88. By Sen. Beach - **Creating Office of Outdoor Recreation** - Introduced 1/9/2019 - To Government Organization then Finance
89. By Sen. Beach - **Relating to safety of tow trucks, wreckers, and tilt-bed vehicles** - Introduced 1/9/2019 - To Transportation and Infrastructure then Judiciary
- *90. By Sen. Rucker - **Transferring Safety and Treatment Program from DHHR to DMV** - Introduced 1/9/2019 - To Government Organization then Finance - Com. sub. reported 1/30/2019 - To Finance 1/30/2019 - Com. sub. for com. sub. reported 2/5/2019 - Passed Senate 2/8/2019 - To House 2/11/2019 - To Judiciary - Amended - Passed House 3/8/2019 - Title amended - Senate amended House amendment and passed 3/9/2019 - House concurred in Senate title amendment 3/9/2019 - Passed House 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 258, Acts, Regular Session, 2019
91. By Sen. Rucker - **Relating to residency requirements for eligible voters** - Introduced 1/9/2019 - To Judiciary
92. By Sen. Rucker - **Providing special license plate supporting adoption** (original similar to HB2851) - Introduced 1/9/2019 - To Judiciary
93. By Sen. Rucker - **Prohibiting State Board of Education from accepting federal education plans without legislative approval** - Introduced 1/9/2019 - To Education then Judiciary
94. By Sen. Rucker - **Adding certain legal procedures for individuals participating in Safety and Treatment Program** - Introduced 1/9/2019 - To Health and Human Resources then Judiciary
95. By Sen. Rucker - **Providing parties in civil litigation recover attorneys' fees and costs after dismissal of claim** - Introduced 1/9/2019 - To Judiciary
96. By Sen. Trump - **Allowing retired judicial officer avoid limit on temporary employment payments under certain circumstances** - Introduced 1/9/2019 - To Judiciary then Finance
97. By Sen. Trump - **Modernizing certain beer, wine, and liquor laws** - Introduced 1/9/2019 - To Judiciary

98. By Sen. Trump - **Reforming liability for municipalities and counties for certain civil actions alleging injury** - Introduced 1/9/2019 - To Judiciary
99. By Sen. Trump - **Relating generally to Motor Vehicle Alcohol Test and Lock Program** - Introduced 1/9/2019 - To Judiciary
- *100. By Sen. Trump - **Increasing court fees to fund law-enforcement standards training and expenses** - Introduced 1/9/2019 - To Finance - Com. sub. reported 1/30/2019 - Passed Senate 2/4/2019 - To House 2/5/2019 - To Finance - Passed House 3/5/2019 - Title amended - Senate concurred in House title amendment 3/6/2019 - Passed Senate 3/6/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 66, Acts, Regular Session, 2019
- *101. By Sen. Trump - **Equalizing penalties for intimidating and retaliating against certain public officers and other persons** - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 1/23/2019 - Passed Senate 1/28/2019 - To House 1/29/2019 - To Judiciary - Passed House 3/5/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 70, Acts, Regular Session, 2019
- *102. By Sen. Trump - **Relating generally to powers and authority of courthouse security officers** - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 1/25/2019 - Passed Senate 1/30/2019 - To House 1/31/2019 - To Judiciary
- *103. By Sen. Trump - **Relating generally to Public Defender Services** - Introduced 1/9/2019 - To Judiciary then Finance - Com. sub. reported 1/23/2019 - To Finance 1/23/2019 - Passed Senate 2/1/2019 - Effective July 1, 2019 - To House 2/4/2019 - To Judiciary then Finance - To House Finance - Amended - Passed House 3/8/2019 - Title amended - Effective July 1, 2019 - Senate concurred in House amendments and passed bill 3/9/2019 - Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/27/19 - Chapter 113, Acts, Regular Session, 2019
104. By Sen. Trump and Boso - **Relating to pyramid promotional schemes** (original similar to HB2198) - Introduced 1/9/2019 - To Judiciary
- *105. By Sen. Woelfel - **Creating offense of impaired operation of motor vehicle placing nonpassengers at risk of physical injury** (original similar to HB2822) - Introduced 1/9/2019 - To Transportation and Infrastructure then Judiciary - To Judiciary 1/30/2019 - Com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Judiciary
- *106. By Sen. Facemire - **Alleviating double taxation on foreign income at state level** - Introduced 1/9/2019 - To Finance - Com. sub. reported 1/11/2019 - Passed Senate 1/16/2019 - Effective July 1, 2019 - To House 1/17/2019 - To Small Business, Entrepreneurship and Economic Development then Finance - To House Finance 2/15/2019
107. By Sen. Facemire, Jeffries and Lindsay - **Encouraging agreements between community and technical colleges and certain apprenticeship programs** - Introduced 1/9/2019 - To Workforce then Finance

108. By Sen. Plymale, Woelfel, Baldwin and Clements - **Requiring candidates elected to judicial office receive majority of votes** - Introduced 1/9/2019 - To Judiciary
109. By Sen. Palumbo - **Correcting code references in regard to persons exempted from prohibitions against carrying concealed weapons** - Introduced 1/9/2019 - To Judiciary
110. By Sen. Stollings, Jeffries, Baldwin and Lindsay - **Supplemental appropriation from Excess Lottery Fund to DHHR, Center for End of Life** - Introduced 1/9/2019 - To Finance
111. By Sen. Stollings, Baldwin, Jeffries and Lindsay - **Supplemental appropriation from Excess Lottery Fund to DHHR, CARDIAC Project** - Introduced 1/9/2019 - To Finance
112. By Sen. Stollings, Jeffries, Lindsay and Baldwin - **Supplemental appropriation from State Fund, General Revenue to DHHR, Tobacco Education Program** - Introduced 1/9/2019 - To Finance
113. By Sen. Stollings, Baldwin, Jeffries and Boso - **Creating five-year tax credits for businesses locating on post-coal mine sites** - Introduced 1/9/2019 - To Economic Development then Finance
114. By Sen. Romano, Jeffries, Baldwin and Lindsay - **Allowing workers' compensation benefits for first responders diagnosed with PTSD due to employment event** (original similar to HB2321) - Introduced 1/9/2019 - To Banking and Insurance then Finance
115. By Sen. Romano and Baldwin - **Relating to certain election expenditure disclosures** - Introduced 1/9/2019 - To Judiciary
116. By Sen. Palumbo - **Relating to certain unlawful discriminatory practices** (original similar to HB2349) - Introduced 1/9/2019 - To Judiciary
- *117. By Sen. Palumbo - **Relating to incentives for consolidating local governments** - Introduced 1/9/2019 - To Government Organization then Finance - To Finance 2/1/2019 - Com. sub. reported 2/14/2019 - Passed Senate 2/19/2019 - To House 2/19/2019 - To Government Organization then Finance
118. By Sen. Palumbo, Jeffries, Stollings, Baldwin and Lindsay - **Creating Independent Redistricting Commission** - Introduced 1/9/2019 - To Judiciary
119. By Sen. Trump and Boso - **Specifying documents not subject to discovery in certain proceedings** - Introduced 1/9/2019 - To Judiciary - Passed Senate 1/21/2019 - To House 1/22/2019 - To Judiciary - Passed House 1/29/2019 - To Governor 2/5/19 - Approved by Governor 2/8/19 - Chapter 185, Acts, Regular Session, 2019
120. By Sen. Romano - **Increasing state employee pay over two-year period** - Introduced 1/9/2019 - To Finance

121. By Sen. Romano - **Providing continued eligibility for developmental disability services to military members' dependents** - Introduced 1/9/2019 - To Military then Finance - To Finance 1/16/2019
122. By Sen. Romano, Baldwin and Stollings - **Funding volunteer fire departments through surcharge on fire and casualty insurance policies** (original similar to SB296) - Introduced 1/9/2019 - To Banking and Insurance then Finance
123. By Sen. Romano and Stollings - **Providing penalty for marijuana possession carries fine of no more than \$1,000 without confinement** - Introduced 1/9/2019 - To Judiciary
- *124. By Sen. Clements, Weld and Baldwin - **Creating felony offense for actions of cruelty to animals which causes serious injury or death of animal** - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 1/23/2019 - Passed Senate 1/28/2019 - To House 1/29/2019 - To Judiciary - On 1st reading, House Calendar 3/7/2019 - On 1st reading, House Calendar 3/9/2019
125. By Sen. Clements - **Providing counties with less than 1,400 net enrollment be considered to have 1,400 in determining basic foundation program only** - Introduced 1/9/2019 - To Education then Finance
126. By Sen. Trump and Boso - **Requiring industrial hemp grower licensees file copy of license with local sheriff** - Introduced 1/9/2019 - To Natural Resources then Judiciary
- *127. By Sen. Trump - **Relating to parole officers' duties to perform alcohol and drug testing of litigants** - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 2/4/2019 - Passed Senate 2/7/2019 - To House 2/8/2019 - To Judiciary
128. By Sen. Palumbo - **Requiring vacancies in certain public offices be filled by person affiliated with same political party as vacating person** - Introduced 1/9/2019 - To Judiciary
129. By Sen. Romano - **Creating surcharge to fund certain fire-related cleanup and demolition** - Introduced 1/9/2019 - To Government Organization then Finance
130. By Sen. Romano and Clements - **Allowing \$1,000 cost-of-living adjustment for certain retirees** - Introduced 1/9/2019 - To Pensions then Finance
131. By Sen. Romano - **Modifying procedure for certain public agencies to contract for architectural and engineering services** - Introduced 1/9/2019 - To Government Organization then Finance
132. By Sen. Clements, Lindsay and Boso - **Establishing Mountaineer Trail Network Recreation Authority** (original similar to HB2484, SB15) - Introduced 1/9/2019 - To Economic Development then Finance
133. By Sen. Ojeda - **Creating Returning Veterans and Displaced Miners Jobs Act** - Introduced 1/9/2019 - To Workforce then Government Organization

134. By Sen. Ojeda - **Stabilizing PEIA benefits** - Introduced 1/9/2019 - To Banking and Insurance then Finance
135. By Sen. Ojeda - **Requiring registered lobbyists purchase and wear body-mounted cameras at Capitol** - Introduced 1/9/2019 - To Government Organization then Judiciary
136. By Sen. Palumbo and Baldwin - **Relating to tobacco usage and e-cigarette restrictions** - Introduced 1/9/2019 - To Health and Human Resources then Judiciary - To Judiciary 1/18/2019
137. By Sen. Palumbo - **Relating to unlawful discriminatory practices covered by Human Rights Act and Fair Housing Act** - Introduced 1/9/2019 - To Judiciary
138. By Sen. Ojeda - **Prohibiting civil rights violations based on gender identity or sexual orientation** (original similar to SB484) - Introduced 1/9/2019 - To Judiciary
139. By Sen. Ojeda - **Changing requisite period necessary to take advantage of criminal offense reduction** - Introduced 1/9/2019 - To Workforce then Judiciary
140. By Sen. Ojeda - **Requiring correctional officers be paid overtime for hours worked beyond 40 in one-week period** - Introduced 1/9/2019 - To Government Organization then Finance
141. By Sen. Ojeda and Stollings - **Creating Volunteer Firefighter Appreciation Act of 2019** - Introduced 1/9/2019 - To Government Organization then Finance
142. By Sen. Ojeda - **Creating misdemeanor offense for impersonating military member** - Introduced 1/9/2019 - To Military then Judiciary
143. By Sen. Ojeda - **Reducing criminal penalties and criminalization of marijuana** - Introduced 1/9/2019 - To Judiciary
144. By Sen. Ojeda and Stollings - **Creating WV Black Lung Program** (original similar to HB2537) - Introduced 1/9/2019 - To Workforce then Finance
145. By Sen. Ojeda - **Relating to WV Medical Cannabis Act** - Introduced 1/9/2019 - To Health and Human Resources then Judiciary
146. By Sen. Azinger and Boso - **Increasing burglary penalties if other crime against person committed at same time** - Introduced 1/9/2019 - To Judiciary
- *147. By Sen. Blair - **Shifting funding from Landfill Closure Assistance Fund to local solid waste authorities** (original similar to HB2496) - Introduced 1/9/2019 - To Finance - Com. sub. reported 2/14/2019 - Amended - Passed Senate with amended title 2/19/2019 - To House 2/19/2019 - To Finance - Amended - Passed House 3/8/2019 - Title amended - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/20/19 - Vetoed by Governor 3/27/19

148. By Sen. Prezioso, Jeffries, Stollings and Lindsay - **Requiring newly constructed dwelling units to meet minimum standards of universal design for disabled persons** - Introduced 1/9/2019 - To Government Organization then Finance
149. By Sen. Azinger and Weld - **Exempting certain veterans from concealed weapons license fees** (original similar to HB2672) - Introduced 1/9/2019 - To Military then Finance - To Finance 1/16/2019 - Passed Senate 1/30/2019 - To House 1/31/2019 - To Judiciary then Finance
- *150. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Budget Bill** - Introduced 1/9/2019 - To Finance 1/9/2019 - Com. sub. reported 3/1/2019 - Amended - Referred to Rules on 3rd reading 3/7/2019
151. By Sen. Baldwin, Palumbo, Takubo, Stollings, Jeffries and Lindsay - **Relating to Upper Kanawha Valley Resiliency and Revitalization Program** (original similar to HB2363) - Introduced 1/10/2019 - To Education then Government Organization
- *152. By Sen. Jeffries, Baldwin, Stollings, Woelfel and Lindsay - **Relating generally to criminal offense expungement** - Introduced 1/10/2019 - To Judiciary - Com. sub. reported 1/16/2019 - Amended - Passed Senate 1/22/2019 - To House 1/23/2019 - To Judiciary then Finance - To House Finance - Amended - Passed House 3/8/2019 - Title amended - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 71, Acts, Regular Session, 2019
153. By Sen. Jeffries, Stollings, Lindsay, Clements, Smith, Baldwin, Plymale, Ihlenfeld, Hamilton and Boso - **Providing greater flexibility for making infrastructure project grants** - Introduced 1/10/2019 - To Economic Development then Finance - 2nd reference dispensed - Passed Senate 2/13/2019 - To House 2/14/2019 - To Technology and Infrastructure then Finance - To House Finance - Passed House 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 85, Acts, Regular Session, 2019
- *154. By Sen. Jeffries, Baldwin, Stollings, Lindsay, Plymale, Hamilton and Boso - **Using school facilities for funeral and memorial services for certain community members** - Introduced 1/10/2019 - To Education - Com. sub. reported 2/1/2019 - Passed Senate 2/6/2019 - To House 2/7/2019 - To Education - Passed House 3/5/2019 - Title amended - Senate amended House amendment and passed 3/6/2019 - House concurred in Senate title amendment 3/7/2019 - Passed House 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 90, Acts, Regular Session, 2019
155. By Sen. Ojeda - **Authorizing corrections officers to retire after 25 years' service** - Introduced 1/10/2019 - To Pensions then Finance
156. By Sen. Ojeda - **Including nursing home nurses in WV Nurse Overtime and Patient Safety Act** - Introduced 1/10/2019 - To Health and Human Resources then Judiciary
- *157. By Sen. Maynard - **Authorizing Department of Administration promulgate legislative rules** (original similar to HB2231) - Introduced 1/10/2019 - To

- Judiciary - Com. sub. reported 2/1/2019 - Passed Senate 2/6/2019 - Effective from passage - To House 2/7/2019 - To Government Organization then Judiciary - To House Judiciary - Passed House 2/28/2019 - Effective from passage - To Governor 3/8/19 - Approved by Governor 3/26/19 - Chapter 159, Acts, Regular Session, 2019
158. By Sen. Maynard - **Department of Administration rule relating to state-owned vehicles** (original similar to HB2273) - Introduced 1/10/2019 - To Judiciary
159. By Sen. Maynard - **Department of Administration rule relating to leasing of space and property acquisition on behalf of state spending units** (original similar to HB2274) - Introduced 1/10/2019 - To Judiciary
160. By Sen. Maynard - **DEP rule relating to ambient air quality** (original similar to HB2233) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary
161. By Sen. Maynard - **DEP rule relating to standards of performance for new stationary sources** (original similar to HB2234) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary
162. By Sen. Maynard - **DEP rule relating to control of air pollution from hazardous waste treatment, storage, and disposal facilities** (original similar to HB2235) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary
- *163. By Sen. Maynard - **Authorizing DEP promulgate legislative rules** (original similar to HB2236) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary - To Judiciary 1/16/2019 - Com. sub. reported 2/4/2019 - Passed Senate 2/7/2019 - Effective from passage - To House 2/8/2019 - To Energy then Judiciary - To House Judiciary - Passed House 3/5/2019 - Effective from passage - To Governor 3/20/19 - Approved by Governor 3/26/19 - Chapter 160, Acts, Regular Session, 2019
164. By Sen. Maynard - **DEP rule relating to requirements for conformity of transportation plans, programs, and projects applicable to air quality implementation plans** (original similar to HB2237) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary
165. By Sen. Maynard - **DEP rule relating to provisions for determination of compliance with air quality management rules** (original similar to HB2238) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary
166. By Sen. Maynard - **DEP rule relating to cross-state air pollution rule to control certain emissions** (original similar to HB2239) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary
167. By Sen. Maynard - **DEP rule relating to requirements governing water quality standards** (original similar to HB2283) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary

168. By Sen. Maynard - **DHHR rule relating to behavioral health centers licensure** (original similar to HB2285) - Introduced 1/10/2019 - To Health and Human Resources then Judiciary
169. By Sen. Maynard - **DHHR rule relating to assisted living residences** (original similar to HB2286) - Introduced 1/10/2019 - To Health and Human Resources then Judiciary
170. By Sen. Maynard - **DHHR rule relating to food establishments** (original similar to HB2287) - Introduced 1/10/2019 - To Health and Human Resources then Judiciary
171. By Sen. Maynard - **DHHR rule relating to food manufacturing facilities** (original similar to HB2288) - Introduced 1/10/2019 - To Health and Human Resources then Judiciary
172. By Sen. Maynard - **DHHR rule relating to newborn screening system** (original similar to HB2241) - Introduced 1/10/2019 - To Health and Human Resources then Judiciary
173. By Sen. Maynard - **DHHR rule relating to medication-assisted treatment--office-based medication-assisted treatment** (original similar to HB2289) - Introduced 1/10/2019 - To Health and Human Resources then Judiciary
174. By Sen. Maynard - **DHHR rule relating to chronic pain management clinic licensure** (original similar to HB2242) - Introduced 1/10/2019 - To Health and Human Resources then Judiciary
- *175. By Sen. Maynard - **Authorizing DHHR promulgate legislative rules** (original similar to HB2243) - Introduced 1/10/2019 - To Health and Human Resources then Judiciary - To Judiciary 1/16/2019 - Com. sub. reported 2/1/2019 - Passed Senate 2/6/2019 - Effective from passage - To House 2/7/2019 - To Health and Human Resources then Judiciary - To House Judiciary - Amended - Passed House 3/5/2019 - Effective from passage - Senate concurred in House amendments and passed bill 3/6/2019 - Effective from passage - To Governor 3/20/19 - Approved by Governor 3/26/19 - Chapter 161, Acts, Regular Session, 2019
176. By Sen. Maynard - **Health Care Authority rule relating to cooperative agreement approval and compliance** (original similar to HB2244) - Introduced 1/10/2019 - To Health and Human Resources then Judiciary
177. By Sen. Maynard - **Fire Commission rule relating to State Building Code** (original similar to HB2240) - Introduced 1/10/2019 - To Judiciary - Passed Senate 1/16/2019 - Effective from passage - To House 1/17/2019 - To Judiciary - Passed House 1/31/2019 - Effective from passage - To Governor 2/8/19 - Approved by Governor 2/14/19 - Chapter 162, Acts, Regular Session, 2019
178. By Sen. Maynard - **Lottery Commission rule relating to WV Lottery sports wagering rule** (original similar to HB2291) - Introduced 1/10/2019 - To Finance then Judiciary

179. By Sen. Maynard - **Racing Commission rule relating to thoroughbred racing** (original similar to HB2295) - Introduced 1/10/2019 - To Judiciary
180. By Sen. Maynard - **State Tax Department rule relating to payment of taxes by electronic funds transfer** (original similar to HB2303) - Introduced 1/10/2019 - To Finance then Judiciary
181. By Sen. Maynard - **State Tax Department rule relating to aircraft operated under a fractional ownership program** (original similar to HB2264) - Introduced 1/10/2019 - To Finance then Judiciary
182. By Sen. Maynard - **State Tax Department rule relating to senior citizen tax credit for property taxes paid** (original similar to HB2265) - Introduced 1/10/2019 - To Finance then Judiciary
183. By Sen. Maynard - **State Tax Department rule relating to administration of tax on purchases of wine and liquor inside and outside of municipalities** (original similar to HB2266) - Introduced 1/10/2019 - To Finance then Judiciary
184. By Sen. Maynard - **State Tax Department rule relating to exchange of information agreement between Tax Division and DEP** (original similar to HB2267) - Introduced 1/10/2019 - To Finance then Judiciary
185. By Sen. Maynard - **State Tax Department rule relating to exchange of information agreement between State Tax Division and Alcohol Beverage Control Administration** (original similar to HB2268) - Introduced 1/10/2019 - To Finance then Judiciary
186. By Sen. Maynard - **State Tax Department rule relating to exchange of information pursuant to written agreement** (original similar to HB2269) - Introduced 1/10/2019 - To Finance then Judiciary
- *187. By Sen. Maynard - **Authorizing Department of Revenue to promulgate legislative rules** (original similar to HB2270) - Introduced 1/10/2019 - To Finance then Judiciary - To Judiciary 1/15/2019 - Com. sub. reported 1/28/2019 - Passed Senate 1/31/2019 - Effective from passage - To House 2/1/2019 - To Finance then Judiciary - To House Judiciary - Passed House 3/6/2019 - Effective from passage - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 163, Acts, Regular Session, 2019
188. By Sen. Maynard - **State Tax Department rule relating to exchange of information agreement between State Tax Department and WV Lottery** (original similar to HB2271) - Introduced 1/10/2019 - To Finance then Judiciary
189. By Sen. Maynard - **State Tax Department rule relating to exchange of information agreement between State Tax Department and State Fire Marshal** (original similar to HB2272) - Introduced 1/10/2019 - To Finance then Judiciary
190. By Sen. Maynard - **DOH promulgate legislative rule relating to employment procedures** (original similar to HB2245) - Introduced 1/10/2019 - To Judiciary - Amended - Passed Senate 1/16/2019 - Effective from passage - To House 1/17/2019 - To Technology and Infrastructure then Judiciary - To House

- Judiciary - Passed House 3/5/2019 - Effective from passage - To Governor 3/20/19 - Vetoed by Governor 3/27/19
191. By Sen. Maynard - **Agriculture Commissioner rule relating to animal disease control** (original similar to HB2275) - Introduced 1/10/2019 - To Agriculture and Rural Development then Judiciary
192. By Sen. Maynard - **Agriculture Commissioner rule relating to industrial hemp** (original similar to HB2276) - Introduced 1/10/2019 - To Agriculture and Rural Development then Judiciary
193. By Sen. Maynard - **Agriculture Commissioner rule relating to rural rehabilitation loan program** (original similar to HB2277) - Introduced 1/10/2019 - To Agriculture and Rural Development then Judiciary
194. By Sen. Maynard - **Agriculture Commissioner rule relating to captive cervid farming** (original similar to HB2278) - Introduced 1/10/2019 - To Agriculture and Rural Development then Judiciary
195. By Sen. Maynard - **Agriculture Commissioner rule relating to farm-to-food bank tax credit** (original similar to HB2232) - Introduced 1/10/2019 - To Agriculture and Rural Development then Judiciary
196. By Sen. Maynard - **Agriculture Commissioner rule relating to agritourism** (original similar to HB2279) - Introduced 1/10/2019 - To Agriculture and Rural Development then Judiciary
197. By Sen. Maynard - **Agriculture Commissioner rule relating to farmers markets** (original similar to HB2280) - Introduced 1/10/2019 - To Agriculture and Rural Development then Judiciary
198. By Sen. Maynard - **Agriculture Commissioner rule relating to seed certification program** (original similar to HB2281) - Introduced 1/10/2019 - To Agriculture and Rural Development then Judiciary
- *199. By Sen. Maynard - **Authorizing certain miscellaneous agencies and boards promulgate legislative rules** (original similar to HB2282) - Introduced 1/10/2019 - To Judiciary - Com. sub. reported 1/25/2019 - Passed Senate 1/31/2019 - Effective from passage - To House 2/1/2019 - To Government Organization then Judiciary - To House Judiciary - Amended - Passed House 3/7/2019 - Effective from passage - Senate concurred in House amendments and passed bill 3/8/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 164, Acts, Regular Session, 2019
200. By Sen. Maynard - **Board of Licensed Dietitians rule relating to licensure and renewal requirements** (original similar to HB2284) - Introduced 1/10/2019 - To Judiciary
201. By Sen. Maynard - **Board of Medicine rule relating to licensing and disciplinary procedures: physicians; podiatric physicians; and surgeons** (original similar to HB2248) - Introduced 1/10/2019 - To Judiciary

202. By Sen. Maynard - **Board of Medicine rule relating to permitting and disciplinary procedures: educational permits for graduate medical interns, residents, and fellows** (original similar to HB2249) - Introduced 1/10/2019 - To Judiciary
203. By Sen. Maynard - **Board of Osteopathic Medicine rule relating to licensing procedures for osteopathic physicians** (original similar to HB2253) - Introduced 1/10/2019 - To Judiciary
204. By Sen. Maynard - **Board of Pharmacy rule relating to licensure and practice of pharmacy** (original similar to HB2254) - Introduced 1/10/2019 - To Judiciary
205. By Sen. Maynard - **Board of Pharmacy rule relating to board rules for registration of pharmacy technicians** (original similar to HB2255) - Introduced 1/10/2019 - To Judiciary
206. By Sen. Maynard - **Board of Pharmacy rule relating to regulations governing pharmacy permits** (original similar to HB2256) - Introduced 1/10/2019 - To Judiciary
207. By Sen. Maynard - **Board of Pharmacy rule relating to regulations governing pharmacists** (original similar to HB2257) - Introduced 1/10/2019 - To Judiciary
208. By Sen. Maynard - **Board of Pharmacy rules relating to substitution of biological pharmaceuticals** (original similar to HB2294) - Introduced 1/10/2019 - To Judiciary
209. By Sen. Maynard - **Real Estate Appraiser Licensing and Certification Board rule relating to requirements for licensure and certification** (original similar to HB2296) - Introduced 1/10/2019 - To Judiciary
210. By Sen. Maynard - **Registered Professional Nurses rule relating to criteria for evaluation and accreditation of colleges, departments, or schools of nursing** (original similar to HB2297) - Introduced 1/10/2019 - To Judiciary
211. By Sen. Maynard - **Board of Examiners for Registered Professional Nurses rule relating to registration and licensure, and conduct constituting professional misconduct** (original similar to HB2298) - Introduced 1/10/2019 - To Judiciary
212. By Sen. Maynard - **Board of Registered Professional Nurses rule relating to advanced practice registered nurse** (original similar to HB2258) - Introduced 1/10/2019 - To Judiciary
213. By Sen. Maynard - **Board of Examiners for Registered Professional Nurses rule relating to standards for scope of professional nursing practice** (original similar to HB2299) - Introduced 1/10/2019 - To Judiciary
214. By Sen. Maynard - **Board of Registered Professional Nurses rule relating to fees for services rendered by board and supplemental renewal fee for center for nursing** (original similar to HB2300) - Introduced 1/10/2019 - To Judiciary

215. By Sen. Maynard - **Board of Examiners for Registered Professional Nurses rule relating to dialysis technicians** (original similar to HB2301) - Introduced 1/10/2019 - To Judiciary
216. By Sen. Maynard - **Secretary of State rule relating to filing and formatting rules and related documents for publication in State Register** (original similar to HB2259) - Introduced 1/10/2019 - To Judiciary
217. By Sen. Maynard - **Secretary of State rule relating to loan and grant programs under Help America Vote Act** (original similar to HB2260) - Introduced 1/10/2019 - To Judiciary
218. By Sen. Maynard - **Secretary of State rule relating to early voting in-person satellite precincts** (original similar to HB2261) - Introduced 1/10/2019 - To Judiciary
219. By Sen. Maynard - **Secretary of State rule relating to notaries public** (original similar to HB2262) - Introduced 1/10/2019 - To Judiciary
220. By Sen. Maynard - **Board of Social Work rule relating to qualifications for profession of social work** (original similar to HB2302) - Introduced 1/10/2019 - To Judiciary
221. By Sen. Maynard - **Board of Social Work rule relating to code of ethics** (original similar to HB2263) - Introduced 1/10/2019 - To Judiciary
222. By Sen. Maynard - **Treasurer's Office rule relating to reporting and claiming unknown and unlocatable interest owners reserved interest** (original similar to HB2304) - Introduced 1/10/2019 - To Judiciary
- *223. By Sen. Maynard - **Authorizing Department of Commerce promulgate legislative rules** (original similar to HB2246) - Introduced 1/10/2019 - To Judiciary - Com. sub. reported 1/21/2019 - Amended - Passed Senate with amended title 1/24/2019 - Effective from passage - To House 1/25/2019 - To Energy then Judiciary - To House Judiciary - Amended - Passed House 3/5/2019 - Effective from passage - Senate concurred in House amendments and passed bill 3/6/2019 - Effective from passage - To Governor 3/20/19 - Approved by Governor 3/22/19 - Chapter 165, Acts, Regular Session, 2019
224. By Sen. Maynard - **Division of Labor rule relating to child labor** (original similar to HB2290) - Introduced 1/10/2019 - To Judiciary
225. By Sen. Maynard - **Division of Labor rule relating to regulation of heating, ventilating, and cooling work** (original similar to HB2247) - Introduced 1/10/2019 - To Judiciary
226. By Sen. Maynard - **Office of Miners' Health, Safety, and Training rule relating to rules and regulations governing safety of employees in and around surface mines in WV** (original similar to HB2250) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary

227. By Sen. Maynard - **Office of Miners' Health, Safety, and Training rule relating to submission and approval of comprehensive mine safety program** (original similar to HB2251) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary
228. By Sen. Maynard - **Office of Miners' Health, Safety, and Training rule relating to operating diesel equipment in underground mines** (original similar to HB2252) - Introduced 1/10/2019 - To Energy, Industry and Mining then Judiciary
229. By Sen. Maynard - **DNR rule relating to commercial whitewater outfitters** (original similar to HB2292) - Introduced 1/10/2019 - To Natural Resources then Judiciary
230. By Sen. Maynard - **DNR rule relating to Cabwaylingo State Forest trail system two-year pilot program permitting ATVs and ORVs** (original similar to HB2293) - Introduced 1/10/2019 - To Natural Resources then Judiciary
231. By Sen. Hamilton - **Calculating retirement benefits for certain legislators** - Introduced 1/10/2019 - To Pensions then Finance
232. By Sen. Hamilton, Baldwin and Cline - **Enhancing penalties for failing to use caution when approaching emergency vehicles** (original similar to HB2930) - Introduced 1/10/2019 - To Transportation and Infrastructure then Judiciary
233. By Sen. Hamilton and Cline - **Relating to age requirements for deputy sheriff** - Introduced 1/10/2019 - To Government Organization - Passed Senate 2/1/2019 - To House 2/4/2019 - To Government Organization - Amended - On 3rd reading, House Calendar 3/8/2019 - On 3rd reading, House Calendar 3/9/2019
234. By Sen. Azinger and Cline - **Requiring schools provide elective course on religion** - Introduced 1/10/2019 - To Education then Judiciary
235. By Sen. Azinger and Cline - **Creating felony for attempting to kill another person** - Introduced 1/10/2019 - To Judiciary
- *236. By Sen. Lindsay, Jeffries and Baldwin - **Providing notice of eligibility to persons to vote after completion of punishment or pardon** - Introduced 1/10/2019 - To Judiciary - Com. sub. reported 1/24/2019 - Passed Senate 1/29/2019 - To House 1/30/2019 - To Judiciary
- *237. By Sen. Jeffries, Cline and Baldwin - **Improving ability of law enforcement to locate and return missing persons** - Introduced 1/10/2019 - To Judiciary - Com. sub. reported 2/5/2019 - Passed Senate 2/8/2019 - To House 2/11/2019 - To Judiciary - Passed House 3/5/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 224, Acts, Regular Session, 2019
- *238. By Sen. Baldwin, Cline, Jeffries and Lindsay - **Increasing certain penalties for illegally passing stopped school bus** - Introduced 1/10/2019 - To Transportation and Infrastructure then Judiciary - To Judiciary 1/23/2019 - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019

- To Judiciary - Passed House 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 259, Acts, Regular Session, 2019

239. By Sen. Baldwin and Jeffries - **Relating to mobility impairment identifying documents** - Introduced 1/10/2019 - To Transportation and Infrastructure then Finance
- *240. By Sen. Maynard, Trump, Cline and Swope - **Repealing certain legislative rules no longer authorized or are obsolete** - Introduced 1/10/2019 - To Judiciary - Com. sub. reported 1/17/2019 - Passed Senate 1/22/2019 - Effective from passage - To House 1/23/2019 - To Judiciary - Amended - Passed House 2/8/2019 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 2/11/2019 - Effective from passage - To Governor 2/15/19 - Approved by Governor 2/19/19 - Chapter 166, Acts, Regular Session, 2019
- *241. By Sen. Weld, Cline, Hamilton and Baldwin - **Permitting county court clerks scan certain documents in electronic form** - Introduced 1/10/2019 - To Government Organization - Com. sub. reported 1/23/2019 - Passed Senate 1/28/2019 - To House 1/29/2019 - To Political Subdivisions then Government Organization - To House Government Organization - Amended - Passed House 3/7/2019 - Senate refused to concur in House amendment 3/8/2019 - House refused to recede and requested conference 3/8/2019 - To conference 3/9/2019 - Senate adopted conference report and passed bill 3/9/2019 - House adopted conference report and passed bill 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/22/19 - Chapter 233, Acts, Regular Session, 2019
242. By Sen. Weld and Cline - **Requiring deeds contain notarized acknowledgement of grantee accepting deed** - Introduced 1/10/2019 - To Judiciary
- *243. By Sen. Weld - **Requiring racetrack participate in WV Thoroughbred Development Fund** - Introduced 1/10/2019 - To Finance - Com. sub. reported 1/25/2019 - Passed Senate 1/30/2019 - To House 1/31/2019 - To Finance
244. By Sen. Weld - **Amending definitions relating to excise tax** - Introduced 1/10/2019 - To Judiciary then Finance
245. By Sen. Weld, Baldwin, Cline, Jeffries, Clements and Ihlenfeld - **Creating felony offense of aggravated cruelty to animals** - Introduced 1/10/2019 - To Judiciary
246. By Sen. Weld and Cline - **Adding language in estate appraisement showing nonprobate assets cannot be sold by personal representative** - Introduced 1/10/2019 - To Judiciary
247. By Sen. Weld - **Amending time frames to enforce certain liens** - Introduced 1/10/2019 - To Judiciary
- *248. By Sen. Weld and Cline - **Creating Prosecuting Attorney's Detectives Act** (original similar to HB2444) - Introduced 1/10/2019 - To Judiciary then Finance - Com. sub. reported 2/22/2019 - 2nd reference dispensed - Amended - Passed Senate with amended title 2/26/2019 - To House 2/27/2019 - To Judiciary

- *249. By Sen. Weld - **Relating to administration of estates and trusts** - Introduced 1/10/2019 - To Judiciary - Com. sub. reported 2/22/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Judiciary
250. By Sen. Baldwin and Lindsay - **Creating Wholesale Prescription Drug Importation Program** - Introduced 1/10/2019 - To Health and Human Resources then Government Organization
251. By Sen. Baldwin and Jeffries - **Adjusting distance from polling place that certain electioneering and election-related activity is prohibited** - Introduced 1/10/2019 - To Judiciary
252. By Sen. Jeffries, Lindsay, Baldwin and Beach - **Clarifying duties of Herbert Henderson Office of Minority Affairs** - Introduced 1/11/2019 - To Government Organization then Finance
- *253. By Sen. Jeffries, Lindsay, Baldwin, Beach and Hamilton - **Protecting consumers from automatic purchase renewal and continuous service offers** - Introduced 1/11/2019 - To Judiciary - Com. sub. reported 1/21/2019 - Passed Senate 1/25/2019 - To House 1/28/2019 - To Judiciary
254. By Sen. Jeffries, Lindsay, Hamilton, Baldwin, Beach and Tarr - **Increasing misdemeanor penalty for impersonation of law-enforcement official** - Introduced 1/11/2019 - To Judiciary
- *255. By Sen. Boso, Baldwin and Maroney - **Relating to Emergency Medical Services Advisory Committee** - Introduced 1/11/2019 - To Government Organization - Com. sub. reported 1/18/2019 - Passed Senate 1/23/2019 - To House 1/24/2019 - To Government Organization - Passed House 2/1/2019 - To Governor 2/8/19 - Approved by Governor 2/14/19 - Chapter 206, Acts, Regular Session, 2019
256. By Sen. Weld, Cline, Baldwin, Tarr, Clements and Maroney - **Allowing certain deductions from individual personal income tax refunds** - Introduced 1/11/2019 - To Military then Finance - To Finance 1/16/2019 - Passed Senate 1/31/2019 - To House 2/1/2019 - To Finance
257. By Sen. Weld, Cline and Baldwin - **Expiring funds from Department of Revenue, Insurance Commissioner Fund and supplementing DHHR, Consolidated Medical Services Fund** - Introduced 1/11/2019 - To Finance
- *258. By Sen. Trump and Tarr - **Establishing common law "veil piercing" claims not be used to impose personal liability** - Introduced 1/11/2019 - To Judiciary - Com. sub. reported 1/22/2019 - Amended - Passed Senate 1/30/2019 - To House 1/31/2019 - To Judiciary
- *259. By Sen. Sypolt, Azinger, Beach, Boso, Clements, Hamilton, Maynard, Rucker, Smith, Stollings, Woelfel, Cline, Jeffries, Tarr and Maroney - **Expanding Coyote Control Program** (original similar to SB75) - Introduced 1/11/2019 - To Agriculture and Rural Development then Finance - To Finance 1/24/2019 - Com. sub. reported 2/13/2019 - Passed Senate 2/18/2019 - To House 2/19/2019

- To Agriculture and Natural Resources then Finance - To House Finance 2/28/2019
260. By Sen. Stollings, Jeffries, Prezioso, Takubo, Hamilton, Lindsay and Maroney - **Eliminating prohibition on permanent partial disability awards based solely on diagnosis of occupational pneumoconiosis** (original similar to HB2833) - Introduced 1/11/2019 - To Banking and Insurance then Finance
- *261. By Sen. Trump - **Relating to number of magistrates serving each county** - Introduced 1/11/2019 - To Judiciary then Finance - Com. sub. reported 2/11/2019 - To Finance 2/11/2019
262. By Sen. Trump - **Establishing certain requirements for dental insurance** (original similar to HB2361, HB2754) - Introduced 1/11/2019 - To Banking and Insurance then Finance
- *263. By Sen. Prezioso, Woelfel, Baldwin, Sypolt, Jeffries, Maroney and Lindsay - **Limiting number of days legislators may be compensated during extended and extraordinary sessions if budget bill not enacted** (original similar to HB2147, HB2172) - Introduced 1/11/2019 - To Finance - Com. sub. reported 2/5/2019 - Passed Senate 2/8/2019 - To House 2/11/2019 - To Finance
- *264. By Sen. Trump, Hamilton, Cline and Tarr - **Requiring courts to order restitution to crime victims where economically practicable** - Introduced 1/11/2019 - To Judiciary then Finance - Com. sub. reported 1/22/2019 - To Finance 1/22/2019 - Passed Senate 2/1/2019 - To House 2/4/2019 - To Judiciary then Finance - To House Finance - Passed House 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 72, Acts, Regular Session, 2019
265. By Sen. Carmichael (Mr. President), Cline, Baldwin, Sypolt, Boso and Tarr - **Establishing Advanced Career Education programs** (original similar to HB2450) - Introduced 1/11/2019 - To Education then Finance
- *266. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Creating Intermediate Court of Appeals and WV Appellate Review Organization Act of 2019** (original similar to HB2366) - Introduced 1/11/2019 - To Judiciary then Finance - Com. sub. reported 1/29/2019 - To Finance 1/29/2019 - Com. sub. for com. sub. reported 2/12/2019 - Passed Senate 2/18/2019 - To House 2/19/2019 - To Judiciary then Finance
267. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Requiring State Board of Education adopt policy detailing level of computer science instruction** (original similar to HB2415) - Introduced 1/11/2019 - To Education - Passed Senate 2/6/2019 - To House 2/7/2019 - Reference dispensed - Passed House 2/11/2019 - To Governor 2/15/19 - Approved by Governor 2/19/19 - Chapter 91, Acts, Regular Session, 2019
268. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Updating meaning of federal taxable income in WV Corporation Net Income Tax Act** (original similar to HB2414) - Introduced 1/11/2019 - To Finance - Passed Senate 1/28/2019 - Effective from passage - To House 1/29/2019 - To Finance - Passed House 2/5/2019 - Effective from passage - To

Governor 2/21/19 - Approved by Governor 2/27/19 - Chapter 241, Acts, Regular Session, 2019

269. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Updating terms used in WV Personal Income Tax Act** (original similar to HB2413) - Introduced 1/11/2019 - To Finance - Passed Senate 1/28/2019 - Effective from passage - To House 1/29/2019 - To Finance - Passed House 2/5/2019 - Effective from passage - To Governor 2/21/19 - Approved by Governor 2/27/19 - Chapter 242, Acts, Regular Session, 2019
- *270. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Streamlining process for utilities access to DOH rights-of-way** (original similar to HB2416) - Introduced 1/11/2019 - To Government Organization - Com. sub. reported 1/25/2019 - Amended - Passed Senate 2/1/2019 - Effective from passage - To House 2/4/2019 - To Judiciary - Passed House 2/21/2019 - Effective from passage - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 235, Acts, Regular Session, 2019
271. By Sen. Carmichael (Mr. President), Trump, Woelfel, Palumbo and Tarr - **Concerning government procurement of commodities and services** (original similar to HB2412) - Introduced 1/11/2019 - To Government Organization then Judiciary - To Judiciary 1/18/2019
272. By Sen. Carmichael (Mr. President), Trump, Woelfel, Palumbo and Tarr - **Updating code relating to Commission on Special Investigations** (original similar to HB2434, SB71) - Introduced 1/11/2019 - To Judiciary - Passed Senate 1/18/2019 - To House 1/21/2019 - To Judiciary - Passed House 1/29/2019 - Title amended - Effective from passage - Senate concurred in House title amendment 1/31/2019 - Passed Senate 1/31/2019 - Effective from passage - To Governor 2/5/19 - Vetoed by Governor 2/11/19 - Senate reconsidered action - Senate amended, repassed to meet objections of Governor 2/20/2019 - House concurred in Senate amendment 2/21/2019 - Repassed House to meet the objections of the Governor 2/21/2019 - Effective from passage - To Governor 2/22/19 - Effective ninety days from passage - Approved by Governor 2/28/19 - Chapter 114, Acts, Regular Session, 2019
- *273. By Sen. Carmichael (Mr. President), Trump, Woelfel, Palumbo and Tarr - **Relating to Commission on Special Investigations and State Auditor duties** - Introduced 1/11/2019 - To Judiciary - Com. sub. reported 2/22/2019 - Referred to Rules on 2nd reading 2/26/2019
274. By Sen. Sypolt, Boso, Stollings, Cline, Baldwin, Maroney and Smith - **Changing procedure for volunteer fire departments to report on spending state funds** (original similar to HB2411) - Introduced 1/11/2019 - To Government Organization
275. By Sen. Sypolt, Clements, Baldwin, Boso, Maroney and Smith - **Relating to sale of delinquent surface and mineral properties** - Introduced 1/11/2019 - To Energy, Industry and Mining then Judiciary
276. By Sen. Baldwin and Woelfel - **Relating to regulation and control of elections** - Introduced 1/11/2019 - To Judiciary

277. By Sen. Baldwin, Hamilton, Beach, Jeffries and Tarr - **Relating to certain crimes against government representatives** - Introduced 1/11/2019 - To Judiciary
278. By Sen. Baldwin, Beach, Jeffries, Tarr and Prezioso - **Permitting veterans hunt, trap, or fish without license** (original similar to HB2030) - Introduced 1/11/2019 - To Natural Resources then Finance
279. By Sen. Jeffries, Azinger, Baldwin, Beach, Boso, Facemire, Ihlenfeld, Lindsay, Mann, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Woelfel, Cline, Rucker, Clements, Tarr and Maroney - **Authorizing lifetime hunting, fishing, and trapping licenses for foster or adoptive children** (original similar to HB2879) - Introduced 1/11/2019 - To Natural Resources then Finance
280. By Sen. Lindsay, Baldwin, Beach, Facemire, Ihlenfeld, Jeffries, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger, Woelfel, Cline and Tarr - **Eliminating social security taxes for certain taxpayers** - Introduced 1/11/2019 - To Finance
281. By Sen. Sypolt, Beach, Boso, Clements, Hamilton, Smith, Stollings, Baldwin and Maroney - **Increasing limitation on amount collected by county used for medical care and emergency services** - Introduced 1/11/2019 - To Finance
282. By Sen. Sypolt, Beach, Boso, Clements, Hamilton, Maynard, Smith, Stollings, Baldwin, Maroney and Prezioso - **Changing qualifier for low income** - Introduced 1/11/2019 - To Finance
283. By Sen. Sypolt, Beach, Boso, Clements, Hamilton, Maynard, Smith, Cline, Baldwin, Tarr and Maroney - **Making misdemeanor to impede or obstruct law-enforcement officer in investigation** - Introduced 1/11/2019 - To Judiciary
284. By Sen. Sypolt, Azinger, Boso, Clements, Maynard, Smith, Cline, Tarr and Maroney - **Requiring photo identification on voter registration cards** - Introduced 1/11/2019 - To Judiciary then Finance
- *285. By Sen. Sypolt, Azinger, Beach, Boso, Clements, Cline, Facemire, Hamilton, Maynard, Prezioso, Smith, Stollings, Swope, Takubo, Tarr, Trump, Rucker, Roberts and Maroney - **Relating to sale of homemade food items** (original similar to HB2564) - Introduced 1/14/2019 - To Agriculture and Rural Development then Government Organization - Com. sub. reported 1/25/2019 - To Government Organization 1/25/2019 - Com. sub. for com. sub. reported 2/8/2019 - Passed Senate 2/13/2019 - To House 2/14/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary - Amended - Passed House 3/6/2019 - Title amended - Senate concurred in House amendments and passed bill 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 3, Acts, Regular Session, 2019
286. By Sen. Rucker, Roberts, Trump, Unger, Cline, Tarr and Maroney - **Including certain education programs operated by private schools in recognition by DOE** - Introduced 1/14/2019 - To Education then Health and Human Resources

287. By Sen. Smith, Baldwin, Boso, Clements, Jeffries, Sypolt, Cline, Roberts and Maroney - **Requiring DHHR terminate parental rights when child removed from care due to abuse or neglect** - Introduced 1/14/2019 - To Judiciary
288. By Sen. Rucker, Azinger, Boso, Cline, Jeffries, Maynard, Smith, Swope, Sypolt, Takubo, Weld, Roberts, Tarr, Maroney and Lindsay - **Exempting moneys in WV Emergency Medical Services Retirement Fund from state or municipal tax** (original similar to HB3047) - Introduced 1/14/2019 - To Pensions then Finance
289. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating to wireless enhanced 911 fee** (original similar to HB2702) - Introduced 1/14/2019 - To Finance
290. By Sen. Azinger - **Raising age of children who are victims of certain sex offenses** - Introduced 1/14/2019 - To Judiciary
- *291. By Sen. Sypolt, Baldwin, Maynard, Rucker and Roberts - **Relating generally to survivor benefits for emergency response providers** (original similar to HB2438) - Introduced 1/14/2019 - To Government Organization then Finance - To Finance 1/23/2019 - Com. sub. reported 2/8/2019 - Amended - Passed Senate 2/13/2019 - Effective July 1, 2019 - To House 2/14/2019 - To Finance - Amended - Passed House 3/8/2019 - Effective July 1, 2019 - Senate concurred in House amendments and passed bill 3/9/2019 - Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 239, Acts, Regular Session, 2019
292. By Sen. Sypolt, Stollings, Boso, Maroney and Baldwin - **Relating to fire service equipment and training funds for VFDs** (original similar to HB2439) - Introduced 1/14/2019 - To Government Organization then Finance - To Finance 1/18/2019
293. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Smith, Sypolt, Cline, Lindsay and Baldwin - **Clarifying director of multicounty vocational technical school as principal** - Introduced 1/14/2019 - To Education
294. By Sen. Hamilton, Facemire, Jeffries, Maynard, Smith, Sypolt and Cline - **Allowing vehicles used by transportation directors and transportation supervisors use red flashing warning lights** - Introduced 1/14/2019 - To Transportation and Infrastructure
- *295. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Maynard, Smith, Sypolt, Cline, Trump, Rucker and Lindsay - **Relating to crimes against public justice** (original similar to HB3000) - Introduced 1/14/2019 - To Judiciary - Com. sub. reported 2/13/2019 - Passed Senate 2/18/2019 - To House 2/19/2019 - To Judiciary - Amended - Passed House 3/1/2019 - Senate refused to concur in House amendment 3/2/2019 - House refused to recede and requested conference 3/5/2019 - To conference 3/6/2019 - Senate adopted conference report and passed bill 3/9/2019 - House adopted conference report and passed bill 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 73, Acts, Regular Session, 2019

296. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries and Smith - **Providing 11-month window to permit members of PERS to purchase credited service** (original similar to SB122) - Introduced 1/14/2019 - To Pensions then Finance - To Finance 1/17/2019 - Passed Senate 2/13/2019 - To House 2/14/2019 - To Pensions and Retirement then Finance
297. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Smith, Sypolt, Cline, Trump, Roberts, Tarr, Lindsay and Baldwin - **Extending expiration of military members' spouses' driver's license** (original similar to HB2784) - Introduced 1/14/2019 - To Military then Finance - To Finance 1/16/2019 - Passed Senate 1/31/2019 - To House 2/1/2019 - To Technology and Infrastructure then Finance - To House Finance 3/2/2019
298. By Sen. Hamilton, Boso, Ihlenfeld, Jeffries, Maynard, Smith, Stollings, Sypolt, Cline and Tarr - **Relating to lawful method for developmentally disabled person to purchase a base hunting license** - Introduced 1/14/2019 - To Natural Resources
299. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Smith, Sypolt, Cline, Rucker and Lindsay - **Selecting language milestones for deaf and hard-of-hearing children** (original similar to HB2205, HB2913) - Introduced 1/14/2019 - To Education
- *300. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Maynard, Smith, Sypolt, Cline and Maroney - **Relating to adoption records** (original similar to HB2313) - Introduced 1/14/2019 - To Health and Human Resources then Judiciary - Com. sub. reported 2/19/2019 - To Judiciary 2/19/2019
301. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Maynard, Smith, Sypolt and Cline - **Exempting certain wood furniture from state sales tax** - Introduced 1/14/2019 - To Finance
302. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Smith, Cline, Stollings and Baldwin - **Relating to surcharge on fire and casualty insurance policies** - Introduced 1/14/2019 - To Banking and Insurance then Finance
303. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Maynard, Smith, Sypolt, Romano, Stollings, Beach, Cline, Woelfel, Baldwin, Maroney, Tarr, Takubo and Prezioso - **Exempting Social Security benefits from personal income tax** (original similar to HB2529) - Introduced 1/15/2019 - To Finance
304. By Sen. Hamilton, Facemire, Ihlenfeld, Jeffries, Maynard, Smith, Sypolt, Stollings, Lindsay, Baldwin, Beach, Cline and Takubo - **Establishing Southern WV Lake Development Study Commission** - Introduced 1/15/2019 - To Economic Development then Government Organization
305. By Sen. Hamilton, Boso, Ihlenfeld, Jeffries, Smith, Romano, Woelfel, Lindsay, Baldwin, Beach, Cline and Takubo - **Prohibiting waste of big game animals** (original similar to HB2540) - Introduced 1/15/2019 - To Natural Resources then Judiciary - To Judiciary 2/8/2019

306. By Sen. Lindsay, Baldwin, Jeffries, Beach and Prezioso - **Establishing Family and Medical Leave Insurance Benefits Act** - Introduced 1/15/2019 - To Banking and Insurance then Finance
307. By Sen. Boso - **Creating Nondiscrimination Involuntary Denial of Treatment Act** (original similar to HB2227, HB2493) - Introduced 1/15/2019 - To Health and Human Resources then Judiciary
308. By Sen. Hamilton, Baldwin, Beach, Cline, Takubo and Prezioso - **Awarding service weapons to special natural resources police officers upon retirement** (original similar to HB2599) - Introduced 1/15/2019 - To Government Organization
309. By Sen. Blair and Takubo - **Relating to civil asset forfeiture** (original similar to HB2563) - Introduced 1/15/2019 - To Judiciary
- *310. By Sen. Stollings, Jeffries, Beach, Takubo and Prezioso - **Establishing certain requirements for dental insurance** (original similar to HB2754) - Introduced 1/15/2019 - To Health and Human Resources then Finance - Com. sub. reported 1/18/2019 - To Finance 1/18/2019 - Com. sub. for com. sub. reported 2/15/2019 - Passed Senate 2/20/2019 - Effective July 1, 2019 - To House 2/20/2019 - To Health and Human Resources - Passed House 3/2/2019 - Title amended - Effective July 1, 2019 - Senate concurred in House title amendment 3/4/2019 - Passed Senate 3/4/2019 - Effective July 1, 2019 - To Governor 3/11/19 - Approved by Governor 3/25/19 - Chapter 143, Acts, Regular Session, 2019
311. By Sen. Takubo, Maroney, Stollings, Woelfel, Baldwin, Cline, Tarr and Prezioso - **Requiring first-time driver's license applicants view video on dangers of secondhand smoke** - Introduced 1/15/2019 - To Transportation and Infrastructure then Finance
312. By Sen. Lindsay and Jeffries - **Requiring WV State Police follow towing service policies of county** (original similar to HB2511) - Introduced 1/15/2019 - To Government Organization
313. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Establishing Advanced Career Education programs and pathways** (original similar to HB2449) - Introduced 1/15/2019 - To Education then Finance
314. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating to cybersecurity of state government** (original similar to HB2452) - Introduced 1/15/2019 - To Government Organization then Finance
315. By Sen. Weld, Clements, Stollings, Baldwin, Hamilton, Roberts, Jeffries, Cline, Tarr and Prezioso - **Establishing Blue Alert program to aid law-enforcement officers missing in line of duty** - Introduced 1/15/2019 - To Government Organization then Finance
- *316. By Sen. Plymale, Woelfel, Lindsay, Stollings and Hamilton - **Preserving previously approved state Municipal Policemen's or Firemen's pensions** (original similar to HB2409) - Introduced 1/16/2019 - To Pensions then Finance - To Finance 2/7/2019 - Com. sub. reported 2/21/2019 - Passed Senate with

amended title 2/25/2019 - To House 2/26/2019 - To Pensions and Retirement then Finance - To House Finance - Passed House 3/5/2019 - Title amended - Effective from passage - Senate concurred in House title amendment 3/6/2019 - Passed Senate 3/6/2019 - Effective from passage - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 62, Acts, Regular Session, 2019

- *317. By Sen. Maynard, Cline and Sypolt - **Authorizing three or more adjacent counties form multicounty trail network authority** - Introduced 1/16/2019 - To Natural Resources then Judiciary - Com. sub. reported 1/22/2019 - To Judiciary 1/22/2019 - Com. sub. for com. sub. reported 2/6/2019 - Passed Senate 2/11/2019 - To House 2/12/2019 - To Agriculture and Natural Resources then Judiciary - To House Government Organization - Amended - Passed House 3/7/2019 - Title amended - Senate refused to concur in House amendment 3/8/2019 - House refused to recede and requested conference 3/8/2019 - To conference 3/9/2019 - Senate adopted conference report and passed bill 3/9/2019 - House adopted conference report and passed bill 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 176, Acts, Regular Session, 2019
- *318. By Sen. Trump, Rucker, Cline, Roberts, Sypolt, Tarr, Hamilton and Azinger - **Transferring Medicaid Fraud Control Unit to Attorney General's office** (original similar to HB2867) - Introduced 1/16/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - Effective October 1, 2019 - To House 2/28/2019 - To Health and Human Resources then Finance - To House Finance - Passed House 3/7/2019 - Effective July 1, 2021 rejected - Effective October 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 138, Acts, Regular Session, 2019
319. By Sen. Trump - **Relating to attorney contingency fee contracts and collections** - Introduced 1/16/2019 - To Judiciary
320. By Sen. Trump - **Relating to punitive damage awards and payments** - Introduced 1/16/2019 - To Judiciary - To Judiciary
321. By Sen. Maynard - **Removing requirement reconstructed vehicle be inspected before being titled or registered** - Introduced 1/16/2019 - To Transportation and Infrastructure
322. By Sen. Maynard and Maroney - **Allowing labor union not represent employee who is not member of union** - Introduced 1/16/2019 - To Judiciary
- *323. By Sen. Baldwin, Beach, Maynard, Romano, Rucker, Smith, Sypolt, Plymale, Cline, Roberts, Hamilton and Stollings - **Establishing revenue fund and source to support Department of Agriculture's improvement to facilities** (original similar to HB2468, SB385) - Introduced 1/16/2019 - To Government Organization then Finance - Com. sub. reported 1/30/2019 - To Finance 1/30/2019 - Passed Senate 2/8/2019 - Effective from passage - To House 2/11/2019 - Reference dispensed - Passed House 2/13/2019 - Effective from passage - To Governor 2/19/19 - Approved by Governor 2/25/19 - Chapter 4, Acts, Regular Session, 2019
324. By Sen. Sypolt, Beach, Rucker, Smith, Weld, Boso, Cline, Clements, Tarr and Hamilton - **Relating to Commissioner of Agriculture employees** (original

- similar to HB2528, HB2624) - Introduced 1/16/2019 - To Government Organization - Passed Senate 2/4/2019 - Effective from passage - To House 2/5/2019 - Reference dispensed - Passed House 2/7/2019 - Effective from passage - To Governor 2/15/19 - Approved by Governor 2/19/19 - Chapter 5, Acts, Regular Session, 2019
325. By Sen. Maynard - **Creating WV Motorsports Committee** - Introduced 1/16/2019 - To Government Organization
- *326. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Reorganizing state agencies involved in emergency and disaster planning** (original similar to HB2482) - Introduced 1/16/2019 - To Government Organization then Finance - Com. sub. reported 2/15/2019 - 2nd reference dispensed - Referred to Rules on 2nd reading 2/19/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Government Organization then Finance
327. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Providing economic incentives for public school mathematics teachers** (original similar to HB2483) - Introduced 1/16/2019 - To Education then Finance
328. By Sen. Cline, Rucker and Hamilton - **Requiring teaching of agricultural science education course** - Introduced 1/16/2019 - To Education then Finance
- *329. By Sen. Cline and Hamilton - **Relating to agricultural education in high schools** - Introduced 1/16/2019 - To Education then Finance - Com. sub. reported 2/23/2019 - 2nd reference dispensed - Passed Senate 2/26/2019 - To House 2/27/2019 - To Education then Finance - 2nd reference dispensed - Passed House 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 92, Acts, Regular Session, 2019
- *330. By Sen. Maynard and Cline - **Requiring contact information be listed on agency's online directory and website** - Introduced 1/16/2019 - To Government Organization - Com. sub. reported 2/20/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - To Government Organization - Passed House 3/5/2019 - Title amended - Senate concurred in House title amendment 3/6/2019 - Passed Senate 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 115, Acts, Regular Session, 2019
331. By Sen. Maynard, Cline and Smith - **Using leashed dogs to track mortally wounded deer or bear** - Introduced 1/16/2019 - To Natural Resources - Passed Senate 2/1/2019 - Effective from passage - To House 2/4/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/13/2019
332. By Sen. Maynard and Cline - **Relating to Class Q special hunting permit for disabled persons** - Introduced 1/16/2019 - To Natural Resources - Passed Senate 2/1/2019 - Effective from passage - To House 2/4/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/13/2019
333. By Sen. Maynard, Boso, Sypolt and Tarr - **Exempting automobiles 25 years or older from personal property taxes** - Introduced 1/16/2019 - To Transportation and Infrastructure then Finance - To Finance 1/23/2019 - Passed

Senate 2/19/2019 - Effective July 1, 2019 - To House 2/19/2019 - To Technology and Infrastructure then Finance

334. By Sen. Maynard, Hamilton, Roberts and Cline - **Requiring Secretary of State establish searchable database for WV corporations and sole proprietorships** - Introduced 1/16/2019 - To Government Organization then Finance
335. By Sen. Maynard and Hamilton - **Notifying all persons mentioned in will before it is altered** - Introduced 1/16/2019 - To Judiciary
336. By Sen. Maynard - **Creating WV Motorsports Entertainment Complex Investment Act** - Introduced 1/16/2019 - To Finance
337. By Sen. Weld, Clements, Maynard, Romano, Cline, Maroney, Tarr, Smith and Hamilton - **Allowing certain correctional employees carry firearms** (original similar to HB2462) - Introduced 1/16/2019 - To Government Organization
338. By Sen. Rucker, Boso, Cline, Maynard, Smith, Sypolt, Tarr, Unger, Jeffries, Woelfel, Stollings, Azinger, Swope, Roberts, Maroney and Lindsay - **Exempting pepper spray from dangerous weapons** (original similar to SB339) - Introduced 1/17/2019 - To Judiciary
- *339. By Sen. Rucker, Azinger, Boso, Cline, Maynard, Sypolt, Tarr, Swope and Roberts - **Allowing certain persons carry pepper spray in State Capitol Complex** (original similar to SB338) - Introduced 1/17/2019 - To Judiciary - Com. sub. reported 2/11/2019 - Passed Senate 2/14/2019 - Effective from passage - To House 2/15/2019 - To Judiciary
- *340. By Sen. Trump and Stollings - **Repealing obsolete provisions of code relating to WV Physicians Mutual Insurance Company** - Introduced 1/17/2019 - To Banking and Insurance then Judiciary - Com. sub. reported 2/5/2019 - To Judiciary 2/5/2019 - Passed Senate 2/21/2019 - To House 2/21/2019 - To Banking and Insurance then Judiciary - To House Judiciary - Passed House 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 47, Acts, Regular Session, 2019
- *341. By Sen. Sypolt, Jeffries, Smith, Baldwin, Ihlenfeld and Hamilton - **Establishing minimum monthly retirement annuity for retirants with 20 or more years of service** (original similar to HB2421) - Introduced 1/17/2019 - To Pensions then Finance - Com. sub. reported 2/7/2019 - To Finance 2/7/2019
342. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Exempting Social Security and tier one railroad retirement benefits from personal income tax** (original similar to HB2557) - Introduced 1/17/2019 - To Finance
343. By Sen. Carmichael (Mr. President) and Prezioso - **Relating to review and approval of state property leases** (original similar to HB2601) - Introduced 1/18/2019 - To Government Organization - Amended - Passed Senate 2/8/2019 - To House 2/11/2019 - To Government Organization

- *344. By Sen. Carmichael (Mr. President), Prezioso and Cline - **Relating to operation of state-owned farms** (original similar to HB2560) - Introduced 1/18/2019 - To Agriculture and Rural Development - Com. sub. reported 2/15/2019 - Passed Senate 2/21/2019 - Effective from passage - To House 2/21/2019 - To Agriculture and Natural Resources then Government Organization - To House Government Organization - Passed House 3/5/2019 - Effective from passage - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 6, Acts, Regular Session, 2019
- *345. By Sen. Carmichael (Mr. President) and Prezioso - **Relating to fire service equipment and training funds for VFDs** (original similar to HB2558) - Introduced 1/18/2019 - To Government Organization - Com. sub. reported 2/8/2019 - Passed Senate 2/13/2019 - To House 2/14/2019 - To Fire Departments and Emergency Medical Services then Finance - To House Finance - Amended - Passed House 3/8/2019 - Title amended - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 222, Acts, Regular Session, 2019
346. By Sen. Carmichael (Mr. President) and Prezioso - **Changing rate which certain judges are paid for mileage when traveling within state** (original similar to HB2566) - Introduced 1/18/2019 - To Finance - Passed Senate 2/8/2019 - To House 2/11/2019 - To Finance
347. By Sen. Clements, Boso, Maroney, Smith, Trump, Woelfel, Stollings, Cline and Sypolt - **Limiting civil penalty for persons convicted of littering** - Introduced 1/18/2019 - To Judiciary
- *348. By Sen. Takubo, Maroney, Prezioso, Stollings, Jeffries, Woelfel, Ihlenfeld, Baldwin and Cline - **Relating to tobacco usage restrictions** (original similar to SB81) - Introduced 1/18/2019 - To Health and Human Resources then Judiciary - Com. sub. reported 2/13/2019 - To Judiciary 2/13/2019 - Com. sub. for com. sub. reported 2/23/2019 - Amended - Passed Senate with amended title 2/27/2019 - To House 2/28/2019 - To Health and Human Resources then Judiciary
349. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Allowing individuals to petition for expungement of misdemeanor offenses** (original similar to HB2567) - Introduced 1/18/2019 - To Judiciary
350. By Sen. Unger, Hamilton, Romano, Cline and Prezioso - **Defining terms to assure correctional officers are considered law-enforcement officers** - Introduced 1/18/2019 - To Government Organization then Finance
351. By Sen. Maynard, Blair and Cline - **Relating to lobbying by state boards and commissions** - Introduced 1/18/2019 - To Judiciary
- *352. By Sen. Weld and Cline - **Relating to Division of Corrections and Rehabilitation acquiring and disposing of services, goods, and commodities** (original similar to HB2772) - Introduced 1/18/2019 - To Government Organization then Finance - Com. sub. reported 2/6/2019 - 2nd reference dispensed - Passed Senate 2/11/2019 - To House 2/12/2019 - To Government Organization then Finance - To House Finance - Amended - Passed House 3/8/2019 - Effective from passage - Senate amended House amendment and

passed 3/9/2019 - Effective from passage - House concurred in Senate amendment and passed 3/9/2019 - House further considered bill - Effective from passage - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 55, Acts, Regular Session, 2019

353. By Sen. Woelfel, Trump, Plymale, Lindsay, Unger, Stollings, Romano, Cline and Prezioso - **Increasing salaries of magistrates, supreme court justices, circuit court judges and family court judges** (original similar to HB2197, HB2864) - Introduced 1/18/2019 - To Judiciary then Finance - On 2nd reading to Finance 2/22/2019
354. By Sen. Blair, Boley, Maroney, Roberts, Swope, Sypolt, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso and Unger (Originating in Senate Finance) - **Expiring funds to balance of Auditor's Office - Chief Inspector's Fund** - Introduced 1/18/2019 - Passed Senate 1/23/2019 - Effective from passage - To House 1/24/2019 - To Finance - Passed House 2/8/2019 - Effective from passage - To Governor 2/15/19 - Approved by Governor 2/19/19 - Chapter 19, Acts, Regular Session, 2019
355. By Sen. Azinger, Maynard, Smith, Sypolt, Cline, Tarr and Hamilton - **Removing authority of municipalities to restrict firearm possession** (original similar to HB2305) - Introduced 1/21/2019 - To Judiciary
- *356. By Sen. Weld, Clements, Maroney, Cline and Swope - **Requiring MAPS provide state and federal prosecutors information** (original similar to HB2698) - Introduced 1/21/2019 - To Judiciary - Com. sub. reported 2/5/2019 - Passed Senate 2/8/2019 - To House 2/11/2019 - To Judiciary - Passed House 2/21/2019 - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 225, Acts, Regular Session, 2019
- *357. By Sen. Weld, Clements and Cline - **Relating generally to Division of Administrative Services** - Introduced 1/21/2019 - To Government Organization - Com. sub. reported 1/30/2019 - Passed Senate 2/4/2019 - To House 2/5/2019 - To Government Organization - Passed House 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 226, Acts, Regular Session, 2019
358. By Sen. Weld, Clements, Cline and Swope - **Exempting Purchasing Division purchases for equipment to maintain security at state facilities** (original similar to HB2695) - Introduced 1/21/2019 - To Government Organization - Passed Senate 2/4/2019 - To House 2/5/2019 - To Judiciary - Passed House 2/21/2019 - To Governor 3/119 - Approved by Governor 3/7/19 - Chapter 227, Acts, Regular Session, 2019
359. By Sen. Maroney, Baldwin, Beach, Facemire, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Prezioso, Romano, Stollings, Takubo, Weld and Woelfel - **Creating Youth Mental Health Protection Act** (original similar to HB2817) - Introduced 1/21/2019 - To Health and Human Resources
- *360. By Sen. Trump - **Relating to third-party litigation financing** - Introduced 1/21/2019 - To Judiciary - Com. sub. reported 2/15/2019 - Passed Senate 2/20/2019 - To House 2/20/2019 - To Judiciary - Amended - Passed House 3/5/2019 - Senate amended House amendment and passed 3/6/2019 - House

concurrred in Senate amendment and passed 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 49, Acts, Regular Session, 2019

- *361. By Sen. Trump - **Relating to Public Defender Services** - Introduced 1/21/2019 - To Judiciary - Com. sub. reported 1/30/2019 - Passed Senate 2/4/2019 - Effective from passage - To House 2/5/2019 - To Judiciary
362. By Sen. Trump - **Relating to Mine Subsidence Insurance Program** (original similar to HB2536) - Introduced 1/21/2019 - To Energy, Industry and Mining
363. By Sen. Baldwin - **Exempting first \$150,000 assessed value of residence of veteran or physically or mentally disabled person** - Introduced 1/21/2019 - To Finance
364. By Sen. Baldwin, Azinger, Beach, Boso, Clements, Cline, Ihlenfeld, Jeffries, Lindsay, Maynard, Roberts, Romano, Swope, Sypolt, Tarr, Unger, Weld, Woelfel, Stollings, Maroney, Prezioso and Hardesty - **Creating shared table initiative for senior citizens** - Introduced 1/21/2019 - To Government Organization
365. By Sen. Plymale, Baldwin and Woelfel - **Redistributing revenue-generated excise tax on soft drinks to four-year medical schools** - Introduced 1/21/2019 - To Finance
366. By Sen. Blair, Maroney and Cline - **Authorizing Division of Protective Services issue electronic key cards to qualified applicants to enter State Capitol** - Introduced 1/21/2019 - To Government Organization then Finance - To Government Organization
367. By Sen. Carmichael (Mr. President) and Prezioso - **Relating to amount permitted to remain in Alcohol Beverage Control Administration's operating fund** (original similar to HB2603) - Introduced 1/21/2019 - To Finance
368. By Sen. Carmichael (Mr. President) and Prezioso - **Requiring charitable or public service organization submit certifying statement** (original similar to HB2598) - Introduced 1/21/2019 - To Banking and Insurance
- *369. By Sen. Takubo, Stollings and Baldwin - **Relating to generic drug products** (original similar to HB2811) - Introduced 1/21/2019 - To Judiciary - Com. sub. reported 1/30/2019 - Passed Senate 2/4/2019 - To House 2/5/2019 - To Health and Human Resources then Judiciary - To House Judiciary - Passed House 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 186, Acts, Regular Session, 2019
370. By Sen. Ihlenfeld, Baldwin and Hamilton - **Prohibiting legislators and part-time public officials from having interest in public contracts** - Introduced 1/21/2019 - To Government Organization
371. By Sen. Unger - **Requiring public hearing for proposed major source or modification to air quality permit** - Introduced 1/21/2019 - To Energy, Industry and Mining then Judiciary

372. By Sen. Plymale - **Authorizing municipalities establish low-cost alternative energy revolving loan program** - Introduced 1/21/2019 - To Government Organization
- *373. By Sen. Weld, Clements and Maroney - **Relating to financial responsibility of inmates** (original similar to HB2764) - Introduced 1/21/2019 - To Judiciary - Com. sub. reported 1/30/2019 - Amended - Passed Senate with amended title 2/4/2019 - To House 2/5/2019 - To Judiciary then Finance - To House Finance - Passed House 3/5/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 56, Acts, Regular Session, 2019
374. By Sen. Maynard and Cline - **Eliminating liability of owners of active mine lands, abandoned mine lands or railway lines** - Introduced 1/21/2019 - To Judiciary
375. By Sen. Maynard - **Authorizing Curator of Arts, Culture and History to designate road as historic route** - Introduced 1/21/2019 - To Transportation and Infrastructure
376. By Sen. Maynard - **Creating Local Government Labor and Consumer Marketing Regulatory Limitation Act** - Introduced 1/21/2019 - To Government Organization then Judiciary
377. By Sen. Maynard - **Relating to minimum wage and maximum hour standards** - Introduced 1/21/2019 - To Judiciary - Passed Senate 2/4/2019 - To House 2/5/2019 - To Judiciary - Amended - Passed House 2/19/2019 - Senate concurred in House amendments and passed bill 2/20/2019 - To Governor 2/25/19 - Approved by Governor 3/1/19 - Chapter 157, Acts, Regular Session, 2019
378. By Sen. Maynard, Cline, Roberts, Woelfel and Stollings - **Relating to special obligation notes to finance construction completing I-73 and I-74** - Introduced 1/21/2019 - To Transportation and Infrastructure then Finance
- *379. By Sen. Maynard, Azinger, Cline, Roberts, Tarr, Maroney and Hamilton - **Permitting county board of education to include faith-based electives in drug prevention programs** - Introduced 1/21/2019 - To Education - Com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Education
380. By Sen. Maynard and Cline - **Empowering municipalities to enact Adopt-A-Street programs** - Introduced 1/21/2019 - To Government Organization
381. By Sen. Maynard - **Requiring State Board of Education develop program on home maintenance for elderly and disabled** - Introduced 1/21/2019 - To Education then Finance
382. By Sen. Maynard and Cline - **Exempting senior citizens from personal income tax** - Introduced 1/21/2019 - To Finance
- *383. By Sen. Clements, Sypolt and Cline - **Creating WV Healthy Food Crop Block Grant Program** - Introduced 1/21/2019 - To Agriculture and Rural Development then Finance - Com. sub. reported 2/15/2019 - To Finance

2/15/2019 - Com. sub. for com. sub. reported 2/20/2019 - Passed Senate
2/23/2019 - To House 2/25/2019 - To Finance

384. By Sen. Smith, Clements, Sybolt, Maroney and Hamilton - **Providing proceeds from certain oil and gas wells whose owners are unknown be kept in special fund** (original similar to HB2779) - Introduced 1/21/2019 - To Judiciary
385. By Sen. Blair, Sybolt and Cline - **Establishing and funding Department of Agriculture Capital Improvements Fund** (original similar to HB2468, HB2475, SB323) - Introduced 1/21/2019 - To Finance
386. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Funding of Public Employees Health Insurance Program** (original similar to HB2584) - Introduced 1/22/2019 - To Finance
- *387. By Sen. Weld - **Relating generally to extradition** (original similar to HB2757) - Introduced 1/22/2019 - To Judiciary - Com. sub. reported 2/1/2019 - Passed Senate 2/6/2019 - To House 2/7/2019 - To Judiciary - Passed House 2/21/2019 - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 80, Acts, Regular Session, 2019
388. By Sen. Jeffries, Hamilton, Tarr and Beach - **Equalizing penalties for intimidating and retaliating against public officers, employees, jurors, and witnesses** - Introduced 1/22/2019 - To Judiciary
- *389. By Sen. Maynard, Beach, Cline and Hamilton - **Allowing developmentally disabled person purchase base hunting license** (original similar to HB2791) - Introduced 1/22/2019 - To Natural Resources - Com. sub. reported 1/30/2019 - Amended - Passed Senate 2/4/2019 - Effective from passage - To House 2/5/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/13/2019
- *390. By Sen. Maynard, Tarr, Plymale, Cline and Sybolt - **Requiring electric utilities submit feasibility studies of constructing and operating middle-mile broadband internet projects** - Introduced 1/22/2019 - To Economic Development - Com. sub. reported 1/25/2019 - Passed Senate 2/1/2019 - Effective from passage - To House 2/4/2019 - To Technology and Infrastructure then Judiciary
391. By Sen. Takubo, Baldwin, Beach, Clements, Hamilton, Lindsay, Palumbo and Weld - **Relating to unlawful discriminatory practices in categories covered by Human Rights Act and Fair Housing Act** (original similar to HB2078, HB2755) - Introduced 1/22/2019 - To Judiciary
- *392. By Sen. Weld and Clements - **Relating to payment of invoices received by Division of Corrections and Rehabilitation for contract work** - Introduced 1/22/2019 - To Government Organization - Com. sub. reported 2/1/2019 - Passed Senate 2/7/2019 - To House 2/8/2019 - To Government Organization - On 3rd reading, House Calendar 3/9/2019
- *393. By Sen. Sybolt, Azinger, Baldwin, Blair, Boso, Clements, Hamilton, Jeffries, Maynard, Hardesty, Rucker, Smith, Takubo, Tarr, Plymale, Beach, Cline, Roberts, Swope and Trump - **Protecting right to farm** (original similar to

- HB2774, HB2900) - Introduced 1/22/2019 - To Judiciary - Com. sub. reported 2/12/2019 - Passed Senate 2/15/2019 - To House 2/18/2019 - To Judiciary - Amended - Passed House 3/4/2019 - Title amended - Senate concurred in House amendments and passed bill 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/27/19 - Chapter 7, Acts, Regular Session, 2019
394. By Sen. Takubo, Ihlenfeld, Jeffries, Maroney, Weld, Woelfel, Palumbo, Plymale, Stollings, Hamilton, Hardesty, Baldwin and Trump - **Allowing state to opt out of federal statute relating to SNAP benefits** - Introduced 1/23/2019 - To Health and Human Resources then Judiciary
395. By Sen. Tarr, Boso, Maroney, Sypolt and Takubo - **Authorizing PEIA establish base benefits insurance plans** - Introduced 1/23/2019 - To Banking and Insurance then Finance
- *396. By Sen. Tarr and Cline - **Waiving occupational licensing fees for low-income individuals and military families** - Introduced 1/23/2019 - To Government Organization then Finance - Com. sub. reported 2/20/2019 - To Finance 2/20/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Government Organization then Finance - To House Finance - Passed House 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 187, Acts, Regular Session, 2019
397. By Sen. Cline - **Relating to autocycles** - Introduced 1/23/2019 - To Transportation and Infrastructure
- *398. By Sen. Trump, Takubo, Stollings and Prezioso - **Relating to compensation for senior judges** - Introduced 1/23/2019 - To Judiciary then Finance - Com. sub. reported 1/30/2019 - 2nd reference dispensed - Passed Senate 2/4/2019 - Senate reconsidered action - Effective from passage - To House 2/5/2019 - To Judiciary then Finance - To House Finance - Amended - Passed House 3/8/2019 - Title amended - Effective from passage - Senate amended House amendment and passed 3/9/2019 - Effective from passage - House concurred in Senate amendment and passed 3/9/2019 - Effective from passage - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 67, Acts, Regular Session, 2019
399. By Sen. Trump, Stollings and Beach - **Relating to compensation for senior magistrates** - Introduced 1/23/2019 - To Judiciary then Finance - 2nd reference dispensed - Passed Senate 2/4/2019 - Effective from passage - To House 2/5/2019 - To Judiciary then Finance
- *400. By Sen. Romano and Takubo - **Allowing Board of Dentistry create specialty licenses** - Introduced 1/23/2019 - To Health and Human Resources then Government Organization - To Government Organization 2/6/2019 - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Government Organization - Amended - Passed House 3/7/2019 - Senate concurred in House amendments and passed bill 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 188, Acts, Regular Session, 2019
401. By Sen. Cline, Azinger, Boley, Boso, Hamilton, Jeffries, Maynard, Hardesty, Roberts, Smith, Swope, Sypolt, Tarr, Woelfel, Plymale, Unger, Ihlenfeld,

Takubo, Stollings, Baldwin, Maroney and Rucker - **Exempting Social Security benefits from personal income tax** - Introduced 1/23/2019 - To Finance

- *402. By Sen. Sypolt, Beach, Stollings, Hamilton, Boso, Cline, Baldwin, Maroney and Prezioso - **Authorizing Division of Forestry investigate and enforce timber theft violations** (original similar to HB2717) - Introduced 1/23/2019 - To Natural Resources then Judiciary - Com. sub. reported 2/8/2019 - To Judiciary 2/8/2019 - Com. sub. for com. sub. reported 2/18/2019 - Passed Senate 2/21/2019 - To House 2/21/2019 - To Agriculture and Natural Resources then Government Organization - To House Government Organization - Amended - Passed House 3/7/2019 - Senate amended House amendment and passed 3/8/2019 - House concurred in Senate amend with title amend, passed 3/9/2019 - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 74, Acts, Regular Session, 2019
403. By Sen. Sypolt, Roberts and Hamilton - **Prohibiting person criminally responsible for death of relative from being involved in burial arrangements** - Introduced 1/23/2019 - To Judiciary
- *404. By Sen. Sypolt and Boso - **Relating generally to sediment control during commercial timber harvesting operations** (original similar to HB2714) - Introduced 1/23/2019 - To Natural Resources then Government Organization - Com. sub. reported 2/8/2019 - To Government Organization 2/8/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - To Judiciary - Passed House 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 8, Acts, Regular Session, 2019
- *405. By Sen. Sypolt - **Increasing limit on additional expenses incurred in preparing notice list for redemption** - Introduced 1/23/2019 - To Government Organization - Com. sub. reported 2/8/2019 - Passed Senate 2/13/2019 - To House 2/14/2019 - To Government Organization - Amended - Passed House 3/7/2019 - Senate amended House amendment and passed 3/8/2019 - House refused to concur and requested Senate to recede 3/9/2019 - Senate refused to recede and requested conference 3/9/2019 - To conference 5/7/2019 - Senate adopted conference report and passed bill 3/9/2019 - House adopted conference report and passed bill 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 243, Acts, Regular Session, 2019
406. By Sen. Trump - **Relating to collection of taxes on estate or property in receivership** (original similar to HB2579) - Introduced 1/23/2019 - To Finance
- *407. By Sen. Trump - **Relating to abandonment and indication of ownership in property held by financial institution** (original similar to HB2609) - Introduced 1/23/2019 - To Banking and Insurance then Judiciary - Com. sub. reported 2/5/2019 - To Judiciary 2/5/2019
- *408. By Sen. Palumbo and Woelfel - **Determining indigency for public defender services** - Introduced 1/23/2019 - To Judiciary - Com. sub. reported 2/6/2019 - Passed Senate 2/11/2019 - To House 2/12/2019 - To Judiciary - Amended - Passed House 3/2/2019 - Senate concurred in House amendments and passed bill 3/4/2019 - To Governor 3/11/19 - Approved by Governor 3/22/19 - Chapter 116, Acts, Regular Session, 2019

409. By Sen. Rucker, Hamilton, Lindsay, Prezioso, Smith, Sypolt, Trump and Baldwin - **Permitting third-party ownership of renewable and alternative generating facilities** (original similar to HB2911) - Introduced 1/23/2019 - To Energy, Industry and Mining then Finance
410. By Sen. Maynard, Hamilton, Cline and Tarr - **Creating WV Monument and Memorial Protection Act of 2019** (original similar to HB2790) - Introduced 1/24/2019 - To Judiciary
411. By Sen. Maynard, Stollings and Maroney - **Relating to disposition of vacated school buildings or other state-owned buildings** - Introduced 1/24/2019 - To Government Organization then Finance
- *412. By Sen. Beach and Hamilton - **Establishing Katherine Johnson Fair Pay Act of 2019** (original similar to HB2308) - Introduced 1/24/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Referred to Rules on 3rd reading 2/27/2019
413. By Sen. Maynard, Baldwin, Stollings, Boso and Clements - **Creating Adopt-A-Stream program** - Introduced 1/24/2019 - To Government Organization
- *414. By Sen. Azinger, Cline, Maynard, Tarr and Boso - **Creating Protect Our Right to Unite Act** - Introduced 1/24/2019 - To Judiciary - Com. sub. reported 2/25/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Judiciary
- *415. By Sen. Azinger, Cline, Maynard and Tarr - **Creating Timber Cotenancy Modernization and Majority Protection Act and Unknown and Unlocatable Timber Interest Owners Act** - Introduced 1/24/2019 - To Judiciary - Com. sub. reported 2/20/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - To Judiciary
416. By Sen. Sypolt (by request), Smith, Maynard, Boso and Maroney - **Permitting resident landowner hunt and kill bears located on landowners' property through use of bait** - Introduced 1/24/2019 - To Natural Resources
417. By Sen. Tarr, Azinger, Clements, Cline, Maynard, Roberts, Smith, Sypolt, Boso and Maroney - **Requiring minors in possession of marijuana and their parents attend classes teaching dangers of marijuana** - Introduced 1/24/2019 - To Judiciary
418. By Sen. Mann, Hamilton, Jeffries, Weld, Baldwin, Facemire, Boso, Prezioso and Hardesty - **Establishing WV Division of Natural Resources Police Officer Retirement System** (original similar to HB2595) - Introduced 1/24/2019 - To Pensions then Finance
419. By Sen. Hamilton, Ihlenfeld, Jeffries, Mann, Romano, Smith, Sypolt, Unger, Baldwin, Stollings, Boso, Woelfel, Lindsay and Prezioso - **Requiring PAC disclose names and addresses of all contributors to Secretary of State** - Introduced 1/24/2019 - To Judiciary
420. By Sen. Smith, Sypolt and Cline - **Allowing county commissions impose amusement tax** - Introduced 1/24/2019 - To Finance

421. By Sen. Smith, Sypolt, Cline and Maroney - **Relating to annual legislative review of economic development tax credit** - Introduced 1/24/2019 - To Finance - Passed Senate 2/25/2019 - To House 2/26/2019 - To Finance - Passed House 3/7/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 86, Acts, Regular Session, 2019
422. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Increasing supplemental appropriation to Public Defender Services** (original similar to HB2668) - Introduced 1/24/2019 - To Finance
423. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Adding new item of appropriation to PEIA Rainy Day Fund** (original similar to HB2665) - Introduced 1/24/2019 - To Finance
424. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Civil Contingent Fund** (original similar to HB3084) - Introduced 1/24/2019 - To Finance - Constitutional rule suspended - Amended - Passed Senate 3/9/2019 - Effective from passage - To House 3/9/2019 - Reference dispensed - Passed House 3/9/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 20, Acts, Regular Session, 2019
425. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Division of Corrections** (original similar to HB2667) - Introduced 1/24/2019 - To Finance
426. By Sen. Sypolt, Boso, Cline, Stollings and Roberts - **Creating Road Maintenance Program** (original similar to HB2011) - Introduced 1/25/2019 - To Transportation and Infrastructure then Finance
427. By Sen. Sypolt, Romano, Boso and Baldwin - **Including emergency response vehicles in single fee program for EZ Pass transponders** - Introduced 1/25/2019 - To Transportation and Infrastructure
428. By Sen. Sypolt, Boso and Cline - **Requiring Division of Corrections and Rehabilitation assist inmates obtain various documents and provide instruction in basic life skills** - Introduced 1/25/2019 - To Judiciary
429. By Sen. Romano, Baldwin, Beach, Facemire, Jeffries, Lindsay, Stollings, Swope, Woelfel, Hardesty and Palumbo - **Allowing voters who register in person to vote during early voting** - Introduced 1/25/2019 - To Judiciary
430. By Sen. Boso, Swope and Cline - **Authorizing DHHR propose rules for completing or updating source water protection plans** (original similar to HB2612) - Introduced 1/25/2019 - To Government Organization
431. By Sen. Boso, Roberts, Swope and Cline - **Reporting procedures of abuse and neglect of adults and children** (original similar to HB2492) - Introduced 1/25/2019 - To Health and Human Resources
432. By Sen. Sypolt and Boso - **Enacting Recognition of Emergency Medical Services Personnel Licensure Interstate Compact** (original similar to

- HB2729) - Introduced 1/25/2019 - To Government Organization - Passed Senate 2/25/2019 - To House 2/26/2019 - To Government Organization
433. By Sen. Plymale (by request) and Boso - **Recognizing fetus as separate victim** - Introduced 1/25/2019 - To Judiciary
434. By Sen. Boso and Swope - **Relating to licensure of nursing homes** (original similar to HB2607) - Introduced 1/25/2019 - To Health and Human Resources
435. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to State Department of Education and Vocational Division** (original similar to HB3085) - Introduced 1/25/2019 - To Finance - Constitutional rule suspended - Amended - Passed Senate 3/9/2019 - Effective from passage - To House 3/9/2019 - Passed House 3/9/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 21, Acts, Regular Session, 2019
436. By Sen. Baldwin, Mann and Boso - **Exempting certain real properties owned by nonprofit corporation from property tax** - Introduced 1/25/2019 - To Finance
437. By Sen. Baldwin - **Relating to criteria for political party status** (original similar to HB2169) - Introduced 1/25/2019 - To Judiciary
438. By Sen. Romano and Baldwin - **Creating online voters' guide** - Introduced 1/25/2019 - To Judiciary then Finance
439. By Sen. Beach, Baldwin, Cline, Lindsay and Jeffries - **Creating five-year tax credits for persons engaged in industrial hemp manufacturing** - Introduced 1/25/2019 - To Economic Development then Finance
440. By Sen. Prezioso, Beach, Blair, Clements, Ihlenfeld, Maroney, Smith, Stollings, Sypolt, Takubo, Trump, Hamilton, Jeffries, Hardesty, Baldwin and Romano - **Relating to Antihazing Law** (original similar to SB345) - Introduced 1/28/2019 - To Judiciary - Passed Senate 2/12/2019 - To House 2/13/2019 - To Judiciary - Passed House 2/28/2019 - To Governor 3/8/19 - Vetoed by Governor 3/27/19
- *441. By Sen. Prezioso, Beach, Blair, Clements, Ihlenfeld, Maroney, Smith, Stollings, Sypolt, Takubo, Jeffries, Trump and Weld - **Relating to higher education campus police officers** (original similar to HB2513) - Introduced 1/28/2019 - To Government Organization - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Education - Passed House 3/4/2019 - To Governor 3/11/19 - Approved by Governor 3/22/19 - Chapter 134, Acts, Regular Session, 2019
442. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing, amending, and decreasing appropriation to Insurance Commission** (original similar to HB2795) - Introduced 1/28/2019 - To Finance - Passed Senate 2/12/2019 - Effective from passage - To House 2/13/2019 - To Finance - Passed House 2/22/2019 - Effective from passage - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 22, Acts, Regular Session, 2019

443. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation of federal moneys to DHHR divisions** (original similar to HB2782) - Introduced 1/28/2019 - To Finance - Passed Senate 2/12/2019 - Effective from passage - To House 2/13/2019 - To Finance - Passed House 2/22/2019 - Effective from passage - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 23, Acts, Regular Session, 2019
444. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to DHHR divisions** - Introduced 1/28/2019 - To Finance - Passed Senate 2/12/2019 - Effective from passage - To House 2/13/2019 - To Finance - Amended - Passed House 2/22/2019 - Effective from passage - Senate concurred in House amendments and passed bill 2/23/2019 - Effective from passage - To Governor 3/1/19 - Approved by Governor 3/7/19 - Chapter 24, Acts, Regular Session, 2019
445. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Increasing salaries of WV State Police, public school teachers, and school service personnel** (original similar to HB2730) - Introduced 1/28/2019 - To Finance
446. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Department of Veterans' Assistance** (original similar to HB2666) - Introduced 1/28/2019 - To Finance
447. By Sen. Sypolt - **Staying civil actions resulting from domestic violence for 60 days** - Introduced 1/28/2019 - To Judiciary
448. By Sen. Maynard and Hamilton - **Exempting list of names, addresses, and contact information for hunting license holders** - Introduced 1/28/2019 - To Government Organization
449. By Sen. Weld and Baldwin - **Providing for nonpartisan elections of county prosecutors** - Introduced 1/28/2019 - To Judiciary
- *450. By Sen. Weld, Stollings, Jeffries, Tarr, Prezioso, Hamilton, Baldwin, Maroney, Beach and Romano - **Exempting recipients of Purple Heart medal from paying vehicle registration fee** (original similar to HB2545) - Introduced 1/28/2019 - To Military then Finance - Com. sub. reported 1/30/2019 - To Finance 1/30/2019
- *451. By Sen. Rucker, Blair, Azinger, Boley, Cline, Maynard, Roberts and Trump (Originating in Senate Education) - **Comprehensive education reform** - Introduced 1/28/2019 - Motion to refer bill to Committee of the Whole adopted - Com. sub. reported 1/31/2019 - Amended - Passed Senate with amended title 2/4/2019 - To House 2/5/2019 - To Education then Finance - To House Finance 2/11/2019 - Amended - Passed House 2/14/2019 - Title amended - Amendment to House amendment adopted - Passed Senate 2/18/2019 - Motion to postpone indefinitely adopted
452. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Second Chance Driver's License Program** (original similar to HB2783) - Introduced 1/29/2019 - To Finance - Passed

Senate 2/12/2019 - Effective from passage - To House 2/13/2019 - To Finance
- Passed House 2/21/2019 - Effective from passage - To Governor 3/1/19 -
Approved by Governor 3/7/19 - Chapter 25, Acts, Regular Session, 2019

453. By Sen. Azinger and Cline - **Relating to background checks of certain financial institutions** (original similar to HB2621) - Introduced 1/29/2019 - To Banking and Insurance - Passed Senate 2/8/2019 - To House 2/11/2019 - To Banking and Insurance then Judiciary - To House Judiciary - Amended - Passed House 2/28/2019 - Senate concurred in House amendments and passed bill 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/25/19 - Chapter 38, Acts, Regular Session, 2019
454. By Sen. Maynard, Roberts, Sypolt and Cline - **Providing exemptions from mandatory immunizations** (original similar to HB2847) - Introduced 1/29/2019 - To Health and Human Resources then Judiciary
455. By Sen. Blair - **Relating generally to contractors** (original similar to HB2819) - Introduced 1/29/2019 - To Finance
456. By Sen. Blair - **Authorizing railroads and commercial watercraft claim refundable exemption from motor fuel excise tax** (original similar to HB2745) - Introduced 1/29/2019 - To Finance
457. By Sen. Blair, Cline, Roberts and Maroney - **Exempting sales by nonprofit and volunteer school support organizations from consumers sales and service tax** (original similar to HB2854) - Introduced 1/29/2019 - To Finance
458. By Sen. Clements - **Relating to traffic regulations** - Introduced 1/29/2019 - To Transportation and Infrastructure then Judiciary
459. By Sen. Baldwin, Plymale, Jeffries, Beach and Hamilton - **Requiring wholesale drug distributors report certain information to Board of Pharmacy** - Introduced 1/29/2019 - To Health and Human Resources then Finance
460. By Sen. Boso, Plymale, Cline, Tarr and Maroney - **Recognizing technical training acquired in public schools counts toward occupational certificate or license** (original similar to HCR33) - Introduced 1/29/2019 - To Education
461. By Sen. Blair - **Relating generally to lottery prizes** - Introduced 1/29/2019 - To Finance - Passed Senate 2/13/2019 - Effective from passage - To House 2/14/2019 - To Finance - Passed House 3/8/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 117, Acts, Regular Session, 2019
462. By Sen. Blair and Cline - **Updating officer liability provisions for sales tax** - Introduced 1/29/2019 - To Finance
463. By Sen. Sypolt - **Updating powers of personal representative of estate relative to disposition, conservation, or preservation easements** - Introduced 1/29/2019 - To Judiciary
- *464. By Sen. Blair and Cline - **Modifying licensing requirements for telemedicine and surgery or podiatry** (original similar to HB3089) - Introduced 1/29/2019

- To Government Organization - Com. sub. reported 2/23/2019 - Rejected by Senate 2/27/2019
465. By Sen. Sypolt, Clements, Maroney, Maynard, Smith, Swope, Tarr, Weld, Plymale, Roberts and Cline - **Exempting nonpaid volunteers at VFD or emergency services organization from Workers Compensation benefits** - Introduced 1/29/2019 - To Banking and Insurance
466. By Sen. Maynard, Roberts, Sypolt and Cline - **Modifying road classifications DOH uses in maintaining digital road map** - Introduced 1/29/2019 - To Transportation and Infrastructure
- *467. By Sen. Boso, Roberts and Cline - **Clarifying PSC jurisdiction over water and sewer utilities** (original similar to HB2946) - Introduced 1/29/2019 - To Government Organization - Com. sub. reported 2/25/2019 - Amended - Passed Senate 2/27/2019 - To House 2/28/2019 - To Judiciary
468. By Sen. Sypolt - **Eliminating requirement schools be closed on election days** - Introduced 1/30/2019 - To Education then Judiciary
469. By Sen. Maynard - **Requiring DEP prepare guidelines for certain gas stations having small volume above-ground storage tanks** - Introduced 1/30/2019 - To Judiciary
470. By Sen. Takubo, Maroney, Stollings and Tarr - **Providing for periodic payment of verdict awards under Medical Professional Liability Act** - Introduced 1/30/2019 - To Judiciary
471. By Sen. Sypolt (by request) - **Creating WV Farm Fresh Raw Milk Act** (original similar to HB2643) - Introduced 1/30/2019 - To Agriculture and Rural Development then Judiciary
472. By Sen. Sypolt and Baldwin - **Exempting retirement income of certain uniformed services members from state income tax** (original similar to HB2058) - Introduced 1/30/2019 - To Pensions then Finance - To Finance 2/21/2019 - Passed Senate 2/26/2019 - Effective July 1, 2019 - To House 2/27/2019 - To Finance
473. By Sen. Sypolt and Cline - **Creating Taxation with Representation Act** (original similar to HB2342) - Introduced 1/30/2019 - To Judiciary
474. By Sen. Azinger - **Establishing shared legal and physical custody of child in divorce cases** (original similar to HB2046) - Introduced 1/30/2019 - To Judiciary
475. By Sen. Sypolt and Facemire - **Permitting persons over age 21 operate or be passenger without helmet on motorcycle** (original similar to HB2070) - Introduced 1/30/2019 - To Transportation and Infrastructure then Judiciary
476. By Sen. Blair - **Training of State Tax Division employees** (original similar to HB2737) - Introduced 1/30/2019 - To Finance

477. By Sen. Blair - **Relating generally to collection of use tax** (original similar to HB2813) - Introduced 1/30/2019 - To Finance
478. By Sen. Cline - **Supplemental appropriation to Fire Commission** - Introduced 1/30/2019 - To Finance
479. By Sen. Cline, Baldwin and Woelfel - **Requiring each state institution of higher education adopt and submit written sexual assault policy to WV HEPC** - Introduced 1/30/2019 - To Education then Judiciary
480. By Sen. Trump - **Relating to administration of estates** (original similar to HB2746) - Introduced 1/30/2019 - To Judiciary
- *481. By Sen. Trump - **Relating to Judicial Vacancy Advisory Commission** - Introduced 1/30/2019 - To Judiciary - Com. sub. reported 2/8/2019 - Passed Senate 2/13/2019 - To House 2/14/2019 - To Judiciary - Amended - Passed House 3/5/2019 - Title amended - Senate refused to concur in House amendment 3/6/2019 - House refused to recede and requested conference 3/7/2019 - To conference 3/8/2019 - Senate adopted conference report and passed bill 3/9/2019 - House adopted conference report and passed bill 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 118, Acts, Regular Session, 2019
482. By Sen. Trump - **Relating to barring parent from inheriting from child in certain instances** (original similar to HB2740) - Introduced 1/30/2019 - To Judiciary
483. By Sen. Trump - **Relating to administration of estates** (original similar to HB2759) - Introduced 1/30/2019 - To Judiciary
484. By Sen. Palumbo, Baldwin, Beach, Jeffries, Stollings, Facemire and Lindsay - **Prohibiting civil rights violations based on gender identity or sexual orientation** (original similar to HB3124, SB138) - Introduced 1/30/2019 - To Judiciary
- *485. By Sen. Azinger - **Clarifying notification requirements for property insurance purposes** (original similar to HB2909, HB2993) - Introduced 1/31/2019 - To Banking and Insurance - Com. sub. reported 2/20/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - To Judiciary - Passed House 3/7/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 144, Acts, Regular Session, 2019
486. By Sen. Cline and Stollings - **Making daylight saving time official year round** - Introduced 1/31/2019 - To Judiciary
- *487. By Sen. Maroney, Trump and Takubo - **Relating to admissibility of health care staffing requirements in litigation** - Introduced 1/31/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Judiciary - Amended - Passed House 3/7/2019 - Title amended - Senate refused to concur in House amendment 3/8/2019 - House refused to recede and requested conference 3/9/2019 - To conference 3/9/2019 - Senate adopted conference report and passed bill 3/9/2019 - House adopted conference report

3/9/2019 - Passed House 3/9/2019 - To Governor 3/22/19 - Vetoed by Governor 3/27/19

488. By Sen. Maroney, Hardesty, Takubo, Stollings, Plymale and Tarr - **Requiring PEIA execute contracts for group prescription drug insurance** - Introduced 1/31/2019 - To Banking and Insurance then Finance
- *489. By Sen. Maroney, Takubo and Tarr - **Relating to Pharmacy Audit Integrity Act** (original similar to HB2806) - Introduced 1/31/2019 - To Health and Human Resources then Judiciary - Com. sub. reported 2/13/2019 - 2nd reference dispensed - Passed Senate 2/18/2019 - To House 2/19/2019 - To Health and Human Resources - Amended - Passed House 2/25/2019 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 2/26/2019 - Effective from passage - To Governor 3/1/19 - Approved by Governor 3/1/19 - Chapter 145, Acts, Regular Session, 2019
490. By Sen. Baldwin, Ihlenfeld, Lindsay, Hardesty, Stollings, Romano, Jeffries, Woelfel, Beach, Prezioso, Palumbo, Plymale and Unger - **Authorizing State Treasurer buy and sell certain loan obligations** - Introduced 1/31/2019 - To Finance
- *491. By Sen. Trump and Palumbo - **Extending effective date for voter registration in conjunction with driver licensing** - Introduced 1/31/2019 - To Judiciary - Com. sub. reported 2/7/2019 - Passed Senate 2/12/2019 - Effective from passage - To House 2/13/2019 - To Judiciary - Motion to reject bill on first reading rejected - Amended - Passed House 3/5/2019 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/6/2019 - Effective from passage - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 101, Acts, Regular Session, 2019
492. By Sen. Maynard - **Creating Occupational Licensing Consumer Choice Act** (original similar to HB2697) - Introduced 1/31/2019 - To Government Organization then Judiciary
493. By Sen. Maynard - **Correcting terminology referring to racing vehicles illegally on street** - Introduced 1/31/2019 - To Transportation and Infrastructure - Passed Senate 2/23/2019 - To House 2/25/2019 - To Judiciary - Passed House 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 260, Acts, Regular Session, 2019
494. By Sen. Maynard - **Requiring DHHR collaborate with Workforce Development Board and WV Division of Personnel for purposes of job placement** - Introduced 1/31/2019 - To Government Organization
495. By Sen. Azinger - **Conforming Consumer Credit and Protection Act to federal Fair Debt Collection and Practices Act** - Introduced 1/31/2019 - To Judiciary
- *496. By Sen. Sypolt, Smith and Maroney - **Transferring authority to regulate milk from DHHR to Department of Agriculture** - Introduced 1/31/2019 - To Government Organization - Com. sub. reported 2/6/2019 - Amended - Passed Senate 2/11/2019 - Effective from passage - To House 2/12/2019 - To Government Organization - Amended - Passed House 3/7/2019 - Effective from

passage - Senate concurred in House amendments and passed bill 3/8/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 9, Acts, Regular Session, 2019

497. By Sen. Azinger - **Expanding exceptions to Real Estate Appraiser Licensing and Certification Act** - Introduced 1/31/2019 - To Government Organization
498. By Sen. Beach, Romano, Jeffries and Lindsay - **Requiring DOH and Division of Personnel collaborate on developing special training procedure for hourly positions** (original similar to SB608) - Introduced 2/1/2019 - To Government Organization
499. By Sen. Blair and Cline - **Amending WV tax laws to conform to changes in partnerships for federal income tax purposes** (original similar to HB2798) - Introduced 2/1/2019 - To Finance - Passed Senate 2/11/2019 - Effective July 1, 2019 - To House 2/12/2019 - To Finance - Amended - Passed House 3/8/2019 - Title amended - Effective July 1, 2019 - Senate concurred in House amendments and passed bill 3/9/2019 - Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 244, Acts, Regular Session, 2019
- *500. By Sen. Boso, Azinger, Baldwin, Beach, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld and Woelfel - **Creating Sewer and Water Infrastructure Replacement and Rehabilitation Act** - Introduced 2/1/2019 - To Transportation and Infrastructure then Finance - Com. sub. reported 2/13/2019 - To Finance 2/13/2019
501. By Sen. Takubo, Maroney, Sypolt, Romano, Boso and Cline - **Increasing compensation for county boards of education members** - Introduced 2/1/2019 - To Education
- *502. By Sen. Blair - **Exempting sales of investment metal bullion and coins** - Introduced 2/1/2019 - To Finance - Com. sub. reported 2/13/2019 - Passed Senate 2/18/2019 - Effective July 1, 2019 - To House 2/19/2019 - To Finance - Passed House 3/8/2019 - Effective July 1, 2019 - To Governor 3/20/19 - Approved by Governor 3/27/19 - Chapter 245, Acts, Regular Session, 2019
503. By Sen. Sypolt, Facemire and Cline - **Allowing out-of-state residents ride motorcycle without helmet if allowed in state of residence** - Introduced 2/1/2019 - To Transportation and Infrastructure then Judiciary
504. By Sen. Sypolt and Romano - **Relating to payment of attorney fees in subsidized adoptions** (original similar to SB516) - Introduced 2/1/2019 - To Judiciary
505. By Sen. Azinger - **Reducing modification to WV adjusted income of corporate shareholders** (original similar to HB2807) - Introduced 2/1/2019 - To Finance
- *506. By Sen. Azinger - **Relating to guaranty associations** (original similar to HB2690) - Introduced 2/1/2019 - To Banking and Insurance - Com. sub. reported 2/20/2019 - Referred to Rules on 2nd reading 2/22/2019

507. By Sen. Azinger and Cline - **Relating to ethical standards for elected and appointed officials** (original similar to HB3119) - Introduced 2/1/2019 - To Judiciary
508. By Sen. Takubo - **Creating private state exposure property and casualty insurance company** - Introduced 2/1/2019 - To Judiciary then Finance
509. By Sen. Takubo - **Establishing Fairness in Cost-Sharing Calculation Act** (original similar to HB2770) - Introduced 2/1/2019 - To Banking and Insurance then Health and Human Resources
- *510. By Sen. Takubo, Maroney and Weld - **Relating to medical professional liability** - Introduced 2/1/2019 - To Finance - Com. sub. reported 2/7/2019 - Referred to Judiciary 2/7/2019 - Com. sub. for com. sub. reported 2/18/2019 - Amended - Passed Senate 2/21/2019 - To House 2/21/2019 - To Judiciary - Passed House 2/28/2019 - To Governor 3/8/19 - Approved by Governor 3/25/19 - Chapter 1, Acts, Regular Session, 2019
- *511. By Sen. Trump and Boso - **Creating alternating wine proprietorships** - Introduced 2/1/2019 - To Judiciary - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Government Organization - Passed House 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 15, Acts, Regular Session, 2019
- *512. By Sen. Jeffries, Weld, Boso and Lindsay - **Regulating pawnbrokers** - Introduced 2/4/2019 - To Judiciary - Com. sub. reported 2/14/2019 - Amended - Passed Senate with amended title 2/20/2019 - To House 2/20/2019 - To Judiciary
513. By Sen. Cline - **Requiring completion of personal finance class to graduate high school** - Introduced 2/4/2019 - To Education
514. By Sen. Sypolt, Stollings, Boso and Maroney - **Relating to victims of domestic violence** - Introduced 2/4/2019 - To Judiciary
515. By Sen. Sypolt, Stollings and Boso - **Requiring licensed program provide specific services to domestic violence victims** - Introduced 2/4/2019 - To Judiciary
- *516. By Sen. Boso, Swope and Maroney - **Relating to attorney fees in subsidized adoptions** (original similar to SB504) - Introduced 2/4/2019 - To Judiciary - Com. sub. reported 2/12/2019 - Passed Senate 2/15/2019 - To House 2/18/2019 - To Judiciary
517. By Sen. Sypolt and Boso - **Allowing owner or lessee sell crop damage permit** - Introduced 2/4/2019 - To Natural Resources
- *518. By Sen. Maroney, Plymale, Stollings, Tarr, Woelfel, Takubo and Swope - **Restricting sale and trade of dextromethorphan** - Introduced 2/4/2019 - To Health and Human Resources then Judiciary - To Judiciary 2/8/2019 - Com. sub. reported 2/12/2019 - Passed Senate 2/15/2019 - To House 2/18/2019 - To Health and Human Resources - Amended - Passed House 3/1/2019 - Senate

concurrent in House amendments and passed bill 3/2/2019 - To Governor 3/8/19
- Approved by Governor 3/22/19 - Chapter 53, Acts, Regular Session, 2019

519. By Sen. Maroney, Plymale, Stollings, Woelfel, Takubo, Boso and Swope - **Requiring county emergency dispatchers complete course for telephonic cardiopulmonary resuscitation** (original similar to HB2880) - Introduced 2/4/2019 - To Health and Human Resources then Finance - To Finance 2/8/2019 - Passed Senate 2/20/2019 - To House 2/22/2019 - To Health and Human Resources then Finance - To House Finance - Passed House 3/5/2019 - To Governor 3/20/19 - Approved by Governor 3/26/19 - Chapter 228, Acts, Regular Session, 2019
- *520. By Sen. Maroney, Plymale, Stollings, Tarr, Woelfel, Takubo, Boso, Baldwin, Hardesty and Swope - **Requiring entities report drug overdoses** - Introduced 2/4/2019 - To Health and Human Resources - Com. sub. reported 2/22/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Health and Human Resources - Amended - Passed House 3/4/2019 - Senate concurred in House amendments and passed bill 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/25/19 - Chapter 207, Acts, Regular Session, 2019
521. By Sen. Cline, Plymale and Maynard - **Requiring approved agricultural education program be offered in high schools** - Introduced 2/5/2019 - To Education then Finance
- *522. By Sen. Smith, Maynard, Sypolt, Tarr, Plymale, Cline, Rucker and Maroney - **Creating Special Road Repair Fund** - Introduced 2/5/2019 - To Transportation and Infrastructure then Finance - Com. sub. reported 2/18/2019 - To Finance 2/18/2019 - Com. sub. for com. sub. reported 2/22/2019 - Amended - Passed Senate 2/27/2019 - Effective July 1, 2019 - To House 2/28/2019 - To Finance - Amended - Passed House 3/8/2019 - Title amended - Effective July 1, 2019 - Senate refused to concur in House amendment 3/9/2019 - House refused to recede and requested conference 3/9/2019 - To conference 3/9/2019 - Senate adopted conference report and passed bill 3/9/2019 - Effective July 1, 2019 - House adopted conference report and passed bill 3/9/2019 - House further considered bill - Effective July 1, 2019 - To Governor 3/22/19 - Vetoed by Governor 3/27/19
523. By Sen. Smith - **Prohibiting retailers from selling or leasing products that make certain content accessible on internet** - Introduced 2/5/2019 - To Judiciary
524. By Sen. Azinger - **Defining property insurance terms** (original similar to HB2909) - Introduced 2/5/2019 - To Banking and Insurance
525. By Sen. Boso and Woelfel - **Requiring form for commitment order to Division of Corrections and Rehabilitation** (original similar to HB2907) - Introduced 2/5/2019 - To Judiciary
526. By Sen. Boso, Sypolt, Facemire, Jeffries, Woelfel, Tarr, Plymale, Lindsay, Cline, Hardesty, Beach, Roberts, Swope, Prezioso, Maroney and Hamilton - **Authorizing certain officers carry firearm in official duties** (original similar to HB2872) - Introduced 2/5/2019 - To Judiciary

527. By Sen. Smith and Beach - **Relating to oil or natural gas leases** - Introduced 2/5/2019 - To Energy, Industry and Mining then Judiciary
528. By Sen. Stollings, Jeffries, Plymale, Lindsay, Hardesty and Prezioso - **Relating to accident and sickness insurance and pre-existing condition coverage** (original similar to HB3052) - Introduced 2/5/2019 - To Banking and Insurance then Judiciary
- *529. By Sen. Trump, Tarr and Rucker - **Clarifying provisions of Nonintoxicating Beer Act** (original similar to HB3100) - Introduced 2/5/2019 - To Judiciary - Com. sub. reported 2/20/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - Reference dispensed - Amended - Passed House 3/7/2019 - Senate concurred in House amendments and passed bill 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 16, Acts, Regular Session, 2019
- *530. By Sen. Trump - **Relating to state employee merit system** (original similar to HB2844) - Introduced 2/5/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Amended - Passed Senate 2/27/2019 - To House 2/28/2019 - To Judiciary
531. By Sen. Trump - **Relating generally to workers' compensation claims** - Introduced 2/5/2019 - To Banking and Insurance - Amended - Passed Senate 2/23/2019 - To House 2/25/2019 - To Judiciary - Passed House 3/5/2019 - Title amended - Senate concurred in House title amendment 3/6/2019 - Passed Senate 3/6/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 265, Acts, Regular Session, 2019
532. By Sen. Maynard - **Requiring emergency service organizations create districts regarding towing services** - Introduced 2/5/2019 - To Transportation and Infrastructure then Government Organization
533. By Sen. Baldwin, Sypolt, Stollings, Romano, Beach, Maroney and Cline - **Changing determination of just compensation to landowner when eminent domain used for pipeline** - Introduced 2/6/2019 - To Energy, Industry and Mining then Judiciary
534. By Sen. Baldwin, Hamilton, Romano, Beach and Lindsay - **Collecting additional information for cancer and tumor registry** - Introduced 2/6/2019 - To Health and Human Resources
535. By Sen. Hamilton - **Allowing City of Buckhannon begin collecting sales and service and use tax on July 1, 2019** - Introduced 2/6/2019 - To Finance - Passed Senate 2/25/2019 - Effective from passage - To House 2/26/2019 - To Finance - On 2nd reading, House Calendar 3/9/2019
536. By Sen. Tarr and Cline - **Updating election law language** - Introduced 2/6/2019 - To Judiciary - To Judiciary
- *537. By Sen. Boso and Cline - **Creating workgroup to review hospice need standards** (original similar to HB2825) - Introduced 2/6/2019 - To Health and Human Resources - Com. sub. reported 2/22/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Health and Human Resources - Amended - Amended - Passed House 3/7/2019 - Title amended - Senate concurred in House

amendments and passed bill 3/8/2019 - To Governor 3/19/19 - Approved by Governor 3/27/19 - Chapter 208, Acts, Regular Session, 2019

- *538. By Sen. Clements, Stollings, Plymale and Cline - **Relating to WV Highway Design-Build Pilot Program** (original similar to HB3027) - Introduced 2/6/2019 - To Transportation and Infrastructure - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - Effective from passage - To House 2/26/2019 - To Finance - Passed House 3/8/2019 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/9/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/27/19 - Chapter 236, Acts, Regular Session, 2019
- *539. By Sen. Mann, Baldwin, Facemire, Ihlenfeld, Jeffries, Maroney, Romano, Rucker, Stollings, Takubo, Weld, Woelfel, Unger, Hamilton, Hardesty, Beach, Prezioso, Plymale, Swope, Tarr, Cline and Lindsay - **Relating to accrued benefit of retirees in WV State Police Retirement System Plan B** (original similar to HB3070) - Introduced 2/6/2019 - To Pensions then Finance - Com. sub. reported 2/14/2019 - To Finance 2/14/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Finance - Amended - Passed House 3/8/2019 - Title amended - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/27/19 - Chapter 198, Acts, Regular Session, 2019
540. By Sen. Sypolt, Tarr, Hamilton and Cline - **Requiring State Police visit homes of registered sex offenders at regular intervals** - Introduced 2/6/2019 - To Judiciary
- *541. By Sen. Romano, Azinger, Baldwin, Beach, Boso, Clements, Facemire, Hardesty, Jeffries, Lindsay, Mann, Palumbo, Smith, Stollings, Swope, Woelfel, Plymale, Maroney and Cline - **Establishing priorities for expenditures for plugging abandoned gas or oil wells** - Introduced 2/6/2019 - To Energy, Industry and Mining then Judiciary - Com. sub. reported 2/21/2019 - On 2nd reading to Judiciary 2/21/2019
542. By Sen. Clements, Swope, Beach, Plymale and Roberts (Originating in Senate Transportation and Infrastructure) - **Relating to registration fees for military-related special registration plates** - Introduced 2/6/2019 - Passed Senate 2/11/2019 - To House 2/12/2019 - To Technology and Infrastructure then Finance - To House Finance 2/26/2019
- *543. By Sen. Blair, Roberts and Tarr - **Relating generally to automobile warranties and inspections** - Introduced 2/7/2019 - To Transportation and Infrastructure then Finance - Com. sub. reported 2/21/2019 - On 2nd reading to Finance 2/21/2019 - Com. sub. for com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - Effective July 1, 2019 - To House 2/28/2019 - To Finance - Amended - Passed House 3/8/2019 - Title amended - Effective July 1, 2019 - Senate concurred in House amendments and passed bill 3/9/2019 - Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 50, Acts, Regular Session, 2019
544. By Sen. Hamilton, Carmichael (Mr. President), Azinger, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker,

- Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel and Boso - **Increasing salaries for members of WV State Police over three-year period** (original similar to HB2885) - Introduced 2/7/2019 - To Finance - Passed Senate 2/25/2019 - Effective July 1, 2019 - To House 2/26/2019 - To Finance - Amended - Passed House 3/8/2019 - Title amended - Effective July 1, 2019 - Senate concurred in House amendments and passed bill 3/9/2019 - Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 199, Acts, Regular Session, 2019
545. By Sen. Azinger - **Relating to HIV testing** (original similar to HB2908) - Introduced 2/7/2019 - To Health and Human Resources - Passed Senate 2/18/2019 - To House 2/19/2019 - To Health and Human Resources - Amended - Passed House 3/1/2019 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/2/2019 - Effective from passage - To Governor 3/8/19 - Approved by Governor 3/26/19 - Chapter 167, Acts, Regular Session, 2019
- *546. By Sen. Takubo, Maroney and Stollings - **Creating tax on certain acute care hospitals** - Introduced 2/7/2019 - To Health and Human Resources then Finance - Com. sub. reported 2/14/2019 - To Finance 2/14/2019 - Passed Senate 2/23/2019 - Effective July 1, 2019 - To House 2/25/2019 - To Health and Human Resources - Amended - Passed House 3/6/2019 - Title amended - Effective July 1, 2019 - Senate concurred in House amendments and passed bill 3/7/2019 - Effective July 1, 2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 246, Acts, Regular Session, 2019
- *547. By Sen. Maynard, Beach, Cline and Swope - **Limiting landowner liability for recreational use of lands** - Introduced 2/7/2019 - To Judiciary - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Judiciary
548. By Sen. Takubo, Cline and Maroney - **Relating to administration of medication in nursing homes** - Introduced 2/7/2019 - To Health and Human Resources
549. By Sen. Stollings, Prezioso, Hardesty, Hamilton, Ihlenfeld, Romano, Beach, Maroney and Facemire - **Authorizing DNR solicit donation for WVU Rifle Team on hunting and fishing license applications** - Introduced 2/7/2019 - To Government Organization
550. By Sen. Blair, Boley, Facemire, Hamilton, Ihlenfeld, Maroney, Palumbo, Plymale, Prezioso, Roberts, Swope, Sypolt, Tarr, Stollings, Jeffries, Hardesty, Romano and Cline - **Declaring certain claims to be moral obligations of state** - Introduced 2/7/2019 - To Finance - Passed Senate 2/18/2019 - Effective from passage - To House 2/19/2019 - To Finance - Amended - Passed House 3/8/2019 - Effective from passage - Senate concurred in House amendments and passed bill 3/9/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/26/19 - Chapter 45, Acts, Regular Session, 2019
551. By Sen. Beach, Stollings, Romano and Maroney - **Expanding county commissions' ability to dispose of property** - Introduced 2/7/2019 - To Government Organization then Judiciary

552. By Sen. Maynard - **Reforming practice of securing state insurance** (original similar to HB2923) - Introduced 2/7/2019 - To Banking and Insurance then Judiciary
- *553. By Sen. Lindsay, Jeffries, Stollings and Beach - **Relating to federal funds for land-grant institutions** - Introduced 2/7/2019 - To Education then Finance - Com. sub. reported 2/13/2019 - To Finance 2/13/2019 - Passed Senate 2/20/2019 - Effective July 1, 2019 - To House 2/20/2019 - To Education then Finance - To House Finance 3/2/2019
554. By Sen. Clements - **Removing salary caps for director of State Rail Authority** (original similar to HB3014) - Introduced 2/7/2019 - To Government Organization - Passed Senate 2/25/2019 - To House 2/26/2019 - To Finance - Amended - Passed House 3/8/2019 - Title amended - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 200, Acts, Regular Session, 2019
555. By Sen. Rucker, Blair, Trump, Unger and Boso - **Relating to authority of Higher Education Policy Commission** - Introduced 2/8/2019 - To Government Organization - Passed Senate 2/27/2019 - To House 2/28/2019 - To Education
556. By Sen. Tarr, Azinger, Maynard, Smith, Boso, Cline and Swope - **Limiting liability of employers of persons whose criminal records are expunged** - Introduced 2/8/2019 - To Judiciary
557. By Sen. Sypolt, Cline and Boso - **Allowing municipalities to contract projects without bidding** - Introduced 2/8/2019 - To Government Organization
558. By Sen. Azinger - **Requiring state and federal elections be contested before next election** - Introduced 2/8/2019 - To Judiciary
559. By Sen. Stollings, Takubo, Plymale, Baldwin, Lindsay, Jeffries, Hardesty and Prezioso - **Expanding comprehensive coverage for pregnant women through Medicaid** (original similar to HB2956, SB564) - Introduced 2/8/2019 - To Health and Human Resources then Finance
560. By Sen. Stollings, Takubo, Lindsay, Hardesty and Prezioso - **Prohibiting insurance coverage from requiring prior authorization for physician-prescribed tests to stage cancer** - Introduced 2/8/2019 - To Health and Human Resources
- *561. By Sen. Trump, Takubo and Boso - **Permitting Alcohol Beverage Control Administration request assistance of local law enforcement** (original similar to HB3031) - Introduced 2/8/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Judiciary - Amended - Passed House 3/8/2019 - Title amended - Senate amended House amendment and passed 3/9/2019 - House concurred in Senate amend with title amend, passed 3/9/2019 - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 17, Acts, Regular Session, 2019

562. By Sen. Clements, Beach, Boso and Cline - **Relating to State Aeronautics Commission** (original similar to HB3016) - Introduced 2/8/2019 - To Government Organization
- *563. By Sen. Trump, Woelfel, Plymale, Boso and Rucker - **Prohibiting sexual assault victim be subjected to certain physical examinations** - Introduced 2/8/2019 - To Judiciary - Com. sub. reported 2/12/2019 - Passed Senate 2/15/2019 - Effective from passage - To House 2/18/2019 - To Judiciary
- *564. By Sen. Takubo, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Prezioso, Romano, Stollings, Unger and Hamilton - **Expanding comprehensive coverage for pregnant women through Medicaid** (original similar to HB2956, SB559) - Introduced 2/11/2019 - To Health and Human Resources then Finance - Com. sub. reported 2/20/2019 - To Finance 2/20/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Health and Human Resources then Finance - To House Finance - Passed House 3/8/2019 - Title amended - Senate concurred in House title amendment 3/9/2019 - Passed Senate 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 139, Acts, Regular Session, 2019
565. By Sen. Boso - **Relating to residency requirements for deputy assessors** (original similar to HB2827) - Introduced 2/11/2019 - To Government Organization - Referred to Rules on 2nd reading 2/25/2019
566. By Sen. Boso - **Relating to compensation for State Athletic Commission members** - Introduced 2/11/2019 - To Government Organization - Passed Senate 2/26/2019 - To House 2/27/2019 - To Government Organization - Amended - Passed House 3/7/2019 - Senate refused to concur in House amendment 3/8/2019 - House receded and passed 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 119, Acts, Regular Session, 2019
567. By Sen. Maroney, Tarr and Cline - **Permitting WV Board of Medicine investigators carry concealed weapon** - Introduced 2/11/2019 - To Judiciary
568. By Sen. Weld, Maroney, Cline and Hamilton - **Authorizing Commissioner of Agriculture to require background checks as condition of employment** - Introduced 2/11/2019 - To Government Organization then Finance
569. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating to interagency procurement of commodities and services** (original similar to HB3087) - Introduced 2/11/2019 - To Government Organization
570. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Allowing contracts without bids for construction, demolition, or rehabilitation resulting from declared state of emergency** (original similar to HB3086) - Introduced 2/11/2019 - To Government Organization
571. By Sen. Ihlenfeld, Beach and Baldwin - **Establishing method for courts to order financial exploitation protection orders** - Introduced 2/11/2019 - To Judiciary

572. By Sen. Rucker, Azinger, Maynard, Smith, Sypolt, Roberts and Cline - **Prohibiting county assessor from reclassifying managed timberland property** - Introduced 2/11/2019 - To Natural Resources then Judiciary
573. By Sen. Jeffries, Lindsay, Stollings, Beach and Baldwin - **Establishing Minority Health Advisory Team** (original similar to HB2153) - Introduced 2/11/2019 - To Government Organization then Finance
- *574. By Sen. Maroney and Stollings - **Permitting authorized physician order involuntary hospitalization of individual if physician believes addicted or mentally ill** - Introduced 2/12/2019 - To Health and Human Resources then Judiciary - Com. sub. reported 2/22/2019 - On 2nd reading to Judiciary 2/22/2019 - Com. sub. for com. sub. reported 2/25/2019 - Amended - Passed Senate 2/27/2019 - To House 2/28/2019 - To Health and Human Resources then Judiciary - To House Judiciary 3/2/2019
575. By Sen. Takubo and Maroney - **Creating long-term care medical review panels** - Introduced 2/12/2019 - To Judiciary
576. By Sen. Smith, Sypolt, Boso and Maroney - **Creating Orphan Oil and Gas Well Prevention Act** (original similar to HB3065) - Introduced 2/12/2019 - To Energy, Industry and Mining then Judiciary
577. By Sen. Takubo - **Repealing Class N resident and Class NN nonresident antlerless deer hunting stamp** (original similar to HB2984) - Introduced 2/12/2019 - To Natural Resources then Finance
578. By Sen. Unger - **Establishing education employees fund** (original similar to HB2919) - Introduced 2/12/2019 - To Education then Finance
579. By Sen. Stollings, Plymale and Prezioso - **Supplemental appropriation to Division of Health** - Introduced 2/12/2019 - To Finance
- *580. By Sen. Swope - **Relating generally to Local Control and Accountability Act** (original similar to HB2861) - Introduced 2/12/2019 - To Government Organization then Finance - Com. sub. reported 2/15/2019 - To Finance 2/15/2019
581. By Sen. Lindsay - **Creating litigation practice license for social workers** (original similar to HB2154) - Introduced 2/12/2019 - To Government Organization then Judiciary
582. By Sen. Beach and Stollings - **Exempting certain hygiene products from sales tax** (original similar to HB2500) - Introduced 2/12/2019 - To Finance
- *583. By Sen. Azinger and Boso - **Creating Financial Technology Sandbox Act for testing financial products and services** - Introduced 2/12/2019 - To Banking and Insurance then Judiciary - Com. sub. reported 2/19/2019 - To Judiciary 2/19/2019
584. By Sen. Azinger - **Requiring contractors performing work for government contracts use software to verify hours worked** (original similar to HB2756) - Introduced 2/12/2019 - To Government Organization

- *585. By Sen. Weld, Ihlenfeld, Lindsay, Woelfel, Boso, Palumbo, Romano, Plymale, Prezioso and Tarr - **Relating to criminal offenses of stalking and harassment generally** - Introduced 2/12/2019 - To Judiciary - Com. sub. reported 2/20/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - To Judiciary
586. By Sen. Maynard and Jeffries - **Prohibiting Natural Resources Commission from establishing bag limit for antlered deer** - Introduced 2/12/2019 - To Natural Resources then Judiciary
587. By Sen. Trump - **Relating to PEIA reimbursement of air ambulance providers** - Introduced 2/12/2019 - To Finance - Passed Senate 2/20/2019 - To House 2/20/2019 - To Finance - Passed House 3/6/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 146, Acts, Regular Session, 2019
588. By Sen. Jeffries, Lindsay, Unger, Stollings and Plymale - **Creating small business and minority populations economic and workforce development taskforce** - Introduced 2/12/2019 - To Workforce then Government Organization
589. By Sen. Lindsay, Woelfel and Stollings - **Designating social workers in DHHR promote better student school attendance** (original similar to HB2328) - Introduced 2/12/2019 - To Education then Finance
590. By Sen. Maynard, Mann, Rucker, Smith, Sypolt and Cline (Originating in Senate Natural Resources) - **Permitting guided bear hunts by licensed outfitters and guides** - Introduced 2/12/2019 - Passed Senate 2/15/2019 - Effective from passage - To House 2/18/2019 - To Agriculture and Natural Resources then Judiciary
591. By Sen. Maroney, Plymale, Tarr, Sypolt and Boso - **Defining certain terms used in insurance** (original similar to HB2954) - Introduced 2/13/2019 - To Banking and Insurance
592. By Sen. Blair, Cline and Sypolt - **Providing for collection of hotel occupancy tax by marketplace facilitators** - Introduced 2/13/2019 - To Finance - Passed Senate 2/25/2019 - Effective July 1, 2019 - To House 2/26/2019 - To Government Organization then Finance
593. By Sen. Maroney, Stollings and Boso - **Permitting critical access hospital become community outpatient medical center** (original similar to HB2953) - Introduced 2/13/2019 - To Health and Human Resources - Passed Senate 2/23/2019 - To House 2/25/2019 - Reference dispensed - Passed House 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/25/19 - Chapter 209, Acts, Regular Session, 2019
594. By Sen. Takubo and Maroney - **Granting Board of Examiners for LPNs sole authority for accreditation of nursing schools** - Introduced 2/13/2019 - To Education
595. By Sen. Blair, Boso, Cline, Sypolt and Maroney - **Allowing retired teachers be employed by certain higher education entities** - Introduced 2/13/2019 - To Education

596. By Sen. Weld, Stollings, Baldwin, Boso, Cline, Sypolt, Tarr and Maroney - **Adjusting voluntary contribution amounts on certain DMV forms** - Introduced 2/13/2019 - To Military - Passed Senate 2/25/2019 - To House 2/26/2019 - To Finance - Amended - Passed House 3/7/2019 - Title amended - Senate refused to concur in House amendment 3/8/2019 - House refused to recede and requested conference 3/9/2019 - To conference 3/9/2019 - Senate adopted conference report and passed bill 3/9/2019 - House adopted conference report and passed bill 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 171, Acts, Regular Session, 2019
- *597. By Sen. Boso and Sypolt - **Conforming state law to federal law for registration of appraisal management companies** - Introduced 2/13/2019 - To Government Organization - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Government Organization - Passed House 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 189, Acts, Regular Session, 2019
598. By Sen. Cline and Lindsay - **Supplementary appropriation to Fire Commission** - Introduced 2/13/2019 - To Finance
599. By Sen. Tarr, Hamilton, Hardesty, Ihlenfeld, Romano, Rucker, Boso and Sypolt - **Relating to selection process of delegates to national party conventions** - Introduced 2/13/2019 - To Judiciary
- *600. By Sen. Trump and Boso - **Relating to preservation of biological evidence obtained through criminal investigations and trials** - Introduced 2/13/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Passed Senate 2/26/2019 - Effective from passage - To House 2/27/2019 - To Judiciary - Amended - Passed House 3/7/2019 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/8/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/26/19 - Chapter 229, Acts, Regular Session, 2019
- *601. By Sen. Trump - **Relating to mandatory supervision of adult inmates** - Introduced 2/13/2019 - To Judiciary - Com. sub. reported 2/15/2019 - Passed Senate 2/20/2019 - Effective from passage - To House 2/20/2019 - To Judiciary - Passed House 3/8/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 57, Acts, Regular Session, 2019
602. By Sen. Palumbo, Lindsay, Stollings, Tarr and Weld - **Creating matching program for Small Business Innovation and Research Program and Small Business Technology Transfer Program** (original similar to HB2550) - Introduced 2/13/2019 - To Economic Development then Finance - To Finance 2/21/2019
- *603. By Sen. Tarr - **Exempting certain activities from licensing requirements for engaging in business of currency exchange** - Introduced 2/13/2019 - To Banking and Insurance - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Judiciary - Amended - Passed House 3/8/2019 - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 39, Acts, Regular Session, 2019

604. By Sen. Weld, Ihlenfeld and Maroney - **Allowing one member of public service board be member of county commission** - Introduced 2/13/2019 - To Government Organization
605. By Sen. Rucker, Boso, Maroney, Tarr, Baldwin, Cline and Sypolt - **Permitting Secondary School Activities Commission discipline schools for not following protocol for concussions and head injuries** (original similar to HB2965) - Introduced 2/14/2019 - To Education - Amended - Passed Senate with amended title 2/27/2019 - To House 2/28/2019 - To Education - Passed House 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 93, Acts, Regular Session, 2019
606. By Sen. Smith, Sypolt, Boso, Clements, Cline, Roberts, Tarr, Maroney and Rucker - **Enacting Fetal Heartbeat Act** - Introduced 2/14/2019 - To Health and Human Resources then Judiciary
607. By Sen. Blair, Cline, Tarr, Rucker and Boso - **Requiring county boards of education provide camera in classrooms for exceptional needs students** - Introduced 2/14/2019 - To Education then Finance
608. By Sen. Beach, Romano, Prezioso and Jeffries - **Requiring DOH and Division of Personnel collaborate and develop special training procedure for hourly workers** (original similar to SB498) - Introduced 2/14/2019 - To Government Organization
609. By Sen. Beach, Baldwin, Clements, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Unger and Woelfel - **Improving WV Medicaid Program** (original similar to HB2978) - Introduced 2/14/2019 - To Health and Human Resources then Finance
610. By Sen. Sypolt, Hamilton, Stollings, Romano and Maroney - **Authorizing DNR solicit donations for WVU Rifle Team on hunting and fishing license applications** - Introduced 2/14/2019 - To Government Organization
611. By Sen. Roberts, Sypolt, Rucker, Smith, Trump, Cline, Tarr and Boso - **Transferring Division of Forestry from Department of Commerce to Department of Agriculture** - Introduced 2/14/2019 - To Government Organization
612. By Sen. Weld, Blair, Hamilton, Hardesty, Jeffries, Lindsay, Rucker, Takubo and Tarr - **Allowing establishment of secondary location for simulcast video lottery terminals** - Introduced 2/14/2019 - To Finance
- *613. By Sen. Maroney, Plymale, Takubo, Jeffries, Hamilton, Stollings, Roberts, Baldwin and Woelfel - **Requiring DNR include election of organ donation on hunting licenses** - Introduced 2/14/2019 - To Natural Resources - Com. sub. reported 2/19/2019 - Passed Senate 2/22/2019 - Effective from passage - To House 2/22/2019 - To Judiciary - Passed House 3/8/2019 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/9/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/26/19 - Chapter 210, Acts, Regular Session, 2019

614. By Sen. Blair - **Relating generally to effect on regular levy rate when appraisal results in tax increase** (original similar to HB3003) - Introduced 2/14/2019 - To Finance
- *615. By Sen. Trump, Plymale and Boso - **Providing ongoing mechanism for county commissioners to allow compensation increases for elected officials every two years** (original similar to HB2995, HB3088) - Introduced 2/14/2019 - To Government Organization - Com. sub. reported 2/22/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Government Organization then Finance - To House Finance 3/4/2019
616. By Sen. Lindsay, Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Mann, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger and Woelfel - **Relating to CPRB administering EMS Retirement System** (original similar to HB3010) - Introduced 2/14/2019 - To Pensions then Finance
617. By Sen. Azinger, Hamilton, Plymale and Ihlenfeld (Originating in Senate Pensions) - **Relating to method of payment to Municipal Pensions Security Fund** - Introduced 2/14/2019 - Passed Senate with amended title 2/19/2019 - To House 2/19/2019 - To Pensions and Retirement then Finance - To House Finance - Amended - Passed House 3/6/2019 - Senate concurred in House amendments and passed bill 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/22/19 - Chapter 63, Acts, Regular Session, 2019
618. By Sen. Blair, Mann, Roberts, Swope and Sypolt (Originating in Senate Finance) - **Relating to effect on levy rate when appraisal results in tax increase** - Introduced 2/14/2019 - Rejected by Senate 2/19/2019 2/19/2019
619. By Sen. Sypolt - **Amending and updating laws relating to auctioneers** (original similar to HB2982) - Introduced 2/15/2019 - To Government Organization
620. By Sen. Tarr and Hardesty - **Requiring prescriptions be made by electronic means and providing exceptions** (original similar to HB3042) - Introduced 2/15/2019 - To Health and Human Resources - To Health and Human Resources
621. By Sen. Rucker, Plymale and Cline - **Supplemental appropriation to Higher Education Policy Commission** - Introduced 2/15/2019 - To Finance
- *622. By Sen. Tarr - **Relating generally to regulation and control of financing elections** - Introduced 2/15/2019 - To Judiciary - Com. sub. reported 2/22/2019 - Amended - Passed Senate 2/26/2019 - To House 2/27/2019 - To Judiciary - Motion to reform amendment rejected - Amended - Passed House 3/8/2019 - Title amendment rejected - Senate amended House amendment and passed 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/27/19 - Chapter 102, Acts, Regular Session, 2019
623. By Sen. Blair - **Relating to placement of legal advertisements** - Introduced 2/15/2019 - To Finance

- *624. By Sen. Rucker, Plymale, Roberts and Cline - **Allowing county boards of education use alternative assessment provided in Every Student Succeeds Act** - Introduced 2/15/2019 - To Education then Finance - Com. sub. reported 2/20/2019 - 2nd reference dispensed - Amended - Passed Senate 2/23/2019 - Effective July 1, 2019 - To House 2/25/2019 - To Education - Amended - Passed House 3/5/2019 - Title amended - Effective from passage - Senate amended House amendment and passed 3/8/2019 - Effective from passage - House concurred in Senate amendment and passed 3/9/2019 - Effective from passage - To Governor 3/22/19 - Vetoed by Governor 3/27/19
625. By Sen. Boso - **Clarifying and defining authority of State Athletic Commission** (original similar to SB644) - Introduced 2/15/2019 - To Government Organization - Passed Senate 2/27/2019 - To House 2/28/2019 - To Government Organization - Passed House 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 120, Acts, Regular Session, 2019
626. By Sen. Jeffries, Lindsay, Plymale and Beach - **Directing county school boards construct covered bus stops** - Introduced 2/15/2019 - To Education
627. By Sen. Sypolt - **Relating generally to Rural Rehabilitation Loan Program** (original similar to HB2964) - Introduced 2/15/2019 - To Agriculture and Rural Development - Passed Senate 2/25/2019 - Effective from passage - To House 2/26/2019 - To Finance - Passed House 3/8/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/22/19 - Chapter 10, Acts, Regular Session, 2019
628. By Sen. Takubo - **Relating generally to regulation and control of financing elections** - Introduced 2/15/2019 - To Judiciary
629. By Sen. Sypolt and Cline - **Regulating hemp production** (original similar to HB2694) - Introduced 2/15/2019 - To Agriculture and Rural Development then Judiciary - To Judiciary 2/21/2019
630. By Sen. Plymale and Hardesty - **Relating to allocation of premiums for employers and employees in PEIA** - Introduced 2/15/2019 - To Pensions then Finance
631. By Sen. Weld, Boso, Stollings, Takubo, Hamilton, Ihlenfeld, Jeffries, Tarr, Cline and Baldwin - **Relating to certain diseases for which rebuttable presumption of injury exists for firefighters** - Introduced 2/15/2019 - To Banking and Insurance then Finance
- *632. By Sen. Maynard, Azinger, Blair, Boso, Cline, Roberts, Rucker, Smith, Sypolt, Tarr, Trump and Jeffries - **Improving student safety** - Introduced 2/15/2019 - To Education then Finance - Com. sub. reported 2/22/2019 - On 2nd reading to Finance 2/22/2019 - Com. sub. for com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - Effective July 1, 2019 - To House 2/28/2019 - To Education then Finance - To House Finance 3/5/2019 - 2nd reference dispensed - Amended - Passed House 3/8/2019 - Title amended - Senate amended House amendment and passed 3/9/2019 - Effective July 1, 2019 - House concurred in Senate amendment and passed 3/9/2019 - Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 94, Acts, Regular Session, 2019

633. By Sen. Tarr - **Authorizing Board of Physical Therapy conduct criminal background checks on applicants for licenses** - Introduced 2/15/2019 - To Government Organization - Passed Senate 2/27/2019 - To House 2/28/2019 - To Government Organization - Amended - Passed House 3/7/2019 - Senate concurred in House amendments and passed bill 3/8/2019 - To Governor 3/19/19 - Vetoed by Governor 3/27/19
634. By Sen. Azinger - **Adding remote service unit to customer bank communications terminals** (original similar to HB2968) - Introduced 2/15/2019 - To Banking and Insurance
635. By Sen. Smith (Originating in Senate Energy, Industry and Mining) - **Relating generally to coal mining activities** - Introduced 2/15/2019 - Amended - Passed Senate with amended title 2/21/2019 - Effective from passage - To House 2/21/2019 - To Energy - Amended - Passed House 3/4/2019 - Title amended - Effective from passage - Senate amended House amendment and passed 3/8/2019 - Effective from passage - House concurred in Senate amendment and passed 3/9/2019 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/9/2019 - Effective from passage - To Governor 3/20/19 - Approved by Governor 3/27/19 - Chapter 170, Acts, Regular Session, 2019
636. By Sen. Rucker, Azinger, Cline, Plymale, Roberts and Trump (Originating in Senate Education) - **Authorizing legislative rules for Higher Education Policy Commission** - Introduced 2/15/2019 - Passed Senate 2/20/2019 - Effective from passage - To House 2/20/2019 - To Education - Passed House 3/4/2019 - Effective from passage - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 135, Acts, Regular Session, 2019
- *637. By Sen. Blair - **Relating to revocation, cancellation, or suspension of business registration certificates** - Introduced 2/18/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - Effective July 1, 2019 - To House 2/28/2019 - To Judiciary
638. By Sen. Weld - **Creating Court Reporter Act of 2019** - Introduced 2/18/2019 - To Judiciary
639. By Sen. Sypolt - **Relating to salaries for Division of Forestry members** - Introduced 2/18/2019 - To Finance
- *640. By Sen. Stollings and Maroney - **Regulating sudden cardiac arrest prevention** - Introduced 2/18/2019 - To Health and Human Resources - Com. sub. reported 2/22/2019 - Amended - Passed Senate 2/26/2019 - To House 2/27/2019 - To Health and Human Resources - Passed House 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 211, Acts, Regular Session, 2019
- *641. By Sen. Maroney and Takubo - **Relating to Primary Care Support Program** - Introduced 2/18/2019 - To Health and Human Resources then Finance - Com. sub. reported 2/20/2019 - 2nd reference dispensed - Passed Senate 2/23/2019 - Effective from passage - To House 2/25/2019 - To Health and Human Resources - Amended - Passed House 3/2/2019 - Effective from passage - Senate concurred in House amendments and passed bill 3/4/2019 - Effective from

passage - To Governor 3/11/19 - Approved by Governor 3/25/19 - Chapter 212, Acts, Regular Session, 2019

- *642. By Sen. Maroney, Azinger, Rucker, Takubo, Trump and Roberts - **Providing options in living wills and combined medical powers of attorney and living wills** - Introduced 2/18/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Judiciary

- 643. By Sen. Romano, Baldwin, Beach, Hardesty, Jeffries, Lindsay and Woelfel - **Creating Company-Specific Subsidy Interstate Compact** - Introduced 2/18/2019 - To Interstate Cooperation then Judiciary

- 644. By Sen. Maynard (By Request) - **Clarifying authority of State Athletic Commission in regard to boxing and mixed martial arts events** (original similar to SB625) - Introduced 2/18/2019 - To Government Organization

- 645. By Sen. Maynard - **Relating to Health Care Choice Act** (original similar to HB2656) - Introduced 2/18/2019 - To Banking and Insurance

- 646. By Sen. Clements and Maroney - **Providing automated license plate reader systems** - Introduced 2/18/2019 - To Government Organization then Judiciary

- 647. By Sen. Baldwin - **Relating to motor vehicle inspections** - Introduced 2/18/2019 - To Finance

- 648. By Sen. Smith - **Reorganizing Office of Miners' Health, Safety and Training** - Introduced 2/18/2019 - To Energy, Industry and Mining

- 649. By Sen. Trump - **Relating to sales tax on motor vehicles** - Introduced 2/18/2019 - To Finance

- *650. By Sen. Tarr and Maroney - **Protecting consumers from price gouging after state of emergency** - Introduced 2/18/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Referred to Rules on 2nd reading 2/26/2019

- *651. By Sen. Maynard (By Request) - **Relating to DNR ability to enter into certain contracts** - Introduced 2/18/2019 - To Natural Resources - Com. sub. reported 2/23/2019 - Passed Senate 2/26/2019 - Effective from passage - To House 2/27/2019 - To Judiciary

- 652. By Sen. Baldwin and Lindsay - **Prohibiting certain misleading pharmaceutical advertising practices** - Introduced 2/18/2019 - To Judiciary

- *653. By Sen. Stollings and Maroney - **Relating generally to practice of medical corporations** - Introduced 2/18/2019 - To Health and Human Resources - Com. sub. reported 2/22/2019 - Amended - Passed Senate 2/26/2019 - To House 2/27/2019 - To Health and Human Resources - Amended - Passed House 3/6/2019 - Title amended - Senate concurred in House amendments and passed bill 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 190, Acts, Regular Session, 2019

- *654. By Sen. Azinger - **Amending definition of "mortgage loan originator"** - Introduced 2/18/2019 - To Banking and Insurance - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Judiciary
655. By Sen. Trump - **Relating to conservation districts generally** - Introduced 2/18/2019 - To Government Organization - Passed Senate 2/26/2019 - To House 2/27/2019 - To Government Organization - Passed House 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 11, Acts, Regular Session, 2019
656. By Sen. Blair and Trump - **Relating to electronic filing of tax returns** - Introduced 2/18/2019 - To Finance - Passed Senate 2/25/2019 - Effective July 1, 2019 - To House 2/26/2019 - To Finance - Amended - Passed House 3/8/2019 - Title amended - Effective July 1, 2019 - Senate concurred in House amendments and passed bill 3/9/2019 - Effective July 1, 2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 247, Acts, Regular Session, 2019
- *657. By Sen. Sypolt - **Providing consumer protection regarding self-propelled farm equipment** - Introduced 2/18/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Judiciary - Passed House 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 51, Acts, Regular Session, 2019
658. By Sen. Romano - **Relating to motor vehicle salesperson licenses** - Introduced 2/18/2019 - To Government Organization - Passed Senate 2/27/2019 - Effective from passage - To House 2/28/2019 - To Government Organization - Passed House 3/7/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 172, Acts, Regular Session, 2019
659. By Sen. Jeffries, Palumbo, Plymale, Rucker, Weld, Woelfel, Lindsay, Stollings and Maroney - **Relating of wages of persons with disabilities** - Introduced 2/18/2019 - To Judiciary
660. By Sen. Boso - **Relating to standards for factory-built homes** - Introduced 2/18/2019 - To Government Organization
661. By Sen. Maynard - **Requiring health care providers make available to patients estimate of standard charges for items and services provided** - Introduced 2/18/2019 - To Health and Human Resources
662. By Sen. Maynard - **Permitting civil actions by social media website** - Introduced 2/18/2019 - To Judiciary
663. By Sen. Romano - **Providing recourse for bidders for minor or technical error on construction contract** - Introduced 2/18/2019 - To Government Organization
664. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Hardesty, Jeffries, Lindsay, Maynard, Romano, Smith, Woelfel and Trump (Originating in Senate Judiciary) - **Authorizing certain members of federal judiciary perform marriages** - Introduced 2/20/2019 - Passed Senate 2/23/2019 - Effective from passage - To House 2/25/2019 - To Judiciary - Passed House 3/5/2019 - Effective from

passage - To Governor 3/20/19 - Approved by Governor 3/26/19 - Chapter 84, Acts, Regular Session, 2019

665. By Sen. Smith (Originating in Senate Energy, Industry and Mining) - **Allowing for expedited oil and gas well permitting** - Introduced 2/21/2019 - Passed Senate 2/25/2019 - Effective from passage - To House 2/26/2019 - To Energy - Amended - Passed House 3/8/2019 - Effective from passage - Senate amended House amendment and passed 3/9/2019 - Effective from passage - House refused to concur and requested Senate to recede 3/9/2019 - Senate refused to recede 3/9/2019
666. By Sen. Maynard (Originating in Senate Economic Development) - **Creating WV Motorsports Entertainment Complex Investment Act** - Introduced 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Finance
667. By Sen. Maynard (Originating in Senate Economic Development) - **Creating WV Motorsport Committee** - Introduced 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Government Organization - Passed House 3/5/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 87, Acts, Regular Session, 2019
668. By Sen. Azinger, Maynard, Palumbo, Prezioso, Roberts, Rucker, Stollings, Tarr, Takubo, Weld and Maroney (Originating in Senate Health and Human Resources) - **Relating to physician assistants collaborating with physicians in hospitals** - Introduced 2/21/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Health and Human Resources - Amended - Passed House 3/4/2019 - Senate concurred in House amendments and passed bill 3/5/2019 - Senate reconsidered action - Senate amended House amendment and passed 3/5/2019 - House concurred in Senate title amendment 3/6/2019 - Passed House 3/6/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 191, Acts, Regular Session, 2019
669. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Takubo, Weld, Woelfel and Trump (Originating in Senate Judiciary) - **Allowing appointment of commissioners to acknowledge signatures** - Introduced 2/22/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Judiciary - Amended - Amended - Passed House 3/8/2019 - Title amended - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 234, Acts, Regular Session, 2019
670. By Sen. Rucker, Blair, Azinger, Cline, Maynard, Plymale, Roberts and Trump (Originating in Senate Education) - **Relating to WV College Prepaid Tuition and Savings Program** - Introduced 2/22/2019 - Amended - Passed Senate 2/26/2019 - To House 2/27/2019 - To Education then Finance - To House Finance - Passed House 3/8/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 95, Acts, Regular Session, 2019
671. By Sen. Boso, Swope, Clements, Facemire, Ihlenfeld, Jeffries, Lindsay, Maroney, Palumbo, Smith, Sypolt and Tarr (Originating in Senate Government Organization) - **Eliminating State Fire Marshal report on transfer of authority and responsibility of providing fire service to counties** -

Introduced 2/23/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Government Organization

672. By Sen. Rucker, Blair, Azinger, Cline, Maynard, Roberts, Romano, Stollings and Trump (Originating in Senate Education) - **Authorizing School Building Authority to promulgate legislative rules** - Introduced 2/23/2019 - Amended - Passed Senate with amended title 2/27/2019 - Effective from passage - To House 2/28/2019 - To Education - Passed House 3/7/2019 - Effective from passage - To Governor 3/22/19 - Approved by Governor 3/26/19 - Chapter 96, Acts, Regular Session, 2019
673. By Sen. Rucker, Blair, Azinger, Cline, Maynard, Roberts, Romano, Stollings, Trump and Unger (Originating in Senate Education) - **Relating to public higher education accountability and planning** - Introduced 2/23/2019 - Passed Senate 2/27/2019 - Effective from passage - To House 2/28/2019 - To Education - Amended - Passed House 3/7/2019 - Title amended - Effective from passage - Senate refused to concur in House amendment 3/8/2019 - House receded 3/9/2019 - Passed House 3/9/2019 - To Governor 3/22/19 - Approved by Governor 3/25/19 - Chapter 136, Acts, Regular Session, 2019
674. By Sen. Blair, Hamilton, Maroney, Roberts, Swope, Sypolt, Tarr, Facemire, Palumbo, Plymale and Stollings (Originating in Senate Finance) - **Supplemental appropriation to Division of Human Services** - Introduced 2/25/2019 - Passed Senate 2/27/2019 - Effective from passage - To House 2/28/2019 - To Finance
675. By Sen. Maynard, Mann, Beach, Cline, Facemire, Hamilton, Hardesty, Prezioso, Roberts, Rucker, Smith, Stollings and Sypolt (Originating in Senate Natural Resources) - **Requiring DEP create and implement Adopt-A-Stream Program** - Introduced 2/25/2019 - Amended - Passed Senate 2/27/2019 - Effective from passage - To House 2/28/2019 - To Judiciary - Passed House 3/6/2019 - Effective from passage - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 106, Acts, Regular Session, 2019
676. By Sen. Maynard, Mann, Cline, Roberts, Rucker and Smith (Originating in Senate Natural Resources) - **Relating to off-road vehicle recreation** - Introduced 2/25/2019 - Amended - Passed Senate with amended title 2/27/2019 - Effective from passage - To House 2/28/2019 - To Government Organization - Passed House 3/7/2019 - Effective from passage - To Governor 3/19/19 - Vetoed by Governor 3/27/19
677. By Sen. Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (Originating in Senate Finance) - **Supplemental appropriation to Division of Health and Division of Human Services** - Introduced 3/6/2019 - Constitutional rule suspension rejected - Constitutional rule suspended - Passed Senate 3/7/2019 - Effective from passage - To House 3/7/2019 - Amended - Passed House 3/9/2019 - Effective from passage - Senate concurred in House amendments and passed bill 3/9/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 26, Acts, Regular Session, 2019
678. By Sen. Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (Originating

in Senate Finance) - **Supplemental appropriation from State Excess Lottery Revenue Fund to Office of Technology** - Introduced 3/7/2019 - Constitutional rule suspension rejected - Constitutional rule suspended - Passed Senate 3/7/2019 - Effective from passage - To House 3/7/2019 - Passed House 3/9/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 27, Acts, Regular Session, 2019

679. By Sen. Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (Originating in Senate Finance) - **Supplemental appropriation to Division of Finance** - Introduced 3/7/2019 - Constitutional rule suspension rejected - Constitutional rule suspended - Passed Senate 3/7/2019 - Effective from passage - To House 3/7/2019 - Amended - Passed House 3/9/2019 - Effective from passage - Senate concurred in House amendments and passed bill 3/9/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 28, Acts, Regular Session, 2019
680. By Sen. Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (Originating in Senate Finance) - **Supplemental appropriations to various divisions in DMAPS** - Introduced 3/6/2019 - Constitutional rule suspension rejected - Constitutional rule suspended - Passed Senate 3/7/2019 - Effective from passage - To House 3/7/2019 - Amended - Passed House 3/9/2019 - Effective from passage - Senate concurred in House amendments and passed bill 3/9/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 29, Acts, Regular Session, 2019
681. By Sen. Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (Originating in Senate Finance) - **Supplemental appropriation from Lottery Net Profits to Educational Broadcasting Authority** - Introduced 3/6/2019 - Constitutional rule suspension rejected - Constitutional rule suspended - Passed Senate 3/7/2019 - Effective from passage - To House 3/7/2019 - Passed House 3/9/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 30, Acts, Regular Session, 2019

ALL SENATE JOINT RESOLUTIONS OFFERED

1. By Sen. Boso - **County Economic Development Amendment** - Introduced 1/9/2019 - To Judiciary then Finance
2. By Sen. Boso - **Supervision of Free Schools Modification Amendment** - Introduced 1/9/2019 - To Judiciary then Finance
3. By Sen. Sypolt, Baldwin, Plymale and Boso - **Homestead Exemption Increase Amendment** - Introduced 1/9/2019 - To Judiciary then Finance
4. By Sen. Sypolt, Boso and Baldwin - **Protection of Electronic Communication and Data Amendment** - Introduced 1/9/2019 - To Judiciary then Finance
- *5. By Sen. Trump and Boso - **Clarification of the Judiciary's Role in Impeachment Proceedings Amendment** - Introduced 1/9/2019 - To Judiciary

then Finance - Com. sub. reported 2/6/2019 - Adopted by Senate 2/11/2019 - To House 2/12/2019 - To Finance then Judiciary - To House Judiciary - Amended - House rejected 3/9/2019

6. By Sen. Woelfel and Baldwin - **Supreme Court Term Length Amendment** - Introduced 1/9/2019 - To Judiciary then Finance
7. By Sen. Ojeda and Sypolt - **Recall Election Amendment** - Introduced 1/10/2019 - To Judiciary then Finance
8. By Sen. Rucker, Azinger, Cline, Boso and Tarr - **Judicial Confirmation Amendment** - Introduced 1/14/2019 - To Judiciary then Finance
9. By Sen. Tarr, Carmichael (Mr. President), Azinger, Blair, Boso, Cline, Hamilton, Mann, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Weld, Clements and Hardesty - **Protection of the Right to Bear Arms Amendment** - Introduced 1/24/2019 - To Judiciary then Finance
10. By Sen. Smith, Sypolt, Cline and Swope - **Disabled Veteran Exemption From Ad Valorem Property Taxation Amendment** - Introduced 1/30/2019 - To Judiciary then Finance
11. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Just Cut Taxes and Win Amendment** (original similar to HJR23) - Introduced 1/30/2019 - To Judiciary then Finance

ALL SENATE CONCURRENT RESOLUTIONS OFFERED

1. By Sen. Carmichael (Mr. President), Takubo and Prezioso - **Adopting joint rules of Senate and House of Delegates** - Introduced 1/9/2019 - Committee reference dispensed - Adopted by Senate 1/9/2019 - To House 1/9/2019 - Reference dispensed - Adopted by House 1/9/2019
2. By Sen. Carmichael (Mr. President), Blair and Prezioso - **Relating to payment of expenses of 84th Legislature** - Introduced 1/9/2019 - Committee reference dispensed - Adopted by Senate 1/9/2019 - To House 1/9/2019 - Reference dispensed - Adopted by House 1/9/2019
3. By Sen. Cline - **Requesting Joint Committee on Government and Finance study practice of requiring payment to hold space by child care facilities** - Introduced 1/9/2019 - To Finance
- *4. By Sen. Swope - **US Marine Corps Lt. Col. Dennis Ray Blankenship Memorial Road** - Introduced 1/9/2019 - To Transportation and Infrastructure - Com. sub. reported 1/23/2019 - Adopted by Senate 1/24/2019 - To House 1/25/2019 - To Technology and Infrastructure then Rules - To House Rules - Amended - Adopted by House 3/9/2019 - Senate concurred in House amendment and adopted resolution 3/9/2019
5. By Sen. Cline and Plymale - **Home of Coach Bob Bolen Mountain State University 2004 NAIA Champions sign** - Introduced 1/9/2019 - To Government Organization - Adopted by Senate 2/14/2019 - To House 2/15/2019

- To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Reference dispensed - Adopted by House 3/9/2019
6. By Sen. Stollings, Baldwin and Beach - **US Army SP4 Darrell Gregory Triplett Memorial Bridge** - Introduced 1/11/2019 - To Transportation and Infrastructure - Adopted by Senate 2/22/2019 - To House 2/22/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Reference dispensed - Adopted by House 3/9/2019
 - *7. By Sen. Sypolt, Baldwin, Cline and Smith - **Urging Congress provide exceptions to weight limits on interstate** - Introduced 1/11/2019 - To Transportation and Infrastructure - Com. sub. reported 2/13/2019 - Adopted by Senate 2/14/2019 - To House 2/15/2019 - To Technology and Infrastructure then Rules - To House Technology and Infrastructure 2/15/2019
 8. By Sen. Romano, Facemire, Woelfel, Baldwin and Beach - **Walter E. Swiger, Jr., Memorial Bridge** - Introduced 1/11/2019 - To Transportation and Infrastructure
 9. By Sen. Hamilton, Boso, Jeffries, Maynard, Smith, Sypolt, Maroney and Lindsay - **US Army PFC Winten L. Ways Memorial Bridge** - Introduced 1/14/2019 - To Transportation and Infrastructure - Adopted by Senate 1/24/2019 - To House 1/25/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019
 10. By Sen. Clements (Originating in Senate Transportation and Infrastructure) - **Amending Rule 24 of Joint Rules of Senate and House relating to resolutions** - Introduced 1/16/2019 - Referred to Rules 1/16/2019
 11. By Sen. Clements, Roberts, Rucker, Palumbo, Jeffries, Woelfel, Plymale, Swope, Boso, Unger, Sypolt, Stollings, Romano, Beach, Blair, Baldwin, Smith, Cline, Prezioso, Lindsay and Hamilton - **Urging Congress pass fully funded long-term surface transportation and infrastructure measures** - Introduced 1/18/2019 - Committee reference dispensed - Adopted by Senate 1/18/2019 - To House 1/21/2019 - To Technology and Infrastructure then Rules
 12. By Sen. Stollings, Maroney and Swope - **US Army CPL Lee Roy Young Memorial Bridge** - Introduced 1/21/2019 - To Transportation and Infrastructure - Adopted by Senate 1/31/2019 - To House 2/1/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/8/2019
 13. By Sen. Romano, Baldwin, Beach, Facemire, Ihlenfeld, Jeffries, Palumbo, Plymale, Prezioso, Woelfel, Stollings, Maroney, Swope and Hardesty - **US Marine SGT Stephen E. Drummond Memorial Bridge** - Introduced 1/21/2019 - To Transportation and Infrastructure
 14. By Sen. Smith, Sypolt, Stollings, Maroney and Swope - **William "Bill" Thurman King Memorial Bridge** - Introduced 1/21/2019 - To Transportation and Infrastructure

15. By Sen. Tarr, Cline and Sybolt - **Studying feasibility of requiring all state agencies that collect fees and fines to deposit those funds in General Revenue Fund** - Introduced 1/22/2019 - To Finance
16. By Sen. Romano, Azinger, Baldwin, Beach, Hardesty, Jeffries, Lindsay, Maynard, Unger, Boso, Palumbo, Swope and Stollings - **US Army SP4 Wilbur Allen Smith Memorial Bridge** - Introduced 1/25/2019 - To Transportation and Infrastructure - Adopted by Senate 2/7/2019 - To House 2/8/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Reference dispensed - Adopted by House 3/9/2019
17. By Sen. Romano, Baldwin, Lindsay, Hardesty, Woelfel, Beach, Unger, Boso, Palumbo, Swope, Jeffries and Stollings - **Sardis District Veterans Memorial Bridge** - Introduced 1/25/2019 - To Transportation and Infrastructure - Adopted by Senate 2/28/2019 - To House 3/1/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/9/2019
18. By Sen. Maynard, Stollings and Swope - **Curtis "Pap" and Millie "Mammie" Asbury Memorial Bridge** (original similar to HCR21) - Introduced 1/28/2019 - To Transportation and Infrastructure
20. By Sen. Maroney, Clements, Baldwin, Stollings and Swope - **US Air Force SSGT Ryan David Hammond Memorial Bridge** - Introduced 1/30/2019 - To Transportation and Infrastructure - Adopted by Senate 2/7/2019 - To House 2/8/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019
21. By Sen. Maynard and Sybolt - **Urging US Congress open public lands in WV** - Introduced 1/31/2019 - To Government Organization
22. By Sen. Beach, Baldwin, Clements, Cline, Maynard, Plymale, Rucker, Smith, Woelfel, Hardesty, Sybolt, Swope, Lindsay and Maroney - **Urging Congress call convention for purpose of proposing amendment restoring free and fair elections** - Introduced 2/4/2019 - To Judiciary
23. By Sen. Beach, Woelfel, Stollings, Baldwin, Swope, Lindsay and Maroney - **Jeffrey Alan Clovis Memorial Bridge** - Introduced 2/4/2019 - Committee reference dispensed - Adopted by Senate 2/4/2019 - To House 2/5/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/7/2019
- *24. By Sen. Swope, Woelfel, Stollings and Boso - **Hazel Dickens Memorial Bridge** - Introduced 2/4/2019 - To Transportation and Infrastructure - Com. sub. reported 2/27/2019 - Adopted by Senate 2/28/2019 - To House 3/1/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Reference dispensed - Adopted by House 3/9/2019
- *25. By Sen. Beach, Jeffries, Stollings, Baldwin, Palumbo and Swope - **US Army PFC Andrew "Bo" Martin Harper Memorial Bridge** - Introduced 2/5/2019 - To Transportation and Infrastructure - Com. sub. reported 2/15/2019 - Adopted by Senate 2/18/2019 - To House 2/19/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/7/2019

- *26. By Sen. Swope, Jeffries, Plymale, Beach, Lindsay, Stollings, Boso and Maynard - **Thompson-Lambert Memorial Bridge** - Introduced 2/8/2019 - To Transportation and Infrastructure - Com. sub. reported 3/5/2019 - Adopted by Senate 3/6/2019 - To House 3/7/2019 - To Rules - To House Rules 3/7/2019 - Reference dispensed - Adopted by House 3/9/2019
- *27. By Sen. Tarr, Boley, Clements, Cline, Hamilton, Maynard, Roberts, Rucker, Smith, Sypolt, Takubo, Stollings, Jeffries, Maroney and Baldwin - **Requesting study supply or shortage of drivers with CDLs** - Introduced 2/11/2019 - To Transportation and Infrastructure - Com. sub. reported 2/27/2019 - Adopted by Senate 2/28/2019 - To House 3/1/2019 - To Technology and Infrastructure then Rules - To House Technology and Infrastructure 3/1/2019
- *28. By Sen. Jeffries, Baldwin, Beach, Facemire, Ihlenfeld, Lindsay, Plymale, Prezioso, Romano, Stollings, Unger and Hardesty - **US Army SP5 James Henry Caruthers Memorial Road** - Introduced 2/12/2019 - To Transportation and Infrastructure - Com. sub. reported 2/27/2019 - Adopted by Senate 2/28/2019 - To House 3/1/2019 - To Technology and Infrastructure then Rules - To House Rules - Reference dispensed - Adopted by House 3/9/2019
29. By Sen. Carmichael (Mr. President), Plymale, Stollings and Jeffries - **Hershell Lee Thomas Memorial Bridge** - Introduced 2/13/2019 - To Transportation and Infrastructure
30. By Sen. Smith, Clements, Baldwin, Cline, Sypolt and Boso - **Urging Congress call convention for Constitutional amendment limiting terms for persons elected to House of Representatives and Senate** (original similar to HJR14) - Introduced 2/13/2019 - To Judiciary
31. By Sen. Palumbo, Lindsay, Plymale, Stollings, Baldwin and Jeffries - **SGT James E. Mattingly Bridge** - Introduced 2/13/2019 - To Transportation and Infrastructure - Adopted by Senate 3/6/2019 - To House 3/7/2019 - To Rules - To House Rules 3/7/2019 - Reference dispensed - Adopted by House 3/9/2019
32. By Sen. Hardesty, Lindsay, Beach, Plymale, Stollings, Baldwin and Jeffries - **US Army SSG Henry Kilgore Bridge** - Introduced 2/13/2019 - To Transportation and Infrastructure - Adopted by Senate 3/6/2019 - To House 3/7/2019 - To Rules - To House Rules 3/7/2019 - Reference dispensed - Adopted by House 3/9/2019
33. By Sen. Unger, Lindsay, Beach, Plymale, Stollings, Baldwin, Jeffries and Sypolt - **Requesting study of foster care system and compliance with federal law** - Introduced 2/13/2019 - To Health and Human Resources then Rules - To Health and Human Resources 2/14/2019
- *34. By Sen. Maroney, Stollings, Baldwin, Beach, Plymale and Boso - **US Army SPC Julian Lee Berisford Memorial Bridge** - Introduced 2/14/2019 - To Transportation and Infrastructure - Com. sub. reported 2/27/2019 - Adopted by Senate 2/28/2019 - To House 3/1/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Reference dispensed - Adopted by House 3/9/2019

35. By Sen. Weld, Ihlenfeld, Jeffries, Stollings, Beach, Cline, Prezioso, Swope and Baldwin - **Designating days for displaying Honor and Remember Flag at WV Veterans Memorial** - Introduced 2/15/2019 - To Military - Adopted by Senate 2/21/2019 - To House 2/21/2019 - To Rules - To House Rules 2/21/2019 - Adopted by House 3/1/2019
- *36. By Sen. Maroney and Jeffries - **US Army CPL Cory M. Hewitt Memorial Bridge** - Introduced 2/18/2019 - To Transportation and Infrastructure - Com. sub. reported 2/27/2019 - Adopted by Senate 2/28/2019 - To House 3/1/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Reference dispensed - Adopted by House 3/9/2019
37. By Sen. Takubo, Stollings, Jeffries and Prezioso - **Urging Bureau for Public Health designate Alzheimer's disease and other dementias as public health issue** - Introduced 2/18/2019 - To Health and Human Resources
38. By Sen. Plymale, Baldwin, Cline, Maynard, Woelfel, Jeffries, Lindsay, Stollings and Roberts - **Urging CSX support New River Train** - Introduced 2/18/2019 - Committee reference dispensed - Adopted by Senate 2/19/2019 - Referred to Rules 2/19/2019 - Reported be communicated - To House 2/28/2019 - To Rules - To House Rules 2/28/2019 - Reference dispensed - Adopted by House 3/9/2019
39. By Sen. Trump, Baldwin, Swope, Plymale, Stollings, Ihlenfeld, Maroney and Rucker - **Requesting creation of Joint Select Committee on Requirements Governing Water Quality Standards** - Introduced 2/19/2019 - To Rules - Adopted by Senate 2/28/2019 - To House 3/1/2019 - To Judiciary then Rules - To House Rules 3/8/2019
- *40. By Sen. Tarr, Baldwin, Jeffries, Stollings and Swope - **US Army CPL Roy E. Clark Memorial Bridge** - Introduced 2/19/2019 - To Transportation and Infrastructure - Com. sub. reported 2/27/2019 - Adopted by Senate 2/28/2019 - To House 3/1/2019 - To Technology and Infrastructure then Rules - To House Rules - Amended - Adopted by House 3/9/2019 - Senate concurred in House amendment and adopted resolution 3/9/2019
41. By Sen. Lindsay, Azinger, Facemire, Hardesty, Ihlenfeld, Jeffries, Palumbo, Plymale, Prezioso, Romano, Stollings, Takubo, Unger, Woelfel, Baldwin, Hamilton and Maroney - **Requesting study creating paid family and medical leave insurance program** - Introduced 2/19/2019 - To Health and Human Resources then Rules - To Rules 3/5/2019 - Adopted by Senate 3/9/2019
42. By Sen. Maynard, Baldwin, Palumbo, Beach, Stollings, Jeffries and Plymale - **Tom and Cindy Mae Marcum Memorial Bridge** - Introduced 2/21/2019 - To Transportation and Infrastructure
43. By Sen. Cline, Lindsay, Hamilton, Beach, Jeffries and Facemire - **Governor William Casey Marland Memorial Bridge** - Introduced 2/23/2019 - To Transportation and Infrastructure
44. By Sen. Cline, Beach, Jeffries, Facemire and Lindsay - **Elizabeth Williams, Teacher and Community Advocate Memorial Bridge** - Introduced 2/23/2019 - To Transportation and Infrastructure

- *45. By Sen. Romano, Facemire, Jeffries and Prezioso - **US Army Corporal T-5 Albert John "Engine" Arco Memorial Bridge** - Introduced 2/26/2019 - To Transportation and Infrastructure - Com. sub. reported 3/5/2019 - Adopted by Senate 3/6/2019 - To House 3/7/2019 - To Rules - To House Rules 3/7/2019 - Reference dispensed - Adopted by House 3/9/2019
46. By Sen. Sypolt, Rucker, Beach and Cline - **Requesting study of state's raw dairy milk laws** - Introduced 2/28/2019 - To Health and Human Resources
47. By Sen. Cline, Lindsay, Roberts, Beach and Plymale - **John Lewis Lafferty "Community Volunteer" Memorial Bridge** - Introduced 2/28/2019 - To Transportation and Infrastructure
48. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld and Trump (Originating in Senate Judiciary) - **Requesting study of eliminating use of subminimum wage for people with intellectual, developmental, or other disabilities** - Introduced 2/28/2019 - Referred to Rules 2/28/2019 - To Rules 3/5/2019 - Senate reconsidered action - Adopted by Senate 3/5/2019 - To House 3/5/2019 - To Judiciary then Rules
49. By Sen. Rucker, Blair, Azinger, Baldwin, Beach, Boley, Cline, Maynard, Plymale, Roberts, Romano, Stollings, Trump and Unger (Originating in Senate Education) - **Requesting study on higher education governance, finance, and other issues considered appropriate** - Introduced 3/5/2019 - Referred to Rules 3/5/2019
50. By Sen. Maynard, Mann, Beach, Cline, Facemire, Hamilton, Hardesty, Prezioso, Roberts, Rucker, Smith, Stollings and Sypolt (Originating in Senate Natural Resources) - **Requesting study requiring purchasers of roundwood collect information from sellers of roundwood** - Introduced 3/6/2019 - Referred to Rules 3/6/2019 - Adopted by Senate 3/9/2019
51. By Sen. Maroney, Takubo, Jeffries, Beach, Rucker and Stollings - **Requesting study relating to creation of long-term care medical review panels** - Introduced 3/7/2019 - Adopted by Senate 3/9/2019
52. By Sen. Azinger (Originating in Senate Banking and Insurance) - **Requesting study the settlements and verdicts under WV Board of Risk and Insurance Management** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
53. By Sen. Boso, Swope, Clements, Facemire, Ihlenfeld, Jeffries, Lindsay, Maroney, Palumbo, Smith, Sypolt, Tarr and Woelfel (Originating in Senate Government Organization) - **Requesting study state's appraisal laws** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
54. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld, Woelfel and Trump (Originating in Senate Judiciary) - **Requesting study granting access to adoption records to adult adoptees** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019

55. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld, Woelfel and Trump (Originating in Senate Judiciary) - **Requesting study on price gouging during and after declaration of state of emergency in West Virginia** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
56. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Woelfel and Trump (Originating in Senate Judiciary) - **Requesting study of enacting laws clarifying definition of employee and independent contractor for unemployment compensation and workers' compensation** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
57. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld, Woelfel and Trump (Originating in Senate Judiciary) - **Requesting study state measures to strengthen and modernize protections for trade secrets and intellectual property** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
58. By Sen. Stollings, Maynard, Palumbo, Plymale, Roberts, Rucker, Tarr, Takubo, Weld and Maroney (Originating in Senate Health and Human Resources) - **Requesting study cost and benefits of placing AEDs in WV schools** - Introduced 3/8/2019 - Referred to Rules 3/8/2019 - Adopted by Senate 3/9/2019
59. By Sen. Stollings, Maynard, Palumbo, Plymale, Roberts, Rucker, Tarr, Takubo, Weld and Maroney (Originating in Senate Health and Human Resources) - **Requesting study of causes of increased incidents of black lung** - Introduced 3/8/2019 - Referred to Rules 3/8/2019 - Adopted by Senate 3/9/2019
60. By Sen. Rucker, Blair, Azinger, Cline, Maynard, Roberts and Trump (Originating in Senate Education) - **Requesting study of new model providing a thorough and efficient system of free schools** - Introduced 3/8/2019 - Referred to Rules 3/8/2019 - Adopted by Senate 3/9/2019
61. By Sen. Rucker, Blair, Azinger, Cline, Maynard, Plymale, Roberts, Stollings and Trump (Originating in Senate Education) - **Requesting study requiring county boards of education provide adequate mental health evaluations and services to students** - Introduced 3/8/2019 - Referred to Rules 3/8/2019 - Adopted by Senate 3/9/2019
62. By Sen. Sypolt, Clements, Swope, Beach, Boley, Boso, Jeffries, Mann, Plymale and Roberts - **Urging Congress allow vehicles traveling on interstates in WV have same maximum gross vehicle weight as vehicles traveling on US routes** - Introduced 3/8/2019 - Committee reference dispensed - Adopted by Senate 3/8/2019
63. By Sen. Palumbo, Plymale, Takubo, Stollings, Beach and Jeffries - **US Army PFC Earl Russell Cobb, SPC4 Carl Bradford Goodson and SSGT George T. Saunders, Jr., Memorial Bridge** - Introduced 3/9/2019 - Referred to Rules 3/9/2019

64. By Sen. Palumbo, Plymale, Jeffries, Stollings, Beach and Takubo - **US Marine Corps CPL Larry Scott Kennedy Memorial Bridge** - Introduced 3/9/2019 - Referred to Rules 3/9/2019
65. By Sen. Maynard - **Requesting study allowing retailers pay sales tax for consumer as means of advertising** - Introduced 3/9/2019 - Committee reference dispensed - Adopted by Senate 3/9/2019 - To House 3/9/2019 - To Rules - To House Rules 3/9/2019
66. By Sen. Blair, Mann, Sypolt, Boley, Facemire, Hamilton, Stollings, Tarr, Ihlenfeld, Prezioso, Maroney, Swope, Unger, Plymale, Palumbo, Roberts and Takubo (Originating in Senate Finance) - **Requesting study Joint Rules of House of Delegates and Senate to make operation more efficient** - Introduced 3/9/2019 - Adopted by Senate 3/9/2019

ALL SENATE RESOLUTIONS OFFERED

1. By Sen. Carmichael (Mr. President), Takubo and Prezioso - **Adopting rules of Senate** - Introduced 1/9/2019 - Committee reference dispensed - Adopted 1/9/2019
2. By Sen. Takubo - **Raising committee to notify House Senate has assembled** - Introduced 1/9/2019 - Committee reference dispensed - Adopted 1/9/2019
3. By Sen. Takubo - **Raising committee to notify Governor Legislature has assembled** - Introduced 1/9/2019 - Committee reference dispensed - Adopted 1/9/2019
4. By Sen. Blair - **Authorizing mailing of bills and journals** - Introduced 1/9/2019 - Committee reference dispensed - Adopted 1/9/2019
5. By Sen. Blair - **Authorizing appointment of Senate employees** - Introduced 1/9/2019 - Committee reference dispensed - Adopted 1/9/2019
6. By Sen. Smith, Sypolt, Cline, Lindsay, Plymale, Weld and Trump - **Recognizing service of Clifton E. Brooks, Sr., World War II veteran and member of Tuskegee Airmen** - Introduced 1/10/2019 - Committee reference dispensed - Adopted 1/10/2019
7. By Sen. Boley, Woelfel, Cline, Baldwin, Beach, Rucker and Prezioso - **Designating January 11, 2019 as Women and Girl's Day** - Introduced 1/11/2019 - Committee reference dispensed - Adopted 1/11/2019
8. By Sen. Plymale, Woelfel, Stollings, Boso, Sypolt, Maroney and Lindsay - **Designating January 14, 2019, as Marshall University Day at Capitol** - Introduced 1/14/2019 - Committee reference dispensed - Adopted 1/14/2019
9. By Sen. Smith, Sypolt, Plymale and Stollings - **Designating January 16, 2019, as Tucker County Day** - Introduced 1/16/2019 - Committee reference dispensed - Adopted 1/16/2019

10. By Sen. Clements, Maroney, Boley, Azinger, Stollings, Sypolt and Swope - **Congratulating Ritchie County High School boys' cross-country team 2018 Class AA/A state championship** - Introduced 1/17/2019 - Committee reference dispensed - Adopted 1/17/2019
11. By Sen. Jeffries, Lindsay, Stollings, Takubo, Sypolt, Maroney, Swope, Baldwin, Prezioso and Cline - **Designating January 21, 2019, as Down Syndrome Awareness Day** - Introduced 1/21/2019 - Committee reference dispensed - Adopted 1/21/2019
12. By Sen. Carmichael (Mr. President), Tarr, Stollings, Sypolt and Swope - **Congratulating Ripley High School girls' track team for winning 2018 Class AAA state championship** - Introduced 1/21/2019 - Committee reference dispensed - Adopted 1/22/2019
13. By Sen. Unger, Stollings, Sypolt and Prezioso - **Recognizing Leadership Berkeley** - Introduced 1/21/2019 - Committee reference dispensed - Adopted 1/21/2019
14. By Sen. Beach, Prezioso, Plymale, Baldwin, Stollings, Unger, Smith, Jeffries, Sypolt and Swope - **Celebrating achievements and contributions of Monongalia County** - Introduced 1/22/2019 - Committee reference dispensed - Adopted 1/22/2019
15. By Sen. Sypolt, Smith, Plymale, Baldwin, Stollings, Unger, Beach, Jeffries and Swope - **Designating January 22, 2019, as Preston County Day** - Introduced 1/22/2019 - Committee reference dispensed - Adopted 1/22/2019
16. By Sen. Stollings, Palumbo, Plymale, Beach, Jeffries, Sypolt, Swope, Baldwin and Hardesty - **Recognizing Daniel Boone VFW Post 5578 for service to community, state, and country** - Introduced 1/23/2019 - Committee reference dispensed - Adopted 1/23/2019
17. By Sen. Ihlenfeld, Sypolt, Woelfel, Palumbo, Plymale, Beach, Stollings, Hamilton, Unger, Takubo, Boso, Jeffries, Lindsay, Cline, Swope, Baldwin and Rucker - **Designating January 23, 2019, as Sexual and Domestic Violence Awareness Day** - Introduced 1/23/2019 - Committee reference dispensed - Adopted 1/23/2019
18. By Sen. Prezioso, Sypolt, Palumbo, Plymale, Beach, Stollings, Unger, Takubo, Jeffries, Swope and Baldwin - **Recognizing 20th anniversary of James "Tiger" Morton Catastrophic Illness Fund** - Introduced 1/23/2019 - Committee reference dispensed - Adopted 1/23/2019
19. By Sen. Blair, Unger, Beach, Sypolt, Palumbo, Plymale, Stollings, Hamilton, Takubo, Hardesty, Boso, Jeffries and Maynard - **Designating January 23, 2019, as West Virginia for Broadband Day at Capitol** - Introduced 1/23/2019 - Committee reference dispensed - Adopted 1/23/2019
20. By Sen. Prezioso, Beach, Sypolt, Smith, Clements, Maroney, Jeffries, Hardesty, Baldwin, Stollings, Hamilton, Palumbo, Unger, Boso, Swope, Cline and Facemire - **Designating January 24, 2019, as WVU and WVU Extension**

- Service Day at Legislature** - Introduced 1/24/2019 - Committee reference dispensed - Adopted 1/24/2019
21. By Sen. Beach, Baldwin, Stollings, Palumbo, Unger, Swope, Sypolt, Prezioso and Cline - **Designating January 24, 2019, as Human Resources Day at Capitol** - Introduced 1/24/2019 - Committee reference dispensed - Adopted 1/24/2019
22. By Sen. Rucker, Hamilton, Stollings, Maynard, Swope, Prezioso, Baldwin, Maroney and Beach - **Designating January 28, 2019, as Higher Education Day** - Introduced 1/28/2019 - Committee reference dispensed - Adopted 1/28/2019
23. By Sen. Stollings, Ihlenfeld, Facemire, Palumbo, Hardesty, Baldwin, Hamilton, Prezioso, Cline, Sypolt and Swope - **Designating January 30, 2019, as Cancer Survivorship Day** - Introduced 1/30/2019 - Committee reference dispensed - Adopted 1/30/2019
24. By Sen. Baldwin, Facemire, Palumbo, Hamilton, Stollings, Sypolt and Swope - **Congratulating D. Frank Masters for winning Conservation Farm of Year Award** - Introduced 1/30/2019 - Committee reference dispensed - Adopted 1/30/2019
25. By Sen. Tarr, Sypolt, Smith, Maroney, Plymale and Roberts - **Designating January 31, 2019, as West Virginia Homeschool Day** - Introduced 1/31/2019 - Committee reference dispensed - Adopted 1/31/2019
26. By Sen. Rucker, Swope, Boso and Palumbo - **Recognizing month of February as Turner Syndrome Awareness Month** - Introduced 2/1/2019 - Committee reference dispensed - Adopted 2/1/2019
27. By Sen. Takubo, Jeffries, Stollings, Baldwin, Plymale, Rucker, Palumbo, Cline, Maynard, Beach and Swope - **Designating February 5, 2019, as WV Alzheimer's Association Day** - Introduced 2/5/2019 - Committee reference dispensed - Adopted 2/5/2019
28. By Sen. Prezioso, Jeffries, Stollings, Baldwin, Plymale, Palumbo, Hardesty, Beach, Swope and Hamilton - **Commemorating life and career of Coach Joe Retton** - Introduced 2/5/2019 - Committee reference dispensed - Adopted 2/5/2019
29. By Sen. Prezioso, Jeffries, Stollings, Baldwin, Plymale, Beach, Swope and Hamilton - **Congratulating Doug Nuzum for winning Earle S. Dillard Insurance Agent of Year Award** - Introduced 2/5/2019 - Committee reference dispensed - Adopted 2/5/2019
30. By Sen. Weld, Palumbo, Hamilton, Stollings, Baldwin, Beach, Plymale, Sypolt, Swope, Jeffries and Maroney - **Recognizing Walking Miracles Family Foundation** - Introduced 2/6/2019 - Committee reference dispensed - Adopted 2/6/2019
31. By Sen. Maroney, Unger, Palumbo, Hamilton, Stollings, Baldwin, Beach, Romano, Prezioso, Plymale, Sypolt, Swope, Jeffries and Cline - **Designating**

- February 6, 2019, as Disability Advocacy Day** - Introduced 2/6/2019 - Committee reference dispensed - Adopted 2/6/2019
32. By Sen. Plymale, Woelfel, Unger, Palumbo, Stollings, Baldwin, Beach, Sypolt, Swope, Jeffries and Lindsay - **Congratulating Cabell Midland High School boys' cross-country team** - Introduced 2/6/2019 - Committee reference dispensed - Adopted 2/6/2019
33. By Sen. Weld, Stollings, Hamilton, Ihlenfeld, Jeffries, Romano, Beach, Cline, Swope, Lindsay and Maroney - **Designating February 7, 2019, as Veterans Visibility Day** - Introduced 2/7/2019 - Committee reference dispensed - Adopted 2/7/2019
34. By Sen. Takubo, Stollings, Hamilton, Ihlenfeld, Jeffries, Romano, Beach, Cline, Swope, Lindsay and Maroney - **Designating February 7, 2019, as Go Red for Women Day** - Introduced 2/7/2019 - Committee reference dispensed - Adopted 2/7/2019
35. By Sen. Romano, Facemire, Stollings, Hamilton, Jeffries, Beach, Swope, Lindsay and Maroney - **Recognizing Glenville State College and certain public school districts in WV** - Introduced 2/7/2019 - Committee reference dispensed - Adopted 2/7/2019
36. By Sen. Weld, Ihlenfeld, Rucker, Stollings, Hamilton, Lindsay, Swope, Jeffries, Beach, Maroney and Baldwin - **Recognizing Bethany College on 179th anniversary of charter** - Introduced 2/11/2019 - Committee reference dispensed - Adopted 2/11/2019
37. By Sen. Romano, Facemire, Stollings, Hamilton, Lindsay, Swope, Jeffries, Beach and Baldwin - **Congratulating John Cobb, Jr., for being named WV Outstanding Tree Farmer for 2019** - Introduced 2/11/2019 - Committee reference dispensed - Adopted 2/11/2019
38. By Sen. Palumbo, Jeffries, Lindsay, Unger, Plymale, Swope and Stollings - **Congratulating Herbert Hoover High School softball team for winning 2018 Class AA State Championship** - Introduced 2/12/2019 - Committee reference dispensed - Adopted 2/12/2019
39. By Sen. Cline, Romano and Stollings - **Urging US Congress allow states to move to permanent daylight saving time** - Introduced 2/12/2019 - To Government Organization
40. By Sen. Beach, Jeffries, Romano and Stollings - **Stating WV Senate affirms support of protections for consumers in Affordable Care Act** - Introduced 2/12/2019 - To Judiciary
41. By Sen. Jeffries, Lindsay, Ihlenfeld, Beach, Plymale, Stollings, Baldwin, Cline, Swope, Prezioso and Maroney - **Recognizing WV Kids Cancer Crusaders for dedication and commitment** - Introduced 2/13/2019 - Committee reference dispensed - Adopted 2/13/2019

42. By Sen. Smith, Sypolt, Boso, Swope and Maroney - **Recognizing importance of Atlantic Coast Pipeline** - Introduced 2/13/2019 - To Energy, Industry and Mining
43. By Sen. Takubo, Stollings, Jeffries, Baldwin, Beach, Palumbo, Hardesty, Unger, Plymale, Cline, Romano, Prezioso and Boso - **Designating February 14, 2019, as Tiny Hearts Day** - Introduced 2/14/2019 - Committee reference dispensed - Adopted 2/14/2019
44. By Sen. Carmichael (Mr. President), Jeffries, Stollings, Baldwin, Beach, Palumbo, Unger, Plymale, Cline, Prezioso, Rucker and Boso - **Designating February 14, 2019, as WV Arts Day** - Introduced 2/14/2019 - Committee reference dispensed - Adopted 2/14/2019
45. By Sen. Plymale, Jeffries, Stollings, Baldwin, Beach, Woelfel, Palumbo, Unger and Boso - **Recognizing Cabell Midland High School Marching Knight Band** - Introduced 2/14/2019 - Committee reference dispensed - Adopted 2/14/2019
46. By Sen. Clements, Palumbo, Hamilton, Ihlenfeld, Jeffries, Plymale, Unger, Stollings, Beach, Cline, Prezioso, Baldwin and Hardesty - **Designating February 15, 2019, as Corrections Day** - Introduced 2/15/2019 - Committee reference dispensed - Adopted 2/15/2019
47. By Sen. Plymale, Palumbo, Hardesty, Woelfel, Facemire, Jeffries, Unger, Stollings, Beach and Baldwin - **Congratulating Spring Valley High School volleyball team for winning 2018 Class AAA State Volleyball Championship** - Introduced 2/15/2019 - Committee reference dispensed - Adopted 2/15/2019
48. By Sen. Smith, Jeffries, Lindsay, Stollings, Swope and Maroney - **Designating February 18, 2019, as Pancreatic Cancer Awareness Day** - Introduced 2/18/2019 - Committee reference dispensed - Adopted 2/18/2019
49. By Sen. Rucker, Jeffries, Lindsay, Stollings and Swope - **Designating February 18, 2019, as Advanced Technology Center Day** - Introduced 2/18/2019 - Committee reference dispensed - Adopted 2/18/2019
50. By Sen. Prezioso, Jeffries, Lindsay, Stollings, Swope and Maroney - **Congratulating Fairmont Senior High School football team for winning 2018 Class AA state football championship** - Introduced 2/18/2019 - Committee reference dispensed - Adopted 2/18/2019
51. By Sen. Trump, Woelfel, Boso, Beach, Stollings, Takubo, Rucker, Lindsay, Baldwin, Palumbo, Jeffries, Romano, Hamilton, Plymale, Swope, Maroney and Prezioso - **Designating February 19, 2019, as Nurses' Policy Day** - Introduced 2/19/2019 - Committee reference dispensed - Adopted 2/19/2019
52. By Sen. Weld, Ihlenfeld, Prezioso, Hardesty, Stollings, Roberts, Jeffries, Lindsay, Sypolt, Romano, Swope, Baldwin, Hamilton and Plymale - **Recognizing WV State Police on its 100th Anniversary** - Introduced 2/20/2019 - Committee reference dispensed - Adopted 2/20/2019

53. By Sen. Stollings, Hardesty, Prezioso, Jeffries, Lindsay, Romano, Baldwin, Hamilton and Plymale - **Recognizing recent increase in black lung cases in WV** - Introduced 2/20/2019 - Committee reference dispensed - Adopted 2/20/2019
54. By Sen. Stollings, Hardesty, Prezioso, Jeffries, Lindsay, Romano, Baldwin, Hamilton and Plymale - **Recognizing WV Freedom Festival on its 20th Anniversary** - Introduced 2/20/2019 - Committee reference dispensed - Adopted 2/20/2019
55. By Sen. Clements, Baldwin, Plymale, Stollings, Beach, Jeffries, Palumbo and Sypolt - **Recognizing Mike Webb for more than 50 years of dedicated public service** - Introduced 2/21/2019 - Committee reference dispensed - Adopted 2/21/2019
56. By Sen. Blair, Takubo, Baldwin, Prezioso, Plymale, Stollings, Unger, Romano, Beach, Hamilton, Jeffries, Rucker, Tarr, Palumbo, Maynard, Swope, Lindsay, Roberts, Trump, Cline and Sypolt - **Reaffirming sister-state relationship between WV and Taiwan** - Introduced 2/21/2019 - Committee reference dispensed - Adopted 2/21/2019
57. By Sen. Jeffries, Lindsay, Palumbo, Takubo, Rucker, Plymale, Hamilton, Beach, Stollings, Romano, Roberts, Maynard, Hardesty, Baldwin and Swope - **Designating February 22, 2019, as WV State University Day** - Introduced 2/22/2019 - Committee reference dispensed - Adopted 2/22/2019
58. By Sen. Tarr, Jeffries and Plymale - **Congratulating Tylee Oldham for receiving 2019 Prudential Spirit of Community Award as Distinguished Finalist** - Introduced 2/22/2019 - Committee reference dispensed - Adopted 2/22/2019
59. By Sen. Romano, Facemire, Sypolt, Stollings, Swope, Hamilton, Maroney, Jeffries, Hardesty, Boso and Baldwin - **Designating February 25, 2019, as Civil Air Patrol Day at Legislature** - Introduced 2/25/2019 - Committee reference dispensed - Adopted 2/25/2019
60. By Sen. Unger, Rucker, Sypolt, Jeffries, Stollings and Hamilton - **Recognizing Leadership Jefferson** - Introduced 2/25/2019 - Committee reference dispensed - Adopted 2/25/2019
62. By Sen. Carmichael (Mr. President), Tarr, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld and Woelfel - **Memorializing life of Honorable R. Michael Shaw, Sr., former member of WV Senate** - Introduced 2/27/2019 - Committee reference dispensed - Adopted 2/27/2019
63. By Sen. Rucker, Hamilton, Stollings, Baldwin, Cline, Hardesty, Unger, Jeffries, Lindsay, Beach and Prezioso - **Recognizing Girl Scouts of Black Diamond Council** - Introduced 2/27/2019 - Committee reference dispensed - Adopted 2/27/2019

64. By Sen. Takubo, Rucker, Stollings, Beach, Lindsay, Hardesty, Cline and Plymale - **Designating February 28, 2019, as Rare Disease Day** - Introduced 2/28/2019 - Committee reference dispensed - Adopted 2/28/2019
65. By Sen. Carmichael (Mr. President), Hardesty, Lindsay, Jeffries, Palumbo, Smith, Boso, Beach, Hamilton, Stollings, Swope, Baldwin and Prezioso - **Designating month of March as American Red Cross Month** - Introduced 3/1/2019 - Committee reference dispensed - Adopted 3/1/2019
66. By Sen. Baldwin, Facemire, Lindsay, Smith, Jeffries, Palumbo, Beach, Hamilton, Stollings and Swope - **Congratulating Greenbrier West High School wrestling team for winning 2019 Class A State Championship** - Introduced 3/1/2019 - Committee reference dispensed - Adopted 3/1/2019
67. By Sen. Baldwin, Mann, Hamilton, Lindsay, Hardesty and Swope - **Recognizing WV School of Osteopathic Medicine** - Introduced 3/4/2019 - Committee reference dispensed - Adopted 3/4/2019
68. By Sen. Azinger, Boley, Carmichael (Mr. President), Tarr, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld and Woelfel - **Memorializing life of Honorable John Franklin Deem** - Introduced 3/5/2019 - Committee reference dispensed - Adopted 3/5/2019
69. By Sen. Palumbo, Takubo, Plymale, Hardesty, Unger, Boso, Stollings, Beach, Jeffries and Lindsay - **Congratulating George Washington High School Patriots boys' basketball team on winning 2018 Class AAA state championship** - Introduced 3/6/2019 - Committee reference dispensed - Adopted 3/8/2019
70. By Sen. Palumbo, Takubo, Plymale, Hardesty, Boso, Unger, Stollings, Beach, Jeffries and Lindsay - **Congratulating George Washington High School Patriots boys' swim team for winning 2018 State Championship** - Introduced 3/6/2019 - Committee reference dispensed - Adopted 3/6/2019
71. By Sen. Palumbo, Takubo, Plymale, Hardesty, Boso, Unger, Stollings, Beach, Jeffries and Lindsay - **Congratulating George Washington High School Patriots boys' soccer team for winning 2018 Class AAA State Championship** - Introduced 3/6/2019 - Committee reference dispensed - Adopted 3/6/2019
72. By Sen. Palumbo, Takubo, Plymale, Hardesty, Boso, Unger, Stollings, Beach, Jeffries and Lindsay - **Congratulating George Washington High School Patriots golf team for winning 2019 Class AAA State Championship** - Introduced 3/6/2019 - Committee reference dispensed - Adopted 3/6/2019
73. By Sen. Stollings, Hardesty, Jeffries, Palumbo, Beach, Lindsay, Baldwin and Sypolt - **Congratulating Boone Memorial Hospital for receiving five-star rating from Centers for Medicare and Medicaid Services** - Introduced 3/7/2019 - Committee reference dispensed - Adopted 3/7/2019

74. By Sen. Swope, Azinger, Clements, Hamilton, Hardesty, Maynard, Smith, Tarr, Woelfel, Palumbo, Roberts, Jeffries, Beach, Lindsay, Baldwin, Rucker, Cline, Sypolt and Stollings - **Designating March 7, 2019, as WV Aviation Day** - Introduced 3/7/2019 - Committee reference dispensed - Adopted 3/7/2019
75. By Sen. Carmichael (Mr. President), Tarr, Swope, Maynard, Woelfel, Cline, Sypolt and Plymale - **Expressing support for President Donald J. Trump to sign Appalachian Sky Executive Order** - Introduced 3/7/2019 - Committee reference dispensed - Adopted 3/8/2019
76. By Sen. Baldwin, Jeffries, Stollings, Beach and Hamilton - **Urging EPA and other environmental and health agencies assist residents of Minden, WV relocate due to long-term exposure to certain chemicals** - Introduced 3/9/2019 - Committee reference dispensed - Adopted 3/9/2019
77. By Sen. Palumbo, Plymale, Jeffries, Beach, Hardesty, Stollings, Hamilton, Takubo and Swope - **Urging President Donald J. Trump direct FEMA complete work to replace Clendenin Elementary and Herbert Hoover High School** - Introduced 3/9/2019 - Committee reference dispensed - Adopted 3/9/2019
78. By Sen. Sypolt, Clements, Swope, Beach, Boley, Boso, Jeffries, Mann, Plymale, Roberts, Azinger, Baldwin, Blair, Carmichael (Mr. President), Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Lindsay, Maroney, Maynard, Palumbo, Prezioso, Romano, Rucker, Smith, Stollings, Takubo, Tarr, Trump, Unger, Weld and Woelfel - **Urging Congress allow vehicles traveling on interstates in WV have same maximum gross vehicle weight as vehicles traveling on US routes** - Introduced 3/9/2019 - Committee reference dispensed - Adopted 3/9/2019
79. By Sen. Takubo - **Raising committee to notify House of Delegates Senate has adjourned sine die** - Introduced 3/9/2019 - Committee reference dispensed - Adopted 3/10/2019
80. By Sen. Takubo - **Raising committee to notify Governor Legislature has adjourned sine die** - Introduced 3/9/2019 - Committee reference dispensed - Adopted 3/10/2019

SENATE BILLS COMMUNICATED TO HOUSE

10. By Sen. Blair, Boso and Swope - **Relating to Second Chance Driver's License Program** - Introduced 1/9/2019 - To Finance - Passed Senate 1/16/2019 - To House 1/17/2019 - To Technology and Infrastructure then Finance - To House Finance 2/26/2019
11. By Sen. Blair and Boso - **Relating to retirement and pension benefits of certain PERS and Teachers Retirement System members who serve in Legislature** - Introduced 1/9/2019 - To Pensions then Finance - To Finance 2/14/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - To Finance
- *14. By Sen. Blair, Boso, Weld, Jeffries, Sypolt, Stollings, Cline and Lindsay - **Creating WV Farm-to-School Grant Program** - Introduced 1/9/2019 - To

Agriculture and Rural Development then Finance - Com. sub. reported 1/25/2019 - To Finance 1/25/2019 - Com. sub. for com. sub. reported 2/6/2019 - Passed Senate 2/11/2019 - To House 2/12/2019 - To Agriculture and Natural Resources then Finance - To House Finance 2/27/2019

- *19. By Sen. Blair, Boso, Cline, Jeffries, Lindsay, Baldwin and Stollings - **Relating to Senior Farmers Market Nutrition Program** (original similar to HB3033) - Introduced 1/9/2019 - To Agriculture and Rural Development then Finance - To Finance 1/24/2019 - Com. sub. reported 2/6/2019 - Passed Senate 2/11/2019 - Effective from passage - To House 2/12/2019 - To Agriculture and Natural Resources then Finance - To House Finance 2/28/2019
24. By Sen. Blair, Baldwin, Takubo and Sypolt - **Relating generally to local boards of health** (original similar to HB2950) - Introduced 1/9/2019 - To Finance - Passed Senate 1/16/2019 - To House 1/17/2019 - To Political Subdivisions then Finance - To House Finance 2/27/2019
- *29. By Sen. Blair, Plymale, Stollings, Boso, Jeffries and Swope - **Creating ten-year tax credits for businesses locating on post-coal mine sites** - Introduced 1/9/2019 - To Economic Development then Finance - To Finance 1/17/2019 - Com. sub. reported 2/14/2019 - Passed Senate 2/19/2019 - To House 2/19/2019 - To Small Business, Entrepreneurship and Economic Development then Finance
47. By Sen. Smith, Sypolt and Swope - **Providing wind power projects be taxed at real property rate** (original similar to SB20) - Introduced 1/9/2019 - To Finance - Passed Senate 2/13/2019 - To House 2/14/2019 - To Government Organization then Energy
- *55. By Sen. Boso and Jeffries - **Relating to driving privileges and requirements for persons under 18** - Introduced 1/9/2019 - To Transportation and Infrastructure then Judiciary - To Judiciary 1/16/2019 - Com. sub. reported 1/23/2019 - Passed Senate 1/28/2019 - To House 1/29/2019 - To Technology and Infrastructure then Judiciary
- *62. By Sen. Weld and Clements - **Requiring participation in drug court program before discharge of certain first-time drug offenses** (original similar to HB2922) - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 1/17/2019 - Passed Senate 1/22/2019 - To House 1/23/2019 - To Prevention and Treatment of Substance Abuse then Judiciary - To House Judiciary 2/1/2019
63. By Sen. Weld - **Relating to partial filling of prescriptions** - Introduced 1/9/2019 - To Health and Human Resources then Judiciary - To Judiciary 1/18/2019 - Passed Senate with amended title 1/29/2019 - To House 1/30/2019 - To Prevention and Treatment of Substance Abuse then Judiciary - To House Judiciary 2/8/2019
- *66. By Sen. Swope - **Prohibiting certain misleading lawsuit advertising practices** (original similar to HB2671) - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 2/11/2019 - Senate reconsidered action - Passed Senate 2/15/2019 - To House 2/18/2019 - To Judiciary

- *74. By Sen. Cline - **Exempting nonpaid volunteers at ski areas from workers' compensation benefits** - Introduced 1/9/2019 - To Banking and Insurance then Judiciary - Com. sub. reported 2/5/2019 - To Judiciary 2/5/2019 - Passed Senate 2/14/2019 - To House 2/15/2019 - To Banking and Insurance then Judiciary
- *86. By Sen. Beach, Jeffries and Lindsay - **Requiring county boards provide free feminine hygiene products in grades five to 12** (original similar to HB2464) - Introduced 1/9/2019 - To Health and Human Resources then Finance - Com. sub. reported 2/15/2019 - To Finance 2/15/2019 - Com. sub. for com. sub. reported 2/20/2019 - Amended - Passed Senate with amended title 2/23/2019 - To House 2/25/2019 - To Education then Finance
- *102. By Sen. Trump - **Relating generally to powers and authority of courthouse security officers** - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 1/25/2019 - Passed Senate 1/30/2019 - To House 1/31/2019 - To Judiciary
- *105. By Sen. Woelfel - **Creating offense of impaired operation of motor vehicle placing nonpassengers at risk of physical injury** (original similar to HB2822) - Introduced 1/9/2019 - To Transportation and Infrastructure then Judiciary - To Judiciary 1/30/2019 - Com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Judiciary
- *106. By Sen. Facemire - **Alleviating double taxation on foreign income at state level** - Introduced 1/9/2019 - To Finance - Com. sub. reported 1/11/2019 - Passed Senate 1/16/2019 - Effective July 1, 2019 - To House 1/17/2019 - To Small Business, Entrepreneurship and Economic Development then Finance - To House Finance 2/15/2019
- *117. By Sen. Palumbo - **Relating to incentives for consolidating local governments** - Introduced 1/9/2019 - To Government Organization then Finance - To Finance 2/1/2019 - Com. sub. reported 2/14/2019 - Passed Senate 2/19/2019 - To House 2/19/2019 - To Government Organization then Finance
- *124. By Sen. Clements, Weld and Baldwin - **Creating felony offense for actions of cruelty to animals which causes serious injury or death of animal** - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 1/23/2019 - Passed Senate 1/28/2019 - To House 1/29/2019 - To Judiciary - On 1st reading, House Calendar 3/7/2019 - On 1st reading, House Calendar 3/9/2019
- *127. By Sen. Trump - **Relating to parole officers' duties to perform alcohol and drug testing of litigants** - Introduced 1/9/2019 - To Judiciary - Com. sub. reported 2/4/2019 - Passed Senate 2/7/2019 - To House 2/8/2019 - To Judiciary
149. By Sen. Azinger and Weld - **Exempting certain veterans from concealed weapons license fees** (original similar to HB2672) - Introduced 1/9/2019 - To Military then Finance - To Finance 1/16/2019 - Passed Senate 1/30/2019 - To House 1/31/2019 - To Judiciary then Finance
233. By Sen. Hamilton and Cline - **Relating to age requirements for deputy sheriff** - Introduced 1/10/2019 - To Government Organization - Passed Senate 2/1/2019 - To House 2/4/2019 - To Government Organization - Amended - On 3rd reading, House Calendar 3/8/2019 - On 3rd reading, House Calendar 3/9/2019

- *236. By Sen. Lindsay, Jeffries and Baldwin - **Providing notice of eligibility to persons to vote after completion of punishment or pardon** - Introduced 1/10/2019 - To Judiciary - Com. sub. reported 1/24/2019 - Passed Senate 1/29/2019 - To House 1/30/2019 - To Judiciary
- *243. By Sen. Weld - **Requiring racetrack participate in WV Thoroughbred Development Fund** - Introduced 1/10/2019 - To Finance - Com. sub. reported 1/25/2019 - Passed Senate 1/30/2019 - To House 1/31/2019 - To Finance
- *248. By Sen. Weld and Cline - **Creating Prosecuting Attorney's Detectives Act** (original similar to HB2444) - Introduced 1/10/2019 - To Judiciary then Finance - Com. sub. reported 2/22/2019 - 2nd reference dispensed - Amended - Passed Senate with amended title 2/26/2019 - To House 2/27/2019 - To Judiciary
- *249. By Sen. Weld - **Relating to administration of estates and trusts** - Introduced 1/10/2019 - To Judiciary - Com. sub. reported 2/22/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Judiciary
- *253. By Sen. Jeffries, Lindsay, Baldwin, Beach and Hamilton - **Protecting consumers from automatic purchase renewal and continuous service offers** - Introduced 1/11/2019 - To Judiciary - Com. sub. reported 1/21/2019 - Passed Senate 1/25/2019 - To House 1/28/2019 - To Judiciary
256. By Sen. Weld, Cline, Baldwin, Tarr, Clements and Maroney - **Allowing certain deductions from individual personal income tax refunds** - Introduced 1/11/2019 - To Military then Finance - To Finance 1/16/2019 - Passed Senate 1/31/2019 - To House 2/1/2019 - To Finance
- *258. By Sen. Trump and Tarr - **Establishing common law "veil piercing" claims not be used to impose personal liability** - Introduced 1/11/2019 - To Judiciary - Com. sub. reported 1/22/2019 - Amended - Passed Senate 1/30/2019 - To House 1/31/2019 - To Judiciary
- *259. By Sen. Sypolt, Azinger, Beach, Boso, Clements, Hamilton, Maynard, Rucker, Smith, Stollings, Woelfel, Cline, Jeffries, Tarr and Maroney - **Expanding Coyote Control Program** (original similar to SB75) - Introduced 1/11/2019 - To Agriculture and Rural Development then Finance - To Finance 1/24/2019 - Com. sub. reported 2/13/2019 - Passed Senate 2/18/2019 - To House 2/19/2019 - To Agriculture and Natural Resources then Finance - To House Finance 2/28/2019
- *263. By Sen. Prezioso, Woelfel, Baldwin, Sypolt, Jeffries, Maroney and Lindsay - **Limiting number of days legislators may be compensated during extended and extraordinary sessions if budget bill not enacted** (original similar to HB2147, HB2172) - Introduced 1/11/2019 - To Finance - Com. sub. reported 2/5/2019 - Passed Senate 2/8/2019 - To House 2/11/2019 - To Finance
- *266. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Creating Intermediate Court of Appeals and WV Appellate Review Organization Act of 2019** (original similar to HB2366) - Introduced 1/11/2019 - To Judiciary then Finance - Com. sub. reported 1/29/2019 - To Finance 1/29/2019 - Com. sub. for com. sub. reported 2/12/2019 - Passed Senate 2/18/2019 - To House 2/19/2019 - To Judiciary then Finance

296. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries and Smith - **Providing 11-month window to permit members of PERS to purchase credited service** (original similar to SB122) - Introduced 1/14/2019 - To Pensions then Finance - To Finance 1/17/2019 - Passed Senate 2/13/2019 - To House 2/14/2019 - To Pensions and Retirement then Finance
297. By Sen. Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Smith, Sypolt, Cline, Trump, Roberts, Tarr, Lindsay and Baldwin - **Extending expiration of military members' spouses' driver's license** (original similar to HB2784) - Introduced 1/14/2019 - To Military then Finance - To Finance 1/16/2019 - Passed Senate 1/31/2019 - To House 2/1/2019 - To Technology and Infrastructure then Finance - To House Finance 3/2/2019
- *326. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Reorganizing state agencies involved in emergency and disaster planning** (original similar to HB2482) - Introduced 1/16/2019 - To Government Organization then Finance - Com. sub. reported 2/15/2019 - 2nd reference dispensed - Referred to Rules on 2nd reading 2/19/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Government Organization then Finance
331. By Sen. Maynard, Cline and Smith - **Using leashed dogs to track mortally wounded deer or bear** - Introduced 1/16/2019 - To Natural Resources - Passed Senate 2/1/2019 - Effective from passage - To House 2/4/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/13/2019
332. By Sen. Maynard and Cline - **Relating to Class Q special hunting permit for disabled persons** - Introduced 1/16/2019 - To Natural Resources - Passed Senate 2/1/2019 - Effective from passage - To House 2/4/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/13/2019
333. By Sen. Maynard, Boso, Sypolt and Tarr - **Exempting automobiles 25 years or older from personal property taxes** - Introduced 1/16/2019 - To Transportation and Infrastructure then Finance - To Finance 1/23/2019 - Passed Senate 2/19/2019 - Effective July 1, 2019 - To House 2/19/2019 - To Technology and Infrastructure then Finance
- *339. By Sen. Rucker, Azinger, Boso, Cline, Maynard, Sypolt, Tarr, Swope and Roberts - **Allowing certain persons carry pepper spray in State Capitol Complex** (original similar to SB338) - Introduced 1/17/2019 - To Judiciary - Com. sub. reported 2/11/2019 - Passed Senate 2/14/2019 - Effective from passage - To House 2/15/2019 - To Judiciary
343. By Sen. Carmichael (Mr. President) and Prezioso - **Relating to review and approval of state property leases** (original similar to HB2601) - Introduced 1/18/2019 - To Government Organization - Amended - Passed Senate 2/8/2019 - To House 2/11/2019 - To Government Organization
346. By Sen. Carmichael (Mr. President) and Prezioso - **Changing rate which certain judges are paid for mileage when traveling within state** (original similar to HB2566) - Introduced 1/18/2019 - To Finance - Passed Senate 2/8/2019 - To House 2/11/2019 - To Finance

- *348. By Sen. Takubo, Maroney, Prezioso, Stollings, Jeffries, Woelfel, Ihlenfeld, Baldwin and Cline - **Relating to tobacco usage restrictions** (original similar to SB81) - Introduced 1/18/2019 - To Health and Human Resources then Judiciary - Com. sub. reported 2/13/2019 - To Judiciary 2/13/2019 - Com. sub. for com. sub. reported 2/23/2019 - Amended - Passed Senate with amended title 2/27/2019 - To House 2/28/2019 - To Health and Human Resources then Judiciary
- *361. By Sen. Trump - **Relating to Public Defender Services** - Introduced 1/21/2019 - To Judiciary - Com. sub. reported 1/30/2019 - Passed Senate 2/4/2019 - Effective from passage - To House 2/5/2019 - To Judiciary
- *379. By Sen. Maynard, Azinger, Cline, Roberts, Tarr, Maroney and Hamilton - **Permitting county board of education to include faith-based electives in drug prevention programs** - Introduced 1/21/2019 - To Education - Com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Education
- *383. By Sen. Clements, Sypolt and Cline - **Creating WV Healthy Food Crop Block Grant Program** - Introduced 1/21/2019 - To Agriculture and Rural Development then Finance - Com. sub. reported 2/15/2019 - To Finance 2/15/2019 - Com. sub. for com. sub. reported 2/20/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - To Finance
- *389. By Sen. Maynard, Beach, Cline and Hamilton - **Allowing developmentally disabled person purchase base hunting license** (original similar to HB2791) - Introduced 1/22/2019 - To Natural Resources - Com. sub. reported 1/30/2019 - Amended - Passed Senate 2/4/2019 - Effective from passage - To House 2/5/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/13/2019
- *390. By Sen. Maynard, Tarr, Plymale, Cline and Sypolt - **Requiring electric utilities submit feasibility studies of constructing and operating middle-mile broadband internet projects** - Introduced 1/22/2019 - To Economic Development - Com. sub. reported 1/25/2019 - Passed Senate 2/1/2019 - Effective from passage - To House 2/4/2019 - To Technology and Infrastructure then Judiciary
- *392. By Sen. Weld and Clements - **Relating to payment of invoices received by Division of Corrections and Rehabilitation for contract work** - Introduced 1/22/2019 - To Government Organization - Com. sub. reported 2/1/2019 - Passed Senate 2/7/2019 - To House 2/8/2019 - To Government Organization - On 3rd reading, House Calendar 3/9/2019
399. By Sen. Trump, Stollings and Beach - **Relating to compensation for senior magistrates** - Introduced 1/23/2019 - To Judiciary then Finance - 2nd reference dispensed - Passed Senate 2/4/2019 - Effective from passage - To House 2/5/2019 - To Judiciary then Finance
- *414. By Sen. Azinger, Cline, Maynard, Tarr and Boso - **Creating Protect Our Right to Unite Act** - Introduced 1/24/2019 - To Judiciary - Com. sub. reported 2/25/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Judiciary

- *415. By Sen. Azinger, Cline, Maynard and Tarr - **Creating Timber Cotenancy Modernization and Majority Protection Act and Unknown and Unlocatable Timber Interest Owners Act** - Introduced 1/24/2019 - To Judiciary - Com. sub. reported 2/20/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - To Judiciary
432. By Sen. Sypolt and Boso - **Enacting Recognition of Emergency Medical Services Personnel Licensure Interstate Compact** (original similar to HB2729) - Introduced 1/25/2019 - To Government Organization - Passed Senate 2/25/2019 - To House 2/26/2019 - To Government Organization
- *451. By Sen. Rucker, Blair, Azinger, Boley, Cline, Maynard, Roberts and Trump (Originating in Senate Education) - **Comprehensive education reform** - Introduced 1/28/2019 - Motion to refer bill to Committee of the Whole adopted - Com. sub. reported 1/31/2019 - Amended - Passed Senate with amended title 2/4/2019 - To House 2/5/2019 - Motion to postpone indefinitely tabled - To Education then Finance - To House Finance 2/11/2019 - Amended - Passed House 2/14/2019 - Title amended - Amendment to House amendment adopted - Passed Senate 2/18/2019 - Motion to postpone indefinitely adopted
- *467. By Sen. Boso, Roberts and Cline - **Clarifying PSC jurisdiction over water and sewer utilities** (original similar to HB2946) - Introduced 1/29/2019 - To Government Organization - Com. sub. reported 2/25/2019 - Amended - Passed Senate 2/27/2019 - To House 2/28/2019 - To Judiciary
472. By Sen. Sypolt and Baldwin - **Exempting retirement income of certain uniformed services members from state income tax** (original similar to HB2058) - Introduced 1/30/2019 - To Pensions then Finance - To Finance 2/21/2019 - Passed Senate 2/26/2019 - Effective July 1, 2019 - To House 2/27/2019 - To Finance
- *512. By Sen. Jeffries, Weld, Boso and Lindsay - **Regulating pawnbrokers** - Introduced 2/4/2019 - To Judiciary - Com. sub. reported 2/14/2019 - Amended - Passed Senate with amended title 2/20/2019 - To House 2/20/2019 - To Judiciary
- *516. By Sen. Boso, Swope and Maroney - **Relating to attorney fees in subsidized adoptions** (original similar to SB504) - Introduced 2/4/2019 - To Judiciary - Com. sub. reported 2/12/2019 - Passed Senate 2/15/2019 - To House 2/18/2019 - To Judiciary
- *530. By Sen. Trump - **Relating to state employee merit system** (original similar to HB2844) - Introduced 2/5/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Amended - Passed Senate 2/27/2019 - To House 2/28/2019 - To Judiciary
535. By Sen. Hamilton - **Allowing City of Buckhannon begin collecting sales and service and use tax on July 1, 2019** - Introduced 2/6/2019 - To Finance - Passed Senate 2/25/2019 - Effective from passage - To House 2/26/2019 - To Finance - On 2nd reading, House Calendar 3/9/2019
542. By Sen. Clements, Swope, Beach, Plymale and Roberts (Originating in Senate Transportation and Infrastructure) - **Relating to registration fees for military-related special registration plates** - Introduced 2/6/2019 - Passed Senate

2/11/2019 - To House 2/12/2019 - To Technology and Infrastructure then Finance - To House Finance 2/26/2019

- *547. By Sen. Maynard, Beach, Cline and Swope - **Limiting landowner liability for recreational use of lands** - Introduced 2/7/2019 - To Judiciary - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Judiciary
- *553. By Sen. Lindsay, Jeffries, Stollings and Beach - **Relating to federal funds for land-grant institutions** - Introduced 2/7/2019 - To Education then Finance - Com. sub. reported 2/13/2019 - To Finance 2/13/2019 - Passed Senate 2/20/2019 - Effective July 1, 2019 - To House 2/20/2019 - To Education then Finance - To House Finance 3/2/2019
555. By Sen. Rucker, Blair, Trump, Unger and Boso - **Relating to authority of Higher Education Policy Commission** - Introduced 2/8/2019 - To Government Organization - Passed Senate 2/27/2019 - To House 2/28/2019 - To Education
- *563. By Sen. Trump, Woelfel, Plymale, Boso and Rucker - **Prohibiting sexual assault victim be subjected to certain physical examinations** - Introduced 2/8/2019 - To Judiciary - Com. sub. reported 2/12/2019 - Passed Senate 2/15/2019 - Effective from passage - To House 2/18/2019 - To Judiciary
- *574. By Sen. Maroney and Stollings - **Permitting authorized physician order involuntary hospitalization of individual if physician believes addicted or mentally ill** - Introduced 2/12/2019 - To Health and Human Resources then Judiciary - Com. sub. reported 2/22/2019 - On 2nd reading to Judiciary 2/22/2019 - Com. sub. for com. sub. reported 2/25/2019 - Amended - Passed Senate 2/27/2019 - To House 2/28/2019 - To Health and Human Resources then Judiciary - To House Judiciary 3/2/2019
- *585. By Sen. Weld, Ihlenfeld, Lindsay, Woelfel, Boso, Palumbo, Romano, Plymale, Prezioso and Tarr - **Relating to criminal offenses of stalking and harassment generally** - Introduced 2/12/2019 - To Judiciary - Com. sub. reported 2/20/2019 - Passed Senate 2/23/2019 - To House 2/25/2019 - To Judiciary
590. By Sen. Maynard, Mann, Rucker, Smith, Sypolt and Cline (Originating in Senate Natural Resources) - **Permitting guided bear hunts by licensed outfitters and guides** - Introduced 2/12/2019 - Passed Senate 2/15/2019 - Effective from passage - To House 2/18/2019 - To Agriculture and Natural Resources then Judiciary
592. By Sen. Blair, Cline and Sypolt - **Providing for collection of hotel occupancy tax by marketplace facilitators** - Introduced 2/13/2019 - To Finance - Passed Senate 2/25/2019 - Effective July 1, 2019 - To House 2/26/2019 - To Government Organization then Finance
- *615. By Sen. Trump, Plymale and Boso - **Providing ongoing mechanism for county commissioners to allow compensation increases for elected officials every**

- two years** (original similar to HB2995, HB3088) - Introduced 2/14/2019 - To Government Organization - Com. sub. reported 2/22/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Government Organization then Finance - To House Finance 3/4/2019
- *637. By Sen. Blair - **Relating to revocation, cancellation, or suspension of business registration certificates** - Introduced 2/18/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Passed Senate 2/27/2019 - Effective July 1, 2019 - To House 2/28/2019 - To Judiciary
- *642. By Sen. Maroney, Azinger, Rucker, Takubo, Trump and Roberts - **Providing options in living wills and combined medical powers of attorney and living wills** - Introduced 2/18/2019 - To Judiciary - Com. sub. reported 2/23/2019 - Passed Senate 2/26/2019 - To House 2/27/2019 - To Judiciary
- *651. By Sen. Maynard (By Request) - **Relating to DNR ability to enter into certain contracts** - Introduced 2/18/2019 - To Natural Resources - Com. sub. reported 2/23/2019 - Passed Senate 2/26/2019 - Effective from passage - To House 2/27/2019 - To Judiciary
- *654. By Sen. Azinger - **Amending definition of "mortgage loan originator"** - Introduced 2/18/2019 - To Banking and Insurance - Com. sub. reported 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Judiciary
665. By Sen. Smith (Originating in Senate Energy, Industry and Mining) - **Allowing for expedited oil and gas well permitting** - Introduced 2/21/2019 - Passed Senate 2/25/2019 - Effective from passage - To House 2/26/2019 - To Energy - Amended - Passed House 3/8/2019 - Effective from passage - Senate amended House amendment and passed 3/9/2019 - Effective from passage - House refused to concur and requested Senate to recede 3/9/2019 - Senate refused to recede 3/9/2019
666. By Sen. Maynard (Originating in Senate Economic Development) - **Creating WV Motorsports Entertainment Complex Investment Act** - Introduced 2/21/2019 - Passed Senate 2/25/2019 - To House 2/26/2019 - To Finance
671. By Sen. Boso, Swope, Clements, Facemire, Ihlenfeld, Jeffries, Lindsay, Maroney, Palumbo, Smith, Sypolt and Tarr (Originating in Senate Government Organization) - **Eliminating State Fire Marshal report on transfer of authority and responsibility of providing fire service to counties** - Introduced 2/23/2019 - Passed Senate 2/27/2019 - To House 2/28/2019 - To Government Organization
674. By Sen. Blair, Hamilton, Maroney, Roberts, Swope, Sypolt, Tarr, Facemire, Palumbo, Plymale and Stollings (Originating in Senate Finance) - **Supplemental appropriation to Division of Human Services** - Introduced 2/25/2019 - Passed Senate 2/27/2019 - Effective from passage - To House 2/28/2019 - To Finance

SENATE JOINT RESOLUTIONS COMMUNICATED TO HOUSE

- *5. By Sen. Trump and Boso - **Clarification of the Judiciary's Role in Impeachment Proceedings Amendment** - Introduced 1/9/2019 - To Judiciary then Finance - Com. sub. reported 2/6/2019 - Adopted by Senate 2/11/2019 - To House 2/12/2019 - To Finance then Judiciary - To House Judiciary - Amended - House rejected 3/9/2019

SENATE CONCURRENT RESOLUTIONS COMMUNICATED TO HOUSE

- *7. By Sen. Sypolt, Baldwin, Cline and Smith - **Urging Congress provide exceptions to weight limits on interstate** - Introduced 1/11/2019 - To Transportation and Infrastructure - Com. sub. reported 2/13/2019 - Adopted by Senate 2/14/2019 - To House 2/15/2019 - To Technology and Infrastructure then Rules - To House Technology and Infrastructure 2/15/2019
11. By Sen. Clements, Roberts, Rucker, Palumbo, Jeffries, Woelfel, Plymale, Swope, Boso, Unger, Sypolt, Stollings, Romano, Beach, Blair, Baldwin, Smith, Cline, Prezioso, Lindsay and Hamilton - **Urging Congress pass fully funded long-term surface transportation and infrastructure measures** - Introduced 1/18/2019 - Committee reference dispensed - Adopted by Senate 1/18/2019 - To House 1/21/2019 - To Technology and Infrastructure then Rules
- *27. By Sen. Tarr, Boley, Clements, Cline, Hamilton, Maynard, Roberts, Rucker, Smith, Sypolt, Takubo, Stollings, Jeffries, Maroney and Baldwin - **Requesting study supply or shortage of drivers with CDLs** - Introduced 2/11/2019 - To Transportation and Infrastructure - Com. sub. reported 2/27/2019 - Adopted by Senate 2/28/2019 - To House 3/1/2019 - To Technology and Infrastructure then Rules - To House Technology and Infrastructure 3/1/2019
39. By Sen. Trump, Baldwin, Swope, Plymale, Stollings, Ihlenfeld, Maroney and Rucker - **Requesting creation of Joint Select Committee on Requirements Governing Water Quality Standards** - Introduced 2/19/2019 - To Rules - Adopted by Senate 2/28/2019 - To House 3/1/2019 - To Judiciary then Rules - To House Rules 3/8/2019
41. By Sen. Lindsay, Azinger, Facemire, Hardesty, Ihlenfeld, Jeffries, Palumbo, Plymale, Prezioso, Romano, Stollings, Takubo, Unger, Woelfel, Baldwin, Hamilton and Maroney - **Requesting study creating paid family and medical leave insurance program** - Introduced 2/19/2019 - To Health and Human Resources then Rules - To Rules 3/5/2019 - Adopted by Senate 3/9/2019
48. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld and Trump (Originating in Senate Judiciary) - **Requesting study of eliminating use of subminimum wage for people with intellectual, developmental, or other disabilities** - Introduced 2/28/2019 - Referred to Rules 2/28/2019 - To Rules 3/5/2019 - Senate reconsidered action - Adopted by Senate 3/5/2019 - To House 3/5/2019 - To Judiciary then Rules

50. By Sen. Maynard, Mann, Beach, Cline, Facemire, Hamilton, Hardesty, Prezioso, Roberts, Rucker, Smith, Stollings and Sypolt (Originating in Senate Natural Resources) - **Requesting study requiring purchasers of roundwood collect information from sellers of roundwood** - Introduced 3/6/2019 - Referred to Rules 3/6/2019 - Adopted by Senate 3/9/2019
51. By Sen. Maroney, Takubo, Jeffries, Beach, Rucker and Stollings - **Requesting study relating to creation of long-term care medical review panels** - Introduced 3/7/2019 - Adopted by Senate 3/9/2019
52. By Sen. Azinger (Originating in Senate Banking and Insurance) - **Requesting study the settlements and verdicts under WV Board of Risk and Insurance Management** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
53. By Sen. Boso, Swope, Clements, Facemire, Ihlenfeld, Jeffries, Lindsay, Maroney, Palumbo, Smith, Sypolt, Tarr and Woelfel (Originating in Senate Government Organization) - **Requesting study state's appraisal laws** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
54. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld, Woelfel and Trump (Originating in Senate Judiciary) - **Requesting study granting access to adoption records to adult adoptees** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
55. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld, Woelfel and Trump (Originating in Senate Judiciary) - **Requesting study on price gouging during and after declaration of state of emergency in West Virginia** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
56. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Woelfel and Trump (Originating in Senate Judiciary) - **Requesting study of enacting laws clarifying definition of employee and independent contractor for unemployment compensation and workers' compensation** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
57. By Sen. Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld, Woelfel and Trump (Originating in Senate Judiciary) - **Requesting study state measures to strengthen and modernize protections for trade secrets and intellectual property** - Introduced 3/7/2019 - Referred to Rules 3/7/2019 - Adopted by Senate 3/9/2019
58. By Sen. Stollings, Maynard, Palumbo, Plymale, Roberts, Rucker, Tarr, Takubo, Weld and Maroney (Originating in Senate Health and Human Resources) - **Requesting study cost and benefits of placing AEDs in WV schools** - Introduced 3/8/2019 - Referred to Rules 3/8/2019 - Adopted by Senate 3/9/2019

59. By Sen. Stollings, Maynard, Palumbo, Plymale, Roberts, Rucker, Tarr, Takubo, Weld and Maroney (Originating in Senate Health and Human Resources) - **Requesting study of causes of increased incidents of black lung** - Introduced 3/8/2019 - Referred to Rules 3/8/2019 - Adopted by Senate 3/9/2019
60. By Sen. Rucker, Blair, Azinger, Cline, Maynard, Roberts and Trump (Originating in Senate Education) - **Requesting study of new model providing a thorough and efficient system of free schools** - Introduced 3/8/2019 - Referred to Rules 3/8/2019 - Adopted by Senate 3/9/2019
61. By Sen. Rucker, Blair, Azinger, Cline, Maynard, Plymale, Roberts, Stollings and Trump (Originating in Senate Education) - **Requesting study requiring county boards of education provide adequate mental health evaluations and services to students** - Introduced 3/8/2019 - Referred to Rules 3/8/2019 - Adopted by Senate 3/9/2019
62. By Sen. Sypolt, Clements, Swope, Beach, Boley, Boso, Jeffries, Mann, Plymale and Roberts - **Urging Congress allow vehicles traveling on interstates in WV have same maximum gross vehicle weight as vehicles traveling on US routes** - Introduced 3/8/2019 - Committee reference dispensed - Adopted by Senate 3/8/2019
65. By Sen. Maynard - **Requesting study allowing retailers pay sales tax for consumer as means of advertising** - Introduced 3/9/2019 - Committee reference dispensed - Adopted by Senate 3/9/2019 - To House 3/9/2019 - To Rules - To House Rules 3/9/2019
66. By Sen. Blair, Mann, Sypolt, Boley, Facemire, Hamilton, Stollings, Tarr, Ihlenfeld, Prezioso, Maroney, Swope, Unger, Plymale, Palumbo, Roberts and Takubo (Originating in Senate Finance) - **Requesting study Joint Rules of House of Delegates and Senate to make operation more efficient** - Introduced 3/9/2019 - Adopted by Senate 3/9/2019

HOUSE BILLS COMMUNICATED TO SENATE

- *2001. By Del. Harshbarger, Martin, P., McGeehan, Atkinson, Storch, Pack, Rowan, Hollen, Mandt, Kelly, J. and Sypolt - **Relating to exempting social security benefits from personal income tax** (original similar to HB2220) - Introduced 1/11/2019 - To Finance - Passed House 2/1/2019 - To Senate 2/4/2019 - To Finance - Amended - Passed Senate with amended title 3/7/2019 - House concurred in Senate amendment 3/9/2019 - Passed House 3/9/2019 - To Governor 3/21/19 - Approved by Governor 3/27/19 - Chapter 248, Acts, Regular Session, 2019
- *2004. By Del. Espinosa, Graves, Harshbarger, Foster, Worrell, Hanna, Dean, Sypolt, Hamrick and Howell - **Providing for a program of instruction in workforce preparedness** - Introduced 1/14/2019 - To Education - Passed House 2/5/2019 - To Senate 2/6/2019 - To Education - Amended - Passed Senate with amended title 3/8/2019 - House concurred in Senate amendment and passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 97, Acts, Regular Session, 2019

- *2005. By Del. Linville, Hanna, Anderson, Hollen, Jeffries, D., Sypolt, Hardy, Fast, Maynard, Phillips and Rowan - **Broadband Expansion Act of 2019** - Introduced 1/14/2019 - To Technology and Infrastructure then Judiciary - To House Judiciary 1/17/2019 - Amendments pending - Amended - Passed House 1/28/2019 - Title amended - To Senate 1/29/2019 - To Government Organization then Finance - To Government Organization 1/29/2019
2009. By Del. Hamrick, Dean, Phillips, Cadle, Porterfield, Wilson, Jennings, Cooper and Espinosa - **Creating a new category of Innovation in Education grant program** - Introduced 1/15/2019 - To Education - Passed House 1/25/2019 - To Senate 1/28/2019 - To Education - Referred to Finance 2/27/2019 - Amended - Passed Senate 3/6/2019 - House refused to concur and requested Senate to recede 3/6/2019 - Senate receded and passed 3/7/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 98, Acts, Regular Session, 2019
- *2010. By Del. Kessinger, Ellington, Hill, Summers, Pack, Storch, Rowan, Sypolt, Harshbarger, Phillips and Capito - **Relating to foster care** - Introduced 1/17/2019 - To Senior, Children, and Family Issues then Health and Human Resources - To House Health and Human Resources 1/18/2019 - To House Judiciary 1/23/2019 - Amended - Passed House 1/31/2019 - To Senate 2/1/2019 - To Health and Human Resources then Finance - To Health and Human Resources 2/1/2019 - On 2nd reading to Finance 3/2/2019 - Amended - Passed Senate with amended title 3/8/2019 - House concurred in Senate amendment and passed 3/8/2019 - Effective from passage - Senate concurred in House changed effective date 3/9/2019 - Effective from passage - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 44, Acts, Regular Session, 2019
- *2011. By Del. Summers, Howell, Waxman, Queen, Hamrick, Jennings, Sypolt, Phillips, Cadle, Worrell and Kump - **Road Maintenance Program** (original similar to SB426) - Introduced 1/18/2019 - To Technology and Infrastructure then Government Organization - To House Government Organization 2/12/2019 - Passed House 2/26/2019 - Effective July 1, 2019 - To Senate 2/27/2019 - To Transportation and Infrastructure
- *2014. By Del. Foster, Hanshaw (Mr. Speaker), Householder, Shott, Howell, Pack and Hollen - **West Virginia Intellectual Property and Trade Secrets Act** - Introduced 2/12/2019 - To Judiciary - Amended - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary
- *2020. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution** - Introduced 1/9/2019 - To Finance - Amended - Passed House 3/2/2019 - Effective from passage - To Senate 3/4/2019 - Committee reference dispensed - Amended to include provisions of Eng Com Sub for SB 150 - Passed Senate 3/6/2019 - House concurred in Senate amend with amend, passed bill 3/7/2019 - Effective from passage - Senate concurred in House amendments and passed bill 3/8/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor with deletions and reductions 3/14/19 - Chapter 31, Acts, Regular Session, 2019
- *2028. By Del. Fast - **Limiting supervision of laying of lines on state rights-of-way** - Introduced 1/9/2019 - To Government Organization - Amended - Passed

House 1/17/2019 - Title amended - To Senate 1/18/2019 - To Government Organization

2036. By Del. Cooper, Pack and Rowan - **Permitting vehicles displaying disabled veterans' special registration plates to park in places where persons with mobility impairments may park** - Introduced 1/9/2019 - To Veterans' Affairs and Homeland Security then Judiciary - 2nd reference dispensed - Passed House 1/28/2019 - To Senate 1/29/2019 - To Military - Passed Senate 2/25/2019 - To Governor 3/4/19 - Approved by Governor 3/9/19 - Chapter 261, Acts, Regular Session, 2019
- *2038. By Del. Howell and Pack - **Relating to the procedure to determine if an occupation or profession should be regulated** - Introduced 1/9/2019 - To Government Organization - Passed House 1/17/2019 - To Senate 1/18/2019 - To Government Organization then Judiciary - To Government Organization 1/18/2019
- *2049. By Del. Foster, Porterfield, Waxman, Kessinger, Cowles, Hardy, Fast and Jennings - **Relating to a prime contractor's responsibility for wages and benefits** - Introduced 1/9/2019 - To Industry and Labor then Judiciary - To House Judiciary 2/13/2019 - Amended - Amended - Passed House 2/26/2019 - Title amended - To Senate 2/27/2019 - To Workforce then Judiciary - To Workforce 2/27/2019 - On 2nd reading to Judiciary 3/2/2019 - Amended - Passed Senate with amended title 3/9/2019 - House refused to concur and requested Senate to recede 3/9/2019 - Senate receded from amendment - Amended - Passed Senate 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 158, Acts, Regular Session, 2019
- *2079. By Del. Pushkin, Hill, Lavender-Bowe, Bates and Thompson, C. - **Removing certain limitations on medical cannabis grower, processor and dispensary licenses** - Introduced 1/9/2019 - To Health and Human Resources then Judiciary - motion to have 2nd reference dispensed with adopted - 2nd reference dispensed - Amended - Amended - Amended - Passed House 2/27/2019 - Title amended - Effective from passage - To Senate 2/28/2019 - To Judiciary - Amended - Constitutional rule suspended - Passed Senate with amended title 3/8/2019 - Effective from passage - House concurred in Senate amendment and passed 3/9/2019 - Effective from passage - To Governor 3/25/19 - Vetoed by Governor 3/27/19
- *2083. By Del. Pushkin, Shott, Miley, Lovejoy and Miller - **Providing an identification card for released inmates who do not have a West Virginia identification card or driver's license** - Introduced 1/9/2019 - To Judiciary then Finance - 2nd reference dispensed - Passed House 1/29/2019 - Title amended - To Senate 1/30/2019 - To Judiciary - Referred to Rules on 2nd reading 2/20/2019 - Amended - Passed Senate 3/6/2019 - Title amended - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 58, Acts, Regular Session, 2019
- *2095. By Del. Dean - **Assessing the college- and career-readiness of 11th and 12th grade students** - Introduced 1/9/2019 - To Education - Passed House 1/23/2019 - To Senate 1/24/2019 - To Education

- *2128. By Del. Caputo - **Allowing state employees to take paid leave to attend parent-teacher conference for their children** - Introduced 1/9/2019 - To Government Organization then Finance - 2nd reference dispensed - Passed House 1/17/2019 - To Senate 1/18/2019 - To Government Organization then Finance - To Government Organization 1/18/2019
2164. By Del. Shott, Capito, Canestraro, Fleischauer and Wilson - **Clarifying that appeals to the Supreme Court are a matter of right** (original similar to HB2352) - Introduced 1/9/2019 - To Judiciary - Passed House 1/16/2019 - To Senate 1/17/2019 - To Judiciary
- *2183. By Del. Shott, Steele, Harshbarger and Wilson - **Clarifying where a charge of DUI may be brought against an individual** - Introduced 1/9/2019 - To Judiciary - Passed House 1/17/2019 - To Senate 1/18/2019 - To Judiciary - Amended - Passed Senate with amended title 3/4/2019 - House concurred in Senate amendment and passed 3/5/2019 - To Governor 3/9/19 - Approved by Governor 3/26/19 - Chapter 262, Acts, Regular Session, 2019
2185. By Del. Westfall, Harshbarger, Byrd, Lovejoy, Capito, Zukoff, Fluharty, Pushkin, Fleischauer and Rohrbach - **Relating to the removal of animals left unattended in motor vehicles** - Introduced 1/9/2019 - To Judiciary then Finance - 2nd reference dispensed - Amended - Passed House 1/18/2019 - Title amended - To Senate 1/21/2019 - To Judiciary
- *2190. By Del. Shott, Fleischauer, Kelly, D., Wilson, Pushkin and Fluharty - **Modifying bail requirements** - Introduced 1/9/2019 - To Judiciary - Amended - Passed House 1/21/2019 - Title amended - To Senate 1/22/2019 - To Judiciary
- *2191. By Del. Westfall, Espinosa and Barrett - **Relating generally to limited video lottery** - Introduced 1/9/2019 - To Judiciary then Finance - To House Finance 1/15/2019 - Passed House 1/29/2019 - Effective from passage - To Senate 1/30/2019 - To Finance - Passed Senate 2/12/2019 - Effective from passage - To Governor 2/19/19 - Approved by Governor 2/25/19 - Chapter 121, Acts, Regular Session, 2019
- *2193. By Del. Shott - **Providing a specific escheat of US savings bonds** - Introduced 1/9/2019 - To Judiciary - Amended - Passed House 1/23/2019 - To Senate 1/24/2019 - To Judiciary - Amended - Constitutional rule suspended - Passed Senate 3/1/2019 - House concurred in Senate amend with amend, passed bill 3/6/2019 - Title amended - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 107, Acts, Regular Session, 2019
- *2204. By Del. Foster, Fast, Phillips, Waxman and Wilson - **Prohibiting state licensing boards from hiring lobbyists** - Introduced 1/10/2019 - To Government Organization then Judiciary - To House Judiciary 1/15/2019 - Passed House 2/7/2019 - To Senate 2/8/2019 - To Government Organization - Constitutional rule suspended - Passed Senate 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/19/19 - Chapter 122, Acts, Regular Session, 2019
2209. By Del. Howell, Shott and Foster - **Allowing military veterans who meet certain qualifications to qualify for examination for license as an emergency medical technician** - Introduced 1/10/2019 - To Veterans' Affairs

and Homeland Security then Health and Human Resources - 2nd reference dispensed - Amended - Passed House 1/28/2019 - To Senate 1/29/2019 - To Military - Passed Senate 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/25/19 - Chapter 192, Acts, Regular Session, 2019

- *2229. By Del. Shott - **Adding violations of law upon which a public servant's retirement plan may be forfeited** - Introduced 1/10/2019 - To Pensions and Retirement then Judiciary - To House Judiciary 2/14/2019 - Amended - Passed House 2/25/2019 - Title amended - To Senate 2/26/2019 - To Judiciary
- *2307. By Del. Howell, Hanna, Hott, Steele, Linville, Pack, Phillips, Cadle, Worrell, Hill and Wilson - **Relating to creating a provisional license for practicing barbering and cosmetology** - Introduced 1/11/2019 - To Government Organization - Passed House 1/18/2019 - To Senate 1/21/2019 - To Finance - Passed Senate 2/11/2019 - To Governor 2/14/19 - Approved by Governor 2/19/19 - Chapter 193, Acts, Regular Session, 2019
2311. By Del. Howell - **Exempting short-term license holders to submit information to the State Tax Commission once the term of the permit has expired** - Introduced 1/11/2019 - To Government Organization - Amended - Passed House 1/21/2019 - Title amended - To Senate 1/22/2019 - To Government Organization then Finance - To Government Organization 1/22/2019 - To Finance 2/27/2019 - Amended - Passed Senate 3/5/2019 - House concurred in Senate amendment and passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 249, Acts, Regular Session, 2019
- *2324. By Del. Summers and Pushkin - **Authorizing the acupuncture board to issue certificates to perform auricular acudetox therapy** - Introduced 1/11/2019 - To Health and Human Resources then Government Organization - To House Government Organization 1/18/2019 - Amended - Passed House 1/31/2019 - To Senate 2/1/2019 - To Government Organization - Amended - Passed Senate 2/21/2019 - House concurred in Senate amendment and passed 2/21/2019 - To Governor 2/26/19 - Approved by Governor 3/1/19 - Chapter 194, Acts, Regular Session, 2019
- *2330. By Del. Howell, Shott and Porterfield - **Allowing honorably discharged veterans who possess certain military ratings to qualify to take an examination for licensing as a plumber, electrician, and sprinkler fitter** - Introduced 1/11/2019 - To Veterans' Affairs and Homeland Security then Government Organization - To House Government Organization 1/23/2019 - Passed House 2/12/2019 - To Senate 2/13/2019 - To Military then Government Organization - To Military 2/13/2019 - On 2nd reading to Government Organization 3/5/2019
- *2338. By Del. Howell and Porterfield - **Allowing the owner of an antique military vehicle to display alternate registration insignia** - Introduced 1/11/2019 - To Technology and Infrastructure then Government Organization - To House Government Organization 1/31/2019 - Passed House 2/14/2019 - To Senate 2/15/2019 - To Transportation and Infrastructure
- *2346. By Del. Howell and Higginbotham - **Changing the licensing requirement for certain casino employees** - Introduced 1/11/2019 - To Government

Organization - Passed House 1/24/2019 - To Senate 1/25/2019 - To Government Organization then Finance - To Government Organization 1/25/2019

2351. By Del. Ellington, Hill, Rohrbach, Rowan, Summers, Thompson, C., Walker, Staggers, Atkinson and Angelucci (Originating in House Health and Human Resources) - **Relating to regulating prior authorizations** - Introduced 1/11/2019 - Passed House 1/16/2019 - To Senate 1/17/2019 - To Health and Human Resources - Amended - Passed Senate with amended title 1/30/2019 - House concurred in Senate amend with amend, passed bill 2/5/2019 - Title amended - Senate refused to concur in House amendment 2/8/2019 - House refused to recede and requested conference 2/11/2019 - To conference 2/12/2019 - House adopted conference report and passed bill 2/19/2019 - Effective from passage - Senate adopted conference report and passed bill 2/20/2019 - Effective from passage - To Governor 2/26/19 - Approved by Governor 3/1/19 - Chapter 147, Acts, Regular Session, 2019
- *2359. By Del. Howell, Hanna, Hott, Steele, Linville, Pack, Phillips, Cadle, Worrell, Hill and Wilson - **Relating to exemptions to the commercial driver's license requirements** - Introduced 1/14/2019 - To Technology and Infrastructure then Government Organization - To House Government Organization 1/31/2019 - Passed House 2/14/2019 - To Senate 2/15/2019 - To Transportation and Infrastructure - Amended - Passed Senate with amended title 3/2/2019 - House concurred in Senate amend with amend, passed bill 3/4/2019 - Title amended - Senate concurred in House amendments and passed bill 3/5/2019 - To Governor 3/9/19 - Approved by Governor 3/19/19 - Chapter 173, Acts, Regular Session, 2019
- *2360. By Del. Howell, Hanna, Hott, Steele, Linville, Pack, Phillips, Cadle, Worrell, Hill and Wilson - **Placing the Athletic Commission under the Lottery Commission** - Introduced 1/14/2019 - To Government Organization - Passed House 1/24/2019 - To Senate 1/25/2019 - To Government Organization then Finance - To Government Organization 1/25/2019
- *2362. By Del. Miller, Shott, Campbell, Lovejoy, Canestraro, Maynard, Hornbuckle, Summers and Robinson - **Ardala Miller Memorial Act** - Introduced 1/14/2019 - To Judiciary - Amended - Passed House 1/22/2019 - To Senate 1/23/2019 - To Judiciary - Amended - Passed Senate 3/5/2019 - Title amended - House concurred in Senate amendment and passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 103, Acts, Regular Session, 2019
- *2363. By Del. Staggers, Angelucci, Kessinger, Fast, Skaff and Robinson - **Relating to the Upper Kanawha Valley Resiliency and Revitalization Program** (original similar to SB151) - Introduced 1/14/2019 - To Government Organization then Education - To House Education 1/25/2019 - Passed House 2/6/2019 - To Senate 2/7/2019 - To Education then Government Organization - To Education 2/7/2019 - On 2nd reading to Government Organization 3/2/2019 - Amended - Passed Senate 3/7/2019 - Title amended - House concurred in Senate amendment and passed 3/7/2019 - To Governor 3/18/19 - Vetoed by Governor 3/27/19
- *2365. By Del. Foster, Higginbotham, Fast, Linville, Pack, Steele, Phillips, Shott, Summers, Kessinger and Cadle - **Clarifying the definition of an employee for the purposes of unemployment compensation and workers' compensation**

- Introduced 1/14/2019 - To Industry and Labor then Judiciary - To House Judiciary 1/30/2019 - Passed House 2/11/2019 - To Senate 2/12/2019 - To Judiciary
- *2378. By Del. Espinosa, Westfall and Lavender-Bowe - **Relating generally to grounds for revocation of a teaching certificate** - Introduced 1/14/2019 - To Education then Judiciary - To House Judiciary 1/24/2019 - Amended - Passed House 2/26/2019 - To Senate 2/27/2019 - To Education - Amended - Passed Senate 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 237, Acts, Regular Session, 2019
- *2392. By Del. Hartman and Caputo - **Allowing the Alcohol Beverage Control Commissioner to issue special one-day licenses for charitable events** - Introduced 1/14/2019 - To Government Organization - Passed House 2/8/2019 - To Senate 2/11/2019 - To Judiciary
- *2396. By Del. Thompson, R. and Lovejoy - **West Virginia Fresh Food Act** - Introduced 1/14/2019 - To Agriculture and Natural Resources then Finance - To House Finance 1/23/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To Agriculture and Rural Development then Government Organization - To Agriculture and Rural Development 2/27/2019 - 2nd reference dispensed - Amended - Passed Senate with amended title 3/8/2019 - House concurred in Senate amendment and passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 12, Acts, Regular Session, 2019
- *2397. By Del. Atkinson, Kelly, J., Miller, Cooper, Rohrbach, Mandt and Hollen - **Requiring county school boards to provide adequate mental health and counseling services** - Introduced 1/14/2019 - To Prevention and Treatment of Substance Abuse then Education - To House Education 2/1/2019 - Passed House 2/27/2019 - To Senate 2/28/2019 - To Education then Finance - To Education 2/28/2019
- *2405. By Del. Ellington, Summers, Pack, Atkinson, Hollen, Rohrbach, Pushkin, Walker and Fleischauer - **Imposing a healthcare related provider tax on certain health care organizations** - Introduced 1/15/2019 - To Health and Human Resources then Finance - To House Finance 1/18/2019 - Passed House 2/12/2019 - To Senate 2/13/2019 - To Health and Human Resources then Finance - To Health and Human Resources 2/13/2019 - To Finance 2/27/2019 - Amended - Passed Senate 3/5/2019 - House concurred in Senate amendment and passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/27/19 - Chapter 250, Acts, Regular Session, 2019
- *2407. By Del. Hill and Wilson - **Relating to registered professional nurses** - Introduced 1/15/2019 - To Health and Human Resources - Amended - Passed House 1/30/2019 - To Senate 1/31/2019 - To Health and Human Resources
2412. By Del. Hanshaw (Mr. Speaker), Bates, Miley, Nelson, Shott and Wilson - **Relating to criminal acts concerning government procurement of commodities and services** (original similar to SB271) - Introduced 1/15/2019 - To Judiciary - Passed House 1/24/2019 - Title amended - To Senate 1/25/2019 - To Judiciary - Amended - Passed Senate with amended title 3/8/2019 - House concurred in Senate amendment and passed 3/8/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19

- *2420. By Del. Summers, Caputo, Pethtel, Pyles, Miley, Howell, Sypolt, Jennings and Phillips - **Establishing the Mountaineer Trail Network Recreation Authority** - Introduced 1/15/2019 - To House Government Organization 1/15/2019 - To House Government Organization 1/15/2019 - Passed House 2/5/2019 - To Senate 2/6/2019 - To Economic Development then Judiciary - To Economic Development 2/6/2019 - 2nd reference dispensed - Referred to Rules on 2nd reading 3/7/2019
- *2422. By Del. Summers - **Relating to the time for the observation of “Celebrate Freedom Week”** - Introduced 1/15/2019 - To Education - Passed House 1/24/2019 - To Senate 1/25/2019 - To Education - Passed Senate 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 99, Acts, Regular Session, 2019
- *2423. By Del. Foster, Higginbotham, Fast, Linville, Pack, Steele, Phillips, Kessinger, Porterfield, Fleischauer and Stagers - **Prohibiting certain sex offenders from being in a supervisory position over children** - Introduced 1/15/2019 - To Judiciary - Passed House 1/23/2019 - To Senate 1/24/2019 - To Judiciary
- *2435. By Del. Hanshaw (Mr. Speaker), Shott, Nelson, Miley, Bates and Wilson - **Authorizing Attorney General to prosecute violations of state criminal law recommended by the Commission on Special Investigations** - Introduced 1/15/2019 - To Judiciary - House rejected 1/25/2019
- *2439. By Del. Maynard, Azinger, Cooper, Jennings, Lovejoy, Miller, Sponaugle and Sypolt - **Relating to fire service equipment and training funds for volunteer and part-volunteer fire companies** (original similar to SB292) - Introduced 1/15/2019 - To Fire Departments and Emergency Medical Services then Government Organization - To House Government Organization 2/5/2019 - Passed House 2/19/2019 - To Senate 2/20/2019 - To Government Organization - Passed Senate 3/5/2019 - To Governor 3/9/19 - Approved by Governor 3/26/19 - Chapter 223, Acts, Regular Session, 2019
- *2446. By Del. Hollen, Steele and Mandt - **Blue Alert Plan** - Introduced 1/16/2019 - To Judiciary - Passed House 1/25/2019 - To Senate 1/28/2019 - To Government Organization - Passed Senate 2/13/2019 - To Governor 2/19/19 - Approved by Governor 2/25/19 - Chapter 230, Acts, Regular Session, 2019
- *2452. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Creating the West Virginia Cybersecurity Office** (original similar to SB314) - Introduced 1/16/2019 - To Technology and Infrastructure then Government Organization - To House Government Organization 1/30/2019 - To House Finance 2/1/2019 - Passed House 2/25/2019 - To Senate 2/26/2019 - To Government Organization then Finance - To Government Organization 2/26/2019 - To Finance 3/1/2019 - Passed Senate 3/7/2019 - To Governor 3/18/19 - Approved by Governor 3/25/19 - Chapter 123, Acts, Regular Session, 2019
2459. By Del. Shott, Capito, Kessinger, Mandt, Fleischauer, Pushkin, Byrd, Robinson, Brown, S. and Lovejoy - **Exercising authority to exempt individuals domiciled within the state from certain restrictions contained in federal law** - Introduced 1/16/2019 - To Judiciary - Passed House 1/24/2019 - To Senate

- 1/25/2019 - To Judiciary - Amended - Passed Senate with amended title
2/12/2019 - House concurred in Senate amendment and passed 2/20/2019 - To
Governor 2/22/19 - Approved by Governor 2/28/19 - Chapter 140, Acts, Regular
Session, 2019
2462. By Del. Hollen, Canestraro, Kelly, D., Foster, Fast, Harshbarger and Mandt -
Issuing a certificate to correctional employees to carry firearms (original
similar to SB337) - Introduced 1/16/2019 - To Judiciary - Passed House
1/24/2019 - Title amended - To Senate 1/25/2019 - To Judiciary - Amended -
Passed Senate with amended title 2/6/2019 - House concurred in Senate
amendment and passed 2/11/2019 - To Governor 2/14/19 - Approved by
Governor 2/19/19 - Chapter 59, Acts, Regular Session, 2019
2472. By Del. Linville, Householder, Lovejoy, Graves, Higginbotham, Summers,
Skaff, Maynard, Jeffries, J., Hornbuckle and Jennings - **Providing a special
license plate for pollinators** - Introduced 1/17/2019 - To Technology and
Infrastructure then Finance - 2nd reference dispensed - Amended - Passed
House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure
2474. By Del. Westfall, Azinger, Criss, Jeffries, D., Hamrick, Mandt, Nelson,
Espinosa and Porterfield - **Relating to a reserving methodology for health
insurance and annuity contracts** - Introduced 1/17/2019 - To Banking and
Insurance then Judiciary - To House Judiciary 1/25/2019 - Passed House
2/1/2019 - To Senate 2/4/2019 - To Judiciary - Amended - Passed Senate
3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To
Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 148, Acts, Regular
Session, 2019
- *2476. By Del. Westfall, Azinger, Hott, Jeffries, D., Graves, Jennings, Criss, Mandt,
Nelson, Espinosa and Porterfield - **Relating to the valuation of a motor vehicle
involved in an insurance claim** - Introduced 1/17/2019 - To Banking and
Insurance then Judiciary - 2nd reference dispensed - Passed House 2/1/2019 -
To Senate 2/4/2019 - To Banking and Insurance - Amended - Passed Senate
3/2/2019 - House concurred in Senate amendment and passed 3/4/2019 - To
Governor 3/6/19 - Approved by Governor 3/22/2019 - Chapter 149, Acts,
Regular Session, 2019
2478. By Del. Steele, Pack, Lovejoy, Mandt and Rohrbach - **Modifying the Fair
Trade Practices Act** - Introduced 1/17/2019 - To Small Business,
Entrepreneurship and Economic Development then Judiciary - To House
Judiciary 1/24/2019 - Passed House 2/1/2019 - To Senate 2/4/2019 - To
Judiciary
- *2479. By Del. Jeffries, D., Westfall, Hott, Azinger, Graves, Sypolt, Criss, Mandt,
Nelson, Espinosa and Porterfield - **Corporate Governance Annual Disclosure
Act** - Introduced 1/17/2019 - To Banking and Insurance then Judiciary - To
House Judiciary 1/25/2019 - Passed House 2/7/2019 - To Senate 2/8/2019 - To
Judiciary - Passed Senate 3/9/2019 - To Governor 3/25/19 - Approved by
Governor 3/26/19 - Chapter 150, Acts, Regular Session, 2019
2480. By Del. Hott, Westfall, Azinger, Jeffries, D., Graves, Jennings, Criss, Mandt,
Nelson, Espinosa and Porterfield - **Relating to the regulation of an
internationally active insurance group** - Introduced 1/17/2019 - To Banking

and Insurance then Judiciary - To House Judiciary 1/25/2019 - Passed House 2/1/2019 - To Senate 2/4/2019 - To Banking and Insurance - Passed Senate with amended title 3/7/2019 - House concurred in Senate amendment and passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 151, Acts, Regular Session, 2019

- *2481. By Del. Steele, Foster, Kessinger, Pushkin, Barrett and Pyles - **Permitting retail sale of alcoholic beverages on Sundays after 1 p.m.** - Introduced 1/17/2019 - To Judiciary - Passed House 2/7/2019 - Effective from passage - To Senate 2/8/2019 - To Judiciary - Amended - Passed Senate with amended title 2/18/2019 - Effective from passage - House concurred in Senate amendment and passed 2/19/2019 - Effective from passage - To Governor 2/22/19 - Approved by Governor 2/28/19 - Chapter 18, Acts, Regular Session, 2019
- *2486. By Del. Shott, Foster, Kessinger and Pushkin - **Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation** - Introduced 1/17/2019 - To Judiciary - Amended - Passed House 2/20/2019 - To Senate 2/21/2019 - To Judiciary - Amended - Passed Senate with amended title 3/8/2019 - House concurred in Senate amendment and passed 3/9/2019 - Title amended - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/22/19 - Vetoed by Governor 3/27/19
- *2490. By Del. Howell, Pack, Hott, Hamrick, Dean, Graves, Ellington, Staggers, Steele and Higginbotham - **Preventing proposing or enforcing rules that prevent recreational water facilities from making necessary upgrades** - Introduced 1/17/2019 - To Health and Human Resources - Passed House 2/6/2019 - To Senate 2/7/2019 - To Health and Human Resources - Passed Senate 3/9/2019 - To Governor 3/21/19 - Approved by Governor 3/25/19 - Chapter 213, Acts, Regular Session, 2019
2492. By Del. Ellington, Hill, Summers, Pack, Atkinson, Wilson, Worrell, Jeffries, D., Hollen and Butler - **Relating to mandatory reporting procedures of abuse and neglect of adults and children** - Introduced 1/17/2019 - To Health and Human Resources - Passed House 1/30/2019 - To Senate 1/31/2019 - To Health and Human Resources - Amended - Passed Senate 2/12/2019 - House concurred in Senate amendment and passed 2/19/2019 - To Governor 2/22/19 - Approved by Governor 2/28/19 - Chapter 141, Acts, Regular Session, 2019
2497. By Del. Kump - **Relating to the whistle-blower law** - Introduced 1/17/2019 - To Judiciary - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary
- *2503. By Del. Steele, Pack, Harshbarger, Mandt, Jeffries, J., Graves, Wilson, Foster and Kessinger - **Relating to court actions** - Introduced 1/17/2019 - To Judiciary - Passed House 1/31/2019 - To Senate 2/1/2019 - To Judiciary - Amended - Constitutional rule suspended - Passed Senate 3/8/2019 - Title amended - House refused to concur and requested Senate to recede 3/9/2019 - Substitute amendment adopted - Passed Senate 3/9/2019 - House refused to concur and requested Senate to recede 3/9/2019 - House reconsidered and concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
2509. By Del. Pack, Dean, Wilson and Rohrbach - **Clarifying that theft of a controlled substance is a felony** - Introduced 1/17/2019 - To Judiciary - Passed

House 1/25/2019 - To Senate 1/28/2019 - To Judiciary - Passed Senate with amended title 3/5/2019 - House concurred in Senate title amendment 3/6/2019 - Passed House 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/26/19 - Chapter 54, Acts, Regular Session, 2019

2510. By Del. Howell, Pack, Hott, Hamrick, Dean, Graves, Ellington, Linville, Higginbotham, Butler and Kessinger - **Relating to special funds of boards of examination or registration** - Introduced 1/18/2019 - To Government Organization - Passed House 1/30/2019 - To Senate 1/31/2019 - To Government Organization - Constitutional rule suspended - Passed Senate 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/26/19 - Chapter 124, Acts, Regular Session, 2019
2514. By Del. Howell, Pack, Hott, Hamrick, Dean, Graves, Ellington, Higginbotham, Linville, Butler and Kessinger - **Permitting pawn brokers to disclose whether any specific property has been sold or pledged** - Introduced 1/18/2019 - To Government Organization - Passed House 1/29/2019 - To Senate 1/30/2019 - To Judiciary
2515. By Del. Butler, Cadle, Wilson, Ellington, Shott, Howell, Hardy, Kump, Pack, Storch and Fast - **Exempting the sale and installation of mobility enhancing equipment from the sales and use tax** - Introduced 1/18/2019 - To Health and Human Resources then Finance - To House Finance 2/1/2019 - Passed House 2/21/2019 - Title amended - To Senate 2/22/2019 - To Finance - Passed Senate 3/6/2019 - To Governor 3/18/19 - Approved by Governor 3/25/19 - Chapter 251, Acts, Regular Session, 2019
- *2519. By Del. Butler, Maynard, Cadle, Foster, Hanna, Espinosa, Higginbotham, McGeehan, Householder, Swartzmiller and Hardy - **The Campus Self Defense Act** - Introduced 1/18/2019 - To Judiciary - To House Finance 2/21/2019 - Motion to place on Special Calendar rejected - Motion to suspend rule and reject all pending amendments rejected - Motion to limit debate adopted - Amended - Passed House 2/27/2019 - Effective July 1, 2099 rejected - To Senate 3/1/2019 - To Judiciary then Finance - To Judiciary 3/1/2019
- *2521. By Del. Harshbarger, Paynter, Cooper, Bibby, Kelly, D., Atkinson, Sypolt, Hanna, Mandt and Porterfield - **Relating to permitting fur-bearer parts** - Introduced 1/18/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 1/23/2019 - Passed House 1/31/2019 - To Senate 2/1/2019 - To Natural Resources - Passed Senate 2/15/2019 - To Governor 2/22/19 - Approved by Governor 2/28/19 - Chapter 177, Acts, Regular Session, 2019
- *2524. By Del. Atkinson, Hill, Jeffries, D., Hollen, Fleischauer and Staggers - **Permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances** - Introduced 1/18/2019 - To Health and Human Resources - Passed House 2/1/2019 - To Senate 2/4/2019 - To Health and Human Resources - Amended - Passed Senate 3/8/2019 - House concurred in Senate amendment and passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 195, Acts, Regular Session, 2019
2525. By Del. Summers, Hill, Pack, Dean, Atkinson, Wilson, Worrell, Jeffries, D., Hollen, Butler and Rohrbach - **Tobacco Cessation Therapy Access Act** - Introduced 1/18/2019 - To Health and Human Resources - Passed House

- 1/30/2019 - To Senate 1/31/2019 - To Health and Human Resources - Amended
- Passed Senate 3/5/2019 - House concurred in Senate amendment and passed
3/6/2019 - To Governor 3/18/19 - Approved by Governor 3/26/19 - Chapter 214,
Acts, Regular Session, 2019
2527. By Del. Steele, Pack, Harshbarger, Mandt, Jeffries, J., Graves, Howell, Wilson,
Foster and Kessinger - **Relating to forgery and other crimes concerning
lottery tickets** - Introduced 1/18/2019 - To Judiciary - Passed House 1/25/2019
- To Senate 1/28/2019 - To Judiciary
2530. By Del. Rohrbach, Hollen, Ellington, Hanna, Hornbuckle, Kelly, D., Kessinger,
Mandt, Pushkin, Robinson and Walker (Originating in House Prevention and
Treatment of Substance Abuse) - **Creating a voluntary certification for
recovery residences** - Introduced 1/18/2019 - To House Health and Human
Resources 1/18/2019 - Passed House 1/30/2019 - To Senate 1/31/2019 - To
Health and Human Resources - Amended - Passed Senate 3/6/2019 - Title
amended - House concurred in Senate amendment and passed 3/6/2019 - To
Governor 3/19/19 - Vetoed by Governor 3/27/19
- *2531. By Del. Rohrbach, Hollen, Ellington, Hanna, Hornbuckle, Kelly, D., Kessinger,
Mandt, Robinson and Walker (Originating in House Prevention and Treatment
of Substance Abuse) - **Permitting trained nurses to provide mental health
services in a medication-assisted treatment program** - Introduced 1/18/2019
- To House Health and Human Resources 1/18/2019 - Passed House 1/30/2019
- To Senate 1/31/2019 - To Health and Human Resources - Amended - Passed
Senate 3/4/2019 - House concurred in Senate amendment and passed 3/5/2019
- To Governor 3/9/19 - Vetoed by Governor 3/27/19
- *2532. By Del. Cooper, Cadle, Hartman, Pethtel and Porterfield - **Allowing certain
donations by persons renewing their driver's license or vehicle registration**
- Introduced 1/21/2019 - To Agriculture and Natural Resources then Finance -
To House Finance 1/30/2019 - Passed House 2/22/2019 - To Senate 2/23/2019
- To Transportation and Infrastructure then Finance - To Transportation and
Infrastructure 2/23/2019
2535. By Del. Fast, Harshbarger and Hollen - **Relating to purchasing exemptions
and procedures** - Introduced 1/21/2019 - To Veterans' Affairs and Homeland
Security then Government Organization - To House Government Organization
2/15/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To Government
Organization
- *2538. By Del. Nelson, Pushkin, Hornbuckle, McGeehan, Householder, Barrett,
Fluharty, Wilson, Byrd, Campbell and Queen - **Providing banking services for
medical cannabis** - Introduced 1/21/2019 - To Banking and Insurance then
Judiciary - To House Judiciary 2/1/2019 - Passed House 2/15/2019 - Effective
from passage - To Senate 2/18/2019 - To Judiciary - Passed Senate 3/5/2019 -
Effective from passage - To Governor 3/9/19 - Approved by Governor 3/26/19
- Chapter 40, Acts, Regular Session, 2019
- *2540. By Del. Harshbarger, Paynter, Sypolt, Cooper, Hanna, Bibby, Hott and Brown,
N. - **Prohibiting the waste of game animals, game birds or game fish**
(original similar to SB305) - Introduced 1/21/2019 - To Agriculture and Natural
Resources then Judiciary - To House Judiciary 1/30/2019 - Passed House

2/22/2019 - Title amended - To Senate 2/23/2019 - To Natural Resources then Judiciary - To Natural Resources 2/23/2019 - On 2nd reading to Judiciary 3/5/2019 - Amended - Passed Senate 3/9/2019 - Title amended - House concurred in Senate amend with title amend, passed 3/9/2019 - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/21/19 - Approved by Governor 3/25/19 - Chapter 178, Acts, Regular Session, 2019

- *2541. By Del. Thompson, R., Evans, Lovejoy, Doyle, Hornbuckle, Hicks, Dean, Paynter, Zukoff and Pyles - **Requiring certain safety measures be taken at public schools** - Introduced 1/21/2019 - To Education - Passed House 2/22/2019 - To Senate 2/23/2019 - To Education - Amended - Passed Senate 3/8/2019 - House concurred in Senate amendment and passed 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/25/19 - Chapter 100, Acts, Regular Session, 2019
- *2542. By Del. Howell, Pack, Hamrick, Hanshaw (Mr. Speaker), Summers, Worrell, Dean, Fast, Hott, Hollen and Storch - **Permitting directors of county emergency phone systems to obtain mobile-phone emergency lines** - Introduced 1/21/2019 - To Political Subdivisions then Government Organization - To House Government Organization 1/30/2019 - Passed House 2/19/2019 - Effective July 1, 2019 - To Senate 2/20/2019 - To Government Organization
- *2545. By Del. Canestraro, Zukoff, Lovejoy, Robinson, Fluharty, Diserio, Miller and Pyles - **Exempting recipients of the distinguished Purple Heart medal from payment of the vehicle registration fee** (original similar to SB450) - Introduced 1/21/2019 - To Veterans' Affairs and Homeland Security then Finance - To House Finance 1/25/2019 - Passed House 2/8/2019 - To Senate 2/11/2019 - To Military
2546. By Del. Pushkin, Cadle, Doyle, Butler, McGeehan, Cooper, Brown, N., Ellington, Lovejoy, Sponaugle and Hornbuckle - **Excluding from tax equipment installed in a motor vehicle for use of a person with a medical necessity** - Introduced 1/21/2019 - To Finance - Passed House 2/8/2019 - To Senate 2/11/2019 - To Finance
2547. By Del. Shott - **Relating to the election prohibition zone** - Introduced 1/21/2019 - To Judiciary - Passed House 1/28/2019 - To Senate 1/29/2019 - To Judiciary - Amended - Passed Senate with amended title 3/2/2019 - House refused to concur and requested Senate to recede 3/4/2019 - Senate receded and passed 3/5/2019 - To Governor 3/19/19 - Approved by Governor 3/19/19 - Chapter 104, Acts, Regular Session, 2019
- *2550. By Del. Capito, Nelson, Queen and Fast - **Creating a matching program for the Small Business Innovation and Research Program and the Small Business Technology Transfer Program** (original similar to SB602) - Introduced 1/21/2019 - To Small Business, Entrepreneurship and Economic Development then Finance - To House Finance 1/24/2019 - Passed House 2/25/2019 - To Senate 2/26/2019 - To Economic Development then Finance - To Economic Development 2/26/2019 - On 2nd reading to Finance 3/2/2019 - Amended - Passed Senate 3/6/2019 - House concurred in Senate amendment and passed 3/7/2019 - To Governor 3/19/19 - Approved by Governor 3/27/19 - Chapter 88, Acts, Regular Session, 2019

- *2554. By Del. Hamrick, Worrell, Higginbotham and Howell - **Relating to transfers and enrollment policies for students in public schools** - Introduced 1/21/2019 - To Education - Passed House 2/8/2019 - Effective July 1, 2019 - To Senate 2/11/2019 - To Education
2559. By Del. Howell, Pack, Hamrick, Worrell, Dean, Fast, Hott, Hollen, Storch, Ellington and Butler - **Requiring a special report by the Division of Personnel** - Introduced 1/21/2019 - To Government Organization - Passed House 1/30/2019 - To Senate 1/31/2019 - To Government Organization
- *2579. By Del. Nelson and Criss - **Relating to the collection of tax and the priority of distribution of an estate or property in receivership** (original similar to SB406) - Introduced 1/22/2019 - To Judiciary - Passed House 2/15/2019 - To Senate 2/18/2019 - To Judiciary then Finance - To Judiciary 2/18/2019 - To Finance 3/1/2019 - Passed Senate 3/7/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *2583. By Del. Hill, Ellington, Pushkin, Rohrbach, Fleischauer, Walker, Staggers, McGeehan, Summers and Doyle - **Family Planning Access Act** - Introduced 1/22/2019 - To Health and Human Resources - Passed House 2/11/2019 - To Senate 2/12/2019 - To Health and Human Resources - Amended - Passed Senate 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 215, Acts, Regular Session, 2019
- *2595. By Del. Pack, Graves, Cooper, Paynter, Steele, Harshbarger, Sypolt, Jennings, Evans, Storch and Maynard - **Establishing the West Virginia Division of Natural Resources Police Officer Retirement System** (original similar to SB418) - Introduced 1/22/2019 - To Pensions and Retirement then Finance - To House Finance 2/14/2019 - Amended - Passed House 2/27/2019 - Title amended - To Senate 2/28/2019 - To Pensions then Finance - To Pensions 2/28/2019 - To Finance 3/6/2019
2598. By Del. Hanshaw (Mr. Speaker), Miley and Nelson - **Relating to submitting a certifying statement attesting to status as a charitable or public service organization** (original similar to SB368) - Introduced 1/22/2019 - To Government Organization - Passed House 2/25/2019 - To Senate 2/26/2019 - To Government Organization
- *2600. By Del. Summers and Kessinger - **Relating to publication of sample ballots** (original similar to HB2499) - Introduced 1/22/2019 - To Judiciary - Passed House 1/28/2019 - To Senate 1/29/2019 - To Judiciary - Amended - Passed Senate with amended title 3/5/2019 - House concurred in Senate amendment and passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 105, Acts, Regular Session, 2019
- *2601. By Del. Hanshaw (Mr. Speaker), Miley and Nelson - **Relating to the review and approval of state property leases** (original similar to SB343) - Introduced 1/22/2019 - To Government Organization - Passed House 2/8/2019 - To Senate 2/11/2019 - To Government Organization - Passed Senate 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 125, Acts, Regular Session, 2019

2602. By Del. Miller, Canestraro, Hollen, Brown, N., Kelly, D., Foster and Steele - **Including possession of known stolen property in the offense of receiving or transferring stolen property** - Introduced 1/22/2019 - To Judiciary - Passed House 1/29/2019 - To Senate 1/30/2019 - To Judiciary
- *2607. By Del. Hill, Staggers, Howell, Rowan and Jeffries, D. - **Relating to the licensure of nursing homes** (original similar to SB434) - Introduced 1/23/2019 - To Health and Human Resources - Passed House 2/4/2019 - To Senate 2/5/2019 - To Health and Human Resources - Passed Senate 2/20/2019 - To Governor 2/26/19 - Approved by Governor 3/1/19 - Chapter 216, Acts, Regular Session, 2019
2608. By Del. Nelson, Criss and Espinosa - **Repealing the requirement of printing the date a consumer deposit account was opened on paper checks** - Introduced 1/23/2019 - To Banking and Insurance then Judiciary - 2nd reference dispensed - Passed House 2/7/2019 - To Senate 2/8/2019 - To Banking and Insurance - Constitutional rule suspended - Passed Senate 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/19/19 - Chapter 48, Acts, Regular Session, 2019
- *2609. By Del. Nelson, Criss and Espinosa - **Relating to presumptions of abandonment and indication of ownership in property** (original similar to SB407) - Introduced 1/23/2019 - To Banking and Insurance then Judiciary - To House Judiciary 2/4/2019 - Passed House 2/13/2019 - To Senate 2/14/2019 - To Judiciary - Passed Senate 3/4/2019 - To Governor 3/9/19 - Approved by Governor 3/25/19 - Chapter 108, Acts, Regular Session, 2019
- *2612. By Del. Hill, Wilson, Howell, Rowan, Fleischauer and Walker - **Proposing rules related to the completion or updating of source water protection plans** (original similar to SB430) - Introduced 1/23/2019 - To Health and Human Resources - Passed House 2/4/2019 - To Senate 2/5/2019 - To Government Organization - Passed Senate 2/23/2019 - To Governor 2/28/19 - Approved by Governor 3/6/19 - Chapter 217, Acts, Regular Session, 2019
- *2617. By Del. Westfall, Hott, Jeffries, D., Espinosa and Porterfield - **Relating to the form for making offer of optional uninsured and underinsured coverage by insurers** - Introduced 1/23/2019 - To Banking and Insurance then Judiciary - To House Judiciary 2/15/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary - Amended - Passed Senate with amended title 3/6/2019 - House concurred in Senate amendment 3/7/2019 - Passed House 3/7/2019 - To Governor 3/21/19 - Approved by Governor 3/25/19 - Chapter 152, Acts, Regular Session, 2019
- *2618. By Del. Rowan, Martin, C., Rohrbach, Sypolt, Graves, Lovejoy, Longstreth, Boggs, Mandt, Maynard and Kelly, J. - **Including undue influence as a factor in the definition of financial exploitation of an elderly person or protected person** - Introduced 1/23/2019 - To Senior, Children, and Family Issues then Judiciary - To House Judiciary 1/25/2019 - Motion that bill be recommitted to Judiciary rejected - Passed House 2/15/2019 - Title amended - To Senate 2/18/2019 - To Judiciary - Amended - Passed Senate with amended title 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To

Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 2, Acts, Regular Session, 2019

2647. By Del. Westfall, Maynard, Hartman, Atkinson and Espinosa - **Self Storage Limited License Act** - Introduced 1/24/2019 - To Banking and Insurance then Judiciary - To House Judiciary 2/1/2019 - Passed House 2/13/2019 - To Senate 2/14/2019 - To Judiciary - Amended - Passed Senate with amended title 3/6/2019 - House concurred in Senate amendment and passed 3/7/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 153, Acts, Regular Session, 2019
- *2661. By Del. Anderson, Azinger, Howell, Kelly, J., Westfall, Pethtel, Storch, Kelly, D., Swartzmiller, Nelson and Harshbarger - **Relating to natural gas utilities** - Introduced 1/24/2019 - To Energy - Passed House 2/11/2019 - To Senate 2/12/2019 - To Energy, Industry and Mining - Passed Senate 3/8/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *2662. By Del. Westfall, Rohrbach, Zukoff, Toney, Thompson, R., Kelly, J., Evans, Dean, Campbell and Cooper (Originating in House Education) - **Relating to certificates or employment of school personnel** - Introduced 1/24/2019 - To House Judiciary 1/24/2019 - Amended - Passed House 2/26/2019 - To Senate 2/27/2019 - To Education - Amended - Passed Senate 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 238, Acts, Regular Session, 2019
2665. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplemental appropriation for PEIA Rainy Day Fee** (original similar to SB423) - Introduced 1/25/2019 - To Finance - Passed House 2/26/2019 - Effective from passage - To Senate 2/27/2019 - To Finance - Senate reconsidered action - Amended - Passed Senate 3/9/2019 - Effective from passage - House concurred in Senate amendment and passed 3/9/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 32, Acts, Regular Session, 2019
2666. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplemental appropriation to the Department of Veterans' Assistance** (original similar to SB446) - Introduced 1/25/2019 - To Finance - Passed House 2/5/2019 - Effective from passage - To Senate 2/6/2019 - To Finance - Amended - Passed Senate 2/20/2019 - Effective from passage - House concurred in Senate amendment and passed 2/21/2019 - Effective from passage - To Governor 2/26/19 - Approved by Governor 3/1/19 - Chapter 33, Acts, Regular Session, 2019
2667. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplemental appropriation to the Department of Military Affairs and Public Safety, Division of Corrections** (original similar to SB425) - Introduced 1/25/2019 - To Finance - Passed House 2/21/2019 - Effective from passage - To Senate 2/22/2019 - To Finance - Passed Senate 3/7/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 34, Acts, Regular Session, 2019
2668. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplemental appropriation to the Department of Administration, Public**

Defender Services (original similar to SB422) - Introduced 1/25/2019 - To Finance - Passed House 2/5/2019 - Effective from passage - To Senate 2/6/2019 - To Finance - Amended - Passed Senate 2/20/2019 - Effective from passage - House concurred in Senate amendment and passed 2/21/2019 - Effective from passage - To Governor 2/26/19 - Approved by Governor 3/1/19 - Chapter 35, Acts, Regular Session, 2019

- *2670. By Del. Higginbotham, Waxman, Kessinger and Westfall - **Relating to damages for medical monitoring** - Introduced 1/25/2019 - To Judiciary - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary - Senate reconsidered action - Amended - Passed Senate with amended title 3/9/2019 - House refused to concur and requested Senate to recede 3/9/2019 - Senate refused to recede and requested conference 3/11/2019
- *2673. By Del. Householder, Criss, Harshbarger, Anderson and Kelly, J. - **Creating the Oil and Gas Abandoned Well Plugging Fund** - Introduced 1/25/2019 - To Energy then Finance - To House Finance 1/30/2019 - Passed House 2/14/2019 - To Senate 2/15/2019 - To Energy, Industry and Mining then Finance - To Energy, Industry and Mining 2/15/2019 - On 2nd reading to Finance 3/2/2019 - Amended - Passed Senate with amended title 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
- *2674. By Del. Atkinson, Westfall, Hollen, Jeffries, D., Azinger, Harshbarger, Canestraro, Kelly, J., Queen, Criss and Kessinger - **Creating a student loan repayment program for a mental health provider** - Introduced 1/25/2019 - To Health and Human Resources then Finance - To House Finance 1/30/2019 - Passed House 2/12/2019 - To Senate 2/13/2019 - To Health and Human Resources then Finance - To Health and Human Resources 2/13/2019 - On 2nd reading to Finance 3/5/2019 - Amended - Passed Senate with amended title 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
2679. By Del. Phillips, Foster, McGeehan, Hansen, Shott and Hott - **Relating to state issued identification cards** - Introduced 1/25/2019 - To Government Organization - Passed House 2/1/2019 - To Senate 2/4/2019 - To Judiciary
- *2686. By Del. Rohrbach, Hollen, Ellington, Hanna, Hornbuckle, Kelly, D., Kessinger, Mandt, Pushkin, Robinson and Walker (Originating in House Prevention and Treatment of Substance Abuse) - **Relating to permitting the Supreme Court of Appeals of West Virginia to create a family drug court pilot program** - Introduced 1/28/2019 - To House Judiciary 1/28/2019 - Passed House 2/7/2019 - To Senate 2/8/2019 - To Judiciary
- *2690. By Del. Westfall, Azinger, Nelson, Williams and Porterfield - **Relating to guaranty associations** (original similar to SB506) - Introduced 1/28/2019 - To Banking and Insurance then Judiciary - To House Judiciary 2/15/2019 - Passed House 2/25/2019 - To Senate 2/26/2019 - Committee reference dispensed - Passed Senate 2/28/2019 - To Governor 3/5/19 - Approved by Governor 3/25/19 - Chapter 154, Acts, Regular Session, 2019
2691. By Del. Howell, Jeffries, D., Pack, Phillips, Worrell, Sypolt, Hott, Martin, C., Cadle, Dean and Storch - **Providing that a license to carry a concealed deadly**

- weapon expires on the holder's birthday** - Introduced 1/28/2019 - To Judiciary - Passed House 2/6/2019 - To Senate 2/7/2019 - To Judiciary - Amended - Passed Senate with amended title 3/2/2019 - Effective from passage - House concurred in Senate amendment and passed 3/4/2019 - Effective from passage - To Governor 3/6/19 - Approved by Governor 3/25/19 - Chapter 264, Acts, Regular Session, 2019
- *2694. By Del. Howell, Jeffries, D., Pack, Phillips, Sypolt, Hott, Cadle, Hamrick, Graves, McGeehan and Pushkin - **Relating to the state's ability to regulate hemp** (original similar to SB629) - Introduced 1/28/2019 - To Agriculture and Natural Resources then Government Organization - To House Government Organization 2/13/2019 - Passed House 2/25/2019 - To Senate 2/26/2019 - To Judiciary - Amended - Passed Senate with amended title 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 13, Acts, Regular Session, 2019
2696. By Del. Howell, Bibby, Phillips, Sypolt, Cadle, Azinger, Jeffries, D., Pack, Worrell and Hott - **Creating an additional index system for state-owned lands** - Introduced 1/28/2019 - To Government Organization - Passed House 2/8/2019 - To Senate 2/11/2019 - To Government Organization
- *2703. By Del. Pack, Steele, Cooper, Graves, Criss, Westfall, Queen, Azinger, Higginbotham, Barrett and Bates - **Relating to refunds of excise taxes collected from dealers of petroleum products** - Introduced 1/28/2019 - To Finance - Passed House 2/26/2019 - To Senate 2/27/2019 - To Finance - Amended - Passed Senate with amended title 3/7/2019 - House concurred in Senate amendment and passed 3/7/2019 - To Governor 3/8/19 - Vetoed by Governor 3/27/19
2709. By Del. Atkinson, Worrell, McGeehan, Westfall, Miller, Swartzmiller, Kessinger, Cadle, Cooper and Brown, N. - **Relating to hunting licenses** - Introduced 1/29/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/5/2019 - Passed House 2/14/2019 - To Senate 2/15/2019 - To Judiciary - Amended - Passed Senate with amended title 3/9/2019 - House refused to concur and requested Senate to recede 3/9/2019 - Senate receded and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 179, Acts, Regular Session, 2019
- *2715. By Del. Harshbarger, Worrell, McGeehan, Westfall, Miller, Swartzmiller, Kessinger, Cadle, Cooper and Brown, N. - **Relating to Class Q special hunting permit for disabled persons** - Introduced 1/29/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/6/2019 - Amended - Amended - Passed House 2/14/2019 - Title amended - To Senate 2/15/2019 - To Natural Resources then Health and Human Resources - To Natural Resources 2/15/2019 - 2nd reference dispensed - Passed Senate 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 180, Acts, Regular Session, 2019
2716. By Del. Harshbarger, Worrell, McGeehan, Westfall, Miller, Swartzmiller, Atkinson, Kessinger, Cadle, Cooper and Porterfield - **Relating to vessel lighting and equipment requirements** - Introduced 1/29/2019 - To Agriculture and Natural Resources then Government Organization - To House Government Organization 2/5/2019 - Amended - Passed House 2/15/2019 -

Title amended - To Senate 2/18/2019 - To Natural Resources - Passed Senate 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 181, Acts, Regular Session, 2019

- *2718. By Del. Cooper, Worrell, Westfall, Miller, Maynard, Atkinson, Kessinger, Harshbarger and Porterfield - **Requiring purchasers of roundwood to collect and maintain certain information** - Introduced 1/29/2019 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/13/2019 - Passed House 2/27/2019 - To Senate 2/28/2019 - To Natural Resources then Judiciary - To Natural Resources 2/28/2019
- *2720. By Del. Pethel, Lovejoy, Shott, Boggs, Paynter and Harshbarger - **Authorizing certain investigators and first responders to carry firearms** - Introduced 1/29/2019 - To Fire Departments and Emergency Medical Services then Judiciary - To House Judiciary 2/5/2019 - Passed House 2/13/2019 - To Senate 2/14/2019 - To Health and Human Resources then Judiciary - To Health and Human Resources 2/14/2019
2730. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Increasing the compensation of the membership of the State Police and the salaries for public school teachers and school service personnel** (original similar to SB445) - Introduced 1/30/2019 - To Finance - Passed House 2/22/2019 - Title amended - Effective July 1, 2019 - To Senate 2/23/2019 - To Education then Finance - To Education 2/23/2019
- *2734. By Del. Kessinger, Fast, Staggers and Robinson - **Relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities** - Introduced 1/30/2019 - To Finance - Passed House 2/12/2019 - To Senate 2/13/2019 - To Government Organization then Finance - To Government Organization 2/13/2019 - To Finance 2/27/2019 - Passed Senate 3/5/2019 - To Governor 3/9/19 - Vetoes by Governor 3/27/19
- *2737. By Del. Householder and Criss - **Relating to training of State Tax Division employees** (original similar to SB476) - Introduced 1/30/2019 - To Finance - Passed House 2/8/2019 - To Senate 2/11/2019 - To Finance - Constitutional rule suspended - Passed Senate 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/19/19 - Chapter 201, Acts, Regular Session, 2019
2739. By Del. Hollen, Graves, Anderson and Malcolm - **Relating to contributions on behalf of employees to a retirement plan administered by the Consolidated Public Retirement Board** - Introduced 1/30/2019 - To Pensions and Retirement then Finance - To House Finance 2/6/2019 - Passed House 2/14/2019 - To Senate 2/15/2019 - To Government Organization then Finance - To Government Organization 2/15/2019 - 2nd reference dispensed - Passed Senate 3/8/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 75, Acts, Regular Session, 2019
- *2740. By Del. Shott, Harshbarger and Mandt - **Barring a parent from inheriting from a child in certain instances** (original similar to SB482) - Introduced 1/30/2019 - To Judiciary - Passed House 2/8/2019 - To Senate 2/11/2019 - To Judiciary - Amended on 3rd reading - Passed Senate 2/28/2019 - House concurred in Senate amendment and passed 3/1/2019 - To Governor 3/6/19 - Approved by Governor 3/25/19 - Chapter 83, Acts, Regular Session, 2019

2743. By Del. Hollen, Graves, Pethel, Evans, Anderson and Malcolm - **Eliminating reference to municipal policemen's pension and relief funds and firemen's pension and relief funds in section restricting investment** - Introduced 1/30/2019 - To Pensions and Retirement then Finance - To House Finance 2/6/2019 - Passed House 2/14/2019 - To Senate 2/15/2019 - To Pensions then Finance - To Pensions 2/15/2019 - To Finance 2/21/2019 - Constitutional rule suspended - Passed Senate 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/22/2019 - Chapter 64, Acts, Regular Session, 2019
2746. By Del. Shott - **Relating to administration of estates** (original similar to SB480) - Introduced 1/30/2019 - To Judiciary - Amendments pending - Amended - Passed House 2/8/2019 - To Senate 2/11/2019 - To Judiciary - Passed Senate 2/28/2019 - To Governor 3/5/19 - Approved by Governor 3/25/19 - Chapter 109, Acts, Regular Session, 2019
2759. By Del. Shott - **Providing for the ancillary administration of West Virginia real estate owned by nonresidents by affidavit and without administration** (original similar to SB483) - Introduced 1/30/2019 - To Judiciary - Passed House 2/8/2019 - To Senate 2/11/2019 - To Judiciary - Amended - Passed Senate 2/23/2019 - House concurred in Senate amendment and passed 3/1/2019 - To Governor 3/6/19 - Approved by Governor 3/26/19 - Chapter 110, Acts, Regular Session, 2019
2760. By Del. Howell, Martin, C., Pack, Cadle, Worrell, Hott, Jeffries, D., Jeffries, J., Bibby, Porterfield and Phillips - **Relating to performance reviews of state agencies and regulatory boards** - Introduced 1/30/2019 - To Government Organization - Passed House 2/26/2019 - To Senate 2/27/2019 - To Government Organization
- *2761. By Del. Westfall - **Modernizing the self-service storage lien law** - Introduced 1/30/2019 - To Judiciary - Amended - Passed House 2/14/2019 - Effective July 1, 2019 - To Senate 2/15/2019 - To Judiciary - Amended - Passed Senate 3/9/2019 - Effective July 1, 2019 - House concurred in Senate amendment and passed 3/9/2019 - Effective July 1, 2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 169, Acts, Regular Session, 2019
- *2768. By Del. Rohrbach - **Reducing the use of certain prescription drugs** - Introduced 1/30/2019 - To Prevention and Treatment of Substance Abuse then Health and Human Resources - To House Health and Human Resources 2/8/2019 - Passed House 2/18/2019 - To Senate 2/19/2019 - To Health and Human Resources - Amended - Passed Senate 3/8/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 218, Acts, Regular Session, 2019
- *2770. By Del. Rohrbach, Ellington, Barrett, Queen, Waxman, Byrd, Westfall, Nelson and Porterfield - **Fairness in Cost-Sharing Calculation Act** (original similar to SB509) - Introduced 1/30/2019 - To Banking and Insurance then Judiciary - To House Judiciary 2/15/2019 - Passed House 2/25/2019 - Title amended - To Senate 2/26/2019 - To Health and Human Resources - Amended - Passed Senate with amended title 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 155, Acts, Regular Session, 2019

- *2779. By Del. Shott, Anderson, Cadle, Kelly, J., Phillips, Evans, Boggs, Pethtel, Maynard, Higginbotham and Hansen - **Providing that proceeds from certain oil and gas wells to persons whose name or address are unknown are to be kept in a special fund** (original similar to SB384) - Introduced 1/30/2019 - To Energy - Passed House 2/6/2019 - To Senate 2/7/2019 - To Energy, Industry and Mining then Judiciary - To Energy, Industry and Mining 2/7/2019 - To Judiciary 3/1/2019 - Amended - Rejected by Senate 3/9/2019
- *2793. By Del. Maynard, Dean, Hornbuckle, Doyle and Pyles - **Expanding applicability of educational facilities for the West Virginia College Prepaid Tuition and Savings Program** - Introduced 1/31/2019 - To Finance - Passed House 2/14/2019 - To Senate 2/15/2019 - To Education
- *2802. By Del. Kelly, J., Shott, Nelson, Anderson and Criss - **Uniform Partition of Heirs Property Act** - Introduced 2/1/2019 - To Energy then Judiciary - To House Judiciary 2/8/2019 - Amended - Passed House 2/26/2019 - To Senate 2/27/2019 - To Energy, Industry and Mining then Judiciary - To Energy, Industry and Mining 2/27/2019
- *2807. By Del. Kelly, J., Nelson, Worrell, Kelly, D., Azinger, Criss, Caputo, Angelucci, Longstreth, Brown, N. and Espinosa - **Creating an additional modification to the West Virginia adjusted gross income of shareholders of S corporations engaged in banking** (original similar to SB505) - Introduced 2/1/2019 - To Banking and Insurance then Finance - To House Finance 2/11/2019 - Passed House 2/22/2019 - To Senate 2/23/2019 - To Banking and Insurance then Finance - To Banking and Insurance 2/23/2019 - On 2nd reading to Finance 3/4/2019 - Amended - Passed Senate with amended title 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/27/19 - Vetoed by Governor 3/27/19
- *2809. By Del. Shott, Caputo, Mandt, Paynter, Ellington, Porterfield and Evans - **Relating to prohibited acts and penalties in the Hatfield-McCoy Recreation Area** - Introduced 2/1/2019 - To Judiciary - Amended - Passed House 2/11/2019 - To Senate 2/12/2019 - To Judiciary - Passed Senate 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 182, Acts, Regular Session, 2019
- *2813. By Del. Householder and Criss - **Relating generally to collection of use tax** (original similar to SB477) - Introduced 2/1/2019 - To Finance - Passed House 2/12/2019 - To Senate 2/13/2019 - To Finance - Amended - Passed Senate with amended title 3/2/2019 - House concurred in Senate amendment and passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 252, Acts, Regular Session, 2019
2815. By Del. Steele, Shott, Pack, Graves and Canestraro - **Raising the value of goods or chattels that are taken in a larceny to constitute grand larceny** - Introduced 2/1/2019 - To Judiciary - Passed House 2/8/2019 - To Senate 2/11/2019 - To Judiciary
2816. By Del. Campbell, Canestraro, Higginbotham, Lavender-Bowe, Atkinson, Williams, Thompson, R., Caputo, Hornbuckle, Dean and Pack - **Removing the terms “hearing impaired,” “hearing impairment,” and “deaf mute” from**

- the West Virginia Code and substituting terms** - Introduced 2/1/2019 - To Government Organization - Passed House 2/25/2019 - To Senate 2/26/2019 - To Health and Human Resources - Passed Senate 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 126, Acts, Regular Session, 2019
- *2821. By Del. Householder and Criss - **Updating provisions for command, clerical and other pay** - Introduced 2/1/2019 - To Finance - Passed House 2/14/2019 - To Senate 2/15/2019 - To Military - Passed Senate 2/25/2019 - To Governor 3/4/19 - Approved by Governor 3/9/19 - Chapter 231, Acts, Regular Session, 2019
2827. By Del. Sypolt, Phillips, Graves, Nelson, Pyles and Miller - **Removing the residency requirements for hiring deputy assessors** (original similar to SB565) - Introduced 2/1/2019 - To Political Subdivisions then Government Organization - To House Government Organization 2/15/2019 - Passed House 2/25/2019 - To Senate 2/26/2019 - Committee reference dispensed - Passed Senate 2/28/2019 - To Governor 3/5/19 - Approved by Governor 3/19/19 - Chapter 65, Acts, Regular Session, 2019
2828. By Del. Higginbotham, Queen, Skaff, Atkinson, Martin, C., Nelson, Toney, Waxman, Capito, Lovejoy and Hicks (Originating in House Small Business, Entrepreneurship and Economic Development) - **Relating to Qualified Opportunity Zones** - Introduced 2/1/2019 - To House Finance 2/1/2019 - Passed House 2/25/2019 - To Senate 2/26/2019 - To Finance - Amended - Passed Senate with amended title 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19
2829. By Del. Nelson, Householder, Shott, Ellington, Atkinson, Jennings, Sypolt, Hartman, Campbell, Cooper and Cowles - **Relating to the termination of severance taxes on limestone and sandstone** - Introduced 2/4/2019 - To Finance - Passed House 2/22/2019 - To Senate 2/23/2019 - To Finance - Constitutional rule suspended - Passed Senate 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/27/19 - Chapter 253, Acts, Regular Session, 2019
- *2830. By Del. Howell, Pack, Hollen, Jennings, Miller, Kelly, D., Storch, Dean, Hamrick, Foster and Summers - **Establishing Next Generation 911 services in this state** - Introduced 2/4/2019 - To Government Organization then Finance - To House Finance 2/14/2019 - Passed House 2/25/2019 - To Senate 2/26/2019 - To Government Organization then Finance - To Government Organization 2/26/2019
- *2831. By Del. Criss, Storch, Cowles, Hill, Butler, Hardy, Boggs, Barrett, Pethtel, Longstreth and Hartman - **Finding and declaring certain claims against the state and its agencies to be moral obligations of the state** - Introduced 2/4/2019 - To Finance - Passed House 2/26/2019 - Effective from passage - To Senate 2/27/2019 - To Finance - Amended - Passed Senate 3/8/2019 - Effective from passage - House concurred in Senate amendment and passed 3/8/2019 - Effective from passage - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 46, Acts, Regular Session, 2019

- *2834. By Del. Anderson, Kelly, J., Harshbarger, Howell, Porterfield and Nelson - **Updating and modernizing the minimum spacing provisions for the drilling of horizontal deep wells** - Introduced 2/4/2019 - To Energy - Passed House 2/18/2019 - To Senate 2/19/2019 - To Energy, Industry and Mining
2837. By Del. Espinosa, Householder, Barrett and Storch - **Relating to the licensing of advance deposit wagering** - Introduced 2/4/2019 - To Judiciary then Finance - 2nd reference dispensed - Amended - Passed House 2/25/2019 - To Senate 2/26/2019 - To Judiciary then Finance - To Judiciary 2/26/2019 - To Finance 3/6/2019
- *2843. By Del. Howell, Pack, Hamrick, Dean, Criss, Martin, C., Jeffries, D., McGeehan and Householder - **Creating an Office for Federal Surplus Property** - Introduced 2/4/2019 - To Government Organization - Passed House 2/27/2019 - To Senate 2/28/2019 - To Government Organization
2846. By Del. Miller, Kelly, D., Swartzmiller, Robinson, Queen, Hornbuckle, Pack, Malcolm and Pyles - **Relating to special vehicle registration plates** - Introduced 2/4/2019 - To Technology and Infrastructure then Finance - 2nd reference dispensed - Passed House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure - Amended - Passed Senate with amended title 3/8/2019 - House concurred in Senate amendment and passed 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 174, Acts, Regular Session, 2019
- *2848. By Del. Ellington, Summers, Nelson and Byrd - **Relating to the West Virginia ABLE Act** - Introduced 2/4/2019 - To Finance - Passed House 2/14/2019 - To Senate 2/15/2019 - To Finance - Constitutional rule suspended - Passed Senate 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/27/19 - Chapter 219, Acts, Regular Session, 2019
- *2849. By Del. Howell, Pack, Martin, C., Jeffries, D., Dean and Hamrick - **Establishing different classes of pharmacy technicians** - Introduced 2/4/2019 - To Health and Human Resources - Passed House 2/18/2019 - To Senate 2/19/2019 - To Health and Human Resources - Amended - Passed Senate 3/8/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 196, Acts, Regular Session, 2019
2850. By Del. Porterfield, Linville, Jeffries, J., Kessinger, Cadle, Paynter, Cooper and Foster - **Relating to qualifications for commercial driver's license** - Introduced 2/4/2019 - To Technology and Infrastructure then Government Organization - To House Government Organization 2/5/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To Transportation and Infrastructure - Passed Senate 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 175, Acts, Regular Session, 2019
2853. By Del. Higginbotham, Jennings, Skaff, Queen, Phillips, Bibby, Wilson, Atkinson and Byrd - **Establishing the West Virginia Program for Open Education Resources** - Introduced 2/6/2019 - To Education - Passed House 2/26/2019 - Title amended - To Senate 2/27/2019 - To Education then Finance - To Education 2/27/2019 - On 2nd reading to Finance 3/2/2019 - Passed Senate

3/7/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 168, Acts, Regular Session, 2019

- *2854. By Del. Householder - **Exempting sales from the consumers sales and service tax and use tax by not for profit volunteer school support groups raising funds for schools** (original similar to SB457) - Introduced 2/6/2019 - To Finance - Passed House 2/21/2019 - To Senate 2/22/2019 - To Finance - Constitutional rule suspended - Passed Senate 3/1/2019 - To Governor 3/7/19 - Approved by Governor 3/19/19 - Chapter 254, Acts, Regular Session, 2019
- *2855. By Del. Householder - **Allowing rebate moneys to be used for the operation and maintenance of accounting and transparency systems of the State Auditor** - Introduced 2/6/2019 - To Finance - Passed House 2/21/2019 - To Senate 2/22/2019 - To Government Organization
2856. By Del. Householder - **Relating to the administration of the operating fund of the securities division of the Auditor's office** - Introduced 2/6/2019 - To Finance - Passed House 2/21/2019 - Title amended - To Senate 2/22/2019 - To Government Organization - Passed Senate 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 127, Acts, Regular Session, 2019
- *2866. By Del. Anderson, Kelly, J., Higginbotham, Pethtel and Porterfield - **Relating to the termination, expiration, or cancellation of oil or natural gas leases** - Introduced 2/6/2019 - To Energy then Judiciary - To House Judiciary 2/13/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary
2872. By Del. Kelly, D., Caputo, Maynard, Kelly, J., Anderson, Hollen, Miller, Steele, Harshbarger and Lovejoy - **Authorizing law-enforcement officers to assist the State Fire Marshal** (original similar to SB526) - Introduced 2/6/2019 - To Fire Departments and Emergency Medical Services then Judiciary - To House Judiciary 2/12/2019 - Passed House 2/22/2019 - To Senate 2/23/2019 - To Judiciary - Amended - Passed Senate with amended title 3/5/2019 - House concurred in Senate amendment and passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 232, Acts, Regular Session, 2019
2878. By Del. Ellington, Rohrbach and Bates (Originating in House Health and Human Resources) - **Relating to updating the controlled substances listed on schedule one** - Introduced 2/8/2019 - Passed House 2/13/2019 - To Senate 2/14/2019 - To Health and Human Resources then Judiciary - To Health and Human Resources 2/14/2019 - To Judiciary 3/1/2019
- *2882. By Del. Ellington, Hill, Worrell, Wilson, Jeffries, D., Criss, Dean, Staggers and Rohrbach - **Creating a health professionals' student loan programs** - Introduced 2/7/2019 - To Education then Finance - To House Finance 2/19/2019 - Passed House 2/27/2019 - To Senate 2/28/2019 - To Education then Finance - To Education 2/28/2019
- *2886. By Del. Howell, Pack, Martin, C., Hanshaw (Mr. Speaker), Hartman, Phillips, Summers, Jeffries, D., Ellington, Hollen and Linville - **Establishing requirements for a Division Motor Vehicles office or Division of Motor Vehicles Now kiosk to be present in a county** - Introduced 2/7/2019 - To Government Organization - Passed House 2/21/2019 - To Senate 2/22/2019 -

To Transportation and Infrastructure then Finance - To Transportation and Infrastructure 2/22/2019

- *2895. By Del. Miley and Queen - **Allowing victims of certain crimes to get a restraining order** - Introduced 2/7/2019 - To Judiciary - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary

- *2901. By Del. Storch, Nelson, Skaff, Sponaugle, Fluharty, Graves, McGeehan, Westfall, Rowe, Barrett and Householder - **Allowing for the establishment of a secondary location for racetrack video lottery terminals** - Introduced 2/7/2019 - To Judiciary then Finance - To House Finance 2/15/2019 - Passed House 2/22/2019 - Effective July 1, 2019 - To Senate 2/23/2019 - To Finance

- *2907. By Del. Steele, Miller, Caputo and Maynard - **Requiring a form of a certified commitment order to the Division of Corrections and Rehabilitation** (original similar to SB525) - Introduced 2/7/2019 - To Judiciary - Passed House 2/21/2019 - Title amended - To Senate 2/22/2019 - To Judiciary - Amended - Passed Senate with amended title 3/4/2019 - Effective from passage - House concurred in Senate amendment and passed 3/6/2019 - Effective from passage - To Governor 3/21/19 - Approved by Governor 3/22/2019 - Chapter 81, Acts, Regular Session, 2019

- 2924. By Del. Howell, Pack, Martin, C., Hamrick and Graves - **Permitting the West Virginia Tourism Office to decide to contract with the Division of Highways to sell advertising space on the WV511 website** - Introduced 2/8/2019 - To Government Organization - Passed House 2/21/2019 - To Senate 2/22/2019 - To Government Organization

- 2926. By Del. Rowe, Longstreth, Robinson, Estep-Burton, Pyles, Queen, Westfall, Bates, McGeehan, Evans and Miller - **Requiring the Secretary of the Department of Veterans' Affairs to study the housing needs of veterans** - Introduced 2/8/2019 - To Veterans' Affairs and Homeland Security then Government Organization - To House Government Organization 2/15/2019 - Passed House 2/25/2019 - To Senate 2/26/2019 - To Military - Passed Senate 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 263, Acts, Regular Session, 2019

- *2929. By Del. Howell, Pack, Martin, C. and Hamrick - **Authorizing the West Virginia Tourism Office to enter into an agreement with the Division of Highways to provide staff at the welcome centers** - Introduced 2/8/2019 - To Government Organization - Passed House 2/21/2019 - To Senate 2/22/2019 - To Government Organization

- 2932. By Del. Barrett and Householder - **Transferring regulation and licensing of charitable bingo, charitable raffles, and charitable raffle boards** - Introduced 2/8/2019 - To Government Organization - Passed House 2/27/2019 - To Senate 2/28/2019 - To Judiciary

- *2933. By Del. Shott and Lovejoy - **Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury** - Introduced 2/8/2019 - To Judiciary - Amended - Passed House 2/21/2019 - To Senate 2/22/2019 - To Judiciary - Amended - Passed Senate with amended title

3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Vetoed by Governor 3/27/19

2934. By Del. Barrett, Householder, Westfall, Bates, Graves, Fluharty, Criss, Sponaugle, Williams, Skaff and Storch - **West Virginia Lottery Interactive Wagering Act** - Introduced 2/8/2019 - To Judiciary then Finance - 2nd reference dispensed - Amended - Passed House 2/22/2019 - To Senate 2/23/2019 - To Judiciary then Finance - To Judiciary 2/23/2019 - 2nd reference dispensed - Amended - Passed Senate with amended title 3/8/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Became law without Governor's signature - Chapter 128, Acts, Regular Session, 2019
- *2941. By Del. Graves, Higginbotham, Kessinger, Summers, Barrett, Storch, Steele, Queen, Doyle, Hanshaw (Mr. Speaker) and Lovejoy - **Reinstating the film investment tax credit** - Introduced 2/8/2019 - To Finance - Passed House 2/27/2019 - To Senate 2/28/2019 - To Finance
- *2943. By Del. Hansen, Walker, Skaff, Estep-Burton, Byrd, Pushkin, Fleischauer, Pyles, Williams, Steele and Robinson - **Relating to deliveries by wine specialty shop** - Introduced 2/8/2019 - To Small Business, Entrepreneurship and Economic Development then Judiciary - To House Judiciary 2/15/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary
- *2945. By Del. Miley, Caputo, Lavender-Bowe, Householder, Nelson and Bates - **Relating to vendors paying a single annual fee for a permit issued by a local health department** - Introduced 2/8/2019 - To Finance - Passed House 2/26/2019 - To Senate 2/27/2019 - To Health and Human Resources - Passed Senate 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 220, Acts, Regular Session, 2019
- *2947. By Del. Steele, Pack, Rohrbach and Atkinson - **Relating generally to telemedicine prescription practice requirements and exceptions** - Introduced 2/8/2019 - To Health and Human Resources then Judiciary - 2nd reference dispensed - Passed House 2/19/2019 - To Senate 2/20/2019 - To Health and Human Resources - Amended - Passed Senate 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 197, Acts, Regular Session, 2019
- *2951. By Del. Howell, Pack, Martin, C., Jeffries, D., Ellington, Staggers, Hill and Hansen - **Placing the regulation of non-medical professions and occupations in a new chapter of the code** - Introduced 2/8/2019 - To Government Organization - Passed House 2/27/2019 - To Senate 2/28/2019 - To Health and Human Resources then Government Organization - To Health and Human Resources 2/28/2019
2954. By Del. Summers - **Defining certain terms used in insurance** (original similar to SB591) - Introduced 2/11/2019 - To Government Organization - Passed House 2/21/2019 - To Senate 2/22/2019 - To Banking and Insurance - Amended - Passed Senate with amended title 3/7/2019 - House concurred in Senate amendment and passed 3/7/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 156, Acts, Regular Session, 2019

2958. By Del. Maynard, Westfall, Jennings, Pack, Paynter, Miller, Lovejoy, Linville, Jeffries, J. and Angelucci - **Authorizing the State Auditor to conduct regular financial examinations or audits of all volunteer fire companies** - Introduced 2/11/2019 - To Government Organization - Passed House 2/19/2019 - To Senate 2/20/2019 - To Government Organization - Amended - Senate reconsidered action - Passed Senate 3/5/2019 - House concurred in Senate amendment and passed 3/6/2019 - To Governor 3/19/19 - Approved by Governor 3/25/19 - Chapter 129, Acts, Regular Session, 2019
2966. By Del. Harshbarger and Steele - **County Budget Flexibility Act** - Introduced 2/11/2019 - To Judiciary then Finance - To House Finance 2/18/2019 - Passed House 2/27/2019 - To Senate 2/28/2019 - To Government Organization
- *2967. By Del. Hardy, Bibby, Barrett, Espinosa, Cowles, Householder, Mandt, Linville, Wilson, Jeffries, D. and Rowan - **Permitting a county to retain the excise taxes for the privilege of transferring title of real estate** - Introduced 2/11/2019 - To Finance - Passed House 2/27/2019 - To Senate 2/28/2019 - To Finance
2968. By Del. Nelson, Espinosa, Barrett, Byrd, McGeehan, Criss and Porterfield - **Adding remote service unit to the definition of customer bank communications terminals** (original similar to SB634) - Introduced 2/11/2019 - To Banking and Insurance then Judiciary - To House Judiciary 2/18/2019 - Passed House 2/22/2019 - Title amended - To Senate 2/23/2019 - To Banking and Insurance then Judiciary - To Banking and Insurance 2/23/2019 - On 2nd reading to Judiciary 3/4/2019 - Amended - Passed Senate with amended title 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 41, Acts, Regular Session, 2019
- *2974. By Del. Jeffries, D., Howell, Pack, Graves, Bibby, Jeffries, J., Steele, Harshbarger, Foster and Malcolm - **Exempting businesses relating to transporting certain used tires to storage, disposal, or recycling locations from provisions of chapter** - Introduced 2/11/2019 - To Government Organization - Passed House 2/26/2019 - To Senate 2/27/2019 - To Government Organization
- *2975. By Del. Miller and Kelly, D. - **Relating to imposition of sexual acts on persons incarcerated** - Introduced 2/11/2019 - To Judiciary - Passed House 2/20/2019 - To Senate 2/21/2019 - To Judiciary - Amended - Passed Senate with amended title 3/4/2019 - House concurred in Senate amendment and passed 3/7/2019 - To Governor 3/20/19 - Approved by Governor 3/25/19 - Chapter 76, Acts, Regular Session, 2019
- *2982. By Del. Howell, Hott, Pack, Cadle, Martin, C. and Hamrick - **Amending and updating the laws relating to auctioneers** (original similar to SB619) - Introduced 2/11/2019 - To Government Organization - Passed House 2/21/2019 - To Senate 2/22/2019 - To Government Organization - Amended - Passed Senate with amended title 3/8/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 37, Acts, Regular Session, 2019

- *2991. By Del. Rohrbach, Ellington and Bates (Originating in House Prevention and Treatment of Substance Abuse) - **Relating to the Ryan Brown Addiction Prevention and Recovery Fund** - Introduced 2/8/2019 - To House Finance 2/8/2019 - Amended - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary then Finance - To Judiciary 2/27/2019
2992. By Del. Pack, Howell, Pyles, Jeffries, J., Phillips, Hott, Hansen, Tomblin, Nelson, Martin, C. and Sypolt (Originating in House Government Organization) - **Relating to governmental websites** - Introduced 2/11/2019 - Passed House 2/15/2019 - To Senate 2/18/2019 - To Government Organization then Finance - To Government Organization 2/18/2019 - To Finance 3/1/2019 - Amended - Passed Senate 3/7/2019 - House concurred in Senate amendment and passed 3/7/2019 - To Governor 3/21/19 - Vetoed by Governor 3/27/19
- *3007. By Del. Nelson, Harshbarger, Cadle, Atkinson, Cooper, Pack and Porterfield - **Authorizing the Commissioner of Agriculture to require background checks** - Introduced 2/12/2019 - To Government Organization - Passed House 2/21/2019 - To Senate 2/22/2019 - To Government Organization - Constitutional rule suspended - Passed Senate with amended title 3/1/2019 - House concurred in Senate amend with title amend, passed 3/4/2019 - Senate concurred in House amendments and passed bill 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/19/19 - Chapter 14, Acts, Regular Session, 2019
- *3016. By Del. Butler and Porterfield - **Relating to the State Aeronautics Commission** (original similar to SB562) - Introduced 2/12/2019 - To Government Organization then Finance - To House Finance 2/18/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To Government Organization - Passed Senate 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 130, Acts, Regular Session, 2019
3020. By Del. Espinosa - **Relating to sole source contracts for goods and services with nonprofit corporations affiliated with the respective education institutions** - Introduced 2/12/2019 - To Education - Passed House 2/26/2019 - To Senate 2/27/2019 - To Government Organization - Amended - Passed Senate with amended title 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 137, Acts, Regular Session, 2019
- *3021. By Del. Espinosa - **Relating to the disposition of permit fees, registration fees and civil penalties imposed against thoroughbred horse racing licensees** - Introduced 2/12/2019 - To Finance - Passed House 2/26/2019 - To Senate 2/27/2019 - To Finance - Passed Senate 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/25/19 - Chapter 131, Acts, Regular Session, 2019
- *3024. By Del. Hanshaw (Mr. Speaker), Atkinson and Nelson - **West Virginia Business Ready Sites Program** (original similar to HB3092) - Introduced 2/12/2019 - To Government Organization - Passed House 2/26/2019 - Effective from passage - To Senate 2/27/2019 - To Government Organization - Amended - Passed Senate 3/9/2019 - Effective from passage - House concurred in Senate amendment and passed 3/9/2019 - Effective from passage - To Governor 3/25/19 - Vetoed by Governor 3/27/19

3039. By Del. Foster, Phillips, Malcolm and Jeffries, D. - **Relating to a court's consideration of the expression of a preference by a child in certain child custody matters** - Introduced 2/12/2019 - To Judiciary - Passed House 2/21/2019 - To Senate 2/22/2019 - To Judiciary
3044. By Del. Williams, Summers, Fleischauer, Pyles, Walker, Hansen, Caputo, Miley, Zukoff, Queen and Sypolt - **Requiring the Commissioner of Highways to develop a formula for allocating road funds** - Introduced 2/12/2019 - To Government Organization - Amended - Passed House 2/26/2019 - To Senate 2/27/2019 - To Transportation and Infrastructure - Amended - Passed Senate 3/9/2019 - House refused to concur and requested Senate to recede 3/9/2019 - Senate refused to recede and requested conference 3/9/2019 - House concurred in Senate amend with amend, passed bill 3/9/2019 - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/21/19 - Vetoes by Governor 3/27/19
3045. By Del. Cowles, Maynard, Barrett, Skaff, Boggs, Williams and Porterfield - **Exempting certain complimentary hotel rooms from hotel occupancy tax** - Introduced 2/12/2019 - To Finance - Passed House 2/25/2019 - To Senate 2/26/2019 - To Finance - Passed Senate 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/19/19 - Chapter 255, Acts, Regular Session, 2019
3054. By Del. Howell, Martin, C., Pack, Hamrick and Wilson - **Relating to the state agency for surplus property** - Introduced 2/12/2019 - To Government Organization - Passed House 2/26/2019 - To Senate 2/27/2019 - To Government Organization
- *3057. By Del. Shott - **Relating to the Adult Drug Court Participation Fund** - Introduced 2/12/2019 - To Judiciary then Finance - To House Finance 2/18/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary - Amended - Passed Senate with amended title 3/8/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/21/19 - Approved by Governor 3/26/19 - Chapter 82, Acts, Regular Session, 2019
3083. By Del. Hanshaw (Mr. Speaker) and Miley - **Adding temporary work during the legislative session as exclusion to the term employment for purposes of unemployment compensation** - Introduced 2/12/2019 - To Judiciary - Passed House 2/21/2019 - To Senate 2/22/2019 - To Judiciary - Amended - Passed Senate 3/4/2019 - House concurred in Senate amendment and passed 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/19/19 - Chapter 202, Acts, Regular Session, 2019
3093. By Del. Cowles, Porterfield and Rohrbach - **Relating to standards for factory-built homes** - Introduced 2/12/2019 - To Government Organization - Passed House 2/21/2019 - To Senate 2/22/2019 - To Government Organization - Constitutional rule suspended - Passed Senate 3/1/2019 - To Governor 3/8/19 - Approved by Governor 3/25/19 - Chapter 43, Acts, Regular Session, 2019
3095. By Del. Summers, Hollen, Graves, Anderson, Malcolm, Pack, Pethel and Evans - **Establishing a minimum monthly retirement annuity for certain retirants** - Introduced 2/12/2019 - To Pensions and Retirement then Finance - To House Finance 2/14/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To

Finance - Passed Senate 3/5/2019 - To Governor 3/11/19 - Approved by Governor 3/19/19 - Chapter 203, Acts, Regular Session, 2019

3102. By Del. Espinosa, Cowles, Summers, Householder, Westfall and Nelson - **Creating alternating wine proprietorships for wineries and farm wineries** - Introduced 2/12/2019 - To Government Organization - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary
3127. By Del. Ellington, Porterfield, Kessinger, Fast, Wilson, Jennings and Worrell - **Relating to the Secondary School Activities Commission and participation by home schooled students** - Introduced 2/12/2019 - To Education - Motion to table motion to discharge from committee and read a first time rejected - Motion to discharge committee and read a first time adopted - Amended - House rejected 2/27/2019
- *3131. By Del. Ellington, Hill, Summers, Rohrbach, Hollen, Pack, Atkinson, Jeffries, D. and Rowan (Originating in House Health and Human Resources) - **Relating to providing salary adjustments to employees of the Department of Health and Human Resources** - Introduced 2/13/2019 - To House Government Organization 2/13/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To Health and Human Resources - Amended - Passed Senate with amended title 3/9/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 204, Acts, Regular Session, 2019
3132. By Del. Rohrbach (Originating in House Prevention and Treatment of Substance Abuse) - **Relating to exempting providers that serve no more than 30 patients with office-based medication-assisted treatment** - Introduced 2/15/2019 - To House Health and Human Resources 2/15/2019 - Amended - Passed House 2/25/2019 - To Senate 2/26/2019 - To Health and Human Resources - Passed Senate 3/8/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 221, Acts, Regular Session, 2019
- *3133. By Del. Rohrbach, Pushkin and Robinson (Originating in House Prevention and Treatment of Substance Abuse) - **Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service** - Introduced 2/15/2019 - To House Judiciary 2/15/2019 - Passed House 2/25/2019 - To Senate 2/26/2019 - To Judiciary
3134. By Del. Shott, Hollen, Canestraro, Steele, Byrd and Harshbarger (Originating in House Judiciary) - **Establishing criminal penalties for negligent homicide, and increasing criminal penalties for reckless driving** - Introduced 2/19/2019 - Amended - Passed House 2/25/2019 - To Senate 2/26/2019 - To Judiciary
3135. By Del. Criss, Cowles, Ellington, Espinosa, Hardy, Rowan, Barrett, Hartman, Longstreth, Rowe and Williams (Originating in House Finance) - **Expiring funds to the balance of the Department of Commerce, Development Office** - Introduced 2/20/2019 - Passed House 2/25/2019 - Effective from passage - To Senate 2/26/2019 - To Finance - Amended - Passed Senate with amended title 3/7/2019 - Effective from passage - House concurred in Senate amendment and passed 3/7/2019 - Effective from passage - To Governor 3/13/19 - Approved by Governor 3/14/19 - Chapter 36, Acts, Regular Session, 2019

3139. By Del. Criss, Ellington, Hartman, Bates and Barrett (Originating in House Finance) - **Relating to funding of the Public Employees Health Insurance Program** - Introduced 2/22/2019 - Amended - Passed House 2/26/2019 - Effective from passage - To Senate 2/27/2019 - To Finance - Amended - Passed Senate with amended title 3/9/2019 - Effective from passage - House concurred in Senate amend with amend, passed bill 3/9/2019 - Effective from passage - Senate concurred in House amendments and passed bill 3/9/2019 - Effective from passage - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 205, Acts, Regular Session, 2019
3140. By Del. Cowles, Hartman, Hardy, Espinosa, Ellington, Rowan, Pethtel and Anderson (Originating in House Finance) - **Relating to the Division of Natural Resources Infrastructure** - Introduced 2/22/2019 - Amended - Passed House 2/26/2019 - Title amended - Effective from passage - To Senate 2/27/2019 - Committee reference dispensed - Amended - Constitutional rule suspended - Passed Senate with amended title 3/1/2019 - Effective from passage - House concurred in Senate amendment and passed 3/4/2019 - Effective from passage - To Governor 3/7/19 - Approved by Governor 3/26/19 - Chapter 183, Acts, Regular Session, 2019
3141. By Del. Shott, Byrd, Fast, Kelly, D. and Miller (Originating in House Judiciary) - **Requiring capitol building commission authorization for certain renovations** - Introduced 2/22/2019 - Amended - Passed House 2/26/2019 - To Senate 2/27/2019 - To Government Organization - Amended - Passed Senate 3/8/2019 - House concurred in Senate amend with amend, passed bill 3/9/2019 - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 132, Acts, Regular Session, 2019
3142. By Del. Householder, Criss, Rowan, Linville and Maynard (Originating in House Finance) - **Relating to reducing the severance tax on thermal or steam coal** - Introduced 2/22/2019 - Amended - Passed House 2/27/2019 - Title amended - To Senate 2/28/2019 - To Finance - Amended - Constitutional rule suspended - Passed Senate with amended title 3/8/2019 - House concurred in Senate amendment and passed 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 256, Acts, Regular Session, 2019
3143. By Del. Shott, Capito, Nelson and Foster (Originating in House Judiciary) - **Relating to requirements for consumer loans in West Virginia** - Introduced 2/22/2019 - Passed House 2/26/2019 - To Senate 2/27/2019 - To Judiciary - Amended - Passed Senate 3/9/2019 - House refused to concur and requested Senate to recede 3/9/2019 - Senate refused to recede and requested conference 3/9/2019 - House concurred in Senate amend with amend, passed bill 3/9/2019 - Senate concurred in House amendments and passed bill 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/26/19 - Chapter 52, Acts, Regular Session, 2019
3144. By Del. Hartman, Storch, Skaff, Graves, Espinosa, Rowan, Maynard, Hill, Longstreth and Barrett (Originating in House Finance) - **North Central Appalachian Coal Severance Tax Rebate Act** - Introduced 2/22/2019 - Amended - Passed House 2/27/2019 - To Senate 2/28/2019 - To Finance - Amended - Amended - Passed Senate with amended title 3/8/2019 - House

concurrent in Senate amendment 3/9/2019 - Passed House 3/9/2019 - To Governor 3/25/19 - Approved by Governor 3/27/19 - Chapter 257, Acts, Regular Session, 2019

3145. By Del. Hamrick, Westfall, Butler, Waxman and Atkinson (Originating in House Education) - **Relating to student financial aid resources** - Introduced 2/22/2019 - Amended - Passed House 2/26/2019 - To Senate 2/27/2019 - To Education then Finance - To Education 2/27/2019
3146. By Del. Howell (Originating in House Government Organization) - **Relating to retail licensees** - Introduced 2/22/2019 - Amended - House rejected 2/27/2019
3148. By Del. Householder and Criss (Originating in House Finance) - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services** - Introduced 2/25/2019 - Passed House 2/27/2019 - Effective from passage - To Senate 3/1/2019 - Committee reference dispensed - Passed Senate 3/4/2019 - Effective from passage - To Governor 3/11/19 - Vetoed by Governor 3/14/19
3149. By Del. Sponaugle, Hardy, Williams, Skaff, Hartman, Ellington, Rowe, Barrett, Westfall, Criss and Bates (Originating in House Finance) - **Relating to manufacturing and producing hard cider in West Virginia** - Introduced 2/25/2019 - Passed House 2/27/2019 - To Senate 3/1/2019 - To Judiciary

HOUSE CONCURRENT RESOLUTIONS COMMUNICATED TO SENATE

1. By Del. Hanshaw (Mr. Speaker) - **Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly** - Introduced 1/9/2019 - Reference dispensed - Adopted by House 1/9/2019 - To Senate 1/9/2019 - Committee reference dispensed - Adopted by Senate 1/9/2019
2. By Del. Kelly, J., Anderson, Azinger, Cooper, Hollen, Criss, Shott, Ellington, Summers, Hanshaw (Mr. Speaker) and McGeehan - **Senator J. Frank Deem Memorial Bridge** - Introduced 1/9/2019 - To Rules - Adopted by House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure - Adopted by Senate 3/6/2019
4. By Del. Cooper, Rowan and Pack - **Gold Star Families Highway** - Introduced 1/15/2019 - To Technology and Infrastructure then Rules - To House Rules 2/12/2019 - Adopted by House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure
- *5. By Del. Cooper, Pack and Paynter - **U. S. Army T/5 Maurice V. Mann Memorial Bridge** - Introduced 1/15/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019 - Committee reference dispensed - Adopted by Senate 3/9/2019
- *6. By Del. Rowe, Robinson and Estep-Burton - **U. S. Army PFC Earl Russell Cobb, SPC4 Carl Bradford Goodson, and SSGT George T. Saunders Jr.**

- Memorial Bridge** - Introduced 1/16/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/8/2019 - To Senate 4/4/2019 - Committee reference dispensed - Adopted by Senate 3/9/2019
- *7. By Del. Rowe, Robinson and Estep-Burton - **Kidd Brothers Bridge** - Introduced 1/16/2019 - To Technology and Infrastructure then Rules - To House Rules 2/12/2019 - Adopted by House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure
- *9. By Del. Caputo, Longstreth and Angelucci - **Kingmont Veterans Bridge PVT Jarrett Springer, U. S. Army WWII, PFC Benjamin "Benny" Hamrick, USMC Vietnam** - Introduced 1/17/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/8/2019 - Committee reference dispensed - Adopted by Senate 3/9/2019
10. By Del. Westfall, Jeffries, D., Hott, Azinger, Nelson, Atkinson, Graves, Mandt, Jennings and Criss - **Resiliency Week** - Introduced 1/17/2019 - To Veterans' Affairs and Homeland Security then Rules - To House Rules 1/24/2019 - Adopted by House 3/7/2019
- *11. By Del. Summers, Hamrick, Waxman, Queen, Miley, Sypolt and Jennings - **U. S. Army Command Sergeant Major Timothy Allen Bolyard Memorial Bridge** - Introduced 1/17/2019 - To Technology and Infrastructure then Rules - To House Rules 2/12/2019 - Adopted by House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure - Adopted by Senate 3/6/2019
13. By Del. Howell, Cadle, Hanna, Hill, Hott, Linville, Pack, Phillips, Staggers, Steele, Wilson and Worrell - **Chief Robert Edward Dorsey Memorial Highway** - Introduced 1/17/2019 - To Technology and Infrastructure then Rules - To House Rules 2/12/2019 - Adopted by House 2/22/2019 - To Senate 2/23/2019 - To Transportation and Infrastructure - Adopted by Senate 3/6/2019
14. By Del. Thompson, R., Lovejoy, Linville, Rohrbach, Maynard and Hicks - **U. S. Army CPT Benjamin Ronk Memorial Bridge** - Introduced 1/18/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/7/2019 - To Senate 4/4/2019 - Committee reference dispensed - Adopted by Senate 3/9/2019
15. By Del. Pack, Howell, Angelucci, Azinger, Bibby, Cadle, Hansen, Hott, Jeffries, D., Jeffries, J., Martin, C., Paynter, Phillips, Porterfield, Pyles, Staggers, Sypolt, Tomblin, Walker and Worrell (Originating in House Government Organization) - **Requesting the Joint Committee on Government and Finance study the impact of business regulations and economic development incentives to recruit and retain small business** - Introduced 1/21/2019 - To House Rules 1/21/2019 - Adopted by House 3/1/2019 - To Senate 3/2/2019 - To Rules
- *17. By Del. Robinson, Estep-Burton and Rowe - **U. S. Marine Corps CPL Larry Scott Kennedy Memorial Bridge** - Introduced 1/21/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/8/2019 - To Senate 4/4/2019 - Committee reference dispensed - Adopted by Senate 3/9/2019

19. By Del. Miley, Queen, Waxman and Hamrick - **U. S. Marine Sgt. Stephen E. Drummond Memorial Bridge** (original similar to SCR13) - Introduced 1/21/2019 - To Technology and Infrastructure then Rules - To House Rules 2/12/2019 - Adopted by House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure - Adopted by Senate 2/28/2019
20. By Del. Westfall, Atkinson, Criss, Hollen, Cadle, Storch, Mandt, Kelly, D., McGeehan, Miller and Higginbotham - **PFC Charles Everett Hurd Memorial Bridge** - Introduced 1/21/2019 - To Technology and Infrastructure then Industry and Labor - To House Rules 2/26/2019 - Adopted by House 3/1/2019 - To Senate 3/2/2019 - To Transportation and Infrastructure - Amended - Adopted by Senate 3/7/2019 - House concurred in Senate amendment and adopted 3/7/2019
23. By Del. Hanshaw (Mr. Speaker) - **U. S. Army SGT Rodney David King and U. S. Army SGT James Harris King Memorial Bridge** - Introduced 1/21/2019 - To Technology and Infrastructure then Rules - To House Rules 2/12/2019 - Adopted by House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure - Adopted by Senate 3/6/2019
- *26. By Del. Cadle, Westfall, Higginbotham, Toney, Cooper, Hott, Jeffries, J., Sypolt, Pack, Atkinson and Harshbarger - **George” Roush Memorial Bridge** - Introduced 1/22/2019 - To Technology and Infrastructure then Rules - To House Rules 2/12/2019 - Adopted by House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure - Amended - Adopted by Senate 3/6/2019 - House concurred in Senate amendment and adopted 3/7/2019
28. By Del. Lavender-Bowe, Capito, Estep-Burton, Nelson, Rowe, Robinson, Walker, Kelly, J., Graves, Angelucci and Campbell - **Charleston Police Capt. Jerry D. Hill Memorial Bridge** - Introduced 1/22/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/7/2019 - To Senate 4/4/2019 - Committee reference dispensed - Adopted by Senate 3/9/2019
- *32. By Del. Howell, Hanshaw (Mr. Speaker), Angelucci, Barrett, Bibby, Brown, S., Butler, Byrd, Cadle, Criss, Dean, Diserio, Doyle, Estep-Burton, Evans, Fast, Fluharty, Foster, Hamrick, Hanna, Hardy, Harshbarger, Hicks, Higginbotham, Hollen, Hott, Householder, Jeffries, J., Jennings, Kelly, J., Kessinger, Kump, Linville, Lovejoy, Mandt, Martin, C., Martin, P., Maynard, Miller, Pack, Paynter, Phillips, Pushkin, Pyles, Robinson, Rohrbach, Rowe, Sponaugle, Staggers, Steele, Summers, Swartzmiller, Sypolt, Thompson, C., Toney, Walker, Waxman, Wilson, Worrell, Zukoff and Graves - **Requesting the Secretary of the Department of Transportation to authorize raising highway speed limits, where appropriate, to 75 miles per hour on Interstate highways in West Virginia and to 70 miles per hour on West Virginia's Appalachian Corridor highways** - Introduced 1/24/2019 - To Technology and Infrastructure then Rules - To House Rules 2/12/2019 - Adopted by House 2/22/2019 - To Senate 2/23/2019 - To Transportation and Infrastructure - Amended - Adopted by Senate 3/6/2019 - House concurred in Senate amendment 3/7/2019 - Adopted by House 3/7/2019
36. By Del. Hartman, Thompson, C., Pethel, Sponaugle and Brown, N. - **SPEC 5 Garry Monzel ‘Michael’ Shannon Memorial Bridge** - Introduced 1/25/2019

- To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/7/2019 - Adopted by Senate 3/9/2019
- *37. By Del. Hartman, Brown, N., Sponaugle, Thompson, C., Boggs and Doyle - **SSGT Thomas Gavin Hess Memorial Bridge** - Introduced 1/25/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
- *40. By Del. Sponaugle, Campbell, Thompson, C., Angelucci, Caputo, Barrett, Staggers, Hartman, Hott, Rowan, Lavender-Bowe, Boggs, Brown, N., Brown, S. and Diserio - **U. S. Army CAPT William H. Denney, Jr. Memorial Bridge** - Introduced 1/30/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
- *42. By Del. Atkinson, Westfall, Jeffries, D., Kelly, J. and Canestraro - **U. S. Navy Petty Officer 2d Class Joseph Allen Ashley Memorial Bridge** - Introduced 1/30/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/7/2019 - Adopted by Senate 3/9/2019
43. By Del. Byrd, Capito, Nelson and Skaff - **U. S. Army Air Corps T SGT Ralph H. Ray Bridge** - Introduced 1/30/2019 - To Technology and Infrastructure then Rules - To House Rules 2/12/2019 - Adopted by House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure
44. By Del. Miller, Tomblin, Rodighiero, Westfall and Maynard - **U. S. Marine Corps PFC Randall Carl Phelps Memorial Bridge** - Introduced 1/31/2019 - To Technology and Infrastructure then Rules - To House Rules 2/12/2019 - Adopted by House 2/15/2019 - To Senate 2/18/2019 - To Transportation and Infrastructure - Adopted by Senate 3/6/2019
46. By Del. Sponaugle, Hartman, Brown, N., Staggers, Barrett, Caputo, Miley, Diserio, Angelucci, Brown, S. and Boggs - **PVT Jack C. Evans Memorial Bridge** - Introduced 2/1/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
47. By Del. Rowe, Caputo, Estep-Burton, Skaff, Robinson, Pushkin, Byrd, Capito, Malcolm, Nelson and Graves - **U. S. Army PFC Arnold Miller Memorial Bridge** - Introduced 2/1/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
48. By Del. Rowan, Boggs, Canestraro, Estep-Burton, Fluharty, Graves, Linville, Longstreth, Lovejoy, Malcolm, Mandt, Maynard, Pethtel, Pyles, Rodighiero, Rohrbach, Sypolt, Toney and Williams (Originating in House Senior, Children, and Family Issues) - **Urging the Commissioner of the Bureau for Public Health to designate Alzheimer's disease and other dementias as a public health issue** - Introduced 2/5/2019 - To House Rules 2/4/2019 - Adopted by House 2/22/2019 - To Senate 2/23/2019 - To Health and Human Resources - Adopted by Senate 3/6/2019

- *49. By Del. Kelly, J., Anderson, Wilson, Atkinson, Kelly, D., Azinger, Criss, Hollen, Cadle, Bibby, Waxman, Hanshaw (Mr. Speaker), Angelucci, Butler, Byrd, Campbell, Canestraro, Capito, Cooper, Cowles, Dean, Doyle, Ellington, Espinosa, Estep-Burton, Evans, Fast, Fleischauer, Fluharty, Graves, Hamrick, Hanna, Hansen, Hardy, Harshbarger, Hicks, Higginbotham, Hill, Hornbuckle, Hott, Householder, Howell, Jeffries, D., Jeffries, J., Kessinger, Lavender-Bowe, Linville, Longstreth, Lovejoy, Mandt, Maynard, McGeehan, Miller, Pack, Paynter, Phillips, Porterfield, Pushkin, Queen, Robinson, Rodighiero, Rohrbach, Rowan, Rowe, Shott, Skaff, Steele, Storch, Swartzmiller, Sybolt, Thompson, R., Tomblin, Toney, Walker, Westfall and Worrell - **U. S. Marine Corps PFC Danny Marshall Memorial Bridge** - Introduced 2/4/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
- *52. By Del. Sponaugle, Hott, Rowan, Hartman, Thompson, C. and Boggs - **Dr. H. Luke Eye Memorial Bridge** - Introduced 2/6/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
- *53. By Del. Boggs, Caputo, Sponaugle and Campbell - **Ray P. Reip Memorial Bridge** - Introduced 2/6/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
54. By Del. Harshbarger, Worrell, Dean, Hamrick, Waxman, Hansen, Butler, McGeehan, Cadle, Mandt, Kelly, D. and Queen - **U. S. Navy AOAN David 'Wayne' Cornell Memorial Bridge** - Introduced 2/7/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/7/2019 - Adopted by Senate 3/9/2019
- *55. By Del. Atkinson, Westfall, Kelly, J., Hollen, Higginbotham and Canestraro - **U. S. Navy Seaman 1st Class Brady William Milam Memorial Bridge** - Introduced 2/7/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
- *58. By Del. Rowe - **U.S. Army SGT Tommy Meadows Memorial Road** - Introduced 2/8/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
61. By Del. Pack, Phillips and Jeffries, J. - **Applying to and urging Congress to call a convention of the states to limit the terms of office** - Introduced 2/11/2019 - To Judiciary - To House Rules 3/6/2019 - Postponed to a date certain rejected - Adopted by House 3/8/2019 - To Senate 4/4/2019 - Committee reference dispensed - Midnight hour arrived
63. By Del. Hartman, Thompson, C., Sponaugle, Staggers and Brown, N. - **U. S. Army SSG Boggs G. Collins Memorial Road** - Introduced 2/11/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
- *64. By Del. Boggs, Hartman, Brown, N., Angelucci, Thompson, C., Brown, S., Staggers, Howell and Pethtel - **U. S. Army CPL Jerry Lee Noble Memorial Bridge** - Introduced 2/12/2019 - To Technology and Infrastructure then Rules

- To House Rules 2/26/2019 - Adopted by House 3/7/2019 - Adopted by Senate 3/9/2019

65. By Del. Cooper, Pack, Jeffries, J., Bibby and Hardy - **Vietnam Veterans Memorial Highway** - Introduced 2/12/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/1/2019 - To Senate 3/2/2019 - To Transportation and Infrastructure
66. By Del. Jeffries, D., Malcolm, Martin, C., Bibby, Mandt, Kelly, D., Jennings, Phillips, Sypolt, Wilson and Atkinson - **U. S. Army SPC Thurman 'Duwayne' Young Memorial Bridge** - Introduced 2/12/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/1/2019 - To Senate 3/2/2019 - To Transportation and Infrastructure - Adopted by Senate 3/6/2019
68. By Del. Shott, Ellington and Porterfield - **Bluefield Police Lt. Aaron L. Crook Memorial Road** - Introduced 2/12/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/7/2019 - Adopted by Senate 3/9/2019
- *70. By Del. Atkinson, Westfall, Canestraro, Jeffries, D. and Hollen - **Danny Wayne Marks Memorial Bridge** - Introduced 2/13/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
- *72. By Del. Atkinson, Kelly, J., Harshbarger, Westfall, Jennings and Hollen - **U. S. Army PFC Harold Paul Cottle Memorial Highway** - Introduced 2/14/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/7/2019 - Adopted by Senate 3/9/2019
73. By Del. Evans, Thompson, R., Rodighiero, Zukoff, Williams, Pyles, Robinson, Doyle, Hornbuckle, Brown, S. and Swartzmiller - **U. S. Army SGT Matthew T. Miller Memorial Bridge** - Introduced 2/18/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/7/2019 - Adopted by Senate 3/9/2019
74. By Del. Maynard, Jeffries, J., Paynter, Rohrbach, Hornbuckle, Lovejoy, Linville and Mandt - **U. S. Army PFC James Leslie Pridemore Memorial Road** - Introduced 2/18/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/1/2019 - To Senate 3/2/2019 - To Transportation and Infrastructure - Adopted by Senate 3/9/2019
- *76. By Del. Boggs - **Reverend Lonnie Ramsey Memorial Bridge** - Introduced 2/20/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/7/2019 - Adopted by Senate 3/9/2019
- *78. By Del. Robinson, Estep-Burton and Rowe - **U. S. Air Force Amn Kenneth Wayne Hammar Memorial Bridge** - Introduced 2/22/2019 - To Technology and Infrastructure then Rules - To House Rules 2/26/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
- *79. By Del. Thompson, C., Hartman, Boggs, Brown, S., Angelucci, Sponaugle, Estep-Burton, Rodighiero, Zukoff, Rohrbach, Campbell, Bates, Brown, N.,

Doyle, Evans, Hornbuckle, Lavender-Bowe and Thompson, R. - **U. S. Army PFC Homer Jacob Day Memorial Bridge** - Introduced 2/26/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019

81. By Del. Maynard, Robinson, Capito, Angelucci, Atkinson, Azinger, Barrett, Bibby, Boggs, Brown, N., Brown, S., Butler, Byrd, Campbell, Canestraro, Cooper, Criss, Dean, Diserio, Doyle, Ellington, Estep-Burton, Evans, Fast, Fleischauer, Fluharty, Graves, Hamrick, Hanna, Hansen, Harshbarger, Hartman, Hicks, Hill, Hollen, Hornbuckle, Hott, Howell, Jeffries, D., Jeffries, J., Jennings, Kelly, J., Kessinger, Kump, Lavender-Bowe, Linville, Longstreth, Malcolm, Martin, C., Miley, Miller, Pack, Paynter, Pethel, Phillips, Porterfield, Pyles, Queen, Rodighiero, Rohrbach, Rowan, Rowe, Shott, Skaff, Sponaugle, Staggers, Steele, Storch, Swartzmiller, Sypolt, Thompson, C., Thompson, R., Tomblin, Toney, Walker, Waxman, Westfall, Williams, Wilson, Worrell and Zukoff - **Erecting a statue of Charles Elwood "Chuck" Yeager on the State Capitol Complex grounds** - Introduced 2/26/2019 - To Rules - Adopted by House 3/1/2019 - To Senate 3/2/2019 - To Rules
- *82. By Del. Boggs, Robinson, Estep-Burton, Rowe, Thompson, C., Sponaugle and Brown, S. - **U. S. Navy Veteran Samuel H. Slack, Jr. Memorial Bridge** (original similar to HB2011) - Introduced 2/26/2019 - To Technology and Infrastructure then Rules - To House Rules 3/5/2019 - Adopted by House 3/8/2019 - Adopted by Senate 3/9/2019
83. By Del. Hanshaw (Mr. Speaker) - **The creation of the West Virginia Distressed Water and Wastewater Utility Systems Viability Study Committee** - Introduced 2/26/2019 - To Rules - Adopted by House 3/8/2019 - To Senate 4/4/2019 - Amended - Adopted by Senate 3/9/2019
85. By Del. Maynard and Hanshaw (Mr. Speaker) - **Requesting the Joint Committee on Government and Finance study the feasibility of combining the volunteer fire departments** - Introduced 2/27/2019 - To Rules - Adopted by House 3/7/2019 - To Senate 4/4/2019 - Adopted by Senate 3/9/2019
86. By Del. Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, Jeffries, D., Jeffries, J., Martin, C., Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell (Originating in House Government Organization) - **Requesting study of municipal and county governments for efficiencies and economies of scale** - Introduced 3/1/2019 - To House Rules 3/1/2019 - Adopted by House 3/7/2019 - To Senate 4/4/2019 - Adopted by Senate 3/9/2019
87. By Del. Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, Jeffries, D., Jeffries, J., Martin, C., Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell (Originating in House Government Organization) - **Requesting the Joint Committee on Government and Finance study the Public Service Commission** - Introduced 3/1/2019 - To House Rules 3/1/2019 - Adopted by House 3/7/2019 - To Senate 4/4/2019 - Adopted by Senate 3/9/2019
88. By Del. Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, Jeffries, D., Jeffries, J., Martin, C., Nelson, Paynter, Phillips, Staggers,

- Swartzmiller, Sypolt, Walker and Worrell (Originating in House Government Organization) - **Requesting the Joint Committee on Government and Finance study the Board of Risk and Insurance Management** - Introduced 3/1/2019 - To House Rules 3/1/2019 - Adopted by House 3/7/2019 - To Senate 4/4/2019 - Adopted by Senate 3/9/2019
91. By Del. Hanna - **U. S. Army SGT. Robert Henry Waggy Memorial Bridge** - Introduced 3/5/2019 - To Rules - Adopted by House 3/7/2019 - Adopted by Senate 3/9/2019
93. By Del. Foster and Kessinger - **Requesting the Joint Committee on Energy study legislation relating to the deregulation of natural gas** - Introduced 3/6/2019 - To Rules - Adopted by House 3/8/2019 - To Senate 4/4/2019 - Adopted by Senate 3/9/2019
108. By Del. Westfall, Azinger, Barrett, Bates, Brown, N., Capito, Criss, Espinosa, Estep-Burton, Graves, Hartman, Hott, Householder, Jeffries, D., Lovejoy, Martin, P., McGeehan, Nelson, Porterfield, Robinson, Rowe, Shott, Sponaugle, Waxman and Williams (Originating in House Banking and Insurance) - **Study of the peer-to-peer car sharing program** - Introduced 3/9/2019 - Adopted by House 3/9/2019 - To Senate 4/4/2019 - Adopted by Senate 3/9/2019

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- 388. Equalizing penalties for intimidating and retaliating against public officers, employees, jurors, and witnesses
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- 417. Requiring minors in possession of marijuana and their parents attend classes teaching dangers of marijuana
- 433. Recognizing fetus as separate victim
- 484. Prohibiting civil rights violations based on gender identity or sexual orientation
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- 556. Limiting liability of employers of persons whose criminal records are expunged
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- 334. Requiring Secretary of State establish searchable database for WV corporations and sole proprietorships
- 336. Creating WV Motorsports Entertainment Complex Investment Act
- 421. Relating to annual legislative review of economic development tax credit
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- 588. Creating small business and minority populations economic and workforce development taskforce
- 602. Creating matching program for Small Business Innovation and Research Program and Small Business Technology Transfer Program
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- 1. Increasing access to career education and workforce training
- 6. Creating tax credits for certain educational expenses incurred by teachers
- 21. Establishing Katherine Johnson Academy
- 25. Authorizing certain higher education governing boards to eliminate faculty tenure
- 39. Providing certain military members in-state residency tuition rates
- 59. Creating Business PROMISE+ Scholarship
- 84. Establishing Stay in State tax credit for higher education tuition
- 107. Encouraging agreements between community and technical colleges and certain apprenticeship programs
- 265. Establishing Advanced Career Education programs
- 365. Redistributing revenue-generated excise tax on soft drinks to four-year medical schools
- 440. Relating to Antihazing Law
- 441. Relating to higher education campus police officers
- 479. Requiring each state institution of higher education adopt and submit written sexual assault policy to WV HEPC
- 553. Relating to federal funds for land-grant institutions
- 555. Relating to authority of Higher Education Policy Commission

- 595. Allowing retired teachers be employed by certain higher education entities
- 636. Authorizing legislative rules for Higher Education Policy Commission
- 670. Relating to WV College Prepaid Tuition and Savings Program
- 673. Relating to public higher education accountability and planning

EDUCATION (K12)

- 1. Increasing access to career education and workforce training
- 6. Creating tax credits for certain educational expenses incurred by teachers
- 7. Relating to public school transfer and enrollment policies
- 26. Permitting certain employees of educational service cooperatives participate in state's teacher retirement systems
- 45. Permitting certain nonpublic school students to participate in activities under WV Secondary School Activities Commission
- 79. Establishing Katherine Johnson Academy
- 82. Providing personal income tax credit for classroom teachers for nonreimbursed cost of supplies
- 86. Requiring county boards provide free feminine hygiene products in grades five to 12
- 93. Prohibiting State Board of Education from accepting federal education plans without legislative approval
- 125. Providing counties with less than 1,400 net enrollment be considered to have 1,400 in determining basic foundation program only
- 154. Using school facilities for funeral and memorial services for certain community members
- 234. Requiring schools provide elective course on religion
- 265. Establishing Advanced Career Education programs
- 286. Including certain education programs operated by private schools in recognition by DOE
- 293. Clarifying director of multicounty vocational technical school as principal
- 294. Allowing vehicles used by transportation directors and transportation supervisors use red flashing warning lights
- 299. Selecting language milestones for deaf and hard-of-hearing children
- 328. Requiring teaching of agricultural science education course
- 329. Relating to agricultural education in high schools
- 379. Permitting county board of education to include faith-based electives in drug prevention programs
- 381. Requiring State Board of Education develop program on home maintenance for elderly and disabled
- 411. Relating to disposition of vacated school buildings or other state-owned buildings
- 417. Requiring minors in possession of marijuana and their parents attend classes teaching dangers of marijuana
- 451. Comprehensive education reform
- 501. Increasing compensation for county boards of education members

- 513. Requiring completion of personal finance class to graduate high school
- 521. Requiring approved agricultural education program be offered in high schools
- 578. Establishing education employees fund
- 595. Allowing retired teachers be employed by certain higher education entities
- 605. Permitting Secondary School Activities Commission discipline schools for not following protocol for concussions and head injuries
- 607. Requiring county boards of education provide camera in classrooms for exceptional needs students
- 624. Allowing county boards of education use alternative assessment provided in Every Student Succeeds Act
- 626. Directing county school boards construct covered bus stops
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- 672. Authorizing School Building Authority to promulgate legislative rules

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- 108. Requiring candidates elected to judicial office receive majority of votes
- 115. Relating to certain election expenditure disclosures
- 118. Creating Independent Redistricting Commission
- 128. Requiring vacancies in certain public offices be filled by person affiliated with same political party as vacating person
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- 249. Relating to administration of estates and trusts
- 335. Notifying all persons mentioned in will before it is altered
- 403. Prohibiting person criminally responsible for death of relative from being involved in burial arrangements
- 407. Relating to abandonment and indication of ownership in property held by financial institution
- 463. Updating powers of personal representative of estate relative to disposition, conservation, or preservation easements
- 480. Relating to administration of estates
- 482. Relating to barring parent from inheriting from child in certain instances

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- 410. Creating WV Monument and Memorial Protection Act of 2019
- 486. Making daylight saving time official year round
- 490. Authorizing State Treasurer buy and sell certain loan obligations
- 500. Creating Sewer and Water Infrastructure Replacement and Rehabilitation Act

- 584. Requiring contractors performing work for government contracts use software to verify hours worked
- 611. Transferring Division of Forestry from Department of Commerce to Department of Agriculture
- 663. Providing recourse for bidders for minor or technical error on construction contract

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- 266. Creating Intermediate Court of Appeals and WV Appellate Review Organization Act of 2019
- 267. Requiring State Board of Education adopt policy detailing level of computer science instruction
- 268. Updating meaning of federal taxable income in WV Corporation Net Income Tax Act
- 269. Updating terms used in WV Personal Income Tax Act
- 270. Streamlining process for utilities access to DOH rights-of-way
- 289. Relating to wireless enhanced 911 fee
- 313. Establishing Advanced Career Education programs and pathways
- 314. Relating to cybersecurity of state government
- 326. Reorganizing state agencies involved in emergency and disaster planning
- 327. Providing economic incentives for public school mathematics teachers
- 342. Exempting Social Security and tier one railroad retirement benefits from personal income tax
- 349. Allowing individuals to petition for expungement of misdemeanor offenses
- 373. Relating to financial responsibility of inmates
- 386. Funding of Public Employees Health Insurance Program
- 422. Increasing supplemental appropriation to Public Defender Services
- 423. Adding new item of appropriation to PEIA Rainy Day Fund
- 424. Supplemental appropriation to Civil Contingent Fund
- 425. Supplemental appropriation to Division of Corrections
- 435. Supplemental appropriation to State Department of Education and Vocational Division
- 442. Supplementing, amending, and decreasing appropriation to Insurance Commission
- 443. Supplemental appropriation of federal moneys to DHHR divisions
- 444. Supplemental appropriation to DHHR divisions
- 445. Increasing salaries of WV State Police, public school teachers, and school service personnel
- 446. Supplemental appropriation to Department of Veterans' Assistance
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- 569. Relating to interagency procurement of commodities and services

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40. Establishing Military Service Members Court program
50. Relating to long-term care and substance abuse treatment
63. Relating to partial filling of prescriptions
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prayer by	608
qualified	3-4
remarks by (ordered printed in appendix)	1267, (1828), (3029)
reports by, as Chair of Committee on Banking and Insurance	389, 587, 592, 1243, 1322, 1324, 1395, 1603, 1605, 1821-1823, 2113
reports by, as Chair of Committee on Pensions	205, 650, 652, 836, 840, 854, 1365, 2062
resolutions offered (by request)	158, 207, 329, 357, 1248, 1544, 1608, 1825, 2069, 3246
BALDWIN, STEPHEN, a Senator from the 10th District:	
appointed to select committee to notify House of Delegates Senate has assembled and organized (S. R. 2)	9
appointed to standing committees	92-94
bills introduced (by request)	16, 21, 26, 29, 33-34, 44, 58, 65-68, 71, 75, 97-98, 116-118, 120-122, 128-131, 133-134, 140-144, 153-154, 156, 158, 165-166, 168, 170, 186, 207, 221, 236-241, 269-270, 302, 305, 307, 325, 327, 352, 356-357, 368, 370-371, 395, 455, 457, 459, 481, 509, 561, 622, 624, 639, 703, 731-732, 734, 805, 842, 844, 846, 894, 926-927, 929
petitions presented by	648
Pledge of Allegiance led by	638, 1490
prayer by	174
qualified	3-4
remarks by (ordered printed in appendix)	(173), 336, (464), (789), (779), (2041)
removal of sponsorship	210
resolutions offered (by request)	82-83, 144-148, 223, 248, 251, 271, 274, 307-311, 329-331, 357-359, 372, 460-463, 562-564, 597-602, 625- 628, 734-738, 770, 809-816, 848-853, 895-898, 935, 1245-1250, 1329-1333, 1369- 1372, 1417, 1493, 1608, 1610, 1689-1690, 1777, 1825, 2068-2069, 3240, 3246
BEACH, ROBERT D., a Senator from the 13th District:	
appointed to conference committee as to	
Eng. Com. Sub. for Com. Sub. for Senate Bill 317	3069
appointed to conference committee as to Eng. House Bill 3044	3319
appointed to standing committees	92-94

bills introduced (by request)	56-57, 128-132, 142-144, 152, 165-166, 168, 186, 236, 239, 268-270, 304-305, 325, 352, 357, 368, 371, 395, 459, 481, 507-509, 594, 622, 624, 639-643, 704, 731-732, 734, 767, 843-844, 846, 893, 926
leave of absence granted to	1768
main motion	1238
nominated Roman W. Prezioso, Jr., President of Senate	4
objection to unanimous consent	1527
Pledge of Allegiance led by	913
qualified	3-4
remarks by (ordered printed in appendix)	(199), (273), (276), (332), 336, (789), (1331)
removal of sponsorship	1531
resolutions offered (by request)	144, 146-148, 223, 248, 271, 274, 307-312, 329-331, 357-359, 372, 562-564, 597-602, 625-628, 643-647, 705, 735- 738, 770, 774, 812-816, 848-853, 895-898, 1250, 1369-1372, 1417, 1464-1466, 1608, 1610, 1656-1659, 1689-1690, 1825, 1941-1944, 2066-2069, 2388, 3234- 3243, 3246
yeas and nays demanded by	645, 1331, 1473, 2924
 BLAIR, CRAIG, a Senator from the 15th District:	
addressed the Senate	1894
appointed to conference committee as to	
Eng. Com. Sub. for Com. Sub. for Senate Bill 522	3314
appointed to select committee to escort President-elect to chair	5
appointed to standing committees	92-94
bills introduced (by request)	21-24, 26-30, 81, 168, 222, 246, 270, 368, 394, 396-397, 457, 507, 510, 638-639, 642, 702, 804-805, 843, 845-846, 891, 894, 924, 930
objection to unanimous consent	1440
Pledge of Allegiance led by	126
presided as Chair of Committee of the Whole	472
presided as President	287, 577
remarks by (ordered printed in appendix)	(124), (315), 637, (755), 834, 1359, 1723, 1818, (1828), 2312
reports by, as Chair of Committee on Finance	126-127, 163, 204, 214, 225, 296, 298, 347, 390, 444, 586, 588, 591, 612-613, 620, 653, 655, 693, 695, 759, 793, 799-800, 837-839, 854, 1314, 1317, 1318, 1365, 1388-1389, 1434, 1453, 1456, 1458, 1491-1492, 1606-1607, 1681-1682, 1685, 1688, 1731, 1775, 1819- 1822, 1824, 1933, 1936, 1980, 1982, 2056-2059, 2117-2120, 2122-2123, 3210, 3246, 3391
reports by, as Chair of Committee of the Whole	493
resolutions offered (by request)	10-11, 15, 223, 312, 329, 1372, 1608, 1825
withdraws (committee) amendment	(2815)
yeas and nays demanded by	1374
 BOLEY, DONNA J., a Senator from the 3rd District:	
appointed President <i>pro Tempore</i>	95
appointed to select committee to escort Governor to joint assembly (H. C. R. 1) ..	90
appointed to standing committees	92-94

bills introduced (by request)	305, 639, 642
called Senate to order	1
leave of absence granted to	362, 386, 440
Pledge of Allegiance led by	319, 1825
reports by, as Chair of Committee on Confirmations	3258
resolutions offered (by request)	148, 207, 734, 1608, 1825, 2388, 3246

BOSO, GREGORY L., a Senator from the 11th District:

appointed to conference committee	
as to Eng. Com. Sub. for Senate Bill 405	3233
appointed to conference committee	
as to Eng. Com. Sub. for Senate Bill 487	3233
appointed to select committee to notify Governor	
Legislature has assembled and organized (S. R. 3)	10
appointed to select committee to notify House of Delegates	
Senate is ready to adjourn <i>sine die</i> (S. R. 79)	3476
appointed to standing committees	92-94
bills introduced (by request)	16, 18, 20-26, 28-30, 33-35, 41-44, 49-54, 64, 67, 70, 72, 74, 80, 98, 131-132, 134, 140, 143-144, 152-158, 165-167, 186, 189, 206, 221, 239, 270, 302, 305-306, 325-327, 351-356, 396, 398, 509, 512, 559-561, 593-594, 623-624, 639, 702-705, 731, 765, 768, 804-806, 842-843, 845- 846, 892, 894, 931
leave of absence granted to	362, 1435
nominated Jeffrey L. Branham, Doorkeeper of Senate	7
petitions presented by	648
Pledge of Allegiance led by	210, 3030
prayer by	363, 1435
remarks by (ordered printed in appendix)	(210), (252), (315), (1331)
reports by, as Chair of Committee on Government Organization	176, 217-218, 297-299, 348, 443, 445-448, 501, 505-506, 694, 696, 699, 701, 801, 879, 888, 1317, 1319-1320, 1328, 1363-1364, 1390, 1394-1395, 1412, 1450, 1454, 1462, 1491, 1601-1602, 1605, 1607, 1683, 1687-1688, 1927, 1930-1932, 1935, 1982, 2064, 2115, 2388
resolutions offered (by request)	82-83, 150, 158, 223, 309, 312, 329, 356-359, 512, 566, 705, 809, 820, 848-853, 1250, 1493, 1608, 1689, 1825, 1941-1944, 3246
withdraws (committee) amendment	(2291)
yeas and nays demanded by	537

CARMICHAEL, MITCH, a Senator from the 4th District:

(see President of Senate)

CLEMENTS, CHARLES H., a Senator from the 2nd District:

appointed to conference committee as to Eng. House Bill 3044	3319
appointed to standing committees	92-94
bills introduced (by request)	16, 18-19, 21, 30, 45, 54, 65, 71, 73-74, 98, 121, 131-132, 140, 143-144, 152-153, 186, 190, 221, 235-236, 239, 242, 245- 246, 269-270, 325, 327, 368, 395, 397, 509, 623-624, 639, 643, 704, 842, 844, 927
leave of absence granted to	262
Pledge of Allegiance led by	473, 1572

qualified	3-4
remarks by (ordered printed in appendix)	210, (225), (273), (645), (898), (913), (1372), 1667
reports by, as Chair of Committee on Transportation and Infrastructure	178, 182, 297, 299-301, 445, 453, 621, 630, 797, 801, 877, 886, 923, 1323, 1391, 1393, 1397, 1589-1598, 1602, 1919-1923, 1934, 1936-1937, 2060, 2065, 3391
resolutions offered (by request)	207, 223, 329, 460, 562, 734, 809, 896, 1370, 1544, 1608, 1825, 2069, 2388, 3246
yeas and nays demanded by	225

CLINE, SUE, a Senator from the 9th District:

appointed to conference committee	
as to Eng. Com. Sub. for Senate Bill 295	1953
appointed to standing committees	92-94
bills introduced (by request)	16, 18-19, 21, 24-32, 51-52, 116-121, 131-134, 140, 143-144, 152-153, 155-158, 165-166, 168, 170, 184-186, 188-190, 206, 220-223, 235-236, 239, 242-246, 268-270, 302-303, 305, 324-325, 327-328, 351-353, 357, 394-398, 456-457, 479, 507-511, 560, 592, 594, 622-624, 639-641, 702, 704, 732-733, 804-805, 842-843, 845, 890, 892, 894
petitions presented by	900, 1421
Pledge of Allegiance led by	292, 1940
remarks by (ordered printed in appendix)	(210)
removal of sponsorship	291, 583, 608, 789
resolutions offered (by request) 83, 85, 123, 145, 148, 158, 223, 251, 270, 309, 329- 331, 459, 462, 562, 598, 626, 643-645, 734, 773, 809, 816, 849-851, 895-896, 935, 1372, 1464-1466, 1608, 1610, 1656-1659, 1825, 2069-2071, 3246	

FACEMIRE, DOUGLAS E., a Senator from the 12th District:

appointed to conference committee	
as to Eng. Com. Sub. for Senate Bill 241	3069
appointed to standing committees	92-94
bills introduced (by request)	64-65, 143, 152, 155-158, 165-166, 236, 327, 352, 456, 459, 509-510, 594, 624, 639, 641-642, 731, 844, 846
leave of absence granted to	755
Pledge of Allegiance led by	834
remarks by (ordered printed in appendix)	(648), (1267), (1331), (1828)
removal of sponsorship	1239
resolutions offered (by request)	146, 248, 329, 462-463, 647, 738, 770, 898, 1248, 1464-1466, 1493, 1542, 1608, 1690, 1825, 3246

HAMILTON, BILL, a Senator from the 11th District:

appointed to select committee to notify House of Delegates	
Senate has assembled and organized (S. R. 2)	9
appointed to standing committees	92-94
bills introduced (by request)	98, 116-117, 120, 129-132, 134, 142-144, 152, 155-158, 165-166, 168, 170, 183, 185-186, 188-190, 207, 222, 235, 241, 244, 246, 268-270, 302, 305, 307, 324-325, 327, 368, 370-371, 395, 397, 509, 594, 622, 624, 639, 641-642, 731-732, 806, 844-846, 894
petitions presented by	171, 648
Pledge of Allegiance led by	363, 1724

qualified	3-4
remarks by (ordered printed in appendix)	149, (173), (210), 291, (1333), 1723
removal of sponsorship	790, 1359
resolutions offered (by request)	158, 223, 309, 312, 329, 372, 462-463, 600-602, 625-627, 643-647, 734-738, 896, 1248-1250, 1329-1333, 1372, 1417, 1464, 1493-1495, 1608, 1610, 1689-1690, 1777, 1825, 2069, 3240-3243, 3246

HARDESTY, PAUL, a Senator from the 7th District:

appointed by Governor to fill unexpired term of Honorable Richard N. Ojeda II	213
appointed to conference committee as to Eng. Com. Sub. for House Bill 2670	3314
appointed to standing committees	229
bills introduced (by request)	236, 239, 270, 302, 305, 327, 352, 368, 480-481, 509, 561, 594-595, 624, 639, 641-642, 703, 731, 806, 844-846, 890, 894, 926
Pledge of Allegiance led by	583, 608
qualified	229
remarks by (ordered printed in appendix)	(310), (315), 336, (440), (1331)
removal of sponsorship	362
resolutions offered (by request)	248, 307, 312, 329, 357-359, 462, 562, 600, 770, 812, 849, 896-898, 1248, 1329-1333, 1417, 1493, 1608, 1610, 1659, 1689-1690, 1777, 1825, 1941-1944, 2068-2069, 3243, 3246

IHLENFELD, WILLIAM J. II, a Senator from the 1st District:

appointed to select committee to notify House of Delegates Senate is ready to adjourn <i>sine die</i> (S. R. 79)	3476
appointed to standing committees	92-94
bills introduced (by request)	16, 19, 21, 32, 54, 98, 121, 143, 155-158, 165-166, 207, 221, 236, 239, 241, 302, 305, 327, 368, 481, 509, 624, 639, 641-642, 731-732, 768, 806-807, 844, 846, 894
leave of absence granted to	262
Pledge of Allegiance led by	866, 1398
qualified	3-4
remarks by (ordered printed in appendix)	(310), (468), (738), (1331), (1550)
removal of sponsorship	1239
resolutions offered (by request)	248, 309, 462, 643-645, 735, 770, 816, 895-896, 1245, 1248, 1329, 1608, 1825, 3246
yeas and nays demanded by	533, 2865

JEFFRIES, GLENN D., a Senator from the 8th District:

appointed to conference committee as to Eng. Senate Bill 596	3234
appointed to conference committee as to Eng. House Bill 3143	3315
appointed to select committee to notify Governor Legislature has assembled and organized (S. R. 3)	10
appointed to standing committees	92-94
bills introduced (by request)	20-21, 24-26, 30, 33, 42-44, 51-56, 58, 65-68, 81, 97-98, 117-118, 121, 122, 128-133, 142-143, 153, 155-158, 165-166, 168-170, 206-207, 221, 236, 239, 268, 270, 302, 305, 327, 352, 357, 368,

371, 395, 459, 481, 507-509, 559, 594-595, 624, 639, 642-643, 703, 731, 734, 769, 843-846, 893-894, 926, 931	
Pledge of Allegiance led by	756
remarks by, ordered extended in Journal	818
remarks by (ordered printed in appendix)	(252), 834, (1420)
removal of sponsorship	210
resolutions offered (by request)	158, 223, 248, 251, 271, 274, 307-312, 329, 357-359, 597-602, 625-628, 643-647, 705, 734-738, 770-772, 774, 808, 810-816, 849-853, 895-898, 932-941, 1246-1250, 1329-1333, 1369-1372, 1417-1420, 1464-1466, 1493-1495, 1542, 1608, 1610, 1689-1690, 1825, 1941-1944, 2066-2069, 2388, 3234-3243, 3246
yeas and nays demanded by	252

LINDSAY, RICHARD D. II, a Senator from the 8th District:

appointed to conference committee	
as to Eng. Com. Sub. for Senate Bill 295	1953
appointed to standing committees	92-94
bills introduced (by request)	24-26, 33, 54, 56, 58, 65-68, 74, 81, 97-98, 117-118, 122, 128-133, 143, 153, 155-157, 166, 169, 183, 206, 223, 236, 239, 269, 307, 327, 352, 357, 459, 481, 507-509, 559, 594-595, 622, 624, 639, 643, 703, 731, 734, 767-770, 805, 807, 844-846, 893, 926, 929, 931
Pledge of Allegiance led by	717
qualified	3-4
remarks by (ordered printed in appendix)	663, (1420)
removal of sponsorship	210
reports by, as member of Joint Committee on Enrolled Bills	3479
resolutions offered (by request)	123, 158, 223, 251, 309, 357-359, 562-564, 628, 643-647, 705, 735-738, 770-772, 810-816, 935-941, 1248-1250, 1329-1333, 1372, 1417, 1464-1466, 1608, 1610, 1657-1659, 1689-1690, 1777, 1825, 1941-1944, 2068-2069, 3246
yeas and nays demanded by	535

MANN, KENNY, a Senator from the 10th District:

appointed to standing committees	92-94
bills introduced (by request)	143, 327, 356, 509, 624, 639, 846
leave of absence granted to	229, 362, 608, 637, 1268, 1723, 1768
Pledge of Allegiance led by	174
remarks by (ordered printed in appendix)	(210)
resolutions offered (by request)	329, 1608, 1777, 1825, 2388, 3246

MARONEY, MICHAEL J., a Senator from the 2nd District:

appointed to conference committee as to Eng. House Bill 2351	757
appointed to standing committees	92-94
bills introduced (by request)	131-133, 140, 143-144, 152-154, 157, 165, 168, 186, 190, 206, 221, 235-236, 239, 242, 244, 246, 302, 305, 324, 326-329, 368, 371, 395-397, 455, 479-480, 483, 509, 512, 560-561, 592, 594, 622, 624, 639, 641-642, 731-732, 764-765, 804-805, 807, 842, 844, 846, 925, 927-929, 931
leave of absence granted to	92, 1768
Pledge of Allegiance led by	200

remarks by (ordered printed in appendix)	(208), (273), (440), (648), 755, (789), 1490
removal of sponsorship	1239
reports by, as Chair of Committee on	
Health and Human Resources	181, 216-217, 219, 296, 351, 478, 617, 656, 700-701, 727, 794-796, 799, 841, 878, 888, 1242, 1315, 1325, 1396, 1408-1409, 1411, 1603-1604, 1687, 1732, 1923, 1930-1931, 1933, 1938, 2327- 2328, 2377-2379
resolutions offered (by request)	150, 158, 207, 247-251, 329, 372, 460, 484, 562-564, 625-626, 643-647, 734-735, 816-820, 848, 932, 937, 941, 1245, 1248-1250, 1493, 1608, 1825, 2066, 3246
withdraws (committee) amendment	(1901), (1992), (3005)

MAYNARD, MARK R., a Senator from the 6th District:

appointed to conference committee	
as to Eng. Com. Sub. for Com. Sub. for Senate Bill 317	3069
appointed to conference committee as to Eng. House Bill 3143	3315
appointed to standing committees	92-94
bills introduced (by request)	100-116, 119, 132, 143-144, 152-157, 165-166, 184, 186-187, 189-190, 206, 222, 235, 239, 242-245, 268-270, 305, 324- 327, 370, 394, 397-398, 455, 482, 509, 592, 596, 639-640, 642, 702, 733, 769, 894, (926), (929), 931-932
objection to unanimous consent	1638
Pledge of Allegiance led by	386, 1668
qualified	3-4
remarks by (ordered printed in appendix)	319, 440, (899), 1359, 1431, 2041
reports by, as Chair of Committee on Economic Development	201, 350, 651, 1366, 1368, 1734, 1775
reports by, as Chair of Committee on Natural Resources	164, 265, 393, 450, 696-698, 763, 776, 1241, 1461, 1526, 1878-1879, 1979
reports by, as Chair of Joint Committee on Enrolled Bills	611, 726, 877, 920, 1313, 1361, 1405, 1431, 1528, 1570, 1652, 1680, 1773, 1876, 2054, 2320, 2776, 3312, 3477, 3480-3488
resolutions offered (by request)	158, 312, 329, 357, 371-372, 483, 562, 598, 705, 734, 935, 1369, 1372, 1417, 1544, 1608, 1825, 2069-2071, 3245-3246

OJEDA, RICHARD N. II, a Senator from the 7th District:

appointed to standing committees	92-94
bills introduced (by request)	74-79, 99, 143
remarks by (ordered printed in appendix)	(125)
resignation announced	162
resolutions offered (by request)	123

PALUMBO, COREY, a Senator from the 17th District:

appointed Minority Whip	95
appointed to conference committee	
as to Eng. Com. Sub. for Senate Bill 405	3233
appointed to select committee to notify Governor	
Legislature is ready to adjourn <i>sine die</i> (S. R. 80)	3477

appointed to standing committees	92-94
bills introduced (by request)	65, 68, 72, 75-76, 97, 138-140, 143, 269, 302, 307, 352, 459, 481, 509, 624, 639, 642, 768, 807, 844, 846, 931
Pledge of Allegiance led by	1531
remarks by (ordered printed in appendix)	(773), 1667, (2041), 2312
removal of sponsorship	1267
resolutions offered (by request)	223, 248, 307-312, 329-331, 357-359, 462-463, 512, 597-600, 625-628, 772, 810, 849-853, 896-898, 1248- 1250, 1369-1372, 1417, 1608, 1689-1690, 1825, 1941-1944, 2068-2069, 3234- 3238, 3243, 3246
yeas and nays demanded by	531

PLYMALE, ROBERT H., a Senator from the 5th District:

addressed the Senate	2330
appointed to conference committee	
as to Eng. Com. Sub. for Com. Sub. for Senate Bill 522	3314
appointed to standing committees	92-94
bills introduced (by request)	16, 19, 21-23, 28, 30, 44-45, 55-56, 65, 98, 143, 183, 186, 223, 236, 239, 241, 269-270, 302, 305, 307, (355), 395-397, 480-481, 509, 561, 592, 594-595, 623-624, 639, 642, 702, 705, 766, 768- 769, 804, 844, 846, 890, 892-894, 931
main motion	1252, 1880, 2866-2867
objection to unanimous consent	797
Pledge of Allegiance led by	1268
point of order raised by	552, 1520
remarks by (ordered printed in appendix)	149, (152), (199), (314), (315), 336, (629), (854), (899), 1527, (1610), (1768), (1828), (2330)
removal of sponsorship	553
resolutions offered (by request)	82, 85, 123, 150, 191, 223, 248, 271, 274, 307-312, 484, 562, 598-602, 625-628, 705, 770-772, 808-816, 848- 853, 896-898, 935, 1245, 1248-1250, 1329-1333, 1369-1372, 1417-1420, 1608, 1657-1659, 1825, 1941-1944, 2071, 2388, 3234-3238, 3243, 3246
voting sentiment	3029
yeas and nays demanded by	289, 532, 1827

PREZIOSO, ROMAN W. JR., a Senator from the 13th District:

addressed the Senate	1894
appointed Minority Leader	95
appointed to select committee to escort Governor to joint assembly (H. C. R. 1) ..	90
appointed to select committee to escort President-elect to chair	5
appointed to standing committees	92-94
bills introduced (by request)	81, 132-133, 142-143, 152, 165-166, 168, 170, 220-223, 236, 239-240, 327, 639, 641-642, 731, 766, 768, 843- 844, 846
bills introduced by request of executive	92, 135-138, 153, 169, 170, 187-188, 207, 222, 267, 303, 305, 307, 328-329, 356, 368-371, 393, 481, 509, 594-595, 624, 703, 732
leave of absence granted to	1768
main motion	1234, 1828
objection to unanimous consent	378

Pledge of Allegiance led by	1239
point of order raised by	577
remarks by (ordered printed in appendix)	(273), (312), (315), (331), (386), (602-603), (943), (1828), (3029)
removal of sponsorship	663, 1267
resolutions offered (by request)	8, 14-15, 148, 223, 248, 251, 254, 271, 311, 329-331, 372, 462, 600-602, 626, 770, 816, 849-851, 895-896, 934, 941, 1248-1250, 1329-1333, 1372, 1542-1544, 1608, 1610, 1825, 3246
resolutions offered by request of executive	460
withdraws (committee) amendment	1895
yeas and nays demanded by	288, 1828

ROBERTS, ROLLAN A., a Senator from the 9th District:

appointed to select committee to notify Governor Legislature has assembled and organized (S. R. 3)	10
appointed to select committee to notify House of Delegates Senate is ready to adjourn <i>sine die</i> (S. R. 79)	3476
appointed to standing committees	92-94
bills introduced (by request)	152-154, 156, 170, 185-186, 190, 206, 239, 244, 270, 305, 327, 351, 353, 394-395, 397-398, 509, 594, 638-639, 642, 733, 842, 845-846, 892, 894, 925
Pledge of Allegiance led by	263, 2066
prayer by	126, 755, 2329
qualified	3-4
remarks by (ordered printed in appendix)	(210), (386)
resolutions offered (by request)	223, 329, 484, 734, 935, 1329, 1372, 1417, 1544, 1608, 1657, 1825, 2069, 2388, 3246

ROMANO, MICHAEL J., a Senator from the 12th District:

appointed to conference committee as to Eng. Com. Sub. for Senate Bill 481	2356
appointed to standing committees	92-94
bills introduced (by request)	67, 70-73, 143, 165-166, 186, 190, 222-223, 236, 239, 305, 327, 352, 357, 368, 371, 481, 507-510, 622, 624, 639, 641-642, 731, 768, 806, 843-844, 846, 926, 931-932
leave of absence granted to	834, 1435
Pledge of Allegiance led by	664
qualified	3-4
remarks by (ordered printed in appendix)	(468), (648), (1267), 1490, 1571
resolutions offered (by request)	146, 223, 248, 357-359, 626, 643-647, 738, 770, 773-774, 849, 1248-1250, 1329-1333, 1372, 1417, 1493, 1542, 1608, 1825, 3246
yeas and nays demanded by	516, 2924

RUCKER, PATRICIA PUERTAS, a Senator from the 16th District:

appointed to conference committee as to Eng. Com. Sub. for Senate Bill 481	2356
appointed to standing committees	92-94

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SMITH, RANDY E., a Senator from the 14th District:

appointed to conference committee	
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as to Eng. Com. Sub. for Com. Sub. for Senate Bill 522	3314
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appointed to conference committee as to Eng. Com. Sub. for House Bill 2670	3314
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Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
**1 -	By Senators Carmichael (Mr. President), Sypolt, Cline, Takubo, Boso, Clements, Swope, Smith, Ihlenfeld, Baldwin, Stollings, Weld and Plymale: Increasing access to career education and workforce training	16	174, 214	2073-2097	315, 2097	2073	16, 175, 262, 280-290, 315, 2097, 3029, 3483, 3498
2 -	By Senators Trump, Boso, Takubo, Weld and Cline: WV Appellate Reorganization Act of 2019	16					18
*3 -	By Senators Boso, Clements, Swope, Takubo, Cline and Trump: Establishing WV Small Wireless Facilities Deployment Act	18	176	258-259, 1830-1855	277, 1855	1829	19, 209, 227, 259, 278, 1856, 3483, 3500
*4 -	By Senators Weld, Plymale, Clements, Takubo, Sypolt, Swope, Cline and Ihlenfeld: Relating generally to Municipal Home Rule Program	19	340	514-515, 2573-2585	516, 2585	2572, 3464	20, 385, 401, 464-465, 486, 514-517, 2585, 3488, 3498
5 -	By Senators Takubo, Boso, Stollings and Jeffries: Requiring certain insurers and managed care organizations develop prior authorization forms	20					21
6 -	By Senators Blair, Plymale, Boso, Weld, Clements, Baldwin, Takubo, Swope, Cline, Trump, Stollings, Jeffries and Ihlenfeld: Creating tax credits for certain educational expenses incurred by teachers	21					21
7 -	By Senators Rucker, Boso, Sypolt and Cline: Relating to public school transfer and enrollment policies	21					21
8 -	By Senators Blair, Swope, Trump and Cline: Dissolving Information Services and Communications Division	21					23
9 -	By Senators Blair, Plymale and Boso: Alleviating double taxation on foreign income at state level	23					23
10 -	By Senators Blair, Boso and Swope: Relating to Second Chance Driver's License Program	23	126		192		23, 160, 171, 193

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
11 -	By Senators Blair and Boso: Relating to retirement and pension benefits of certain PERS and Teachers Retirement System members who serve in Legislature	23	837, 1314		1468		24, 837, 1386, 1423, 1469
12 -	By Senators Blair, Jeffries, Takubo, Boso, Lindsay and Cline (originating in Senate Finance): Exempting DNR police officers' pension benefits from state income tax	24					24
*13 -	By Senator Blair: Relating to distributions from State Excess Lottery Fund	24	612	749, 1436- 1437	777, 1437	1436	24, 661, 713, 749, 777, 1437, 1680, 2320
**14 -	By Senators Blair, Boso, Weld, Jeffries, Sypolt, Stollings, Cline and Lindsay: Creating WV Farm-to-School Grant Program	24	342, 613		740		24, 343, 661, 713-714, 740
15 -	By Senators Beach, Stollings, Jeffries, Sypolt, Cline and Lindsay: Establishing Mountaineer Trail Network Recreation Authority	25					25
16 -	By Senators Cline and Swope: Authorizing expenditure of surplus funds by Wyoming County Commission	25	586		707	3069	25, 636, 659, 707, 3488, 3497
*17 -	By Senators Trump and Boso: Relating to probation eligibility	25	176		256	441	25, 209, 227, 256, 611, 759
*18 -	By Senators Trump, Boso, Takubo and Cline: Relating to crimes committed on State Capitol Complex	25	215	290, 316	316	835	26, 262, 291, 316, 1314, 1528
*19 -	By Senators Blair, Boso, Cline, Jeffries, Lindsay, Baldwin and Stollings: Relating to Senior Farmers Market Nutrition Program	26	321, 613		741		26, 321, 661-662, 714, 740-741
20 -	By Senators Blair, Cline and Takubo: Providing wind power projects be taxed at real property rate	26					26
21 -	By Senators Blair, Sypolt, Cline and Swope: Establishing Katherine Johnson Academy	26					27

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
22 -	By Senator Blair: Adopting Revised Uniform Athlete Agents Act of 2015	27					28, 789
23 -	By Senators Blair, Plymale, Sypolt, Cline and Boso: Creating five-year sunset on all tax credits established in chapter 11 of code	28					29
24 -	By Senators Blair, Baldwin, Takubo and Sypolt: Relating generally to local boards of health	29	126		193		29, 160, 172, 194
25 -	By Senators Trump, Boso, Cline and Swope: Authorizing certain higher education governing boards to eliminate faculty tenure	29					29
*26 -	By Senator Blair: Permitting certain employees of educational service cooperatives participate in state's teacher retirement systems	29	650		778	1532	29, 716, 740, 750, 778, 1680, 2320
27 -	By Senator Blair: Removing restrictions on where certain traditional lottery games may be played	29	126	584	194, 585	584	30, 160, 172, 194, 584-585, 1361, 1641
28 -	By Senators Blair, Boso and Clements: Removing hotel occupancy tax limit collected for medical care and emergency services	30	126, 2376	2377	194, 2377	498, 3464	30, 160, 172, 195, 498-499, 2377, 3484, 3498
*29 -	By Senators Blair, Plymale, Stollings, Boso, Jeffries and Swope: Creating ten-year tax credits for businesses locating on post-coal mine sites	30	201, 837		1252		30, 202, 912, 950, 1252
*30 -	By Senators Blair and Cline: Eliminating tax on annuity considerations collected by life insurer	30	389, 587	3266	708, 3266	3266	30, 389, 636, 660, 707-708, 3267, 3484, 3500
31 -	By Senators Blair and Boso (originating in Senate Finance): Relating generally to Local Powers Act	30	877				32, 878
32 -	By Senator Cline: Providing special license plate for realtors	32					32

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
33 -	By Senators Cline and Ihlenfeld: Increasing penalties for certain crimes against law-enforcement officers	32					32
34 -	By Senator Cline: Authorizing DOH or local authorities to establish minimum speed limits in certain areas	32					32
35 -	By Senators Weld, Boso and Baldwin: Providing certain civil liability protections when removing animals from unattended motor vehicles	33					33
36 -	By Senators Weld and Boso: Allowing adjustment of gross income for calculating personal income liability for certain retirees	33	127	3267	195, 3267	3267	33, 160, 172, 196, 3268, 3488, 3497
37 -	By Senators Weld and Baldwin: Exempting certain persons from hunting, fishing, and trapping license and permit fees	33					33
38 -	By Senators Weld, Boso, Jeffries and Lindsay: Exempting DNR police officers' pension benefits from state income tax	33					34
*39 -	By Senators Weld, Boso and Baldwin: Providing certain military members in-state residency tuition rates	34	614				34, 615
*40 -	By Senator Weld: Establishing Military Service Members Court program	34	365, 693	3034-3055	824-825, 3055	3034, 3465	35, 366, 754, 787, 824-825, 3055, 3484, 3498
41 -	By Senators Trump and Boso: Revising procedures for certain driver's license suspensions and revocations	35					38
42 -	By Senator Trump: Increasing number of magistrates serving Berkeley County	38					38
43 -	By Senator Trump: Relating generally to used motor vehicle warranties	38					38

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
44 -	By Senator Trump: Appropriation Supremacy Act of 2019	38					39
45 -	By Senators Trump and Sypolt: Permitting certain nonpublic school students to participate in activities under WV Secondary School Activities Commission	39					39
46 -	By Senator Smith: Requiring certain probationers participate in work release program and spend six months in work release center	39					39
47 -	By Senators Smith, Sypolt and Swope: Providing wind power projects be taxed at real property rate	39	693		825		40, 754, 787, 825
48 -	By Senator Smith: Creating five-year sunset on all tax credits created under chapter 11 of code	40					40
49 -	By Senator Smith: Relating to use of aftermarket crash parts by motor vehicle repair shop	40					40
50 -	By Senator Smith: Relating to long-term care and substance abuse treatment	40					40
51 -	By Senator Smith: Transferring child welfare enforcement responsibilities to State Police	41					41
52 -	By Senator Smith: Entitling natural resource producers to economic opportunity tax credit	41	443				41, 443
53 -	By Senators Smith and Swope: Relating to tax treatment of wind power projects	41					41
54 -	By Senator Boso: Allowing operating of small-engine mopeds without driver's license	41					42
*55 -	By Senators Boso and Jeffries: Relating to driving privileges and requirements for persons under 18	42	178, 293		380		42, 336, 361, 379-380

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56 -	By Senator Boso: Relating to distribution of fees collected for criminal conviction expungement	42					42
57 -	By Senator Boso: Relating to Local Powers Act	42					44
58 -	By Senator Plymale: Exempting florists from general sourcing rules in regard to sales and use taxes	44					44
59 -	By Senators Plymale, Boso, Stollings, Baldwin and Jeffries: Creating Business PROMISE+ Scholarship	44					44
*60 -	By Senators Plymale and Stollings: Licensing practice of athletic training	45	727	859, 1917-1919	903, 1919	1917, 2098	45, 728, 789, 832, 859-860, 903, 1917-1919, 3481, 3499
*61 -	By Senators Weld and Trump: Adding certain crimes for which prosecutor may apply for court order authorizing interception of communications	45	163	227, 257, 867-871, 1875	257, 871, 1875	867, 1269, 2098	45, 199, 209, 227-228, 257, 867-871, 1528, 1876, 3484, 3500
*62 -	By Senators Weld and Clements: Requiring participation in drug court program before discharge of certain first-time drug offenses	45	202		278		46, 203, 229, 260, 278
63 -	By Senator Weld: Relating to partial filling of prescriptions	46	216, 322	399	399		46, 216, 362, 384, 400
64 -	By Senator Swope: Relating generally to crane operator certification	46					46
65 -	By Senator Swope: Prohibiting political subdivisions from regulating certain areas of employer-employee relationship and sale or marketing of consumer merchandise	46					48
*66 -	By Senator Swope: Prohibiting certain misleading lawsuit advertising practices	48	728		904		48, 789, 832, 860-864, 904
67 -	By Senator Swope: Relating to admissibility of certain evidence in civil actions for damages	48					48

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
68 -	By Senator Swope: Relating generally to crane operator certification	48					48
69 -	By Senator Swope: Requiring certain documents that include wage records be considered confidential	48					49
70 -	By Senator Swope: Prohibiting political subdivisions from regulating certain areas of employer-employee relationship and sale or marketing of consumer merchandise	49					49
71 -	By Senators Woelfel, Trump and Boso: Relating generally to Commission on Special Investigations	49					51
*72 -	By Senators Woelfel, Stollings and Baldwin: Creating Sexual Assault Victims' Bill of Rights	51	343	1856-1858	465, 1858	1856	51, 385, 401, 465, 1858, 3478, 3499
73 -	By Senator Cline: Increasing vehicle weight limits on certain highways	51					51
*74 -	By Senator Cline: Exempting nonpaid volunteers at ski areas from workers' compensation benefits	51	587, 729		857		51, 588, 789, 833, 857
75 -	By Senators Sypolt and Boso: Granting certain owners of breeding-age cows access to Coyote Control Program	51					52
76 -	By Senator Cline: Creating emergency text system for children	52					52
77 -	By Senator Cline: Requiring vehicles with hydraulically operated beds be equipped with warning device when bed is in upward position	52					52
78 -	By Senators Cline and Baldwin: Specifying forms of grandparent visitation	52					52
79 -	By Senators Boso, Stollings and Swope: Establishing Katherine Johnson Academy	52					53

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*80 -	By Senators Takubo, Clements and Jeffries: Establishing tax credit for practicing physicians locating in WV	54	1315				54, 1316
*81 -	By Senators Takubo, Boso, Stollings, Jeffries, Lindsay and Ihlenfeld: Prohibiting smoking in vehicle when minor under 17 present	54	478				54, 479
82 -	By Senators Baldwin, Stollings, Jeffries and Lindsay: Providing personal income tax credit for classroom teachers for nonreimbursed cost of supplies	54					55
83 -	By Senators Baldwin and Plymale: Funding for veterans' programs and volunteer fire departments	55					55
84 -	By Senator Baldwin: Establishing Stay in State tax credit for higher education tuition	55					56
85 -	By Senators Baldwin, Plymale, Jeffries and Lindsay: Relating to drug testing of legislators	56					56
**86 -	By Senators Beach, Jeffries and Lindsay: Requiring county boards provide free feminine hygiene products in grades five to 12	56	878, 1317	1424, 1469	1469		56, 878, 1386, 1423-1424, 1469
87 -	By Senators Beach, Lindsay and Jeffries: Requiring contractors provide county boards of education number of units constructed prior to issuance of permit	56					56
88 -	By Senator Beach: Creating Office of Outdoor Recreation	56					57
89 -	By Senator Beach: Relating to safety of tow trucks, wreckers, and tilt-bed vehicles	57					57
**90 -	By Senator Rucker: Transferring Safety and Treatment Program from DHHR to DMV	57	443, 589	3355-3374	708, 3375	3355, 3465	57, 444, 636, 660, 708, 3375, 3484, 3498

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
91 -	By Senator Rucker: Relating to residency requirements for eligible voters	57					58
92 -	By Senator Rucker: Providing special license plate supporting adoption	58					58, 210
93 -	By Senator Rucker: Prohibiting State Board of Education from accepting federal education plans without legislative approval	58					58
94 -	By Senator Rucker: Adding certain legal procedures for individuals participating in Safety and Treatment Program	58					58
95 -	By Senator Rucker: Providing parties in civil litigation recover attorneys' fees and costs after dismissal of claim	58					59
96 -	By Senator Trump: Allowing retired judicial officer avoid limit on temporary employment payments under certain circumstances	59					59
97 -	By Senator Trump: Modernizing certain beer, wine, and liquor laws	59					61
98 -	By Senator Trump: Reforming liability for municipalities and counties for certain civil actions alleging injury	61					62
99 -	By Senator Trump: Relating generally to Motor Vehicle Alcohol Test and Lock Program	62					62
*100 -	By Senator Trump: Increasing court fees to fund law-enforcement standards training and expenses	62	444	1946	568, 1946	1946	62, 492, 524, 568, 1947, 3484, 3498
*101 -	By Senator Trump: Equalizing penalties for intimidating and retaliating against certain public officers and other persons	62	294		380	1947	63, 336, 361, 380, 3481, 3498

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*102 -	By Senator Trump: Relating generally to powers and authority of courthouse security officers	63	344		465		63, 385, 402, 466
*103 -	By Senator Trump: Relating generally to Public Defender Services	63	295, 390	3268-3270	517, 3270	3268	64, 296, 471, 490, 518, 3271, 3488, 3500
104 -	By Senators Trump and Boso: Relating to pyramid promotional schemes	64					64
*105 -	By Senator Woelfel: Creating offense of impaired operation of motor vehicle placing nonpassengers at risk of physical injury	64	445, 1445		1612		64, 445, 1524, 1560, 1613
*106 -	By Senator Facemire: Alleviating double taxation on foreign income at state level	64	127		196		65, 160, 172, 197
107 -	By Senators Facemire, Jeffries and Lindsay: Encouraging agreements between community and technical colleges and certain apprenticeship programs	65					65
108 -	By Senators Plymale, Woelfel, Baldwin and Clements: Requiring candidates elected to judicial office receive majority of votes	65					65
109 -	By Senator Palumbo: Correcting code references in regard to persons exempted from prohibitions against carrying concealed weapons	65					66
110 -	By Senators Stollings, Jeffries, Baldwin and Lindsay: Supplemental appropriation from Excess Lottery Fund to DHHR, Center for End of Life	66					66
111 -	By Senators Stollings, Baldwin, Jeffries and Lindsay: Supplemental appropriation from Excess Lottery Fund to DHHR, CARDIAC Project	66					66
112 -	By Senators Stollings, Jeffries, Lindsay and Baldwin: Supplemental appropriation from State Fund, General Revenue to DHHR, Tobacco Education Program	66					66

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
113 -	By Senators Stollings, Baldwin, Jeffries and Boso: Creating five-year tax credits for businesses locating on post-coal mine sites	67					67
114 -	By Senators Romano, Jeffries, Baldwin and Lindsay: Allowing workers' compensation benefits for first responders diagnosed with PTSD due to employment event	67					67
115 -	By Senators Romano and Baldwin: Relating to certain election expenditure disclosures	67					67
116 -	By Senator Palumbo: Relating to certain unlawful discriminatory practices	68					68
*117 -	By Senator Palumbo: Relating to incentives for consolidating local governments	68	502, 838		1252		68, 502, 912, 950, 1253
118 -	By Senators Palumbo, Jeffries, Stollings, Baldwin and Lindsay: Creating Independent Redistricting Commission	68					70
119 -	By Senators Trump and Boso: Specifying documents not subject to discovery in certain proceedings	70	178		258	441	70, 209, 228, 258, 611, 726
120 -	By Senator Romano: Increasing state employee pay over two-year period	70					70
121 -	By Senator Romano: Providing continued eligibility for developmental disability services to military members' dependents	70	179				71, 179
122 -	By Senators Romano, Baldwin and Stollings: Funding volunteer fire departments through surcharge on fire and casualty insurance policies	71					71
123 -	By Senators Romano and Stollings: Providing penalty for marijuana possession carries fine of no more than \$1,000 without confinement	71					71

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*124 -	By Senators Clements, Weld and Baldwin: Creating felony offense for actions of cruelty to animals which causes serious injury or death of animal	71	294		381		71, 336, 361, 381
125 -	By Senator Clements: Providing counties with less than 1,400 net enrollment be considered to have 1,400 in determining basic foundation program only	71					72, 739
126 -	By Senators Trump and Boso: Requiring industrial hemp grower licensees file copy of license with local sheriff	72					72
*127 -	By Senator Trump: Relating to parole officers' duties to perform alcohol and drug testing of litigants	72	557		657		72, 607, 636, 658
128 -	By Senator Palumbo: Requiring vacancies in certain public offices be filled by person affiliated with same political party as vacating person	72					72
129 -	By Senator Romano: Creating surcharge to fund certain fire-related cleanup and demolition	72					73
130 -	By Senators Romano and Clements: Allowing \$1,000 cost-of-living adjustment for certain retirees	73					73
131 -	By Senator Romano: Modifying procedure for certain public agencies to contract for architectural and engineering services	73					73
132 -	By Senators Clements, Lindsay and Boso: Establishing Mountaineer Trail Network Recreation Authority	74					74
133 -	By Senator Ojeda: Creating Returning Veterans and Displaced Miners Jobs Act	74					74
134 -	By Senator Ojeda: Stabilizing PEIA benefits	74					75

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
135 -	By Senator Ojeda: Requiring registered lobbyists purchase and wear body-mounted cameras at Capitol	75					75
136 -	By Senators Palumbo and Baldwin: Relating to tobacco usage and e-cigarette restrictions	75	216				76, 217
137 -	By Senator Palumbo: Relating to unlawful discriminatory practices covered by Human Rights Act and Fair Housing Act	76					76
138 -	By Senator Ojeda: Prohibiting civil rights violations based on gender identity or sexual orientation	76					76
139 -	By Senator Ojeda: Changing requisite period necessary to take advantage of criminal offense reduction	76					77
140 -	By Senator Ojeda: Requiring correctional officers be paid overtime for hours worked beyond 40 in one-week period	77					77
141 -	By Senators Ojeda and Stollings: Creating Volunteer Firefighter Appreciation Act of 2019	77					77
142 -	By Senator Ojeda: Creating misdemeanor offense for impersonating military member	78					78
143 -	By Senator Ojeda: Reducing criminal penalties and criminalization of marijuana	78					78
144 -	By Senators Ojeda and Stollings: Creating WV Black Lung Program	78					78
145 -	By Senator Ojeda: Relating to WV Medical Cannabis Act	79					80
146 -	By Senators Azinger and Boso: Increasing burglary penalties if other crime against person committed at same time	80					81
*147 -	By Senator Blair: Shifting funding from Landfill Closure Assistance Fund to local solid waste authorities	81	839	1253-1260, 3271-3276	1260, 3276	3271	81, 912, 950, 1253-1261, 3277, 3484, 3505

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
148 -	By Senators Prezioso, Jeffries, Stollings and Lindsay: Requiring newly constructed dwelling units to meet minimum standards of universal design for disabled persons	81					81
149 -	By Senators Azinger and Weld: Exempting certain veterans from concealed weapons license fees	81	179, 347		466		81, 385, 402, 466
*150 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Budget Bill	92	1681	1881- 1882, 1895- 1896			92, 1681-1682, 1741, 1779, 1881-1883, 1894-1896, 1987, 2124
151 -	By Senators Baldwin, Palumbo, Takubo, Stollings, Jeffries and Lindsay: Relating to Upper Kanawha Valley Resiliency and Revitalization Program	97					98
*152 -	By Senators Jeffries, Baldwin, Stollings, Woelfel and Lindsay: Relating generally to criminal offense expungement	98	177	260, 3277- 3291	279, 3292	3277	98, 209, 228, 261, 278-279, 3292, 3484, 3498
153 -	By Senators Jeffries, Stollings, Lindsay, Clements, Smith, Baldwin, Plymale, Ihlenfeld, Hamilton and Boso: Providing greater flexibility for making infrastructure project grants	98	651		825- 826	2330	98, 651, 716, 750, 778, 825-826, 3489, 3498
*154 -	By Senators Jeffries, Baldwin, Stollings, Lindsay, Plymale, Hamilton and Boso: Using school facilities for funeral and memorial services for certain community members	98	502	1948	631, 1948	1947, 2330	99, 582, 604, 630-631, 1949, 3489, 3498
155 -	By Senator Ojeda: Authorizing corrections officers to retire after 25 years' service	99					99
156 -	By Senator Ojeda: Including nursing home nurses in WV Nurse Overtime and Patient Safety Act	99					99
*157 -	By Senator Maynard: Authorizing Department of Administration promulgate legislative rules	100	503		631	1668	100, 582, 604, 632, 2776, 3499
158 -	By Senator Maynard: Department of Administration rule relating to state-owned vehicles	100	503				100

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
159 -	By Senator Maynard: Department of Administration rule relating to leasing of space and property acquisition on behalf of state spending units	100	503				100
160 -	By Senator Maynard: DEP rule relating to ambient air quality	100	558				100
161 -	By Senator Maynard: DEP rule relating to standards of performance for new stationary sources	100	179, 558				101, 180
162 -	By Senator Maynard: DEP rule relating to control of air pollution from hazardous waste treatment, storage, and disposal facilities	101	179, 558				101, 180
*163 -	By Senator Maynard: Authorizing DEP promulgate legislative rules	101	179, 558		658	1949	101, 180, 607-608, 636, 658-659, 3484, 3499
164 -	By Senator Maynard: DEP rule relating to requirements for conformity of transportation plans, programs, and projects applicable to air quality implementation plans	101	179, 558				101, 180
165 -	By Senator Maynard: DEP rule relating to provisions for determination of compliance with air quality management rules	101	179, 558				102, 180
166 -	By Senator Maynard: DEP rule relating to cross-state air pollution rule to control certain emissions	102	179, 558				102, 180
167 -	By Senator Maynard: DEP rule relating to requirements governing water quality standards	102	322, 558				102, 322
168 -	By Senator Maynard: DHHR rule relating to behavioral health centers licensure	102	181, 503				102, 181
169 -	By Senator Maynard: DHHR rule relating to assisted living residences	102	217, 503				103, 217
170 -	By Senator Maynard: DHHR rule relating to food establishments	103	181, 503				103, 181

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
171 -	By Senator Maynard: DHHR rule relating to food manufacturing facilities	103	181, 503				103, 181
172 -	By Senator Maynard: DHHR rule relating to newborn screening system	103	181, 503				103, 182
173 -	By Senator Maynard: DHHR rule relating to medication-assisted treatment—office-based medication-assisted treatment	103	296, 503				103, 296
174 -	By Senator Maynard: DHHR rule relating to chronic pain management clinic licensure	104	181, 503				104, 181
*175 -	By Senator Maynard: Authorizing DHHR promulgate legislative rules	104	182, 503	1950	632, 1950	1949	104, 182, 582, 604, 633, 1951, 3484, 3499
176 -	By Senator Maynard: Health Care Authority rule relating to cooperative agreement approval and compliance	104	181, 503				104, 181
177 -	By Senator Maynard: Fire Commission rule relating to State Building Code	104	128		197	499	104, 160, 172, 197, 726, 836
178 -	By Senator Maynard: Lottery Commission rule relating to WV Lottery sports wagering rule	104	298, 366				105, 297
179 -	By Senator Maynard: Racing Commission rule relating to thoroughbred racing	105					105
180 -	By Senator Maynard: State Tax Department rule relating to payment of taxes by electronic funds transfer	105	204, 366				105, 204
181 -	By Senator Maynard: State Tax Department rule relating to aircraft operated under a fractional ownership program	105	204				105, 204
182 -	By Senator Maynard: State Tax Department rule relating to senior citizen tax credit for property taxes paid	105	204, 366				105, 204
183 -	By Senator Maynard: State Tax Department rule relating to administration of tax on purchases of wine and liquor inside and outside of municipalities	106	204, 366				106, 204

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
184 -	By Senator Maynard: State Tax Department rule relating to exchange of information agreement between Tax Division and DEP	106	163, 366				106
185 -	By Senator Maynard: State Tax Department rule relating to exchange of information agreement between State Tax Division and Alcohol Beverage Control Administration	106	163, 366				106
186 -	By Senator Maynard: State Tax Department rule relating to exchange of information pursuant to written agreement	106	164, 366				106
*187 -	By Senator Maynard: Authorizing Department of Revenue to promulgate legislative rules	106	164, 366		486	2098	107, 439-440, 470, 487, 3481, 3499
188 -	By Senator Maynard: State Tax Department rule relating to exchange of information agreement between State Tax Department and WV Lottery	107	164, 366				107
189 -	By Senator Maynard: State Tax Department rule relating to exchange of information agreement between State Tax Department and State Fire Marshal	107	164, 366				107
190 -	By Senator Maynard: DOH promulgate legislative rule relating to employment procedures	107	128		198	1951	107, 160, 172-173, 199, 3484, 3506-3507
191 -	By Senator Maynard: Agriculture Commissioner rule relating to animal disease control	108	205, 344				108, 205
192 -	By Senator Maynard: Agriculture Commissioner rule relating to industrial hemp	108	205, 344				108, 205
193 -	By Senator Maynard: Agriculture Commissioner rule relating to rural rehabilitation loan program	108	231, 344				108, 232
194 -	By Senator Maynard: Agriculture Commissioner rule relating to captive cervid farming	108	231, 344				108, 232

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
195 -	By Senator Maynard: Agriculture Commissioner rule relating to farm-to-food bank tax credit	108	231, 344				109, 232
196 -	By Senator Maynard: Agriculture Commissioner rule relating to agritourism	109	231, 344				109, 232
197 -	By Senator Maynard: Agriculture Commissioner rule relating to farmers markets	109	231, 344				109, 232
198 -	By Senator Maynard: Agriculture Commissioner rule relating to seed certification program	109	232, 344				109, 232
*199 -	By Senator Maynard: Authorizing certain miscellaneous agencies and boards promulgate legislative rules	109	344	2331-2333	488, 2333	2330	109, 385, 402, 467, 487-488, 2334, 3489, 3497
200 -	By Senator Maynard: Board of Licensed Dietitians rule relating to licensure and renewal requirements	109	344				110
201 -	By Senator Maynard: Board of Medicine rule relating to licensing and disciplinary procedures: physicians; podiatric physicians; and surgeons	110	344				110
202 -	By Senator Maynard: Board of Medicine rule relating to permitting and disciplinary procedures: educational permits for graduate medical interns, residents, and fellows	110	344				110
203 -	By Senator Maynard: Board of Osteopathic Medicine rule relating to licensing procedures for osteopathic physicians	110	344				110
204 -	By Senator Maynard: Board of Pharmacy rule relating to licensure and practice of pharmacy	110	344				110
205 -	By Senator Maynard: Board of Pharmacy rule relating to board rules for registration of pharmacy technicians	110	344				111

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
206 -	By Senator Maynard: Board of Pharmacy rule relating to regulations governing pharmacy permits	111	344				111
207 -	By Senator Maynard: Board of Pharmacy rule relating to regulations governing pharmacists	111	344				111
208 -	By Senator Maynard: Board of Pharmacy rules relating to substitution of biological pharmaceuticals	111	344				111
209 -	By Senator Maynard: Real Estate Appraiser Licensing and Certification Board rule relating to requirements for licensure and certification	111	344				111
210 -	By Senator Maynard: Registered Professional Nurses rule relating to criteria for evaluation and accreditation of colleges, departments, or schools of nursing	111	344				112
211 -	By Senator Maynard: Board of Examiners for Registered Professional Nurses rule relating to registration and licensure, and conduct constituting professional misconduct	112	344				112
212 -	By Senator Maynard: Board of Registered Professional Nurses rule relating to advanced practice registered nurse	112	344				112
213 -	By Senator Maynard: Board of Examiners for Registered Professional Nurses rule relating to standards for scope of professional nursing practice	112	344				112
214 -	By Senator Maynard: Board of Registered Professional Nurses rule relating to fees for services rendered by board and supplemental renewal fee for center for nursing	112	344				113
215 -	By Senator Maynard: Board of Examiners for Registered Professional Nurses rule relating to dialysis technicians	113	344				113

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
216 -	By Senator Maynard: Secretary of State rule relating to filing and formatting rules and related documents for publication in State Register	113	344				113
217 -	By Senator Maynard: Secretary of State rule relating to loan and grant programs under Help America Vote Act	113	344				113
218 -	By Senator Maynard: Secretary of State rule relating to early voting in-person satellite precincts	113	344				113
219 -	By Senator Maynard: Secretary of State rule relating to notaries public	113	344				114
220 -	By Senator Maynard: Board of Social Work rule relating to qualifications for profession of social work	114	344				114
221 -	By Senator Maynard: Board of Social Work rule relating to code of ethics	114	344				114
222 -	By Senator Maynard: Treasurer's Office rule relating to reporting and claiming unknown and unlocatable interest owners reserved interest	114	344				114
*223 -	By Senator Maynard: Authorizing Department of Commerce promulgate legislative rules	114	232	318, 334, 1951	333, 1952	1951	114, 232, 291, 319, 334-335, 1952, 3484, 3497
224 -	By Senator Maynard: Division of Labor rule relating to child labor	114	232				115, 232
225 -	By Senator Maynard: Division of Labor rule relating to regulation of heating, ventilating, and cooling work	115	232				115, 232
226 -	By Senator Maynard: Office of Miners' Health, Safety, and Training rule relating to rules and regulations governing safety of employees in and around surface mines in WV	115	180, 232				115, 180, 232

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
227 -	By Senator Maynard: Office of Miners' Health, Safety, and Training rule relating to submission and approval of comprehensive mine safety program	115	180, 232				115, 180, 232
228 -	By Senator Maynard: Office of Miners' Health, Safety, and Training rule relating to operating diesel equipment in underground mines	115	180, 232				116, 180, 232
229 -	By Senator Maynard: DNR rule relating to commercial whitewater outfitters	116	164, 232				116, 232
230 -	By Senator Maynard: DNR rule relating to Cabwaylingo State Forest trail system two-year pilot program permitting ATVs and ORVs	116	164, 232				116, 232
231 -	By Senator Hamilton: Calculating retirement benefits for certain legislators	116					116
232 -	By Senators Hamilton, Baldwin and Cline: Enhancing penalties for failing to use caution when approaching emergency vehicles	116					117
233 -	By Senators Hamilton and Cline: Relating to age requirements for deputy sheriff	117	297		518		117, 336, 361, 381, 400, 467, 489, 518
234 -	By Senators Azinger and Cline: Requiring schools provide elective course on religion	117					117
235 -	By Senators Azinger and Cline: Creating felony for attempting to kill another person	117					117
*236 -	By Senators Lindsay, Jeffries and Baldwin: Providing notice of eligibility to persons to vote after completion of punishment or pardon	117	323		400		118, 384, 400
*237 -	By Senators Jeffries, Cline and Baldwin: Improving ability of law enforcement to locate and return missing persons	118	589		709	1952	118, 637, 660, 709, 3481, 3498

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*238 -	By Senators Baldwin, Cline, Jeffries and Lindsay: Increasing certain penalties for illegally passing stopped school bus	118	297, 1362		1497	2334	118, 298, 1429, 1483, 1497, 3489, 3498
239 -	By Senators Baldwin and Jeffries: Relating to mobility impairment identifying documents	118					119
*240 -	By Senators Maynard, Trump, Cline and Swope: Repealing certain legislative rules no longer authorized or are obsolete	119	202	718-721	279, 721	717	120, 202, 229, 261, 280, 722, 920, 1302
*241 -	By Senators Weld, Cline, Hamilton and Baldwin: Permitting county court clerks scan certain documents in electronic form	120	298	3402-3403	382, 3403	2334, 3465	120, 336, 361, 381-382, 2334-2335, 3068-3069, 3210, 3402-3403, 3484, 3497
242 -	By Senators Weld and Cline: Requiring deeds contain notarized acknowledgement of grantee accepting deed	120					120
*243 -	By Senator Weld: Requiring racetrack participate in WV Thoroughbred Development Fund	120	348		467		120, 385, 402, 467
244 -	By Senator Weld: Amending definitions relating to excise tax	120					121
245 -	By Senators Weld, Baldwin, Cline, Jeffries, Clements and Ihlenfeld: Creating felony offense of aggravated cruelty to animals	121					121
246 -	By Senators Weld and Cline: Adding language in estate appraisement showing nonprobate assets cannot be sold by personal representative	121					121
247 -	By Senator Weld: Amending time frames to enforce certain liens	121					121
*248 -	By Senators Weld and Cline: Creating Prosecuting Attorney's Detectives Act	121	1406	1515-1518, 1546	1546		122, 1407, 1488, 1518, 1547
*249 -	By Senator Weld: Relating to administration of estates and trusts	122	1407		1547		122, 1488, 1518, 1547

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
250 -	By Senators Baldwin and Lindsay: Creating Wholesale Prescription Drug Importation Program	122					122
251 -	By Senators Baldwin and Jeffries: Adjusting distance from polling place that certain electioneering and election-related activity is prohibited	122					123
252 -	By Senators Jeffries, Lindsay, Baldwin and Beach: Clarifying duties of Herbert Henderson Office of Minority Affairs	128					129
*253 -	By Senators Jeffries, Lindsay, Baldwin, Beach and Hamilton: Protecting consumers from automatic purchase renewal and continuous service offers	129	233		360		131, 291, 319, 335, 361
254 -	By Senators Jeffries, Lindsay, Hamilton, Baldwin, Beach and Tarr: Increasing misdemeanor penalty for impersonation of law-enforcement official	131					131
*255 -	By Senators Boso, Baldwin and Maroney: Relating to Emergency Medical Services Advisory Committee	131	217		317	554	131, 262, 291, 317, 727, 836
256 -	By Senators Weld, Cline, Baldwin, Tarr, Clements and Maroney: Allowing certain deductions from individual personal income tax refunds	131	179, 347		489		131, 179, 385, 402, 468, 489
257 -	By Senators Weld, Cline and Baldwin: Expiring funds from Department of Revenue, Insurance Commissioner Fund and supplementing DHHR, Consolidated Medical Services Fund	131					132
*258 -	By Senators Trump and Tarr: Establishing common law "veil piercing" claims not be used to impose personal liability	132	264	406-409	468		132, 319, 335-336, 361, 384, 402-409, 468

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*259 -	By Senators Sypolt, Azinger, Beach, Boso, Clements, Hamilton, Maynard, Rucker, Smith, Stollings, Woelfel, Cline, Jeffries, Tarr and Maroney: Expanding Coyote Control Program	132	321, 793		944		132, 321, 865, 909, 944
260 -	By Senators Stollings, Jeffries, Prezioso, Takubo, Hamilton, Lindsay and Maroney: Eliminating prohibition on permanent partial disability awards based solely on diagnosis of occupational pneumoconiosis	132					133
*261 -	By Senator Trump: Relating to number of magistrates serving each county	133	730				133, 608, 731
262 -	By Senator Trump: Establishing certain requirements for dental insurance	133					133
*263 -	By Senators Prezioso, Woelfel, Baldwin, Sypolt, Jeffries, Maroney and Lindsay: Limiting number of days legislators may be compensated during extended and extraordinary sessions if budget bill not enacted	133	591		709		134, 637, 660, 709-710
*264 -	By Senators Trump, Hamilton, Cline and Tarr: Requiring courts to order restitution to crime victims where economically practicable	134	265, 390		519	3069	134, 265, 471, 490-491, 519, 3489, 3497
265 -	By Senators Carmichael (Mr. President), Cline, Baldwin, Sypolt, Boso and Tarr: Establishing Advanced Career Education programs	134					135
**266 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Creating Intermediate Court of Appeals and WV Appellate Review Organization Act of 2019	135	390, 759		944-945		137, 392, 833, 860, 909, 945
267 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Requiring State Board of Education adopt policy detailing level of computer science instruction	137	505		633	756	137, 583, 604, 634, 920, 1302

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
268 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Updating meaning of federal taxable income in WV Corporation Net Income Tax Act	137	299		382	609	137, 336, 362, 383, 1361, 1641
269 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Updating terms used in WV Personal Income Tax Act	137	299		383	609	138, 336, 362, 384, 1361, 1641
*270 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Streamlining process for utilities access to DOH rights-of-way	138	348	491	519	1398	138, 385, 410, 471, 491, 520, 1680, 2320
271 -	By Senators Carmichael (Mr. President), Trump, Woelfel, Palumbo and Tarr: Concerning government procurement of commodities and services	138	218				139, 218
272 -	By Senators Carmichael (Mr. President), Trump, Woelfel, Palumbo and Tarr: Updating code relating to Commission on Special Investigations	139	165	473-474, 1304-1313	226, 474, 1313	473	140, 199, 209, 226, 473-475, 612, 1303-1313, 1432, 1680
*273 -	By Senators Carmichael (Mr. President), Trump, Woelfel, Palumbo and Tarr: Relating to Commission on Special Investigations and State Auditor duties	140	1432				140, 1489, 1518-1519, 1560
274 -	By Senators Sypolt, Boso, Stollings, Cline, Baldwin, Maroney and Smith: Changing procedure for volunteer fire departments to report on spending state funds	140					140
275 -	By Senators Sypolt, Clements, Baldwin, Boso, Maroney and Smith: Relating to sale of delinquent surface and mineral properties	140					142
276 -	By Senators Baldwin and Woelfel: Relating to regulation and control of elections	142					142

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
277 -	By Senators Baldwin, Hamilton, Beach, Jeffries and Tarr: Relating to certain crimes against government representatives	142					142
278 -	By Senators Baldwin, Beach, Jeffries, Tarr and Prezioso: Permitting veterans hunt, trap, or fish without license	142					142
279 -	By Senators Jeffries, Azinger, Baldwin, Beach, Boso, Facemire, Ihlenfeld, Lindsay, Mann, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Woelfel, Cline, Rucker, Clements, Tarr and Maroney: Authorizing lifetime hunting, fishing, and trapping licenses for foster or adoptive children	143					143
280 -	By Senators Lindsay, Baldwin, Beach, Facemire, Ihlenfeld, Jeffries, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger, Woelfel, Cline and Tarr: Eliminating social security taxes for certain taxpayers	143					143
281 -	By Senators Sypolt, Beach, Boso, Clements, Hamilton, Smith, Stollings, Baldwin and Maroney: Increasing limitation on amount collected by county used for medical care and emergency services	143					143
282 -	By Senators Sypolt, Beach, Boso, Clements, Hamilton, Maynard, Smith, Stollings, Baldwin, Maroney and Prezioso: Changing qualifier for low income	143					144
283 -	By Senators Sypolt, Beach, Boso, Clements, Hamilton, Maynard, Smith, Cline, Baldwin, Tarr and Maroney: Making misdemeanor to impede or obstruct law-enforcement officer in investigation	144					144
284 -	By Senators Sypolt, Azinger, Boso, Clements, Maynard, Smith, Cline, Tarr and Maroney: Requiring photo identification on voter registration cards	144					144

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
**285 -	By Senators Sypolt, Azinger, Beach, Boso, Clements, Cline, Facemire, Hamilton, Maynard, Prezioso, Smith, Stollings, Swope, Takubo, Tarr, Trump, Rucker, Roberts and Maroney: Relating to sale of homemade food items	152	349, 694	2098-2103	826, 2103	2098	152, 350, 754, 787, 827, 2104, 3029, 3481, 3498
286 -	By Senators Rucker, Roberts, Trump, Unger, Cline, Tarr and Maroney: Including certain education programs operated by private schools in recognition by DOE	152					153
287 -	By Senators Smith, Baldwin, Boso, Clements, Jeffries, Sypolt, Cline, Roberts and Maroney: Requiring DHHR terminate parental rights when child removed from care due to abuse or neglect	153					153
288 -	By Senators Rucker, Azinger, Boso, Cline, Jeffries, Maynard, Smith, Swope, Sypolt, Takubo, Weld, Roberts, Tarr, Maroney and Lindsay: Exempting moneys in WV Emergency Medical Services Retirement Fund from state or municipal tax	153					153
289 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating to wireless enhanced 911 fee	153					154
290 -	By Senator Azinger: Raising age of children who are victims of certain sex offenses	154					154
*291 -	By Senators Sypolt, Baldwin, Maynard, Rucker and Roberts: Relating generally to survivor benefits for emergency response providers	154	299, 695	787-788, 3293	827, 3293	3293	154, 299, 754, 788, 827-828, 3294, 3489, 3497
292 -	By Senators Sypolt, Stollings, Boso, Maroney and Baldwin: Relating to fire service equipment and training funds for VFDs	154	219				155, 219

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
293 -	By Senators Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Smith, Sypolt, Cline, Lindsay and Baldwin: Clarifying director of multicounty vocational technical school as principal	155					155
294 -	By Senators Hamilton, Facemire, Jeffries, Maynard, Smith, Sypolt and Cline: Allowing vehicles used by transportation directors and transportation supervisors use red flashing warning lights	155					155
*295 -	By Senators Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Maynard, Smith, Sypolt, Cline, Trump, Rucker and Lindsay: Relating to crimes against public justice	155	793	3248-3255	945, 3255	1724, 3465	156, 865, 909, 945, 1724-1725, 1953, 3256, 3484, 3498
296 -	By Senators Hamilton, Boso, Facemire, Ihlenfeld, Jeffries and Smith: Providing 11-month window to permit members of PERS to purchase credited service	156	205, 693		828		156, 205, 754, 788, 828
297 -	By Senators Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Smith, Sypolt, Cline, Trump, Roberts, Tarr, Lindsay and Baldwin: Extending expiration of military members' spouses' driver's license	156	179, 347		490		156, 179, 385, 410, 469, 489-490
298 -	By Senators Hamilton, Boso, Ihlenfeld, Jeffries, Maynard, Smith, Stollings, Sypolt, Cline and Tarr: Relating to lawful method for developmentally disabled person to purchase a base hunting license	156					157
299 -	By Senators Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Smith, Sypolt, Cline, Rucker and Lindsay: Selecting language milestones for deaf and hard-of-hearing children	157					157
*300 -	By Senators Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Maynard, Smith, Sypolt, Cline and Maroney: Relating to adoption records	157	1242				157, 1243

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
301 -	By Senators Hamilton, Boso, Facemire, Ihlenfeld, Maynard, Smith, Sypolt and Cline: Exempting certain wood furniture from state sales tax	157					157
302 -	By Senators Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Smith, Cline, Stollings and Baldwin: Relating to surcharge on fire and casualty insurance policies	158					158
303 -	By Senators Hamilton, Boso, Facemire, Ihlenfeld, Jeffries, Maynard, Smith, Sypolt, Romano, Stollings, Beach, Cline, Woelfel, Baldwin, Maroney, Tarr, Takubo and Prezioso: Exempting Social Security benefits from personal income tax	165					166
304 -	By Senators Hamilton, Facemire, Ihlenfeld, Jeffries, Maynard, Smith, Sypolt, Stollings, Lindsay, Baldwin, Beach, Cline and Takubo: Establishing Southern WV Lake Development Study Commission	166					166
305 -	By Senators Hamilton, Boso, Ihlenfeld, Jeffries, Smith, Romano, Woelfel, Lindsay, Baldwin, Beach, Cline and Takubo: Prohibiting waste of big game animals	166	696				166, 696
306 -	By Senators Lindsay, Baldwin, Jeffries, Beach and Prezioso: Establishing Family and Medical Leave Insurance Benefits Act	166					167
307 -	By Senator Boso: Creating Nondiscrimination Involuntary Denial of Treatment Act	167					167
308 -	By Senators Hamilton, Baldwin, Beach, Cline, Takubo and Prezioso: Awarding service weapons to special natural resources police officers upon retirement	168					168
309 -	By Senators Blair and Takubo: Relating to civil asset forfeiture	168					168, 1239

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
**310 -	By Senators Stollings, Jeffries, Beach, Takubo and Prezioso: Establishing certain requirements for dental insurance	168	219, 879	1769	1335, 1769	1769	168, 220, 951, 1263, 1336, 1770, 3478, 3498
311 -	By Senators Takubo, Maroney, Stollings, Woelfel, Baldwin, Cline, Tarr and Prezioso: Requiring first-time driver's license applicants view video on dangers of secondhand smoke	168					169
312 -	By Senators Lindsay and Jeffries: Requiring WV State Police follow towing service policies of county	169					169
313 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Establishing Advanced Career Education programs and pathways	169					170
314 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating to cybersecurity of state government	170					170
315 -	By Senators Weld, Clements, Stollings, Baldwin, Hamilton, Roberts, Jeffries, Cline, Tarr and Prezioso: Establishing Blue Alert program to aid law-enforcement officers missing in line of duty	170					171
*316 -	By Senators Plymale, Woelfel, Lindsay, Stollings and Hamilton: Preserving previously approved state Municipal Policemen's or Firemen's pensions	183	652, 1388	1498, 1954	1497, 1954	1953	184, 652, 1429, 1483, 1498, 1955, 3485, 3498
**317 -	By Senators Maynard, Cline and Sypolt: Authorizing three or more adjacent counties form multicounty trail network authority	184	265, 615	3404-3422	742, 3422	2335, 3465	185, 267, 662, 714, 741-742, 2335-2353, 3069, 3292, 3423, 3489, 3498
*318 -	By Senators Trump, Rucker, Cline, Roberts, Sypolt, Tarr, Hamilton and Azinger: Transferring Medicaid Fraud Control Unit to Attorney General's office	185	1446		1613	2353	185, 1524, 1560-1561, 1614, 3489, 3498
319 -	By Senator Trump: Relating to attorney contingency fee contracts and collections	185					185

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
320 -	By Senator Trump: Relating to punitive damage awards and payments	185					185
321 -	By Senator Maynard: Removing requirement reconstructed vehicle be inspected before being titled or registered	186					186
322 -	By Senators Maynard and Maroney: Allowing labor union not represent employee who is not member of union	186					186
*323 -	By Senators Baldwin, Beach, Maynard, Romano, Rucker, Smith, Sypolt, Plymale, Cline, Roberts, Hamilton and Stollings: Establishing revenue fund and source to support Department of Agriculture's improvement to facilities	186	446, 586		710	835	186, 446, 637, 660, 711, 1314, 1528
324 -	By Senators Sypolt, Beach, Rucker, Smith, Weld, Boso, Cline, Clements, Tarr and Hamilton: Relating to Commissioner of Agriculture employees	186	446		568	664	187, 492, 524, 569, 920, 1302
325 -	By Senator Maynard: Creating WV Motorsports Committee	187					187
*326 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Reorganizing state agencies involved in emergency and disaster planning	187	879, 1571		1614		187, 881, 951, 1263-1264, 1571, 1615
327 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Providing economic incentives for public school mathematics teachers	188					188
328 -	By Senators Cline, Rucker and Hamilton: Requiring teaching of agricultural science education course	188					188
*329 -	By Senators Cline and Hamilton: Relating to agricultural education in high schools	189	1447		1548	3070	189, 1447, 1519, 1547-1548, 3489, 3497

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*330 -	By Senators Maynard and Cline: Requiring contact information be listed on agency's online directory and website	189	1317	1955	1470, 1955	1955	189, 1386, 1424, 1470, 1956, 3481, 3498
331 -	By Senators Maynard, Cline and Smith: Using leashed dogs to track mortally wounded deer or bear	189	393		520		189, 471, 491, 521
332 -	By Senators Maynard and Cline: Relating to Class Q special hunting permit for disabled persons	189	393		522		189, 471, 491, 521-522
333 -	By Senators Maynard, Boso, Sypolt and Tarr: Exempting automobiles 25 years or older from personal property taxes	190	300, 839		1261		190, 300, 912, 951, 1261-1262
334 -	By Senators Maynard, Hamilton, Roberts and Cline: Requiring Secretary of State establish searchable database for WV corporations and sole proprietorships	190					190
335 -	By Senators Maynard and Hamilton: Notifying all persons mentioned in will before it is altered	190					190
336 -	By Senator Maynard: Creating WV Motorsports Entertainment Complex Investment Act	190					190
337 -	By Senators Weld, Clements, Maynard, Romano, Cline, Maroney, Tarr, Smith and Hamilton: Allowing certain correctional employees carry firearms	190					191
338 -	By Senators Rucker, Boso, Cline, Maynard, Smith, Sypolt, Tarr, Unger, Jeffries, Woelfel, Stollings, Azinger, Swope, Roberts, Maroney and Lindsay: Exempting pepper spray from dangerous weapons	206					206
*339 -	By Senators Rucker, Azinger, Boso, Cline, Maynard, Sypolt, Tarr, Swope and Roberts: Allowing certain persons carry pepper spray in State Capitol Complex	206	729		858		206, 789, 833, 857-858

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*340 -	By Senators Trump and Stollings: Repealing obsolete provisions of code relating to WV Physicians Mutual Insurance Company	206	587, 921		1375	3070	207, 588, 1267, 1345, 1376, 3489, 3497
*341 -	By Senators Sypolt, Jeffries, Smith, Baldwin, Ihlenfeld and Hamilton: Establishing minimum monthly retirement annuity for retirants with 20 or more years of service	207	652				207, 653
342 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Exempting Social Security and tier one railroad retirement benefits from personal income tax	207					207
343 -	By Senators Carmichael (Mr. President) and Prezioso: Relating to review and approval of state property leases	220	506	661	711		220, 583, 604, 636, 660-661, 711
*344 -	By Senators Carmichael (Mr. President), Prezioso and Cline: Relating to operation of state-owned farms	220	881		1376	1956	221, 951, 1264, 1336, 1377, 3481, 3499
*345 -	By Senators Carmichael (Mr. President) and Prezioso: Relating to fire service equipment and training funds for VFDs	221	696	3294-3310	829, 3310	3294	221, 754, 788, 829, 3310, 3485, 3498
346 -	By Senators Carmichael (Mr. President) and Prezioso: Changing rate which certain judges are paid for mileage when traveling within state	221	586		712		221, 637, 661, 712
347 -	By Senators Clements, Boso, Maroney, Smith, Trump, Woelfel, Stollings, Cline and Sypolt: Limiting civil penalty for persons convicted of littering	221					221
**348 -	By Senators Takubo, Maroney, Prezioso, Stollings, Jeffries, Woelfel, Ihlenfeld, Baldwin and Cline: Relating to tobacco usage restrictions	221	794, 1448	1561, 1616	1615		222, 795-796, 1524, 1561-1562, 1616
349 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Allowing individuals to petition for expungement of misdemeanor offenses	222					222

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
350 -	By Senators Unger, Hamilton, Romano, Cline and Prezioso: Defining terms to assure correctional officers are considered law-enforcement officers	222					222
351 -	By Senators Maynard, Blair and Cline: Relating to lobbying by state boards and commissions	222					223
*352 -	By Senators Weld and Cline: Relating to Division of Corrections and Rehabilitation acquiring and disposing of services, goods, and commodities	223	616	3032-3033	742, 3033	3032, 3466	223, 617, 662, 714, 743, 3034, 3485, 3498
353 -	By Senators Woelfel, Trump, Plymale, Lindsay, Unger, Stollings, Romano, Cline and Prezioso: Increasing salaries of magistrates, supreme court justices, circuit court judges and family court judges	223	1433				223, 1434
354 -	By Senators Blair, Boley, Maroney, Roberts, Swope, Sypolt, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso and Unger (originating in Senate Finance): Expiring funds to balance of Auditor's Office - Chief Inspector's Fund	225	225		317	722	262, 291, 318, 921, 1302
355 -	By Senators Azinger, Maynard, Smith, Sypolt, Cline, Tarr and Hamilton: Removing authority of municipalities to restrict firearm possession	235					235
*356 -	By Senators Weld, Clements, Maroney, Cline and Swope: Requiring MAPS provide state and federal prosecutors information	235	590		712	1398	235, 637, 661, 713, 1680, 2320
*357 -	By Senators Weld, Clements and Cline: Relating generally to Division of Administrative Services	235	447		569	2353	236, 492, 524, 570, 3489, 3497
358 -	By Senators Weld, Clements, Cline and Swope: Exempting Purchasing Division purchases for equipment to maintain security at state facilities	236	448		570	1389-1399	236, 492, 524, 570, 1680, 2320

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
359 -	By Senators Maroney, Baldwin, Beach, Facemire, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Prezioso, Romano, Stollings, Takubo, Weld and Woelfel: Creating Youth Mental Health Protection Act	236					236, 291, 362, 386
*360 -	By Senator Trump: Relating to third-party litigation financing	236	882	1956-1969	1336, 1969	1956, 2353	238, 952, 1264, 1336, 1969, 3489, 3498
*361 -	By Senator Trump: Relating to Public Defender Services	238	448		570		238, 492, 524, 571
362 -	By Senator Trump: Relating to Mine Subsidence Insurance Program	238					238
363 -	By Senator Baldwin: Exempting first \$150,000 assessed value of residence of veteran or physically or mentally disabled person	238					239
364 -	By Senators Baldwin, Azinger, Beach, Boso, Clements, Cline, Ihlenfeld, Jeffries, Lindsay, Maynard, Roberts, Romano, Swope, Sypolt, Tarr, Unger, Weld, Woelfel, Stollings, Maroney, Prezioso and Hardesty: Creating shared table initiative for senior citizens	239					239
365 -	By Senators Plymale, Baldwin and Woelfel: Redistributing revenue-generated excise tax on soft drinks to four-year medical schools	239					239, 337
366 -	By Senators Blair, Maroney and Cline: Authorizing Division of Protective Services issue electronic key cards to qualified applicants to enter State Capitol	239					240
367 -	By Senators Carmichael (Mr. President) and Prezioso: Relating to amount permitted to remain in Alcohol Beverage Control Administration's operating fund	240					240

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
368 -	By Senators Carmichael (Mr. President) and Prezioso: Requiring charitable or public service organization submit certifying statement	240					240
*369 -	By Senators Takubo, Stollings and Baldwin: Relating to generic drug products	240	449		571	3070	240, 492, 524, 572, 3489, 3498
370 -	By Senators Ihlenfeld, Baldwin and Hamilton: Prohibiting legislators and part-time public officials from having interest in public contracts	241					241
371 -	By Senator Unger: Requiring public hearing for proposed major source or modification to air quality permit	241					241
372 -	By Senator Plymale: Authorizing municipalities establish low-cost alternative energy revolving loan program	241					241
*373 -	By Senators Weld, Clements and Maroney: Relating to financial responsibility of inmates	242	449	525, 572	572	1969	242, 492, 524-525, 573, 3485, 3498
374 -	By Senators Maynard and Cline: Eliminating liability of owners of active mine lands, abandoned mine lands or railway lines	242					242
375 -	By Senator Maynard: Authorizing Curator of Arts, Culture and History to designate road as historic route	242					242
376 -	By Senator Maynard: Creating Local Government Labor and Consumer Marketing Regulatory Limitation Act	242					244
377 -	By Senator Maynard: Relating to minimum wage and maximum hour standards	244	450	1269-1272	573, 1272	1269	244, 492, 525-526, 573, 1269-1272, 1528, 1731
378 -	By Senators Maynard, Cline, Roberts, Woelfel and Stollings: Relating to special obligation notes to finance construction completing I-73 and I-74	244					244

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*379 -	By Senators Maynard, Azinger, Cline, Roberts, Tarr, Maroney and Hamilton: Permitting county board of education to include faith-based electives in drug prevention programs	244	1449		1616		244, 1524, 1562, 1617
380 -	By Senators Maynard and Cline: Empowering municipalities to enact Adopt-A-Street programs	245					245
381 -	By Senator Maynard: Requiring State Board of Education develop program on home maintenance for elderly and disabled	245					245
382 -	By Senators Maynard and Cline: Exempting senior citizens from personal income tax	245					245
**383 -	By Senators Clements, Sypolt and Cline: Creating WV Healthy Food Crop Block Grant Program	245	884, 1318		1470		245, 885, 1386, 1424, 1471
384 -	By Senators Smith, Clements, Sypolt, Maroney and Hamilton: Providing proceeds from certain oil and gas wells whose owners are unknown be kept in special fund	246					246
385 -	By Senators Blair, Sypolt and Cline: Establishing and funding Department of Agriculture Capital Improvements Fund	246					246
386 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Funding of Public Employees Health Insurance Program	267					268
*387 -	By Senator Weld: Relating generally to extradition	268	504		634	1399	268, 583, 605, 634, 1680, 2320
388 -	By Senators Jeffries, Hamilton, Tarr and Beach: Equalizing penalties for intimidating and retaliating against public officers, employees, jurors, and witnesses	268					268

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*389 -	By Senators Maynard, Beach, Cline and Hamilton: Allowing developmentally disabled person purchase base hunting license	268	450	526	573		269, 492, 526, 574
*390 -	By Senators Maynard, Tarr, Plymale, Cline and Sypolt: Requiring electric utilities submit feasibility studies of constructing and operating middle-mile broadband internet projects	269	350		523		269, 385, 410, 469, 490, 522-523
391 -	By Senators Takubo, Baldwin, Beach, Clements, Hamilton, Lindsay, Palumbo and Weld: Relating to unlawful discriminatory practices in categories covered by Human Rights Act and Fair Housing Act	269					269, 789
*392 -	By Senators Weld and Clements: Relating to payment of invoices received by Division of Corrections and Rehabilitation for contract work	269	506		659		270, 583, 605, 634, 659
*393 -	By Senators Sypolt, Azinger, Baldwin, Blair, Boso, Clements, Hamilton, Jeffries, Maynard, Hardesty, Rucker, Smith, Takubo, Tarr, Plymale, Beach, Cline, Roberts, Swope and Trump: Protecting right to farm	270	762	1859-1864	904, 1864	1858	270, 833, 864, 905, 1864, 3478
394 -	By Senators Takubo, Ihlenfeld, Jeffries, Maroney, Weld, Woelfel, Palumbo, Plymale, Stollings, Hamilton, Hardesty, Baldwin and Trump: Allowing state to opt out of federal statute relating to SNAP benefits	302					302
395 -	By Senators Tarr, Boso, Maroney, Sypolt and Takubo: Authorizing PEIA establish base benefits insurance plans	302					302
*396 -	By Senators Tarr and Cline: Waiving occupational licensing fees for low-income individuals and military families	302	1319, 1491		1617	3070	303, 1320, 1491, 1562, 1617, 3489, 3498
397 -	By Senator Cline: Relating to autocycles	303					303

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*398 -	By Senators Trump, Takubo, Stollings and Prezioso: Relating to compensation for senior judges	303	451	3056-3067	574, 576, 3067	3056, 3466	304, 452, 492, 526, 575, 576-577, 3068, 3485, 3498
399 -	By Senators Trump, Stollings and Beach: Relating to compensation for senior magistrates	304	452		575		304, 453, 492, 526, 576
*400 -	By Senators Romano and Takubo: Allowing Board of Dentistry create specialty licenses	305	617, 1364	2354	1498, 2354	2354	305, 618, 1430, 1483-1484, 1499, 2355, 3490, 3497
401 -	By Senators Cline, Azinger, Boley, Boso, Hamilton, Jeffries, Maynard, Hardesty, Roberts, Smith, Swope, Sypolt, Tarr, Woelfel, Plymale, Unger, Ihlenfeld, Takubo, Stollings, Baldwin, Maroney and Rucker: Exempting Social Security benefits from personal income tax	305					305
**402 -	By Senators Sypolt, Beach, Stollings, Hamilton, Boso, Cline, Baldwin, Maroney and Prezioso: Authorizing Division of Forestry investigate and enforce timber theft violations	305	697, 921	2394-2395, 3311	1377, 2395, 3311	2394, 3311	305, 698, 1267, 1345, 1377, 2395, 3312, 3490, 3498
403 -	By Senators Sypolt, Roberts and Hamilton: Prohibiting person criminally responsible for death of relative from being involved in burial arrangements	305					306
*404 -	By Senators Sypolt and Boso: Relating generally to sediment control during commercial timber harvesting operations	306	698, 1320		1471	2355	306, 699, 1387, 1424, 1471, 3490, 3498
*405 -	By Senator Sypolt: Increasing limit on additional expenses incurred in preparing notice list for redemption	306	699	2396-2415, 3435-3446	829, 2415, 3447	2396, 3466	306, 754, 788, 830, 2416, 3232-3233, 3334, 3349, 3435-3447, 3490, 3498
406 -	By Senator Trump: Relating to collection of taxes on estate or property in receivership	306					306
*407 -	By Senator Trump: Relating to abandonment and indication of ownership in property held by financial institution	307	588				307, 588

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*408 -	By Senators Palumbo and Woelfel: Determining indigency for public defender services	307	618	1771	743, 1771	1770	307, 662, 714, 743, 1771, 3478, 3498
409 -	By Senators Rucker, Hamilton, Lindsay, Prezioso, Smith, Sypolt, Trump and Baldwin: Permitting third-party ownership of renewable and alternative generating facilities	307					307, 553
410 -	By Senators Maynard, Hamilton, Cline and Tarr: Creating WV Monument and Memorial Protection Act of 2019	324					324
411 -	By Senators Maynard, Stollings and Maroney: Relating to disposition of vacated school buildings or other state-owned buildings	324					324
*412 -	By Senators Beach and Hamilton: Establishing Katherine Johnson Fair Pay Act of 2019	325	1449				325, 1524, 1562-1563, 1618
413 -	By Senators Maynard, Baldwin, Stollings, Boso and Clements: Creating Adopt-A-Stream program	325					325
*414 -	By Senators Azinger, Cline, Maynard, Tarr and Boso: Creating Protect Our Right to Unite Act	325	1529		1618		325, 1530, 1563, 1618
*415 -	By Senators Azinger, Cline, Maynard and Tarr: Creating Timber Cotenancy Modernization and Majority Protection Act and Unknown and Unlocatable Timber Interest Owners Act	325	1320		1472		326, 1387, 1424, 1471-1473
416 -	By Senators Sypolt (By Request), Smith, Maynard, Boso and Maroney: Permitting resident landowner hunt and kill bears located on landowners' property through use of bait	326					327
417 -	By Senators Tarr, Azinger, Clements, Cline, Maynard, Roberts, Smith, Sypolt, Boso and Maroney: Requiring minors in possession of marijuana and their parents attend classes teaching dangers of marijuana	327					327

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
418 -	By Senators Mann, Hamilton, Jeffries, Weld, Baldwin, Facemire, Boso, Prezioso and Hardesty: Establishing WV Division of Natural Resources Police Officer Retirement System	327					327
419 -	By Senators Hamilton, Ihlenfeld, Jeffries, Mann, Romano, Smith, Sypolt, Unger, Baldwin, Stollings, Boso, Woelfel, Lindsay and Prezioso: Requiring PAC disclose names and addresses of all contributors to Secretary of State	327					328
420 -	By Senators Smith, Sypolt and Cline: Allowing county commissions impose amusement tax	328					328
421 -	By Senators Smith, Sypolt, Cline and Maroney: Relating to annual legislative review of economic development tax credit	328	1389		1499	2355	328, 1430, 1484, 1499, 3490, 3498
422 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Increasing supplemental appropriation to Public Defender Services	328					328
423 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Adding new item of appropriation to PEIA Rainy Day Fund	328					328
424 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to Civil Contingent Fund	329	3210	3211-3212	3212	3466	329, 3212, 3479, 3497
425 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to Division of Corrections	329					329
426 -	By Senators Sypolt, Boso, Cline, Stollings and Roberts: Creating Road Maintenance Program	351					352

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
427 -	By Senators Sypolt, Romano, Boso and Baldwin: Including emergency response vehicles in single fee program for EZ Pass transponders	352					352
428 -	By Senators Sypolt, Boso and Cline: Requiring Division of Corrections and Rehabilitation assist inmates obtain various documents and provide instruction in basic life skills	352					352
429 -	By Senators Romano, Baldwin, Beach, Facemire, Jeffries, Lindsay, Stollings, Swope, Woelfel, Hardesty and Palumbo: Allowing voters who register in person to vote during early voting	352					352
430 -	By Senators Boso, Swope and Cline: Authorizing DHHR propose rules for completing or updating source water protection plans	352					353
431 -	By Senators Boso, Roberts, Swope and Cline: Reporting procedures of abuse and neglect of adults and children	353					353
432 -	By Senators Sypolt and Boso: Enacting Recognition of Emergency Medical Services Personnel Licensure Interstate Compact	353	1364		1499		355, 1430, 1484, 1500
433 -	By Senators Plymale (By Request) and Boso: Recognizing fetus as separate victim	355					355
434 -	By Senators Boso and Swope: Relating to licensure of nursing homes	355					356
435 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to State Department of Education and Vocational Division	356	3211	3213	3215	3466	356, 3215, 3479, 3497
436 -	By Senators Baldwin, Mann and Boso: Exempting certain real properties owned by nonprofit corporation from property tax	356					356

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
437 -	By Senator Baldwin: Relating to criteria for political party status	356					357
438 -	By Senators Romano and Baldwin: Creating online voters' guide	357					357
439 -	By Senators Beach, Baldwin, Cline, Lindsay and Jeffries: Creating five-year tax credits for persons engaged in industrial hemp manufacturing	357					357
440 -	By Senators Prezioso, Beach, Blair, Clements, Ihlenfeld, Maroney, Smith, Stollings, Sypolt, Takubo, Trump, Hamilton, Jeffries, Hardesty, Baldwin and Romano: Relating to Antihazing Law	368	653		778	1668	368, 716, 750, 779, 2776, 3508
*441 -	By Senators Prezioso, Beach, Blair, Clements, Ihlenfeld, Maroney, Smith, Stollings, Sypolt, Takubo, Jeffries, Trump and Weld: Relating to higher education campus police officers	368	1390		1500	1865	368, 1430, 1484, 1500, 3478, 3498
442 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplementing, amending, and decreasing appropriation to Insurance Commission	368	653		779	1437	368, 716, 750, 779-780, 1680, 2320
443 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation of federal moneys to DHHR divisions	369	653		780	1437-1438	369, 716, 750, 780-781, 1680, 2320
444 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to DHHR divisions	369	653	1438	781, 1438	1438	369, 714, 716, 750, 781-782, 1439, 1681, 2320
445 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Increasing salaries of WV State Police, public school teachers, and school service personnel	369					370

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
446 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to Department of Veterans' Assistance	370					370
447 -	By Senator Sypolt: Staying civil actions resulting from domestic violence for 60 days	370					370
448 -	By Senators Maynard and Hamilton: Exempting list of names, addresses, and contact information for hunting license holders	370					370
449 -	By Senators Weld and Baldwin: Providing for nonpartisan elections of county prosecutors	370					371
*450 -	By Senators Weld, Stollings, Jeffries, Tarr, Prezioso, Hamilton, Baldwin, Maroney, Beach and Romano: Exempting recipients of Purple Heart medal from paying vehicle registration fee	371	453				371, 453
*451 -	By Senators Rucker, Blair, Azinger, Boley, Cline, Maynard, Roberts and Trump (originating in Senate Education): Comprehensive education reform	374	374, 451	527-531, 533-536, 579, 1087-1236	578, 1238	953	378, 471, 493, 497, 527-553, 577-582, 953-1238
452 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to Second Chance Driver's License Program	393	653		782	1399	393, 716, 750, 782-783, 1681, 2320
453 -	By Senators Azinger and Cline: Relating to background checks of certain financial institutions	394	592	1669-1677	713, 1678		394, 637, 661, 713, 1669-1678, 2777, 3498
454 -	By Senators Maynard, Roberts, Sypolt and Cline: Providing exemptions from mandatory immunizations	394					394
455 -	By Senator Blair: Relating generally to contractors	394					394
456 -	By Senator Blair: Authorizing railroads and commercial watercraft claim refundable exemption from motor fuel excise tax	394					395

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
457 -	By Senators Blair, Cline, Roberts and Maroney: Exempting sales by nonprofit and volunteer school support organizations from consumers sales and service tax	395					395
458 -	By Senator Clements: Relating to traffic regulations	395					395
459 -	By Senators Baldwin, Plymale, Jeffries, Beach and Hamilton: Requiring wholesale drug distributors report certain information to Board of Pharmacy	395					396
460 -	By Senators Boso, Plymale, Cline, Tarr and Maroney: Recognizing technical training acquired in public schools counts toward occupational certificate or license	396					396
461 -	By Senator Blair: Relating generally to lottery prizes	396	694		830	3070	397, 754, 788, 830-831, 3490, 3498
462 -	By Senators Blair and Cline: Updating officer liability provisions for sales tax	397					397
463 -	By Senator Sypolt: Updating powers of personal representative of estate relative to disposition, conservation, or preservation easements	397					397
*464 -	By Senators Blair and Cline: Modifying licensing requirements for telemedicine and surgery or podiatry	397	1450				397, 1524, 1563, 1618-1619
465 -	By Senators Sypolt, Clements, Maroney, Maynard, Smith, Swope, Tarr, Weld, Plymale, Roberts and Cline: Exempting nonpaid volunteers at VFD or emergency services organization from Workers Compensation benefits	397					397, 790
466 -	By Senators Maynard, Roberts, Sypolt and Cline: Modifying road classifications DOH uses in maintaining digital road map	398					398

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*467 -	By Senators Boso, Roberts and Cline: Clarifying PSC jurisdiction over water and sewer utilities	398	1491	1564	1619		398, 1492, 1564, 1619
468 -	By Senator Sypolt: Eliminating requirement schools be closed on election days	454					455
469 -	By Senator Maynard: Requiring DEP prepare guidelines for certain gas stations having small volume above-ground storage tanks	455					455
470 -	By Senators Takubo, Maroney, Stollings and Tarr: Providing for periodic payment of verdict awards under Medical Professional Liability Act	455					455
471 -	By Senator Sypolt (By Request): Creating WV Farm Fresh Raw Milk Act	455					455
472 -	By Senators Sypolt and Baldwin: Exempting retirement income of certain uniformed services members from state income tax	455	1365, 1434		1548		456, 1365, 1489, 1519, 1549
473 -	By Senators Sypolt and Cline: Creating Taxation with Representation Act	456					456
474 -	By Senator Azinger: Establishing shared legal and physical custody of child in divorce cases	456					456
475 -	By Senators Sypolt and Facemire: Permitting persons over age 21 operate or be passenger without helmet on motorcycle	456					456, 583
476 -	By Senator Blair: Training of State Tax Division employees	457					457
477 -	By Senator Blair: Relating generally to collection of use tax	457					457
478 -	By Senator Cline: Supplemental appropriation to Fire Commission	457					457

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
479 -	By Senators Cline, Baldwin and Woelfel: Requiring each state institution of higher education adopt and submit written sexual assault policy to WV HEPC	457					458
480 -	By Senator Trump: Relating to administration of estates	458					458
*481 -	By Senator Trump: Relating to Judicial Vacancy Advisory Commission	458	700	3423-3424	831, 3425	1969, 3467	458, 755, 788, 831, 1969-1970, 2355-2356, 3074, 3423-3425, 3490, 3498
482 -	By Senator Trump: Relating to barring parent from inheriting from child in certain instances	458					459
483 -	By Senator Trump: Relating to administration of estates	459					459
484 -	By Senators Palumbo, Baldwin, Beach, Jeffries, Stollings, Facemire and Lindsay: Prohibiting civil rights violations based on gender identity or sexual orientation	459					459
*485 -	By Senator Azinger: Clarifying notification requirements for property insurance purposes	479	1322		1473	2356	479, 1387, 1424, 1474, 3490, 3498
486 -	By Senators Cline and Stollings: Making daylight saving time official year round	479					479
*487 -	By Senators Maroney, Trump and Takubo: Relating to admissibility of health care staffing requirements in litigation	479	1451	3426-3427	1620, 3427	2356, 3467	480, 1524, 1564, 1620, 2356-2358, 3233, 3355, 3425-3428, 3490, 3509-3510
488 -	By Senators Maroney, Hardesty, Takubo, Stollings, Plymale and Tarr: Requiring PEIA execute contracts for group prescription drug insurance	480					480
*489 -	By Senators Maroney, Takubo and Tarr: Relating to Pharmacy Audit Integrity Act	480	796	1532-1533	946, 1533	1532	481, 797, 865, 909, 946, 1532-1534, 1681, 1731

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
490 -	By Senators Baldwin, Ihlenfeld, Lindsay, Hardesty, Stollings, Romano, Jeffries, Woelfel, Beach, Prezioso, Palumbo, Plymale and Unger: Authorizing State Treasurer buy and sell certain loan obligations	481					481
*491 -	By Senators Trump and Palumbo: Extending effective date for voter registration in conjunction with driver licensing	481	654	1971-1975	783, 1976	1970	482, 716, 751, 784, 1976, 3482, 3498
492 -	By Senator Maynard: Creating Occupational Licensing Consumer Choice Act	482					482
493 -	By Senator Maynard: Correcting terminology referring to racing vehicles illegally on street	482	1323		1474	2358	482, 1387, 1425, 1474, 3482, 3500
494 -	By Senator Maynard: Requiring DHHR collaborate with Workforce Development Board and WV Division of Personnel for purposes of job placement	482					482
495 -	By Senator Azinger: Conforming Consumer Credit and Protection Act to federal Fair Debt Collection and Practices Act	483					483
*496 -	By Senators Sypolt, Smith and Maroney: Transferring authority to regulate milk from DHHR to Department of Agriculture	483	618	714, 2358-2359	744, 2360	2358	483, 662, 714-715, 743-744, 2360, 3490, 3498
497 -	By Senator Azinger: Expanding exceptions to Real Estate Appraiser Licensing and Certification Act	483					483
498 -	By Senators Beach, Romano, Jeffries and Lindsay: Requiring DOH and Division of Personnel collaborate on developing special training procedure for hourly positions	507					507
499 -	By Senators Blair and Cline: Amending WV tax laws to conform to changes in partnerships for federal income tax purposes	507	620	3334-3339	745, 3339	3334	509, 662, 715, 744-745, 3340, 3490, 3499

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*500 -	By Senators Boso, Azinger, Baldwin, Beach, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld and Woelfel: Creating Sewer and Water Infrastructure Replacement and Rehabilitation Act	509	798				509, 663, 799
501 -	By Senators Takubo, Maroney, Sypolt, Romano, Boso and Cline: Increasing compensation for county boards of education members	509					510
*502 -	By Senator Blair: Exempting sales of investment metal bullion and coins	510	799		946	3070	510, 866, 909, 947, 3485, 3501
503 -	By Senators Sypolt, Facemire and Cline: Allowing out-of-state residents ride motorcycle without helmet if allowed in state of residence	510					510
504 -	By Senators Sypolt and Romano: Relating to payment of attorney fees in subsidized adoptions	510					510
505 -	By Senator Azinger: Reducing modification to WV adjusted income of corporate shareholders	510					511
*506 -	By Senator Azinger: Relating to guaranty associations	511	1322				511, 1387, 1425
507 -	By Senators Azinger and Cline: Relating to ethical standards for elected and appointed officials	511					511
508 -	By Senator Takubo: Creating private state exposure property and casualty insurance company	511					511
509 -	By Senator Takubo: Establishing Fairness in Cost-Sharing Calculation Act	511					512
**510 -	By Senators Takubo, Maroney and Weld: Relating to medical professional liability	512	655, 922	1345-1349	1378	1678	512, 655, 1267, 1345-1349, 1378, 2777, 3499

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*511 -	By Senators Trump and Boso: Creating alternating wine proprietorships	512	1390		1500	2360	512, 1430, 1484, 1501, 3482, 3499
*512 -	By Senators Jeffries, Weld, Boso and Lindsay: Regulating pawnbrokers	559	840	1264, 1337	1337		560, 912, 951, 1264, 1337
513 -	By Senator Cline: Requiring completion of personal finance class to graduate high school	560					560
514 -	By Senators Sypolt, Stollings, Boso and Maroney: Relating to victims of domestic violence	560					560
515 -	By Senators Sypolt, Stollings and Boso: Requiring licensed program provide specific services to domestic violence victims	560					560
*516 -	By Senators Boso, Swope and Maroney: Relating to attorney fees in subsidized adoptions	560	762		905		560, 833, 864, 905
517 -	By Senators Sypolt and Boso: Allowing owner or lessee sell crop damage permit	561					561
*518 -	By Senators Maroney, Plymale, Stollings, Tarr, Woelfel, Takubo and Swope: Restricting sale and trade of dextromethorphan	561	700, 762	1725	906, 1726	1725	561, 701, 833, 865, 906, 1726, 2777, 3498
519 -	By Senators Maroney, Plymale, Stollings, Woelfel, Takubo, Boso and Swope: Requiring county emergency dispatchers complete course for telephonic cardiopulmonary resuscitation	561	701, 885		1338	1977	561, 701, 952, 1264, 1338, 3485, 3500
*520 -	By Senators Maroney, Plymale, Stollings, Tarr, Woelfel, Takubo, Boso, Baldwin, Hardesty and Swope: Requiring entities report drug overdoses	561	1408	1865	1549, 1865	1865	562, 1489, 1519, 1550, 1866, 3478, 3499
521 -	By Senators Cline, Plymale and Maynard: Requiring approved agricultural education program be offered in high schools	592					592

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
**522 -	By Senators Smith, Maynard, Sypolt, Tarr, Plymale, Cline, Rucker and Maroney: Creating Special Road Repair Fund	592	923, 1434	1520, 1621, 3428-3430	1621, 3430	3216, 3467	593, 923, 1489, 1519-1520, 1550, 1620-1622, 3216-3219, 3314, 3340, 3428-3431, 3490, 3511
523 -	By Senator Smith: Prohibiting retailers from selling or leasing products that make certain content accessible on internet	593					593
524 -	By Senator Azingar: Defining property insurance terms	593					593
525 -	By Senators Boso and Woelfel: Requiring form for commitment order to Division of Corrections and Rehabilitation	593					594
526 -	By Senators Boso, Sypolt, Facemire, Jeffries, Woelfel, Tarr, Plymale, Lindsay, Cline, Hardesty, Beach, Roberts, Swope, Prezioso, Maroney and Hamilton: Authorizing certain officers carry firearm in official duties	594					594
527 -	By Senators Smith and Beach: Relating to oil or natural gas leases	594					595
528 -	By Senators Stollings, Jeffries, Plymale, Lindsay, Hardesty and Prezioso: Relating to accident and sickness insurance and pre-existing condition coverage	595					595
*529 -	By Senators Trump, Tarr and Rucker: Clarifying provisions of Nonintoxicating Beer Act	595	1323	2416-2444	1475, 2444	2416	596, 1387, 1425, 1474-1475, 2445, 3490, 3499
*530 -	By Senator Trump: Relating to state employee merit system	596	1452	1622	1622		596, 1524, 1564, 1622-1623
531 -	By Senator Trump: Relating generally to workers' compensation claims	596	1325	1425, 1977	1475, 1977	1977	596, 1387, 1425, 1475, 1978, 3485, 3499
532 -	By Senator Maynard: Requiring emergency service organizations create districts regarding towing services	596					597

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
533 -	By Senators Baldwin, Sypolt, Stollings, Romano, Beach, Maroney and Cline: Changing determination of just compensation to landowner when eminent domain used for pipeline	622					622
534 -	By Senators Baldwin, Hamilton, Romano, Beach and Lindsay: Collecting additional information for cancer and tumor registry	622					622
535 -	By Senator Hamilton: Allowing City of Buckhannon begin collecting sales and service and use tax on July 1, 2019	622	1389		1501		623, 1430, 1484, 1502
536 -	By Senators Tarr and Cline: Updating election law language	623					623
*537 -	By Senators Boso and Cline: Creating workgroup to review hospice need standards	623	1409	2361-2362	1550, 2363	2361	623, 1489, 1520, 1550-1551, 2361-2363, 3482, 3501
*538 -	By Senators Clements, Stollings, Plymale and Cline: Relating to WV Highway Design-Build Pilot Program	623	1391	3340	1502, 3341	3340	623, 1430, 1484, 1503, 3341, 3490, 3501
*539 -	By Senators Mann, Baldwin, Facemire, Ihlenfeld, Jeffries, Maroney, Romano, Rucker, Stollings, Takubo, Weld, Woelfel, Unger, Hamilton, Hardesty, Beach, Prezioso, Plymale, Swope, Tarr, Cline and Lindsay: Relating to accrued benefit of retirees in WV State Police Retirement System Plan B	624	840, 1365	3342-3347	1503, 3347	3341	624, 841, 1430, 1484-1485, 1503, 3348, 3491, 3501
540 -	By Senators Sypolt, Tarr, Hamilton and Cline: Requiring State Police visit homes of registered sex offenders at regular intervals	624					624
*541 -	By Senators Romano, Azinger, Baldwin, Beach, Boso, Clements, Facemire, Hardesty, Jeffries, Lindsay, Mann, Palumbo, Smith, Stollings, Swope, Woelfel, Plymale, Maroney and Cline: Establishing priorities for expenditures for plugging abandoned gas or oil wells	624	1392				624, 1393

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
542 -	By Senators Clements, Swope, Beach, Plymale and Roberts (originating in Senate Transportation and Infrastructure): Relating to registration fees for military-related special registration plates	630	630		746		662, 715, 745-746
**543 -	By Senators Blair, Roberts and Tarr: Relating generally to automobile warranties and inspections	638	1393, 1453	3157-3160	1623, 3160	3157	639, 1394, 1524, 1564, 1624, 3161, 3491, 3499
544 -	By Senators Hamilton, Carmichael (Mr. President), Azinger, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel and Boso: Increasing salaries for members of WV State Police over three-year period	639	1365	3161-3168	1504, 3168	3161	639, 1430, 1485, 1504, 3169, 3491, 3498
545 -	By Senator Azinger: Relating to HIV testing	639	799	1726-1728	947, 1728	1726	639, 866, 909, 947, 1728-1729, 2777, 3500
*546 -	By Senators Takubo, Maroney and Stollings: Creating tax on certain acute care hospitals	639	841, 1314	2104-2106	1476, 2106	2104	640, 842, 1387, 1425, 1476, 2107, 3029, 3485, 3499
*547 -	By Senators Maynard, Beach, Cline and Swope: Limiting landowner liability for recreational use of lands	640	1362		1505		641, 1430, 1485, 1505
548 -	By Senators Takubo, Cline and Maroney: Relating to administration of medication in nursing homes	641					641
549 -	By Senators Stollings, Prezioso, Hardesty, Hamilton, Ihlenfeld, Romano, Beach, Maroney and Facemire: Authorizing DNR solicit donation for WVU Rifle Team on hunting and fishing license applications	641					642, 1545

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
550 -	By Senators Blair, Boley, Face mire, Hamilton, Ihlenfeld, Maroney, Palumbo, Plymale, Prezioso, Roberts, Swope, Sypolt, Tarr, Stollings, Jeffries, Hardesty, Romano and Cline: Declaring certain claims to be moral obligations of state	642	800	3348	948, 3349	3348	642, 866, 910, 948-949, 3349, 3491, 3500
551 -	By Senators Beach, Stollings, Romano and Maroney: Expanding county commissions' ability to dispose of property	642					642
552 -	By Senator Maynard: Reforming practice of securing state insurance	642					643
*553 -	By Senators Lindsay, Jeffries, Stollings and Beach: Relating to federal funds for land-grant institutions	643	800, 885		1338		643, 801, 952, 1264-1265, 1339
554 -	By Senator Clements: Removing salary caps for director of State Rail Authority	643	1394	3350-3351	1505, 3351	3350	643, 1430, 1485, 1506, 3351, 3491, 3499
555 -	By Senators Rucker, Blair, Trump, Unger and Boso: Relating to authority of Higher Education Policy Commission	702	1454		1624		702, 1525, 1564, 1625
556 -	By Senators Tarr, Azinger, Maynard, Smith, Boso, Cline and Swope: Limiting liability of employers of persons whose criminal records are expunged	702					702
557 -	By Senators Sypolt, Cline and Boso: Allowing municipalities to contract projects without bidding	702					702
558 -	By Senator Azinger: Requiring state and federal elections be contested before next election	703					703
559 -	By Senators Stollings, Takubo, Plymale, Baldwin, Lindsay, Jeffries, Hardesty and Prezioso: Expanding comprehensive coverage for pregnant women through Medicaid	703					703
560 -	By Senators Stollings, Takubo, Lindsay, Hardesty and Prezioso: Prohibiting insurance coverage from requiring prior authorization for physician-prescribed tests to stage cancer	703					703

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*561 -	By Senators Trump, Takubo and Boso: Permitting Alcohol Beverage Control Administration request assistance of local law enforcement	703	1455	3170-3204, 3450-3451	1551, 3204, 3451	3170, 3450	704, 1520, 1551, 3205, 3452, 3491, 3499
562 -	By Senators Clements, Beach, Boso and Cline: Relating to State Aeronautics Commission	704					705
*563 -	By Senators Trump, Woelfel, Plymale, Boso and Rucker: Prohibiting sexual assault victim be subjected to certain physical examinations	705	763		906		705, 833, 865, 906-907
*564 -	By Senators Takubo, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maroney, Prezioso, Romano, Stollings, Unger and Hamilton: Expanding comprehensive coverage for pregnant women through Medicaid	731	1315, 1456	3169	1625, 3169	3169	731, 1316, 1525, 1565, 1625, 3170, 3491, 3499
565 -	By Senator Boso: Relating to residency requirements for deputy assessors	731	1410				731, 1489, 1520-1521
566 -	By Senator Boso: Relating to compensation for State Athletic Commission members	731	1410		1552	2363, 3071	731, 1489, 1521, 1551-1552, 2364, 3491, 3499
567 -	By Senators Maroney, Tarr and Cline: Permitting WV Board of Medicine investigators carry concealed weapon	732					732
568 -	By Senators Weld, Maroney, Cline and Hamilton: Authorizing Commissioner of Agriculture to require background checks as condition of employment	732					732
569 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating to interagency procurement of commodities and services	732					732

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
570 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Allowing contracts without bids for construction, demolition, or rehabilitation resulting from declared state of emergency	732					732
571 -	By Senators Ihlenfeld, Beach and Baldwin: Establishing method for courts to order financial exploitation protection orders	732					733, 913
572 -	By Senators Rucker, Azinger, Maynard, Smith, Sypolt, Roberts and Cline: Prohibiting county assessor from reclassifying managed timberland property	733					734
573 -	By Senators Jeffries, Lindsay, Stollings, Beach and Baldwin: Establishing Minority Health Advisory Team	734					734
**574 -	By Senators Maroney and Stollings: Permitting authorized physician order involuntary hospitalization of individual if physician believes addicted or mentally ill	764	1411, 1530	1565, 1640	1640		764, 1412, 1531, 1565, 1625-1626, 1640-1641
575 -	By Senators Takubo and Maroney: Creating long-term care medical review panels	764					765
576 -	By Senators Smith, Sypolt, Boso and Maroney: Creating Orphan Oil and Gas Well Prevention Act	765					765
577 -	By Senator Takubo: Repealing Class N resident and Class NN nonresident antlerless deer hunting stamp	765					766
578 -	By Senator Unger: Establishing education employees fund	766					766
579 -	By Senators Stollings, Plymale and Prezioso: Supplemental appropriation to Division of Health	766					767

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*580 -	By Senator Swope: Relating generally to Local Control and Accountability Act	767	880				767, 881
581 -	By Senator Lindsay: Creating litigation practice license for social workers	767					767
582 -	By Senators Beach and Stollings: Exempting certain hygiene products from sales tax	767					767
*583 -	By Senators Azinger and Boso: Creating Financial Technology Sandbox Act for testing financial products and services	768	1243				768, 1244
584 -	By Senator Azinger: Requiring contractors performing work for government contracts use software to verify hours worked	768					768
*585 -	By Senators Weld, Ihlenfeld, Lindsay, Woelfel, Boso, Palumbo, Romano, Plymale, Prezioso and Tarr: Relating to criminal offenses of stalking and harassment generally	768	1321		1477		769, 1387, 1426, 1477
586 -	By Senators Maynard and Jeffries: Prohibiting Natural Resources Commission from establishing bag limit for antlered deer	769					769
587 -	By Senator Trump: Relating to PEIA reimbursement of air ambulance providers	769	885		1339	2107	769, 952, 1265, 1340, 3485, 3499
588 -	By Senators Jeffries, Lindsay, Unger, Stollings and Plymale: Creating small business and minority populations economic and workforce development taskforce	769					769
589 -	By Senators Lindsay, Woelfel and Stollings: Designating social workers in DHHR promote better student school attendance	770					770
590 -	By Senators Maynard, Mann, Rucker, Smith, Sypolt and Cline (originating in Senate Natural Resources): Permitting guided bear hunts by licensed outfitters and guides	776	776		907		833, 865, 907-908

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
591 -	By Senators Maroney, Plymale, Tarr, Sypolt and Boso: Defining certain terms used in insurance	804					804
592 -	By Senators Blair, Cline and Sypolt: Providing for collection of hotel occupancy tax by marketplace facilitators	804	1389		1506		804, 1430, 1485, 1507
593 -	By Senators Maroney, Stollings and Boso: Permitting critical access hospital become community outpatient medical center	804	1325		1477	1729	804, 1387, 1426, 1478, 2777, 3499
594 -	By Senators Takubo and Maroney: Granting Board of Examiners for LPNs sole authority for accreditation of nursing schools	805					805
595 -	By Senators Blair, Boso, Cline, Sypolt and Maroney: Allowing retired teachers be employed by certain higher education entities	805					805
596 -	By Senators Weld, Stollings, Baldwin, Boso, Cline, Sypolt, Tarr and Maroney: Adjusting voluntary contribution amounts on certain DMV forms	805	1325	3448	1507, 3448	2364, 3467	805, 1387, 1426, 1478, 1507, 2364-2366, 3234, 3319, 3447-3449, 3491, 3499
*597 -	By Senators Boso and Sypolt: Conforming state law to federal law for registration of appraisal management companies	805	1395		1508	2366	805, 1430, 1485, 1508, 3482, 3499
598 -	By Senators Cline and Lindsay: Supplementary appropriation to Fire Commission	805					806
599 -	By Senators Tarr, Hamilton, Hardesty, Ihlenfeld, Romano, Rucker, Boso and Sypolt: Relating to selection process of delegates to national party conventions	806					806
*600 -	By Senators Trump and Boso: Relating to preservation of biological evidence obtained through criminal investigations and trials	806	1457	2586	1552, 2587	2585	806, 1521, 1553, 2587, 3491, 3500
*601 -	By Senator Trump: Relating to mandatory supervision of adult inmates	806	885		1340	3071	807, 952, 1265, 1341, 3491, 3499

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
602 -	By Senators Palumbo, Lindsay, Stollings, Tarr and Weld: Creating matching program for Small Business Innovation and Research Program and Small Business Technology Transfer Program	807	1366				807, 1366
*603 -	By Senator Tarr: Exempting certain activities from licensing requirements for engaging in business of currency exchange	807	1396	3352-3354	1508, 3354	3351	807, 1430, 1485-1486, 1509, 3355, 3491, 3499
604 -	By Senators Weld, Ihlenfeld and Maroney: Allowing one member of public service board be member of county commission	807					807
605 -	By Senators Rucker, Boso, Maroney, Tarr, Baldwin, Cline and Sypolt: Permitting Secondary School Activities Commission discipline schools for not following protocol for concussions and head injuries	842	1458	1565-1567, 1626	1626	3071	842, 1525, 1565-1567, 1627, 3491, 3499
606 -	By Senators Smith, Sypolt, Boso, Clements, Cline, Roberts, Tarr, Maroney and Rucker: Enacting Fetal Heartbeat Act	842					843
607 -	By Senators Blair, Cline, Tarr, Rucker and Boso: Requiring county boards of education provide camera in classrooms for exceptional needs students	843					843
608 -	By Senators Beach, Romano, Prezioso and Jeffries: Requiring DOH and Division of Personnel collaborate and develop special training procedure for hourly workers	843					843
609 -	By Senators Beach, Baldwin, Clements, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Unger and Woelfel: Improving WV Medicaid Program	844					844

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
610 -	By Senators Sypolt, Hamilton, Stollings, Romano and Maroney: Authorizing DNR solicit donations for WVU Rifle Team on hunting and fishing license applications	844					844
611 -	By Senators Roberts, Sypolt, Rucker, Smith, Trump, Cline, Tarr and Boso: Transferring Division of Forestry from Department of Commerce to Department of Agriculture	845					845
612 -	By Senators Weld, Blair, Hamilton, Hardesty, Jeffries, Lindsay, Rucker, Takubo and Tarr: Allowing establishment of secondary location for simulcast video lottery terminals	845					845
*613 -	By Senators Maroney, Plymale, Takubo, Jeffries, Hamilton, Stollings, Roberts, Baldwin and Woelfel: Requiring DNR include election of organ donation on hunting licenses	846	1241	3375	1422, 3376	3375	846, 1359, 1386, 1423, 3377, 3492, 3500
614 -	By Senator Blair: Relating generally to effect on regular levy rate when appraisal results in tax increase	846					846
*615 -	By Senators Trump, Plymale and Boso: Providing ongoing mechanism for county commissioners to allow compensation increases for elected officials every two years	846	1412		1553		846, 1489, 1521, 1554
616 -	By Senators Lindsay, Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Mann, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger and Woelfel: Relating to CPRB administering EMS Retirement System	846					848
617 -	By Senators Azinger, Hamilton, Plymale and Ihlenfeld (originating in Senate Pensions): Relating to method of payment to Municipal Pensions Security Fund	854	854	1263, 2107	1262, 2108	2107	912, 951, 1263, 2108, 3029, 3482, 3498

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
618 -	By Senators Blair, Mann, Roberts, Swope and Sypolt (originating in Senate Finance): Relating to effect on levy rate when appraisal results in tax increase	855	855				913, 951, 1239, 1263, 1267, 1359
619 -	By Senator Sypolt: Amending and updating laws relating to auctioneers	890					890
620 -	By Senators Tarr and Hardesty: Requiring prescriptions be made by electronic means and providing exceptions	890					890
621 -	By Senators Rucker, Plymale and Cline: Supplemental appropriation to Higher Education Policy Commission	890					891
*622 -	By Senator Tarr: Relating generally to regulation and control of financing elections	891	1413	1521, 3087-3131	1554, 3131	3087, 3467	891, 1489, 1521, 1554, 3132, 3492, 3501
623 -	By Senator Blair: Relating to placement of legal advertisements	891					892
*624 -	By Senators Rucker, Plymale, Roberts and Cline: Allowing county boards of education use alternative assessment provided in Every Student Succeeds Act	892	1326	1426-1428, 2367-2369	1478, 2369	2366, 3468	892, 1327, 1387, 1426-1428, 1479, 2370, 3492, 3512-3513
625 -	By Senator Boso: Clarifying and defining authority of State Athletic Commission	892	1454		1627	2370	893, 1525, 1567, 1627, 3482, 3499
626 -	By Senators Jeffries, Lindsay, Plymale and Beach: Directing county school boards construct covered bus stops	893					893
627 -	By Senator Sypolt: Relating generally to Rural Rehabilitation Loan Program	893	1366		1509	3071	893, 1431, 1486, 1510, 3492, 3498
628 -	By Senator Takubo: Relating generally to regulation and control of financing elections	893					893
629 -	By Senators Sypolt and Cline: Regulating hemp production	894	1367				894, 1367

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
630 -	By Senators Plymale and Hardesty: Relating to allocation of premiums for employers and employees in PEIA	894					894
631 -	By Senators Weld, Boso, Stollings, Takubo, Hamilton, Ihlenfeld, Jeffries, Tarr, Cline and Baldwin: Relating to certain diseases for which rebuttable presumption of injury exists for firefighters	894					894
**632 -	By Senators Maynard, Azinger, Blair, Boso, Cline, Roberts, Rucker, Smith, Sypolt, Tarr, Trump and Jeffries: Improving student safety	894	1415, 1458	3132-3136	1628, 3136	3132, 3468	895, 1415, 1525, 1567, 1627-1628, 3137, 3492, 3499
633 -	By Senator Tarr: Authorizing Board of Physical Therapy conduct criminal background checks on applicants for licenses	895	1454	2370-2372	1629, 2372	2370	895, 1525, 1567, 1628-1629, 2373, 3482, 3514
634 -	By Senator Azinger: Adding remote service unit to customer bank communications terminals	895					895
635 -	By Senator Smith (originating in Senate Energy, Industry and Mining): Relating generally to coal mining activities	900	900	1378-1382, 1383, 2445-2543, 3394-3396	1382, 2543, 3396	2445, 3394	952, 1265, 1349-1350, 1378-1385, 2544, 3397, 3485, 3501
636 -	By Senators Rucker, Azinger, Cline, Plymale, Roberts and Trump (originating in Senate Education): Authorizing legislative rules for Higher Education Policy Commission	902	902		1341	1866	1265, 1342, 3478, 3500
*637 -	By Senator Blair: Relating to revocation, cancellation, or suspension of business registration certificates	924	1459		1629		924, 1525, 1567, 1630
638 -	By Senator Weld: Creating Court Reporter Act of 2019	924					925
639 -	By Senator Sypolt: Relating to salaries for Division of Forestry members	925					925

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*640 -	By Senators Stollings and Maroney: Regulating sudden cardiac arrest prevention	925	1408	1522	1554	3071	925, 1489, 1522, 1555, 3492, 3499
*641 -	By Senators Maroney and Takubo: Relating to Primary Care Support Program	925	1316	1772	1479, 1772	1771	925, 1317, 1387, 1428, 1480, 1773, 3478, 3499
*642 -	By Senators Maroney, Azinger, Rucker, Takubo, Trump and Roberts: Providing options in living wills and combined medical powers of attorney and living wills	925	1460		1555		926, 1460, 1522, 1555
643 -	By Senators Romano, Baldwin, Beach, Hardesty, Jeffries, Lindsay and Woelfel: Creating Company-Specific Subsidy Interstate Compact	926					926
644 -	By Senator Maynard (By Request): Clarifying authority of State Athletic Commission in regard to boxing and mixed martial arts events	926					926
645 -	By Senator Maynard: Relating to Health Care Choice Act	926					927
646 -	By Senators Clements and Maroney: Providing automated license plate reader systems	927					927
647 -	By Senator Baldwin: Relating to motor vehicle inspections	927					927
648 -	By Senator Smith: Reorganizing Office of Miners' Health, Safety and Training	927					928
649 -	By Senator Trump: Relating to sales tax on motor vehicles	928					928
*650 -	By Senators Tarr and Maroney: Protecting consumers from price gouging after state of emergency	928	1460				928, 1525, 1567-1568
*651 -	By Senator Maynard (By Request): Relating to DNR ability to enter into certain contracts	929	1461		1556		929, 1462, 1522, 1555-1556

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
652 -	By Senators Baldwin and Lindsay: Prohibiting certain misleading pharmaceutical advertising practices	929					929
*653 -	By Senators Stollings and Maroney: Relating generally to practice of medical corporations	929	1409	1523, 2108-2110	1557, 2110	2108	929, 1489, 1522-1523, 1556-1557, 2110, 3029, 3482, 3499
*654 -	By Senator Azinger: Amending definition of "mortgage loan originator"	930	1396		1510		930, 1431, 1486, 1510
655 -	By Senator Trump: Relating to conservation districts generally	930	1410		1557	2373	930, 1489, 1523, 1558, 3482, 3499
656 -	By Senators Blair and Trump: Relating to electronic filing of tax returns	930	1365	3377	1511, 3378	3377	930, 1431, 1486, 1511, 3378, 3492, 3499
*657 -	By Senator Sypolt: Providing consumer protection regarding self-propelled farm equipment	930	1462		1630	2373	930, 1525, 1568, 1631, 3482, 3499
658 -	By Senator Romano: Relating to motor vehicle salesperson licenses	931	1455		1631	2373	931, 1525, 1568, 1632, 3492, 3499
659 -	By Senators Jeffries, Palumbo, Plymale, Rucker, Weld, Woelfel, Lindsay, Stollings and Maroney: Relating of wages of persons with disabilities	931					931
660 -	By Senator Boso: Relating to standards for factory-built homes	931					931
661 -	By Senator Maynard: Requiring health care providers make available to patients estimate of standard charges for items and services provided	931					932
662 -	By Senator Maynard: Permitting civil actions by social media website	932					932
663 -	By Senator Romano: Providing recourse for bidders for minor or technical error on construction contract	932					932

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
664 -	By Senators Azinger, Baldwin, Beach, Boso, Clements, Hardesty, Jeffries, Lindsay, Maynard, Romano, Smith, Woelfel and Trump (originating in Senate Judiciary): Authorizing certain members of federal judiciary perform marriages	1327	1327		1480	1978	1388, 1428, 1481, 3485, 3500
665 -	By Senator Smith (originating in Senate Energy, Industry and Mining): Allowing for expedited oil and gas well permitting	1367	1367	3137-3155	1512, 3156	3137	1431, 1486-1488, 1512, 3156, 3463
666 -	By Senator Maynard (originating in Senate Economic Development): Creating WV Motorsports Entertainment Complex Investment Act	1368	1368		1513		1431, 1488, 1513
667 -	By Senator Maynard (originating in Senate Economic Development): Creating WV Motorsport Committee	1368	1368		1513	1978	1431, 1488, 1514, 3485, 3499
668 -	By Senators Azinger, Maynard, Palumbo, Prezioso, Roberts, Rucker, Stollings, Tarr, Takubo, Weld and Maroney (originating in Senate Health and Human Resources): Relating to physician assistants collaborating with physicians in hospitals	1396	1396	1866-1868, 1939	1558, 1868, 1939	1866, 2110	1431, 1488, 1523, 1558, 1869, 1938-1940, 3485, 3499
669 -	By Senators Azinger, Baldwin, Beach, Boso, Clements, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Takubo, Weld, Woelfel and Trump (originating in Senate Judiciary): Allowing appointment of commissioners to acknowledge signatures	1416	1416	3379	1558, 3380	3379	1489, 1523, 1559, 3380, 3492, 3499
670 -	By Senators Rucker, Blair, Azinger, Cline, Maynard, Plymale, Roberts and Trump (originating in Senate Education): Relating to WV College Prepaid Tuition and Savings Program	1416	1416	1524	1559	3071	1490, 1523-1524, 1559, 3492, 3499

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
671 -	By Senators Boso, Swope, Clements, Facemire, Ihlenfeld, Jeffries, Lindsay, Maroney, Palumbo, Smith, Sypolt and Tarr (originating in Senate Government Organization): Eliminating State Fire Marshal report on transfer of authority and responsibility of providing fire service to counties	1462	1462		1632		1525, 1568, 1632
672 -	By Senators Rucker, Blair, Azinger, Cline, Maynard, Roberts, Romano, Stollings and Trump (originating in Senate Education): Authorizing School Building Authority to promulgate legislative rules	1463	1463	1632-1633	1633	2373	1525, 1528, 1568, 1632-1634, 3492, 3500
673 -	By Senators Rucker, Blair, Azinger, Cline, Maynard, Roberts, Romano, Stollings, Trump and Unger (originating in Senate Education): Relating to public higher education accountability and planning	1464	1464		1634	2544, 3468	1525, 1568, 1635, 2544-2557, 3492, 3499
674 -	By Senators Blair, Hamilton, Maroney, Roberts, Swope, Sypolt, Tarr, Facemire, Palumbo, Plymale and Stollings (originating in Senate Finance): Supplemental appropriation to Division of Human Services	1492	1492		1635		1493, 1568-1569, 1636
675 -	By Senators Maynard, Mann, Beach, Cline, Facemire, Hamilton, Hardesty, Prezioso, Roberts, Rucker, Smith, Stollings and Sypolt (originating in Senate Natural Resources): Requiring DEP create and implement Adopt-A-Stream Program	1526	1526	1569, 1636-1637	1637	2111	1526, 1569, 1636-1638, 3486, 3499
676 -	By Senators Maynard, Mann, Cline, Roberts, Rucker and Smith (originating in Senate Natural Resources): Relating to off-road vehicle recreation	1526	1526	1570, 1639	1638	2374	1526, 1531, 1569-1570, 1639, 3482, 3515
677 -	By Senators Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (originating in Senate Finance): Supplemental appropriation to Division of Health and Division of Human Services	2054	2054	3381	2135, 3381	3380	2055, 2135-2136, 3029, 3382, 3479, 3497

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
678 -	By Senators Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (originating in Senate Finance): Supplemental appropriation from State Excess Lottery Revenue Fund to Office of Technology	2056	2056		2137	3468	2057, 2136-2138, 3029, 3479, 3497
679 -	By Senators Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (originating in Senate Finance): Supplemental appropriation to Division of Finance	2057	2057	3382	2138, 3383	3382	2058, 2139, 3029, 3383, 3479, 3497
680 -	By Senators Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (originating in Senate Finance): Supplemental appropriations to various divisions in DMAPS	2058	2058	3384	2140, 3384	3383	2059, 2139-2140, 3029, 3385, 3479, 3497
681 -	By Senators Blair, Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Prezioso, Stollings and Unger (originating in Senate Finance): Supplemental appropriation from Lottery Net Profits to Educational Broadcasting Authority	2059	2059		2141	3468	2060, 2142, 3029, 3480, 3497

Number	TITLE OF SENATE JOINT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Senator Boso: County Economic Development Amendment	82					82
2 -	By Senator Boso: Supervision of Free Schools Modification Amendment	82					82
3 -	By Senators Sypolt, Baldwin, Plymale and Boso: Homestead Exemption Increase Amendment	82					82
4 -	By Senators Sypolt, Boso and Baldwin: Protection of Electronic Communication and Data Amendment	83					83
*5 -	By Senators Trump and Boso: Clarification of the Judiciary's Role in Impeachment Proceedings Amendment	83	620		746		83, 621, 662-663, 715, 746-748, 3468-3469
6 -	By Senators Woelfel and Baldwin: Supreme Court Term Length Amendment	83					83
7 -	By Senators Ojeda and Sypolt: Recall Election Amendment	123					123
8 -	By Senators Rucker, Azinger, Cline, Boso and Tarr: Judicial Confirmation Amendment	158					158
9 -	By Senators Tarr, Carmichael (Mr. President), Azinger, Blair, Boso, Cline, Hamilton, Mann, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Weld, Clements and Hardesty: Protection of the Right to Bear Arms Amendment	329					329
10 -	By Senators Smith, Sypolt, Cline and Swope: Disabled Veteran Exemption From Ad Valorem Property Taxation Amendment	459					459
11 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Just Cut Taxes and Win Amendment	460					460

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported From Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Senators Carmichael (Mr. President), Takubo and Prezioso: Adopting joint rules of Senate and House of Delegates	14			14	88	15
2 -	By Senators Carmichael (Mr. President), Blair and Prezioso: Relating to payment of expenses of 84th Legislature	15			15	89	15
3 -	By Senator Cline: Requesting Joint Committee on Government and Finance study practice of requiring payment to hold space by child care facilities	84					84, 125
*4 -	By Senator Swope: US Marine Corps Lt. Col. Dennis Ray Blankenship Memorial Road	85	300	3397-3398	333, 3399	3397	85, 125, 333, 3399
5 -	By Senators Cline and Plymale: Home of Coach Bob Bolen Mountain State University 2004 NAIA Champions sign	86	801		855	3469	88, 125, 855
6 -	By Senators Stollings, Baldwin and Beach: US Army SP4 Darrell Gregory Triplett Memorial Bridge	144	1397		1422	3469	145, 159, 1422
*7 -	By Senators Sypolt, Baldwin, Cline and Smith: Urging Congress provide exceptions to weight limits on interstate	145	801		856		146, 159, 855-856
8 -	By Senators Romano, Facemire, Woelfel, Baldwin and Beach: Walter E. Swiger, Jr., Memorial Bridge	146					148, 160
9 -	By Senators Hamilton, Boso, Jeffries, Maynard, Smith, Sypolt, Maroney and Lindsay: US Army PFC Winten L. Ways Memorial Bridge	158	301		333	3071	159, 171, 333
10 -	By Senator Clements (originating in Senate Transportation and Infrastructure): Amending Rule 24 of Joint Rules of Senate and House relating to resolutions	182					183

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported From Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
11 -	By Senators Clements, Roberts, Rucker, Palumbo, Jeffries, Woelfel, Plymale, Swope, Boso, Unger, Sypolt, Stollings, Romano, Beach, Blair, Baldwin, Smith, Cline, Prezioso, Lindsay and Hamilton: Urging Congress pass fully funded long-term surface transportation and infrastructure measures	224			225		225
12 -	By Senators Stollings, Maroney and Swope: US Army CPL Lee Roy Young Memorial Bridge	247	454		486	3072	248, 276, 486
13 -	By Senators Romano, Baldwin, Beach, Facemire, Ihlenfeld, Jeffries, Palumbo, Plymale, Prezioso, Woelfel, Stollings, Maroney, Swope and Hardesty: US Marine SGT Stephen E. Drummond Memorial Bridge	248					249, 276
14 -	By Senators Smith, Sypolt, Stollings, Maroney and Swope: William "Bill" Thurman King Memorial Bridge	250					251, 276
15 -	By Senators Tarr, Cline and Sypolt: Studying feasibility of requiring all state agencies that collect fees and fines to deposit those funds in General Revenue Fund	270					271, 314
16 -	By Senators Romano, Azinger, Baldwin, Beach, Hardesty, Jeffries, Lindsay, Maynard, Unger, Boso, Palumbo, Swope and Stollings: US Army SP4 Wilbur Allen Smith Memorial Bridge	357	621		657	3469	359, 379, 656-657
17 -	By Senators Romano, Baldwin, Lindsay, Hardesty, Woelfel, Beach, Unger, Boso, Palumbo, Swope, Jeffries and Stollings: Sardis District Veterans Memorial Bridge	359	1589		1660	3469	360, 379, 1660
18 -	By Senators Maynard, Stollings and Swope: Curtis "Pap" and Millie "Mammie" Asbury Memorial Bridge	371					372, 398
19 -	[CLERK'S NOTE: The designation "Senate Concurrent Resolution 19" was inadvertently omitted during the 2019 Regular Session.]						

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported From Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
20 -	By Senators Maroney, Clements, Baldwin, Stollings and Swope: US Air Force SSGT Ryan David Hammond Memorial Bridge	460	622		657	3072	462, 486, 657
21 -	By Senators Maynard and Sypolt: Urging US Congress open public lands in WV	483					484, 514
22 -	By Senators Beach, Baldwin, Clements, Cline, Maynard, Plymale, Rucker, Smith, Woelfel, Hardesty, Sypolt, Swope, Lindsay and Maroney: Urging Congress call convention for purpose of proposing amendment restoring free and fair elections	562					564, 603
23 -	By Senators Beach, Woelfel, Stollings, Baldwin, Swope, Lindsay and Maroney: Jeffrey Alan Clovis Memorial Bridge	564			566	2374	566
*24 -	By Senators Swope, Woelfel, Stollings and Boso: Hazel Dickens Memorial Bridge	566	1589		1661	3469	568, 604, 1597, 1660-1661
*25 -	By Senators Beach, Jeffries, Stollings, Baldwin, Palumbo and Swope: US Army PFC Andrew "Bo" Martin Harper Memorial Bridge	597	886		943	2374	598, 630, 943
*26 -	By Senators Swope, Jeffries, Plymale, Beach, Lindsay, Stollings, Boso and Maynard: Thompson-Lambert Memorial Bridge	705	1920		1983	3469	707, 1983
*27 -	By Senators Tarr, Boley, Clements, Cline, Hamilton, Maynard, Roberts, Rucker, Smith, Sypolt, Takubo, Stollings, Jeffries, Maroney and Baldwin: Requesting study supply or shortage of drivers with CDLs	734	1598		1661		735, 777, 1661
*28 -	By Senators Jeffries, Baldwin, Beach, Facemire, Ihlenfeld, Lindsay, Plymale, Prezioso, Romano, Stollings, Unger and Hardesty: US Army SP5 James Henry Caruthers Memorial Road	770	1591		1661	3469-3470	771, 824, 1597, 1661

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported From Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
29 -	By Senators Carmichael (Mr. President), Plymale, Stollings and Jeffries: Hershell Lee Thomas Memorial Bridge	808					809, 856
30 -	By Senators Smith, Clements, Baldwin, Cline, Sypolt and Boso: Urging Congress call convention for Constitutional amendment limiting terms for persons elected to House of Representatives and Senate	809					810, 856
31 -	By Senators Palumbo, Lindsay, Plymale, Stollings, Baldwin and Jeffries: SGT James E. Mattingly Bridge	810	2060		2061	3470	812, 856, 2061
32 -	By Senators Hardesty, Lindsay, Beach, Plymale, Stollings, Baldwin and Jeffries: US Army SSG Henry Kilgore Bridge	812	2060		2061	3470	814, 856, 2061
33 -	By Senators Unger, Lindsay, Beach, Plymale, Stollings, Baldwin, Jeffries and Sypolt: Requesting study of foster care system and compliance with federal law	814					816, 856-857
*34 -	By Senators Maroney, Stollings, Baldwin, Beach, Plymale and Boso: US Army SPC Julian Lee Berisford Memorial Bridge	848	1593		1661	3470	849, 903, 1597, 1661
35 -	By Senators Weld, Ihlenfeld, Jeffries, Stollings, Beach, Cline, Prezioso, Swope and Baldwin: Designating days for displaying Honor and Remember Flag at WV Veterans Memorial	895	1327		1375	1729	896, 943, 1375
*36 -	By Senators Maroney and Jeffries: US Army CPL Cory M. Hewitt Memorial Bridge	932	1594		1662	3470	934, 1251, 1597, 1662
37 -	By Senators Takubo, Stollings, Jeffries and Prezioso: Urging Bureau for Public Health designate Alzheimer's disease and other dementias as public health issue	934					935, 1251

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported From Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
38 -	By Senators Plymale, Baldwin, Cline, Maynard, Woelfel, Jeffries, Lindsay, Stollings and Roberts: Urging CSX support New River Train	936	1600		1252	3470	937, 1251-1252, 1600
39 -	By Senators Trump, Baldwin, Swope, Plymale, Stollings, Ihlenfeld, Maroney and Rucker: Requesting creation of Joint Select Committee on Requirements Governing Water Quality Standards	1245	1599		1662		1246, 1334, 1662
*40 -	By Senators Tarr, Baldwin, Jeffries, Stollings and Swope: US Army CPL Roy E. Clark Memorial Bridge	1246	1596	3399- 3400	1662, 3400	3399	1247, 1334, 1597, 1662, 3401
41 -	By Senators Lindsay, Azinger, Facemire, Hardesty, Ihlenfeld, Jeffries, Palumbo, Plymale, Prezioso, Romano, Stollings, Takubo, Unger, Woelfel, Baldwin, Hamilton and Maroney: Requesting study creating paid family and medical leave insurance program	1248	1924, 3389		3389		1249, 1335, 1924, 3389
42 -	By Senators Maynard, Baldwin, Palumbo, Beach, Stollings, Jeffries and Plymale: Tom and Cindy Mae Marcum Memorial Bridge	1369					1370, 1422
43 -	By Senators Cline, Lindsay, Hamilton, Beach, Jeffries and Facemire: Governor William Casey Marland Memorial Bridge	1464					1466, 1496
44 -	By Senators Cline, Beach, Jeffries, Facemire and Lindsay: Elizabeth Williams, Teacher and Community Advocate Memorial Bridge	1466					1468, 1496-1497
*45 -	By Senators Romano, Facemire, Jeffries and Prezioso: US Army Corporal T-5 Albert John "Engine" Arco Memorial Bridge	1542	1921		1984	3470	1544, 1612, 1984
46 -	By Senators Sypolt, Rucker, Beach and Cline: Requesting study of state's raw dairy milk laws	1656					1656, 1692

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported From Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
47 -	By Senators Cline, Lindsay, Roberts, Beach and Plymale: John Lewis Lafferty "Community Volunteer" Memorial Bridge	1657					1659, 1692
48 -	By Senators Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld and Trump (originating in Senate Judiciary): Requesting study of eliminating use of subminimum wage for people with intellectual, developmental, or other disabilities	1652	1652, 1774		1880		1654, 1881
49 -	By Senators Rucker, Blair, Azinger, Baldwin, Beach, Boley, Cline, Maynard, Plymale, Roberts, Romano, Stollings, Trump and Unger (originating in Senate Education): Requesting study on higher education governance, finance, and other issues considered appropriate	1924	1924				1927
50 -	By Senators Maynard, Mann, Beach, Cline, Facemire, Hamilton, Hardesty, Prezioso, Roberts, Rucker, Smith, Stollings and Sypolt (originating in Senate Natural Resources): Requesting study requiring purchasers of roundwood collect information from sellers of roundwood	1979	1979, 3389		3389		1980, 3389
51 -	By Senators Maroney, Takubo, Jeffries, Beach, Rucker and Stollings: Requesting study relating to creation of long-term care medical review panels	2066	3390		3391		2068, 2390, 3391
52 -	By Senator Azinger (originating in Senate Banking and Insurance): Requesting study the settlements and verdicts under WV Board of Risk and Insurance Management	2114	2114, 3390		3391		2115, 3391
53 -	By Senators Boso, Swope, Clements, Facemire, Ihlenfeld, Jeffries, Lindsay, Maroney, Palumbo, Smith, Sypolt, Tarr and Woelfel (originating in Senate Government Organization): Requesting study state's appraisal laws	2115	2115, 3390		3391		2116, 3391

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported From Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
54 -	By Senators Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld, Woelfel and Trump (originating in Senate Judiciary): Requesting study granting access to adoption records to adult adoptees	2321	2321, 3390		3391		2322, 3391
55 -	By Senators Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld, Woelfel and Trump (originating in Senate Judiciary): Requesting study on price gouging during and after declaration of state of emergency in West Virginia	2322	2322, 3390		3391		2324, 3391
56 -	By Senators Azinger, Baldwin, Beach, Boso, Clements, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Woelfel and Trump (originating in Senate Judiciary): Requesting study of enacting laws clarifying definition of employee and independent contractor for unemployment compensation and workers' compensation	2324	2324, 3390		3391		2325, 3391
57 -	By Senators Azinger, Baldwin, Beach, Boso, Clements, Cline, Hardesty, Jeffries, Lindsay, Maynard, Romano, Rucker, Smith, Weld, Woelfel and Trump (originating in Senate Judiciary): Requesting study state measures to strengthen and modernize protections for trade secrets and intellectual property	2325	2325, 3390		3391		2327, 3391
58 -	By Senators Stollings, Maynard, Palumbo, Plymale, Roberts, Rucker, Tarr, Takubo, Weld and Maroney (originating in Senate Health and Human Resources): Requesting study cost and benefits of placing AEDs in WV schools	2378	2378, 3390		3391		2379, 3391
59 -	By Senators Stollings, Maynard, Palumbo, Plymale, Roberts, Rucker, Tarr, Takubo, Weld and Maroney (originating in Senate Health and Human Resources): Requesting study of causes of increased incidents of black lung	2379	2379, 3390		3391		2381, 3391

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported From Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
60 -	By Senators Rucker, Blair, Azinger, Cline, Maynard, Roberts and Trump (originating in Senate Education): Requesting study of new model providing a thorough and efficient system of free schools	2381	2381, 3389		3389		2383, 3389
61 -	By Senators Rucker, Blair, Azinger, Cline, Maynard, Plymale, Roberts, Stollings and Trump (originating in Senate Education): Requesting study requiring county boards of education provide adequate mental health evaluations and services to students	2383	2383, 3389		3389		2385, 3389
62 -	By Senators Sypolt, Clements, Swope, Beach, Boley, Boso, Jeffries, Mann, Plymale and Roberts: Urging Congress allow vehicles traveling on interstates in WV have same maximum gross vehicle weight as vehicles traveling on US routes	2388			2389		2390
63 -	By Senators Palumbo, Plymale, Takubo, Stollings, Beach and Jeffries: US Army PFC Earl Russell Cobb, SPC4 Carl Bradford Goodson and SSGT George T. Saunders, Jr., Memorial Bridge	3234					3238
64 -	By Senators Palumbo, Plymale, Jeffries, Stollings, Beach and Takubo: US Marine Corps CPL Larry Scott Kennedy Memorial Bridge	3238					3240
65 -	By Senator Maynard: Requesting study allowing retailers pay sales tax for consumer as means of advertising	3245			3245		3245
66 -	By Senators Blair, Mann, Sypolt, Boley, Facemire, Hamilton, Stollings, Tarr, Ihlenfeld, Prezioso, Maroney, Swope, Unger, Plymale, Palumbo, Roberts and Takubo (originating in Senate Finance): Requesting study Joint Rules of House of Delegates and Senate to make operation more efficient	3392	3392		3393		3394

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
1 -	By Senators Carmichael (Mr. President), Takubo and Prezioso: Adopting rules of Senate	8			8	
2 -	By Senator Takubo: Raising committee to notify House Senate has assembled	9			9	9
3 -	By Senator Takubo: Raising committee to notify Governor Legislature has assembled	9			10	10
4 -	By Senator Blair: Authorizing mailing of bills and journals	10			11	
5 -	By Senator Blair: Authorizing appointment of Senate employees	11			14	
6 -	By Senators Smith, Sypolt, Cline, Lindsay, Plymale, Weld and Trump: Recognizing service of Clifton E. Brooks, Sr., World War II veteran and member of Tuskegee Airmen	123			124	124
7 -	By Senators Boley, Woelfel, Cline, Baldwin, Beach, Rucker and Prezioso: Designating January 11, 2019 as Women and Girl's Day	148			149	149
8 -	By Senators Plymale, Woelfel, Stollings, Boso, Sypolt, Maroney and Lindsay: Designating January 14, 2019, as Marshall University Day at Capitol	151			152	152
9 -	By Senators Smith, Sypolt, Plymale and Stollings: Designating January 16, 2019, as Tucker County Day	191			192	192
10 -	By Senators Clements, Maroney, Boley, Azinger, Stollings, Sypolt and Swope: Congratulating Ritchie County High School boys' cross-country team 2018 Class AA/A state championship	207			208	208
11 -	By Senators Jeffries, Lindsay, Stollings, Takubo, Sypolt, Maroney, Swope, Baldwin, Prezioso and Cline: Designating January 21, 2019, as Down Syndrome Awareness Day	251			252	252

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
12 -	By Senators Carmichael (Mr. President), Tarr, Stollings, Sypolt and Swope: Congratulating Ripley High School girls' track team for winning 2018 Class AAA state championship	253			277	254, 276-277
13 -	By Senators Unger, Stollings, Sypolt and Prezioso: Recognizing Leadership Berkeley	254			255	255
14 -	By Senators Beach, Prezioso, Plymale, Baldwin, Stollings, Unger, Smith, Jeffries, Sypolt and Swope: Celebrating achievements and contributions of Monongalia County	271			273	273
15 -	By Senators Sypolt, Smith, Plymale, Baldwin, Stollings, Unger, Beach, Jeffries and Swope: Designating January 22, 2019, as Preston County Day	274			276	276
16 -	By Senators Stollings, Palumbo, Plymale, Beach, Jeffries, Sypolt, Swope, Baldwin and Hardesty: Recognizing Daniel Boone VFW Post 5578 for service to community, state, and country	307			308	308
17 -	By Senators Ihlenfeld, Sypolt, Woelfel, Palumbo, Plymale, Beach, Stollings, Hamilton, Unger, Takubo, Boso, Jeffries, Lindsay, Cline, Swope, Baldwin and Rucker: Designating January 23, 2019, as Sexual and Domestic Violence Awareness Day	309			310	310
18 -	By Senators Prezioso, Sypolt, Palumbo, Plymale, Beach, Stollings, Unger, Takubo, Jeffries, Swope and Baldwin: Recognizing 20th anniversary of James "Tiger" Morton Catastrophic Illness Fund	311			312	312
19 -	By Senators Blair, Unger, Beach, Sypolt, Palumbo, Plymale, Stollings, Hamilton, Takubo, Hardesty, Boso, Jeffries and Maynard: Designating January 23, 2019, as West Virginia for Broadband Day at Capitol	312			314	314

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
20 -	By Senators Prezioso, Beach, Sypolt, Smith, Clements, Maroney, Jeffries, Hardesty, Baldwin, Stollings, Hamilton, Palumbo, Unger, Boso, Swope, Cline and Facemire: Designating January 24, 2019, as WVU and WVU Extension Service Day at Legislature	330			331	331
21 -	By Senators Beach, Baldwin, Stollings, Palumbo, Unger, Swope, Sypolt, Prezioso and Cline: Designating January 24, 2019, as Human Resources Day at Capitol	331			332	332
22 -	By Senators Rucker, Hamilton, Stollings, Maynard, Swope, Prezioso, Baldwin, Maroney and Beach: Designating January 28, 2019, as Higher Education Day	372			374	
23 -	By Senators Stollings, Ihlenfeld, Facemire, Palumbo, Hardesty, Baldwin, Hamilton, Prezioso, Cline, Sypolt and Swope: Designating January 30, 2019, as Cancer Survivorship Day	462			463	463
24 -	By Senators Baldwin, Facemire, Palumbo, Hamilton, Stollings, Sypolt and Swope: Congratulating D. Frank Masters for winning Conservation Farm of Year Award	463			464	464
25 -	By Senators Tarr, Sypolt, Smith, Maroney, Plymale and Roberts: Designating January 31, 2019, as West Virginia Homeschool Day	484			485	485
26 -	By Senators Rucker, Swope, Boso and Palumbo: Recognizing month of February as Turner Syndrome Awareness Month	513			514	
27 -	By Senators Takubo, Jeffries, Stollings, Baldwin, Plymale, Rucker, Palumbo, Cline, Maynard, Beach and Swope: Designating February 5, 2019, as WV Alzheimer's Association Day	598			599	600
28 -	By Senators Prezioso, Jeffries, Stollings, Baldwin, Plymale, Palumbo, Hardesty, Beach, Swope and Hamilton: Commemorating life and career of Coach Joe Retton	600			602	602

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
29 -	By Senators Prezioso, Jeffries, Stollings, Baldwin, Plymale, Beach, Swope and Hamilton: Congratulating Doug Nuzum for winning Earle S. Dillard Insurance Agent of Year Award	602			603	603
30 -	By Senators Weld, Palumbo, Hamilton, Stollings, Baldwin, Beach, Plymale, Sypolt, Swope, Jeffries and Maroney: Recognizing Walking Miracles Family Foundation	625			626	626
31 -	By Senators Maroney, Unger, Palumbo, Hamilton, Stollings, Baldwin, Beach, Romano, Prezioso, Plymale, Sypolt, Swope, Jeffries and Cline: Designating February 6, 2019, as Disability Advocacy Day	626			628	628
32 -	By Senators Plymale, Woelfel, Unger, Palumbo, Stollings, Baldwin, Beach, Sypolt, Swope, Jeffries and Lindsay: Congratulating Cabell Midland High School boys' cross-country team	628			629	629
33 -	By Senators Weld, Stollings, Hamilton, Ihlenfeld, Jeffries, Romano, Beach, Cline, Swope, Lindsay and Maroney: Designating February 7, 2019, as Veterans Visibility Day	643			645	645
34 -	By Senators Takubo, Stollings, Hamilton, Ihlenfeld, Jeffries, Romano, Beach, Cline, Swope, Lindsay and Maroney: Designating February 7, 2019, as Go Red for Women Day	645			646	646
35 -	By Senators Romano, Facemire, Stollings, Hamilton, Jeffries, Beach, Swope, Lindsay and Maroney: Recognizing Glenville State College and certain public school districts in WV	647			648	648
36 -	By Senators Weld, Ihlenfeld, Rucker, Stollings, Hamilton, Lindsay, Swope, Jeffries, Beach, Maroney and Baldwin: Recognizing Bethany College on 179th anniversary of charter	735			738	738

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
37 -	By Senators Romano, Facemire, Stollings, Hamilton, Lindsay, Swope, Jeffries, Beach and Baldwin: Congratulating John Cobb, Jr., for being named WV Outstanding Tree Farmer for 2019	738			739	
38 -	By Senators Palumbo, Jeffries, Lindsay, Unger, Plymale, Swope and Stollings: Congratulating Herbert Hoover High School softball team for winning 2018 Class AA State Championship	772			773	773
39 -	By Senators Cline, Romano and Stollings: Urging US Congress allow states to move to permanent daylight saving time	773				774, 824
40 -	By Senators Beach, Jeffries, Romano and Stollings: Stating WV Senate affirms support of protections for consumers in Affordable Care Act	774				776, 824
41 -	By Senators Jeffries, Lindsay, Ihlenfeld, Beach, Plymale, Stollings, Baldwin, Cline, Swope, Prezioso and Maroney: Recognizing WV Kids Cancer Crusaders for dedication and commitment	816			818	818
42 -	By Senators Smith, Sypolt, Boso, Swope and Maroney: Recognizing importance of Atlantic Coast Pipeline	820				823, 857
43 -	By Senators Takubo, Stollings, Jeffries, Baldwin, Beach, Palumbo, Hardesty, Unger, Plymale, Cline, Romano, Prezioso and Boso: Designating February 14, 2019, as Tiny Hearts Day	849			851	851
44 -	By Senators Carmichael (Mr. President), Jeffries, Stollings, Baldwin, Beach, Palumbo, Unger, Plymale, Cline, Prezioso, Rucker and Boso: Designating February 14, 2019, as WV Arts Day	851			852	

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
45 -	By Senators Plymale, Jeffries, Stollings, Baldwin, Beach, Woelfel, Palumbo, Unger and Boso: Recognizing Cabell Midland High School Marching Knight Band	853			854	854
46 -	By Senators Clements, Palumbo, Hamilton, Ihlenfeld, Jeffries, Plymale, Unger, Stollings, Beach, Cline, Prezioso, Baldwin and Hardesty: Designating February 15, 2019, as Corrections Day	896			898	898
47 -	By Senators Plymale, Palumbo, Hardesty, Woelfel, Facemire, Jeffries, Unger, Stollings, Beach and Baldwin: Congratulating Spring Valley High School volleyball team for winning 2018 Class AAA State Volleyball Championship	898			899	899
48 -	By Senators Smith, Jeffries, Lindsay, Stollings, Swope and Maroney: Designating February 18, 2019, as Pancreatic Cancer Awareness Day	938			939	939
49 -	By Senators Rucker, Jeffries, Lindsay, Stollings and Swope: Designating February 18, 2019, as Advanced Technology Center Day	939			941	941
50 -	By Senators Prezioso, Jeffries, Lindsay, Stollings, Swope and Maroney: Congratulating Fairmont Senior High School football team for winning 2018 Class AA state football championship	941			943	943
51 -	By Senators Trump, Woelfel, Boso, Beach, Stollings, Takubo, Rucker, Lindsay, Baldwin, Palumbo, Jeffries, Romano, Hamilton, Plymale, Swope, Maroney and Prezioso: Designating February 19, 2019, as Nurses' Policy Day	1250			1251	1251
52 -	By Senators Weld, Ihlenfeld, Prezioso, Hardesty, Stollings, Roberts, Jeffries, Lindsay, Sypolt, Romano, Swope, Baldwin, Hamilton and Plymale: Recognizing WV State Police on its 100th Anniversary	1329			1331	1331

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
53 -	By Senators Stollings, Hardesty, Prezioso, Jeffries, Lindsay, Romano, Baldwin, Hamilton and Plymale: Recognizing recent increase in black lung cases in WV	1331			1333	1333
54 -	By Senators Stollings, Hardesty, Prezioso, Jeffries, Lindsay, Romano, Baldwin, Hamilton and Plymale: Recognizing WV Freedom Festival on its 20th Anniversary	1333			1334	
55 -	By Senators Clements, Baldwin, Plymale, Stollings, Beach, Jeffries, Palumbo and Sypolt: Recognizing Mike Webb for more than 50 years of dedicated public service	1370			1372	1372
56 -	By Senators Blair, Takubo, Baldwin, Prezioso, Plymale, Stollings, Unger, Romano, Beach, Hamilton, Jeffries, Rucker, Tarr, Palumbo, Maynard, Swope, Lindsay, Roberts, Trump, Cline and Sypolt: Reaffirming sister-state relationship between WV and Taiwan	1372			1375	1374-1375
57 -	By Senators Jeffries, Lindsay, Palumbo, Takubo, Rucker, Plymale, Hamilton, Beach, Stollings, Romano, Roberts, Maynard, Hardesty, Baldwin and Swope: Designating February 22, 2019, as WV State University Day	1417			1419	1420
58 -	By Senators Tarr, Jeffries and Plymale: Congratulating Tylee Oldham for receiving 2019 Prudential Spirit of Community Award as Distinguished Finalist	1420			1421	1421
59 -	By Senators Romano, Facemire, Sypolt, Stollings, Swope, Hamilton, Maroney, Jeffries, Hardesty, Boso and Baldwin: Designating February 25, 2019, as Civil Air Patrol Day at Legislature	1493			1495	1495
60 -	By Senators Unger, Rucker, Sypolt, Jeffries, Stollings and Hamilton: Recognizing Leadership Jefferson	1495			1496	1496

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
61 -	By Senators Sypolt, Swope, Roberts, Maynard, Prezioso, Clements, Rucker and Azinger: Amending Senate Rule 15 relating to bill and resolution introduction	1544				1545
62 -	By Senators Carmichael (Mr. President), Tarr, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld and Woelfel: Memorializing life of Honorable R. Michael Shaw, Sr., former member of WV Senate	1608			1610	1610
63 -	By Senators Rucker, Hamilton, Stollings, Baldwin, Cline, Hardesty, Unger, Jeffries, Lindsay, Beach and Prezioso: Recognizing Girl Scouts of Black Diamond Council	1610			1612	
64 -	By Senators Takubo, Rucker, Stollings, Beach, Lindsay, Hardesty, Cline and Plymale: Designating February 28, 2019, as Rare Disease Day	1659			1660	1660
65 -	By Senators Carmichael (Mr. President), Hardesty, Lindsay, Jeffries, Palumbo, Smith, Boso, Beach, Hamilton, Stollings, Swope, Baldwin and Prezioso: Designating month of March as American Red Cross Month	1689			1690	1690
66 -	By Senators Baldwin, Facemire, Lindsay, Smith, Jeffries, Palumbo, Beach, Hamilton, Stollings and Swope: Congratulating Greenbrier West High School wrestling team for winning 2019 Class A State Championship	1690			1691	1691
67 -	By Senators Baldwin, Mann, Hamilton, Lindsay, Hardesty and Swope: Recognizing WV School of Osteopathic Medicine	1777			1779	1779

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
68 -	By Senators Azinger, Boley, Carmichael (Mr. President), Tarr, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld and Woelfel: Memorializing life of Honorable John Franklin Deem	1825			1827	1828
69 -	By Senators Palumbo, Takubo, Plymale, Hardesty, Unger, Boso, Stollings, Beach, Jeffries and Lindsay: Congratulating George Washington High School Patriots boys' basketball team on winning 2018 Class AAA state championship	1941			2390	1942, 2123
70 -	By Senators Palumbo, Takubo, Plymale, Hardesty, Boso, Unger, Stollings, Beach, Jeffries and Lindsay: Congratulating George Washington High School Patriots boys' swim team for winning 2018 State Championship	1942			1943	1943
71 -	By Senators Palumbo, Takubo, Plymale, Hardesty, Boso, Unger, Stollings, Beach, Jeffries and Lindsay: Congratulating George Washington High School Patriots boys' soccer team for winning 2018 Class AAA State Championship	1943			1944	1944
72 -	By Senators Palumbo, Takubo, Plymale, Hardesty, Boso, Unger, Stollings, Beach, Jeffries and Lindsay: Congratulating George Washington High School Patriots golf team for winning 2019 Class AAA State Championship	1944			1945	1946
73 -	By Senators Stollings, Hardesty, Jeffries, Palumbo, Beach, Lindsay, Baldwin and Sypolt: Congratulating Boone Memorial Hospital for receiving five-star rating from Centers for Medicare and Medicaid Services	2068			2069	2069

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
74 -	By Senators Swope, Azinger, Clements, Hamilton, Hardesty, Maynard, Smith, Tarr, Woelfel, Palumbo, Roberts, Jeffries, Beach, Lindsay, Baldwin, Rucker, Cline, Sypolt and Stollings: Designating March 7, 2019, as WV Aviation Day	2069			2071	2071
75 -	By Senators Carmichael (Mr. President), Tarr, Swope, Maynard, Woelfel, Cline, Sypolt and Plymale: Expressing support for President Donald J. Trump to sign Appalachian Sky Executive Order	2071			2390	2073
76 -	By Senators Baldwin, Jeffries, Stollings, Beach and Hamilton: Urging EPA and other environmental and health agencies assist residents of Minden, WV relocate due to long-term exposure to certain chemicals	3240			3243	
77 -	By Senators Palumbo, Plymale, Jeffries, Beach, Hardesty, Stollings, Hamilton, Takubo and Swope: Urging President Donald J. Trump direct FEMA complete work to replace Clendenin Elementary and Herbert Hoover High School	3243			3244	
78 -	By Senators Sypolt, Clements, Swope, Beach, Boley, Boso, Jeffries, Mann, Plymale, Roberts, Azinger, Baldwin, Blair, Carmichael (Mr. President), Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Lindsay, Maroney, Maynard, Palumbo, Prezioso, Romano, Rucker, Smith, Stollings, Takubo, Tarr, Trump, Unger, Weld and Woelfel: Urging Congress allow vehicles traveling on interstates in WV have same maximum gross vehicle weight as vehicles traveling on US routes	3246				3248
79 -	By Senator Takubo: Raising committee to notify House of Delegates Senate has adjourned <i>sine die</i>	3476			3476	3476
80 -	By Senator Takubo: Raising committee to notify Governor Legislature has adjourned <i>sine die</i>	3476			3477	3477

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2001 -	By Delegates Harshbarger, P. Martin, McGeehan, Atkinson, Storch, Pack, Rowan, Hollen, Mandt, J. Kelly and Sypolt: Relating to exempting social security benefits from personal income tax	554	1820	1995-1997, 2125	2125	3470-3471	555, 1916, 2124-2125, 3029, 3486, 3501
*2004 -	By Delegates Espinosa, Graves, Harshbarger, Foster, Worrell, Hanna, Dean, Sypolt, Hamrick and Howell: Providing for a program of instruction in workforce preparedness	609	1927	2142-2145, 2391	2391	3072	610, 2039, 2142-2145, 2392, 3493, 3500
*2005 -	By Delegates Linville, Hanna, Anderson, Hollen, D. Jeffries, Sypolt, Hardy, Fast, Maynard, Phillips and Rowan: Broadband Expansion Act of 2019	387					388
2009 -	By Delegates Hamrick, Dean, Phillips, Cadle, Porterfield, Wilson, Jennings, Cooper and Espinosa: Creating a new category of Innovation in Education grant program	363	1600, 1731	1897-1898, 2111	1987, 2111		364, 1600, 1818, 1898, 1988, 2111-2112, 3029, 3493, 3501
*2010 -	By Delegates Kessinger, Ellington, Hill, Summers, Pack, Storch, Rowan, Sypolt, Harshbarger, Phillips and Capito: Relating to foster care	499	1732, 1980	2145-2189, 2393	2392, 3388	3388	500, 1732, 2191, 2394, 3388, 3486, 3500
*2011 -	By Delegates Summers, Howell, Waxman, Queen, Hamrick, Jennings, Sypolt, Phillips, Cadle, Worrell and Kump: Road Maintenance Program	1572					1573
*2014 -	By Delegates Foster, Hanshaw (Mr. Speaker), Householder, Shott, Howell, Pack and Hollen: West Virginia Intellectual Property and Trade Secrets Act	1573					1573
*2020 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution	1773		1898, 2587-2775	1988, 2775	2587	1773, 1899, 1989, 2776, 3480, 3502-3503

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2028 -	By Delegate Fast: Limiting supervision of laying of lines on state rights-of-way	211					211
2036 -	By Delegates Cooper, Pack and Rowan: Permitting vehicles displaying disabled veterans' special registration plates to park in places where persons with mobility impairments may park	388	1326		1514		388, 1388, 1428, 1481, 1514, 1773, 3248
*2038 -	By Delegates Howell and Pack: Relating to the procedure to determine if an occupation or profession should be regulated	211					211
*2049 -	By Delegates Foster, Porterfield, Waxman, Kessinger, Cowles, Hardy, Fast and Jennings: Relating to a prime contractor's responsibility for wages and benefits	1573	1733, 2117	2837-2841, 3075, 3316-3318	3074, 3318	3471	1574, 1733, 2841, 3076, 3319, 3486, 3500
*2079 -	By Delegates Pushkin, Hill, Lavender-Bowe, Bates and C. Thompson: Removing certain limitations on medical cannabis grower, processor and dispensary licenses	1642	2327	2841-2865, 2868-2869	2867	3471	1643, 2327, 2866-2870, 3493, 3516
*2083 -	By Delegates Pushkin, Shott, Miley, Lovejoy and Miller: Providing an identification card for released inmates who do not have a West Virginia identification card or driver's license	441	924, 1774	1899-1901, 1990	1989	3471	442, 1267, 1350, 1901, 1990, 3493, 3500
*2095 -	By Delegate Dean: Assessing the college- and career-readiness of 11th and 12th grade students	320					320
*2128 -	By Delegate Caputo: Allowing state employees to take paid leave to attend parent-teacher conference for their children	212					212
2164 -	By Delegates Shott, Capito, Canestraro, Fleischauer and Wilson: Clarifying that appeals to the Supreme Court are a matter of right	201					201

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2183 -	By Delegates Shott, Steele, Harshbarger and Wilson: Clarifying where a charge of DUI may be brought against an individual	212	1654	1742-1747, 1780	1779	1978	212, 1723, 1747, 1780, 3312, 3500
2185 -	By Delegates Westfall, Harshbarger, Byrd, Lovejoy, Capito, Zukoff, Fluharty, Pushkin, Fleischauer and Rohrbach: Relating to the removal of animals left unattended in motor vehicles	230					231
*2190 -	By Delegates Shott, Fleischauer, D. Kelly, Wilson, Pushkin and Fluharty: Modifying bail requirements	263					263
*2191 -	By Delegates Westfall, Espinosa and Barrett: Relating generally to limited video lottery	442	620		784		442, 663, 715, 748, 785, 1314, 1528
*2193 -	By Delegate Shott: Providing a specific escheat of US savings bonds	320	1601	1692-1693, 3327-3333	1693, 3334	3327	321, 1666, 1693, 3334, 3493, 3500
*2204 -	By Delegates Foster, Fast, Phillips, Waxman and Wilson: Prohibiting state licensing boards from hiring lobbyists	664	1601		1695		664, 1666, 1694-1695, 2777, 3497
2209 -	By Delegates Howell, Shott and Foster: Allowing military veterans who meet certain qualifications to qualify for examination for license as an emergency medical technician	388	1877		2557		388, 2039, 2191, 2557, 3486, 3499
*2229 -	By Delegate Shott: Adding violations of law upon which a public servant's retirement plan may be forfeited	1534					1535
*2307 -	By Delegates Howell, Hanna, Hott, Steele, Linville, Pack, Phillips, Cadle, Worrell, Hill and Wilson: Relating to creating a provisional license for practicing barbering and cosmetology	231	620		749		231, 663, 715, 749, 920, 1302
2311 -	By Delegate Howell: Exempting short-term license holders to submit information to the State Tax Commission once the term of the permit has expired	264	1602, 1682	1786	1883	2112	264, 1603, 1767, 1787, 1884, 3482, 3499

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2324 -	By Delegates Summers and Pushkin: Authorizing the acupuncture board to issue certificates to perform auricular acudetox therapy	500	888	1350-1358	1385	1399	501, 952, 1265, 1350-1359, 1386, 1570, 1731
*2330 -	By Delegates Howell, Shott and Porterfield: Allowing honorably discharged veterans who possess certain military ratings to qualify to take an examination for licensing as a plumber, electrician, and sprinkler fitter	791	1877				791, 1877
*2338 -	By Delegates Howell and Porterfield: Allowing the owner of an antique military vehicle to display alternate registration insignia	871					872
*2346 -	By Delegates Howell and Higginbotham: Changing the licensing requirement for certain casino employees	338					338
2351 -	By Delegates Ellington, Hill, Rohrbach, Rowan, Summers, C. Thompson, Walker, Staggers, Atkinson and Angelucci (originating in House Health and Human Resources): Relating to regulating prior authorizations	201	351	410-439, 470, 1273-1299	469, 1299	664, 1273	201, 385, 439, 470, 665-690, 756-757, 1238-1239, 1273-1300, 1570, 1731
*2359 -	By Delegates Howell, Hanna, Hott, Steele, Linville, Pack, Phillips, Cadle, Worrell, Hill and Wilson: Relating to exemptions to the commercial driver's license requirements	872	1602	1695, 1737, 1869	1736, 1870	1869	872, 1666, 1695, 1737, 1870, 3312, 3497
*2360 -	By Delegates Howell, Hanna, Hott, Steele, Linville, Pack, Phillips, Cadle, Worrell, Hill and Wilson: Placing the Athletic Commission under the Lottery Commission	338					338
*2362 -	By Delegates Miller, Shott, Campbell, Lovejoy, Canestraro, Maynard, Hornbuckle, Summers and Robinson: Ardala Miller Memorial Act	292	1654	1787, 1884	1884	2112	293, 1723, 1748-1753, 1787, 1885, 3482, 3499

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2363 -	By Delegates Staggers, Angelucci, Kessinger, Fast, Skaff and Robinson: Relating to the Upper Kanawha Valley Resiliency and Revitalization Program	649	1733, 1928	1997-2003, 2126	2126	2374	649, 1734, 2003, 2127, 3029, 3480, 3517
*2365 -	By Delegates Foster, Higginbotham, Fast, Linville, Pack, Steele, Phillips, Shott, Summers, Kessinger and Cadle: Clarifying the definition of an employee for the purposes of unemployment compensation and workers' compensation	757					757
*2378 -	By Delegates Espinosa, Westfall and Lavender-Bowe: Relating generally to grounds for revocation of a teaching certificate	1574	1928	2191	2558		1574, 2039, 2191, 2559, 3486, 3500
*2392 -	By Delegates Hartman and Caputo: Allowing the Alcohol Beverage Control Commissioner to issue special one-day licenses for charitable events	722					723
*2396 -	By Delegates R. Thompson and Lovejoy: West Virginia Fresh Food Act	1574	1929	2192-2193, 2559	2559	3072	1574, 2039, 2193, 2560, 3486, 3498
*2397 -	By Delegates Atkinson, J. Kelly, Miller, Cooper, Rohrbach, Mandt and Hollen: Requiring county school boards to provide adequate mental health and counseling services	1643					1643
*2405 -	By Delegates Ellington, Summers, Pack, Atkinson, Hollen, Rohrbach, Pushkin, Walker and Fleischauer: Imposing a healthcare related provider tax on certain health care organizations	791	1603, 1682	1788-1791	1885	2112	791, 1603, 1767, 1791, 1885, 3482, 3501
*2407 -	By Delegates Hill and Wilson: Relating to registered professional nurses	475					476
2412 -	By Hanshaw (Mr. Speaker), Delegates Bates, Miley, Nelson, Shott and Wilson: Relating to criminal acts concerning government procurement of commodities and services	338	1878	2193-2196, 2560	2560	3072	339, 2039, 2196, 2561, 3487, 3518

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2420 -	By Delegates Summers, Caputo, Pethel, Pyles, Miley, Howell, Sypolt, Jennings and Phillips: Establishing the Mountaineer Trail Network Recreation Authority	610	1775				610, 1775, 1901, 2003-2004, 2196-2197
*2422 -	By Delegate Summers: Relating to the time for the observation of "Celebrate Freedom Week"	339	1929		2561		339, 2039, 2197, 2561, 3487, 3498
*2423 -	By Delegates Foster, Higginbotham, Fast, Linville, Pack, Steele, Phillips, Kessinger, Porterfield, Fleischauer and Stagers: Prohibiting certain sex offenders from being in a supervisory position over children	321					321
*2439 -	By Delegates Maynard, Azinger, Cooper, Jennings, Lovejoy, Miller, Sponaugle and Sypolt: Relating to fire service equipment and training funds for volunteer and part-volunteer fire companies	1300	1683		1886		1301, 1767, 1791, 1885-1886, 3312, 3500
*2446 -	By Delegates Hollen, Steele and Mandt: Blue Alert Plan	364	701		831		364, 755, 788, 832, 1314, 1528
*2452 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Creating the West Virginia Cybersecurity Office	1535	1683, 1820		2127		1535, 1683, 1916, 2004, 2127, 3029, 3480, 3499
2459 -	By Delegates Shott, Capito, Kessinger, Mandt, Fleischauer, Pushkin, Byrd, Robinson, S. Brown and Lovejoy: Exercising authority to exempt individuals domiciled within the state from certain restrictions contained in federal law	339	656	751, 786	785	1360	339, 716, 751, 786, 1406, 1680
2462 -	By Delegates Hollen, Canestraro, D. Kelly, Foster, Fast, Harshbarger and Mandt: Issuing a certificate to correctional employees to carry firearms	339	454	605, 635	635	757	340, 493, 553, 582, 607, 636, 877, 1302

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2472 -	By Delegates Linville, Householder, Lovejoy, Graves, Higginbotham, Summers, Skaff, Maynard, J. Jeffries, Hornbuckle and Jennings: Providing a special license plate for pollinators	914					914
2474 -	By Delegates Westfall, Azinger, Criss, D. Jeffries, Hamrick, Mandt, Nelson, Espinosa and Porterfield: Relating to a reserving methodology for health insurance and annuity contracts	555	2061	2869-2906	3205	3471	555, 2311, 2906, 3205, 3493, 3500
*2476 -	By Delegates Westfall, Azinger, Hott, D. Jeffries, Graves, Jennings, Criss, Mandt, Nelson, Espinosa and Porterfield: Relating to the valuation of a motor vehicle involved in an insurance claim	555	1603	1696	1737	1870	555, 1666, 1696, 1737, 2054, 3498
2478 -	By Delegates Steele, Pack, Lovejoy, Mandt and Rohrbach: Modifying the Fair Trade Practices Act	555					556
*2479 -	By Delegates D. Jeffries, Westfall, Hott, Azinger, Graves, Sypolt, Criss, Mandt, Nelson, Espinosa and Porterfield: Corporate Governance Annual Disclosure Act	691	2062		3230		692, 2311, 2906, 3230, 3493, 3500
2480 -	By Delegates Hott, Westfall, Azinger, D. Jeffries, Graves, Jennings, Criss, Mandt, Nelson, Espinosa and Porterfield: Relating to the regulation of an internationally active insurance group	556	1821	2128	2127	3072	556, 1916, 2004, 2128, 3029, 3493, 3500
*2481 -	By Delegates Steele, Foster, Kessinger, Pushkin, Barrett and Pyles: Permitting retail sale of alcoholic beverages on Sundays after 1 p.m.	692	803	910-912, 949	949	1301	692, 866, 910-912, 949-950, 1406, 1680
*2486 -	By Delegates Shott, Foster, Kessinger and Pushkin: Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation	1360	2062	2197-2238, 2562, 3385-3386	2561, 3386	3385	1361, 2062, 2238, 2562, 3386, 3492, 3520

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2490 -	By Delegates Howell, Pack, Hott, Hamrick, Dean, Graves, Ellington, Staggers, Steele and Higginbotham: Preventing proposing or enforcing rules that prevent recreational water facilities from making necessary upgrades	649	2328		3232		649, 2328, 2906, 3232, 3487, 3499
2492 -	By Delegates Ellington, Hill, Summers, Pack, Atkinson, Wilson, Worrell, D. Jeffries, Hollen and Butler: Relating to mandatory reporting procedures of abuse and neglect of adults and children	476	656	752	786	1301	476, 716, 751-754, 786, 1406, 1680
2497 -	By Delegate Kump: Relating to the whistle-blower law	1574					1575
*2503 -	By Delegates Steele, Pack, Harshbarger, Mandt, J. Jeffries, Graves, Wilson, Foster and Kessinger: Relating to court actions	501	1981	2906-2913, 2915, 3320-3326	2914, 3326	3471	501, 2311, 2913, 2915, 3327, 3493, 3521
2509 -	By Delegates Pack, Dean, Wilson and Rohrbach: Clarifying that theft of a controlled substance is a felony	364	1684	1887	1886	2112	364, 1767, 1791, 1887, 3483, 3500
2510 -	By Delegates Howell, Pack, Hott, Hamrick, Dean, Graves, Ellington, Linville, Higginbotham, Butler and Kessinger: Relating to special funds of boards of examination or registration	476	1601		1696		477, 1666, 1696-1697, 2777, 3500
2514 -	By Delegates Howell, Pack, Hott, Hamrick, Dean, Graves, Ellington, Higginbotham, Linville, Butler and Kessinger: Permitting pawn brokers to disclose whether any specific property has been sold or pledged	442					442
2515 -	By Delegates Butler, Cadle, Wilson, Ellington, Shott, Howell, Hardy, Kump, Pack, Storch and Fast: Exempting the sale and installation of mobility enhancing equipment from the sales and use tax	1399	1775		1991		1399, 1776, 1901, 1991, 3480, 3499

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*2519 -	By Delegates Butler, Maynard, Cadle, Foster, Hanna, Espinosa, Higginbotham, McGeehan, Householder, Swartzmiller and Hardy: The Campus Self Defense Act	1678					1679
*2521 -	By Delegates Harshbarger, Paynter, Cooper, Bibby, D. Kelly, Atkinson, Sypolt, Hanna, Mandt and Porterfield: Relating to permitting fur-bearer parts	501	764		908		501, 833, 865, 909, 1432, 1680
*2524 -	By Delegates Atkinson, Hill, D. Jeffries, Hollen, Fleischauer and Staggers: Permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances	556	1930	2238-2239	2563	3073	557, 2039, 2239, 2563, 3493, 3500
2525 -	By Delegates Summers, Hill, Pack, Dean, Atkinson, Wilson, Worrell, D. Jeffries, Hollen, Butler and Rohrbach: Tobacco Cessation Therapy Access Act	477	1604	1791	1887	2112-2113	477, 1666, 1697, 1753, 1792, 1887, 3481, 3500
2527 -	By Delegates Steele, Pack, Harshbarger, Mandt, J. Jeffries, Graves, Howell, Wilson, Foster and Kessinger: Relating to forgery and other crimes concerning lottery tickets	365					365
2530 -	By Delegates Rohrbach, Hollen, Ellington, Hanna, Hornbuckle, D. Kelly, Kessinger, Mandt, Pushkin, Robinson and Walker (originating in House Prevention and Treatment of Substance Abuse): Creating a voluntary certification for recovery residences	477	1604	1902-1906, 1992	1991	2113	477, 1666, 1697, 1754, 1792, 1901-1906, 1992, 3483, 3522
*2531 -	By Delegates Rohrbach, Hollen, Ellington, Hanna, Hornbuckle, D. Kelly, Kessinger, Mandt, Robinson and Walker (originating in House Prevention and Treatment of Substance Abuse): Permitting trained nurses to provide mental health services in a medication-assisted treatment program	477	1604	1698	1780	1978	478, 1666, 1697-1698, 1737-1738, 1781, 3313, 3523

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*2532 -	By Delegates Cooper, Cadle, Hartman, Pethel and Porterfield: Allowing certain donations by persons renewing their driver's license or vehicle registration	1439					1439
2535 -	By Delegates Fast, Harshbarger and Hollen: Relating to purchasing exemptions and procedures	1575					1575
*2538 -	By Delegates Nelson, Pushkin, Hornbuckle, McGeehan, Householder, Barrett, Fluharty, Wilson, Byrd, Campbell and Queen: Providing banking services for medical cannabis	914	1684		1888		915, 1767, 1792, 1887-1888, 3313, 3500
*2540 -	By Delegates Harshbarger, Paynter, Sypolt, Cooper, Hanna, Bibby, Hott and N. Brown: Prohibiting the waste of game animals, game birds or game fish	1439	1878, 2385	2386-2387, 3227, 3401	3226, 3402	3401	1440, 1878, 2387, 3227, 3402, 3487, 3499
*2541 -	By Delegates R. Thompson, Evans, Lovejoy, Doyle, Hornbuckle, Hicks, Dean, Paynter, Zukoff and Pyles: Requiring certain safety measures be taken at public schools	1440	1928	2239	2563	3073	1440, 2039, 2239, 2564, 3487, 3499
*2542 -	By Delegates Howell, Pack, Hamrick, Hanshaw (Mr. Speaker), Summers, Worrell, Dean, Fast, Hott, Hollen and Storch: Permitting directors of county emergency phone systems to obtain mobile-phone emergency lines	1301					1301
*2545 -	By Delegates Canestraro, Zukoff, Lovejoy, Robinson, Fluharty, Diserio, Miller and Pyles: Exempting recipients of the distinguished Purple Heart medal from payment of the vehicle registration fee	723					723

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2546 -	By Delegates Pushkin, Cadle, Doyle, Butler, McGeehan, Cooper, N. Brown, Ellington, Lovejoy, Sponaugle and Hornbuckle: Excluding from tax equipment installed in a motor vehicle for use of a person with a medical necessity	723					724
2547 -	By Delegate Shott: Relating to the election prohibition zone	389	1605	1698-1702, 1738	1738, 1871	1870	389, 1666, 1698-1702, 1739, 1871, 3483, 3497
*2550 -	By Delegates Capito, Nelson, Queen and Fast: Creating a matching program for the Small Business Innovation and Research Program and the Small Business Technology Transfer Program	1535	1734, 1822	1906	1992	2374	1536, 1734, 1906, 1993, 3483, 3501
*2554 -	By Delegates Hamrick, Worrell, Higginbotham and Howell: Relating to transfers and enrollment policies for students in public schools	724					724
2559 -	By Delegates Howell, Pack, Hamrick, Worrell, Dean, Fast, Hott, Hollen, Storch, Ellington and Butler: Requiring a special report by the Division of Personnel	478					478
*2579 -	By Delegates Nelson and Criss: Relating to the collection of tax and the priority of distribution of an estate or property in receivership	915	1684, 1820		2129		915, 1685, 1916, 2004, 2129, 3029, 3487, 3524
*2583 -	By Delegates Hill, Ellington, Pushkin, Rohrbach, Fleischauer, Walker, Staggers, McGeehan, Summers and Doyle: Family Planning Access Act	758	2328	2915-2920	3076	3472	758, 2329, 2920, 3076, 3494, 3500
*2595 -	By Delegates Pack, Graves, Cooper, Paynter, Steele, Harshbarger, Sypolt, Jennings, Evans, Storch and Maynard: Establishing the West Virginia Division of Natural Resources Police Officer Retirement System	1643	2062				1644, 2063

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2598 -	By Hanshaw (Mr. Speaker), Delegates Miley and Nelson: Relating to submitting a certifying statement attesting to status as a charitable or public service organization	1536					1536
*2600 -	By Delegates Summers and Kessinger: Relating to publication of sample ballots	389	1685	1792-1809, 1889	1889	3073	389, 1767, 1809, 1890, 3494, 3500
*2601 -	By Hanshaw (Mr. Speaker), Delegates Miley and Nelson: Relating to the review and approval of state property leases	724	1931		2564		724, 2039, 2239-2240, 2564, 3487, 3498
2602 -	By Delegates Miller, Canestraro, Hollen, N. Brown, D. Kelly, Foster and Steele: Including possession of known stolen property in the offense of receiving or transferring stolen property	442					443
*2607 -	By Delegates Hill, Staggers, Howell, Rowan and D. Jeffries: Relating to the licensure of nursing homes	585	889		1342		585, 952, 1266, 1342, 1570, 1731
2608 -	By Delegates Nelson, Criss and Espinosa: Repealing the requirement of printing the date a consumer deposit account was opened on paper checks	692	1605		1702		692, 1666, 1702-1703, 2777, 3497
*2609 -	By Delegates Nelson, Criss and Espinosa: Relating to presumptions of abandonment and indication of ownership in property	835	1655		1781		835, 1723, 1754, 1781, 3313, 3499
*2612 -	By Delegates Hill, Wilson, Howell, Rowan, Fleischauer and Walker: Proposing rules related to the completion or updating of source water protection plans	586	1328		1481		586, 1388, 1428, 1482, 1652, 2054
*2617 -	By Delegates Westfall, Hott, D. Jeffries, Espinosa and Porterfield: Relating to the form for making offer of optional uninsured and underinsured coverage by insurers	1575	1776	1907-1910, 1993	1993	2374	1575, 1776, 1910, 1994, 3487, 3499

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2618 -	By Delegates Rowan, C. Martin, Rohrbach, Sypolt, Graves, Lovejoy, Longstreth, Boggs, Mandt, Maynard and J. Kelly: Including undue influence as a factor in the definition of financial exploitation of an elderly person or protected person	915	2063	2920-2922, 3207	3207	3472	916, 2311, 2922, 3208, 3494, 3500
2647 -	By Delegates Westfall, Maynard, Hartman, Atkinson and Espinosa: Self Storage Limited License Act	835	1776	1910-1916, 1995	1994	2375	835, 1776, 1916, 1995, 3487, 3500
*2661 -	By Delegates Anderson, Azinger, Howell, J. Kelly, Westfall, Pethtel, Storch, D. Kelly, Swartzmiller, Nelson and Harshbarger: Relating to natural gas utilities	758	1931		2564		758, 2039, 2240, 2565, 3487, 3525-3526
*2662 -	By Delegates Westfall, Rohrbach, Zukoff, Toney, R. Thompson, J. Kelly, Evans, Dean, Campbell and Cooper (originating in House Education): Relating to certificates or employment of school personnel	1575	1928	2240	2565		1576, 2039, 2240, 2565-2566, 3487, 3500
2665 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Supplemental appropriation for PEIA Rainy Day Fee	1576	2117	2922	3229	3472	1576, 2119, 2922, 3230, 3480, 3497
2666 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Supplemental appropriation to the Department of Veterans' Assistance	610	889	1266	1342	1399	611, 952, 1266, 1343, 1570, 1631
2667 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Supplemental appropriation to the Department of Military Affairs and Public Safety, Division of Corrections	1400	1821		2129		1400, 1916, 2004, 2130, 3029, 3480, 3497
2668 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Supplemental appropriation to the Department of Administration, Public Defender Services	611	889	1266	1344	1400	611, 952, 1266, 1343-1344, 1571, 1731

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2670 -	By Delegates Higginbotham, Waxman, Kessinger and Westfall: Relating to damages for medical monitoring	1576	2118	2922-2924	3077		1576, 2119, 2924-2925, 3077, 3314
*2673 -	By Delegates Householder, Criss, Harshbarger, Anderson and J. Kelly: Creating the Oil and Gas Abandoned Well Plugging Fund	872	1735, 2118	2925-2929, 3208	3208	3472	873, 1735, 2929, 3209, 3494, 3527-3528
*2674 -	By Delegates Atkinson, Westfall, Hollen, D. Jeffries, Azinger, Harshbarger, Canestraro, J. Kelly, Queen, Criss and Kessinger: Creating a student loan repayment program for a mental health provider	792	1932, 2119	2930-2938, 3224	3223	3472	792, 1932, 2938, 3224, 3494, 3529
2679 -	By Delegates Phillips, Foster, McGeehan, Hansen, Shott and Hott: Relating to state issued identification cards	557					557
*2686 -	By Delegates Rohrbach, Hollen, Ellington, Hanna, Hornbuckle, D. Kelly, Kessinger, Mandt, Pushkin, Robinson and Walker (originating in House Prevention and Treatment of Substance Abuse): Relating to permitting the Supreme Court of Appeals of West Virginia to create a family drug court pilot program	692					693
*2690 -	By Delegates Westfall, Azinger, Nelson, Williams and Porterfield: Relating to guaranty associations	1536			1663		1536, 1641, 1663, 1876, 3499
2691 -	By Delegates Howell, D. Jeffries, Pack, Phillips, Worrell, Sypolt, Hott, C. Martin, Cadle, Dean and Storch: Providing that a license to carry a concealed deadly weapon expires on the holder's birthday	649	1601	1703-1710, 1740	1739	1871	650, 1667, 1710, 1740, 2054, 3499
*2694 -	By Delegates Howell, D. Jeffries, Pack, Phillips, Sypolt, Hott, Cadle, Hamrick, Graves, McGeehan and Pushkin: Relating to the state's ability to regulate hemp	1537	1981	2938-2947, 3082	3081	3472	1537, 2311, 2947, 3083, 3494, 3501

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2696 -	By Delegates Howell, Bibby, Phillips, Sypolt, Cadle, Azinger, D. Jeffries, Pack, Worrell and Hott: Creating an additional index system for state-owned lands	724					724
*2703 -	By Delegates Pack, Steele, Cooper, Graves, Criss, Westfall, Queen, Azinger, Higginbotham, Barrett and Bates: Relating to refunds of excise taxes collected from dealers of petroleum products	1576	1822	2004, 2131	2130	2375	1577, 1916, 2005, 2131, 2777, 3029, 3530
2709 -	By Delegates Atkinson, Worrell, McGeehan, Westfall, Miller, Swartzmiller, Kessinger, Cadle, Cooper and N. Brown: Relating to hunting licenses	873	2063	2947-2951, 3086	3085, 3434		873, 2311, 2951, 3086, 3433-3434, 3494, 3500
*2715 -	By Delegates Harshbarger, Worrell, McGeehan, Westfall, Miller, Swartzmiller, Kessinger, Cadle, Cooper and N. Brown: Relating to Class Q special hunting permit for disabled persons	873	1879		2566		873, 1879, 2040, 2240-2241, 2566, 3487, 3498
2716 -	By Delegates Harshbarger, Worrell, McGeehan, Westfall, Miller, Swartzmiller, Atkinson, Kessinger, Cadle, Cooper and Porterfield: Relating to vessel lighting and equipment requirements	916	1879		2567		916, 2040, 2241, 2567, 3487, 3498
*2718 -	By Delegates Cooper, Worrell, Westfall, Miller, Maynard, Atkinson, Kessinger, Harshbarger and Porterfield: Requiring purchasers of roundwood to collect and maintain certain information	1644					1644
*2720 -	By Delegates Pethel, Lovejoy, Shott, Boggs, Paynter and Harshbarger: Authorizing certain investigators and first responders to carry firearms	836					836
2730 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Increasing the compensation of the membership of the State Police and the salaries for public school teachers and school service personnel	1440					1440-1441, 1828-1829

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2734 -	By Delegates Kessinger, Fast, Staggers and Robinson: Relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities	792	1605, 1685		1890		792, 1606, 1767, 1809, 1890, 3313, 3531
*2737 -	By Delegates Householder and Criss: Relating to training of State Tax Division employees	725	1606		1711		725, 1667, 1710-1711, 2777, 3497
2739 -	By Delegates Hollen, Graves, Anderson and Malcolm: Relating to contributions on behalf of employees to a retirement plan administered by the Consolidated Public Retirement Board	874	1932		2567		874, 1933, 2040, 2241, 2568, 3487, 3500
*2740 -	By Delegates Shott, Harshbarger and Mandt: Barring a parent from inheriting from a child in certain instances	725	1328	1664	1664	1729	725, 1388, 1428-1429, 1482, 1514, 1559-1560, 1639, 1663-1664, 2054, 3499
2743 -	By Delegates Hollen, Graves, Pethel, Evans, Anderson and Malcolm: Eliminating reference to municipal policemen's pension and relief funds and firemen's pension and relief funds in section restricting investment	874	1365, 1606		1712		874, 1365, 1667, 1711-1712, 2777, 3498
2746 -	By Delegate Shott: Relating to administration of estates	725	1328		1664		725, 1388, 1429, 1482, 1514-1515, 1560, 1639-1640, 1665, 1876, 3499
2759 -	By Delegate Shott: Providing for the ancillary administration of West Virginia real estate owned by nonresidents by affidavit and without administration	726	1329	1429	1482	1729	726, 1388, 1429, 1483, 2054, 3500
2760 -	By Delegates Howell, C. Martin, Pack, Cadle, Worrell, Hott, D. Jeffries, J. Jeffries, Bibby, Porterfield and Phillips: Relating to performance reviews of state agencies and regulatory boards	1577					1577
*2761 -	By Delegate Westfall: Modernizing the self-service storage lien law	875	1981	2951-2963	3206	3473	875, 2311, 2963, 3206-3207, 3494, 3500

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2768 -	By Delegate Rohrbach: Reducing the use of certain prescription drugs	1240	1930	2241-2250	2568	3473	1240, 2040, 2250, 2568, 3494, 3500
*2770 -	By Delegates Rohrbach, Ellington, Barrett, Queen, Waxman, Byrd, Westfall, Nelson and Porterfield: Fairness in Cost-Sharing Calculation Act	1537	2328	2963-2969, 3225	3224	3473	1538, 2329, 2969, 3225, 3494, 3501
*2779 -	By Delegates Shott, Anderson, Cadle, J. Kelly, Phillips, Evans, Boggs, Pethel, Maynard, Higginbotham and Hansen: Providing that proceeds from certain oil and gas wells to persons whose name or address are unknown are to be kept in a special fund	650	1686, 2120	2969-2974			650, 1686, 2120, 2974, 3209-3210
*2793 -	By Delegates Maynard, Dean, Hornbuckle, Doyle and Pyles: Expanding applicability of educational facilities for the West Virginia College Prepaid Tuition and Savings Program	875					875
*2802 -	By Delegates J. Kelly, Shott, Nelson, Anderson and Criss: Uniform Partition of Heirs Property Act	1577					1578
*2807 -	By Delegates J. Kelly, Nelson, Worrell, D. Kelly, Azinger, Criss, Caputo, Angelucci, Longstreth, N. Brown and Espinosa: Creating an additional modification to the West Virginia adjusted gross income of shareholders of S corporations engaged in banking	1441	1823, 2121	2974-2975, 3220	3220	3473	1441, 1823, 2975, 3221, 3497, 3532
*2809 -	By Delegates Shott, Capito, Mandt, Paynter, Ellington, Porterfield and Evans: Relating to prohibited acts and penalties in the Hatfield-McCoy Recreation Area	758	1880		2568		759, 2040, 2250-2251, 2569, 3494, 3500
*2813 -	By Delegates Householder and Criss: Relating generally to collection of use tax	792	1607	1713-1714, 1741	1740	3073	793, 1667, 1714, 1741, 3494, 3501

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2815 -	By Delegates Steele, Shott, Pack, Graves and Canestraro: Raising the value of goods or chattels that are taken in a larceny to constitute grand larceny	726					726
2816 -	By Delegates Campbell, Canestraro, Higginbotham, Lavender-Bowe, Atkinson, Williams, R. Thompson, Caputo, Hornbuckle, Dean and Pack: Removing the terms "hearing impaired," "hearing impairment," and "deaf mute" from the West Virginia Code and substituting terms	1538	1933		2569		1538, 2040, 2251, 2569, 3494, 3500
*2821 -	By Delegates Householder and Criss: Updating provisions for command, clerical and other pay	875	1326		1515		876, 1388, 1429, 1483, 1515, 1773, 3248
2827 -	By Delegates Sypolt, Phillips, Graves, Nelson, Pyles and Miller: Removing the residency requirements for hiring deputy assessors	1538			1665		1538, 1641, 1665, 1876, 3497
2828 -	By Delegates Higginbotham, Queen, Skaff, Atkinson, C. Martin, Nelson, Toney, Waxman, Capito, Lovejoy and Hicks (originating in House Small Business, Entrepreneurship and Economic Development): Relating to Qualified Opportunity Zones	1538	1982	2975-2999	3079	3473	1539, 2311, 2999, 3078-3080, 3494, 3533
2829 -	By Delegates Nelson, Householder, Shott, Ellington, Atkinson, Jennings, Sypolt, Hartman, Campbell, Cooper and Cowles: Relating to the termination of severance taxes on limestone and sandstone	1441	1607		1715		1442, 1667, 1714-1715, 2777, 3501
*2830 -	By Delegates Howell, Pack, Hollen, Jennings, Miller, D. Kelly, Storch, Dean, Hamrick, Foster and Summers: Establishing Next Generation 911 services in this state	1539					1539

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2831 -	By Delegates Criss, Storch, Cowles, Hill, Butler, Hardy, Boggs, Barrett, Pethel, Longstreth and Hartman: Finding and declaring certain claims against the state and its agencies to be moral obligations of the state	1578	1933	2570	2570	3073	1578, 2040, 2251, 2569-2571, 3494, 3500
*2834 -	By Delegates Anderson, J. Kelly, Harshbarger, Howell, Porterfield and Nelson: Updating and modernizing the minimum spacing provisions for the drilling of horizontal deep wells	1240					1241
2837 -	By Delegates Espinosa, Householder, Barrett and Storch: Relating to the licensing of advance deposit wagering	1539	1982				1540, 1982
*2843 -	By Delegates Howell, Pack, Hamrick, Dean, Criss, C. Martin, D. Jeffries, McGeehan and Householder: Creating an Office for Federal Surplus Property	1644					1644
2846 -	By Delegates Miller, D. Kelly, Swartzmiller, Robinson, Queen, Hornbuckle, Pack, Malcolm and Pyles: Relating to special vehicle registration plates	916	1934	2251-2289, 2572	2571	3073	916, 2040, 2289, 2572, 3495, 3500
*2848 -	By Delegates Ellington, Summers, Nelson and Byrd: Relating to the West Virginia ABLE Act	876	1606		1716		876, 1667, 1715-1716, 2777, 3501
*2849 -	By Delegates Howell, Pack, C. Martin, D. Jeffries, Dean and Hamrick: Establishing different classes of pharmacy technicians	1241	1930	2289	2778	3473	1241, 2040, 2290, 2778, 3495, 3500
2850 -	By Delegates Porterfield, Linville, J. Jeffries, Kessinger, Cadle, Paynter, Cooper and Foster: Relating to qualifications for commercial driver's license	1578	1934		2778		1578, 2040, 2290, 2779, 3495, 3500

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2853 -	By Delegates Higginbotham, Jennings, Skaff, Queen, Phillips, Bibby, Wilson, Atkinson and Byrd: Establishing the West Virginia Program for Open Education Resources	1578	1735, 1936		2131		1579, 1736, 2005, 2131, 3029, 3495, 3500
*2854 -	By Delegate Householder: Exempting sales from the consumers sales and service tax and use tax by not for profit volunteer school support groups raising funds for schools	1400	1607		1717		1400, 1667, 1716-1717, 2320, 3497
*2855 -	By Delegate Householder: Allowing rebate moneys to be used for the operation and maintenance of accounting and transparency systems of the State Auditor	1401					1401
2856 -	By Delegate Householder: Relating to the administration of the operating fund of the securities division of the Auditor's office	1401	2064		3230		1401, 2311, 2999, 3231, 3495, 3500
*2866 -	By Delegates Anderson, J. Kelly, Higginbotham, Pethel and Porterfield: Relating to the termination, expiration, or cancellation of oil or natural gas leases	1579					1579
2872 -	By Delegates D. Kelly, Caputo, Maynard, J. Kelly, Anderson, Hollen, Miller, Steele, Harshbarger and Lovejoy: Authorizing law-enforcement officers to assist the State Fire Marshal	1442	1686	1809-1817, 1891	1891	2113	1442, 1767, 1817, 1891, 3483, 3499
2878 -	By Delegates Ellington, Rohrbach and Bates (originating in House Health and Human Resources): Relating to updating the controlled substances listed on schedule one	836	1687				836, 1687
*2882 -	By Delegates Ellington, Hill, Worrell, Wilson, D. Jeffries, Criss, Dean, Staggers and Rohrbach: Creating a health professionals' student loan programs	1644					1645

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2886 -	By Delegates Howell, Pack, C. Martin, Hanshaw (Mr. Speaker), Hartman, Phillips, Summers, D. Jeffries, Ellington, Hollen and Linville: Establishing requirements for a Division Motor Vehicles office or Division of Motor Vehicles Now kiosk to be present in a county	1401					1402
*2895 -	By Delegates Miley and Queen: Allowing victims of certain crimes to get a restraining order	1579					1580
*2901 -	By Delegates Storch, Nelson, Skaff, Sponaugle, Fluharty, Graves, McGeehan, Westfall, Rowe, Barrett and Householder: Allowing for the establishment of a secondary location for racetrack video lottery terminals	1442					1443
*2907 -	By Delegates Steele, Miller, Caputo and Maynard: Requiring a form of a certified commitment order to the Division of Corrections and Rehabilitation	1402	1655	1754-1758, 1782	1782	2113	1402, 1723, 1758, 1783, 3488, 3498
2924 -	By Delegates Howell, Pack, C. Martin, Hamrick and Graves: Permitting the West Virginia Tourism Office to decide to contract with the Division of Highways to sell advertising space on the WV511 website	1402					1403
2926 -	By Delegates Rowe, Longstreth, Robinson, Estep-Burton, Pyles, Queen, Westfall, Bates, McGeehan, Evans and Miller: Requiring the Secretary of the Department of Veterans' Affairs to study the housing needs of veterans	1540	1877		2779		1540, 2040, 2290, 2779, 3495, 3500
*2929 -	By Delegates Howell, Pack, C. Martin and Hamrick: Authorizing the West Virginia Tourism Office to enter into an agreement with the Division of Highways to provide staff at the welcome centers	1403					1403

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2932 -	By Delegates Barrett and Householder: Transferring regulation and licensing of charitable bingo, charitable raffles, and charitable raffle boards	1645					1645
*2933 -	By Delegates Shott and Lovejoy: Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury	1403	2121	3000-3004, 3226	3225	3474	1403, 2121, 3004, 3226, 3495, 3534
2934 -	By Delegates Barrett, Householder, Westfall, Bates, Graves, Fluharty, Criss, Sponaugle, Williams, Skaff and Storch: West Virginia Lottery Interactive Wagering Act	1443	1935	2780-2809, 2810-2811	2809	3474	1444, 2040, 2290, 2811, 3495, 3501
*2941 -	By Delegates Graves, Higginbotham, Kessinger, Summers, Barrett, Storch, Steele, Queen, Doyle, Hanshaw (Mr. Speaker) and Lovejoy: Reinstating the film investment tax credit	1645					1646
*2943 -	By Delegates Hansen, Walker, Skaff, Estep-Burton, Byrd, Pushkin, Fleischauer, Pyles, Williams, Steele and Robinson: Relating to deliveries by wine specialty shop	1580					1580
*2945 -	By Delegates Miley, Caputo, Lavender-Bowe, Householder, Nelson and Bates: Relating to vendors paying a single annual fee for a permit issued by a local health department	1580	2328		3231		1580, 2328, 3004-3005, 3231, 3495, 3500
*2947 -	By Delegates Steele, Pack, Rohrbach and Atkinson: Relating generally to telemedicine prescription practice requirements and exceptions	1301	2328	3005	3222	3474	1302, 2329, 3005, 3222, 3495, 3500
*2951 -	By Delegates Howell, Pack, C. Martin, D. Jeffries, Ellington, Staggers, Hill and Hansen: Placing the regulation of non-medical professions and occupations in a new chapter of the code	1646					1650

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2954 -	By Delegate Summers: Defining certain terms used in insurance	1403	1821	2005-2014, 2132	2132	2375	1403, 1917, 2014, 2133, 3029, 3486, 3499
2958 -	By Delegates Maynard, Westfall, Jennings, Pack, Paynter, Miller, Lovejoy, Linville, J. Jeffries and Angelucci: Authorizing the State Auditor to conduct regular financial examinations or audits of all volunteer fire companies	1302	1688	1817, 1819	1892	2113	1302, 1767, 1818, 1819, 1892, 3483, 3499
2966 -	By Delegates Harshbarger and Steele: County Budget Flexibility Act	1650					1651
*2967 -	By Delegates Hardy, Bibby, Barrett, Espinosa, Cowles, Householder, Mandt, Linville, Wilson, D. Jeffries and Rowan: Permitting a county to retain the excise taxes for the privilege of transferring title of real estate	1651					1651
2968 -	By Delegates Nelson, Espinosa, Barrett, Byrd, McGeehan, Criss and Porterfield: Adding remote service unit to the definition of customer bank communications terminals	1444	1823, 2122	3005-3006, 3221	3221	3474	1444, 1824, 3006, 3222, 3495, 3500
*2974 -	By Delegates D. Jeffries, Howell, Pack, Graves, Bibby, J. Jeffries, Steele, Harshbarger, Foster and Malcolm: Exempting businesses relating to transporting certain used tires to storage, disposal, or recycling locations from provisions of chapter	1581					1581
*2975 -	By Delegates Miller and D. Kelly: Relating to imposition of sexual acts on persons incarcerated	1361	1654	1758-1761, 1784	1783	2375	1361, 1723, 1761, 1784, 3486, 3499
*2982 -	By Delegates Howell, Hott, Pack, Cadle, C. Martin and Hamrick: Amending and updating the laws relating to auctioneers	1403	1935	2291-2309, 2811	2811	3474	1404, 2040, 2309, 2812, 3495, 3500

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2991 -	By Delegates Rohrbach, Ellington and Bates (originating in House Prevention and Treatment of Substance Abuse): Relating to the Ryan Brown Addiction Prevention and Recovery Fund	1581					1581
2992 -	By Delegates Pack, Howell, Pyles, J. Jeffries, Phillips, Hott, Hansen, Tomblin, Nelson, C. Martin and Sypolt (originating in House Government Organization): Relating to governmental websites	916	1687, 1824	2015-2017	2133	2375	917, 1687, 1917, 2018, 2133, 3029, 3535
*3007 -	By Delegates Nelson, Harshbarger, Cadle, Atkinson, Cooper, Pack and Porterfield: Authorizing the Commissioner of Agriculture to require background checks	1404	1607	1718, 1872	1718, 1873	1872	1404, 1667, 1717-1719, 1873, 3478, 3497
*3016 -	By Delegates Butler and Porterfield: Relating to the State Aeronautics Commission	1581	1931		2812		1582, 2041, 2309, 2813, 3495, 3500
3020 -	By Delegate Espinosa: Relating to sole source contracts for goods and services with nonprofit corporations affiliated with the respective education institutions	1582	2064	3006-3007, 3084	3083	3474-3475	1582, 2311, 3007, 3084, 3495, 3501
*3021 -	By Delegate Espinosa: Relating to the disposition of permit fees, registration fees and civil penalties imposed against thoroughbred horse racing licensees	1582	1688		1892		1583, 1767, 1818, 1893, 3478, 3499
*3024 -	By Hanshaw (Mr. Speaker), Delegates Atkinson and Nelson: West Virginia Business Ready Sites Program	1583	1983	3007	3084	3475	1584, 2311, 3007, 3085, 3496, 3536
3039 -	By Delegates Foster, Phillips, Malcolm and D. Jeffries: Relating to a court's consideration of the expression of a preference by a child in certain child custody matters	1404					1405

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3044 -	By Delegates Williams, Summers, Fleischauer, Pyles, Walker, Hansen, Caputo, Miley, Zukoff, Queen and Sypolt: Requiring the Commissioner of Highways to develop a formula for allocating road funds	1584	2065	3007-3010, 3431-3432	3083, 3432	3431	1584, 2312, 3010, 3083, 3319, 3433, 3488, 3537
3045 -	By Delegates Cowles, Maynard, Barrett, Skaff, Boggs, Williams and Porterfield: Exempting certain complimentary hotel rooms from hotel occupancy tax	1540	1685		1893		1541, 1767, 1818, 1893, 3478, 3497
3054 -	By Delegates Howell, C. Martin, Pack, Hamrick and Wilson: Relating to the state agency for surplus property	1584					1584
*3057 -	By Delegate Shott: Relating to the Adult Drug Court Participation Fund	1584	1936	3024-3027, 3028	3027	3475	1585, 2041, 2309, 2813, 3028, 3488, 3500
3083 -	By Hanshaw (Mr. Speaker) and Delegate Miley: Adding temporary work during the legislative session as exclusion to the term employment for purposes of unemployment compensation	1405	1654	1761-1766, 1785	1784	1978-1979	1405, 1723, 1766, 1785, 3478, 3497
3093 -	By Delegates Cowles, Porterfield and Rohrbach: Relating to standards for factory-built homes	1405	1601		1719		1404, 1667, 1719-1720, 2777, 3499
3095 -	By Delegates Summers, Hollen, Graves, Anderson, Malcolm, Pack, Pethel and Evans: Establishing a minimum monthly retirement annuity for certain retirants	1585	1688		1893		1585, 1767, 1818, 1894, 3479, 3497
3102 -	By Delegates Espinosa, Cowles, Summers, Householder, Westfall and Nelson: Creating alternating wine proprietorships for wineries and farm wineries	1585					1586

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3131 -	By Delegates Ellington, Hill, Summers, Rohrbach, Hollen, Pack, Atkinson, D. Jeffries and Rowan (originating in House Health and Human Resources): Relating to providing salary adjustments to employees of the Department of Health and Human Resources	1586	2329	3011-3012, 3223	3222	3475	1586, 2329, 3012, 3223, 3496, 3500
3132 -	By Delegate Rohrbach (originating in House Prevention and Treatment of Substance Abuse): Relating to exempting providers that serve no more than 30 patients with office-based medication-assisted treatment	1541	1933		2813		1541, 2041, 2309, 2814, 3496, 3500
*3133 -	By Delegates Rohrbach, Pushkin and Robinson (originating in House Prevention and Treatment of Substance Abuse): Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service	1541					1541
3134 -	By Delegates Shott, Hollen, Canestraro, Steele, Byrd and Harshbarger (originating in House Judiciary): Establishing criminal penalties for negligent homicide, and increasing criminal penalties for reckless driving	1541					1542
3135 -	By Delegates Criss, Cowles, Ellington, Espinosa, Hardy, Rowan, Barrett, Hartman, Longstreth, Rowe and Williams (originating in House Finance): Expiring funds to the balance of the Department of Commerce, Development Office	1542	1820	2018, 2134	2133	2375	1542, 1917, 2018, 2134, 3029, 3480, 3497
3139 -	By Delegates Criss, Ellington, Hartman, Bates and Barrett (originating in House Finance): Relating to funding of the Public Employees Health Insurance Program	1586	2122	3013-3014, 3228, 3452-3453	3228, 3453	3452	1587, 2122, 3014, 3229, 3454, 3496, 3501
3140 -	By Delegates Cowles, Hartman, Hardy, Espinosa, Ellington, Rowan, Pettel and Anderson (originating in House Finance): Relating to the Division of Natural Resources Infrastructure	1587		1720, 1722	1721	1873	1587, 1665-1666, 1722, 2320, 3500

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3141 -	By Delegates Shott, Byrd, Fast, D. Kelly and Miller (originating in House Judiciary): Requiring capitol building commission authorization for certain renovations	1587	1935	2309-2310, 3387	2814, 3387	3387	1587, 2041, 2310, 2814, 3388, 3496, 3500
3142 -	By Delegates Householder, Criss, Rowan, Linville and Maynard (originating in House Finance): Relating to reducing the severance tax on thermal or steam coal	1651	2123	3015-3017, 3019	3019	3475	1651, 2123, 3018-3019, 3496, 3501
3143 -	By Delegates Shott, Capito, Nelson and Foster (originating in House Judiciary): Relating to requirements for consumer loans in West Virginia	1587	1983	3020-3023, 3454-3455	3078, 3455	3454	1588, 2312, 3023, 3078, 3315, 3454-3456, 3496, 3500
3144 -	By Delegates Hartman, Storch, Skaff, Graves, Espinosa, Rowan, Maynard, Hill, Longstreth and Barrett (originating in House Finance): North Central Appalachian Coal Severance Tax Rebate Act	1651	1820	2018-2039, 2815-2836	2836	3475	1652, 1917, 2039, 2134-2135, 2814-2837, 3496, 3501
3145 -	By Delegates Hamrick, Westfall, Butler, Waxman and Atkinson (originating in House Education): Relating to student financial aid resources	1588					1588
3148 -	By Delegates Householder and Criss (originating in House Finance): Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services	1679			1785		1679, 1766, 1786, 3479, 3504
3149 -	By Delegates Sponagle, Hardy, Williams, Skaff, Hartman, Ellington, Rowe, Barrett, Westfall, Criss and Bates (originating in House Finance): Relating to manufacturing and producing hard cider in West Virginia	1679					1679

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
1 -	By Hanshaw (Mr. Speaker): Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly	89			89		90
2 -	By Delegates J. Kelly, Anderson, Azinger, Cooper, Hollen, Criss, Shott, Ellington, Summers, Hanshaw (Mr. Speaker) and McGeehan: Senator J. Frank Deem Memorial Bridge	917	2060		2061		917, 2061
4 -	By Delegates Cooper, Rowan and Pack: Gold Star Families Highway	917					917
*5 -	By Delegates Cooper, Pack and Paynter: U. S. Army T/5 Maurice V. Mann Memorial Bridge	3456			3460		3460
*6 -	By Delegates Rowe, Robinson and Estep-Burton: U. S. Army PFC Earl Russell Cobb, SPC4 Carl Bradford Goodson, and SSGT George T. Saunders Jr. Memorial Bridge	3080			3081		3081
*7 -	By Delegates Rowe, Robinson and Estep-Burton: Kidd Brothers Bridge	917					918
*9 -	By Delegates Caputo, Longstreth and Angelucci: Kingmont Veterans Bridge PVT Jarrett Springer, U. S. Army WWII, PFC Benjamin "Benny" Hamrick, USMC Vietnam	3456			3460		3460
*11 -	By Delegates Summers, Hamrick, Waxman, Queen, Miley, Sypolt and Jennings: U. S. Army Command Sergeant Major Timothy Allen Bolyard Memorial Bridge	918	1937		1984		918
13 -	By Delegates Howell, Cadle, Hanna, Hill, Hott, Linville, Pack, Phillips, Staggers, Steele, Wilson and Worrell: Chief Robert Edward Dorsey Memorial Highway	1444	2060		2061		1445, 2061

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
14 -	By Delegates R. Thompson, Lovejoy, Linville, Rohrbach, Maynard and Hicks: U. S. Army CPT Benjamin Ronk Memorial Bridge	3080			3080		3080
15 -	By Delegates Pack, Howell, Angelucci, Azinger, Bibby, Cadle, Hansen, Hott, D. Jeffries, J. Jeffries, C. Martin, Paynter, Phillips, Porterfield, Pyles, Staggars, Sypolt, Tomblin, Walker and Worrell (originating in House Government Organization): Requesting the Joint Committee on Government and Finance study the impact of business regulations and economic development incentives to recruit and retain small business	1729					1729
*17 -	By Delegates Robinson, Estep-Burton and Rowe: U. S. Marine Corps CPL Larry Scott Kennedy Memorial Bridge	3081			3081		3081
19 -	By Delegates Miley, Queen, Waxman and Hamrick: U. S. Marine Sgt. Stephen E. Drummond Memorial Bridge	918	1589		1663		918, 1662-1663
20 -	By Delegates Westfall, Atkinson, Criss, Hollen, Cadle, Storch, Mandt, D. Kelly, McGeehan, Miller and Higginbotham: PFC Charles Everett Hurd Memorial Bridge	1730	2065	2124	2124		1730, 2123-2124
23 -	By Hanshaw (Mr. Speaker): U. S. Army SGT Rodney David King and U. S. Army SGT James Harris King Memorial Bridge	918	2060		2061		919, 2061
*26 -	By Delegates Cadle, Westfall, Higginbotham, Toney, Cooper, Hott, J. Jeffries, Sypolt, Pack, Atkinson and Harshbarger: George" Roush Memorial Bridge	919	1937	1984-1986	1986	2376	919, 1986
28 -	By Delegates Lavender-Bowe, Capito, Estep-Burton, Nelson, Rowe, Robinson, Walker, J. Kelly, Graves, Angelucci and Campbell: Charleston Police Capt. Jerry D. Hill Memorial Bridge	3439			3439		3439

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
*32 -	By Delegates Howell, Hanshaw (Mr. Speaker), Angelucci, Barrett, Bibby, S. Brown, Butler, Byrd, Cadle, Criss, Dean, Diserio, Doyle, Estep-Burton, Evans, Fast, Fluharty, Foster, Hamrick, Hanna, Hardy, Harshbarger, Hicks, Higginbotham, Hollen, Hott, Householder, J. Jeffries, Jennings, J. Kelly, Kessinger, Kump, Linville, Lovejoy, Mandt, C. Martin, P. Martin, Maynard, Miller, Pack, Paynter, Phillips, Pushkin, Pyles, Robinson, Rohrbach, Rowe, Sponaugle, Staggers, Steele, Summers, Swartzmiller, Sypolt, C. Thompson, Toney, Walker, Waxman, Wilson, Worrell, Zukoff and Graves: Requesting the Secretary of the Department of Transportation to authorize raising highway speed limits, where appropriate, to 75 miles per hour on Interstate highways in West Virginia and to 70 miles per hour on West Virginia's Appalachian Corridor highways	1445	1937	1986	1986	2376	1445, 1986
36 -	By Delegates Hartman, C. Thompson, Pethtel, Sponaugle and N. Brown: SPEC 5 Garry Monzel 'Michael' Shannon Memorial Bridge	3456			3460		3460
*37 -	By Delegates Hartman, N. Brown, Sponaugle, C. Thompson, Boggs and Doyle: SSGT Thomas Gavin Hess Memorial Bridge	3456			3460		3460
*40 -	By Delegates Sponaugle, Campbell, C. Thompson, Angelucci, Caputo, Barrett, Staggers, Hartman, Hott, Rowan, Lavender-Bowe, Boggs, N. Brown, S. Brown and Diserio: U. S. Army CAPT William H. Denney, Jr. Memorial Bridge	3456			3460		3460
*42 -	By Delegates Atkinson, Westfall, D. Jeffries, J. Kelly and Canestraro: U. S. Navy Petty Officer 2d Class Joseph Allen Ashley Memorial Bridge	3457			3460		3460

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
43 -	By Delegates Byrd, Capito, Nelson and Skaff: U. S. Army Air Corps T SGT Ralph H. Ray Bridge	919					919
44 -	By Delegates Miller, Tomblin, Rodighiero, Westfall and Maynard: U. S. Marine Corps PFC Randall Carl Phelps Memorial Bridge	919	1937		1987		920, 1987
46 -	By Delegates Sponaugle, Hartman, N. Brown, Staggers, Barrett, Caputo, Miley, Diserio, Angelucci, S. Brown and Boggs: PVT Jack C. Evans Memorial Bridge	3457			3460		3460
47 -	By Delegates Rowe, Caputo, Estep-Burton, Skaff, Robinson, Pushkin, Byrd, Capito, Malcolm, Nelson and Graves: U. S. Army PFC Arnold Miller Memorial Bridge	3457			3460		3460
48 -	By Delegates Rowan, Boggs, Canestraro, Estep-Burton, Fluharty, Graves, Linville, Longstreth, Lovejoy, Malcolm, Mandt, Maynard, Pethel, Pyles, Rodighiero, Rohrbach, Sypolt, Toney and Williams (originating in House Senior, Children, and Family Issues): Urging the Commissioner of the Bureau for Public Health to designate Alzheimer's disease and other dementias as a public health issue	1445	1938		1987		1445, 1987

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
*49 -	By Delegates J. Kelly, Anderson, Wilson, Atkinson, D. Kelly, Azinger, Criss, Hollen, Cadle, Bibby, Waxman, Hanshaw (Mr. Speaker), Angelucci, Butler, Byrd, Campbell, Canestraro, Capito, Cooper, Cowles, Dean, Doyle, Ellington, Espinosa, Estep- Burton, Evans, Fast, Fleischauer, Fluharty, Graves, Hamrick, Hanna, Hansen, Hardy, Harshbarger, Hicks, Higginbotham, Hill, Hornbuckle, Hott, Householder, Howell, D. Jeffries, J. Jeffries, Kessinger, Lavender-Bowe, Linville, Longstreth, Lovejoy, Mandt, Maynard, McGeehan, Miller, Pack, Paynter, Phillips, Porterfield, Pushkin, Queen, Robinson, Rodighiero, Rohrbach, Rowan, Rowe, Shott, Skaff, Steele, Storch, Swartzmiller, Sypolt, R. Thompson, Tomblin, Toney, Walker, Westfall and Worrell: U. S. Marine Corps PFC Danny Marshall Memorial Bridge	3457			3460		3460
*52 -	By Delegates Sponaugle, Hott, Rowan, Hartman, C. Thompson and Boggs: Dr. H. Luke Eye Memorial Bridge	3457			3460		3460
*53 -	By Delegates Boggs, Caputo, Sponaugle and Campbell: Ray P. Reip Memorial Bridge	3457			3460		3460
54 -	By Delegates Harshbarger, Worrell, Dean, Hamrick, Waxman, Hansen, Butler, McGeehan, Cadle, Mandt, D. Kelly and Queen: U. S. Navy AOAN David 'Wayne' Cornell Memorial Bridge	3458			3460		3460
*55 -	By Delegates Atkinson, Westfall, J. Kelly, Hollen, Higginbotham and Canestraro: U. S. Navy Seaman 1st Class Brady William Milam Memorial Bridge	3458			3460		3460
*58 -	By Delegate Rowe: U.S. Army SGT Tommy Meadows Memorial Road	3458			3460		3460

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
61 -	By Delegates Pack, Phillips and J. Jeffries: Applying to and urging Congress to call a convention of the states to limit the terms of office	3463					3464
63 -	By Delegates Hartman, C. Thompson, Sponaugle, Staggers and N. Brown: U. S. Army SSG Boggs G. Collins Memorial Road	3458			3460		3460
*64 -	By Delegates Boggs, Hartman, N. Brown, Angelucci, C. Thompson, S. Brown, Staggers, Howell and Pethtel: U. S. Army CPL Jerry Lee Noble Memorial Bridge	3458			3460		3460
65 -	By Delegates Cooper, Pack, J. Jeffries, Bibby and Hardy: Vietnam Veterans Memorial Highway	1730					1730
66 -	By Delegates D. Jeffries, Malcolm, C. Martin, Bibby, Mandt, D. Kelly, Jennings, Phillips, Sypolt, Wilson and Atkinson: U. S. Army SPC Thurman 'Duwayne' Young Memorial Bridge	1730	2060		2061		1730, 2061
68 -	By Delegates Shott, Ellington and Porterfield: Bluefield Police Lt. Aaron L. Crook Memorial Road	3458			3460		3460
*70 -	By Delegates Atkinson, Westfall, Canestraro, D. Jeffries and Hollen: Danny Wayne Marks Memorial Bridge	3459			3460		3460
*72 -	By Delegates Atkinson, J. Kelly, Harshbarger, Westfall, Jennings and Hollen: U. S. Army PFC Harold Paul Cottle Memorial Highway	3459			3460		3460
73 -	By Delegates Evans, R. Thompson, Rodighiero, Zukoff, Williams, Pyles, Robinson, Doyle, Hornbuckle, S. Brown and Swartzmiller: U. S. Army SGT Matthew T. Miller Memorial Bridge	3459			3460		3460

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
74 -	By Delegates Maynard, J. Jeffries, Paynter, Rohrbach, Hornbuckle, Lovejoy, Linville and Mandt: U. S. Army PFC James Leslie Pridemore Memorial Road	1730	3391		3391		1731, 3391
*76 -	By Delegate Boggs: Reverend Lonnie Ramsey Memorial Bridge	3459			3460		3460
*78 -	By Delegates Robinson, Estep-Burton and Rowe: U. S. Air Force Amn Kenneth Wayne Hammar Memorial Bridge	3459			3460		3460
*79 -	By Delegates C. Thompson, Hartman, Boggs, S. Brown, Angelucci, Sponaugle, Estep-Burton, Rodighiero, Zukoff, Rohrbach, Campbell, Bates, N. Brown, Doyle, Evans, Hornbuckle, Lavender-Bowe and R. Thompson: U. S. Army PFC Homer Jacob Day Memorial Bridge	3459			3460		3460
81 -	By Delegates Maynard, Robinson, Capito, Angelucci, Atkinson, Azinger, Barrett, Bibby, Boggs, N. Brown, S. Brown, Butler, Byrd, Campbell, Canestraro, Cooper, Criss, Dean, Diserio, Doyle, Ellington, Estep-Burton, Evans, Fast, Fleischauer, Fluharty, Graves, Hamrick, Hanna, Hansen, Harshbarger, Hartman, Hicks, Hill, Hollen, Hornbuckle, Hott, Howell, D. Jeffries, J. Jeffries, Jennings, J. Kelly, Kessinger, Kump, Lavender-Bowe, Linville, Longstreth, Malcolm, C. Martin, Miley, Miller, Pack, Paynter, Pethel, Phillips, Porterfield, Pyles, Queen, Rodighiero, Rohrbach, Rowan, Rowe, Shott, Skaff, Sponaugle, Staggers, Steele, Storch, Swartzmiller, Sypolt, C. Thompson, R. Thompson, Tomblin, Toney, Walker, Waxman, Westfall, Williams, Wilson, Worrell and Zukoff: Erecting a statue of Charles Elwood "Chuck" Yeager on the State Capitol Complex grounds	1731					1731

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
*82 -	By Delegates Boggs, Robinson, Estep-Burton, Rowe, C. Thompson, Sponaugle and S. Brown: U. S. Navy Veteran Samuel H. Slack, Jr. Memorial Bridge	3459			3460		3460
83 -	By Hanshaw (Mr. Speaker): The creation of the West Virginia Distressed Water and Wastewater Utility Systems Viability Study Committee	3462		3462	3462		3463
85 -	By Delegates Maynard and Hanshaw (Mr. Speaker): Requesting the Joint Committee on Government and Finance study the feasibility of combining the volunteer fire departments	3461			3462		3462
86 -	By Delegates Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, D. Jeffries, J. Jeffries, C. Martin, Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell (originating in House Government Organization): Requesting study of municipal and county governments for efficiencies and economies of scale	3461			3462		3462
87 -	By Delegates Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, D. Jeffries, J. Jeffries, C. Martin, Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell (originating in House Government Organization): Requesting the Joint Committee on Government and Finance study the Public Service Commission	3461			3462		3462
88 -	By Delegates Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, D. Jeffries, J. Jeffries, C. Martin, Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell (originating in House Government Organization): Requesting the Joint Committee on Government and Finance study the Board of Risk and Insurance Management	3461			3462		3462

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
91 -	By Delegate Hanna: U. S. Army SGT. Robert Henry Waggy Memorial Bridge	3460			3460		3460
93 -	By Delegates Foster and Kessinger: Requesting the Joint Committee on Energy study legislation relating to the deregulation of natural gas	3461			3462		3462
108 -	By Delegates Westfall, Azinger, Barrett, Bates, N. Brown, Capito, Criss, Espinosa, Estep- Burton, Graves, Hartman, Hott, Householder, D. Jeffries, Lovejoy, P. Martin, McGeehan, Nelson, Porterfield, Robinson, Rowe, Shott, Sponaugle, Waxman and Williams (originating in House Banking and Insurance): Study of the peer-to-peer car sharing program	3461			3462		3462

JOURNAL of THE SENATE State of West Virginia

EIGHTY-FOURTH LEGISLATURE

First Extraordinary Session, 2019
March 10, 2019–September 23, 2019



NOTE: The proceedings of the First Extraordinary Session of the West Virginia Legislature in the year 2019 (convened by the Governor on March 10, 2019, and adjourned *sine die* on September 23, 2019) are shown hereinafter.

WEST VIRGINIA LEGISLATURE
SENATE JOURNAL
EIGHTY-FOURTH LEGISLATURE
FIRST EXTRAORDINARY SESSION, 2019

SUNDAY, MARCH 10, 2019

Pursuant to the proclamation of His Excellency, the Governor, the Honorable Jim Justice, dated the seventh day of March, two thousand nineteen, convening the eighty-fourth Legislature of West Virginia in extraordinary session today (Sunday, March 10, 2019), under the provisions of section seven, article seven of the Constitution of West Virginia, the Senate assembled in its chamber in the state capitol in the City of Charleston immediately upon adjournment *sine die* of the Regular Session and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Patricia Puertas Rucker, a senator from the fifteenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Michael J. Romano, a senator from the twelfth district.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following proclamation from His Excellency, the Governor, convening the Legislature in extraordinary session, which was read by the Clerk:

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

Charleston

A PROCLAMATION

By the Governor

I, **JIM JUSTICE**, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session upon adjournment *sine die* of the 2019 Regular Session, as extended by Proclamation dated March 6, 2019, in its chambers in the State Capitol, City of Charleston, for the limited purpose of considering and acting upon the following matters:

FIRST: Relating generally to improving, modifying, and making efficiencies to the state's public education system and employee compensation; and

SECOND: Legislation authorizing and appropriating the expenditure of public funds to pay for the Extraordinary Session.

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



By the Governor

DONE at the Capitol in the City of Charleston, State of West Virginia, this seventh day of March, in the year of our Lord, Two Thousand Nineteen, and in the One Hundred Fifty-Sixth year of the State.

Jim Justice
GOVERNOR

Mr. Warner
SECRETARY OF STATE

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

Senate Resolution 101—Raising a committee to inform the House of Delegates the Senate has assembled in extraordinary session.

Resolved by the Senate:

That a committee of three be appointed by the President to inform the House of Delegates that the Senate has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business for which the extraordinary session was called by His Excellency, the Governor.

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

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

Senators Boso, Roberts, and Ihlenfeld.

Subsequently, Senator Boso, from the committee to notify the House of Delegates the Senate has assembled in extraordinary session, and is ready to proceed with the business of the session, announced that the committee had discharged its duties.

A message from the House of Delegates, by

Delegates Foster, Sypolt, and Boggs, announced that the House of Delegates has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business stated in the proclamation convening the Legislature.

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

Senate Resolution 102—Raising a committee to wait upon the Governor.

Resolved by the Senate:

That a committee of three on the part of the Senate, to join with a similar committee on the part of the House of Delegates, be appointed by the President to notify His Excellency, the Governor, that at his call the Legislature has assembled in extraordinary session, with a quorum of each house present; and is ready to receive any communication or message he may be pleased to present under section seven, article seven of the Constitution of West Virginia, which provides that no business except that stated in his proclamation be considered.

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

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

Senators Weld, Tarr, and Beach.

A message from the House of Delegates, by

Delegates J. Kelly, Phillips, and Byrd, announced that the Speaker had appointed them a committee of three to join with a similar committee on the part of the Senate to wait upon the Governor, under the provisions of Senate Resolution 102. Senate and House members of this select committee then proceeded to the executive offices.

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

The Senate proceeded to the third order of business.

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

House Concurrent Resolution 101—Authorizing adjournments of the Senate and House of Delegates.

Resolved by the Legislature of West Virginia:

That during this First Extraordinary Session of the Legislature in 2019, both the Senate and House of Delegates are hereby authorized to adjourn, as needed, for more than three days, pursuant to Section 23, Article VI of the Constitution of the State of West Virginia.

At the request of Senator Takubo, and by unanimous consent, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

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

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

Senator Takubo then moved that under the provisions of House Concurrent Resolution 101 the Senate adjourn until called back into session by the Presiding Officer.

The question being on the adoption of Senator Takubo's aforestated motion, and on this question, Senator Takubo demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Boley, Maroney, and Woelfel—3.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Takubo's aforestated motion had prevailed.

In accordance with the foregoing motion, at 12:12 a.m., the Senate adjourned until called back into session by the Presiding Officer.

MONDAY, MAY 20, 2019

Pursuant to the call of the President of the Senate, under the authority of House Concurrent Resolution 101, adopted March 10, 2019, the Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at 2:43 p.m., and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Gregory L. Boso, a senator from the eleventh district.

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

Pending the reading of the Journal of Sunday, March 10, 2019,

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 third order of business.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following supplements to the proclamation dated March 7, 2019, from His Excellency, the Governor, which were read by the Clerk:

STATE OF WEST VIRGINIA**EXECUTIVE DEPARTMENT****Charleston****A PROCLAMATION****By the Governor**

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the proclamation dated the seventh day of March, Two Thousand Nineteen, calling the West Virginia Legislature to convene in Extraordinary Session upon adjournment *sine die* of the 2019 Regular Session, by adding items three through thirty-two, as follows:

THIRD: a bill relating to antihazing law; and

FOURTH: a bill allowing the West Virginia Board of Physical Therapy to conduct criminal background checks and for disqualification for certain crimes; and

FIFTH: a bill relating to vertical integration for medical cannabis companies; and

SIXTH: a bill concerning the Upper Kanawha Valley Resiliency and Revitalization Program; and

SEVENTH: a bill creating criminal acts and penalties concerning government procurement of commodities and services; and

EIGHTH: a bill creating a voluntary certification process for drug and alcohol-free recovery residences; and

NINTH: a bill allowing additional health care professionals to provide counseling in medication-assisted treatment programs; and

TENTH: a bill establishing a student loan repayment program for mental health providers in West Virginia and in-state tuition rates for two nonresident students per year, in each cohort, to attend the state's medical schools; and

ELEVENTH: a bill increasing the allowable refund of up to 1% for tax collected for fuels lost to evaporation; and

TWELFTH: a bill modifying the West Virginia adjusted gross income of shareholders of S corporations engaged in banking; and

THIRTEENTH: a bill relating to Qualified Opportunity Zones; and

FOURTEENTH: a bill modifying criminal penalties imposed on a parent/guardian for child abuse resulting in injury or risk of injury; and

FIFTEENTH: a bill relating to appointment of counsel and petitions to the court in child abuse and neglect cases; and

SIXTEENTH: a bill relating to persons eighteen years or older in the custody of the Bureau of Juvenile Services, directing notice to various courts in criminal actions involving such persons, and ensuring that sight and sound requirements are met; and

SEVENTEENTH: a bill relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities; and

EIGHTEENTH: a bill relating to the use of records of criminal conviction to disqualify a person from receiving a license for a profession or occupation; and

NINETEENTH: a bill supplementing, amending, decreasing, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2019, organization 0803, for the fiscal year ending June 30, 2019; and

TWENTIETH: a bill making a supplementary appropriation by adding a new item and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Transportation, Division of Highways, fund 0620, fiscal year 2019, organization 0803, by supplementing and amending Chapter 12, Acts of the Legislature, Regular Session, 2018, known as the budget bill for the fiscal year ending June 30, 2019; and

TWENTY-FIRST: a bill supplementing, amending, decreasing, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2020, organization 0803, for the fiscal year ending June 30, 2020; and

TWENTY-SECOND: a bill making a supplementary appropriation by adding new items and increasing existing items for expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Executive, Department of Agriculture, fund 0131, fiscal year 2019, organization 1400, to

the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2019, organization 0304, to the Department of Education, State Board of Education, State Department of Education, fund 0313, fiscal year 2019, organization 0402, to the Department of Education, State Board of Education, Vocational Division, fund 0390, fiscal year 2019, organization 0402, to the Department of Health of Human Resources, Division of Health, Central Office, fund 0407, fiscal year 2019, organization 0506, to the Department of Health and Human Resources, Division of Health, Consolidated Medical Service Fund, fund 0525, fiscal year 2019, organization 0506, to the West Virginia Council for Community and Technical College Education, Blue Ridge Community and Technical College, fund 0601, fiscal year 2019, organization 0447, to the West Virginia Council for Community and Technical College Education, West Virginia University at Parkersburg, fund 0135, fiscal year 2019, organization 0464, to the West Virginia Council for Community and Technical College Education, Eastern West Virginia Community and Technical College, fund 0587, fiscal year 2019, organization 0492, to the Higher Education Policy Commission, Glenville State College, fund 0363, fiscal year 2019, organization 0485, and to the Higher Education Policy Commission, Shepherd University, fund 0366, fiscal year 2019, organization 0486, by supplementing and amending Chapter 12, Acts of the Legislature, Regular Session, 2018, known as the budget bill for the fiscal year ending June 30, 2019; and

TWENTY-THIRD: a bill supplementing and amending Chapter 31, Acts of the Legislature, Regular Session, 2019, known as the budget bill, all supplementing and amending section 9 for the fiscal year ending June 30, 2020; and

TWENTY-FOURTH: a bill expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2019, in the amount of \$4,705,000 from the Treasurer's Office, Unclaimed Property Fund, fund 1324, fiscal year 2019, organization 1300, and making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Executive, Governor's Office, fund 0101, fiscal year 2019, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019; and

TWENTY-FIFTH: a bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2019, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019; and

TWENTY-SIXTH: a bill supplementing and amending by decreasing and increasing

existing items of appropriation of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Arts, Culture, and History, Educational Broadcasting Authority, fund 0300, fiscal year 2020, organization 0439, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020; and

TWENTY-SEVENTH: a bill supplementing and amending by decreasing an existing appropriation and adding a new appropriation of federal funds out of the Treasury to the Department of Veterans' Assistance, fund 8858, fiscal year 2020, organization 0613, by supplementing, amending, decreasing, and adding an appropriation for the fiscal year ending June 30, 2020; and

TWENTY-EIGHTH: a bill making a supplementary appropriation of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June 30, 2020, to the Secretary of State – General Administrative Fees Account, fund 1617, fiscal year 2020, organization 1600, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020; and

TWENTY-NINTH: a bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2020, to the Department of Agriculture, Department of Agriculture Capital Improvements Fund, fund 1413, fiscal year 2020, organization 1400, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020; and

THIRTIETH: a bill supplementing and amending the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Health and Human Resources, Division of Health – Central Office, fund 0407, fiscal year 2019, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020; and

THIRTY-FIRST: a bill supplementing, amending, increasing and adding new items of appropriations to the Executive, Attorney General, Consolidated Federal Fund, fund 8882, fiscal year 2020, organization 1500, in the amount of \$1,533,581, by supplementing and amending Chapter 31, Acts of the Legislature, Regular Session, 2019, known as the budget bill; and

THIRTY-SECOND: a bill supplementing and amending by increasing and decreasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Health and Human Resources, Division of Health, fund 0407, fiscal year 2020, organization 0506, to the Department of Agriculture, fund 0131, fiscal year 2020, organization 1400, by supplementing, amending, increasing and decreasing items of appropriation for the fiscal year ending June 30, 2020.

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



By the Governor

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

James I. Gooden
GOVERNOR

Mac Warner
SECRETARY OF STATE

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT

Charleston

A PROCLAMATION

By the Governor

I, **JIM JUSTICE**, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the proclamation dated the seventh day of March, Two Thousand Nineteen, calling the West Virginia Legislature to convene in Extraordinary Session upon adjournment *sine die* of the 2019 Regular Session, and amended by subsequent Proclamation dated the seventeenth day of May, Two Thousand Nineteen by adding item thirty-three, as follows:

THIRTY-THIRD: a bill relating to admissibility of health care staffing requirements in litigation.

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



By the Governor

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


GOVERNOR



SECRETARY OF STATE

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



Jim Justice
Governor of West Virginia

May 20, 2019

SENATE EXECUTIVE MESSAGE NO. 1
2019 FIRST EXTRAORDINARY SESSION

The Honorable Mitch Carmichael
President, West Virginia Senate
Building 1, Room M-229
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear President Carmichael:

The following amends and replaces the "FY 2019 Official Estimate General Revenue – Statement of Revenues by Source" which I submitted to you on March 6, 2019 in Executive Message No. 2, 2019 Regular Session for the fiscal year ending June 30, 2019:

General Revenue Fund
Statement of Revenues by Source
(Expressed in Thousands)

<u>Source of Revenue</u>	<u>FY 2019 Official Estimate Revised</u>
Business and Occupation Tax	\$117,500
Consumer Sales & Service and Use Tax	1,358,000
Personal Income Tax	2,054,000
Liquor Profit Transfers	20,800
Beer Tax and Licenses	7,500
Tobacco Products Tax	179,700
Business Franchise Fees	670
Property Transfer Tax	13,000
Property Tax	6,900
Insurance Tax	123,500
Departmental Collections	23,600
Corporate Net Income Tax	181,038

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Miscellaneous Transfers	1,000
Interest Income	23,000
Severance Tax	441,000
Miscellaneous Receipts	10,700
HB102 – Lottery Transfers	65,000
Special Revenue Transfers	13,250
Senior Citizen Tax Credit Reimbursement	<u>10,000</u>
Total General Revenue	<u>\$4,650,158</u>

Note: The Governor's official Revenue Estimates for Fiscal Year 2019 were revised upward by \$42.325 million on May 20, 2019. The changes include an increase in the Corporate Net Income Tax estimate and the Severance Tax estimate. The revision is reflected in the estimates for the first ten months of the fiscal year. As a result of this revision, cumulative revenue collections at the end of April were \$42.325 million above the cumulative estimate.

The following amends and replaces the FY 2019 "General Revenue Fund – Statement of Revenues, Expenditures, and Changes in Cash Balance" which I submitted to you on March 6, 2019 in Executive Message No. 2, 2019 Regular Session for the fiscal year ending June 30, 2019:

General Revenue Fund
 Statement of Revenues, Expenditures, and Changes in Cash Balance
 (Nearest Dollar)

Actual Beginning Cash Balance July 1, 2018	\$377,650,037
Less: 31 Day Disbursements (July 1, 2018 - July 31, 2018)	(42,888,978)
Plus: Prior Year Reimbursements (July 1, 2018 - July 31, 2018)	27,203
Less: Prior Year Appropriations Forwarded	(297,422,832)
Less: Cash Balance - Adjustments and Accruals	<u>(1,337,913)</u>
Accumulated Surplus from FY 2018 @ July 31, 2018	\$36,027,517
Less: Transfer to Revenue Shortfall Reserve Fund (Statutory)	(18,013,759)
Less: FY 2019 Surplus Appropriation (FY 2019 Budget Bill)	(13,765,000)
Plus: Recommended FY 2019 Supplementary Expiration to Surplus Balance (2019 1 st Extraordinary Session)	4,705,000
Less: Recommended FY 2019 Supplementary Surplus Appropriation (2019 1 st Extraordinary Session)	(6,205,000)

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Plus: Prior Year Reimbursements and Adjustments (August 1, 2018 – May 13, 2019)	<u>573,172</u>	
Estimated Unappropriated Surplus Balance @ June 30, 2019		\$3,321,930
Plus: FY 2019 Revenue Estimate	\$4,439,920,000	
Plus: FY 2019 Revision to Revenue Estimate (2019 Regular Session) 1/9/19	142,000,000	
Plus: FY 2019 Revision to Revenue Estimate (2019 Regular Session) 3/5/2019	25,913,000	
Plus: FY 2019 Revision to Revenue Estimate (2019 1 st Extraordinary Session) 5/20/19	42,325,000	
Less: FY 2019 Appropriations (FY 2019 Budget Bill) (2018 Regular Session)	(4,381,808,884)	
Plus: FY 2019 Appropriations (FY 2019 Budget Bill) veto	0	
Less: Recommended FY 2019 Supplementary Appropriations (2019 Regular Session)	(195,723,199)	
Less: Recommended FY 2019 Supplementary Appropriations (2019 1 st Extraordinary Session)	(72,625,000)	
Estimated Unappropriated Balance from FY 2019 Activity @ June 30, 2019		\$917
Plus: FY 2020 Revenue Estimate	\$4,675,820,000	
Plus: FY 2020 Revenue Increase/Decrease from Legislation	34,380,000	
Less: FY 2020 Appropriations (FY 2020 Budget Bill) (2019 Regular Session)	(4,635,887,842)	
Plus: FY 2020 Appropriations (FY 2020 Budget Bill) veto	<u>5,372,000</u>	
Estimated Unappropriated Balance from FY 2020 Activity @ June 30, 2020		<u>\$79,684,158</u>
Total Estimated Unappropriated Balance @ June 30, 2020		<u>\$83,007,005</u>

The following amends and replaces the "FY 2019 Official Estimate" "State Road Fund – Statement of Revenues by Source" which I submitted to you on January 9, 2019 as part of my Budget Document for the fiscal year ending June 30, 2019:

State Road Fund
 Statement of Revenues by Source
 (Expressed in Thousands)

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<u>Source of Revenue</u>	<u>FY 2019 Official Estimate Revised</u>
Motor Fuel Tax	\$443,900
Registration	142,196
Sales (Privilege)	230,930
Litter	1,719
Less: Industrial Access Road Transfer	(3,000)
Miscellaneous Revenue	70,495
Federal Reimbursement	<u>471,500</u>
Total State Road	<u>\$1,357,740</u>

Note: The Governor's official Revenue Estimates for Fiscal Year 2019 were revised upward by \$54 million on May 20, 2019. The changes include an increase in the Miscellaneous Revenue estimate. The revision is reflected in the month of June.

State Road Fund
 Statement of Revenues, Expenditures,
 and Changes in Cash Balance
 (Nearest Dollar)

Cash and Investment Balance - July 1, 2018	\$141,408,683
Plus: Revenue Estimate-FY 2019	1,303,740,000
Plus: FY 2019 Revision to Revenue Estimate (2019 1 st Extraordinary Session) 5/20/19	<u>54,000,000</u>
Total Estimated Receipts and Balance	\$1,499,148,683
Less: FY 2019 Appropriations (FY 2019 Budget Bill) – Division of Highways	(\$1,308,400,000)
Less: FY 2019 Appropriations (FY 2019 Budget Bill) – Division of Motor Vehicles	(43,478,729)
Less: FY 2019 Appropriations (FY 2019 Budget Bill) – Office of Administrative Hearings	(1,951,979)
Less: Claims Against the State Road Fund (FY 2019 Budget Bill)	<u>(408,830)</u>
Estimated Balance @ June 30, 2019	\$144,909,145
Plus: Revenue Estimate – FY 2020	\$1,319,857,000

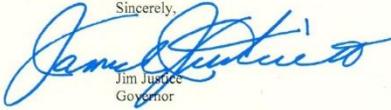
OFFICE OF THE GOVERNOR

The Honorable Mitch Carmichael
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Less: Recommended FY 2020 Appropriations (FY 2020 Budget Bill) – Division of Highways	(1,334,315,083)
Less: Recommended FY 2020 Appropriations (FY 2020 Budget Bill) – Division of Motor Vehicles	(46,077,719)
Less: Recommended FY 2020 Appropriations (FY 2020 Budget Bill) – Office of Administrative Hearings	(2,065,530)
Less: Claims Against the State Road Fund (FY 2020 Budget Bill)	(1,703,146)
Less: FY 2020 Supplementary Appropriations (2019 1 st Extraordinary Session) Division of Highways	<u>(54,000,000)</u>
Estimated Unappropriated Balance @ June 30, 2020	<u>\$26,604,667</u>

Thank you for your cooperation in this matter.

Sincerely,



Jim Justice
 Governor

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

The Clerk presented the following communications from various state agencies as required by the provisions of law:

Administration, Department of (State Building Commission Fund Activities) (§5-6-1)

Development Office (Neighborhood Investment Program) (§11-13J-4a)

Development Office (Small Businesses) (§5B-2-5)

Optometry, Board of (§30-1-12)

Protective Services, Division of (Monthly Incidence Report) (§15-2D-3)

Supreme Court of Appeals (Juror Qualification) (§52-1-16)

The Senate proceeded to the sixth order of business.

Senators Takubo, Palumbo, and Jeffries offered the following resolution:

Senate Resolution 103—Congratulating the George Washington High School Patriots History Bowl team for winning the West Virginia State History Bowl Championship and qualifying for the coveted Final Four of the 2019 National History Bowl Varsity Championship.

Whereas, Academic events provide students the opportunity to gain confidence, make new friends, strengthen long-term memory knowledge, help with university admissions, and ignite a passion for lifelong-learning; and

Whereas, West Virginia students can, and do, compete successfully in state, regional, and national academic competitions; and

Whereas, The George Washington High School Patriots History Bowl team consists of students committed to reading and learning about world and United States history; and

Whereas, The George Washington High School Patriots History Bowl team displayed its strong will, quick buzzer fingers, and deep knowledge of United States and world history for an entire season; and

Whereas, The George Washington High School Patriots Varsity History Bowl team practiced weekly, competed locally, and won the West Virginia state championship this past winter; and

Whereas, The team also travelled to compete regionally in the New Jersey Regional State Championship and the Western Pennsylvania National History Bowl; and

Whereas, During their regular season, the George Washington High School Patriots History Bowl team were only beaten by two other teams, Hunter College High School from New York City and Taylor-Allerdice from Pennsylvania; and

Whereas, The team is coached by parents Dawn Combs, Tara Wood, and Phil Combs, and consists of team members: Senior, Varun Kukkillaya; juniors, Walker Combs and Ben Woods (captain); sophomore, Adam Keith; and freshman, Reese Mason; and

Whereas, The George Washington High School Patriots History Bowl team travelled to Arlington, Virginia, to compete in the 2019 National History Bowl Varsity Championship where 144 of the top public, private, and homeschool history bowl teams from 37 states participated in the event hosted by International Academic Competitions (IAC), which was founded by Jeopardy! game show champion David Madden. Mr. Madden has used his winnings from Jeopardy! to further the growth and development of IAC, the parent organization of the National History Bee and Bowl; and

Whereas, The George Washington High School Patriots History Bowl team was seeded 11th going into the playoffs. During the playoffs, they beat the #6, #7, and #14 ranked teams in head-to-head matches; and

Whereas, The George Washington High School Patriots History Bowl team prevailed in a Backyard Brawl revenge match game against the premier Pittsburgh, Pennsylvania team, Taylor-Allderdice High School. That victory advanced the team to the Final Four, after winning 13 rounds during 2 days at the academic event; and

Whereas, The George Washington High School Patriots Varsity History Bowl team lost by one question in a close Final Four match to Arcadia High School from California; and

Whereas, The team placed fourth in the nation, which is the best finish by any George Washington High School Patriots History Bowl team in the history of the national competition; therefore, be it

Resolved by the Senate:

That the Senate hereby congratulates the George Washington High School Patriots History Bowl team for winning the West Virginia State History Bowl Championship and qualifying for the coveted Final Four of the 2019 National History Bowl Varsity Championship; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the George Washington High School Patriots History Bowl team.

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

On motion of Senator Takubo, at 2:52 p.m., the Senate recessed to present Senate Resolution 103.

The Senate reconvened at 2:56 p.m. and resumed business under the sixth order.

The following bills were introduced and read by their titles:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1001—A Bill to amend and reenact §5B-2-15 of the Code of West Virginia, 1931, as amended, relating to the Upper Kanawha Valley Resiliency and Revitalization Program; modifying the definition of “Upper Kanawha Valley”; requiring the council to waive its discretionary program guidelines to allow funding requests that may fall outside of the program’s guidelines but address the Upper Kanawha Valley communities’ goals for revitalization; extending the program to June 30, 2024; and providing that the annual report due under the program shall be delivered to the Joint Committee on Government and Finance with copies being provided to the county commissions and mayors of the Upper Kanawha Valley.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1001 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1001) passed with its title.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1002—A Bill to amend and reenact §11-21-17 and §11-21-17a of the Code of West Virginia, 1931, as amended; to amend and reenact §11-21-37c of said code as contained in Chapter 244, Acts of the Legislature, Regular Session, 2019; and to amend said code by adding thereto a new section, designated §11-21-12j, all relating generally to the personal income tax; creating additional modification to West Virginia adjusted gross income of shareholder of S corporation, or member of a limited liability company, when engaged in business as a financial organization in this state; setting forth apportionment rules for certain financial organizations; specifying special gross receipts factor; defining terms; making technical corrections; and providing retroactive effective date.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1003—A Bill to amend and reenact §11-13-3f of the Code of West Virginia, 1931, as amended; to amend and reenact §11-13F-1, §11-13F-2, and §11-13F-3 of said code; to

amend and reenact §11-24-11 of said code; to amend and reenact §24-2A-5 of said code; and to amend and reenact §24-3-2 of said code, all relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities; providing for application for reduced rates; updating definitions; authorizing certain tax credits for cost of using reduced rates; and providing for retroactive effective date.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1004—A Bill to amend and reenact §18-16-1, §18-16-2, §18-16-3, and §18-16-4 of the Code of West Virginia, 1931, as amended, all relating generally to prohibiting hazing; adopting a short title; defining terms; criminalizing participation in hazing; establishing criminal penalties; expanding and clarifying organizations subject to anti-hazing provisions; requiring institutions of higher education to promulgate policies related to hazing; requiring enforcement of institution anti-hazing policies; and authorizing institutions to impose noncriminal penalties for hazing.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1004 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1004) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1004) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1005—A Bill to amend and reenact §11-14C-30 of the Code of West Virginia, 1931, as amended, relating to refunds of excise taxes collected from dealers of petroleum products under certain circumstances; and increasing a cap on the amount of tax that may be refunded for fuels lost through evaporation.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1006—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-20-8a, relating to authorizing the West Virginia Board of Physical Therapy to conduct criminal background checks on applicants seeking their initial license; requiring applicants seeking initial license to submit to national and state criminal record background check as condition of eligibility for license; mandating such applicants to submit fingerprints and authorize board, West Virginia State Police, and Federal Bureau of Investigation to use records submitted to screen applicants; prohibiting release of background check results, with certain exceptions; establishing that background check records are not public records for purposes of chapter 29B of this code; obligating such applicants to complete background check as soon as possible after application for license; requiring applicants to pay costs of fingerprinting and background check; prohibiting board from disqualifying applicants from licensure because of prior conviction unless conviction was for crime bearing rational nexus to the occupation for which licensure is sought; barring board from using crimes of moral turpitude to make licensure decisions; allowing applicants disqualified for licensure because of criminal conviction to reapply after five years after later date of conviction or date of release from penalty imposed for conviction and providing exception for violent or sexual offenses; establishing procedure for individuals with criminal records to petition board for determination whether such criminal record will disqualify individual from obtaining licensure; and requiring rulemaking by a certain deadline.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1006 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1006) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1006) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1007—A Bill to amend and reenact §49-4-722 of the Code of West Virginia, 1931, as amended, relating generally to persons 18 years of age and older in the custody of the Bureau of Juvenile Services; directing notice between courts in criminal actions involving adults under the juvenile jurisdiction of the circuit court when such adults are charged or convicted of crimes while in custody of the Bureau of Juvenile Services; requiring notice of pending disposition to the circuit court with juvenile jurisdiction; prohibiting release of persons until after the court with juvenile jurisdiction holds a hearing as to future treatment of the person; and authorizing the Commissioner of the Division of Corrections and Rehabilitation to designate one or more units under his or her management to ensure that persons 18 years of age or older under the juvenile jurisdiction of the circuit court are housed out of sight and sound of detained juveniles and incarcerated adult offenders.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1008—A Bill to amend and reenact §49-4-601 of the Code of West Virginia, 1931, as amended, relating generally to court actions in abuse and neglect proceedings, and appointment of counsel in such proceedings; requiring a petition to include the names of all parents, guardians, custodians, and other persons standing in loco parentis with the child who is the subject of the petition as well as an express statement as to whether each person named is alleged to have abused or neglected the child; requiring courts to appoint counsel for the child and any other named person who is without counsel prior to the initial hearing; clarifying when a court may and may not appoint counsel; and establishing criteria for appointment of counsel for unrepresented persons when necessary to ensure fundamental fairness.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1009—A Bill to amend and reenact §18C-3-3 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18C-3-5, all relating to establishing health professionals student loan programs; providing legislative findings and purpose; establishing a loan repayment program for mental health providers; providing for in-state tuition rates to out-of-state medical students who agree to practice for a specific time within West Virginia; establishing the program eligibility requirements; setting forth repayment schedules; creating application procedures; establishing violations; providing for civil penalties for the failure to complete the required service; creating special revenue accounts; and providing for specific policy provisions.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1009 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1009) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope,

Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1009) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1010—A Bill to repeal §5A-3-28, §5A-3-30, and §5A-3-31 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §61-5B-1, §61-5B-2, and §61-5B-3, all relating generally to state purchasing; moving and modifying certain criminal provisions relating to government procurement from chapter 5A to chapter 61 of this code; defining terms; prohibiting persons purchasing commodities and services on behalf of a governmental entity from having an interest in entities selling or contracting to sell commodities or services to a governmental entity; prohibiting persons purchasing commodities or services on behalf of a governmental entity from accepting anything of value from persons selling, attempting to sell, or contracting to sell commodities or services to a governmental entity; prohibiting persons or entities attempting to sell or selling commodities to a governmental entity from offering anything of value to the person acting as a governmental entity's agent; prohibiting delivery and acceptance of inferior commodities or services; authorizing change orders made in good faith from prohibited conduct; creating exceptions to prohibited conduct consistent with state ethics law; and establishing criminal penalties.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1011—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-1-22; to amend and reenact §30-5-11 and §30-5-11a of said code; to amend and reenact §30-10-8 and §30-10-10 of said code; to amend and reenact §30-13A-9 and §30-13A-12 of said code; to amend and reenact §30-20-8 and §30-20-10 of said code; to amend and reenact §30-21-7 of said code; to amend and reenact §30-22-10 of said code; to amend and reenact §30-23-9, §30-23-15, §30-23-17, and §30-23-20 of said code; to amend and reenact §30-25-8 of said code; to amend and reenact §30-26-5 and §30-26-13 of said code; to amend and reenact §30-30-8, §30-30-10, §30-30-12, §30-30-14, and §30-30-26 of said code; to amend and reenact §30-31-8 and §30-31-9 of said code; to amend and reenact §30-38-12 of said code; and to amend and reenact §30-39-6 of said code, all relating to the use of post-criminal conduct in professional and occupational initial licensure decisionmaking; creating a rational nexus requirement between prior criminal conduct and initial licensure decisionmaking; providing criteria for boards and licensing authorities to determine whether a criminal conviction has a rational nexus to an occupation; removing offenses described as one of moral turpitude as a basis for license denial unless the underlying crime bears a rational nexus to the occupation requiring licensure, certification, or registration; limiting licensure disqualification; authorizing persons to petition licensure boards for a determination as to whether a person's criminal record precludes licensure; and providing for rulemaking.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1012—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-59-1, §16-59-2, and §16-59-3, all relating to regulation of recovery residences; providing voluntary certification procedures; providing voluntary inspection standards; providing requirements for the referral of persons; providing criminal penalties and fines;

permitting rulemaking; requiring compliance with the Fair Housing Act and Americans with Disabilities Act; and providing for the payment of state funds to recovery residences in certain circumstances.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill (S. B. 1012) was read a second time.

On motion of Senator Tarr, the following amendment to the bill was reported by the Clerk:

On page two, section two, after line eighteen, by inserting the following:

(3) The address of the recovery residence and shall submit evidence indicating a class III legal advertisement was published in a newspaper of general circulation in the area where the recovery residence is located or proposed indicating that the recovery residence intends to seek a voluntary certification of its recovery residence. The letter shall indicate that any public comments shall be submitted to the certifying agency for consideration within the specified public comment timeframe.

Following discussion,

The question being on the adoption of Senator Tarr's amendment to the bill, the same was put and did not prevail.

The bill was ordered to engrossment and third reading.

Engrossed Senate Bill 1012 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1012) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1012) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1013—A Bill to amend and reenact §16-5Y-5 of the Code of West Virginia, 1931, as amended, relating to permitting certain trained professionals to provide counseling in a medication-assisted treatment program.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1013 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope,

Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1013) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1013) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1014—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12k; and to amend said code by adding thereto a new section, designated §11-24-6b, all relating generally to establishing tax incentive for new business activity in qualified opportunity zones; establishing eligibility requirements; defining terms; specifying duration of tax benefit; providing rule-making

authority; providing for termination of program; and specifying effective dates.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1015—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2020, to the Secretary of State – General Administrative Fees Account, fund 1617, fiscal year 2020, organization 1600, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1015 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1015) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1015) takes effect from passage.

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

On motion of Senator Takubo, at 3:42 p.m., the Senate recessed for 15 minutes.

The Senate reconvened at 4:18 p.m. and resumed business under the sixth order.

The following bills were introduced and read by their titles:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1016—A Bill making a supplementary appropriation by adding a new item and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund - General Revenue, to the Department of Transportation - Division of Highways, fund 0620, fiscal year 2019, organization 0803, by supplementing and amending Chapter 12, Acts of the Legislature, Regular Session, 2018, known as the Budget Bill for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1016 was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Senate Bill 1016 pass?”

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1016) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1016) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1017—A Bill supplementing and amending by decreasing and increasing existing items of appropriation of public moneys out of the Treasury in the State Fund - General Revenue, to the Department of Arts, Culture, and History - Educational

Broadcasting Authority, fund 0300, fiscal year 2020, organization 0439, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1017 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1017) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1017) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1018—A Bill supplementing, amending, decreasing, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation - Division of Highways, fund 9017, fiscal year 2019, organization 0803, for the fiscal year ending June 30, 2019.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1019—A Bill supplementing, amending, decreasing, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation - Division of Highways, fund 9017, fiscal year 2020, organization 0803, for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1019 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1019) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1019) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1020—A Bill supplementing and amending Chapter 31, Acts of the Legislature, Regular Session, 2019, known as the Budget Bill, by supplementing and amending the appropriation for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1020 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1020) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1020) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1021—A Bill supplementing and amending by decreasing an existing appropriation and adding a new appropriation of federal funds out of the Treasury to the Department of Veterans' Assistance, fund 8858, fiscal year 2020, organization 0613, by supplementing, amending, decreasing, and adding an appropriation for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1021 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale,

Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1021) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1021) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1022—A Bill to amend and reenact §55-7B-7a of the Code of West Virginia, 1931, as amended, relating to the admissibility of health care staffing requirements in medical professional liability litigation; providing that compliance with minimum staffing requirements under state law creates rebuttable presumptions that appropriate staffing and adequate supervision of patients to prevent accidents were provided; requiring that if

staffing is less than requirements dictated by state law then there is a rebuttable presumption that there was inadequate supervision of patients and that inadequate staffing or inadequate supervision was a contributing cause of the patient's fall and resulting injuries or death; and requiring the jury be instructed accordingly.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1023—A Bill supplementing, amending, increasing, and adding new items of appropriations to the Executive, Attorney General - Consolidated Federal Fund, fund 8882, fiscal year 2020, organization 1500, in the amount of \$1,533,581, by supplementing and amending Chapter 31, Acts of the Legislature, Regular Session, 2019, known as the Budget Bill.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1023 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1023) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1023) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1024—A Bill making a supplementary appropriation of public moneys out of the Treasury from the

balance of moneys remaining unappropriated for the fiscal year ending June 30, 2020, to the Department of Agriculture - Department of Agriculture Capital Improvements Fund, fund 1413, fiscal year 2020, organization 1400, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1024 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1024) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1024) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1025—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2019, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1025 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1025) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope,

Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1025) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1026—A Bill expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2019 in the amount of \$4,705,000 from the Treasurer’s Office, Unclaimed Property Fund, fund 1324, fiscal year 2019, organization 1300, and making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Executive, Governor’s Office, fund 0101, fiscal year 2019, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Takubo moved that the constitutional rule requiring a bill to be read on three separate days be suspended.

(Senator Weld in the Chair.)

Senator Carmichael (Mr. President) requested a ruling from the Chair as to whether he should be excused from voting under Rule

43 of the Rules of the Senate as he is a former employee of Frontier Communications.

The Chair replied that any impact on Senator Carmichael (Mr. President) would be as a member of a class of persons and that he would be required to vote.

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

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, four fifths of the members present and voting having voted in the affirmative, the President declared the motion to suspend the constitutional rule adopted.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1026 was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Senate Bill 1026 pass?”

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1026) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1026) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1027—A Bill making a supplementary appropriation by adding new items and increasing existing items for expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Executive, Department of Agriculture, fund 0131, fiscal year 2019, organization 1400, to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2019, organization 0304, to the Department of Education, State Board of Education, State Department of Education, fund 0313, fiscal year 2019, organization 0402, to the Department of Education, State Board of Education, Vocational Division, fund 0390, fiscal year 2019, organization 0402, to the Department of Health of Human Resources, Division of Health,

Central Office, fund 0407, fiscal year 2019, organization 0506, to the Department of Health and Human Resources, Division of Health, Consolidated Medical Services Fund, fund 0525, fiscal year 2019, organization 0506, to the West Virginia Council for Community and Technical College Education, Blue Ridge Community and Technical College, fund 0601, fiscal year 2019, organization 0447, to the West Virginia Council for Community and Technical College Education, West Virginia University at Parkersburg, fund 0351, fiscal year 2019, organization 0464, to the West Virginia Council for Community and Technical College Education, Eastern West Virginia Community and Technical College, fund 0587, fiscal year 2019, organization 0492, to the Higher Education Policy Commission, Glenville State College, fund 0363, fiscal year 2019, organization 0485, and to the Higher Education Policy Commission, Shepherd University, fund 0366, fiscal year 2019, organization 0486, by supplementing and amending Chapter 12, Acts of the Legislature, Regular Session, 2018, known as the Budget Bill for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1027 was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Senate Bill 1027 pass?”

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1027) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Hardesty and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1027) takes effect from passage.

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

Senator Woelfel addressed the Senate regarding the inclusion of funding for sexual assault intervention and prevention in Engrossed Senate Bill 1027 (*Adding new items and increasing existing items to various accounts*).

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1028—A Bill supplementing and amending by increasing and decreasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Health and Human Resources, Division of Health, fund 0407, fiscal year 2020, organization 0506 to the Department of Agriculture, fund 0131, fiscal year 2020, organization 1400, by supplementing, amending, increasing, and decreasing items of appropriation for the fiscal year ending June 30, 2020.

Referred to the Committee on Finance.

By Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger, and Woelfel:

Senate Bill 1029—A Bill to amend and reenact §18A-4-2 and §18A-4-8a of the Code of West Virginia, 1931, as amended, all relating to teacher and school personnel salaries; and increasing annual salaries of public school teachers and school service personnel.

Senator Prezioso requested unanimous consent that reference of the bill to a committee be dispensed with, and that it be taken up for immediate consideration, read a first time, and ordered to second reading.

Which consent was not granted, Senator Takubo objecting.

Senator Prezioso moved that reference of the bill to a committee be dispensed with, and that it be taken up for immediate consideration, read a first time, and ordered to second reading.

Following discussion,

The question being on the adoption of Senator Prezioso's aforestated motion, and on this question, Senator Prezioso demanded the yeas and nays.

The roll being taken, the yeas were: Baldwin, Beach, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger, and Woelfel—15.

The nays were: Azinger, Blair, Boley, Boso, Clements, Cline, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—17.

Absent: Hardesty and Maroney—2.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Prezioso's aforestated motion had not prevailed.

Thereupon, the bill (S. B. 1029) was referred to the Committee on Education.

By Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger, and Woelfel:

Senate Bill 1030—A Bill to amend and reenact §18-9A-2 and §18-9A-8 of the Code of West Virginia, 1931, as amended, all relating to increasing the basic foundation allowance to the county for professional student support personnel.

Referred to the Committee on Education.

By Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger, and Woelfel:

Senate Bill 1031—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-42, relating to authorizing a competitive grant program to implement vocational-technical education programs in middle schools.

Referred to the Committee on Education.

By Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger, and Woelfel:

Senate Bill 1032—A Bill to repeal §18-5B-4, §18-5B-5, §18-5B-6, §18-5B-13, and §18-5B-14 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-5A-2 of said code; to amend and reenact §18-5B-3 of said code; and to amend said code by adding thereto a new section, designated §18-5B-15, all relating to restoring local public school flexibility; reforming local school improvement councils; and reforming the School Innovation Zones Act to increase flexibility and decrease bureaucracy.

Referred to the Committee on Education.

By Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger, and Woelfel:

Senate Bill 1033—A Bill to amend and reenact §18-9A-2 and §18-9A-21 of the Code of West Virginia, 1931, as amended, all relating to modifications to the school aid formula; amending the definition of “levies for general current expense purposes”; instituting a floor of 1,400 students for the purposes of determining the county’s basic foundation program; and increasing funding for alternative education programs.

Referred to the Committee on Education.

By Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger, and Woelfel:

Senate Bill 1034—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-18d; and to amend and reenact §18-5-18e of said code, all relating to studies of issues effecting public school education; authorizing a study of student loan payments tax credits and a loan forgiveness program for teachers; and authorizing a study of class sizes.

Referred to the Committee on Education.

By Senators Prezioso, Beach, Baldwin, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger, and Woelfel:

Senate Bill 1035—A Bill to amend and reenact §18-5A-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-9A-9 of said code; to amend and reenact §18C-4-1, §18C-4-2, §18C-4-3, §18C-4-4, and §18C-4-5 of said code; to amend and reenact §18C-4A-1, §18C-4A-2, and §18C-4A-3 of said code; and to amend said code by adding thereto a new section, designated §18A-4-2d, all relating to high-quality education; increasing the amount that a faculty senate of a public school may allocate to a classroom teacher or librarian for academic materials, supplies, or equipment which, in the judgment of the teacher or librarian, will assist in providing instruction; increasing the amount of foundation expenses for academic or instructional materials; creating a mathematics teacher incentive; authorizing a one-time payment up to \$2,000 to mathematics teachers completing an approved course; creating the Mathematics Incentive Program Fund; establishing minimum requirements for mathematics teachers to be eligible for the one-time payment for successful completion of an approved mathematics course; requiring recipients of the Underwood-Smith programs to be teachers pursuing mathematics, science, or special education; placing additional public school teaching requirements on Underwood-Smith program recipients to teach in this state's public schools; allocating additional academic support and mentors to Underwood-Smith program recipients; creating the Underwood-Smith Teaching Scholars Program Fund; establishing criteria necessary to be an Underwood-Smith Teaching Scholar Program scholarship recipient; establishing criteria to accept an Underwood-Smith Teaching Scholars Program award; establishing conditions for Underwood-Smith recipients to retain and renew awards; establishing limitations for an Underwood-Smith Teaching Scholars Program award in relation to time and outside financial aid; and establishing an expiration date of July 1, 2019, for the Underwood-Smith Teacher Loan Assistance Program provisions.

Referred to the Committee on Education.

Following a point of inquiry to the President, with resultant response thereto.

By Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger, and Woelfel:

Senate Bill 1036—A Bill to make a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2019, to the Department of Health and Human Resources, Division of Health – Central Office, fund 5163, fiscal year 2019, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

Referred to the Committee on Finance.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1037—A Bill to amend and reenact §16A-2-1 of the Code of West Virginia, 1931, as amended; to amend and reenact §16A-4-3 of said code; to amend and reenact §16A-6-3 and §16A-6-13 of said code; to amend and reenact §16A-7-4 of said code; to amend and reenact §16A-8-1 of said code; to amend and reenact §16A-9-1 of said code; to amend said code by adding thereto two new sections, designated §16A-9-3 and §16A-9-4; to amend and reenact §16A-10-6 of said code; to amend and reenact §16A-11-1 of said code; to amend said code by adding thereto a new section, designated §16A-15-10; and to amend and reenact §16A-16-1 of said code, all relating generally to medical cannabis; defining terms; modifying certain definitions; modifying conditions for issuance of patient certifications; expanding practitioner reporting requirements; defining “resident” for purposes of the act; requiring that state residents own a majority of business entities applying for medical cannabis organization permits; removing regional distribution requirements for growers, processors, and dispensaries; establishing criteria for choosing the locations of dispensary permittees; requiring the Bureau for Public Health to adopt fair and objective evaluation procedures in choosing permittees; requiring numeric scoring of applications;

increasing the maximum number of dispensary permits; increasing the number of dispensary permits a person or entity may hold; authorizing persons or entities to hold grower, processor, and dispensary permits; authorizing the bureau to oversee testing of medical cannabis; permitting the Commissioner of Agriculture to perform medical cannabis testing; directing that fees for testing of medical cannabis received by the Commissioner of Agriculture be deposited in the Medical Cannabis Program Fund for disbursement to the Commissioner of Agriculture; authorizing the bureau to contract with persons or entities other than the Commissioner of Agriculture for testing of medical cannabis; removing the requirement that dispensaries have a physician or pharmacist onsite; modifying tax rates and tax procedures related to medical cannabis organizations; establishing a 10 percent tax on gross proceeds at the dispensary level; authorizing electronic filing with the Tax Commissioner; directing tax proceeds to be deposited in the Medical Cannabis Program Fund; clarifying applicability of the West Virginia Tax Procedure and Administration Act and the West Virginia Tax Crimes and Penalties Act apply to medical cannabis operations; extending the authority of the bureau to adopt emergency rules until July 1, 2021; adding two osteopathic physicians appointed by the West Virginia Osteopathic Association to the Medical Cannabis Advisory Board; immunizing state officials and employees from causes of action in their personal capacities for actions taken to implement the act; limiting any type of recovery to proceeds of available insurance; obligating the state to defend and indemnify state officials and employees against one type of action brought against them for implementing the act; authorizing precertification of patients; maintaining restriction that patient certificates may not be issued until July 1, 2019; and incorporating certain tax offenses and penalties by reference.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—28.

The nays were: Azinger, Boley, and Tarr—3.

Absent: Hardesty, Mann, and Maroney—3.

The bill (S. B. 1037) was read a second time.

On motions of Senators Baldwin and Roberts, the following amendment to the bill was reported by the Clerk:

On pages eleven and twelve, section four, lines eleven through sixteen, by striking out all of subsection (e).

Following discussion,

The question being on the adoption of the amendment offered by Senators Baldwin and Roberts to the bill, the same was put and prevailed.

The bill, as amended, was ordered to engrossment and third reading.

Engrossed Senate Bill 1037 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Palumbo, Prezioso, Roberts, Romano, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Woelfel, and Carmichael (Mr. President)—23.

The nays were: Azinger, Boley, Maynard, Rucker, Smith, Tarr, and Weld—7.

Absent: Hardesty, Mann, Maroney, and Plymale—4.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1037) passed.

On motion of Senator Baldwin, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 1037—A Bill to amend and reenact §16A-2-1 of the Code of West Virginia, 1931, as amended; to amend and reenact §16A-4-3 of said code; to amend and reenact §16A-6-3 of this code; to amend and reenact §16A-6-13 of said code; to amend and reenact §16A-7-4 of said code; to amend and reenact §16A-8-1 of said code; to amend and reenact §16A-9-1 of said code; to amend said code by adding thereto two new sections, designated §16A-9-3 and §16A-9-4; to amend and reenact §16A-10-6 of said code; to amend and reenact §16A-11-1 of said code; to amend said code by adding thereto a new section, designated §16A-15-10; and to amend and reenact §16A-16-1 of said code, all relating generally to medical cannabis; defining terms; modifying certain definitions; modifying conditions for issuance of patient certifications; expanding practitioner reporting requirements; defining resident for purposes of the act; requiring that state residents own a majority of business entities applying for medical cannabis organization permits; removing regional distribution requirements for growers, processors, and dispensaries; establishing criteria for choosing the locations of dispensary permittees; requiring the Bureau for Public Health to adopt fair and objective evaluation procedures in choosing permittees; requiring numeric scoring of applications; increasing the maximum number of dispensary permits; increasing the number of dispensary permits a person or entity may hold; authorizing persons or entities to hold grower, processor and dispensary permits; authorizing the bureau to oversee testing of medical cannabis; removing the requirement that dispensaries have a physician or pharmacist onsite; modifying tax rates and tax procedures related to medical cannabis organizations establishing a 10 percent tax on gross proceeds at the dispensary level; authorizing the electronic filing with the Tax Commissioner; directing tax proceeds to be deposited in the Medical Cannabis Program Fund; clarifying applicability of the West Virginia Tax

Procedure and Administration Act and the West Virginia Tax Crimes and Penalties Act apply to medical cannabis operations; extending the authority of the bureau to adopt emergency rules until July 1, 2021; adding two osteopathic physicians appointed by the West Virginia Osteopathic Association to the Medical Cannabis Advisory Board; immunizing state officials and employees from causes of action in their personal capacities for actions taken to implement the act; limiting any type of recovery to proceeds of available insurance; obligating the state to defend and indemnify state officials and employees against one type of action brought against them for implementing the act; authorizing pre-certification of patients; maintaining restriction that patient certificates may not be issued until July 1, 2019; and incorporating certain tax offenses and penalties by reference.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Baldwin, Beach, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Palumbo, Prezioso, Roberts, Romano, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Woelfel, and Carmichael (Mr. President)—23.

The nays were: Azinger, Boley, Maynard, Rucker, Smith, Tarr, and Weld—7.

Absent: Hardesty, Mann, Maroney, and Plymale—4.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1037) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1038—A Bill supplementing and amending the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Health and Human Resources, Division of Health – Central Office, fund 0407, fiscal

year 2020, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Beach, Hardesty, Mann, and Maroney—4.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1038 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—28.

The nays were: Boley and Tarr—2.

Absent: Beach, Hardesty, Mann, and Maroney—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1038) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—28.

The nays were: Boley and Tarr—2.

Absent: Beach, Hardesty, Mann, and Maroney—4.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1038) takes effect from passage.

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

On motion of Senator Takubo, at 5:57 p.m., the Senate recessed for five minutes.

The Senate reconvened at 6:23 p.m. and, without objection, returned to the third order of business.

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

Eng. House Bill 111—A Bill to amend and reenact §11-14C-30 of the Code of West Virginia, 1931, as amended, relating to refunds of excise taxes collected from dealers of petroleum products under certain circumstances; and increasing a cap on the amount of tax that may be refunded for fuels lost through evaporation.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, and Maroney—5.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 111) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, and Maroney—5.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 111) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, and Maroney—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 111) takes effect from passage.

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

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

Eng. House Bill 112—A Bill to amend and reenact §11-21-17 and §11-21-17a of the Code of West Virginia, 1931, as amended; to amend and reenact §11-21-37c of said code as contained in Chapter 244, Acts of the Legislature, Regular Session, 2019; and to amend said code by adding thereto a new section, designated §11-21-12j, all relating generally to the personal income tax; creating additional modification to West Virginia adjusted gross income of shareholder of S corporation, or member of a limited liability company, when engaged in business as a financial organization in this state; setting forth apportionment rules for certain financial organizations; specifying special gross receipts factor; defining terms; making technical corrections; and providing retroactive effective date.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso,

Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, and Maroney—5.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 112) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, and Maroney—5.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 112) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, and Maroney—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 112) takes effect from passage.

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

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

Eng. House Bill 115—A Bill to amend and reenact §49-4-601 of the Code of West Virginia, 1931, as amended, relating generally to court actions in abuse and neglect proceedings and appointment of counsel in such proceedings; requiring a petition to include the names of all parents, guardians, custodians and other persons standing in loco parentis with the child who is the subject of the petition as well as an express statement as to whether each person named is alleged to have abused or neglected the child; requiring courts to appoint counsel for the child and any other named person who is without counsel prior to the initial hearing; clarifying when a court may and may not appoint counsel; and establishing criteria for appointment of counsel for unrepresented persons when necessary to ensure fundamental fairness.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Trump requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as he occasionally serves as appointed counsel in child abuse and neglect proceedings.

The Chair replied that any impact on Senator Trump would be as a member of a class of persons and that he would be required to vote.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton,

Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 115) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 115) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 115) takes effect from passage.

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

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

Eng. House Bill 116—A Bill to amend and reenact §49-4-722 of the Code of West Virginia, 1931, as amended, relating generally to persons eighteen years of age and older in the custody of the Bureau of Juvenile Services; directing notice between courts in criminal actions involving adults under the juvenile jurisdiction of the circuit court when such adults are charged or convicted of crimes while in custody of the Bureau of Juvenile Services; requiring notice of pending disposition to the circuit court with juvenile jurisdiction; prohibiting release of persons until after the court with juvenile jurisdiction holds a hearing as to future treatment of the person; and authorizing the Commissioner of the Division of Corrections and Rehabilitation to designate one or more units under his or her management to ensure that persons eighteen years of age or older under the juvenile jurisdiction of the circuit court are housed out of sight and sound of detained juveniles and incarcerated adult offenders.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso,

Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

The bill (Eng. H. B. 116) was read a second time.

On motion of Senator Trump, the following amendment to the bill was reported by the Clerk and adopted:

On page one, section seven hundred twenty-two, line twelve, by striking out the words “Commissioner of Corrections” and inserting in lieu thereof the words “Commissioner of the Division of Corrections and Rehabilitation”.

The bill, as amended, was ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 116) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 116) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 116) takes effect from passage.

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

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 117—A Bill to amend and reenact §11-13-3f of the Code of West Virginia, 1931, as amended; to amend and reenact §11-13F-1, §11-13F-2 and §11-13F-3 of said code; to amend and reenact §11-24-11 of said code; to amend and reenact §24-2A-5 of said code; and to amend and reenact §24-3-2 of said code, all relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities; providing for application for reduced rates; updating definitions; authorizing certain tax credits for cost of using reduced rates; and providing for retroactive effective date.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 117) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—27.

The nays were: None.

Absent: Beach, Blair, Boley, Hardesty, Mann, Maroney, and Woelfel—7.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 117) passed with its title.

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

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

Eng. House Bill 118—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-1-24; to amend and reenact §30-5-11 and §30-5-

11a of said code; to amend and reenact §30-10-8 and §30-10-10 of said code; to amend and reenact §30-13A-9 and §30-13A-12 of said code; to amend and reenact §30-20-8 and §30-20-10 of said code; to amend and reenact §30-21-7 of said code; to amend and reenact §30-22-10 of said code; to amend and reenact §30-23-9, §30-23-15, §30-23-17, and §30-23-20 of said code; to amend and reenact §30-25-8 of said code; to amend and reenact §30-26-5 and §30-26-13 of said code; to amend and reenact §30-30-8, §30-30-10, §30-30-12, §30-30-14, and §30-30-26 of said code; to amend and reenact §30-31-8 and §30-31-9 of said code; to amend and reenact §30-38-12 of said code; and to amend and reenact §30-39-6 of said code, all relating to the use of post-criminal conduct in professional and occupational initial licensure decision making; creating a rational nexus requirement between prior criminal conduct and initial licensure decision making; providing criteria for boards and licensing authorities to determine whether a criminal conviction has a rational nexus to an occupation; removing offenses described as one of moral turpitude as a basis for license denial unless the underlying crime bears a rational nexus to the occupation requiring licensure, certification or registration; limiting licensure disqualification; authorizing persons to petition licensure boards for a determination as to whether a person's criminal record precludes licensure; and providing for rulemaking.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 118) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 118) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 118) takes effect from passage.

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

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

Eng. House Bill 119—A Bill supplementing, amending, decreasing, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2019, organization 0803, for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 119) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld,

Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 119) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 119) takes effect from passage.

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

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

Eng. House Bill 133—A Bill to amend and reenact §55-7B-7a of the Code of West Virginia, 1931, as amended, relating to the admissibility of health care staffing requirements in medical professional liability litigation; providing that compliance with minimum staffing requirements under state law creates rebuttable

presumptions that appropriate staffing and adequate supervision of patients to prevent accidents were provided; requiring that if staffing is less than requirements dictated by state law then there is a rebuttable presumption that there was inadequate supervision of patients and that inadequate staffing or inadequate supervision was a contributing cause of the patient's fall and resulting injuries or death; and requiring the jury be instructed accordingly.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 133) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—27.

The nays were: Lindsay—1.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 133) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boso, Clements, Cline, Facemire, Hamilton, Ihlenfeld, Jeffries, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, and Carmichael (Mr. President)—27.

The nays were: Lindsay—1.

Absent: Beach, Boley, Hardesty, Mann, Maroney, and Woelfel—6.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 133) takes effect from passage.

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

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

Eng. Senate Bill 1001, Upper Kanawha Valley Resiliency and Revitalization Program.

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

Eng. Senate Bill 1004, Antihazing law.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1006, Authorizing WV Board of Physical Therapy to conduct criminal background checks on initial license applicants.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1009, Establishing health professionals student loan programs.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1012, Creating voluntary certification of recovery residences.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1013, Permitting certain trained professionals to provide counseling in medication-assisted treatment program.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1016, Supplemental appropriation to DOT, Division of Highways.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1019, Supplementing, amending, decreasing, and increasing existing appropriations from State Road Fund to DOH for fiscal year ending June 30, 2020.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1026, Expiring funds from Treasurer's Unclaimed Property Fund and supplementing appropriations to Governor's Office.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1037, Relating generally to medical cannabis.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect from passage, of

Eng. House Bill 116, Relating generally to persons eighteen years of age and older in the custody of the Bureau of Juvenile Services.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Boso.

Under authority of House Concurrent Resolution 101, adopted March 10, 2019,

On motion of Senator Takubo, at 7:04 p.m., the Senate adjourned until subsequently called back into session by the presiding officer.

SATURDAY, JUNE 1, 2019

Pursuant to the call of the President of the Senate, under the authority of House Concurrent Resolution 101, adopted March 10, 2019, the Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at 10:14 a.m., and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Rollan A. Roberts, a senator from the ninth district.

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

Pending the reading of the Journal of Monday, May 20, 2019,

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

Senator Prezioso moved that the Senate Committee on Education be discharged from further consideration of

(Senate Bill 1029), Increasing teacher and school service personnel salaries.

(Senate Bill 1030), Increasing basic foundation allowance for county professional student support personnel.

(Senate Bill 1031), Authorizing competitive grant program for vocational-technical education programs in middle schools.

(Senate Bill 1032), Restoring local public school flexibility.

(Senate Bill 1033), Modifying school aid formula.

(Senate Bill 1034), Relating to studies of certain issues affecting public education.

And,

(Senate Bill 1035), Relating generally to high-quality education.

The question being on the adoption of Senator Prezioso's aforestated motion, and on this question, Senator Prezioso demanded the yeas and nays.

The roll being taken, the yeas were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Prezioso, Romano, Stollings, Unger, and Woelfel—15.

The nays were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—18.

Absent: Plymale—1.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Prezioso's aforestated motion had not prevailed.

The Senate proceeded to the third order of business.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following supplement to the proclamation dated March 7, 2019, from His Excellency, the Governor, which was read by the Clerk:

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT

Charleston

A PROCLAMATION

By the Governor

I, **JIM JUSTICE**, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the proclamation dated the seventh day of March, Two Thousand Nineteen, calling the West Virginia Legislature to convene in Extraordinary Session upon adjournment *sine die* of the 2019 Regular Session, and amended by subsequent Proclamation dated the seventeenth day of May, Two Thousand Nineteen, and amended by subsequent Proclamation dated the twentieth day of May, Two Thousand Nineteen, by adding item thirty-four, as follows:

THIRTY-FOURTH: a bill relating to the West Virginia Business Ready Sites Program.

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

DONE at the Capitol in the City of Charleston, State of West Virginia, this thirty-first day of May, in the year of our Lord, Two Thousand Nineteen, and in the One Hundred Fifty-Sixth year of the State.



By the Governor


GOVERNOR


SECRETARY OF STATE

The Senate proceeded to the fourth order of business.

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 24th day of May, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(S. B. 1001), Upper Kanawha Valley Resiliency and Revitalization Program.

(S. B. 1004), Antihazing law.

(S. B. 1006), Authorizing WV Board of Physical Therapy to conduct criminal background checks on initial license applicants.

(S. B. 1009), Establishing health professionals student loan programs.

(S. B. 1012), Creating voluntary certification of recovery residences.

(S. B. 1013), Permitting certain trained professionals to provide counseling in medication-assisted treatment program.

(S. B. 1016), Supplemental appropriation to DOT, Division of Highways.

(S. B. 1019), Supplementing, amending, decreasing, and increasing existing appropriations from State Road Fund to DOH for fiscal year ending June 30, 2020.

(S. B. 1026), Expiring funds from Treasurer's Unclaimed Property Fund and supplementing appropriations to Governor's Office.

(S. B. 1037), Relating generally to medical cannabis.

(H. B. 111), Relating to refunds of excise taxes collected from dealers of petroleum products.

(**H. B. 112**), Relating generally to the personal income tax.

(**H. B. 115**), Relating generally to court actions in abuse and neglect proceedings.

(**H. B. 116**), Relating generally to persons eighteen years of age and older in the custody of the Bureau of Juvenile Services.

(**H. B. 117**), Relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities.

(**H. B. 119**), Supplementing, amending, decreasing, and increasing items from the State Road Fund to the Department of Transportation.

And,

(**H. B. 133**), Relating to the admissibility of health care staffing requirements in medical professional liability litigation.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Without objection, the Senate returned to the third order of business.

Executive Communications

The Clerk then presented communications from His Excellency, the Governor, advising that on May 28, 2019, he had approved **Enr. Senate Bill 1016**, **Enr. Senate Bill 1019**, **Enr. House Bill 119**, and **Enr. House Bill 133**; and on May 29, 2019, he had approved **Enr. Senate Bill 1001**, **Enr. Senate Bill 1004**, **Enr. Senate Bill 1006**, **Enr. Senate Bill 1009**, **Enr. Senate Bill 1012**, **Enr. Senate Bill 1013**, **Enr. Senate Bill 1026**, **Enr. Senate Bill 1037**, **Enr. House Bill 111**, **Enr. House Bill 112**, **Enr. House Bill 115**, **Enr. House Bill 116**, and **Enr. House Bill 117**.

The Senate proceeded to the sixth order of business.

The following bills were introduced and read by their titles:

By Senators Carmichael (Mr. President), Rucker, Swope, Tarr, Trump, Blair, Boso, Azinger, Smith, and Boley:

Senate Bill 1039—A Bill to amend and reenact §5-16-2 and §5-16-22 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §11-21-25; to amend and reenact §15-1B-24 of said code; to amend said code by adding thereto a new section, designated §18-1-5; to amend said code by adding thereto a new section, designated §18-2E-12; to amend and reenact §18-2I-4 of said code; to amend and reenact §18-5-16, §18-5-16a, §18-5-18a, §18-5-18b, §18-5-45, and §18-5-46 of said code; to amend said code by adding thereto a new section, designated §18-5-45a; to amend and reenact §18-5E-1, §18-5E-2, §18-5E-3, §18-5E-4, §18-5E-5, and §18-5E-6 of said code; to amend said code by adding thereto a new article, designated §18-5G-1, §18-5G-2, §18-5G-3, §18-5G-4, §18-5G-5, §18-5G-6, §18-5G-7, §18-5G-8, §18-5G-9, §18-5G-10, §18-5G-11, §18-5G-12, and §18-5G-13; to amend and reenact §18-7A-3 of said code as contained in Chapter 89, Acts of the Legislature, Regular Session, 2019; to amend and reenact §18-7B-2 of said code as contained in Chapter 89, Acts of the Legislature, Regular Session, 2019; to amend and reenact §18-8-4 of said code; to amend and reenact §18-9A-2 of said code as contained in Chapter 133, Acts of the Legislature, Regular Session, 2019; to amend and reenact §18-9A-8 and §18-9A-9 of said code; to amend said code by adding thereto a new section, designated §18-9A-19; to amend said code by adding thereto a new section, designated §18-9B-22; to amend and reenact §18-20-5 of said code; to amend and reenact §18A-4-2, §18A-4-5, §18A-4-5a, §18A-4-7a, §18A-4-8a, and §18A-4-10 of said code; to amend and reenact §18A-5-2 of said code; to amend and reenact §18C-4-1, §18C-4-2, §18C-4-3, §18C-4-4, and §18C-4-5 of said code; to amend and reenact §18C-4A-1, §18C-4A-2, and §18C-4A-3 of said code; and to amend and reenact §29-12-5a of said code, all relating to establishing the Student Success Act; allowing public charter schools to participate in the Public Employees Insurance Agency insurance program; creating

personal income tax credits for educational expenses incurred by certain school employees for the purchase of supplementary educational materials or professional development costs; requiring Governor to expand Mountaineer Challenge Academy at its existing location and to a new location subject to agreement required under federal law; requiring the State Board of Education to implement the Mountain State Digital Literacy Project as a pilot project; providing that professional development for classroom teachers should be individualized; requiring all teachers to receive professional development on addressing social, emotional, and behavioral needs of students; requiring state board to establish the Principals Academy; requiring county boards to establish attendance zones; replacing existing provisions pertaining to student transfers with requirement for county boards to establish an open enrollment policy; requiring appeal process whereby a parent or guardian can appeal the refusal of a county board to accept the transfer of the student; requiring the county to which a student is transferred include the student in its net enrollment in certain instances; providing that certain transfer provisions do not supersede eligibility requirements for participation in extracurricular activities established by the Secondary School Activities Commission; requiring the West Virginia Department of Education to survey districts to determine where overcrowding is impeding student achievement; increasing percentage of work time school counselors are required to spend in a direct counseling relationship with pupils; replacing the required number of instructional minutes per day with a requirement for at least an average of five hours per day throughout the instructional day; allowing public notice of meetings to discuss school calendar to be accomplished by publishing prominently on the county board of education's website; prohibiting certain extracurricular activity participation in certain instances of a work stoppage or strike; providing that the teacher's recommendation is a primary consideration in determining student promotion; removing requirement that an Innovation in Education school have a focus on certain specified areas; removing certain provisions required in an Innovation in Education application and plan; providing county boards instead of the state board the authority to designate schools as Innovation in Education schools; allowing appeals to the State

Board of Education certain Innovation in Education-related determinations made by a county board; exempting public charter schools from all statutes and administrative regulations applicable to the state board, a county board, or a school, with exceptions; providing that no elected official can profit from a charter school, with exception; setting forth public charter school requirements and authority; requiring a public charter school be administered by a governing board; allowing a public charter school to enroll any student in the state; requiring randomized and transparent lottery if capacity at a public charter school is insufficient; creating and allowing certain enrollment preferences at a public charter school; requiring a public charter school to submit a student recruitment and retention plan; requiring an applicant to submit an application to an authorizer in order to establish a new public charter school or to convert an existing noncharter public school to a public charter school; setting forth minimum requirements for application for a public charter school; allowing state board, subject to funding, to offer an incentive grant for a public charter school; setting forth duties of the authorizer of a public charter school; establishing process for authorizer's approval or denial of public charter school application; limiting liability of certain persons and entities relating to the operation of a public charter school; requiring each public charter school to remit to its authorizer an oversight fee; requiring a charter contract between the governing board and the authorizer; setting forth requirements for the charter contract; making the authorizer responsible for collecting and reporting to the state board all state-required assessment and achievement data for the public charter school; setting forth requirements pertaining to renewal, nonrenewal, and revoking a charter contract; requiring state board rule establishing the process for renewing or not renewing a charter contract; requiring an authorizer to develop a public charter school closure protocol or protocol for transitioning a charter school to noncharter public school status; allowing a charter applicant or governing board to appeal certain authorizer decisions; setting forth prohibitions for a public charter school; requiring or allowing state board rules pertaining to public charter school funding, clarifying certain requirements, addressing unforeseen circumstances, prohibiting discrimination against employees involved with establishing charter schools, ensuring

accountability, allowing the Schools for the Deaf and Blind to apply for authorization, and facilitating the creation of two youth programs modeled after the Mountaineer Challenge Academy; providing for public charter school access to public facilities; setting forth reporting requirements for certain authorizers and the State Superintendent; allowing public charter schools to elect to participate in certain state retirement systems; modifying requirements applicable after certain numbers of unexcused student absences; including professional personnel providing direct social and emotional support services to students and professional personnel addressing chronic absenteeism within the definition of “professional student support personnel”; increasing calculated net enrollment for the purposes of determining a county’s basic foundation program of certain counties with an actual net enrollment of less than 1,400; decreasing the percent of the levy rate used to calculate local share; basing the basic foundation allowance for professional student support personnel on a ratio; increasing the percentage used to calculate each county’s allowance for current expense; requiring that each county board receive its allocated state aid share of the county’s basic foundation program in the form of block grants; requiring the State Superintendent to provide the State Auditor with the required data for use by the searchable budget data website; including public charter schools in the provisions pertaining to an appropriation to serve certain exceptional children; increasing teacher salaries; providing that certain math and special education teachers be considered to have three additional years of experience for the purposes of the salary schedule; removing definition of salary equity among the counties; removing requirement that Department of Education include in its budget request a request for funding sufficient to meet the objective of salary equity; adding to exceptions to requirement that county salary schedules be uniform; permitting a county board of education to base its reductions in force determinations on an individual’s qualifications as defined in county board policy; modifying provisions pertaining to the preferred recall list and posting of position openings; removing requirement for county board to annually make available a list of all professional personnel employed, their areas of certification, and their seniority; providing that all personnel in a public charter

school accrue seniority for the purpose of employment in noncharter public schools; increasing salaries for service personnel; increasing leave without cause days from three to four; requiring a bonus for classroom teachers who have not used more than four days of personal leave during the employment term; renaming the Underwood-Smith Teacher Scholarship and Loan Assistance programs the Underwood-Smith Teaching Scholars Program and the Teacher Education Loan Repayment Program; modifying requirements for Higher Education Policy Commission rules providing for administration of the programs; requiring that Underwood-Smith Teaching Scholars award recipients receive additional academic support and training from mentors in their academic field; continuing the Underwood-Smith Teacher Scholarship and Loan Assistance Fund as the Underwood-Smith Teaching Scholars Program Fund; requiring each award recipient to be distinguished as an Underwood-Smith Teaching Scholar; establishing uses for moneys in the Underwood-Smith Teaching Scholars Program Fund; providing for continuation of certain terms, conditions, requirements, and agreements; requiring the Vice Chancellor for Administration to appoint a selection panel to select Underwood-Smith Teaching Scholars; modifying eligibility criteria for Underwood-Smith Teaching Scholars; modifying Underwood-Smith Teaching Scholars award agreement requirements; modifying renewal requirements for an Underwood-Smith Teaching Scholars award; modifying conditions under which a recipient is not in violation of the agreement; requiring Underwood-Smith Teaching Scholars award to be used in preparation for becoming a teacher in a critical shortage field in the public schools of this state; increasing the amount of the annual award; requiring as a condition of loan repayment award eligibility an applicant to be currently employed in a public school in this state in a critical teacher shortage field or as a school counselor in a school or geographic area of the state identified as an area of critical need for such field; requiring as a condition of eligibility an applicant to agree to be employed full time for two school years in a critical teacher shortage field or as a school counselor in a school or geographic area of critical need for such field for each year for which a loan repayment assistance award is received; modifying provisions pertaining to the amount of loan assistance and the

requirements for eligibility; modifying eligibility requirements for renewal of a loan repayment assistance award; removing accumulated limit on loan repayment awards; increasing minimum Board of Risk and Insurance Management coverage; requiring at least annual written notice of Board of Risk and Insurance Management insurance coverages by county boards to employee insureds; and allowing public charter schools to obtain insurance coverage from the Board of Risk and Insurance Management.

Senator Takubo requested unanimous consent that reference of the bill to a committee be dispensed with, and that it be taken up for immediate consideration, read a first time, and ordered to second reading.

Which consent was not granted, Senator Unger objecting.

On motion of Senator Takubo, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Takubo moved that the constitutional rule requiring a bill to be read on three separate days be suspended.

The roll being taken, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—18.

The nays were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Prezioso, Romano, Stollings, Unger, and Woelfel—15.

Absent: Plymale—1.

So, less than four fifths of the members present and voting having voted in the affirmative, the President declared the motion to suspend the constitutional rule rejected.

By Senators Carmichael (Mr. President) and Rucker:

Senate Bill 1040—A Bill to amend and reenact §18-8-1 of the Code of West Virginia, 1931, as amended; to amend said code by

adding thereto a new section, designated §18-9A-10a; and to amend said code by adding thereto a new article, designated §18-31-1, §18-31-2, §18-31-3, §18-31-4, §18-31-5, §18-31-6, §18-31-7, §18-31-8, and §18-31-9, all relating to the Education Savings Account Act; creating compulsory school attendance exemption for Education Savings Account (ESA) students; requiring the Department of Education to annually make a projection of the amount required to fund ESAs and make a request for an appropriation in that amount; requiring the Legislature to appropriate the amount requested; requiring the Department of Education to pay to the West Virginia State Treasurer's Office the amount appropriated; requiring the total amount of funds annually deposited in an ESA to be 90 percent of the prior year's statewide average net state aid allotted per pupil based on net enrollment adjusted for state aid purposes; limiting use of ESA funds to certain qualifying expenses; allowing a parent to apply to the Treasurer to establish an ESA for an eligible student; establishing household income limit as a condition of qualifying for the ESA program; setting forth conditions under which the Treasurer is required to approve applications; requiring Treasurer to annually renew a student's ESA after making certain verifications; setting forth certain duties, obligations, and authority of the Treasurer; creating a Parent Review Committee to assist the Treasurer in determining whether questionable expenditures meet the requirements to be considered qualifying expenses, to provide recommendations to the Treasurer about how to implement, administer, and improve the ESA Program, and for other purposes; setting forth eligibility requirements for service providers; requiring provision to an education service provider that has enrolled an ESA student with a complete copy of the student's school records, while complying with the Family Educational Rights and Privacy Act of 1974; and addressing legal proceedings.

Senator Takubo requested unanimous consent that reference of the bill to a committee be dispensed with, and that it be taken up for immediate consideration, read a first time, and ordered to second reading.

Which consent was not granted, Senator Unger objecting.

Senator Takubo moved that reference of the bill to a committee be dispensed with, and that it be taken up for immediate consideration, read a first time, and ordered to second reading.

The question being on the adoption of Senator Takubo's aforestated motion, and on this question, Senator Unger demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—18.

The nays were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Prezioso, Romano, Stollings, Unger, and Woelfel—15.

Absent: Plymale—1.

So, less than two thirds of the members present and voting having voted in the affirmative, the President declared Senator Takubo's aforestated motion had not prevailed.

Whereupon, further consideration of Senate Bill 1040 was placed under unfinished business for tomorrow, Sunday, June 2, 2019.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1041—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-1n, relating to creating a pilot program to encourage utility infrastructure development to certain lands; declaring certain legislative findings; defining certain terms; requiring the West Virginia Development Office to consider certain applications; allowing the Secretary of the Department of Commerce to certify sites that do not currently have adequate public utility services from one or more public utilities regulated by the Public Service Commission as having potential for industrial development, upon the recommendation of the Development Office; requiring the Public Service Commission consider certain multi-year

comprehensive plans for infrastructure development to construct public utility infrastructure and provide services to industrial development sites as certified by the Secretary, in lieu of a proceeding pursuant to §24-2-11 of this code; requiring the applicant to publish, in the form the Public Service Commission directs, the anticipated rates and, if any, rate increase under the proposal, by average percentage and dollar amount for customers within a class of service, as a Class I legal advertisement in compliance with the provisions of §59-3-1 et seq. of this code; providing the Public Service Commission with the authority to allow certain public utility infrastructure projects to recover certain costs via ratemaking; providing for the expiration of certain statutory provisions; and providing for an effective date of the provisions of this section.

Referred to the Committee on Rules.

By Senators Jeffries, Lindsay, and Baldwin:

Senate Bill 1042—A Bill to amend and reenact §18-3-12 of the Code of West Virginia, 1931, as amended, relating to the Special Community Development School Pilot Program.

Referred to the Committee on Education.

Senators Hamilton and Boso offered the following resolution:

Senate Resolution 104—Congratulating the Webster County High School Highlanders boys' basketball team for winning the 2019 Class A State Championship.

Whereas, The Webster County High School Highlanders boys' basketball team had a dominant year on the court, finishing with an undefeated record of 28-0, and winning the state championship; and

Whereas, The Webster County High School Highlanders boys' basketball team is led by head coach, Mike Gray, assistant coach, Eddie Mazzella, staffed by Codey Horton, and consists of players: Tyler Gray, Cole Taylor, Drew Holcomb, Pryce Gadd, Gage Rose, Rye Gadd, Levi Cochran, William Lewis, Garrett Hamrick, Dorian Groggs, Carter Williams, and Kayden Cutlip; and

Whereas, The Webster County High School Highlanders boys' basketball team displayed its strong will and determination for an entire season on its way to becoming the first team in West Virginia basketball history to finish a season 28-0; and

Whereas, The Webster County High School Highlanders boys' basketball team will be remembered as one of the best teams ever assembled in West Virginia high school basketball history and is a shining example of what can be accomplished with dedication, commitment, and teamwork; therefore, be it

Resolved by the Senate:

That the Senate hereby congratulates the Webster County High School Highlanders boys' basketball team for winning the 2019 Class A State Championship; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the Webster County High School Highlanders boys' basketball team.

Which, under the rules, lies over one day.

On motion of Senator Trump, the Senate reconsidered the vote as to the effective date of

Eng. House Bill 118, Relating to the use of post-criminal conduct in professional and occupational initial licensure decision making.

Having been passed by the Senate and made effective from passage on Monday, May 20, 2019,

The vote thereon having been reconsidered,

The question again being on the adoption of Senator Takubo's motion that the bill take effect from passage.

Thereafter, at the request of Senator Takubo, and by unanimous consent, his foregoing motion was withdrawn.

On motion of Senator Trump, the Senate reconsidered the vote as to the passage of the bill.

The vote thereon having been reconsidered,

At the request of Senator Trump, unanimous consent was granted to offer an amendment to the bill on third reading.

Thereupon, on motion of Senator Trump, the following amendment to the bill was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 1. GENERAL PROVISIONS APPLICABLE TO ALL STATE BOARDS OF EXAMINATION OR REGISTRATION REFERRED TO IN CHAPTER.

§30-1-24. Use of criminal records as disqualification from authorization to practice.

(a) *Definitions.* — For the purposes of this section:

(1) “Board” means the board, authority, or other agency authorized by the provisions of this chapter to issue licenses, certifications, registrations, or other authorizations to engage in a particular profession or occupation.

(2) “License” or “licensure” means the official authorization to engage in a profession or occupation issued by a board, pursuant to the requirements of this chapter.

(3) “Unreversed”, as that term refers to a criminal conviction, means that a conviction has not been set aside, vacated, pardoned, or expunged.

(b) Notwithstanding any provision of this chapter to the contrary, except for the professions and occupations regulated by §30-2-1 *et seq.*, §30-3-1 *et seq.*, §30-3E-1 *et seq.*, §30-14-1 *et seq.*, §30-18-1 *et seq.*, and §30-29-1 *et seq.* of this code, and where not in conflict with an existing compact or model act:

(1) Boards subject to the requirements of this section may not disqualify an applicant from initial licensure to engage in a profession or occupation because of a prior criminal conviction that remains unreversed unless that conviction is for a crime that bears a rational nexus to the profession or occupation requiring licensure. In determining whether a criminal conviction bears a rational nexus to a profession or occupation, the board shall consider at a minimum:

(A) The nature and seriousness of the crime for which the individual was convicted;

(B) The passage of time since the commission of the crime;

(C) The relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the profession or occupation; and

(D) Any evidence of rehabilitation or treatment undertaken by the individual.

(2) Because the term “moral turpitude” is vague and subject to inconsistent applications, boards subject to the requirements of this section may not rely upon the description of a crime for which an applicant has been convicted as one of “moral turpitude” as a basis for denying licensure: *Provided*, That if the prior conviction for the underlying crime bears a rational nexus to the profession or occupation requiring licensure, the board may consider the conviction according to the requirements of subdivision (1) of this subsection.

(3) Notwithstanding any other provision of this chapter to the contrary, if an applicant is disqualified from licensure because of a prior criminal conviction, a board shall permit the applicant to apply for initial licensure if:

(A) A period of five years has elapsed from the date of conviction or the date of release from incarceration, whichever is later;

(B) The individual has not been convicted of any other crime during the period of time following the disqualifying offense; and

(C) The conviction was not for an offense of a violent or sexual nature: *Provided*, That a conviction for an offense of a violent or sexual nature may subject an individual to a longer period of disqualification from licensure, to be determined by the individual board.

(4) An individual with a criminal record who has not previously applied for licensure may petition the appropriate board at any time for a determination of whether the individual's criminal record will disqualify the individual from obtaining a license. This petition shall include sufficient details about the individual's criminal record to enable the board to identify the jurisdiction where the conviction occurred, the date of the conviction, and the specific nature of the conviction. The board shall provide the determination within 60 days of receiving the petition from the applicant. The board may charge a fee to recoup its costs for each petition.

(5) The requirements of this section do not apply to the criteria that boards may consider when making determinations regarding relicensure or discipline of licensees.

(c) Every board subject to the provisions of this section shall propose rules or amendments to existing rules for legislative approval to comply with the provisions of this section. These rules or amendments to rules shall be proposed pursuant to the provisions of §29A-3-1 *et seq.* of this code within the applicable time limit to be considered by the Legislature during its regular session in the year 2020.

Having been engrossed, the bill (Eng. H. B. 118), as just amended, was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Prezioso, Roberts, Romano, Rucker, Smith, Stollings,

Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: Tarr—1.

Absent: Plymale—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 118) passed.

On motion of Senator Trump, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. House Bill 118—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-1-24; relating generally to criteria for initial licensure to engage in certain professions and occupations; regulating and making consistent the consideration of prior criminal convictions in initial licensure determinations by certain boards and licensing authorities; requiring a rational nexus between prior criminal convictions considered by certain boards and licensing authorities and the profession or occupation for which the initial licensure is sought; providing criteria for certain boards and licensing authorities to consider when determining whether a criminal conviction has a rational nexus to a profession or occupation; defining terms; eliminating offenses generally described as ones of moral turpitude from grounds for denial of an initial license to engage in certain professions and occupations absent there being a rational nexus between the underlying offense and the profession or occupation for which licensure is sought; requiring certain boards and licensing authorities to allow a previously disqualified applicant to apply for licensure after a certain period of time, with exceptions; requiring certain boards and licensing authorities to allow a potential applicant to petition the board or authority for a determination as to whether his or her criminal record precludes licensure and requiring the board or agency to provide the applicant with such determination within a

certain period of time; and requiring certain boards and licensing authorities to promulgate rules.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: Tarr—1.

Absent: Plymale—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 118) takes effect from passage.

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

Following points of inquiry to the President, with resultant responses thereto,

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

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senators Romano, Takubo, Hardesty, Woelfel, Blair, Boso, Lindsay, Weld, Trump, Beach, Unger, Roberts, Facemire, and Rucker.

On motion of Senator Takubo, at 11:55 a.m., the Senate adjourned until tomorrow, Sunday, June 2, 2019, at 2 p.m.

SUNDAY, JUNE 2, 2019

The Senate met at 2:55 p.m.

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

Prayer was offered by the Honorable Glenn D. Jeffries, a senator from the eighth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Ryan W. Weld, a senator from the first district.

Pending the reading of the Journal of Saturday, June 1, 2019,

At the request of Senator Romano, 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 communications from a state agency as required by the provisions of law:

Treasurer, Office of the (Debt Capacity) (§12-6A-6)

Treasurer, Office of the (Debt Position) (§12-6A-6)

The Senate proceeded to the sixth order of business.

The following joint resolution was introduced, read by its title, and referred to the appropriate committees:

By Senators Blair, Boso, and Cline:

Senate Joint Resolution 101—Proposing an amendment to the Constitution of the State of West Virginia, amending section two, article XII thereof, relating generally to the supervision of free schools; clarifying that the general supervisory authority of the State Board of Education is subject to legislative enactments; specifying that board rules and policies are subject to legislative review and approval; numbering and designating such proposed

amendment; and providing a summarized statement of the purpose of such proposed amendment.

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

Senators Rucker, Romano, and Facemire offered the following resolution:

Senate Resolution 105—Recognizing students from Big Otter Elementary School for competing in the Fittest School in America Challenge.

Whereas, Operation Tone Up is a fitness program that teaches the importance of nutrition and fitness which can lead to a healthy lifestyle; and

Whereas, Fourteen students from Big Otter Elementary School were selected from grades three through five to compete in the Fittest School Challenge in American (Operation Tone Up) at the West Virginia Culture Center in Charleston, West Virginia, against other elementary school students from surrounding counties in various nutritional and physical fitness challenges; and

Whereas, Under the guidance of teachers Deloris Kleman and Sissy Barker, the following students participated in the challenge: Fifth grade—Evan Bass, Elijah Sheldon, Prezlei Tanner, Jaxon Brown, Maria Drake, and Ely Metheney; fourth grade—Seth Robinson, Skiley Wilmoth, Lainey Nichols, and Blake Coleman; and third grade—Cooper Collins, Abigail Grandon, and Layla Cash; and

Whereas, The students from Big Otter Elementary School advanced to the national competition in Hermosa Beach, California, and finished in second place; and

Whereas, It is fitting that the Senate recognize these teachers and students for their dedication and commitment to learning skills for a healthy lifestyle; therefore, be it

Resolved by the Senate:

That the Senate hereby recognizes students from Big Otter Elementary School for competing in the Fittest School in America Challenge; and, be it

Further Resolved, That the Senate extends its congratulations to the teachers and students for their outstanding accomplishments; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the teachers and students of Big Otter Elementary School.

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

The question being on the adoption of the resolution (S. R. 105), and on this question, Senator Romano demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Baldwin, Beach, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Blair, Mann, Maroney, Maynard, Palumbo, and Plymale—6.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution adopted.

On motion of Senator Takubo, at 3:04 p.m., the Senate recessed to present Senate Resolution 105.

The Senate reconvened at 3:31 p.m. and proceeded to the seventh order of business.

Senate Bill 1040, Education Savings Account Act.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Rules.

Senate Resolution 104, Congratulating Webster County High School Highlanders boys' basketball team for winning 2019 Class A State Championship.

On unfinished business, coming up in regular order, was reported by the Clerk.

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

The Senate proceeded to the ninth order of business.

Senate Bill 1039, Establishing Student Success Act.

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

On motion of Senator Trump, the following amendment to the bill was reported by the Clerk:

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

§18-5-45a. Legislative findings; time lost due to work stoppage or strike; effect on pay and extracurricular activities; closure of schools due to work stoppage or strike prohibited.

(a) Legislative findings. –

(1) The West Virginia Supreme Court of Appeals held, in *Jefferson County Bd. of Educ. v. Jefferson County Educ. Ass'n*, 183 W. Va. 15 (1990), that “[p]ublic employees have no right to strike in the absence of express legislation or, at the very least, appropriate statutory provisions for collective bargaining, mediation, and arbitration.”

(2) Public employees in West Virginia have no right, statutory or otherwise, to engage in collective bargaining, mediation, or arbitration, and any work stoppage or strike by public employees is hereby declared to be unlawful. Furthermore, any work stoppage or strike by employees of a county board of education poses a serious disruption to the thorough and efficient system of free schools, guaranteed to the children of West Virginia by Article XII, §1 of the Constitution of West Virginia.

(3) Section 18-5-45 of this code is designed to define the school term both for employment of school personnel and for instruction of students. The employment term consists of at least 200 days and, within the employment term, an instructional term for students must consist of at least 180 separate instructional days. Section 18-5-45 of this code also requires instruction to be offered to students for at least an average of five hours per day throughout the 180-day instructional term. This means that there can be zero hours of instruction on one or more days so long as the average instructional time per day over the 180 days is at least five hours. Furthermore, §18-5-45 allows a county board, subject to approval of its plan by the state board, to deliver instruction through alternative methods on up to five days when schools are closed and provides that these days are considered to be instructional days, notwithstanding the closure of schools.

(4) The Legislature intended, by providing for the ability to have zero hours of instruction on an instructional day and the use of alternative methods to deliver instruction on days when schools are closed, as defined in §18-5-45 of this code, to: (1) Provide flexibility for collaborative time and other methods of improving instruction and (2) Lessen the disruption to the planned school calendar if rescheduling and adding instructional days became necessary to make up lost days due to closures pursuant to §18-4-10(5) of this code, when conditions are detrimental to the health, safety, or welfare of pupils. The Legislature did not intend with the enactment of these provisions to permit a reduction in the instructional term for students or in the employment term for personnel when the conditions causing

the closure of the school are a concerted work stoppage or strike by the employees.

(b) For the purposes of this section, an employee of a county board of education is considered to be participating in a concerted work stoppage or strike if, on any day during a concerted stoppage of work or interruption of operations by the employees of the county board of education:

(1) The employee does not report to work as required by his or her contract of employment;

(2) The employee is not on leave, as specifically permitted by any provision of this code: *Provided*, That nothing in this section permits an employee to use personal leave in connection with a work stoppage or strike, in violation of §18A-4-10 of this code; and

(3) The employee is not otherwise prevented from reporting to work based on circumstances beyond the employee's control, that are unrelated to the employee's participation in the ongoing concerted work stoppage or strike, as determined by the county superintendent.

(c) The provisions of §18-5-45 of this code, allowing zero hours of instruction, so long as at least an average of 5 hours per day is attained, and the delivery of instruction through alternative methods, do not apply to and may not be used to cancel days lost due to a concerted work stoppage or strike. Notwithstanding any provision of this code to the contrary, the state board may not grant a waiver to a county board of education for its noncompliance with the 200-day minimum employment term or the 180-day average instructional day requirements if such noncompliance is the result of a concerted work stoppage or strike.

(d) If an employee remains employed by the county board of education, notwithstanding his or her participation in a concerted work stoppage or strike, which the Legislature hereby determines to be a ground for termination, the county board of education shall withhold the prorated salary or hourly pay of each employee

participating in the concerted work stoppage or strike for each day that such employee participates in a concerted work stoppage or strike, and such sums shall be forfeited to the county board of education.

(e) If an originally scheduled instructional day or noninstructional day is canceled due to a concerted work stoppage or strike by the employees assigned to a school, the school for which the day was canceled may not participate in any extracurricular activities during any part of that same day.

(f) No superintendent may close a school in anticipation of or to facilitate a concerted work stoppage or strike.

Following extended discussion,

The question being on the adoption of Senator Trump's amendment to the bill, and on this question, Senator Ihlenfeld demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—17.

The nays were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Prezioso, Romano, Stollings, Unger, and Woelfel—14.

Absent: Mann, Maynard, and Plymale—3.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Trump's amendment to the bill adopted.

On motion of Senator Weld, the following amendments to the bill (S. B. 1039) were next reported by the Clerk, considered simultaneously, and adopted:

On page forty-four, section two, lines eight through ten, by changing the colon to a semicolon and striking out the proviso;

On page forty-four, section two, lines twenty-two through twenty-four by striking out all of paragraph (C) and relettering the remaining paragraph;

On pages fifty-one and fifty-two, section five, lines one through seventeen, by striking out all of subsection (a) and inserting in lieu thereof a new subsection, designated subsection (a), to read as follows:

(a) To establish a new public charter school or to convert an existing noncharter public school to a public charter school, an applicant shall submit a charter application to an authorizer: *Provided*, That nothing prohibits a noncharter public school subject to consolidation from being converted to a public charter school upon application pursuant to the provisions of this article.;

On page sixty, section seven, lines forty-five and forty-six, by striking out the words “the institutional board of governors of a public institution of higher education,”;

And,

On page sixty-three, section nine, lines nine through twelve, by striking out all of subsection (c) and inserting in lieu thereof a new subsection, designated subsection (c), to read as follows:

(c) The state board shall remand the authorizer’s decision back to the authorizer for further proceedings if the substantial rights of the applicant have been prejudiced because the authorizer’s findings, inferences, conclusions or decisions are:

(1) In violation of constitutional or statutory provisions or state board policy;

(2) In excess of the statutory authority or jurisdiction of the authorizer;

(3) Made upon unlawful procedures;

(4) Affected by other error of law;

(5) Clearly wrong in view of the reliable, probative and substantial evidence on the whole record; or

(6) Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

On motion of Senator Tarr, the following amendment to the bill (S. B. 1039) was next reported by the Clerk and adopted:

On page thirty-three, after section forty-six, by inserting a new section, designated section forty-eight, to read as follows:

§18-5-48. County board exceptional needs expenditures from surplus funds.

Each county board may by policy establish an exceptional needs fund from surpluses for students who are likely to perform better outside of the public school setting. The policy may include:

(1) Allowing the county board to use excess funds or donated funds for expenditures related to services and materials necessary for that student's educational success that are not met within the public education school district;

(2) The amount of funds that is to be deposited into the fund each year which may vary based on availability of surpluses;

(3) The qualifying expenses that funds in the fund may be used for;

(4) Measures for protecting against improper use of the funds which may include auditing all expenditures related to an individual student for services outside of the public education district;

(5) The conditions under which payments from the Exceptional Needs Success Fund are to cease;

(6) Eligibility requirements for education service providers that can accept payments from the fund;

(7) A requirement that any overpayments recaptured from refunded expenditures revert to the Exceptional Student Success Fund; and

(8) Any other provision the county board determines appropriate.

On motion of Senator Rucker, the following amendments to the bill (S. B. 1039) were next reported by the Clerk, considered simultaneously, and adopted:

On page eighty, section two, line thirty-three, by striking out the words “regular secondary”;

On page eighty, section two, line thirty-seven, by striking out the words “regular secondary”;

And,

On page eighty, section two, line thirty-seven, by striking out the words “in the prior year”.

On motion of Senator Hamilton, the following amendments to the bill (S. B. 1039) were next reported by the Clerk and considered simultaneously:

On page forty-six, section three, line nine, by inserting a new subsection, designated subsection (b), to read as follows:

(b) A public charter school may not be authorized under this article until a local option election is held in the county in which the public charter school will be located and a majority of the voters of that county voting on the question approve authorization of the public charter school.

(1) A local option election shall be held in conjunction with the next primary or general election scheduled more than 90 days following receipt by the county commission of a written notice from an authorizer requesting that the question be placed on the ballot.

(2) The county commission of the county in which the public charter school will be located shall give notice to the public of the election by publication of the notice as a Class II-0 legal advertisement in compliance with the provisions of §59-3-1 et seq. of this code and the publication area for the publication shall be the county in which the election is to be held. The date of the last publication of the notice shall fall on a date at least 30 days preceding the day of the election.

(3) On the local option election ballot shall be printed the following:

Shall a public charter school be permitted in [Name of County] County ?

[] Yes [] No (Place a cross mark in the square next to your choice.)

Relettering the remaining subsections;

On page fifty-one, section five, line four, by inserting a new subdivision, designated subdivision (1), to read as follows:

(1) A local option election is held in accordance with §18-5G-3(b) of this code in the county in which the public charter school will be located and a majority of the voters of that county voting on the question approve authorization of the public charter school.;

And,

Renumbering the remaining subdivisions.

Following discussion,

The question being on the adoption of Senator Hamilton's amendments to the bill, the same was put and did not prevail.

The bill (S. B. 1039), as amended, was then ordered to engrossment and third reading.

Pending announcement of a meeting of the Committee on Rules,

On motion of Senator Takubo, at 4:17 p.m., the Senate recessed for 15 minutes.

The Senate reconvened at 4:36 p.m. and, at the request of Senator Takubo, unanimous consent being granted, returned to the fourth order of business.

Senator Carmichael (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

Senate Bill 1040, Education Savings Account Act.

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

Respectfully submitted,

Mitch Carmichael,
Chairman ex officio.

Senator Takubo requested unanimous consent that the bill (S. B. 1040) contained in the preceding report from the Committee on Rules be taken up for immediate consideration, read a first time, and ordered to second reading.

Which consent was not granted, Senator Unger objecting.

On motion of Senator Takubo, the bill (S. B. 1040) contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Blair and Tarr.

Senator Prezioso arose to a point of order stating current remarks were a gross misrepresentation of remarks made during session on yesterday, Saturday, June 1, 2019.

Which point of order, the President ruled not well taken.

Remarks were made by Senators Tarr, Beach, Romano, Takubo, 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 victims of a mass shooting on Friday, May 31, 2019, in Virginia Beach, Virginia.

Remarks were made by Senators Azinger and Prezioso.

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

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

On motion of Senator Takubo, at 5:17 p.m., the Senate adjourned until tomorrow, Monday, June 3, 2019, at 9 a.m.

MONDAY, JUNE 3, 2019

The Senate met at 9:18 a.m.

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

Prayer was offered by the Honorable Stephen Baldwin, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Chandler Swope, a senator from the sixth district.

Pending the reading of the Journal of Sunday, June 2, 2019,

At the request of Senator Palumbo, 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 seventh order of business.

Senate Resolution 104, Congratulating Webster County High School Highlanders boys' basketball team for winning 2019 Class A State Championship.

On unfinished business, coming up in regular order, was reported by the Clerk.

Without objection, the resolution was taken up for immediate consideration.

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

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 1039, Establishing Student Success Act.

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

Pending extended discussion,

The question being "Shall Engrossed Senate Bill 1039 pass?"

Senator Mann requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as his wife is an administrator in the public school system.

The Chair replied that any impact on Senator Mann would be as a member of a class of persons and that he would be required to vote.

Senator Palumbo requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as his wife is a teacher in the public school system.

The Chair replied that any impact on Senator Palumbo would be as a member of a class of persons and that he would be required to vote.

Senator Ihlenfeld requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as his wife is an employee of the Ohio County public school system.

The Chair replied that any impact on Senator Ihlenfeld would be as a member of a class of persons and that he would be required to vote.

On the passage of the bill, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—18.

The nays were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Prezioso, Romano, Stollings, Unger, and Woelfel—15.

Absent: Plymale—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1039) passed.

On motion of Senator Rucker, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 1039—A Bill to amend and reenact §5-16-2 and §5-16-22 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §11-21-25; to amend and reenact §15-1B-24 of said code; to amend said code by adding thereto a new section, designated §18-1-5; to amend said code by adding thereto a new section, designated §18-2E-12; to amend and reenact §18-2I-4 of said code; to amend and reenact §18-5-16, §18-5-16a, §18-5-18a, §18-5-18b, §18-5-45, and §18-5-46 of said code; to amend said code by adding thereto two new sections, designated §18-5-45a and §18-5-48; to amend and

reenact §18-5E-1, §18-5E-2, §18-5E-3, §18-5E-4, §18-5E-5, and §18-5E-6 of said code; to amend said code by adding thereto a new article, designated §18-5G-1, §18-5G-2, §18-5G-3, §18-5G-4, §18-5G-5, §18-5G-6, §18-5G-7, §18-5G-8, §18-5G-9, §18-5G-10, §18-5G-11, §18-5G-12, and §18-5G-13; to amend and reenact §18-7A-3 of said code as contained in Chapter 89, Acts of the Legislature, Regular Session, 2019; to amend and reenact §18-7B-2 of said code as contained in Chapter 89, Acts of the Legislature, Regular Session, 2019; to amend and reenact §18-8-4 of said code; to amend and reenact §18-9A-2 of said code as contained in Chapter 133, Acts of the Legislature, Regular Session, 2019; to amend and reenact §18-9A-8 and §18-9A-9 of said code; to amend said code by adding thereto a new section, designated §18-9A-19; to amend said code by adding thereto a new section, designated §18-9B-22; to amend and reenact §18-20-5 of said code; to amend and reenact §18A-4-2, §18A-4-5, §18A-4-5a, §18A-4-7a, §18A-4-8a, and §18A-4-10 of said code; to amend and reenact §18A-5-2 of said code; to amend and reenact §18C-4-1, §18C-4-2, §18C-4-3, §18C-4-4, and §18C-4-5 of said code; to amend and reenact §18C-4A-1, §18C-4A-2, and §18C-4A-3 of said code; and to amend and reenact §29-12-5a of said code, all relating to establishing the Student Success Act; allowing public charter schools to participate in the Public Employees Insurance Agency insurance program; creating personal income tax credits for educational expenses incurred by certain school employees for the purchase of supplementary educational materials or professional development costs; requiring Governor to expand Mountaineer Challenge Academy at its existing location and to a new location subject to agreement required under federal law; requiring the State Board of Education to implement the Mountain State Digital Literacy Project as a pilot project; providing that professional development for classroom teachers should be individualized; requiring all teachers to receive professional development on addressing social, emotional, and behavioral needs of students; requiring state board to establish the Principals Academy; requiring county boards to establish attendance zones; replacing existing provisions pertaining to student transfers with requirement for county boards to establish an open enrollment policy; requiring appeal process whereby a parent or guardian can appeal the refusal of a county board to accept the transfer of the student; requiring the county to which a student is

transferred include the student in its net enrollment in certain instances; providing that certain transfer provisions do not supersede eligibility requirements for participation in extracurricular activities established by the Secondary School Activities Commission; requiring the West Virginia Department of Education to survey districts to determine where overcrowding is impeding student achievement; increasing percentage of work time school counselors are required to spend in a direct counseling relationship with pupils; replacing the required number of instructional minutes per day with a requirement for at least an average of five hours per day throughout the instructional day; allowing public notice of meetings to discuss school calendar to be accomplished by publishing prominently on the county board of education's website; making legislative findings and declaring that any concerted work stoppage or strike by public employees is unlawful; providing criteria for determining whether an employee of a county board of education is participating in a concerted work stoppage or strike; providing that statutory provisions allowing zero hours of instruction or alternative methods of instruction delivery on instructional days when schools are closed, due to certain circumstances, do not apply to days when schools are closed due to a concerted work stoppage or strike; prohibiting the state board of education from granting a waiver for a county board's noncompliance with minimum instructional and work day requirements if noncompliance is due to a concerted work stoppage or strike; requiring the county board of education to withhold the salary or pay of an employee for each day on which such employee participates in a concerted work stoppage or strike; providing that participation in a concerted work stoppage or strike is grounds for termination of an employee of a county board of education; providing that if a school is closed because of a concerted work stoppage or strike, the school may not participate in any extracurricular activities during any part of that same day; prohibiting a county superintendent from closing a school in anticipation of or to facilitate a concerted work stoppage or strike; providing that the teacher's recommendation is a primary consideration in determining student promotion; allowing each county board to establish by policy an exceptional needs fund from surpluses for students who are likely to perform better outside of the public school setting; setting forth provisions that the policy

may include; removing requirement that an Innovation in Education school have a focus on certain specified areas; removing certain provisions required in an Innovation in Education application and plan; providing county boards instead of the state board the authority to designate schools as Innovation in Education schools; allowing appeals to the State Board of Education certain Innovation in Education-related determinations made by a county board; exempting public charter schools from all statutes and administrative regulations applicable to the state board, a county board, or a school, with exceptions; providing that no elected official can profit from a charter school, with exception; setting forth public charter school requirements and authority; requiring a public charter school be administered by a governing board; allowing a public charter school to enroll any student in the state; requiring randomized and transparent lottery if capacity at a public charter school is insufficient; creating and allowing certain enrollment preferences at a public charter school; requiring a public charter school to submit a student recruitment and retention plan; requiring an applicant to submit an application to an authorizer in order to establish a new public charter school or to convert an existing noncharter public school to a public charter school; setting forth minimum requirements for application for a public charter school; allowing state board, subject to funding, to offer an incentive grant for a public charter school; setting forth duties of the authorizer of a public charter school; establishing process for authorizer's approval or denial of public charter school application; limiting liability of certain persons and entities relating to the operation of a public charter school; requiring each public charter school to remit to its authorizer an oversight fee; requiring a charter contract between the governing board and the authorizer; setting forth requirements for the charter contract; making the authorizer responsible for collecting and reporting to the state board all state-required assessment and achievement data for the public charter school; setting forth requirements pertaining to renewal, nonrenewal, and revoking a charter contract; requiring state board rule establishing the process for renewing or not renewing a charter contract; requiring an authorizer to develop a public charter school closure protocol or protocol for transitioning a charter school to noncharter public school status; allowing a charter applicant or governing board to appeal certain authorizer

decisions; setting forth prohibitions for a public charter school; requiring or allowing state board rules pertaining to public charter school funding, clarifying certain requirements, addressing unforeseen circumstances, prohibiting discrimination against employees involved with establishing charter schools, ensuring accountability, allowing the Schools for the Deaf and Blind to apply for authorization, and facilitating the creation of two youth programs modeled after the Mountaineer Challenge Academy; providing for public charter school access to public facilities; setting forth reporting requirements for certain authorizers and the State Superintendent; allowing public charter schools to elect to participate in certain state retirement systems; modifying requirements applicable after certain numbers of unexcused student absences; including professional personnel providing direct social and emotional support services to students and professional personnel addressing chronic absenteeism within the definition of “professional student support personnel”; modifying provisions pertaining to adults that are to be included in net enrollment; increasing calculated net enrollment for the purposes of determining a county’s basic foundation program of certain counties with an actual net enrollment of less than 1,400; decreasing the percent of the levy rate used to calculate local share; basing the basic foundation allowance for professional student support personnel on a ratio; increasing the percentage used to calculate each county’s allowance for current expense; requiring that each county board receive its allocated state aid share of the county’s basic foundation program in the form of block grants; requiring the State Superintendent to provide the State Auditor with the required data for use by the searchable budget data website; including public charter schools in the provisions pertaining to an appropriation to serve certain exceptional children; increasing teacher salaries; providing that certain math and special education teachers be considered to have three additional years of experience for the purposes of the salary schedule; removing definition of salary equity among the counties; removing requirement that Department of Education include in its budget request a request for funding sufficient to meet the objective of salary equity; adding to exceptions to requirement that county salary schedules be uniform; permitting a county board of education to base its reductions in force determinations on an

individual's qualifications as defined in county board policy; modifying provisions pertaining to the preferred recall list and posting of position openings; removing requirement for county board to annually make available a list of all professional personnel employed, their areas of certification, and their seniority; providing that all personnel in a public charter school accrue seniority for the purpose of employment in noncharter public schools; increasing salaries for service personnel; increasing leave without cause days from three to four; requiring a bonus for classroom teachers who have not used more than four days of personal leave during the employment term; renaming the Underwood-Smith Teacher Scholarship and Loan Assistance programs the Underwood-Smith Teaching Scholars Program and the Teacher Education Loan Repayment Program; modifying requirements for Higher Education Policy Commission rules providing for administration of the programs; requiring that Underwood-Smith Teaching Scholars award recipients receive additional academic support and training from mentors in their academic field; continuing the Underwood-Smith Teacher Scholarship and Loan Assistance Fund as the Underwood-Smith Teaching Scholars Program Fund; requiring each award recipient to be distinguished as an Underwood-Smith Teaching Scholar; establishing uses for moneys in the Underwood-Smith Teaching Scholars Program Fund; providing for continuation of certain terms, conditions, requirements, and agreements; requiring the Vice Chancellor for Administration to appoint a selection panel to select Underwood-Smith Teaching Scholars; modifying eligibility criteria for Underwood-Smith Teaching Scholars; modifying Underwood-Smith Teaching Scholars award agreement requirements; modifying renewal requirements for an Underwood-Smith Teaching Scholars award; modifying conditions under which a recipient is not in violation of the agreement; requiring Underwood-Smith Teaching Scholars award to be used in preparation for becoming a teacher in a critical shortage field in the public schools of this state; increasing the amount of the annual award; requiring as a condition of loan repayment award eligibility an applicant to be currently employed in a public school in this state in a critical teacher shortage field or as a school counselor in a school or geographic area of the state identified as an area of critical need for such field; requiring as a condition of eligibility an

applicant to agree to be employed full time for two school years in a critical teacher shortage field or as a school counselor in a school or geographic area of critical need for such field for each year for which a loan repayment assistance award is received; modifying provisions pertaining to the amount of loan assistance and the requirements for eligibility; modifying eligibility requirements for renewal of a loan repayment assistance award; removing accumulated limit on loan repayment awards; increasing minimum Board of Risk and Insurance Management coverage; requiring at least annual written notice of Board of Risk and Insurance Management insurance coverages by county boards to employee insureds; and allowing public charter schools to obtain insurance coverage from the Board of Risk and Insurance Management.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—18.

The nays were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Prezioso, Romano, Stollings, Unger, and Woelfel—15.

Absent: Plymale—1.

So, less than two thirds of all the members elected to the Senate having voted in the affirmative, the President declared Senator Takubo's aforestated motion had not prevailed.

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

Thereafter, at the request of Senator Beach, and by unanimous consent, the remarks by Senators Hardesty, Baldwin, Woelfel, Hamilton, Romano, and Mann regarding the passage of Engrossed Senate Bill 1039 were ordered printed in the Appendix to the Journal.

At the request of Senator Takubo, unanimous consent being granted, the remarks by Senators Rucker, Weld, Tarr, Smith, and

Swope regarding the passage of Engrossed Senate Bill 1039 were ordered printed in the Appendix to the Journal.

On motion of Senator Takubo, at 11:52 a.m., the Senate recessed until 12:45 p.m. today.

The Senate reconvened at 12:52 p.m. and proceeded to the ninth order of business.

Senate Bill 1040, Education Savings Account Act.

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

On motion of Senator Rucker, the following amendment to the bill was reported by the Clerk and adopted:

On page sixteen, section six, lines eight and nine, by striking out all of paragraph (B) and inserting in lieu thereof a new paragraph, designated paragraph (B), to read as follows:

“(B) Shall include four members appointed by the Governor and three members appointed by the Treasurer all of whom shall serve for one calendar year and may be reappointed; and”.

The bill (S. B. 1040), as amended, was then ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Prezioso, Roberts, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, and Carmichael (Mr. President)—30.

The nays were: Baldwin and Unger—2.

Absent: Plymale and Romano—2.

Engrossed Senate Bill 1040 was then read a third time and put upon its passage.

Pending extended discussion and a point of inquiry to the President, with resultant response thereto,

The question being “Shall Engrossed Senate Bill 1040 pass?”

On the passage of the bill, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—18.

The nays were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Prezioso, Romano, Stollings, Unger, and Woelfel—15.

Absent: Plymale—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1040) passed with its title.

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

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Romano.

Under authority of House Concurrent Resolution 101, adopted March 10, 2019,

On motion of Senator Takubo, at 1:36 p.m., the Senate adjourned until subsequently called back into session by the presiding officer.

MONDAY, JUNE 24, 2019

Pursuant to the call of the President of the Senate, under the authority of House Concurrent Resolution 101, adopted March 10, 2019, the Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at 5:04 p.m., and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Charles S. Trump IV, a senator from the fifteenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Roman W. Prezioso, Jr., a senator from the thirteenth district.

Pending the reading of the Journal of Monday, June 3, 2019,

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

The Clerk presented the following communication from a state agency as required by the provisions of law:

Protective Services, Division of (Monthly Incidence Report)
(§15-2D-3)

The Senate proceeded to the third order of business.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following supplement to the proclamation dated March 7, 2019, from His Excellency, the Governor, which was read by the Clerk:

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

Charleston

A PROCLAMATION

By the Governor

I, **JIM JUSTICE**, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the proclamation dated the seventh day of March, Two Thousand Nineteen, calling the West Virginia Legislature to convene in Extraordinary Session upon adjournment *sine die* of the 2019 Regular Session, and amended by subsequent Proclamation dated the seventeenth day of May, Two Thousand Nineteen, and amended by subsequent Proclamation dated the twentieth day of May, Two Thousand Nineteen, and amended by subsequent Proclamation dated the thirty-first day of May, Two Thousand Nineteen, by adding items thirty-five through forty-six, as follows:

THIRTY-FIFTH: a bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Executive, Governor's Office, Civil Contingent Fund, fund 0105, fiscal year 2019, organization 0100, by supplementing and amending by adding a new item of appropriation for the fiscal year ending June 30, 2019; and

THIRTY-SIXTH: a bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Military Affairs and Public Safety, Division of Homeland Security and Emergency Management, fund 0443, fiscal year 2019, organization 0606, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019; and

THIRTY-SEVENTH: a bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Transportation, Division of Highways, fund 0620, fiscal year 2019, organization 0803, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019; and

THIRTY-EIGHTH: a bill making a supplementary appropriation by adding a new item and increasing the expenditure of public moneys out of the Treasury from the balance of moneys

remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Revenue, State Budget Office, fund 0595, fiscal year 2019, organization 0703, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019; and

THIRTY-NINTH: a bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Executive, Governor's Office, fund 0101, fiscal year 2019, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019; and

FOURTIETH: a bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Environmental Protection, Division of Environmental Protection, fund 0273, fiscal year 2019, organization 0313, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019; and

FOURTY-FIRST: a bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, Division of Health, Central Office, fund 0407, fiscal year 2019, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019; and

FOURTY-SECOND: a bill supplementing, amending and increasing an item of existing appropriation from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2020, organization 0803, for the fiscal year ending June 30, 2020; and

FOURTY-THIRD: a bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2020, to the Department of Revenue, Office of the Secretary, Home Rule Board Operations Fund, fund 7010, fiscal year 2020, organization 0701 by supplementing and amending the appropriations for the fiscal year ending June 30, 2020; and

FOURTY-FOURTH: a bill making a supplementary appropriation of Lottery Net Profits by increasing existing items of appropriation from the balance of moneys remaining as an unappropriated balance in Lottery Net Profits to the Department of Arts, Culture and History, Division of Culture and History, Lottery Education Fund, fund 3534, fiscal year 2020, organization 0432, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020; and

FOURTY-FIFTH: a bill relating to the procurement of construction work performed as part of disaster mitigation or recovery originating from a declared state of emergency; and

FOURTY-SIXTH: a bill relating to the Ryan Brown Fund.

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



By the Governor

DONE at the Capitol in the City of Charleston, State of West Virginia, this fourteenth day of June, in the year of our Lord, Two Thousand Nineteen, and in the One Hundred Fifty-Sixth year of the State.

GOVERNOR

SECRETARY OF STATE

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



Jim Justice
Governor of West Virginia

June 17, 2019

SENATE EXECUTIVE MESSAGE NO. 2
2019 FIRST EXTRAORDINARY SESSION

The Honorable Mitch Carmichael
President, West Virginia Senate
Building 1, Room M-229
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear President Carmichael:

The following amends and replaces the "FY 2019 Official Estimate General Revenue – Statement of Revenues by Source" which I submitted to you on May 20, 2019 in Executive Message No. 1, 2019 First Extraordinary Session for the fiscal year ending June 30, 2019:

General Revenue Fund
Statement of Revenues by Source
(Expressed in Thousands)

<u>Source of Revenue</u>	<u>FY 2019 Official Estimate Revised</u>
Business and Occupation Tax	\$124,500
Consumer Sales & Service and Use Tax	1,368,000
Personal Income Tax	2,092,000
Liquor Profit Transfers	20,800
Beer Tax and Licenses	7,500
Tobacco Products Tax	179,700
Business Franchise Fees	670
Property Transfer Tax	13,000
Property Tax	6,900
Insurance Tax	128,500
Departmental Collections	23,600
Corporate Net Income Tax	206,038

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Miscellaneous Transfers	1,000
Interest Income	26,000
Severance Tax	451,000
Miscellaneous Receipts	10,700
HB102 – Lottery Transfers	65,000
Special Revenue Transfers	13,250
Senior Citizen Tax Credit Reimbursement	10,000
Total General Revenue	<u>\$4,748,158</u>

Note: The Governor's official Revenue Estimates for Fiscal Year 2019 were revised upward by \$98 million on June 17, 2019. The changes include an increase in the Consumer Sales and Use Tax, Personal Income Tax, Business and Occupation Tax, Severance Tax, Corporate Net Income Tax, Insurance Tax and Interest Income.

The following amends and replaces the "FY 2020 Official Estimate General Revenue – Statement of Revenues by Source" which I submitted to you on January 9, 2019 as part of my Budget Document for the fiscal year ending June 30, 2020:

General Revenue Fund
 Statement of Revenues by Source
 (Expressed in Thousands)

<u>Source of Revenue</u>	<u>FY 2020 Official Estimate Revised</u>
Business and Occupation Tax	\$123,000
Consumer Sales & Service and Use Tax	1,390,260
Personal Income Tax	2,154,880
Liquor Profit Transfers	21,000
Beer Tax and Licenses	7,600
Tobacco Products Tax	177,000
Business Franchise Fees	680
Property Transfer Tax	12,300
Property Tax	7,200
Insurance Tax	131,800
Departmental Collections	24,000

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Corporate Net Income Tax	136,980
Miscellaneous Receipts	1,700
Interest Income	30,000
Severance Tax	376,800
Miscellaneous Receipts	11,000
HB102 – Lottery Transfers	65,000
Liquor License Renewal	29,000
Senior Citizen Tax Credit Reimbursement	<u>10,000</u>
Total General Revenue	<u>\$4,710,200</u>

Note: The Governor's official Revenue Estimates for Fiscal Year 2020 were revised upward by \$34.38 million on June 17, 2019. The changes include an increase in the Consumer Sales and Use Tax, Personal Income Tax and a decrease in the Severance Tax estimate related to legislation passed in the 2019 Regular Session.

The following amends and replaces the "General Revenue Fund – Statement of Revenues, Expenditures, and Changes in Cash Balance" which I submitted to you on May 20, 2019 in Executive Message No. 1, 2019 First Extraordinary Session for the fiscal years ending June 30, 2019 and June 30, 2020:

General Revenue Fund
 Statement of Revenues, Expenditures, and Changes in Cash Balance
 (Nearest Dollar)

Actual Beginning Cash Balance July 1, 2018	\$377,650,037
Less: 31 Day Disbursements (July 1, 2018 - July 31, 2018)	(42,888,978)
Plus: Prior Year Reimbursements (July 1, 2018 - July 31, 2018)	27,203
Less: Prior Year Appropriations Forwarded	(297,422,832)
Less: Cash Balance - Adjustments and Accruals	<u>(1,337,913)</u>
Accumulated Surplus from FY 2018 @ July 31, 2018	\$36,027,517
Less: Transfer to Revenue Shortfall Reserve Fund (Statutory)	(18,013,759)
Less: FY 2019 Surplus Appropriation (FY 2019 Budget Bill)	(13,765,000)
Plus: FY 2019 Supplementary Expiration to Surplus Balance (2019 1st Extraordinary Session) 05/2019	4,705,000
Less: FY 2019 Supplementary Surplus Appropriation (2019 1st Extraordinary Session) 05/2019	(4,705,000)

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Less: Recommended FY 2019 Supplementary Surplus Appropriation (2019 1st Extraordinary Session)	(4,744,200)	
Plus: Prior Year Reimbursements and Adjustments (August 1, 2018 – June 7, 2019)	703,433	
Estimated Unappropriated Surplus Balance @ June 30, 2019		\$207,991
Plus: FY 2019 Revenue Estimate	\$4,439,920,000	
Plus: FY 2019 Revision to Revenue Estimate (2019 Regular Session) 1/9/19	142,000,000	
Plus: FY 2019 Revision to Revenue Estimate (2019 Regular Session) 3/5/2019	25,913,000	
Plus: FY 2019 Revision to Revenue Estimate (2019 1 st Extraordinary Session) 5/20/19	42,325,000	
Plus: FY 2019 Revision to Revenue Estimate (2019 1 st Extraordinary Session) 6/17/19	98,000,000	
Less: FY 2019 Appropriations (FY 2019 Budget Bill) (2018 Regular Session)	(4,381,808,884)	
Plus: FY 2019 Appropriations (FY 2019 Budget Bill) veto	0	
Less: FY 2019 Supplementary Appropriations (2019 Regular Session)	(195,723,199)	
Less: FY 2019 Supplementary Appropriations (2019 1 st Extraordinary Session)	(54,000,000)	
Less: Recommended FY 2019 Supplementary Appropriations (2019 1 st Extraordinary Session)	(116,625,917)	
Estimated Unappropriated Balance from FY 2019 Activity @ June 30, 2019		\$0
Plus: FY 2020 Revenue Estimate	\$4,675,820,000	
Plus: FY 2020 Revised Revenue Estimate as of 06/17/2019	34,380,000	
Less: FY 2020 Appropriations (FY 2020 Budget Bill) (2019 Regular Session)	(4,635,887,842)	
Plus: FY 2020 Appropriations (FY 2020 Budget Bill) veto	5,372,000	
Estimated Unappropriated Balance from FY 2020 Activity @ June 30, 2020		<u>\$79,684,158</u>
Total Estimated Unappropriated Balance @ June 30, 2020		<u>\$79,892,149</u>

The following amends and replaces the "FY 2019 Official Estimate" "State Road Fund – Statement of Revenues by Source" which I submitted to you on May 20, 2019 in Executive Message No. 1, 2019, First Extraordinary Session for the fiscal year ending June 30, 2019:

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State Road Fund
 Statement of Revenues by Source
 (Expressed in Thousands)

<u>Source of Revenue</u>	<u>FY 2019 Official Estimate Revised</u>
Motor Fuel Tax	\$443,900
Registration	142,196
Sales (Privilege)	230,930
Litter	1,719
Less: Industrial Access Road Transfer	(3,000)
Miscellaneous Revenue	120,695
Federal Reimbursement	<u>471,500</u>
Total State Road	<u>\$1,407,940</u>

Note: The Governor's official Revenue Estimates for Fiscal Year 2019 were revised upward by \$50.2 million on June 17, 2019. The changes include an increase in the Miscellaneous Revenue estimate. The revision is reflected in the month of June.

State Road Fund
 Statement of Revenues, Expenditures,
 and Changes in Cash Balance
 (Nearest Dollar)

Cash and Investment Balance - July 1, 2018	\$141,408,683
Plus: Revenue Estimate-FY 2019	1,303,740,000
Plus: FY 2019 Revision to Revenue Estimate (2019 1 st Extraordinary Session) 5/20/19	54,000,000
Plus: FY 2019 Revision to Revenue Estimate (2019 1 st Extraordinary Session) 6/17/19	<u>50,200,917</u>
Total Estimated Receipts and Balance	\$1,549,349,600
Less: FY 2019 Appropriations (FY 2019 Budget Bill) – Division of Highways	(\$1,308,400,000)
Less: FY 2019 Appropriations (FY 2019 Budget Bill) – Division of Motor Vehicles	(43,478,729)
Less: FY 2019 Appropriations (FY 2019 Budget Bill) – Office of Administrative Hearings	(1,951,979)
Less: Claims Against the State Road Fund (FY 2019 Budget Bill)	<u>(408,830)</u>

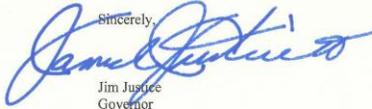
OFFICE OF THE GOVERNOR

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 June 17, 2019

Estimated Balance @ June 30, 2019	\$195,110,062
Plus: Revenue Estimate – FY 2020	\$1,319,857,000
Less: FY 2020 Appropriations (FY 2020 Budget Bill) – Division of Highways	(1,334,315,083)
Less: FY 2020 Appropriations (FY 2020 Budget Bill) – Division of Motor Vehicles	(46,077,719)
Less: FY 2020 Appropriations (FY 2020 Budget Bill) – Office of Administrative Hearings	(2,065,530)
Less: Claims Against the State Road Fund (FY 2020 Budget Bill)	(1,703,146)
Less: FY 2020 Supplementary Appropriations (2019 1 st Extraordinary Session) Division of Highways 5/20/2019	(54,000,000)
Less: FY 2020 Supplementary Appropriations (2019 1 st Extraordinary Session) Division of Highways 6/17/2019	<u>(50,200,917)</u>
Estimated Unappropriated Balance @ June 30, 2020	<u><u>\$26,604,667</u></u>

Thank you for your cooperation in this matter.

Sincerely,



Jim Justice
 Governor

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1015, Supplemental appropriation to Secretary of State, General Administrative Fees Account.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1017, Supplemental appropriation to Department of Arts, Culture, and History, Educational Broadcasting Authority.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1020, Supplementing and amending Chapter 31, Acts of the Legislature, 2019, known as Budget Bill.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1021, Decreasing existing appropriation and adding appropriation to Department of Veterans' Assistance.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1023, Supplementing, amending, increasing, and adding items of appropriations to Attorney General, Consolidated Federal Fund.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1024, Supplemental appropriation to Department of Agriculture Capital Improvements Fund.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1025, Supplemental appropriation to DHHR, Division of Human Services for fiscal year ending June 30, 2019.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 1027, Adding new items and increasing existing items to various accounts.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page two, item 10, line forty-eight, after “\$300,000” by inserting the following:

Any unexpended balance remaining in the appropriation for WV Food Banks (fund 0131, appropriation 96900) at the end of the close of the fiscal year 2019 is hereby reappropriated for expenditure during the fiscal year 2020.;

On page four, item 43, line eleven, after “\$3,500,000” by inserting the following:

Any unexpended balance remaining in the appropriation for Safe Schools (fund 0313, appropriation 14300) at the end of the

close of the fiscal year 2019 is hereby reappropriated for expenditure during the fiscal year 2020.;

On page five, item 57, line nine, after “\$200,000” by inserting the following:

Any unexpended balances remaining in the appropriations for Sexual Assault Intervention and Prevention (fund 0407, appropriation 72300) and New Born Screening and Testing (fund 0407, appropriation #####) at the end of the close of the fiscal year 2019 are hereby reappropriated for expenditure during the fiscal year 2020.;

On page six, item 90, line eight, after “\$500,000” by inserting the following:

Any unexpended balance remaining in the appropriation for Blue Ridge Community and Technical College (fund 0601, appropriation 88500) at the end of the close of the fiscal year 2019 is hereby reappropriated for expenditure during the fiscal year 2020.;

On page six, item 91, line eight, after “\$500,000” by inserting the following:

Any unexpended balance remaining in the appropriation for West Virginia University - Parkersburg (fund 0351, appropriation 47100) at the end of the close of the fiscal year 2019 is hereby reappropriated for expenditure during the fiscal year 2020.;

On page seven, item 94, line eight, after “\$500,000” by inserting the following:

Any unexpended balance remaining in the appropriation for Eastern West Virginia Community and Technical College (fund 0587, appropriation 41200) at the end of the close of the fiscal year 2019 is hereby reappropriated for expenditure during the fiscal year 2020.;

On page seven, item 106, line seven, after “\$500,000” by inserting the following:

Any unexpended balance remaining in the appropriation for Glenville State College (fund 0363, appropriation 42800) at the end of the close of the fiscal year 2019 is hereby reappropriated for expenditure during the fiscal year 2020.;

And,

On page seven, item 107, line one, after “\$500,000” by inserting the following:

Any unexpended balance remaining in the appropriation for Shepherd University (fund 0366, appropriation 43200) at the end of the close of the fiscal year 2019 is hereby reappropriated for expenditure during the fiscal year 2020.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 1027, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1027) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith,

Stollings, Swope, Sypolt, Takubo, Tarr, 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. S. B. 1027) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1038, Supplemental appropriation to DHHR, Division of Health's Central Office.

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 113—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12k; and to amend said code by adding thereto a new section, designated §11-24-6b, all relating generally to establishing tax incentive for new business activity in qualified opportunity zones; establishing eligibility requirements; defining terms; specifying duration of tax benefit; providing rulemaking authority; providing for termination of program; and specifying effective dates.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 113) was then read a third time and put upon its passage.

Senator Plymale requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as he is a member of two boards that own property in opportunity zones.

The Chair replied that any impact on Senator Plymale would be as a member of a class of persons and that he would be required to vote.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 113) passed with its title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, to take effect from passage, of

Eng. House Bill 118, Relating to the use of post-criminal conduct in professional and occupational initial licensure decision making.

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

Eng. House Bill 132—A Bill supplementing and amending by increasing and decreasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Health and Human Resources, Division of Health, fund 0407, fiscal year 2020, organization 0506 to the Department of Agriculture, fund 0131, fiscal year 2020, organization 1400, by supplementing, amending, increasing and decreasing items of appropriation for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill (Eng. H. B. 132) was then read a second time.

On motion of Senator Blair, the following amendment to the bill was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

That the total appropriation for the fiscal year ending June 30, 2020, to fund 0407, fiscal year 2020, organization 0506, be supplemented and amended by decreasing existing items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

57 – Division of Health –

Central Office

(WV Code Chapter 16)

Fund 0407 FY 2020 Org 0506

	Appro- priation	General Revenue Fund
1 Personal Services and Employee Benefits.....00100	\$	251,555
3 Current Expenses13000		406,155

And, That the total appropriation for the fiscal year ending June 30, 2020, to fund 0131, fiscal year 2020, organization 1400, be supplemented and amended by increasing existing items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

EXECUTIVE

10 –Department of Agriculture

(WV Code Chapter 19)

Fund 0131 FY 2020 Org 1400

	Appro- priation		General Revenue Fund
1 Personnel Services and Employee Benefits.....	00100	\$	251,555
3 Current Expenses	13000		406,155

The bill, as amended, was ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 132) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 132) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 132) takes effect from passage.

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

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 144—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-1n, relating to creating a pilot program to encourage utility infrastructure development to certain lands; declaring certain legislative findings; defining certain terms; requiring the Secretary of Commerce to consider certain applications; allowing the secretary to certify sites that do not currently have adequate public utility services from one or more public utilities regulated by the Public Service Commission as having potential for industrial development; requiring the Public Service Commission to consider certain multi-year comprehensive plans for infrastructure development to construct public utility infrastructure and provide services to industrial development sites as certified by the secretary, in lieu of a proceeding pursuant to §24-2-11 of the code; requiring the applicant to publish the anticipated rates and, if any, rate increase under the proposal, by average percentage and dollar amount for customers within a class of service, as a Class I legal advertisement; providing the Public

Service Commission with the authority to allow certain public utility infrastructure projects to recover certain costs via ratemaking; providing for the expiration of certain statutory provisions; and providing for an effective date of the provisions of this section.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 144) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 144) passed with its title.

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

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 146—A Bill to amend and reenact §16-53-1 of the Code of West Virginia, 1931, as amended, relating substance use disorder; clarifying who is eligible to receive funds; providing the secretary with discretion to decide who is eligible to funds; and removing certain limitations on funding limitations.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 146) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 146) passed with its title.

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

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

Eng. House Bill 148—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Executive, Governor's Office, fund 0101, fiscal year 2019, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire,

Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 148) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: Smith—1.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 148) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: Smith—1.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 148) takes effect from passage.

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

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

Eng. House Bill 149—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Executive, Governor's Office, Civil Contingent Fund, fund 0105, fiscal year 2019, organization 0100, by supplementing and amending by adding a new item of appropriation for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 149) was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed House Bill 149 pass?”

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 149) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 149) takes effect from passage.

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

Thereafter, at the request of Senator Woelfel, and by unanimous consent, the remarks by Senator Plymale regarding the passage of Engrossed House Bill 149 were ordered printed in the Appendix to the Journal.

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

Eng. House Bill 150—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2020, to the Department of Revenue, Office of the Secretary, Home Rule Board Operations Fund, fund 7010, fiscal year 2020, organization 0701 by supplementing and amending the appropriations for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 150) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 150) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 150) takes effect from passage.

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

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

Eng. House Bill 151—A Bill making a supplementary appropriation of Lottery Net Profits by increasing existing items of appropriation from the balance of moneys remaining as an

unappropriated balance in Lottery Net Profits to the Department of Arts, Culture and History, Division of Culture and History, Lottery Education Fund, fund 3534, fiscal year 2020, organization 0432, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 151) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 151) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 151) takes effect from passage.

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

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

Eng. House Bill 152—A Bill making a supplementary appropriation by adding a new item and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Revenue, State Budget Office, fund 0595, fiscal year 2019, organization 0703, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 152) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 152) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith,

Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 152) takes effect from passage.

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

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

Eng. House Bill 153—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, Division of Health, Central Office, fund 0407, fiscal year 2019, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker,

Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 153) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 153) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 153) takes effect from passage.

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

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

Eng. House Bill 154—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Transportation, Division of Highways, fund 0620, fiscal year 2019, organization 0803, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 154) was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed House Bill 154 pass?”

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 154) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 154) takes effect from passage.

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

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

Eng. Com. Sub. for House Bill 155—A Bill supplementing, amending and increasing an item of existing appropriation from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2020, organization 0803, for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. Com. Sub. for H. B. 155) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 155) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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 H. B. 155) takes effect from passage.

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

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

Eng. House Bill 156—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Environmental Protection, Division of Environmental Protection, fund 0273, fiscal year 2019, organization 0313, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 156) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 156) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith,

Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 156) takes effect from passage.

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

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

Eng. House Bill 157—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Military Affairs and Public Safety, Division of Homeland Security and Emergency Management, fund 0443, fiscal year 2019, organization 0606, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker,

Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 157) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 157) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 157) takes effect from passage.

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

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 158—A Bill to amend and reenact §18-2E-5 of the Code of West Virginia, 1931, as amended, relating to the process for improving education by requiring the state board to establish a rule for student accountability regarding performance on the statewide summative assessment program.

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. House Bill 159—A Bill to repeal §18-10N-1, §18-10N-2, §18-10N-3, and §18-10N-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §5A-3-62, all relating to information technology access for the blind and visually impaired; providing legislative findings and policy; providing definitions; requiring the purchasing division to develop access standards; requiring agencies to implement access planning in procurement operations; specifying parameters for application of the act; and removing superseded deadlines.

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. House Bill 160—A Bill to repeal §18-10L-1, §18-10L-2, §18-10L-3, §18-10L-4, §18-10L-5, §18-10L-6, §18-10L-7, §18-10M-1, §18-10M-2, §18-10M-3, §18-10M-4, §18-10M-5, §18-10M-6, §18-10M-7, and §18-10M-8 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new

article, designated §16-59-1, §16-59-2, §16-59-3, §16-59-4, §16-59-5, §16-59-6, and §16-59-7; and to amend said code by adding thereto a new article, designated §16-60-1, §16-60-2, §16-60-3, §16-60-4, §16-60-5, §16-60-6, §16-60-7, and §16-60-8, all relating generally to moving two existing articles to a more appropriate chapter within the code, said articles concerning public health and aiding persons with disabilities to live independent lives, the Ron Yost Personal Assistance Services Act, and the West Virginia Independent Living Act; providing a short title; providing legislative findings, purposes, principles, and policies; providing for definitions; establishing programs; continuing the West Virginia Statewide Independent Living Council and defining its membership, duties, governance, and authorities; continuing the Ron Yost personal assistance services board and defining its membership, duties, and authorities; providing for a state plan for independent living; establishing program requirements, program services, and program limitations; providing eligibility requirements for programs; providing for funding for programs; authorizing the creation of grants and use of contracts; providing rulemaking authority; and providing for reporting requirements.

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. House Bill 161—A Bill to repeal §18-9D-5 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18-9D-2, §18-9D-3, §18-9D-4, §18-9D-6, §18-9D-7, §18-9D-8, §18-9D-9, §18-9D-13, §18-9D-15 and §18-9D-19, all relating to removing or revising obsolete, outdated, antiquated, inoperative, surplus or superseded provisions relating to defining terms; providing duties and powers of school building authority; providing authority to issue revenue bonds; providing authority to offer higher education savings plans; closing certain fund; providing purposes and revenue sources for other funds; providing authority to collect rents; providing for the use of proceeds of bonds; providing for the issuance of revenue refunding bonds, use of proceeds, entry into escrow agreements and redemption of

bonds; paying bonds; expending authority funds for projects; requirements for projects; and authorizing construction of comprehensive high schools.

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 162—A Bill to repeal §18-2-5d, §18-2-13b, §18-2-16, §18-2-16a, §18-2-29, and §18-2-35 of the Code of West Virginia, 1931, as amended; to repeal §18-2K-1 and §18-2K-4 of said code, as amended; to repeal §18-3-9b of said code; to repeal §18-4-12 of said code; to repeal §18-5-18c, §18-5-18e, and §18-5-43 of said code; to repeal §18-5D-1, and §18-5D-2 of said code; to repeal §18-7A-36 of said code; to repeal §18-8A-1, §18-8A-2, §18-8A-3 and §18-8A-4 of said code; to repeal §18-9A-8a, §18-9A-17, and §18-9A-20 of said code; to repeal §18-9B-11a of said code; to repeal §18-9E-1 of said code; to repeal §18-9F-1 and §18-9F-8 of said code; to repeal §18-10J-1 of said code; and to repeal §18-20-9 of said code, and to amend and reenact §18-2K-2 and §18-2K-3 of said code; to amend and reenact §18-5D-3, §18-5D-4, and §18-5D-5 of said code; to amend said code by adding thereto a new section, designated §18-5D-6; to amend and reenact §18-9A-4, §18-9A-6a, §18-9A-7, §18-9A-16, §18-9A-18, §18-9A-21, and §18-9A-24; to amend and reenact §18-9B-1, §18-9B-2, §18-9B-3, §18-9B-4, §18-9B-5, §18-9B-6, §18-9B-6a, §18-9B-7, §18-9B-8, §18-9B-9, §18-9B-10, §18-9B-12, §18-9B-13, §18-9B-14, §18-9B-15, §18-9B-17, §18-9B-18, §18-9B-19, §18-9B-20 and §18-9B-21 of said code; to amend and reenact §18-9E-3, §18-9E-4, and §18-9E-5 of said code; to amend and reenact §18-9F-3, §18-9F-4, and §18-9F-9 of said code; to amend and reenact §18-10J-6 of said code; and to amend and reenact §18-17-3 of said code, all relating to removing antiquated, redundant, or expired provisions of the code; updating references; removing outdated report requirements; removing the requirement for the State Board of Education to consult the Department of Health and Human Services when developing guidelines for care plans; removing dates that are no longer relevant; relating to the public school support program, also known as the

school aid funding formula; removing or revising obsolete, outdated, antiquated, inoperative, surplus or superseded provisions; creating the Summer Feeding for All program; specifying legislative findings and declarations for the program; requiring county public schools to conduct an annual survey of students to determine non-school eating patterns and availability of nutritious food; requiring the West Virginia Office of Child Nutrition to assist the counties with the program; requiring county boards to collect and compile information regarding availability of food resources; permitting county school board to investigate and implement programs to facilitate the Summer Feeding for All program; requiring county school boards to provide annual training to train qualified entities on operation of a feeding site; requiring the county board to provide it's survey and findings to Office of Child Nutrition; and requiring the Office of Child Nutrition to monitor program activities and share information between the counties; requiring setting foundation allowance for support personnel; deleting provisions relating to School Construction Fund and the School Building Authority; reducing the proportion of assessed value on certain classifications of property; and removing the requirement of the Legislature to appropriate the budget amount as calculated by the State Superintendent of Schools; removing references to the Division of Health and to RESA entities that no longer exist; updating references to local health departments; updating procedural language for rule-making procedures; removing redundant short titles for articles of the code; removing requirements for consultation with the Department of Health and Human Resources and local boards of health in development of rules and policies; removing references to the Division of Health and to RESA entities that no longer exist; updating references to local health departments; updating procedural language for rule-making procedures; and to repeal provisions relating to the costs providing clothing to indigent pupils attending West Virginia schools for the deaf and blind.

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. House Bill 163—A Bill to repeal §18A-1-3 of the Code of West Virginia, 1931, as amended; and to repeal §18A-4-20 of said code, relating to removing antiquated, redundant, or expired provisions of the code.

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 174—A Bill to repeal §18-5B-1, §18-5B-2, §18-5B-3, §18-5B-4, §18-5B-5, §18-5B-6, §18-5B-7, §18-5B-8, §18-5B-9, §18-5B-10, §18-5B-11, §18-5B-12, §18-5B-13, §18-5B-14, §18-5E-1, §18-5E-2, §18-5E-3, §18-5E-4, §18-5E-5, §18-5E-6, and §18-5E-7 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §18-5G-1, §18-5G-2, §18-5G-3, §18-5G-4, §18-5G-5, §18-5G-6, §18-5G-7, and §18-5G-8, all relating to school innovation; declaring purpose of Innovation Schools; defining terms; setting forth responsibilities for Innovation Schools; allowing Innovation Schools to solicit and accept gifts to use in support of Innovation School; requiring state board to promulgate rule setting forth application process to receive Innovation School; requiring an Innovation School plan; setting forth required contents of Innovation School plan; setting forth evaluation process for Innovation Schools; specifying action that may be taken following Innovation School evaluation; creating the Innovation School Fund; providing an avenue for flexibility for high performing schools; and clarifying article does not affect prior Innovation Zone or Innovation in Education designations.

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 192—A Bill to amend and reenact §18A-3-7 of the Code of West Virginia, 1931, as amended,

relating to certain fees for teaching, administrative, and support certificates established by the State Board of Education; limiting certain fees for teaching, administrative, and support certificates established by the State Board of Education for out-of-state applicants with comparable out-of-state certifications, and capping fees at in-state levels for teaching, administrative, and support certificates for out-of-state applicants without comparable out-of-state certifications.

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 193—A Bill to amend and reenact §18A-2-7a of the Code of West Virginia, 1931, as amended, relating to a statewide school personnel job bank; requiring that a total compensation statement be contained within a job notice; and defining terms.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—34.

The nays were: None.

Absent: None.

The bill (Eng. Com. Sub. for H. B. 193) was then read a second time.

On motion of Senator Rucker, the following amendment to the bill was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 2. SCHOOL PERSONNEL.

§18A-2-7a. Statewide job bank.

(a) The state board shall establish and maintain a statewide job bank to assist the recruitment and reemployment of experienced professional personnel. ~~whose employment with county boards has been terminated because of a reduction in force.~~ The job bank shall consist of ~~two parts~~ the following for each county:

(1) A list of the names, qualifications, and contact information of all professional personnel who have been terminated because of a reduction in force, except personnel who have requested in writing that they not be listed in the job bank; ~~and~~

(2) A list of professional positions for which the county is seeking applicants; and

(3) A total compensation statement for each listed position.

(b) The job bank shall be accessible electronically to each county and to individuals on a read only basis, except that each county shall have the capability of editing information for the county and shall be responsible for maintaining current information on the county lists.

(c) The following terms are defined as follows:

(1) “Direct compensation” means base salary and incentives that are provided regularly and consistently.

(2) “Indirect compensation” means any noncash benefit provided to an employee, including, but not limited to:

(A) Health insurance;

(B) Dental insurance;

(C) Vision insurance;

(D) Life insurance;

(E) Disability income protection;

(F) Retirement benefits;

(G) Employer student loan contributions or other employee assistance programs;

(H) Educational benefits;

(I) Childcare;

(J) Relocation benefits; and

(K) Vacation leave, sick leave, and any other form of paid time-off.

(3) “Total compensation statement” means a list of direct and indirect compensation provided or offered for a position, including an itemized list of the types of compensation provided or offered and a cumulative total of the value of all compensation provided or offered.

The bill, as amended, was ordered to third reading.

Having been engrossed, the bill (Eng. Com. Sub. for H. B. 193) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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 H. B. 193) passed.

On motion of Senator Rucker, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 193—A Bill to amend and reenact §18A-2-7a of the Code of West Virginia, 1931, as amended, relating to the statewide school personnel job bank; expanding the purpose of the statewide job bank to include the recruitment and reemployment of professional experienced personnel; requiring that a total compensation statement be contained within a job posting on the statewide job bank; and defining terms.

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

On motion of Senator Takubo, at 6:10 p.m., the Senate recessed for 15 minutes.

The Senate reconvened at 6:28 p.m. and resumed business under the third order.

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

Eng. House Bill 206—A Bill to amend and reenact §5-16-2 and §5-16-22 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §11-15-9s; to amend and reenact §15-1B-24 of said code; to amend said code by adding thereto a new section, designated §18-2E-12; to amend and reenact §18-5-14, §18-5-16, §18-5-16a, §18-5-18a, §18-5-18b, and §18-5-46 of said code; to amend said code by adding thereto a new section, designated §18-5-48; to amend and reenact §18-5A-2, §18-5A-3 and §18-5A-5 of said code; to amend said code by adding thereto a new article, designated §18-5G-1,

§18-5G-2, §18-5G-3, §18-5G-4, §18-5G-5, §18-5G-6, §18-5G-7, §18-5G-8, §18-5G-9, §18-5G-10, §18-5G-11 and §18-5G-12; to amend and reenact §18-7A-3 of said code; to amend and reenact §18-7B-2 of said code; to amend and reenact §18-8-4 of said code; to amend and reenact §18-9A-2, §18-9A-8 and §18-9A-9 of said code; to amend said code by adding thereto a new section, designated §18-9A-19; to amend said code by adding thereto a new section, designated §18-9B-22; to amend and reenact §18-20-5 of said code; to amend and reenact §18A-4-2, §18A-4-5, §18A-4-5a, §18A-4-7a, §18A-4-8a, and §18A-4-10 of said code; to amend and reenact §18C-4-1, §18C-4-2, §18C-4-3, §18C-4-4, and §18C-4-5 of said code; to amend and reenact §18C-4A-1, §18C-4A-2, and §18C-4A-3 of said code; and to amend and reenact §29-12-5a of said code, all relating to public education; allowing public charter schools to participate in the Public Employees Insurance Agency insurance program; exempting the purchase of certain goods from sales tax for a period of time; requiring the Governor to expand Mountaineer Challenge Academy at its existing location; permitting creation of a new Mountaineer Challenge Academy location subject to agreement required under federal law; requiring the State Board of Education to implement the Mountain State Digital Literacy Project as a pilot project; modifying requirements for policies to promote school board effectiveness and eliminating requirement for filing and refiling policies with state board; limiting meetings with improvement councils to those at low performing schools; modifying agenda for meeting with school improvement council; eliminating reporting requirement; permitting county boards to establish attendance zones; replacing existing provisions pertaining to student transfers with requirement for county boards to establish an open enrollment policy; requiring appeal process whereby a parent or guardian can appeal the refusal of a county board to accept the transfer of the student; requiring the county to which a student is transferred include the student in its net enrollment in certain instances; providing that certain transfer provisions do not supersede eligibility requirements for participation in extracurricular activities established by the Secondary School Activities Commission; modifying student-teacher ratios; requiring the West Virginia Department of Education to survey districts to determine where overcrowding is

impeding student achievement and requiring considerations therefore; increasing percentage of work time school counselors are required to spend in a direct counseling relationship with pupils; providing that the teacher's recommendation is a primary consideration in determining student promotion; authorizing county board to establish by policy an exceptional needs fund from certain surpluses and listing provisions that may be included; modifying membership of improvement councils; increasing prior notice of local school improvement council meetings; removing term limits for chair of council; removing council duty for meeting on student discipline issues and reporting to countywide council on productive and safe schools; requiring at least one council meeting annually for dialogue with parents and others on school's academic performance and standing; requiring meeting of certain council members of low performing school with county board and providing minimum issues to be addressed; referencing council authority to propose alternatives and request waivers of rules, policies, interpretations and state statutes; expanding issues on which school required to cooperate with council to promote innovations and improvements; removing reporting requirements; authorizing county boards to designate innovation schools and provide funding; reorganizing and clarifying authority and procedures for local school improvement councils to propose alternatives to the operation of school including request of waiver to rules, policies, interpretations and state statutes; preserving primary authority of county board to approve alternatives subject to grant of necessary waivers by other bodies; authorizing off-site classrooms; increasing faculty senate allotment to classroom teachers and librarians; stating legislative intent and purpose of public charter school provisions; providing for liberal interpretation; prohibiting interpretation to allow conversion of private schools to public charter school; prohibiting elected official from profit or compensation except continued employment at school converted; limiting total number of public charter school authorized and in operation under an approved contract with periodic increases following reports by the State Board to the Legislative Oversight Commission on Education Accountability; providing that the Mountain Challenge Academy does not count toward total public charter schools: defining terms; specifying

required general criteria that public charter schools must meet; establishing general provisions for public charter school governing boards; enumerating laws, policies, and codes that charter schools must comply with; providing powers and duties of state board for implementation, general supervision and support for public charter schools; requiring best practices catalogue, provision of forms, and training programs; authorizing receipt and expenditure of gifts, grants and donations and application for federal funds; reporting requirements and reports to Governor and Legislature; requiring state board as authorizer in certain instances; requiring state board rules related to funding, authorizer oversight funding, and other necessary issues; authorizing state board rule for ensuring accountability; specifying local education agency status; providing for authorizer powers and duties with respect applications, contracts to oversight and authorization; requiring appropriate corrective action or sanctions in response to deficiencies; providing authorization to require reports; requiring payment of oversight fee; prohibiting attachment of civil liability to authorizer, members or employees for acts or omissions of public charter school; limiting regulation of public charter schools by state and county boards to powers and duties as authorizers; establishing public charter school governing board membership, qualifications, status as public corporate body and authorized powers; listing governing board responsibilities for operation of public charter school; authorizing participation in cocurricular and extracurricular activities; mandating compliance with freedom of information and open governmental proceedings; providing for contents of application to form public charter school; specifying items to be addressed in charter contracts, contract term and execution; providing process for contract renewal, performance report and time frame for final determination; providing that failure of authorizer to act to be deemed approval; providing for revocation of charter contracts and specifying grounds; declaring authorizer responsibilities for closure when contract not renewed or revoked; providing for closure protocol and removal of governing board members; providing for processes for student enrollment in public charter schools; requiring publication of enrollment option by school and county board; prohibiting mandated enrollment or departures of students at a public charter school; requiring

designation of primary recruitment area, its effect and basis; prohibiting discrimination in enrollment with allowance for program focus on students with special needs; authorizing establishment of enrollment preferences; establishing effect of enrollment preference on enrollment, excess capacity and random lottery when capacity exceeded; providing for student transfers to noncharter schools; requiring access to electronic information system for reporting student and school performance, certification of enrollment, attendance and other student information to Department of Education; providing process for public charter school use or lease of public facilities; allowing public charter schools to elect to participate in certain state retirement systems; modifying requirements applicable after certain numbers of unexcused student absences; including professional personnel providing direct social and emotional support services to students and professional personnel addressing chronic absenteeism within the definition of “professional student support personnel”; modifying definition of net enrollment; increasing calculated net enrollment for the purposes of determining a county’s basic foundation program of certain counties with an actual net enrollment of less than 1,400; decreasing the percent of the levy rate used to calculate local share; basing the basic foundation allowance for professional student support personnel on a ratio of positions per students and providing that nothing in section precludes public-private partnerships or contracts to provide services; providing one year hold-harmless on number of positions funded; increasing the percentage used to calculate each county’s allowance for current expense; increasing allotment for academic materials, supplies and equipment; requiring that each county board receive its allocated state aid share of the county’s basic foundation program in the form of block grants; requiring the State Superintendent to provide the State Auditor with the required data for use by the searchable budget data website; including public charter schools in the provisions pertaining to an appropriation to serve certain exceptional children; increasing teacher salaries; providing that certain math and special education teachers be considered to have three additional years of experience for the purposes of the salary schedule; providing equivalent amount in teacher’s experience exceeds salary schedule maximum years;

removing definition of salary equity among the counties; removing requirement that Department of Education include in its budget request a request for funding sufficient to meet the objective of salary equity; adding to exceptions to requirement that county salary schedules be uniform; providing for determination of seniority by random lottery within thirty days of employment for teachers employed on same date; requiring county board to base all decisions on reductions in force and reemployment on seniority, certification, licensure and performance evaluations; listing criteria county board must consider; requiring consideration of performance evaluations; modifying provisions pertaining to the preferred recall list and posting of position openings; removing requirement for county board to annually make available a list of all professional personnel employed, their areas of certification, and their seniority; providing that all personnel in a public charter school accrue seniority for the purpose of employment in noncharter public schools; increasing monthly pay for service personnel; increasing leave without cause days from three to four; requiring a bonus for classroom teachers who have not used more than four days of personal leave during the employment term; renaming the Underwood-Smith Teacher Scholarship and Loan Assistance programs the Underwood-Smith Teaching Scholars Program and the Teacher Education Loan Repayment Program; modifying requirements for Higher Education Policy Commission rules providing for administration of the programs; requiring that Underwood-Smith Teaching Scholars award recipients receive additional academic support and training from mentors in their academic field; continuing the Underwood-Smith Teacher Scholarship and Loan Assistance Fund as the Underwood-Smith Teaching Scholars Program Fund; requiring each award recipient to be distinguished as an Underwood-Smith Teaching Scholar; establishing uses for moneys in the Underwood-Smith Teaching Scholars Program Fund; providing for continuation of certain terms, conditions, requirements, and agreements; requiring the Vice Chancellor for Administration to appoint a selection panel to select Underwood-Smith Teaching Scholars; modifying eligibility criteria for Underwood-Smith Teaching Scholars; modifying Underwood-Smith Teaching Scholars award agreement requirements; modifying renewal requirements for an Underwood-

Smith Teaching Scholars award; modifying conditions under which a recipient is not in violation of the agreement; requiring Underwood-Smith Teaching Scholars award to be used in preparation for becoming a teacher in a critical shortage field in the public schools of this state; increasing the amount of the annual award; requiring as a condition of loan repayment award eligibility an applicant to be currently employed in a public school in this state in a critical teacher shortage field or as a school counselor in a school or geographic area of the state identified as an area of critical need for such field; requiring as a condition of eligibility an applicant to agree to be employed full time for two school years in a critical teacher shortage field or as a school counselor in a school or geographic area of critical need for such field for each year for which a loan repayment assistance award is received; modifying provisions pertaining to the amount of loan assistance and the requirements for eligibility; modifying eligibility requirements for renewal of scholarship award and loan repayment assistance award; removing accumulated limit on loan repayment awards; increasing minimum Board of Risk and Insurance Management coverage; requiring at least annual written notice of Board of Risk and Insurance Management insurance coverages by county boards to employee insureds; allowing public charter schools to obtain insurance coverage from the Board of Risk and Insurance Management; providing effective dates and making technical changes.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker,

Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: Unger—1.

Absent: Smith—1.

The bill (Eng. H. B. 206) was then read a second time.

On motions of Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel, the following amendments to the bill were reported by the Clerk and considered simultaneously:

On pages seven through thirteen, by striking out all of article sixteen;

On pages forty-eight through eighty-one, by striking out all of article five-g;

On pages eighty-one through eighty-six, by striking out all of article seven-a;

On pages eighty-six through eighty-nine, by striking out all of article seven-b;

On page one hundred four, section five, lines seventeen and eighteen, by striking out the words “and public charter schools authorized pursuant to §18-18 5G-1 *et seq.* of this code”;

On page one hundred four, section five, line twenty, by striking out the words “and public charter school”;

On page one hundred four, section five, line twenty-five, by striking out the words “and public charter schools”;

On page one hundred four, section five, line twenty-eight, by striking out the words “and public charter schools”;

On page one hundred four, section five, line thirty, by striking out the words “and public charter schools”;

On page one hundred twenty-four, section seven-a, lines two hundred forty through two hundred forty-two, by striking out all of subsection (v);

On pages one hundred fifty-two and one hundred fifty-three, section five-a, lines forty-seven through fifty-nine, by striking out all of subsection (g);

And,

By relettering the remaining subsection.

Following discussion,

The question being on the adoption of the amendments offered by Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill, and on this question, Senator Lindsay demanded the yeas and nays.

The roll being taken, the yeas were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Plymale, Prezioso, Romano, Stollings, and Unger—15.

The nays were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, and Carmichael (Mr. President)—19.

Absent: None.

So, a majority of those present and voting not having voted in the affirmative, the President declared the amendments offered by Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill rejected.

On motions of Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel, the following amendment to the bill (Eng. H. B. 206) was next reported by the Clerk:

On page fifty, section one, after line forty-one, by inserting a new subsection, designated subsection (h), to read as follows:

(h) A public charter school may only be authorized in a county that contains a school or schools that are currently designated as a federal Title I eligible school or is currently identified as underachieving by the state board pursuant to §18-2E-5(i) of this code.

The question being on the adoption of the amendment offered by Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill, the same was put and did not prevail.

On motions of Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel, the following amendments to the bill (Eng. H. B. 206) were next reported by the Clerk and considered simultaneously:

On page fifty-one, section two, line twenty-two, after the word “system” by inserting the words “pursuant to §18-2E-5(n) of this code”;

And,

On page seventy-seven, section ten, lines eighty-one and eighty-two, after the word “transition” by striking out the comma and the words “following exhaustion of any appeal allowed under §18-5G-13 of this code.”.

The question being on the adoption of the amendments offered by Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill, the same was put and did not prevail.

On motions of Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel, the following amendments to the

bill (Eng. H. B. 206) were next reported by the Clerk and considered simultaneously:

On page one hundred thirty-seven, section ten, line eighty, by striking out the words “classroom teacher” and inserting in lieu thereof the words “full-time employee of the county board”;

On page one hundred thirty-seven, section ten, line eighty-one, by striking out the word “200-day”;

On page one hundred thirty-seven, section ten, line eighty-three, by striking out the words “classroom teachers” and inserting in lieu thereof the words “full-time employees of the county board”;

And,

On page one hundred thirty-seven, section ten, lines eighty-four and eighty-five, by striking out the words “classroom teacher” and inserting in lieu thereof the words “full-time employees of the county board”.

The question being on the adoption of the amendments offered by Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill, and on this question, Senator Ihlenfeld demanded the yeas and nays.

The roll being taken, the yeas were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger, and Woelfel—16.

The nays were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—18.

Absent: None.

So, a majority of those present and voting not having voted in the affirmative, the President declared the amendments offered by Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld,

Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill rejected.

On motion of Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel, the following amendments to the bill (Eng. H. B. 206) were next reported by the Clerk and considered simultaneously:

On page eighteen, section fourteen, lines twelve through twenty-four, by striking out all of paragraph (A) and inserting in lieu thereof a new paragraph, designated paragraph (A), to read as follows:

“(A) Meet at least annually with a quorum of members from each local school improvement council in the district, at a time and in a manner to be determined by the county board, except, in order to facilitate scheduling, the county board may adopt an alternate procedure allowing it to conduct the required annual meeting with each council in the absence of a quorum of council members if the alternate procedure has received prior approval from the state board and if the school district serves more than twenty thousand students or has more than twelve public schools.

Nothing in this section prohibits a county board from meeting with representatives of a local school improvement council, but at least one annual meeting shall be held, as specified in this section.

At any time and with reasonable advance notice, county boards may schedule additional meetings with the council for any low performing school in the district;”;

On page thirty-two, section two, line eight, by striking out the word “Three” and inserting in lieu thereof the word “Four”;

On page thirty-two, section two, line eight, after the word “school” by inserting a comma and the words “one of whom must be the parent of a special-needs student.”;

On page thirty-three, section two, after line seventeen, by inserting a new subdivision, designated subdivision (6), to read as follows:

“(6) A mental health professional;”;

And by renumbering the remaining subdivisions;

On page thirty-three, section two, line thirty, after the word “held” by inserting the following: Notice of the election must be posted on a bulletin board at the school and on a public website maintained by the school, if the school has one.;

On page thirty-five, section two, line sixty-six, after the word “meeting” by inserting the following: An agenda for regularly scheduled meetings must be posted on a bulletin board in a publicly accessible place at the school and on a public website maintained by the school, if the school has one, at least 24 hours prior to the meeting.;

And,

On page thirty-five, section two, lines eighty-two through ninety-three, by striking out all of subsection (i) and inserting in lieu thereof a new subsection, designated subsection (i), to read as follows:

(i) The local school improvement council shall meet at least annually with the county board, in accordance with the provisions in section fourteen, article five of this chapter. At this annual meeting, the local school improvement council chair, or another member designated by the chair, shall be prepared to address any matters as may be requested by the county board as specified in the meeting agenda provided to the council and may further provide any other information, comments or suggestions the local school improvement council wishes to bring to the county board’s attention. Anything presented under this subsection shall be submitted to the county board in writing.

Senator Mann requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as he is a member of two local school improvement councils.

The Chair replied that any impact on Senator Mann would be as a member of a class of persons and that he would be required to vote.

The question being on the adoption of the amendments offered by Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill, the same was put and did not prevail.

On motions of Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel, the following amendment to the bill (Eng. H. B. 206) was next reported by the Clerk:

On pages ninety-four through one hundred, by striking out all of section two and inserting in lieu thereof a new section, designated section two, to read as follows:

§18-9A-2. Definitions.

(a) For the purpose of this article:

~~(a) “State board” means the West Virginia Board of Education~~

(b) “County board” or “board” means a county board of education.

~~(c) “Professional salaries” means the state legally mandated salaries of the professional educators as provided in article four, chapter eighteen-a of this code~~

“High-density county” means a county whose ratio of net enrollment, excluding any increase in the net enrollment of counties, pursuant to subdivision (5), subsection (i) of this section, of the definition of “net enrollment”, to the square miles of the county is equal to or greater than 20.

“Levies for general current expense purposes” means 85 percent of the levy rate for county boards of education calculated or set by the Legislature pursuant to §11-8-6f of this code.

“Low-density county” means a county whose ratio of net enrollment, excluding any increase in the net enrollment of counties, pursuant to subdivision (5), subsection (i) of this section,

of the definition of “net enrollment”, to the square miles of the county is equal to or greater than five but less than 10.

“Medium-density county” means a county whose ratio of net enrollment, excluding any increase in the net enrollment of counties, pursuant to subdivision (5), subsection (i) of this section, of the definition of “net enrollment”, to the square miles of the county is equal to or greater than 10 but less than 20.

“Net enrollment” means the number of pupils enrolled in special education programs, kindergarten programs and grades one to 12, inclusive, of the public schools of the county. Net enrollment further shall include:

(1) Adults enrolled in regular secondary vocational programs existing as of the effective date of this section, subject to the following:

(A) Net enrollment includes no more than 2,500 of those adults counted on the basis of full-time equivalency and apportioned annually to each county to support Advanced Career Education programs as provided in §18-2E-11 of this code, in proportion to the adults participating in regular secondary vocational programs in the prior year counted on the basis of full-time equivalency: Provided that, beginning with the 2021 fiscal year and every year thereafter, a career technical education center may only receive the funding for enrollment as authorized by this paragraph if the center has satisfied the requirements of §18-2E-11 of this code ; and

(B) Net enrollment does not include any adult charged tuition or special fees beyond that required of the regular secondary vocational student;

(2) Students enrolled in early childhood education programs as provided in §18-5-44 of this code, counted on the basis of full-time equivalency;

(3) A pupil may not be counted more than once by reason of transfer within the county or from another county within the state, and a pupil may not be counted who attends school in this state from another state;

(4) The enrollment shall be modified to the equivalent of the instructional term and in accordance with the eligibility requirements and rules established by the state board; and

(5) For the purposes of determining the county's basic foundation program only, for any county whose net enrollment as determined under all other provisions of this definition is less than 1,400, the net enrollment of the county shall be increased by an amount to be determined in accordance with the following:

(A) Divide the state's lowest county student population density by the county's actual student population density;

(B) Multiply the amount derived from the calculation in paragraph (A) of this subdivision by the difference between 1,400 and the county's actual net enrollment;

(C) Add the amount derived from the calculation in paragraph (B) of this subdivision to the county's actual net enrollment and increase that total amount by 10 percent;

(D) If the net enrollment as determined under this subdivision is greater than 1,400, the calculated net enrollment shall be reduced to 1,400; and

(E) During the 2008-2009 interim period and every three interim periods thereafter, the Legislative Oversight Commission on Education Accountability shall review this subdivision to determine whether these provisions properly address the needs of counties with low enrollment and a sparse population density.

~~(d)~~ "Professional educator" shall be synonymous with and shall have the same meaning as "teacher" as defined in §18-1-1 of this code, and includes technology integration specialists.

~~(e)~~ "Professional instructional personnel" means a professional educator whose regular duty is as that of a classroom teacher, librarian, attendance director or school psychologist. A professional educator having both instructional and administrative or other duties shall be included as professional instructional personnel for that ratio of the school day for which he or she is

assigned and serves on a regular full-time basis in appropriate instruction, library, attendance or psychologist duties.

“Professional salaries” means the state legally mandated salaries of the professional educators as provided in §18A-4-1 et seq. of this code.

(f) “Professional student support personnel” means a “teacher” as defined in §18-1-1 of this code who is assigned and serves on a regular full-time basis as a counselor or as a school nurse with a bachelor’s degree and who is licensed by the West Virginia Board of Examiners for Registered Professional Nurses. Professional student support personnel shall also include professional personnel providing direct social and emotional support services to students, including, but not limited to, social workers and psychologists. For all purposes except for the determination of the allowance for professional educators pursuant to §18-9A-4 of this code, professional student support personnel are professional educators.

~~(g) “Service personnel salaries” means the state legally mandated salaries for service personnel as provided in section eight a, article four, chapter eighteen a of this code~~

(h) “Service personnel” means all personnel as provided in §18A-4-8 of this code. For the purpose of computations under this article of ratios of service personnel to net enrollment, a service employee shall be counted as that number found by dividing his or her number of employment days in a fiscal year by 200: *Provided*, That the computation for any service person employed for three and one-half hours or less per day as provided in §18A-4-8 of this code shall be calculated as one half an employment day.

“Service personnel salaries” means the state legally mandated salaries for service personnel as provided in §18A-4-8a of this code.

~~(i) “Net enrollment” means the number of pupils enrolled in special education programs, kindergarten programs and grades one to twelve, inclusive, of the public schools of the county. Net enrollment further shall include:~~

~~(1) Adults enrolled in regular secondary vocational programs existing as of the effective date of this section, subject to the following:~~

~~(A) Net enrollment includes no more than one thousand of those adults counted on the basis of full time equivalency and apportioned annually to each county in proportion to the adults participating in regular secondary vocational programs in the prior year counted on the basis of full time equivalency; and~~

~~(B) Net enrollment does not include any adult charged tuition or special fees beyond that required of the regular secondary vocational student;~~

~~(2) Students enrolled in early childhood education programs as provided in section forty four, article five of this chapter, counted on the basis of full time equivalency;~~

~~(3) No pupil shall be counted more than once by reason of transfer within the county or from another county within the state, and no pupil shall be counted who attends school in this state from another state;~~

~~(4) The enrollment shall be modified to the equivalent of the instructional term and in accordance with the eligibility requirements and rules established by the state board; and~~

~~(5) For the purposes of determining the county's basic foundation program only, for any county whose net enrollment as determined under all other provisions of this definition is less than one thousand four hundred, the net enrollment of the county shall be increased by an amount to be determined in accordance with the following:~~

~~(A) Divide the state's lowest county student population density by the county's actual student population density;~~

~~(B) Multiply the amount derived from the calculation in paragraph (A) of this subdivision by the difference between one thousand four hundred and the county's actual net enrollment;~~

~~(C) If the increase in net enrollment as determined under this subdivision plus the county's net enrollment as determined under all other provisions of this subsection is greater than one thousand four hundred, the increase in net enrollment shall be reduced so that the total does not exceed one thousand four hundred; and~~

~~(D) During the 2008-2009 interim period and every three interim periods thereafter, the Legislative Oversight Commission on Education Accountability shall review this subdivision to determine whether or not these provisions properly address the needs of counties with low enrollment and a sparse population density~~

(j) "Sparse-density county" means a county whose ratio of net enrollment, excluding any increase in the net enrollment of counties, pursuant to subdivision (5), subsection (i) of this section, of the definition of "net enrollment", to the square miles of the county is less than five.

"State board" means the West Virginia Board of Education.

"State aid eligible personnel" means all professional educators and service personnel employed by a county board in positions that are eligible to be funded under this article and whose salaries are not funded by a specific funding source such as a federal or state grant, donation, contribution or other specific funding source not listed.

~~(k) "Low density county" means a county whose ratio of net enrollment, excluding any increase in the net enrollment of counties, pursuant to subdivision (5), subsection (i) of this section, of the definition of "net enrollment", to the square miles of the county is equal to or greater than five but less than ten.~~

~~(l) "Medium density county" means a county whose ratio of net enrollment, excluding any increase in the net enrollment of counties, pursuant to subdivision (5), subsection (i) of this section, of the definition of "net enrollment", to the square miles of the county is equal to or greater than ten but less than twenty.~~

~~(m) “High density county” means a county whose ratio of net enrollment, excluding any increase in the net enrollment of counties, pursuant to subdivision (5), subsection (i) of this section, of the definition of “net enrollment”, to the square miles of the county is equal to or greater than twenty.~~

~~(n) “Levies for general current expense purposes” means ninety percent of the levy rate for county boards of education calculated or set by the Legislature pursuant to section six f, article eight, chapter eleven of this code~~

~~(o) “Technology integration specialist” means a professional educator who has expertise in the technology field and is assigned as a resource teacher to provide information and guidance to classroom teachers on the integration of technology into the curriculum.~~

~~(p) “State aid eligible personnel” means all professional educators and service personnel employed by a county board in positions that are eligible to be funded under this article and whose salaries are not funded by a specific funding source such as a federal or state grant, donation, contribution or other specific funding source not listed~~

(b) The amendments to this section during the 2019 First Extraordinary Session of the Legislature shall be effective for the 2019-2020 funding year, and the provisions of this section existing immediately prior to the 2019 First Extraordinary Session of the Legislature remain in effect for funding years prior to the 2019-2020 funding year.

Following discussion,

The question being on the adoption of the amendment offered by Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill, and on this question, Senator Baldwin demanded the yeas and nays.

The roll being taken, the yeas were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger, and Woelfel—16.

The nays were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—18.

Absent: None.

So, a majority of those present and voting not having voted in the affirmative, the President declared the amendment offered by Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill rejected.

On motions of Senators Hamilton, Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel, the following amendments to the bill (Eng. H. B. 206) were next reported by the Clerk and considered simultaneously:

On page forty-eight, section one, line four, after the word “members” by inserting the words “in accordance with Article XII, §10 of the West Virginia Constitution”;

On page fifty, section one, after line forty-one, by inserting a new subsection, designated subsection (h), to read as follows:

(h) A public charter school may not be authorized under this article until a local option election is held in the county in which the public charter school will be located and a majority of the voters of that county voting on the question approve authorization of the public charter school.

(1) A local option election shall be held in conjunction with the next primary or general election scheduled more than 90 days following receipt by the county commission of a written notice from an authorizer requesting that the question be placed on the ballot.

(2) The county commission of the county in which the public charter school will be located shall give notice to the public of the election by publication of the notice as a Class II-0 legal advertisement in compliance with the provisions of §59-3-1 et seq. of this code and the publication area for the publication shall be the county in which the election is to be held. The date of the last publication of the notice shall fall on a date at least 30 days preceding the day of the election.

(3) On the local option election ballot shall be printed the following:

Shall a public charter school be permitted in [Name of County] County?

Yes No (Place a cross mark in the square next to your choice.);

On page sixty-two, section six, after line three, by inserting a new subdivision, designated subdivision (1), to read as follows:

“(1) Hold a local option election in accordance with §18-5G-1(h) of this code;”;

And,

By renumbering the remaining subdivisions.

The question being on the adoption of the amendments offered by Senators Hamilton, Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill, and on this question, Senator Unger demanded the yeas and nays.

The roll being taken, the yeas were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger, and Woelfel—16.

The nays were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—18.

Absent: None.

So, a majority of those present and voting not having voted in the affirmative, the President declared the amendments offered by Senators Hamilton, Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Plymale, Palumbo, Romano, Stollings, Unger, and Woelfel to the bill rejected.

The bill was ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 206) was then read a third time and put upon its passage.

On motion of Senator Takubo, at 7:03 p.m., the Senate recessed for 10 minutes.

The Senate reconvened at 7:27 p.m. and resumed consideration of

Eng. House Bill 206, Relating to public education.

The question being “Shall Engrossed House Bill 206 pass?”

Pending extended discussion,

The question being “Shall Engrossed House Bill 206 pass?”

Senators Palumbo, Ihlenfeld, and Mann, respectively, requested rulings from the Chair as to whether they should be excused from voting under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on Senators Palumbo, Ihlenfeld, and Mann would be as members of a class of persons and that they would be required to vote.

On the passage of the bill, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Maroney, Maynard, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, and Carmichael (Mr. President)—18.

The nays were: Baldwin, Beach, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger, and Woelfel—16.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 206) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, 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. H. B. 206) takes effect from passage.

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

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

House Concurrent Resolution 102—Requesting the Joint Committee on Government and Finance to conduct an interim study on the desired vision and future for public education in West Virginia.

Referred to the Committee on Rules.

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

House Concurrent Resolution 103—Requesting the Joint Committee on Government and Finance to conduct an interim study on the desired vision and future of the Albert Yanni Programs of Excellence in Vocational-Technical Education.

Referred to the Committee on Rules.

The Senate proceeded to the sixth order of business.

The following bills were introduced and read by their titles:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1043—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Executive, Governor's Office, fund 0101, fiscal year 2019, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1044—A Bill to amend and reenact §5-22-1 of the Code of West Virginia, 1931, as amended, relating to permitting work performed as part of disaster mitigation or recovery originating from a declared state of preparedness or state of emergency be contracted out on an open-ended basis; specifying certain conditions for fair and competitive bidding; and providing examples of a construction project.

Referred to the Committee on Government Organization.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1045—A Bill to amend and reenact §16-53-1 of the Code of West Virginia, 1931, as amended, relating to the establishment and funding of substance use disorder treatment and recovery facilities.

Referred to the Committee on Health and Human Resources.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1046—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-1n, relating to creating a pilot program to encourage utility infrastructure development to certain lands; declaring certain legislative findings; defining certain terms; requiring the Secretary of Commerce to consider certain applications; allowing the secretary to certify sites that do not currently have adequate public utility services from one or more public utilities regulated by the Public Service Commission as having potential for industrial development; requiring the Public Service Commission to consider certain multiyear comprehensive plans for infrastructure development to construct public utility infrastructure and provide services to industrial development sites as certified by the secretary, in lieu of a proceeding pursuant to §24-2-11 of this code; requiring the applicant to publish the anticipated rates and, if any, rate increase under the proposal, by average percentage and dollar amount for customers within a class of service, as a Class I legal advertisement; providing the Public Service Commission with the authority to allow certain public utility infrastructure projects to recover certain costs via ratemaking; providing for the expiration of certain statutory provisions; and providing for an effective date.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1047—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the

State Fund, General Revenue, to the Executive, Governor's Office, Civil Contingent Fund, fund 0105, fiscal year 2019, organization 0100, by supplementing and amending by adding a new item of appropriation for the fiscal year ending June 30, 2019.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1048—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2020, to the Department of Revenue, Office of the Secretary, Home Rule Board Operations Fund, fund 7010, fiscal year 2020, organization 0701, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1049—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Transportation, Division of Highways, fund 0620, fiscal year 2019, organization 0803, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1050—A Bill making a supplementary appropriation by adding a new item and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Revenue, State Budget Office, fund 0595, fiscal year 2019, organization 0703, by supplementing and

amending the appropriations for the fiscal year ending June 30, 2019.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1051—A Bill making a supplementary appropriation of Lottery Net Profits by increasing existing items of appropriation from the balance of moneys remaining as an unappropriated balance in Lottery Net Profits to the Department of Arts, Culture, and History, Division of Culture and History, Lottery Education Fund, fund 3534, fiscal year 2020, organization 0432, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1052—A Bill supplementing, amending, and increasing an item of existing appropriation from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2020, organization 0803, for the fiscal year ending June 30, 2020.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1053—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Military Affairs and Public Safety, Division of Homeland Security and Emergency Management, fund 0443, fiscal year 2019, organization 0606, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1054—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Environmental Protection, Division of Environmental Protection, fund 0273, fiscal year 2019, organization 0313, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1055—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, Division of Health, Central Office, fund 0407, fiscal year 2019, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019.

Referred to the Committee on Rules.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1056—A Bill supplementing and amending items of appropriation of public moneys out of the Treasury in the State Fund, General Revenue, to Department of Education, State Board of Education, State Aid to Schools, fund 0317, fiscal year 2020, organization 0402, by increasing and decreasing existing items of appropriation for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1056 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1056) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings,

Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

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. S. B. 1056) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1057—A Bill supplementing and amending items of appropriation of public moneys out of the Treasury in the State Fund, General Revenue, to the State Department of Education, State Board of Education, fund 0313, fiscal year 2020, organization 0402, by adding a new item of appropriation for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1057 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1057) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

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. S. B. 1057) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1058—A Bill supplementing and amending an item of appropriation of public moneys out of the Treasury in the State Fund, General Revenue, to the Higher Education Policy Commission, Administration - Control Account, fund 0589, fiscal year 2020, organization 0441, by increasing an existing item of appropriation for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1058 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1058) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

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. S. B. 1058) 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 twelfth order of business.

Remarks were made by Senator Maynard.

At the request of Senator Maynard, unanimous consent being granted, the Senate stood in observance of a moment of silence in recognition of a West Virginia Division of Highways employee who was seriously injured earlier today when he was struck by a vehicle while working in a construction zone in Wayne County, West Virginia.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Plymale, unanimous consent being granted, it was ordered that the Journal show had Senator Plymale been present in the chamber on Monday, June 3, 2019, he would have voted “nay” on the passage of Engrossed Senate Bill 1039 and Engrossed Senate Bill 1040.

On motion of Senator Takubo, at 8:27 p.m., the Senate adjourned until subsequently called back into session by the presiding officer.

TUESDAY, JULY 23, 2019

Pursuant to the call of the President of the Senate, under the authority of House Concurrent Resolution 101, adopted March 10, 2019, the Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at 12:12 p.m., and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Gregory L. Boso, a senator from the eleventh district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Donna J. Boley, a senator from the third district.

Pending the reading of the Journal of Monday, June 24, 2019,

At the request of Senator Hardesty, 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.

At the request of Senator Weld, and by unanimous consent, the Senate proceeded to the sixth order of business.

Senators Plymale, Woelfel, Carmichael (Mr. President), Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann,

Maroney, Maynard, Palumbo, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, and Weld offered the following resolution:

Senate Resolution 106—Memorializing the life of the Honorable Robert R. Nelson, veteran, former mayor of the City of Huntington, former member of the West Virginia House of Delegates, former member of the West Virginia Senate, and dedicated public servant.

Whereas, The Honorable Robert R. Nelson was born and raised in Whitesville, West Virginia, in the coal camp of Blue Pennant, the son of Joda F. and Opal W. Nelson; and

Whereas, The Honorable Robert R. Nelson graduated from Sherman High School in Boone County before serving in the United States Marine Corps from 1953-1957; and

Whereas, The Honorable Robert R. Nelson graduated from Marshall University with a Bachelor of Arts degree in Political Science in 1960, and would later earn his Master of Arts degree in Political Science in 1967; and

Whereas, The Honorable Robert R. Nelson was elected to the West Virginia House of Delegates in 1964 and served three terms, until his election to the West Virginia Senate in 1970, where he served four terms. While in the Senate, he served as Senate President Pro Tempore and on the Committees on Energy, Industry, and Mining, Government Organization, Military, Transportation and Infrastructure, Education, the Judiciary, and as Chairman of the Committee on Finance; and

Whereas, During his tenure in the West Virginia Legislature, the Honorable Robert R. Nelson was known as the “Voice of Marshall University”, sponsoring legislation that would lead to the construction of the Cam Henderson Center and then Marshall Stadium (now Joan C. Edwards Stadium). He also helped secure funds for the Marshall Library, Smith Hall, and the Memorial Student Center; and

Whereas, The Honorable Robert R. Nelson was elected as the 67th mayor of Huntington in 1985. Among his many

accomplishments while holding that office was the founding of the Carter G. Woodson Memorial Foundation to honor the Father of Black History, who grew up in Huntington; and

Whereas, The Honorable Robert R. Nelson was a professor of Political Science and History at Marshall University and served as a student liaison and instructor of a Marshall University internship program in which students were placed throughout state government at the Capitol in Charleston as part of their college instruction; and

Whereas, For his contributions to the campus as a student; for his lifetime of dedication to Marshall, Huntington, and the state of West Virginia; and for his generosity in devoting his time and effort to local agencies, community causes, and students across the state, the Honorable Robert R. Nelson was recognized as the Marshall University College of Liberal Arts Distinguished Alumnus for 2017; and

Whereas, Sadly, the Honorable Robert R. Nelson passed away on March 14, 2019, ending an extraordinary life of public service and leaving behind a host of family and friends, all of whom will miss him dearly; and

Whereas, It is fitting that the Senate pay tribute to the life and legacy of the Honorable Robert R. Nelson for his many contributions to his community, state, and nation; therefore, be it

Resolved by the Senate:

That the Senate hereby memorializes the life of the Honorable Robert R. Nelson, veteran, former mayor of the City of Huntington, former member of the West Virginia House of Delegates, former member of the West Virginia Senate, and dedicated public servant; and, be it

Further Resolved, That the Senate extends its most sincere condolences to the family of the Honorable Robert R. Nelson on his passing; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the family of the Honorable Robert R. Nelson.

At the request of Senator Plymale, 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 Prezioso, and by unanimous consent, the remarks by Senator Plymale regarding the adoption of Senate Resolution 106 were ordered printed in the Appendix to the Journal.

On motion of Senator Weld, at 12:26 p.m., the Senate recessed to present Senate Resolution 106.

The Senate reconvened at 12:28 p.m. and resumed business under the sixth order.

Senators Plymale, Woelfel, and Stollings offered the following resolution:

Senate Resolution 107—Recognizing Hunter Donahoe and Gabe Yeoman for winning first place in Additive Manufacturing at the SkillsUSA National Leadership and Skills Conference.

Whereas, The SkillsUSA National Leadership and Skills Conference (NLSC) showcases the best talent in career and technical education students from across the country, and United States territories, including Puerto Rico and the U.S. Virgin Islands; and

Whereas, Spring Valley High School students, Hunter Donahoe and Gabe Yeoman, won the state competition which was held at Fairmont State University, and advance to the national competition; and

Whereas, The SkillsUSA National Leadership and Skills Conference took place in Louisville, Kentucky, during the week of June 24-29, 2019, where the competition mimicked automating the process of placing a logo on a car bumper on an assembly line. Students employed their skills in 3D printing and robotics to be successful at this challenge; and

Whereas, Hunter Donahoe and Gabe Yeoman demonstrated their talents and the perfection of their craft in this prestigious national skills competition which propelled them to winning first place; and

Whereas, Hunter Donahoe and Gabe Yeoman are a shining example to all West Virginians of what can be accomplished with hard work, dedication, and commitment; therefore, be it

Resolved by the Senate:

That the Senate hereby recognizes Hunter Donahoe and Gabe Yeoman for winning first place in Additive Manufacturing at the SkillsUSA National Leadership and Skills Conference; and, be it

Further Resolved, That the Senate commends Hunter Donahoe and Gabe Yeoman on their outstanding accomplishment and wishes them success on their bright future ahead; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to Hunter Donahoe and Gabe Yeoman.

At the request of Senator Plymale, 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 Boso, and by unanimous consent, the remarks by Senator Plymale regarding the adoption of Senate Resolution 107 were ordered printed in the Appendix to the Journal.

On motion of Senator Weld, at 12:33 p.m., the Senate recessed to present Senate Resolution 107.

The Senate reconvened at 12:36 p.m. and, at the request of Senator Weld, unanimous consent being granted, returned to the fourth order of business.

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 25th day of June, 2019, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

(H. B. 118), Relating to the use of post-criminal conduct in professional and occupational initial licensure decision making.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 28th day of June, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(S. B. 1015), Supplemental appropriation to Secretary of State, General Administrative Fees Account.

(S. B. 1017), Supplemental appropriation to Department of Arts, Culture, and History, Educational Broadcasting Authority.

(S. B. 1020), Supplementing and amending Chapter 31, Acts of the Legislature, 2019, known as Budget Bill.

(S. B. 1021), Decreasing existing appropriation and adding appropriation to Department of Veterans' Assistance.

(S. B. 1023), Supplementing, amending, increasing, and adding items of appropriations to Attorney General, Consolidated Federal Fund.

(S. B. 1024), Supplemental appropriation to Department of Agriculture Capital Improvements Fund.

(S. B. 1025), Supplemental appropriation to DHHR, Division of Human Services for fiscal year ending June 30, 2019.

(S. B. 1027), Adding new items and increasing existing items to various accounts.

(S. B. 1038), Supplemental appropriation to DHHR, Division of Health's Central Office.

(H. B. 113), Establishing tax incentive for new business activity in qualified opportunity zones.

(H. B. 144), West Virginia Business Ready Sites Program.

(H. B. 146), Establishing and funding of substance use disorder treatment and recovery facilities.

(H. B. 148), Making a supplementary appropriation to the Executive, Governor's Office.

(H. B. 149), Making a supplementary appropriation to the Executive, Governor's Office, Civil Contingent Fund.

(H. B. 150), Making a supplementary appropriation to the Department of Revenue, Office of the Secretary, Home Rule Board Operations Fund.

(H. B. 151), Making a supplementary appropriation to the Department of Arts, Culture and History, Division of Culture and History, Lottery Education Fund.

(H. B. 152), Making a supplementary appropriation by adding a new item and increasing the expenditure to the Department of Revenue, State Budget Office.

(H. B. 153), Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health, Central Office.

(H. B. 154), Making a supplementary appropriation to the Department of Transportation, Division of Highways.

(**Com. Sub. for H. B. 155**), Supplementing, amending and increasing an item from the State Road Fund to the Department of Transportation, Division of Highways.

(**H. B. 156**), Making a supplementary appropriation to the Department of Environmental Protection, Division of Environmental Protection.

(**H. B. 157**), Making a supplementary appropriation to the Department of Military Affairs and Public Safety, Division of Homeland Security and Emergency Management.

And,

(**H. B. 206**), Relating to public education.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Without objection, the Senate returned to the third order of business.

Executive Communications

The Clerk then presented communications from His Excellency, the Governor, advising that on June 28, 2019, he had approved **Enr. Senate Bill 1015, Enr. Senate Bill 1017, Enr. Senate Bill 1020, Enr. Senate Bill 1021, Enr. Senate Bill 1023, Enr. Senate Bill 1024, Enr. Senate Bill 1025, Enr. Senate Bill 1027, Enr. Senate Bill 1038, Enr. House Bill 113, Enr. House Bill 118, Enr. House Bill 144, Enr. House Bill 146, Enr. House Bill 148, Enr. House Bill 149, Enr. House Bill 150, Enr. House Bill 151, Enr. House Bill 152, Enr. House Bill 153, Enr. House Bill 154, Enr. Committee Substitute for House Bill 155, Enr. House Bill 156, Enr. House Bill 157, and Enr. House Bill 206.**

Senator Carmichael (Mr. President) then laid before the Senate the following supplement to the proclamation dated March 7, 2019, from His Excellency, the Governor, which was read by the Clerk:

STATE OF WEST VIRGINIA**EXECUTIVE DEPARTMENT****Charleston****A PROCLAMATION****By the Governor**

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the proclamation dated the seventh day of March, Two Thousand Nineteen, calling the West Virginia Legislature to convene in Extraordinary Session upon adjournment *sine die* of the 2019 Regular Session, and amended by subsequent Proclamation dated the seventeenth day of May, Two Thousand Nineteen, and amended by subsequent Proclamation dated the twentieth day of May, Two Thousand Nineteen, and amended by subsequent Proclamation dated the thirty-first day of May, Two Thousand Nineteen, and amended by subsequent Proclamation dated the fourteenth day of June, Two Thousand Nineteen, by adding items forty-seven through fifty, as follows:

FORTY-SEVENTH: a bill to exempt from the business and occupation tax certain merchant power plants; and

FORTY-EIGHTH: a bill relating to residency requirements for licenses issued by the West Virginia Alcohol Beverage Control Administration, West Virginia Department of Health and Human Resources, and West Virginia Lottery Commission; and

FORTY-NINTH: a resolution relating to the issuance of State Road Bonds authorized to be issued for fiscal years ending June 30, 2019 and June 30, 2020, in conjunction with the Roads to Prosperity Amendment of 2017; and

FIFTY: a resolution relating to the issuance of State Road Bonds authorized to be issued for fiscal year ending June 30, 2021, in conjunction with the Roads to Prosperity Amendment of 2017.

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

DONE at the Capitol in the City of Charleston, State of West Virginia, this nineteenth day of July, in the year of our Lord, Two Thousand Nineteen, and in the One Hundred Fifty-Seventh year of the State.



By the Governor

GOVERNOR

SECRETARY OF STATE

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1056, Supplementing and amending items of appropriation to State Board of Education, State Aid to Schools.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1057, Supplementing and amending items of appropriation to State Board of Education.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1058, Supplementing and amending item of appropriation to Higher Education Policy Commission.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, to take effect from passage, of

Eng. House Bill 132, Supplementing and amending existing items of appropriations to the Department of Agriculture.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, to take effect from passage, of

Eng. Com. Sub. for House Bill 193, Relating to a statewide school personnel job bank.

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 207—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,

designated §11-13-2q, relating to exempting from business and occupation tax certain merchant power plants; defining merchant power plant; specifying conditions for exemption from tax; and specifying effective date.

At the request of Senator Weld, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Weld, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Tarr, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Azinger, Mann, Maroney, Takubo, Trump, and Woelfel—6.

The bill was read a second time and ordered to third reading.

Having been engrossed, the bill (Eng. H. B. 207) was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed House Bill 207 pass?”

Senator Smith requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on Senator Smith would be as a member of a class of persons and that he would be required to vote.

On the passage of the bill, the yeas were: Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Tarr, Unger, Weld, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Azinger, Mann, Maroney, Takubo, Trump, and Woelfel—6.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 207) passed with its title.

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

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

House Concurrent Resolution 104—Providing for the issuance of not to exceed \$600 million of bonds pursuant to the Roads to Prosperity Amendment of 2017 and §17-26A-1 *et seq.* of the Code of West Virginia.

Resolved by the Legislature of West Virginia:

That state road bonds in the principal amount not to exceed \$600 million are authorized to be sold by the Governor during the fiscal year ending June 30, 2020 which includes the \$400 million authorized to be issued in the fiscal year ending June 30, 2019 but not issued and which are hereby carried forward to the fiscal year ending June 30, 2020. The bonds shall be issued in registered form and may be issued by the Governor in such amounts and in one or more series, in such denominations, at such times during that fiscal year and bearing the date or dates as the Governor may determine; and, be it

Further Resolved, That all bonds shall be payable at the Office of the Treasurer of the State of West Virginia or at a paying agent designated by the Treasurer. The bonds shall be dated and mature on dates and at times as the Governor shall determine. The bonds shall bear interest at rates not exceeding six percent (6.00%) per annum, payable semiannually. The Treasurer of the State of West Virginia shall issue his or her check for the interest and principal then due on the same dates each year and mail it to the registered owner at the addresses shown by the record of registration or shall provide the requisite funds by electronic means acceptable to the public municipal finance industry. The bonds may be redeemable on a date or dates prior to maturity as determined by the Governor; and, be it

Further Resolved, That the bonds shall be signed on behalf of the State of West Virginia as provided under §17-26A-2 of the Code of West Virginia; and, be it

Further Resolved, That the Governor shall sell the bonds herein mentioned at a time or times during the fiscal year as he may determine necessary to provide funds for matching available federal funds for highway and bridge construction and for general highway and secondary roads and bridge construction or improvements in this state, as herein provided, upon recommendation of the Commissioner of Highways; and, be it

Further Resolved, That the proceeds of all sales of bonds herein authorized shall be paid into the State Road Fund created by §17-3-1 of the Code of West Virginia, 1931, as amended, and used for the purposes set forth in §17-26A-1 *et seq.* of said code and in the Roads to Prosperity Amendment of 2017; and, be it

Further Resolved, That this resolution constitutes affirmative official intent of the State of West Virginia toward the issuance of the bonds as contemplated herein in accordance with the purposes of the laws of the State of West Virginia and the United States Internal Revenue Code and the regulations issued thereunder. The State of West Virginia reasonably expects, as of the date thereof, to timely reimburse the State Road Fund for certain costs of the highway and bridge projects described above paid from the State

Road Fund prior to the issuance of the bonds with the proceeds of the bonds.

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

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

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

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

House Concurrent Resolution 105—Providing for the issuance of not to exceed \$200 million of bonds after July 1, 2020 pursuant to the Roads to Prosperity Amendment of 2017 and §17-26A-1 *et seq.* of the Code of West Virginia.

Resolved by the Legislature of West Virginia:

That state road bonds in the principal amount not to exceed \$200 million are authorized to be sold by the Governor during the fiscal year ending June 30, 2021. The bonds shall be issued in registered form and may be issued by the Governor in such amounts and in one or more series, in such denominations, at such times during that fiscal year and bearing the date or dates as the Governor may determine; and, be it

Further Resolved, That all bonds shall be payable at the Office of the Treasurer of the State of West Virginia or at a paying agent designated by the Treasurer. The bonds shall be dated and mature on dates and at times as the Governor shall determine. The bonds shall bear interest at rates not exceeding six and one-half percent (6.50%) per annum, payable semiannually. The Treasurer of the State of West Virginia shall issue his or her check for the interest and principal then due on the same dates each year and mail it to the registered owner at the addresses shown by the record of

registration or shall provide the requisite funds by electronic means acceptable to the public municipal finance industry. The bonds may be redeemable on a date or dates prior to maturity as determined by the Governor; and, be it

Further Resolved, That the bonds shall be signed on behalf of the State of West Virginia as provided under §17-26A-2 of the Code of West Virginia; and, be it

Further Resolved, That the Governor shall sell the bonds herein mentioned at a time or times during the fiscal year as he may determine necessary to provide funds for matching available federal funds for highway and bridge construction and for general highway and secondary roads and bridge construction or improvements in this state, as herein provided, upon recommendation of the Commissioner of Highways; and, be it

Further Resolved, That the proceeds of all sales of bonds herein authorized shall be paid into the State Road Fund created by §17-3-1 of the Code of West Virginia, 1931, as amended, and used for the purposes set forth in §17-26A-1 et seq. of said code and in the Roads to Prosperity Amendment of 2017; and, be it

Further Resolved, That this resolution constitutes affirmative official intent of the State of West Virginia toward the issuance of the bonds as contemplated herein in accordance with the purposes of the laws of the State of West Virginia and the United States Internal Revenue Code and the regulations issued thereunder. The State of West Virginia reasonably expects, as of the date thereof, to timely reimburse the State Road Fund for certain costs of the highway and bridge projects described above paid from the State Road Fund prior to the issuance of the bonds with the proceeds of the bonds.

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

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

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

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Baldwin.

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

At the request of Senator Weld, unanimous consent being granted, leaves of absence for the day were granted Senators Azinger, Mann, Maroney, Takubo, Trump, and Woelfel.

On motion of Senator Weld, at 12:55 p.m., the Senate adjourned until subsequently called back into session by the presiding officer.

MONDAY, SEPTEMBER 23, 2019

Pursuant to the call of the President of the Senate, under the authority of House Concurrent Resolution 101, adopted March 10, 2019, the Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at 9:20 a.m., and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Rollan A. Roberts, a senator from the ninth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Michael J. Romano, a senator from the twelfth district.

Pending the reading of the Journal of Tuesday, July 23, 2019,

At the request of Senator Boso, 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 communications from various state agencies as required by the provisions of law:

Administration, Department of (State Building Commission Fund Monthly Activities Report) (§5-6-1)

Dentistry, Board of (§30-1-12)

Forestry, Division of (Outdoor Heritage Conservation Fund) (§5B-2D-6)

Housing Development Fund (Financial Statements and Housing Unit Production Report) (§31-18-24)

Insurance Commissioner (Occupational Pneumoconiosis Board) (§23-1-17)

Municipal Bond Commission (§13-3-15)

Occupational Therapy, Board of (§30-1-12)

Osteopathic Medicine, Board of (§30-1-12)

Protective Services, Division of (Monthly Incidence Report) (§15-2D-3)

Tax Department, State (Innovative Mine Safety Technology Tax Credit) (§11-13BB-11)

The Senate proceeded to the fourth order of business.

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 24th day of July, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(**H. B. 132**), Supplementing and amending existing items of appropriations to the Department of Agriculture.

(**Com. Sub. for H. B. 193**), Relating to a statewide school personnel job bank.

And,

(**H. B. 207**), Exempting from business and occupation tax certain merchant power plants.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Senator Tarr, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 26th day of July, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(**S. B. 1056**), Supplementing and amending items of appropriation to State Board of Education, State Aid to Schools.

(**S. B. 1057**), Supplementing and amending items of appropriation to State Board of Education.

And,

(**S. B. 1058**), Supplementing and amending item of appropriation to Higher Education Policy Commission.

Respectfully submitted,

Eric J. Tarr,
Member, Senate Committee.
Moore Capito,
Chair, House Committee.

Without objection, the Senate returned to the third order of business.

Executive Communications

The Clerk then presented communications from His Excellency, the Governor, advising that on July 29, 2019, he had approved **Enr. Senate Bill 1056, Enr. Senate Bill 1057, Enr. Senate Bill 1058,** and **Enr. House Bill 132;** and on July 30, 2019, he had approved **Enr. House Bill 207.**

[CLERK'S NOTE: Enrolled Committee Substitute for House Bill 193 became law without the Governor's signature on July 30, 2019, under the provisions of Section 14, Article VII of the Constitution of West Virginia.]

Senator Carmichael (Mr. President) then laid before the Senate the following communication from His Excellency, the Governor, consisting of executive nominations for appointees:



Jim Justice
Governor of West Virginia

September 18, 2019

Senate Executive Message No. 3
First Extraordinary Session 2019

TO: The Honorable Members of the
West Virginia Senate

Ladies and Gentlemen:

I respectfully submit the following nominations for your advice and consent:

1. For Member, West Virginia Board of Education, Daniel D. Snavelly, Hurricane, Putnam County, for the term ending November 4, 2024.
2. For Member, Glenville State College Board of Governors, Doug Morris, Glenville, Gilmer County, for the term ending June 30, 2020.
3. For Member, Water Development Board, Gary R. Sutphin, Beckley, Raleigh County, for the term ending June 30, 2024.
4. For Member, Committee for the Purchase of Commodities and Services from the Handicapped, Everette E. Sullivan, Dunbar, Kanawha County, for the term ending January 31, 2021.
5. For Member, West Virginia Board of Manufactured Housing Construction and Safety, George Gunnell, Winfield, Putnam County, for the term ending June 30, 2024.
6. For Member, Workers' Compensation Board of Review, Patricia A. Jennings, Huntington, Cabell County, for the term ending December 31, 2024.
7. For Secretary, Department of Transportation, Byrd E. White III, Beaver, Raleigh County, to serve at the will and pleasure of the Governor.
8. For Member, West Virginia Board of Physical Therapy, Ashley Mason, Hurricane, Putnam County, for the term ending June 30, 2023.

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9. For Member, West Virginia Board of Physical Therapy, Jack Brautigam, Morgantown, Monongalia County, for the term ending June 30, 2023.
10. For Member, Retail Liquor Licensing Board, Brian Abraham, Chapmanville, Logan County, for the term ending December 1, 2021.
11. For Executive Director, Human Rights Commission, Ronald Jones, Chapmanville, Logan County, to serve at the will and pleasure of the Governor.
12. For Director, West Virginia Children's Health Insurance Program, Jean Kranz, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.
13. For Member, West Virginia Parole Board, John H. Sines, Washington, Wood County, for the term ending June 30, 2022.
14. For Member, West Virginia Parole Board, Kim M. Blair, Poca, Putnam County, for the term ending June 30, 2023.
15. For Member, Bluefield State College Board of Governors, Michael Hastings, Bluefield, Mercer County, for the term ending June 30, 2022.
16. For Member, Bluefield State College Board of Governors, Joseph Shannon Remines, Bluefield, Virginia, for the term ending June 30, 2022.
17. For Member, Public Port Authority, Gary Thompson, Daniels, Raleigh County, for the term ending June 30, 2021.
18. For Chairwoman, Public Service Commission, The Honorable Charlotte R. Lane, Charleston, Kanawha County, for the term ending June 30, 2025.
19. For Member, Statewide Independent Living Council, Richard Ward, Spencer, Roane County, for the term ending June 30, 2022.
20. For Member, Statewide Independent Living Council, Joyce Floyd, Elkins, Randolph County, for the term ending June 30, 2022.
21. For Member, Statewide Independent Living Council, Marissa Sanders, St. Albans, Kanawha County, for the term ending June 30, 2022.
22. For Member, Statewide Independent Living Council, Ardella Cottrill, Fairmont, Marion County, for the term ending June 30, 2022.
23. For Member, Statewide Independent Living Council, Sheryl Grace Wine, Orlando, Lewis County, for the term ending June 30, 2022.
24. For Member, Statewide Independent Living Council, Adrienne Michaud, Wheeling, Ohio County, for the term ending June 30, 2022.

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25. For Member, Statewide Independent Living Council, Melissa M. Southall, Parkersburg, Wood County, for the term ending June 30, 2022.
26. For Member, Statewide Independent Living Council, Christine Wilcox, Morgantown, Monongalia County, for the term ending June 30, 2021.
27. For Member, Board of Dentistry, Lewis D. Gilbert, Summersville, Nicholas County, for the term ending June 30, 2024.
28. For Member, Fairmont State University Board of Governors, Wendy G. Adkins, Morgantown, Monongalia County, for the term ending June 30, 2020.
29. For Member, Fairmont State University Board of Governors, David Goldberg, Morgantown, Monongalia County, for the term ending June 30, 2023.
30. For Member, Fairmont State University Board of Governors, Jay R. Puccio, Fairmont, Marion County, for the term ending June 30, 2023.
31. For Member, Board of Accountancy, Robin M. Baylous, Washington, Wood County, for the term ending June 30, 2022.
32. For Member, Board of Accountancy, Richard A. Riley, Morgantown, Monongalia County, for the term ending June 30, 2022.
33. For Member, Board of Accountancy, Jean A. Bailey, Wheeling, Ohio County, for the term ending June 30, 2022.
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69. For Member, Marshall University Board of Governors, Sandra D. Thomas, Charleston, Kanawha County, for the term ending June 30, 2023.

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70. For Member, Marshall University Board of Governors, William E. Noe, Pataskala, Ohio, for the term ending June 30, 2023.
71. For Member, West Virginia University Board of Governors, Benjamin M. Stadler, Naples, Florida, for the term ending June 30, 2023.
72. For Member, West Virginia University Board of Governors, Marty Becker, Charleston, Kanawha County, for the term ending June 30, 2023.
73. For Member, West Virginia Board of Chiropractic, Geoffrey R. Mohn, Huntington, Cabell County, for the term ending June 30, 2022.
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77. For Member, West Virginia Emergency Medical Services Advisory Council, Donna Steward, Springfield, Hampshire County, for the term ending June 30, 2022.
78. For Member, West Virginia Emergency Medical Services Advisory Council, Nancy Cartmill, Huntington, Cabell County, for the term ending June 30, 2022.
79. For Member, West Virginia Emergency Medical Services Advisory Council, Connie J. Hall, Coal City, Raleigh County, for the term ending June 30, 2021.
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85. For Member, State Rail Authority, Steve Sherrard, Weston, Lewis County, for the term ending June 30, 2025.

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86. For Member, State Rail Authority, James L. Schoonover, Montrose, Randolph County, for the term ending June 30, 2025.
87. For Member, Shepherd University Board of Governors, Eric J. Lewis, Shepherdstown, Jefferson County, for the term ending June 30, 2023.
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94. For Member, Broadband Enhancement Council, Dennis Lee, Huntington, Cabell County, for the term ending July 13, 2022.
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99. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Kimberly D. Hoffman, St. Albans, Kanawha County, for the term ending June 30, 2022.

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100. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Victoria L. Novick, Glen Dale, Marshall County, for the term ending June 30, 2022.
101. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Dee Workman, Daniels, Raleigh County, for the term ending June 30, 2021.
102. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Todd C. Resley, Daniels, Raleigh County, for the term ending June 30, 2021.
103. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Mercedes Ramas, Beckley, Raleigh County, for the term ending June 30, 2022.
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105. For Member, Housing Development Fund, Mary S. Skeens, Charleston, Kanawha County, for the term ending October 30, 2022.
106. For Member, Housing Development Fund, Jennifer G. Willits, Hurricane, Putnam County, for the term ending October 30, 2023.
107. For Member, Oil and Gas Conservation Commission, Michael McCown, Mineral Wells, Wood County, for the term ending July 27, 2024.
108. For Member, Forest Management Review Commission, Eldon Thomas Plaugher, Rowlesburg, Preston County, for the term ending March 14, 2025.
109. For Member, Forest Management Review Commission, LaDeana M. Teets, Aurora, Preston County, for the term ending March 14, 2025.
110. For Member, Forest Management Review Commission, The Honorable Thomas J. Hawse III, Morefield, Hardy County, for the term ending March 14, 2025.
111. For Member, Forest Management Review Commission, The Honorable Robert L. Williams, Bridgeport, Taylor County, for the term ending March 14, 2021.
112. For Member, West Virginia Archives and History Commission, Melissa Bingmann, Morgantown, Monongalia County, for the term ending June 30, 2021.
113. For Member, West Virginia Archives and History Commission, Charles T. Ledbetter, Scott Depot, Putnam County, for the term ending June 30, 2021.

OFFICE OF THE GOVERNOR

114. For Member, West Virginia Archives and History Commission, Thomas S. Bailey, St. Albans, Kanawha County, for the term ending June 30, 2022.
115. For Member, West Virginia Archives and History Commission, Nathaniel M. DeBruin, Barboursville, Cabell County, for the term ending June 30, 2021.
116. For Member, West Virginia Archives and History Commission, Darlene Hassler, Shenandoah Junction, Jefferson County, for the term ending June 30, 2022.
117. For Member, West Virginia Archives and History Commission, Darla Spencer, Charleston, Kanawha County, for the term ending June 30, 2020.
118. For Member, West Virginia Archives and History Commission, Laura Carroll, Wheeling, Ohio County, for the term ending June 30, 2022.
119. For Member, West Virginia Archives and History Commission, Tracy L. Burch, Culloden, Cabell County, for the term ending June 30, 2020.
120. For Member, West Virginia Contractor Licensing Board, Frank R. Ferguson, Huntington, Cabell County, for the term ending June 30, 2023.
121. For Member, West Virginia Contractor Licensing Board, Ted Brady, Charleston, Kanawha County, for the term ending June 30, 2023.
122. For Member, West Virginia Contractor Licensing Board, Michael E. Davis, Winfield, Putnam County, for the term ending June 30, 2022.
123. For Member, West Virginia Contractor Licensing Board, James Michael Noel, Huntington, Cabell County, for the term ending June 30, 2021.
124. For Member, West Virginia Contractor Licensing Board, Mary N. Cleland, Charleston, Kanawha County, for the term ending June 30, 2020.
125. For Member, West Virginia Contractor Licensing Board, Charles K. Smith, St. Albans, Kanawha County, for the term ending June 30, 2022.
126. For Member, Eastern West Virginia Community and Technical College Board of Governors, Sheena R. Van Meter, Old Fields, Hardy County, for the term ending June 30, 2021.
127. For Member, Eastern West Virginia Community and Technical College Board of Governors, Herman Whetzel, Baker, Hardy County, for the term ending June 30, 2023.
128. For Member, Eastern West Virginia Community and Technical College Board of Governors, Sheldon W. Arbaugh, Moorefield, Hardy County, for the term ending June 30, 2022.

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129. For Member, Commission on the Arts, Zach Abraham, Triadelphia, Ohio County, for the term ending June 30, 2021.
130. For Member, West Virginia Board of Professional Surveyors, Lantz G. Rankin, Turtle Creek, Boone County, for the term ending June 30, 2023.
131. For Member, West Virginia Investment Management Board, Patrick A. Bond, Charleston, Kanawha County, for the term ending January 31, 2025.
132. For Member, Industrial Council, Anna M. Dailey, Charleston, Kanawha County, for the term ending June 30, 2020.
133. For Member, West Virginia Parole Board, Benita F. Murphy, Logan, Logan County, for the term ending June 30, 2024.
134. For Member, West Virginia Parole Board, Ted A. White, Wheeling, Ohio County, for the term ending June 30, 2025.
135. For Member, West Virginia Parole Board, Edward E. Wooton, Petersburg, Grant County, for the term ending June 30, 2025.
136. For Member, West Virginia Parole Board, Ralph D. Miller, Cross Lanes, Kanawha County, for the term ending June 30, 2025.
137. For Member, West Virginia Parole Board, Brian K. Reed, Scott Depot, Putnam County, for the term ending June 30, 2024.

Notice of these appointments was previously provided to the appropriate legislative staff at the time the appointments were made.

Sincerely,



Jim Justice
Governor

JCJ: mrp

cc: Clerk of the Senate
Assistant Clerk of the Senate
Senate Confirmations Chair

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

On motion of Senator Boley, consideration of the nominations immediately hereinbefore reported was made a special order of business for 10 a.m. today.

Pending announcement of a meeting of a standing committee of the Senate,

On motion of Senator Takubo, at 9:24 a.m., the Senate recessed until five minutes after adjournment of a meeting of the Committee on Confirmations.

The Senate reconvened at 10:42 a.m. and proceeded to the fourth order of business.

Senator Boley, from the Committee on Confirmations, submitted the following report, which was received:

Your Committee on Confirmations has had under consideration

Senate Executive Message 3, dated September 18, 2019, requesting confirmation by the Senate of the nominations mentioned therein. The following list of names from Executive Message 3 is submitted:

1. For Member, West Virginia Board of Education, Daniel D. Snavelly, Hurricane, Putnam County, for the term ending November 4, 2024.

2. For Member, Glenville State College Board of Governors, Doug Morris, Glenville, Gilmer County, for the term ending June 30, 2020.

3. For Member, Water Development Board, Gary R. Sutphin, Beckley, Raleigh County, for the term ending June 30, 2024.

4. For Member, Committee for the Purchase of Commodities and Services from the Handicapped, Everette E. Sullivan, Dunbar, Kanawha County, for the term ending January 31, 2021.

5. For Member, West Virginia Board of Manufactured Housing Construction and Safety, George Gunnell, Winfield, Putnam County, for the term ending June 30, 2024.

6. For Member, Workers' Compensation Board of Review, Patricia A. Jennings, Huntington, Cabell County, for the term ending December 31, 2024.

7. For Secretary, Department of Transportation, Byrd E. White III, Beaver, Raleigh County, to serve at the will and pleasure of the Governor.

8. For Member, West Virginia Board of Physical Therapy, Ashley Mason, Hurricane, Putnam County, for the term ending June 30, 2023.

9. For Member, West Virginia Board of Physical Therapy, Jack Brautigam, Morgantown, Monongalia County, for the term ending June 30, 2023.

10. For Member, Retail Liquor Licensing Board, Brian Abraham, Chapmanville, Logan County, for the term ending December 1, 2021.

11. For Executive Director, Human Rights Commission, Ronald Jones, Chapmanville, Logan County, to serve at the will and pleasure of the Governor.

12. For Director, West Virginia Children's Health Insurance Program, Jean Kranz, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

13. For Member, West Virginia Parole Board, John H. Sines, Washington, Wood County, for the term ending June 30, 2022.

14. For Member, West Virginia Parole Board, Kim M. Blair, Poca, Putnam County, for the term ending June 30, 2023.

15. For Member, Bluefield State College Board of Governors, Michael Hastings, Bluefield, Mercer County, for the term ending June 30, 2022.

16. For Member, Bluefield State College Board of Governors, Joseph Shannon Remines, Bluefield, Virginia, for the term ending June 30, 2022.

17. For Member, Public Port Authority, Gary Thompson, Daniels, Raleigh County, for the term ending June 30, 2021.

18. For Chairwoman, Public Service Commission, The Honorable Charlotte R. Lane, Charleston, Kanawha County, for the term ending June 30, 2025.

19. For Member, Statewide Independent Living Council, Richard Ward, Spencer, Roane County, for the term ending June 30, 2022.

20. For Member, Statewide Independent Living Council, Joyce Floyd, Elkins, Randolph County, for the term ending June 30, 2022.

21. For Member, Statewide Independent Living Council, Marissa Sanders, St. Albans, Kanawha County, for the term ending June 30, 2022.

22. For Member, Statewide Independent Living Council, Ardella Cottrill, Fairmont, Marion County, for the term ending June 30, 2022.

23. For Member, Statewide Independent Living Council, Sheryl Grace Wine, Orlando, Lewis County, for the term ending June 30, 2022.

24. For Member, Statewide Independent Living Council, Adrienne Michaud, Wheeling, Ohio County, for the term ending June 30, 2022.

25. For Member, Statewide Independent Living Council, Melissa M. Southall, Parkersburg, Wood County, for the term ending June 30, 2022.

26. For Member, Statewide Independent Living Council, Christine Wilcox, Morgantown, Monongalia County, for the term ending June 30, 2021.

27. For Member, Board of Dentistry, Lewis D. Gilbert, Summersville, Nicholas County, for the term ending June 30, 2024.

28. For Member, Fairmont State University Board of Governors, Wendy G. Adkins, Morgantown, Monongalia County, for the term ending June 30, 2020.

29. For Member, Fairmont State University Board of Governors, David Goldberg, Morgantown, Monongalia County, for the term ending June 30, 2023.

30. For Member, Fairmont State University Board of Governors, Jay R. Puccio, Fairmont, Marion County, for the term ending June 30, 2023.

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108. For Member, Forest Management Review Commission, Eldon Thomas Plaucher, Rowlesburg, Preston County, for the term ending March 14, 2025.

109. For Member, Forest Management Review Commission, LaDeana M. Teets, Aurora, Preston County, for the term ending March 14, 2025.

110. For Member, Forest Management Review Commission, The Honorable Thomas J. Hawse III, Morefield, Hardy County, for the term ending March 14, 2025.

111. For Member, Forest Management Review Commission, The Honorable Robert L. Williams, Bridgeport, Taylor County, for the term ending March 14, 2021.

112. For Member, West Virginia Archives and History Commission, Melissa Bingmann, Morgantown, Monongalia County, for the term ending June 30, 2021.

113. For Member, West Virginia Archives and History Commission, Charles T. Ledbetter, Scott Depot, Putnam County, for the term ending June 30, 2021.

114. For Member, West Virginia Archives and History Commission, Thomas S. Bailey, St. Albans, Kanawha County, for the term ending June 30, 2022.

115. For Member, West Virginia Archives and History Commission, Nathaniel M. DeBruin, Barboursville, Cabell County, for the term ending June 30, 2021.

116. For Member, West Virginia Archives and History Commission, Darlene Hassler, Shenandoah Junction, Jefferson County, for the term ending June 30, 2022.

117. For Member, West Virginia Archives and History Commission, Darla Spencer, Charleston, Kanawha County, for the term ending June 30, 2020.

118. For Member, West Virginia Archives and History Commission, Laura Carroll, Wheeling, Ohio County, for the term ending June 30, 2022.

119. For Member, West Virginia Archives and History Commission, Tracy L. Burch, Culloden, Cabell County, for the term ending June 30, 2020.

120. For Member, West Virginia Contractor Licensing Board, Frank R. Ferguson, Huntington, Cabell County, for the term ending June 30, 2023.

121. For Member, West Virginia Contractor Licensing Board, Ted Brady, Charleston, Kanawha County, for the term ending June 30, 2023.

122. For Member, West Virginia Contractor Licensing Board, Michael E. Davis, Winfield, Putnam County, for the term ending June 30, 2022.

123. For Member, West Virginia Contractor Licensing Board, James Michael Noel, Huntington, Cabell County, for the term ending June 30, 2021.

124. For Member, West Virginia Contractor Licensing Board, Mary N. Cleland, Charleston, Kanawha County, for the term ending June 30, 2020.

125. For Member, West Virginia Contractor Licensing Board, Charles K. Smith, St. Albans, Kanawha County, for the term ending June 30, 2022.

126. For Member, Eastern West Virginia Community and Technical College Board of Governors, Sheena R. Van Meter, Old Fields, Hardy County, for the term ending June 30, 2021.

127. For Member, Eastern West Virginia Community and Technical College Board of Governors, Herman Whetzel, Baker, Hardy County, for the term ending June 30, 2023.

128. For Member, Eastern West Virginia Community and Technical College Board of Governors, Sheldon W. Arbaugh, Moorefield, Hardy County, for the term ending June 30, 2022.

129. For Member, Commission on the Arts, Zach Abraham, Triadelphia, Ohio County, for the term ending June 30, 2021.

130. For Member, West Virginia Board of Professional Surveyors, Lantz G. Rankin, Turtle Creek, Boone County, for the term ending June 30, 2023.

131. For Member, West Virginia Investment Management Board, Patrick A. Bond, Charleston, Kanawha County, for the term ending January 31, 2025.

132. For Member, Industrial Council, Anna M. Dailey, Charleston, Kanawha County, for the term ending June 30, 2020.

133. For Member, West Virginia Parole Board, Benita F. Murphy, Logan, Logan County, for the term ending June 30, 2024.

134. For Member, West Virginia Parole Board, Ted A. White, Wheeling, Ohio County, for the term ending June 30, 2025.

135. For Member, West Virginia Parole Board, Edward E. Wooton, Petersburg, Grant County, for the term ending June 30, 2025.

136. For Member, West Virginia Parole Board, Ralph D. Miller, Cross Lanes, Kanawha County, for the term ending June 30, 2025.

137. For Member, West Virginia Parole Board, Brian K. Reed, Scott Depot, Putnam County, for the term ending June 30, 2024.

And reports the same back with the recommendation that the Senate do advise and consent to all of the nominations listed above.

Respectfully submitted,

Donna J. Boley,
Chair.

The time having arrived for the special order of business to consider the list of nominees for public office submitted by His Excellency, the Governor, the special order thereon was called by the President.

Thereupon, Senator Carmichael (Mr. President) laid before the Senate the following executive message:

Senate Executive Message 3, dated September 18, 2019 (*shown in the Senate Journal of today, pages 230 through 239, inclusive*).

Senator Boley then moved that the Senate advise and consent to all of the executive nominations referred to in the foregoing report from the Committee on Confirmations.

The question being on the adoption of Senator Boley's aforestated motion,

The roll was then taken; and

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Clements, Mann, Maroney, Plymale, and Unger—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's motion had prevailed and that all the executive nominations referred to in the foregoing report from the Committee on Confirmations had been confirmed.

Consideration of executive nominations having been concluded,

Without objection, the Senate returned to the third order of business.

The following communication was reported by the Clerk:

The Senate of West Virginia
Charleston

SENATOR GREGORY L. BOSO
11TH SENATORIAL DISTRICT



STATE CAPITOL, ROOM 217-W
304-357-7973

September 22, 2019

Mitch B. Carmichael, President
The Senate of West Virginia
Building 1 Room 229M
1900 Kanawha Blvd E
Charleston, WV 25305

Dear President Carmichael:

The efforts made by the West Virginia Legislature and, more specifically, the West Virginia Senate have been monumental when we consider the state of our state in 2015 as compared to today. I consider it a high honor to serve with you and each member of the Senate.

I recently accepted the position of president in leading a forensic engineering practice, Forensic Consulting Group, that serves nationally and is based in Mobile, AL. The responsibility of my new engagement is requiring me to travel more and allowing less time to meet my obligations as a West Virginia Senator. Those responsibilities will likely require me to be absent during portions of the session and impede my abilities to best serve my constituents.

For those reasons I am resigning my position as Senator of the 11th Senatorial District of West Virginia. My resignation will be effective at 12:01AM, LPT, on Thursday, September 26, 2019.

If I can assist you or the Senate in the future, I will be honored to lend my professional expertise. Please know that each member of this auspicious body will always be in my prayers.

With best regards, I am

Sincerely,

A handwritten signature in blue ink that reads "Gregory L. Boso".

Gregory L. Boso

The Senate proceeded to the twelfth order of business.

Remarks were made and prayer was offered by Senator Boso.

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

At the request of Senator Tarr, unanimous consent being granted, the Senate stood in observance of a moment of silence in recognition of the passing of Alexander Jackson Miller, a Roane County High School football player who unexpectedly passed away on Friday, September 13, 2019, during a football game.

At the request of Senator Takubo, and by unanimous consent, the Senate returned to the sixth order of business.

At the request of Senator Takubo, unanimous consent being granted, Senator Takubo offered the following pre-adjourment resolution from the floor:

Senate Resolution 108—Raising a committee to notify His Excellency, the Governor, that the Senate is ready to adjourn *sine die*.

Resolved by the Senate:

That the President be authorized to appoint a committee of three to notify His Excellency, the Governor, that the Senate has completed its labors and is ready to adjourn *sine die*.

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

Under the provisions of the foregoing resolution, Senator Carmichael (Mr. President) appointed the following committee to notify His Excellency, the Governor, that the Senate was ready to adjourn:

Senators Cline, Smith, and Romano.

Senators Cline, Smith, and Romano, comprising the Senate committee, then proceeded to the executive offices to notify His Excellency, the Governor, of imminent adjournment of this extraordinary session of the Legislature.

Subsequently, Senator Cline, from the select committee to notify His Excellency, the Governor, that the Senate had completed the business of this extraordinary session and was ready to adjourn *sine die*, returned to the chamber and was recognized by the President. Senator Cline then reported this mission accomplished.

On motion of Senator Takubo, at 10:58 a.m., the first extraordinary session of the Senate in the year two thousand nineteen adjourned *sine die*.

We hereby certify that the foregoing Senate record of the proceedings of the First Extraordinary Session of the Eighty-Fourth Legislature, 2019, is the Official Journal of the Senate for said session.

President of the Senate

Clerk of the Senate

Appendix – Remarks

REMARKS OF
HONORABLE
MICHAEL J. ROMANO

Sunday, June 2, 2019

SENATOR ROMANO: Thank you, Mr. President.

I appreciate the opportunity to address the body and, believe me, I want to get out of here like everybody else, tonight's my daughter's sixteenth birthday.

But, you know, I feel like I'm in Bizzaro World, where everything seems to work in opposite. You know, there's a tax coming across the aisle, about not telling . . . using accurate facts and making accusations. I mean, in my five years here I don't think it's ever been this bad. Maybe it's been the change of people sitting in the seats, but the facts seem to mean nothing anymore.

And this bill that we're fighting over here again, it's like déjà vu. It's another big, huge bill that . . . you all want to have charter schools. The entire nation is backing away from charter schools because they've found them not to be transparent, they're hard to account for the money, Mr. President . . . and they're curtailing them. In some states, they've put a moratorium on them. You know, there's been some success . . . don't not understand me, I recognize some charter schools have done well, primarily in urban areas. In disadvantaged urban areas where they've served a purpose of saving kids who otherwise would not be able to be saved in the schools that they had to go to. That's not West Virginia. Our largest city is not an urban area compared to the rest of the country. We are not an urban state. The vast majority of charter schools perform at the same level as their public-school counterparts. Some, well below.

But, Ohio has lost \$4 billion. The United States of America has lost a billion that they can't account for on schools that have never opened, have never become functional, or they have gone out of business. Michigan public education is in turmoil because of charter

schools; and that's our friend Ms. DeVos who seems to want the same for the rest of the country. I think if she'd just send us one of her 10 yachts we'd be in good shape. Maybe we could use that to increase teacher pay.

But, you know, I keep hearing we can't keep the status quo. That we're at the bottom of the rankings . . . rankings that, you know, get manipulated constantly. We heard about the ALEC ranking, we're forty-seventh, but only because we don't have charters and ESAs. That's the kind of numbers we throw around to justify what we're doing here today and to condemn what we're doing which is trying to add some transparency to this monstrous bill that is getting shoved down the throats of West Virginians.

Now, you know, people can say we're at the bottom. We're thirtieth in ACT scores—that's a pretty good measure. You know, all the ones below us have charter schools, there are some above us that have charter schools, but the ones below us have charter schools, so what's that tell you? Charter schools aren't making a big difference. But what we've done is financially starved our public education system, not just over the last five years. We haven't fully funded it, probably ever, but certainly, in the last five years, no pay raise for four years for our teachers. Only when they struck did they get a five percent pay raise. That's resulted in 700 plus uncertified teachers in our state. That makes it tough to teach our children and get the results we want.

So, what do we do? Mike Romano gets up, talks about how bad the bill is, and, to my friend from the fourth, I think the Senate Democrats did introduce a whole bevy of separate bills that we think would have fixed, or helped fix, our public education system. Certainly would have helped our educators. But I've put on everybody's desk—and if you didn't take a second to look at it, I'm going to take a second to tell you about it—this is from the Doddridge County school system: In 2009 Doddridge County was fifty-third, the fifty-third lowest county in our state for math in ELA scores. That is 77.9 percent graduation rate. That's almost as bad as South Carolina, which, by the way, is ranked 12th in the country by ALEC. They had

. . . 31.4 percent of their children were in poverty, which was the forty-fifth worst in West Virginia. These numbers bother me.

Well, what did Doddridge County do? They create some new school system, divert money out of public education? No, they doubled-downed. They doubled-downed on public education. They increased spending by \$5,000 per student. They created programs such as career and technical training. They have a STEAM lab. They brought technology to every classroom and every student. They made sure children were fed three meals a day, including over the summer with their Read and Feed Program. They did career exploration for freshmen, so that they would be guided on what kind of education they wanted in order to go on to have a career when they left high school. And they created the Holistic Child; which is mental health professionals in their schools and social workers in their schools. They gave their teachers a \$10,000 per teacher raise, every teacher in the county. Does that sound familiar? Sounds like the bills we introduced when this special session began which has sat in Education Committee which has not met. But what is the result of that? Doddridge County now has certified teachers in every classroom for the subject they're teaching. They have brought their schools into the modern era by fully funding them. They have moved from the fifty-third worst county in math and ELA scores in West Virginia to the fourth, in 10 years—fifty-third to fourth. Their graduation rate has went from 77.9 to 97.4 percent. And the poverty among children has dropped from 31 percent to 25.8 percent, which is the twenty-fourth best in West Virginia.

Now, am I standing up here to tell you that that's the answer to all our problems? No, it's not. I'm sure it's not. But you know what? That's where we ought to start. That's what we ought to be debating. How to find money to fully fund public education. How to find money to fully educate our children which is what we all want to do. There is no solid evidence that charters or ESAs add to the education of any child over a broad spectrum of an entire state. What it does prove, and it's a very controversial matter, that a group called ALEC seems to want very bad and Betsy DeVos seems to want even worse, but there's no promise for our children from that. Why would we drag ourselves down here week after week after week to fight about that when here is the pathway to improving education in West Virginia? This is the way we do it. We pay our teachers a decent wage so we can attract and keep good teachers; we make

sure our kids are healthy, both mentally and physically; and we make sure that they have the tools they need to learn.

Mr. President, I'm tired of being here. Certainly, nobody could accuse me of wanting to be down here. I actually dread being down here. And I would just ask, Mr. President, that we give up on this. It's not going to happen over there. It's not going to happen in the House. They've already told us that very clearly. The only answer, Mr. President, is to separate these bills, vote on them like we do every other bill in this Senate, and let's move on to things like potholes, holes in our roads. Let's move on to making sure we get rid of this opioid epidemic. Let's move on to important issues, Mr. President.

Thank you for the privilege of standing back up. Thank you.

REMARKS OF
HONORABLE
TOM TAKUBO

Sunday, June 2, 2019

SENATOR TAKUBO: Thank you, Mr. President.

You know, it sounds, there's . . . First of all, I'm very honored to serve with every single individual in this Senate, both sides. No one knows the sacrifice, the dedication that each and every single guy goes through. It's not just coming down here and running floor or Senate stuff, it's every day emails, constituent calls . . . and so, it is an honor to serve with each and every one of us.

And I know that things have got a little heated and the debate has gotten strong but I would just encourage each and every one of us, myself included, that we keep our comments objective, to the point you're trying to make. You know, it seems like this education bill has not just been going on now, it's been going on for 10, 11 years. Democrat senators tried to pass this . . . senators in this room 10 years ago tried to pass some of this piece of legislation, charter schools . . .

There's three sticking points that I can gather from everybody. Everybody's looked at this, we all agree 80, 90 percent of it, we all like, the

Board of Education, everybody likes—80, 90 percent of it. There's about three sticking points.

One is extracurriculars. Now, all that is saying is my kids, I can speak personally, if they're too sick or they can't go to school, don't ask me to go to ballgames or dances or . . . and every teacher I've spoken with, I've yet to have one that didn't agree with that. If a child can't go to school, they shouldn't be playing sports or athletics or extracurriculars.

So what message do we send, if these are the three sticking points—and we'll debate this bill I know tomorrow—but what message do we send when we say something is so important—and I'm not downplaying the urgency or the importance of when there's a work stoppage or strike that goes on, obviously, it is—but if it's so important that academics, which should be our number one goal, has to be stopped, what message do we send them to turn right around and say, "Oh, but go play sports. Go do this. Go do that. Go to this practice or whatever?" It's a poor message. Period. Forget about the bill, forget about charters and everything else and that's just . . . so it was easy for me to vote on the chairman's amendment to say that athletics shouldn't be allowed.

RIF situations? There's code in that. We're not taking away anybody's seniority. Seniority's important. When you put time in But that's in the policy, currently in code. There's 12, 13 steps, two or three of them refer or relate back to seniority. We're not taking away, we're just saying the same thing that's in the hiring criteria.

And then charter schools—you either like them, you don't like them. Now, my only You know, there's all this concern about this being a big Republican idea all of a sudden again, Senator Erik Wells who was married to Natalie Tennant who was the Secretary of State, I think everyone would say they're very strong Democrats, he tried to pass this bill in 2009. He fought very hard for this bill. In 2010, Governor Manchin—he's not a Republican, I don't think he's in ALEC's pocket—tried to pass charter schools. He called special session, just like we are right now to pass charter schools because the other states were doing them and seeing success.

So, if you don't like them, don't vote for it. But, we've tried to make the charter . . . we've listened, we've gone across the aisle, we've listened to make the charters, potentially in this state, as careful We've taken away anybody that can come in and do for-profit charters. We

didn't allow private charters. We've given it . . . it's just authorizing language. There is not a single thing in this bill that says a charter school ever will exist in the State of West Virginia. All it says is if their county, if the teachers and the parents get together and they say hey, we would like to try this, then we will join the other 90 percent of the U. S. states, D. C., and their territories that have allowed this and they're growing and they're prospering.

If it's such a Republican idea, then take it, do whatever with, but California, New York, the most liberal states in the country, they're growing leaps and bounds. Over 100,000 kids in just the past five years in New York state has moved to charters. So, if it's such a Republican idea, why are all the Democrat states doing it? Why does Obama strongly support it? Why did both Clintons strongly support it? Why did the Bush's support it?

This is the one thing where everybody locks hand in hand across the country except in this state. In this state . . . and maybe it's because when charters take up, oftentimes what happens, union membership plummets. I can care less if every single teacher in a charter is a union member. I can care less. That's certainly their right to do that.

But the fact is, once they're supported . . . and by the way charters were a union idea, ATF [sic] nationally, AFT strongly supports charters, NEA strongly supports charters, it's on their websites so don't take my word for it. If it's such a bad idea why do the national organizations . . . why does Randi Weingarten, who's the president of the national AFT run a charter school? Why is it that their kids should be allowed to have something but you come down and tell us, but your kids shouldn't be allowed to have it? If they're so bad, why are no other states repealing them? If they're so bad . . . I mean, I can do a lot to you, you can do a lot to me, we can forgive each other, but you hurt your kids, boy, that's a whole different ball game. So, if they're so bad, do you not think the constituents of those states would have jumped up and spoken and these things would have been shut down? But, that's not what you're seeing. They're going in every single state. So, if that's the case, why would we deny our children the right to something that may help them? 'Cause at the end of the day, nobody's going to remember me being here or any of us being in this chamber, but if we collectively do something that helps the kids that are coming up, then we've done something. We've done

something here that is bigger than us and we did a job that we came here to do.

So, tomorrow, if you agree with them, fine, if you don't, fine. But just vote it, and that's what we're here for. We all vote every day on things we like, things we don't like. But if those are the only three sticking points, those are pretty daggone minor sticking points.

Run it through and if it turns out we've created a mess, that can be fixed. So, there's a difference in opinion, I get it. Some thinks these three things are helpful, some don't. But let's try something different.

Another note I would like to mention to the body is the Senior Senator from the Sixth, his father is critically ill, he's not with us today; his father is in Huntington. I would ask that all members respectfully remember him, keep him in your prayers tonight. And that's the end of my announcements.

Thank you.

REMARKS OF
HONORABLE
ROMAN W. PREZIOSO, JR.

Sunday, June 2, 2019

SENATOR PREZIOSO: Thank you, Mr. President.

I'll try to be brief and I also agree with my colleague across the hall, nerves are getting short and we've got to keep focused.

But, you know, as the Senator from Harrison mentioned, the statistics that we had our staff get together and present to us are based on empirical evidence of situations that occur throughout the United States. And we have no objection to break this bill into separate parts and vote on each one individually and debate each one individually. And I think the Doddridge County experience is a great example of what we've tried to do in our particular bills. You know, when you invest in children, you invest in education and the outcomes are going to go up. As we look at other evidence . . .

You know, I'd like to refer to you a study that was conducted by Jack Schneider, an Assistant Professor of Education at the University of

Massachusetts, he's the Director of the Massachusetts Consortium for Innovative Education Assessment, and co-host of the education policy podcast *Have You Heard*. And he looked around the country—and I'll be brief, and I'll just quote, you know, certain instances and won't elaborate in its entirety—but its conclusion were that charter schools are in trouble. And he specifically notes that these instances have occurred that have caused the authorizing groups, or the people in charge, to slow down and take a look and see what's happening.

In Chicago, he says, "Charter schools are in hot water and likely to get even hotter. Only a handful expressed any support for a runoff election for charter schools." And you know, that's a hotbed, Chicago's a hotbed for charter schools. But the two runoff candidates for an election were very cold on charter schools. That was in Chicago.

In New York, in February, city's elected representatives, the community and citywide education council issued an unanimous statement in which they criticized charter schools for operating free from public oversight and for draining substantial resources from districts. You know, there's a lot of things going on if it's not well-defined. Mayor de Blasio told a parent forum group that not too distant future his administration would seek to curtail the marketing efforts of city's charters.

You know, around the country—and I can go on and on—Los Angeles, the Governor even came out; there were many supporters, even he was a supporter. He responded by appointing a taskforce to investigate the financial impact on traditional charter schools. And the study goes on and on picking out discrepancies.

It seems that the trend in this country is to slow down. Thirty years ago, this was a great idea but, as they were developed and as they are now in play, we're getting the feedback and the feedback is not good. So, why do we rush in to wanting to have charter schools right now without any questioning? The only reason this bill has included charter schools with a pay raise is because there's not much hope on the other side that this is going to get done.

You know, Mr. President, I know you're having a sidebar up there, but . . . the interim process, we are missing a golden opportunity that now that we're in the interims that were designed to study issues that are relevant.

Education has always been a relevant issue, charter schools is an issue, let's use the interims that we so well-deserve to study charter schools. Let's come back in the regular session and have a plan. Let's start—not like we did in the last session where we were presented a bill and the thing started to run and it got more contentious and everybody dug in, the education groups dug in, the party to my left dug in, we dug in, and we dug deep holes. And now that we look out, we can barely get our nose above the ground, and it's very difficult now to go back to our constituents and say, you know, we caved in. Nobody wants to cave in, we just want to do the right thing. I know I got some consternation when you and I met for the past two weeks on a daily basis and went down every point in this bill, and I kept hearing, "Oh, you're caving in. You can't do that, you're caving in." Well, you know what, if we would've come out with a deal that we could both live with, I would have voted on it because decisions are tough to make, and it'd be the right thing to do. I'm not doing it for constituent groups, I'm doing it for the betterment of education.

So, let's slow this thing down. Let's study it in the interim. We don't know what the House is going to do when they come in on the seventeenth. You know, [inaudible] we're not going to come in I assume, there won't be any interims because we have to have both houses to have interims, so we probably won't even show up then. I just don't know where we're going and tempers are getting short, and things seem to just, you know, get worse and we've got to slow down, we have to have some civility, and we have to respect this institution and let's try to do the best thing for education.

Thank you, Mr. President.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

REMARKS OF
**HONORABLE
PATRICIA PUERTAS RUCKER**

Monday, June 3, 2019

SENATOR RUCKER: Thank you, Mr. President.

We have prepared a presentation to explain this bill, and it is a fairly large bill, so if the senators would please indulge me, we will go through the Student Success Act. This presentation is going to go through the bill, part by part, and we will try to quickly just give a brief overview. At the end there will be a discussion on the fiscal implications.

So, we begin with the PEIA coverage eligibility for charters if that were to pass. We allowed them to participate but in it we do not require them.

Next §11-21-25, we are going to provide a teacher tax credit for educators that will include things that they can buy to enhance the classroom. At the end of the year the tax credit that is not used will carry back to help with the next year.

Next, we have the Mountaineer Challenge Academy. We are requesting an expansion of the Preston County academy up to 600 cadets per year. We're also allowing a second location in Fayette County. We need the Governor to, of course, seek an agreement to amend their current agreement in order to do these things.

We are starting the Mountain State Digital Literacy Project. This creates a pilot program that is going to help us to provide professional development and support for pilot schools who agree to participate and help them with digital literacy skills and internet safety. It allows for third-party contracting and it also requires reporting to LOCEA.

Next, we have expanded professional development. We provide for individualized classroom professional development. This is a very important key part we added to this code. What we have done is we have heard the classroom teachers who have asked for the professional development to be based on their needs in their classroom. So, we are asking for the State Board to help encourage that.

We also are mandating—and this is one of the only mandates in this bill—that all teachers receive professional development on the social, emotional, and behavior needs of the students to help them address and help them identify.

In addition, we are also promulgating rules, or asking the BOE to promulgate rules, to create a Principals Academy and we're laying out the guidelines to develop that.

Next, we have the section of the bill that is usually referred to as open enrollment. We've required the establishment of attendance zones—almost all counties already have this establishment.

We are allowing the county boards of education to establish intercounty student transfers . . . setting up enrollment preferences, helping them set up those guidelines so everyone knows what the rules are. They need to take into consideration things like the free and reduced lunch students and determination of ways to help them. But the point is to allow a student to go to the school that best fits their needs.

So, we're going to skip a couple of slides after this. Oh, I do want to mention that nothing in the bill takes away any of the rules that we have for extracurricular activities. That's still going to be enforced as the rules are right now.

Okay, so next comes the teacher-pupil ratio. In §18-5-18a we require the State Board to give us a report on any overcrowding that we have in our state. We want to know where this overcrowding is happening and we're hoping that they will give us solutions to solve it.

Next, we have §18-5-18b. This changes the current requirement of direct counseling time from 75 to 80 percent. And this effectively lets the counselors do their job of counseling students, which is really what we want them to do. And we heard from teachers about the need for counselors and more mental health professionals and we'll address it in other parts of the bill too.

Next, §18-5-45, we have the changes to the instructional day. What we are essentially are doing here is we are treating the public schools the same as private schools. Currently in state code, we only require five hours per day instruction to students for private schools. We are giving that same amount of time to public schools for the idea of greater flexibility. We heard from teachers who were requesting more time for collaboration, more professional development time, specifically, if it could happen throughout the year versus just those five days. This continues to allow them to be flexible in how they schedule time that they might miss due to a snow day. It's an average five hours per day of instructional time which means that some days they might do more, some days, it's okay if they don't. One of the greatest examples of this is St. Albans and if anybody wants to talk about what they're doing, I have some information

about how they are using this effectively to increase student productivity.

We also have a section that effects the school calendar that relates to work stoppage. So, one of the things that got amended yesterday was language to codify what is currently our law in this state based on a Supreme Court decision that declares that concerted work stoppages are unlawful, that, if there is a work stoppage, extracurricular events cannot take place. And also essentially mandates that a county superintendent not facilitate a work stoppage; that they may not close the school.

Next, we have §18-5-46, a teacher's recommendation regarding the promotion of a student should be a primary consideration. Again, this came directly from teachers who requested . . . they know the students better than anyone else. They have the best pulse as to whether that student is able and ready to go to the next level.

§18-5E-1 shifts the responsibility in designating innovation in education schools from the State Board to the county boards. This really helps simplify the process and we took away a lot of the hurdles that were causing innovation zones and innovation in education to not be used effectively. We heard from many teachers who were concerned about charters that we were trying to allow and they were asking, "Well, if it's such a great idea, why can't we do it?" Well, this is an ability for them to do it. Every public school in West Virginia should have the ability to innovate, to be flexible, to get a waiver from regulations that are keeping them back . . . and we are encouraging them to try and not have to go through so many hurdles in order to try new things.

§18-5G-1 sets out and creates charter schools in West Virginia. It defines the terms; it authorizes; it gives us the guidelines, statutes, and regulations they will have to follow. It requires them to meet the same civil rights, disability rights, immunization laws that we have for all public schools. It precludes them from charging any kind of tuition. It forbids them from levying taxes. We also put in a provision that elected officials may not receive any monetary consideration from charter schools. It requires a governing board and lays out the conditions for a governing board. It requires criminal background checks for all staff and volunteers just like we have in public schools. It ensures participation in statewide assessments, the same as in public schools. It

provides adherence to strict accounting practices. It makes them comply to FOIA requests. They have to participate in the identical reporting that all public schools have to use. They have to participate in WVEIS. They operate only under the oversight of an authorizer.

In this bill, one of the amendments we passed yesterday, the only authorizers would be county boards of education unless they choose not to be an oversight . . . they don't want that extra responsibility, and, at that point, they can ask the State Board.

Charter schools have to provide services to all students. Any student who applies must be accepted in a charter school and only if they meet capacity do they switch to a lottery system. They have to provide for special needs, for disabilities, for English speakers of other languages, all the same as public schools. They may contract, at a cost, other things that are needed like, you know, someone to take care of the building and the grounds, liability insurance, food service, that kind of things. They may, but they don't have to. They may sue or be sued; own, rent, or lease space. They can participate in extracurricular activities just like public schools.

Went through the qualifications of the governing body and I'll just briefly list some. No fewer than five members; comprised of two parents of students attending the school. One member of the county school board unless the county school board by majority vote doesn't want to put a member on the governing board. They have to disclose any conflict of interest. You know, we basically mandated that the governing board member should possess expertise in leadership, curriculum, instruction, law, and finance. They are considered officers. They must comply with open meeting laws.

Then in §18-5G-4, the State Board will set the rules for application of the students in lottery procedures for enrollment preferences. One of the things we require for public charter schools is there has to be a recruitment and retention plan which they annually need to submit which lists the strategies they will use to attract, enroll, and retain students, especially the students that are low income, on free and reduced lunch, are minorities . . . and, it's all specified in the bill. If anybody wants to see it, it is on page 51.

§18-5G-5 sets the minimum application requirements, which are on 24, application requirements.

It sets out in §18-5G-6 authorizers' powers and duties, which is they get to approve or decline or negotiate the applications. So, the application is submitted but the authorizer gets to determine if there's something they don't like in it, they want to add something to it.

They have to do performance monitoring. They have to do oversight and evaluation. They have to do interviews. They receive public input. They must have a public hearing. It requires filing of application with the West Virginia Department of Education. And it allows the State Board to establish an authorizer oversight fee based on the per student operational funding. So, the county boards who will be authorizing will get reimbursed for their work that they're doing to oversight that school.

In §18-5G-7 it requires a contract within 90 days of an approval in an application charter school. So, there's a set amount of time to consider the application. It sets out the contract terms. I just want to emphasize that in the contract for a public charter school there will be conditions set on what happens if they're not meeting performance standards and the school needs to be closed; the contract has to have a plan for how a closure would happen so everyone knows exactly what the procedures would be.

It requires rulemaking to establish a renewal process and a revocation process by the State Board. It sets out conditions that would result in nonrenewal and revocation. And one of the amendments we passed yesterday was adding the due process, essentially when you could appeal it to the State Board, a decision of the county.

Okay, so in §18-5G-9 we say that an appeal must occur within 30 days and it requires the State Board to promulgate rules.

§18-5G-10 establishes prohibitions for public charter schools. They may not be home based. They may not discriminate on any basis that a public school may not discriminate. Again, public charter schools will be public schools. An exception is provided for a creation of a public charter school that is focused on a certain population. And what that exception allows for, if you have a public charter school that specializes, let's say, in autism or in the at-risk students, that school can weigh more heavily . . . students that have those issues in order to specialize in helping them.

§18-5G-11, again, State Board gets to promulgate rules providing the funding determining how the money's going to follow the student, allowing modification to student transportation costs, providing for designation of which county shall pay for a pupil, requiring adherence to federal requirements.

It also gives them the ability to, you know, account for unforeseen issues and circumstances and, you know, protects from discrimination. It has a provision to allow the School for the Deaf and Blind to convert to a charter school if they so wish. It also facilitates more at-risk student charter schools like the Mountaineer Challenge Academy.

It allows public charter schools to lease public facilities. They must pay the public or current market value. It also says the public charter is responsible for the direct expenses of the leased facilities.

§18-5G-13 requires an annual report from each authorizer. This is really important because a lot of concerns about the public charter schools is is there going to be enough oversight? Well, this annual report, it's listed in §18-5G-13 all the different conditions that have to be reported on and given to the State Superintendent and, every year, he has to receive this report. The State Superintendent will publish an annual report assessing the program's successes and challenges and will be reporting to the Legislature.

After that, we have inclusion of public charter school teachers in the State Teachers Retirement System.

And §18-8-4, we are talking about compulsory school attendance. So, one of the issues that is facing our schools is the many students who are not attending school. And we know that the best way to improve student success is to have the students in the classroom. So, we modified the duties of the attendance director and the principal and we require meaningful contact with the parent or guardian after three unexcused absences and again after five unexcused absences. We left that broad enough that, again, the local county school boards have control in terms of how they would like to best address those needs.

In the next three sections we modified the definition of the "professional student support personnel" to include social workers and psychologists. We clean up the language and

that was one of the amendments that we proposed just to sync it up with Senate Bill 1.

We increase the net enrollment of schools that have less than 1,400 students by 10 percent, thereby, giving all of those counties that have less than 1,400 students more funding to help them pay for fixed costs.

We increase the basic foundation allowance for paying professional student support personnel. Many of you know this as Step 5 in the formula.

We put in enough funding to allow for every school to have a nurse, counselor, mental health professional, and, also, we expanded definitions so they could also increase their attendance support professionals.

We also increase the county allowance for current expenses; this is Step 6a, one percent. From 70.25 to 71.25.

All of this extra funding, we put in a flexibility for the boards of education to get the money unencumbered. Giving this money unencumbered allows every single county to prioritize what they need. We are giving them the local control that they deserve because they know best. If they want to put more funding into mental health services, they can. If they want to put more funding into teacher salaries, they can. So, this is a very important provision of this bill.

Along with that comes the next provision, which requires them to participate in a searchable budget database. It requires the State Superintendent to provide the State Auditor with information and data. And essentially this database will make it available for every taxpayer to know how their tax dollars are being spent in the county. This becomes effective July 1.

In §18-20-5 we allow public charter schools to receive appropriations to serve special needs students.

§18A-4-2 is providing a salary increase for all teachers across the board. It also allows teachers that spend 60 percent of their time teaching math and full-time special ed teachers to receive a three-step increase to help fill those areas of critical need that we have been told by the schools are very important. It also gives the counties flexibility to use local funds to be able to pay above and beyond to fill those classrooms with qualified, certified teachers.

§18A-4-5a, it's giving, again, that ability to be able to pay more in certain areas, specifically, where there's a shortage of critical teachers in a certain subject, in remote geographic locations, or locations that have very high turnover rates. And it also allows for paying a little bit more to teachers who agree to be mentors to other teachers or take on extra work to help with their schools.

§18A-4-7a, it permits a county board to base employment decisions regarding transfer, reassignment, or reduction on the same qualifications they use to hire. This is permissive, it's not mandating; but, it is a provision that helps the counties be able to ensure that they have the qualified teachers in the classrooms that they need. It sets out considerations for defining the qualifications. And it also requires notice to a preferred list of people if there is an opening.

The next section is the pay raise for all school service personnel.

We also allow in §18A-4-10 for . . . all employees currently receive three days of annual leave without them having to say why . . . we increase that to four. And this came out of recommendations from school boards who were saying that teachers, if they could tell them when they have a planned absence coming, it is much easier for them to be able to get that substitute. It also grants teachers a bonus of \$500 if they do not use more than four days of leave during their 200-day employment term.

So, the second to last section—we're almost done—we modify the Underwood-Smith Teaching Scholars Program to place an emphasis on educators in areas of critical shortage. We expanded this and we help focus it to those areas that we most need help with. We also added that school counselors could be part of the school loan repayment program. We made modifications to help use the Underwood-Smith Scholarship Program more effectively.

Last section, we increased the amount of BRIM coverage for teachers and we required that they be given notice every single year as to their insurance coverage.

Okay, so that is a summary of the bill. I know it's pretty long. Of course, I'm happy to answer any questions. The Senate Finance Chair will be talking about the fiscal implications.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

REMARKS OF HONORABLE PAUL HARDESTY

Monday, June 3, 2019

SENATOR HARDESTY: Thank you, Mr. President, I thought there was other presentations before I stand up.

I rise in opposition to Senate Bill 1039. Senate Bill 1039 is eerily similar to the large multi-object omnibus bill, that being Senate Bill 451 (*Comprehensive education reform*), that died in our regular legislative session.

Large portions of this bill come directly from model legislation drafted by outside interests, taken directly from their websites. But I will be the first to tell you that there are many, many good things in this bill and I applaud the work that was done on a very large portion of this bill. If this bill was split up and each issue was put into a stand-alone, pass or fail on its own merit, bill, I could support many, many of the issues before us today. I will be voting "no" on this bill for the following four issues; and I hope that you in the majority will at least take some of these into consideration. If it comes back over, maybe, we could try to perfect something and make it better if you deem my comments to have any value or merit. I ask you to please take note of these four areas. Although I think your intentions were well on some things, I think some of them are misguided, and I hope I can clarify that in an eloquent manner here this morning.

First, Mr. President, charter schools. I will be the first to stand here and tell you that charter schools have had some success across the United States in urban settings. That is well documented and well proven. I'm going to give you that.

We've been shown visuals by the majority, or excuse me, by my esteemed Judiciary chair and yourself, Mr. President, showing the map that was predominantly red with charter schools. The few states that were not colored in, you called them outliers, I believe, if that was the proper term. Well, some may think they're outliers, but I've got a different word I want to use for them, they're called rural states. West Virginia does

not have a city that qualifies for an urban designation that's clearly over the 50,000-threshold mark. We have none, not one. We are rural. It is what it is but we're rural.

So, that's why West Virginia stands out in that sea of red that I saw on the map. I don't think it's a reason for malice. It's a matter of demographics and geography.

Secondly, charter schools are very unstable. One out of every three charters that has opened since 2000, closed by 2010. They are full of waste, fraud, and abuse. A March 29, 2019, article by *Forbes* magazine—I'm not just going to pick any willy dilly magazine, *Forbes* is a very respected magazine, I think you all will agree with me on that—says that the United States Department of Education has spent \$1 billion on charter school waste and fraud. That's one with a "b", one billion.

I can go on and on and tell you my position on charters, but I don't want to belabor that issue, I think I've outlined my concerns and why I just don't think they fit here. I'm not saying they don't fit everywhere, but I just have real concerns that they fit here. Having my background as a former three-term board member, I just don't think it works. I think we've got other problems we should be addressing, and charters aren't one of them.

The next item I want to talk about is open enrollment. I know that the majority has talked about choice, and we'll talk about choice again later, but if this is part of the choice factor, I beg of you, rethink this issue on open enrollment. I wish somebody would have consulted our 55 county superintendents and their transportation directors before you drafted this part of the bill. This will be a transportation logistics and cost nightmare. My colleague from Greenbrier, and he's used this analogy, the number of miles in Greenbrier County that are driven every day in a traditional attendance zone setting, if you take all the bus routes in Greenbrier County, in one day, you'll cover enough mileage to go from Lewisburg to San Francisco, California, back to St. Louis, Missouri. And now we're going to go open enrollment. It's not a bad concept but it's got unintended consequences which I do not think have been clearly thought through. Should have talked to some superintendents and transportation directors; they're the experts. They run 55 county installations every day.

This will also turn into an athletics nightmare as well. That's down the road somewhat, but it will be problematic.

My third issue is RIF and transfer. Trying to use the same criteria for hiring and then using the same criteria for a reduction in force, or an administrative transfer, the two issues are not synonymous, people. You can't couple them together. When we apply for a job, any of us, that's a freewill choice you make as a person to apply for a job. Nothing punitive. You know what the qualifications and the criteria are for the job, if you weren't qualified, you would not apply. There's nothing punitive about that. I hope that you all understand what reduction in force actually is. That is an administrative, punitive function instilled upon an already hired employee through no fault of their own is going to lose their job or be transferred to another installation. Why in the world would you want to use the same hiring criteria for a person that came to you because they thought they were qualified on this set of terms and conditions, this person's being displaced through no fault of their own, be it consolidation, loss of enrollment, what have you, however the county has to function and meet formula. There is still formulas in place, people. The formula still is the formula.

My last comment on the RIF and transfer is you cannot in good conscience discount the seniority of a school employee in a RIF or transfer process. My first year on the board in 1994, under state takeover, Dr. Hank Marockie roamed the building across the way. Do you know how many RIFs we had in Logan County that year? Over 120. Have you ever been through a RIF process? I know my colleague from Monroe has, and my colleague from Greenbrier has. It's one of the worst functions a board member can endure because you're messing with these people's livelihoods. They've done nothing wrong except come to work and show up every day and do their job but by a bad draw, or what have you, they're going to lose their job. You can't use those two types of criteria together. They are not synonymous. It doesn't work. I think what you're trying to get at in this is trying to weed out bad employees, and I get that part. Trust me, I'm in full agreement with you on weeding out a bad employee, but we have provisions to weed out bad employees. It's called an evaluation. And if we did evaluations properly, we would not even need this section in the bill. But the problem is when you have a principal who's got to be the head cheerleader for the school, chief morale maker for the school, superintendent for the

school, you're going to have them evaluate the people that work for them, they're not going to be objective and give them the right evaluation because they're trying to get this other stuff worked out. They got to make sure they come in in a good mood every day. The evaluation process needs to be changed and altered. That's the thing that needs to be addressed, not dumping on our employees and trying to use criteria that does not work and make it eerily similar to hiring criteria. Let's revamp the evaluation process and do it right.

Next, the \$500 for those that use less than four personal days and increasing the number of days an employee can use from three to four. I believe this was well intentioned. But it won't work. And I'm going to tell you why it won't work. In 2015, Teachers Retirement System went to a two-tiered system. Tier I, Tier II. I don't know how many in the audience is Tier I, how many's in Tier II, but the statistics say that one in every four of our current employees in the system are in Tier II. And that number will continue to rise through attrition, and through retirements, when more and more new hires come in. You will give me that, that they will rise. You see, those people in Tier I, their personal days and their sick days have value. They can be used for retirement, they can be used for insurance. I think a hundred days will buy you another year of service, X number of days will buy you a month of insurance. They have value. Those people aren't missing school. Those are the ones that's going to get your \$500 stipend, because they're saving their days for the prize at the end because instead of paying them a fair wage two decades ago, the legislatures backloaded their compensation packages. That's called OPEB, and my esteemed Senate Finance Chair, he knows about OPEB, he's dealt with it a long time. It is what it is. Those days have value; we will all agree with that.

Now, those in Tier II, guess what? Their days have no value. Can't use them for retirement. Can't use them for insurance. So, guess what they do? They burn them. Substitute costs rise exponentially. I know this, I've dealt with it, can't put enough money in substitute costs. Every county in this state blows their budget out on substitute costs. And it's happening faster and faster in the fiscal year.

Now, by going from four days on personal leave, let me tell you what you've created there. And I don't think you meant to do this but now that person's got four days they can take any time they want for any reason, couple that with

a holiday on the front end or the back end, what you've done now is, these people in Tier II are going to take three extra weeks' vacation because they get a day and a half a month. So, now they can take three extra weeks of vacation in a 180-day school year and you just gave them the keys to do it. You see, that's not in the out-of-state interest playbook.

You need to talk to some of us that's actually ran a school system. Come talk to us. I have nothing against none of you. I would do anything I can to try to help. There's very few issues I feel like I can provide some input. Guess what? This is one of them. I've lived it. My whole career, the only thing I've ever inspired to run for has been to try to help kids. I don't mean to be disrespectful, but you're not hitting what you're shooting at, people. I can stand here and poke holes in this bill for an hour but I'm not going to do that because that doesn't help anyone. We're all here for the same reason, we want to help the children, we just have different ideologies how we get there. And I respect yours and I hope you'll respect mine. I want to be as diplomatic as I can be.

Mr. President, I know you're as committed to your cause as I am mine. And I respect that and I appreciate it. But we have to be clear, some people have more subject matter on some issues and some than others. My colleague from Greenbrier, I don't know how many years he's got on the Board of Education, four; my colleague from Monroe, eight; and I have three terms. I wish you would have come talked to us. We could have fixed a lot of this without alienating half of our state in the process.

In closing, we could have really addressed education problems in West Virginia. I'm not so convinced we've done that with Senate Bill 1039. We could have put our collective minds together and crafted a real path forward. But instead, you chose to listen to out-of-state stakeholders and advance their policies and positions. You know, my wife watches this show—I'm not much on TV—but she watches this show called *The Voice*. And I'm not supposed to talk to her when *The Voice* is on. You know, I get this . . . turn the channel, *The Voice* is on. Okay. Well, guess what today's show called? Today's show called *The Choice*. I've heard that word, choice, choice, choice, choice, choice for five months. I'm sick of hearing it. Well, ladies and gentlemen, choice is here today, choice has arrived. You can choose to do the will of the out-of-state stakeholders or

you can choose the stakeholders of West Virginia. Mr. President, I'm going to choose the latter.

I urge rejection of Senate Bill 1039.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

**REMARKS OF
HONORABLE
RYAN W. WELD**

Monday, June 3, 2019

SENATOR WELD: Thank you, Mr. President.

Here it is, education omnibus bill. One hundred and sixty-one pages, 49 sections of code effected. Passed into law in 2013. When we talk about the unconstitutionality of an omnibus education bill, a complex and comprehensive education bill, it's been done before. It's a huge topic. And the way to do it is through comprehensive legislation. And I'm not going to review the bill, I mean, it's way too long to do that but there was one section that caught me when I was reading through it, Mr. President. And it talked about academic achievement according to the national and international measures will exceed national and international averages. These national and international measures should include scores on assessment, such as the NAEP (National Assessment of Educational Progress), the ACT, the SAT, and the Program for International Assessment.

So, that was in 2013. And I went back and I looked at where we were ranked as a state in 2013. And, unfortunately, we were near the bottom of the rankings. And I look now, six years later after this became law and, unfortunately, we are still near the bottom of the rankings, Mr. President. That's unacceptable. And so what was contained in this bill surely changed some things but it didn't get us to where we need to be.

Yesterday, Mr. President, we heard a lot about charters being scaled back in states and states pulling back on charter schools. And so, I sat down this morning and, for a couple of hours, and did some research. And I tried to find

legislation that had been signed into law, or policies that had been adopted, to that effect. And I'm sure there may be one out there but I couldn't find it.

In California, where a lot of people have seen the strikes and the strife over charter schools . . . here's a headline from May 30, 2019: Proposal to Cap Charter School Growth All but Dies in California Assembly. It did.

State of New Mexico: Charter School Authorization Moratorium, 2019 Regular Session. Died.

April 14, 2019, State of New York: Governor Cuomo Wants Cap Raised So More Charter Schools Can Open.

I couldn't find one piece of legislation, Mr. President, that was signed into law that actually went back. The only thing I could find was Nevada where instead of a cap, they went through with a study to make sure that there's transparency in successes with the schools that they have.

We talk a lot about local control in here. And we've talked about that forever. But this bill, 1039, is local control. And we all trust ourselves to make the best decisions that we can in this room and, supporting this bill, from my perspective, means that I trust local boards to make the best decisions for their counties. Because nothing in this bill says Wirt County, you've got to open a public charter school; Kanawha County, you're forced to open a public charter school. It says, if your county board of education wants to, or wants to join with another one, you can. It is the ultimate local control. I trust those folks. They're closest to the ground. They know what they're doing. They may make decisions I don't like but that's my philosophy on government.

The Home Rule bill, it's all about local control. I was the lead sponsor of that bill. There are . . . I guarantee you, Mr. President, there are municipalities out there making decisions pursuant . . . under the provisions of Home Rule that I don't like but I gave them the authority to do it. And I'm giving the county board of education the authority, if they think it's best for their county, to open up a public charter school. I'm not forcing them to. And that's all about local control.

Yesterday, Mr. President, we heard a lot about it, and we've heard it again today about

ALEC. This organization that is somewhere. And a lot of people have talked about that and saying well, this legislation, it's all because of that. And we want to look to somewhere when we see things that we don't like, we want to place blame somewhere else. We don't want to look introspectively and say maybe we have a problem here in West Virginia and we need to help our students. So, we want to look to ALEC and blame ALEC for charter schools.

When you look at states, Mr. President, that wouldn't have anything to do with ALEC because it's my understanding that it tends towards conservative ideals, conservative philosophies on government, states like Hawaii, states like California, states like New York that wouldn't have anything to do with ALEC but they have charter schools. And so, it's almost like something out of a movie that apparently this group is able to reach into these states to create these charter schools. That's not what it is. These charter schools don't exist because of ALEC. These charter schools exist because states saw, beginning back in 1991 or 1992, that this is something that we think may work for our state. And that is what has led to them growing. Not some organization from behind the scenes pushing it out. It's these states that have seen successes. And if West Virginia wants to do it, if the local board here in this state wants to do it, then they can. Nobody is forcing them to. No organization, not this dome, nobody. They can do it if they want.

And that's what I find to be the most frustrating about this, Mr. President. Is that somewhere lost in all of this, we may never see one in this state. We may never see one because it's up to a county board of education to decide whether or not they want to do it. And if they don't, so be it. If they do, well, good for them. This is nothing but an enabling statute. It's not forcing anybody to do anything.

The RIF process, Mr. President, is something that I struggle to see the issue. We have hired people in this state, people that we saw fit, these county boards, who they saw fit to be the best person situated for that classroom, that's how they hired them. We are now going to make the process, if a board so chooses to, under local control, the same process for RIF. The way that that person got that job can be the same way that that person keeps their job. We talk about someone losing their job under the provisions of this bill, through no fault of their own . . . several years ago here in Kanawha County, they were drawing straws or pulling names out of a hat to

determine who kept their job. Something, somewhere along the line must have let that career down, that their whole career, their whole job depended on drawing a longer straw than somebody. Their career should depend on how hard they work, how good they are at their job, not by drawing straws or pulling a number out of the hat. If I was a young teacher, if I had just come out of school recently, I would be for this. Because I would be for, that if I'm hard working, my students respond to me, I've seen success in the classroom, not being afraid that I was going to lose my job just because somebody else may have been in theirs for a year longer, six months longer, a week longer, but instead keeping my job because I was evaluated on my merits as an educator. So, if I was a young teacher, I would be in support of this.

And, Mr. President, lastly, I can't, I can't turn my back on my district that stands to gain \$7.9 million in additional funding under the provisions of this bill. Just because why? Potentially, maybe somewhere, some county may start a public charter school; or potentially, maybe some board of education might say we're going to make the RIF process the same as the hiring process; and because we're codifying a decades-old Supreme Court decision; and also saying that if there's no school, there's no sports. I can't turn my back on Brooke County receiving \$1.3 million extra; Hancock County \$1.7 million extra; Marshall County \$2.5 million extra; Ohio County \$2.3 million extra just because of those three things . . . two of which are hypothetical, maybe might happen. I can't, Mr. President.

We've talked about this bill, months now. We have to act on it. The worst thing that we can do is nothing. The worst thing that we can do is continue on being near the bottom of the nation in rankings from when this omnibus bill was enacted 'til now.

Thank you, Mr. President.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

**REMARKS OF
HONORABLE
STEPHEN BALDWIN**

Monday, June 3, 2019

SENATOR BALDWIN: Thank you, Mr. President. I, too, am a visual learner so, give me a minute.

Thank you, Mr. President.

I've done a lot of listening for the past two-plus months. I've done more listening sessions than I can count; school visits Thank you, you asked me to address you so I'm doing so.

I've done more school visits than I can count; more education reports I've read than I've ever read, meetings galore, bill drafts, policy debates. I've put my heart and soul into listening for the past two-plus months. I've done it in my district; I've done it in some of my colleagues' districts; I did it in your district once at a listening session . . . all across this state. And I've listened in this chamber to my colleagues for the past several months and the past several days. And after all that listening, several questions keep coming back to me.

And one question that keeps coming back to me first is who wants this? Who wants this omnibus? I haven't been here long, but I've learned that every bill has backers—some have a lot of backers, some just have a few backers, and that doesn't necessarily mean it's good or bad—but I've wondered who backs this bill?

We're told that this is for students, this is for parents, this is for teachers who want change . . . not the overwhelming majority that I have listened to for the past couple of months. None of my county boards that I represent want this. None of my superintendents that I represent want this. Other legislators that I serve with, we've got 134 legislators, 116 wanted to break this up into individual bills.

Mr. President, I [inaudible] I came to your district for one listening session. There were more people at that listening session that supported charters and ESAs than any other listening session I attended—and it was 25 percent at that one.

So, it makes me wonder who backs this bill? Now, I did get a letter from the Chamber of Commerce saying that they backed the bill, but I also got letters—I've got one of them here from my local chambers of commerce—that said the Charleston Chamber did not speak for them. One, in the letter I hold here, went so far as to

say that they oppose the omnibus, the Greenbrier Chamber of Commerce.

So, then I asked myself, why do these few legislators, these few special interest groups back it? Why? If those are the ones that do, why? And I'm the kind of person that likes to give people the benefit of the doubt. I think we always ought to air on the side of grace. So, I thought maybe the research shows that the ideas contained in the bill will positively effect student achievement.

So, I put the ideas to the test, and I did some research. I know it's not real easy for everyone to see but I hope folks can get a sense of this. I was directed by education policy experts to the Hattie Index, perhaps some of you've heard of it before. The Hattie Index ranks 252 influences and effects related to student achievement, which is what this is all about, student achievement. And it's based on 80,000 studies involving more than 300 million students over 10 years, comprehensive.

As you might imagine what this graph shows is the most impactful influences on student achievement there at the top; and we could probably guess what some of those are. High quality instruction is at the top of the list, right up there at the top. Parental involvement is awfully high. Intervention is almost at the top, so when you see that something's going wrong, the educator intervenes and finds a solution. Those are the things that are all the way at the top of 252 influences on student achievement.

If you come right down here—I'm going to pick this up—number 198 out of 252, school choice. Number 207 out of 252, charter schools. Tiny, tiny influence. It's a negligible effect, negligible effect.

So, if we're serious about student success, then I asked myself next, why are we focusing down here? Why are we spending all our time and energy focusing down here at the bottom of the list? Not only do the people of West Virginia not want to support these but, more importantly perhaps, the research doesn't support these. Now, you know, I realize you may say, "Well, there goes Baldwin again, and I don't know what the Hattie Index is . . ."

Well, let me share with you some conclusions from our own State Superintendent of Education, Dr. Paine. I'm just going to read some highlights here in the interest of time and I will quote, "Overall most high-quality research

studies find that there is no difference between the average student reading and math performance at charter schools compared to traditional public schools.”

I will quote, “Charter school students in unregulated or poorly regulated charter contexts have lower achievement than their peers in traditional public schools. Such findings have been observed consistently across multiple locations: Ohio, Arizona, Michigan, Washington, D. C., Minnesota.”

“Charter schools in urban areas have consistently been found to outperform charter schools in nonurban areas in terms of student achievement.”

It then goes on to talk about differences in teachers in the classroom which I will remind you is at the top of the impacts on student achievement. Teacher differences in charter schools “are less experienced, less qualified, and tend to be less effective in increasing student test scores.”

Final summary at the bottom, “Overall, charter schools are not more innovative than traditional public schools in the local context in terms of staffing, academic support services, school organizational structures, and governance.”

You know where I stand; we all know where each other stands. I oppose this bill for three reasons:

One, it ought to be broken up. Apparently, omnibus education bills have not been effective here for a while so, I don’t know why we’re trying it again. I don’t know why we’re holding the whole thing hostage for a few controversial things that are at the bottom of the student achievement list.

Two, it’s not based on best practices from the world’s best schools. It’s based on trends in American education from the past 20 to 30 years which the rest of the country has tried and they have only seen negligible results from.

Third, this is not a bipartisan effort. I’ve heard you say, Mr. President, in the media that six of our eight bills were incorporated into this omnibus. Beg to differ.

Our pay raises are different. Ours includes equity pay, yours does not.

Our wrap around service bills are different. I’ve heard it said that the version we’re about to vote on allows for one person in every school, but we have almost 700 schools in the State of West Virginia and the one we’re about to vote on provides for, generously, 400 positions. That means almost half the mental health professionals are going to be part-time; ours provided for one full-time mental health professional in every school.

Our classroom supply bills are different. You provide a tax credit for teachers, we provide money directly for supplies. Ours costs less and it helps more.

Our innovation zone bills are vastly different from another. Yours gets rid of innovation zones altogether and lets counties designate innovation in education schools by exempting them from state law. But counties—I’m not a lawyer—but counties cannot opt out of state law.

Ours lets the State Board designate innovation zones and funds them.

Our bill takes reform to the most basic level; we talk about local control, ours takes it to the most basic level, the most local level of education in the State of West Virginia, which is the local school improvement council. The bill before us doesn’t mention local school improvement councils.

Our bill gets to the root of social problems that are plaguing our students by addressing the alarming rate of children born dependent on drugs. I’ve heard you say in the media that that’s not germane to education . . . after listening for months I would beg to differ.

Our bill puts vocational-technical education in middle school. It’s not mentioned in the one before us.

I’ve done my best to listen generously to arguments before us about this particular bill. You know, I’ve heard some folks say, “There’s no way to defend the system. We’ve got to make a change.” Mr. President, I would say that it is not our job to defend the system, it is our job to support the students and the people of system each and every day.

I’ve heard some people say that there’s nothing wrong with the Student Success Act, there’s nothing morally wrong with it. Mr. President, I would say that that’s a low bar and our children deserve a higher one.

I've heard other folks say, and maybe this gets to the root of it, 44 other states do it, we need to give it a try. I would just say why would we give something a try that is at the bottom of the list of influences on student achievement? We need to focus on what works, what's proven.

How do I feel at the end of this process? I feel like it's Groundhog Day. I feel like we need to find a way to turn our swords into plowshares. I'm afraid this has gotten out of hand. We need to work together for students. We need to not only listen, but we need to show that we've listened by acting on what we hear. We need to stop taking all of our time and energy to focus on the same omnibus over and over and over when the results are clear.

Thank you, Mr. President.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

REMARKS OF
HONORABLE
MICHAEL A. WOELFEL

Monday, June 3, 2019

SENATOR WOELFEL: Thank you, Mr. President. I'll be brief.

I listened to the Senator from Brooke and I listened to the Senator from Logan and I heard agreement from both of those, both of those gentlemen. I guess my point will be the approach that's been taken since we got here in January on how to achieve what we all want which is education betterment. We started with 451 *(Comprehensive education reform)* and now we're at 1039.

We have a group of your caucus whether the number is 16 or 18, or whatever the number is, and you as the leader, Mr. President, that want to have this as one big item. The Governor doesn't want that approach, the citizens don't want that approach, the House doesn't want that approach, the minority party doesn't want that approach, but we've had that approach from day one. And I think that's what's held us up, that's why we're still here, in June.

You remind me, with all due respect—and I do respect you, Mr. President—of Sisyphus, the King of Ephyra. He was a leader, he was the king, and he was a man of great perseverance, physical strength. But he was also a bit of a trickster because he cheated death twice . . . cheated death twice. So, his punishment from Zeus . . . was this: For eternity, Sisyphus, you will take this boulder and you will push it up that mountain every day. And Sisyphus did that. That was his curse for eternity. And at the end of that day that boulder by its own weight would roll back down to the bottom. And Sisyphus would try it again.

Well, I can tell you, Mr. President, when we tried Senate Bill 451 and you pushed that rock, you stayed—I admire your perseverance—and you stayed with that approach, but the rock always came back down by its own weight. And that's what's going to happen when this goes over to the House, when they come back in a week or 10 days that rock will not stay on the mountain. They're going to break it up. Then it's going to come back over here, and my question, Mr. President, again, are we going to try pushing that rock up again through committees, through conferees, and is that going to be our approach forever? Are you condemned for eternity to push that rock up that hill?

Thank you.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

REMARKS OF
HONORABLE
BILL HAMILTON

Monday, June 3, 2019

SENATOR HAMILTON: Thank you, Mr. President.

I normally don't speak on these issues, I've been criticized for that by both sides, "Bill, well, if you've got an opinion, get up there and say what you're thinking about."

And I want to begin this by saying to everybody here, peace be with you. And I really mean that because this is a controversial issue

that I don't think it's going away—and my cellphone won't light up . . . there we go.

But anyway, what I'd like to say today is some years ago, very early in my tenure in the West Virginia Legislature, I was given advice by a senior member of the House Education Committee regarding a particular issue that we were discussing that day. And the chairman at the time said we're going to vote on this tomorrow. And the advice was: I'll not attempt to tell you how to vote on this issue but what I will tell you when you go home tonight, or when you go back to your room, try to contact as many people in your area including students, educators, school service personnel, members of the public, get their input. That's the best advice I've ever received. Any time I have an issue or that we're working on, I try to do that. I try to do my due diligence, do my research, and I always try to go to the people on the front lines whether you're dealing with education, you're dealing with coal mines, you're dealing with transportation. I've always tried to do that because I'm not an expert in anything.

The last two and a half months, as the gentleman from Greenbrier County, we were in many forums. I attended two that were sponsored by the State Board of Education and about six or seven that were local education forums and I received a lot of comments in those discussions. But one of the forums, and it really wasn't a forum, it was a meeting that I had with several teachers before we went into session in December—there was about eight teachers, and I'm not going to tell you the county because I don't want to give anybody undue exposure—but one of those teachers said we've got almost 20 students in our county that are homeless. That's what our teachers are dealing with. One middle school teacher told me, she said, "How are you to handle . . . your child gets up in the morning, catches the bus at a quarter 'til seven, they go to school, and at noon somebody from the family calls in and says don't send Johnny or Suzy back home on the bus because their parents were just arrested for a meth lab?" That's what we're dealing with, these people out here in the field.

I don't think this bill will adequately address those issues but there's several problems. I heard . . . I think she might have been a great grandparent in Berkeley County, Berkeley Springs High School, made the statement in one of the breakout sessions, she said, "We need to teach our parents how to be parents." And I hear a little bit of a roar up here, but it's the truth.

And I'll tell you a story—I won't be too much longer—and it involves me. And I got to go back several years because I was in the second grade. And the reason I tell you that today's my mother's birthday, she would have been 108 today if she was still living. But I went home from school, took my report card, laid it down on the table, and mom looked at it and she was shocked, she said, "You didn't get promoted." Now, I got to tell you something, I've told this before and my wife tells me, "Quit telling that story. They'll never vote for you again." But it's important that I tell that story because my mother . . . I could not read . . . somebody asked me later said, "Was you dyslexic?" I said, "They didn't know what the word dyslexic was in 1957 when I was in the second grade." But I can guarantee you that whole summer, every time I started out the door, my mom would say, "Wait a minute, you've got some work here to do." And when I went back for the second year in the second grade I could read proficiently. Now, the reason I tell that story, that's the difference between 1957 and 2019. Our parents aren't doing their due diligence, they're not involving themselves in the education process. And I thank my mother for taking the time to show that she believed in me. And the reason I tell that story when I'm in elementary schools, or middle schools and I tell them about how I didn't get promoted, is that, you know, the only one that's never failed, they didn't try anything. You've got to keep trying.

And I think everybody knows how I'm going to vote. I'll vote "no" on this bill. And we talk about our surveys that we can do. Well, you've got to be careful with surveys. What population was sampled, you know? Somebody can . . . I had a good friend of mine that was a competitor in the insurance business that told me once, we'd get together and we'd beat on our companies, the decisions they handed down, and he said to me, he said, "You know, I've always been told figures lie and liars figure." So, we got to be careful what these surveys that we pay for, we get our information from, but I think as legislators we need to have one thought in mind and one thought only: Are we doing the right thing for the students?

Thank you, Mr. President.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

REMARKS OF
HONORABLE
MICHAEL J. ROMANO

Monday, June 3, 2019

SENATOR ROMANO: Thank you, Mr. President.

We know where I stand on this bill, it's a bad bill. And you know, I said yesterday that I feel like I'm in Bizarro World. For those that don't understand, in Bizarro World everything that's right is wrong, and everything that's wrong is right. And that's how I feel here today.

You know, you sit up there and you stand, and you tell us why this bill's good, why charters are something we got to try even though every educator in this state practically is against them. Practically every board of education is against them. The Department of Education is against them. The State Board of Education is against them. Three former members of the boards of education in this body are against them. Two long-time educators who sit in this body are against them. None of those folks were consulted by you in either creating this bill or passing this bill. No real educator had any hand in this bill from West Virginia whatsoever.

You got to ask yourselves, who are you to believe, with no experience, that you're right? Your own experienced folks in your body are against this bill. I don't think that arrogance will go unnoticed.

I urge a "no" vote for this bill.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

REMARKS OF
HONORABLE
KENNY MANN

Monday, June 3, 2019

SENATOR MANN: Thank you, Mr. President, I won't be long.

I want to just say that everybody in this chamber knows that education's dear to my

heart. I, too, like the Senator from Logan started out on the school board and that's the, you know, the reason, what we came here for. I thought when I was on the board of education if I'm ever going to try to make a difference, maybe I need to go a little bit higher. And, magically, a little peon from Ballard, West Virginia, that wasn't supposed to be here won the election. And I'm honored for that. It's an honor to be part of this body, it truly is. I love every one of you, and you know I do.

And, I want to just say a few things to our current chairlady. I respect her wholeheartedly. When I was the Chairman of Education, I asked our committee, I believe two or three times—Hank can back me up on this—send me your vision of what you think will help our students in education in West Virginia. And I know everybody gets busy, it's gets crazy up here . . . just send me your vision. I had one person on the committee send me their vision. And that was the Senator from Jefferson. Now, when I asked to send that to me, I asked, with their permission, if I can read it to the committee and if you all back up in time you can find the tape and see I read her response and her vision. Her vision is exactly what this bill is. In my opinion, there's never been anything hidden or anything, and I respect her for showing her vision in her leadership with the Education Committee.

I, too, though, when I came on board have been up front with everybody in the way I stand with things. I was always at the table to help all types of education without hurting any and we are in uncharted territory, I don't know what's going to happen. You all know that I don't support it in its entirety on 1039 but I hope I'm wrong. If this passes, I hope I'm wrong, I hope I'm dead wrong. And I'll be the first one to say that I was wrong.

But, let me back up just a second. When it comes to testing across our state, and I know federal government puts a lot of guidelines to it, when it comes to testing, I've never been a test person. Ever. I've never been . . . I've just not agreed with the test and I'm going to tell you why. You want to know the reasons why we get test scores that puts us at forty-ninth, forty-eighth in this state? I'm the reason. I'm part of the reason because backing up in my elementary school days, I believe it was the CTBS tests, going on up into . . . when I graduated James Monroe High School in 2000 I took, I believe, it was the SAT-9 test, we took tests all throughout, and, Mr. President, I didn't do worth a hoot. That's just where it was. You're looking at

someone that just . . . I'm an average guy. I'm an average guy, always have been. And I believe, if I'm not mistaken, you can check my records, I believe I took the ACT test one time and made like a 13 or 14. If you looked in my record, you'd think poor ol' Kenny Mann ain't going to amount to much.

But my goal at the age of 15 years old was to own and operate my own funeral home. This was a lot above what my brain can really take on but, you know, I passed everything. I went on to college at Concord. We passed Concord, no problem. Mortuary school, no problem. I got licensed in West Virginia and Virginia and, as of today, I own a funeral home. I even got to serve as chairman for two years in the state Senate of West Virginia. What an honor and I appreciate you letting me do that. But, from my testing scores, like I said, I'm not supposed to be here.

So, I've always looked out at . . . I've had to overlook some of those tests. Now, I'm not saying we don't need to be able to test our kids and find out, you know . . . I've always seen it as more of in-house. I think our teachers know where our kids stand. They do. I've got four children of my own, Angie's got two, and we're blessed. In my district, I'm blessed with our educators. I know there's problems across our state. But other reforms I think could have been happening, too, that would have helped with our education. And I'll just be brief.

One, is our welfare reform—I've mentioned this to you. I'm not poking fun at anybody but guys and gals our welfare system, in my opinion, broke in this state. I see welfare as, I don't know if I want to use the term "glorified," but I want to see it as no different than unemployment to get you back on your feet. But it's become a career path and a career choice and a retirement plan. And in my opinion, it's devalued our education in West Virginia. I think that we could tweak that in the future and I truly believe this body will.

Also, I've always been a fan of tweaking our prison reform, our inmates, our nonviolent, our nonsexual predator people. And I know we've took great strides at accomplishing this goal but, my friend from Tucker County, we know that we have big road problems in this state and one thing that shows is the Department of Highways, they don't have the manpower necessary to pull our ditches on a yearly basis or so forth. I can find you a work crew right out of our prison systems. I truly, I'm not trying to beat on anybody, but I just think that they need to learn

. . . it's just like it's a cuss word to say a good hard day's work anymore. And that's just the way I see the . . . That could also teach them that there's more to life and good work and earning your way back into society. I just think some of these things could help and get responsibility and respect factor back.

We've got a lot of problems, and we do have a lot of problems in our homes, in our parents . . . some that's . . . you can't legislate to fix. I mean you can only pray that it will get better for them.

I had a little girl in Monroe County that had such mental health issues, she spent two or three days in the same house with her deceased grandmother. I mean . . . that was in there two or three days. And this gal is going through so many issues it's pitiful. And that's just one little example in this state.

But I just wanted to say where I'm at on this. I respect everybody's decision and I hope and pray that they'll respect mine. I would never wish failure upon anybody's decision and I look forward to putting this through to a vote and moving on, see what the House offers. I think we can put our heads together and come up with something.

But I commend each and every one of you and I appreciate it.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

REMARKS OF
HONORABLE
ERIC J. TARR

Monday, June 3, 2019

SENATOR TARR: Thank you, Mr. President.

You know, I mentioned before on here that this bill's a piece of a lot of what's been going on with the change in the state . . . and change is difficult. There's a few things that I really, really like about this bill. And one of the first and foremost I like is that it takes a comprehensive swing at a very comprehensive problem. But it is not the only silver bullet to the issues we're dealing with in West Virginia and the senator

that just spoke hits the heart. I believe a lot of the things that we are doing, the comprehensive fashion

The state, just five years ago, six years ago even, was heading towards bankruptcy fast. And there are a lot of things that had to be corrected to be able to get to where you could finally address some issues that actually had some significant expenditure to them. We had a deficit that would not permit a change in education, to be able to fund a significant change; we had increasing unemployment; we had lowest education achievement, would we even get past high school as far as advanced degrees; we had an untrained workforce if we did produce the jobs. There have been so many changes that we've been trying to address a comprehensive problem which is the direction of this state.

Nothing that has been passed that I've seen or witnessed has been a perfect bill that's come through. I don't think there is—to steal somebody else's words that I can't remember the name—a silver bullet, but there's definitely a silver buckshot. And now that we are seeing surpluses, strong surpluses, month by month, we're able to actually take some expenditures and a comprehensive swing at education.

And the reason I think it has to be comprehensive . . . I've been a guy that has acquired businesses in trouble, and there's a few approaches you can go to when you acquire a business in trouble. The people in those businesses were incredible, incredible people . . . and still are, in fact, because they're still employed for those businesses that I took. Went in, and if you piecemeal fix a comprehensive problem, there's a few problems with that.

One is it takes forever. The sense of urgency when something is going down fast and it's hard to see the light when there's not money coming in, it's significant. It requires a dedicated, strong, bold leadership in the face of people who are scared to death of change. Have done something years the way they've done it and it's not working. And I understand that change is difficult, but we do have a crisis. It's undeniable. And I'm not satisfied with having excellent people in a system that doesn't produce.

And we're taking that swing. And I thank you, Mr. President, for giving us eight days to go through and produce amendments, look at

this bill, give me what you think needs changed. And that was sent out to this entire Senate body and I appreciate that. I offered some changes, some of them got accepted, some didn't. And that's just the way it goes here.

Aside from the comprehensive fix that we attempt with this bill, and regardless of how it came, it would all be an attempt. We have year after year to come back and tweak, but something's got to be done now.

Aside from that is the local control side of this. One of the things I really like about this is that, as a state legislator, if I have a constituent come to me and they have a problem with education, whether they're employed in it or whether they're a parent, I'm one of, I believe, it's about nine people in my Senate district that they can go to to ask for that change that has to happen, unfortunately, at a state level to affect their local education; two senators and seven delegates I believe that represent my Senate district. Mr. President, you being the other senator. In order for us to actually affect the change, we have to affect the entire state. The nine of us, between two bodies, have to convince a majority of this Legislature and the Governor to affect the change across the entire state for a concern in my district . . . maybe even down to one of the towns in my district.

What this bill does with the local control and flexibility that it introduces into this state, it creates a systematic change. That in itself alone is a systematic change. That puts . . . I think it's five people on our board of education whose sole purpose round the year is education in a county. They live in that county and they are responsible to that electorate of that county to do just one thing, and that is to produce a quality education for the children in that county. But the problem is is all the real authority steps up to the state. I would much rather be able to go to somebody who lives and goes to the same grocery store that I do and express my concern with education, who has to sit there and live next to me if they don't do what's right by education. This is a powerful, powerful aspect to this bill and is needed here.

So, Mr. President, I thank you for your leadership. I know it's difficult. And I'm very proud to be a part of getting this bill through and I hope we see it through all the way.

Thank you.

Establishing Student Success Act*(Passage of Eng. Senate Bill 1039)*

**REMARKS OF
HONORABLE
RANDY E. SMITH**

Monday, June 3, 2019

SENATOR SMITH: Thank you, Mr. President.

I'm not going to say I wasn't planning on speaking to this bill but . . .

Since I've been down here, one thing I . . . people hate change. I never will forget my first day, when I got elected to the House of Delegates, I was in the coal mine 'til 4 o'clock on a Saturday evening. It was about 6 - 6:30 before I got home from work, got ready, packed up the two suits I had because I didn't have much use for a suit at that time but I packed up and felt like, you know, the Clampetts moving to Hollywood 'cause I'm a pretty simple guy, common guy. And I can remember at noon on Sunday, like I said, I left the coal mines at 4 o'clock on a Saturday and noon on Sunday, I was sitting in the House chamber looking around in awe thinking what in the world have you done because it was such a change for me. I was out of my safety zone, didn't know what to expect, and it was a lot of change. First time I had ever been away from home from my family, you know, living down here by myself. People . . . I know I didn't realize how much of a sacrifice that being a legislator is; and I'm not just saying that because I am one because, you know, I didn't realize the tough choices that came with it, the sacrifices with your family that came with it.

And, you know, I can remember when we did the right to work and the prevailing wage . . . I mean we had 8,000 protesters or something like that down here a couple different times, the halls was full and it's a little intimidating and a little overwhelming, especially for a country bumpkin. And I can remember when all this was going on people were going to die, you know, everybody was going to leave the state and there was a lot of tough decisions made then. When I got elected to come down here, I wasn't planning on voting on something like that. And, you know, I look at some of the colleagues across the aisle and even on this side when they

redid the workers' comp, when workers' comp was bankrupt. I've talked to many of my colleagues, talking about how the doors were closed and people were pounding on the doors and the world was coming to an end, people were going to die. But you know what? After it's all done people made tough decisions. Decisions that they didn't really want to make. I mean, they would've rather went, you know, to a family picnic or, in my case, fly fishing, but they was here and they made tough decisions. They didn't agree with everything, but they knew they had to do something, give something a chance. And that's what we're elected to. I always say everybody wants this job, everybody wants this job until they get it. Then once they get it, they wonder what they was thinking. And, I always say if it was easy, everybody would do it.

So, it is a tough job. I'm saying that on my behalf because it is a tough job for me. I've made some tough decisions, you know, I pray about every decision I make and it's a very difficult environment that we're in here. People get mad at each other, you know, I've lost good friends, friends that I've been friends with for years or I thought they were good friends. I've lost them over one vote I made on one bill. Now we agree on 99 percent of the other stuff . . . but I also have good friends that, you know, take it in stride. I mean, you know, I've worked with people and have good friends that are as liberal as can be and we're good friends. Now they don't vote for me, they don't support me, but I wouldn't vote for them, support them either. So, it's a mutual agreement there.

Mr. President, the gentleman from Harrison County kind of caught my attention yesterday when we was talking about Doddridge County, about how big of a turnaround we've had in Doddridge County with our education system. And he is correct and it's nothing that, you know, the board of education, I mean, they've got credit but it's prosperity. Doddridge County has got a lot of prosperity now from the gas industry. And prosperity breeds education. And that's basically what's wrong with our state as a whole is prosperity. The areas where education strives—Mon County, Marion County, you know, up in the Eastern Panhandle—prosperity breeds education. Now, I represent, if not the most rural district, it's got to be one of the two most rural districts in my area. And, I'm not saying this to be disrespectful or mean to anyone, constituents or anyone in here, but most of the constituents in my district, they don't even know we're down here. They don't even care. You ask them about education, you know, reform, whatever, and they just don't, you know,

they don't get it. Now the educators do, the lawmakers or professionals do, but most of your average citizens, they don't, you know . . . that's why I've had five or six of them tell me in the last couple of weeks that's why we voted for you 'cause you know what to do. And, you know, they don't educate their self.

And, you know, I got to thinking, look at the prosperity that was in Southern West Virginia—I know several of my colleagues represent Southern West Virginia—back in the coal boom . . . Southern West Virginia should be the most educated counties in the state. All those years that that money was going into Southern West Virginia. They could have did the same thing that Doddridge County is doing—invested in education. Because again, prosperity breeds education. But they missed the boat there and now it's sad, you know, it's a lot of places . . . I'm preaching to the choir. It's like a third world country. But we missed the boat on that and we can't . . .

And, you know, the Finance Chair handed out yesterday . . . we're \$46 million above estimated, that's not, you know, our revenue, but it's above what they estimated revenue. West Virginia's going through a prosperity boom and we need to take advantage of it. You know, finally, we're not cutting programs. We're adding programs. We're funding programs.

And I believe honestly this bill here is part of that. Do I agree with everything in it? No. You know, I've heard a lot of comments, "Well, this is a bad idea but let's use my idea because it's better." And then someone else says, "No, your idea's no good, let's use my idea." We've all got ideas. This is the way the process works. We try to come out with the best that we can come up with. I mean, we're passionate, or I'm passionate about certain things, everyone in here has their own passion. And it doesn't make us bad people. We just have different ideas of how we want to get there. You know, I love everyone in this body. I'm good friends with everyone in this body. And I know your heart's in the right place, I know my heart's in the right place, I know my colleagues' hearts are in the right place. But we have a different opinion. This isn't a silver bullet, this isn't going to fix everything, it's just a start. You know, we're going to be looking at education for a long time, especially if we continue to get . . . if our prosperity continues the way it's going. We're going to be putting lots of money into education because finally, at last, we can. Because education's

important. Without education, you don't have anything.

You know, and I've heard a lot about comparing the charter schools in this bill to charter schools in Chicago, in Los Angeles. You know, if we're going to compare, let's compare apples to apples. Most of these failures were for-profit schools. They're for-profit charter schools. Someone got in it to make money. That's the way our society works. But this isn't one of those schools. This is a public charter school with oversight by the board of education. If they don't want them, they don't have it. I mean, honestly, we'd be lucky if they are a charter school open in this state. This doesn't mandate that they have to, but it gives them an opportunity. If they see an opportunity where one of them would help, that they can do it. It does not mandate anything. And it's not for-profit. ALEC or the Koch brothers or Obama or whoever's not going to come in here and say, "You're doing this, you're doing that." It's a decision by the state, by the board of education, by the, you know, the people that elect these people. So, you know, I wish we would compare apples to apples and oranges to oranges because this is a total, total different bear here.

And I've heard many times about breaking this bill up, that it's unconstitutional, it's, you know, it's not right that we do that. And, you know, I hate to admit it but, you know, being the Energy Chair, some of you guys have seen my bills that come out of Energy. In fact, I've put a lot of my colleagues amendments into my bills because, basically, we're a part-time legislature and we try to get as much stuff, good stuff, that we feel is good stuff, other people might not think it's good stuff, we try to get as much in that bill to get it passed through because we're limited to what we can do. If we have one thing like this past session with the education, it sets us behind two, three weeks. So, we have to, you know, do it. And I've did some bills, you know, that had, you know, coal mining bills that's had environmental issues, it had labor issues, had safety issues, had tax credits, you know, issues in there, Mr. President, that we combined. As long as it's germane, we're playing by the rules. And it's a good thing most of the time. Now, is this a bad one? To me, I just look at it as any other bill. We do it all the time with no ill intentions of railroading anything, it's just from time constraints and, you know, it all ties together. It's not like D. C. where, you know, they pass a bill and then find out they're building a new space center someplace on an education bill or some other kind of bill so . . .

And, you know, I've had people say you don't care about education, you don't care about the kids, you know, I think it was five or six years ago when I was in the House, I introduced a bill that put social workers in every . . . it started out in every school in the county. And it got no support so then I switched it to put it as a pilot program to put one social worker in a Title I school in every county because Title I gets extra funding and that would have been the funding to fund the social worker for that because I honestly believe once we got a social worker in a school and started putting the light on these problems, these social problems that we're having in our school because I left school meetings with principals and teachers crying over the stories they was telling about what these kids are going through, you know. And it tickles me to death that I don't have to introduce that bill again because it's incorporated in this bill. That to me is near and dear to my heart. And I, you know, Mr. President, you know as well as anyone that I was adamant about that being in the bill.

You know, my dear friend from Logan stated a little while ago that he's sick of hearing about choice and, you know, I get sick of hearing about a lot of things too, but, you know, choice isn't one. Choice is what this country was founded on. You know, there's good choices, there's bad choices.

You know, like I said before, you know, this isn't a silver bullet, this isn't going to fix everything, but it's a start. You got to start to replace. If you don't start, you can't finish.

And, you know, I get sick of hearing how bad West Virginia schools are. You know, someone will say they're forty-ninth, some says they're forty-seventh, some will say they're thirty-fifth, and others say we're twenty-fifth. I don't care where you're at, if you're not at number one, you're not doing right. You don't go into a basketball season or a baseball season saying, "Boy, if I could just finish fifth or sixth." It should be this body's intention to finish first on education or anything we do. Nobody remembers who finishes second. And I'm not trying to be, you know, act like I'm super competitive but I am. When I do a job, I like to do the best job I can do. I take this job very seriously. You see me all over my district, you know. I study, I pray, I try to do what's right. People don't always agree with me, but like I said, I've been married for 41 years and I don't think we've agreed on anything sometimes. But it's just human nature.

But this is a start. And if you want to vote for it, you vote for it. You want to vote against it, there's no hard feelings from me; but I feel we have to start someplace. Is this right? I guess we'll find out. It's either going to work or it's not. If it works, we're going to add to it. If it doesn't work, we're going to come back and we're going to change it because it was, you know, because it didn't work.

But, you know, like I said, there are things in this bill that I'm not crazy about but there's a lot of things in this bill that I am very, very encouraged about. And I just feel that we need to stop sitting on our hands and start doing something. Finally, we're moving forward. We're moving forward with our economy, we're moving forward with our education, and . . . You know, we need to put our political differences behind us because this bill is no different than any other bill down here. It's politically driven. Politically motivated. You got two sides on everything, rather if it's a coal bill, or if it's an education bill, or an economic bill, you got two sides and there's a lot of politics that goes into it.

So, with that being said . . . You know, like I said, I thought about this bill, I've looked over it, you know, I've prayed about doing the right thing and I feel that not doing anything . . . just doing away with it and starting over again isn't the right thing to do.

So, I'm going to vote for the bill. It's a start. It's not going to please everybody. It doesn't please me. Believe me, there's a lot of things I'd like to see in here but . . . it's called compromise. It's our system. I like to tell people that our political system is a screwed up system and I'm fed up with it but then you got to stop and think, it's a terrible, screwed up system but it's also the best one in the world. So, we are number one on that. This is the best system in the world. It doesn't seem like it a lot of times, but it is. So, I say, you know, no matter how you vote, I'm still going to love you, but I just feel that this is a start, and this is where we've got to do something.

So, thank you, Mr. President.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

REMARKS OF
HONORABLE
CHANDLER SWOPE

Monday, June 3, 2019

SENATOR SWOPE: Thank you, Mr. President.

As you know, I seldom rise to speak to these bills. Mostly because I'm one of the newer people in this building and know the least about the legislative process and our responsibilities. And I think I can honor that responsibility better by listening and learning than I can doing all the talking; though I feel this is an important enough issue to rise to speak to a few of the issues.

I've voted for, probably 800 bills over the last three years and none of them that I can categorically say were perfect. There's always some issue one way or the other that it's not perfect. As a result, I have resolved that it's okay to be just good and not perfect. I've listened to all the opposition to this bill and why it should be voted a "no" vote; and I've also heard that 80 percent of the bill is good. To me, even from the opposition position, to me, 80 percent's a pretty good score. So, I wouldn't throw it out with that kind of a score.

Today, I've heard that it should be a "no" vote for some specific reasons. One is it has charter schools allowable in it. And for that reason, it should be a "no" vote. I've heard there are three or four other reasons that it should be a "no" vote. I've also heard that it's a comprehensive bill and because it's a comprehensive bill, it should be a "no" vote. With the implication that means that every single line item in that bill are not up for debate or discussion or whatever. And one of the political science things I've learned is that the second reading is for the amendment stage and we had that yesterday if I recall right. But I don't recall any amendments to propose to take out charter schools . . . that's so we could debate it and either leave it in or take it out. I didn't hear any amendments for any of those other issues that have been discussed. So, to come out to the third reading on trying to vote and then beg the question that there was no opportunity to amend the bill is inconsistent the way I understand the process works.

So, I'm happy with this bill. I think to throw the baby out with the bath water and do absolutely nothing because it's not perfect or

because somebody can find a few little things that could have been debated and amended would be a disservice to our obligation to try to move our education system forward.

Thank you, Mr. President.

Establishing Student Success Act

(Passage of Eng. Senate Bill 1039)

REMARKS OF
HONORABLE
PATRICIA PUERTAS RUCKER

Monday, June 3, 2019

SENATOR RUCKER: Thank you, Mr. President, and I want to say thank you to all the legislators who have spoken and given us their thoughts.

Over the last few days there have been many assertions made about this bill, and especially over charters. And I must beg your indulgence to try to clarify and just say the truth about some of these things that have been said.

But before I start on that, I just want to say this bill is not a partisan bill. Mr. President, this bill reflects the viewpoints and opinions of legislators from both sides of the aisles, from educators, from administrators, from school board members, from parents, from teachers. There have been multiple references to the West Virginia Department of Education report called *West Virginia's Voice*. This report reflects the view of 1,630 participants and 17,010 survey responses; the majority coming from educators and school staff. The report was informative and confirmed a lot of what we had put in Senate Bill 451 (*Comprehensive education reform*). It reflected the need for local control, for flexibility, to respect our educators, to invest in education. The four major recommendations out of that report were provide a pay raise; increase funding for social, emotional supports; incentivize high performing schools by additional flexibility; and fund a supplement to fill areas of critical need.

Mr. President, all those priorities are in this bill. They also were in 451, but they are definitely in this bill—and I think made even better.

The ideas that are considered controversial: Allowing counties to consider opening a public charter if they feel it benefits their district; allowing counties to make decisions on the RIF process the same as the hiring process; putting into code existing West Virginia Supreme Court ruling regarding work stoppages. Well, the first two are permissive, nobody is mandating. And the last one, it's already the law.

I have to tell you what this bill is about is local control. And I know for some that is threatening. I have said this before and I hesitate to repeat myself, but I have to tell you, 48 out of the 50 states make education decisions locally at the county level or at the township level—West Virginia is not in line with most of the other states. And as you, yourself, pointed out in a press conference you had, if we were doing great, then no problem, let's just go ahead and keep on going. But we know that that's not the truth.

I have to say that when it comes to trying to find a way around the problems that we have, this does not address everything. There were things that didn't make it into this bill but, you know, we still would like to do. Things that we have to put off, maybe, to later, we have to get more research and information. When we took part in discussions with the West Virginia Department of Education, there were many concerns about the funding formula that we didn't get to all really finish resolving how we would fix. But this is a step in the right direction.

So, to address some of the concerns that were raised from other legislators They mentioned that charter schools would not be appropriate here in West Virginia because it's such a rural state. I want to point out that charter schools have found to be effective in urban areas but there have been, recently, improvements in finding effectiveness in also rural areas. And, actually, there was a trip that some legislators were able to take part of to Sciotoville, Ohio. That was a community that was facing the closure of their local school because of losing population, they have many of the same characteristics we have in many of our communities and they went to visit this school. The local community got together and said we do not want to lose our school. That school is the center of our life in this small community. And so, they got community members involved, they made an application to the Ohio State Board and they were able to save their school by turning it into a charter school. That doesn't sound like a bad thing to me. And that school which had not

great scores, this charter has only been around for a few years, but their student outcomes are improving. And part of it is because the community is involved. Maybe it took the threat of losing their school to get more involvement that was needed to do. And I would love to see that for all of our schools. But sometimes that is kind of the incentive.

So, in terms of it not fitting in West Virginia, you know, it might not. There might never be a charter school that opens here. But it also might be a solution to some communities who would like to keep their schools or to address a specific need within their district.

One of the things that was brought up just recently—it's the first time I heard anyone have concerns over the open enrollment provisions in this bill. The point of open enrollment is it's already happening but it's just county by county. They're all making their own different rules. We're just codifying in the state code things that are already in place and have been shown to be successful.

There is no transportation cost to the county unless it is a student that has special needs and has an IEP . . . and there's no mandatory for transporting them. The point is it's permissive like almost everything else in this bill and it allows for a student You know, we have circumstances in West Virginia where we have folks whose school in their district is 45 minutes away or an hour away. But the school in the next district over, or sometimes even the next county over, is 10, 15 minutes away.

These are the kind of situations that we're just giving them the flexibility to be able to decide. We're not trying to hurt anybody. And, again, this is all within the public school system.

When it comes to reduction in force, you know, the idea that this is punitive is just, just completely wrong. There was no desire in putting forth this legislation to change the RIF process. Each county can keep what they have the way it is now. But we heard from teachers and from administrators who told us sometimes just because of the luck of the draw, they have to RIF that teacher that they need, like a math teacher, if that is the most recently hired teacher. And they're desperately in need of that teacher but they have no choice. All we are doing is allowing the school to make the decisions based on what is best for the students. And I've heard from both sides of the aisle that is what our goal should be: Make decisions based on what's best

for the students. We're allowing the counties to have policies in place and the policies have to be decided in an open meeting with input. So, nobody's trying to do anything punitive or hard.

I will tell you that it's hard for me to believe that there are opponents to trying to give a bonus to the teachers to help to encourage them to not use all of their leave. I wasn't here when decisions were made that took away incentives for them not to use all their leave. And the fact that we're trying to put something back in . . . I can only tell you, we're trying to help those teachers, and we're trying to help our schools because it does cost a lot to pay for substitutes. This is something that is to help the counties and it's coming out of state coffers, not the county coffers.

So, I also have to mention something else that's been brought up. We have been accused of not listening. I have to apologize if I sometimes slip into teacher mode but listening is not the same . . . I will tell you that it is funny that that accusation of not listening is thrown at our side all the time. Listening is not the same as agreeing. We can listen, and we can agree or disagree. I spent hours meeting with educators, with school administrators, with personnel. I traveled around the state to attend as many meetings as I could. We agreed on many things in these meetings that we had, but there are things that we did not agree on.

I already pointed out that the priorities in the *West Virginia Voice* are reflected in here. I could list every provision in this bill and tell you where the idea came from—and it was from people in West Virginia. Sometimes parents, sometimes students, sometimes a teacher, sometimes an administrator, but every idea in here was because of some issue that was brought up to our attention. Even the parts of the bill considered controversial are there because somebody asked for it.

I know very well that the unions do not like portions of this bill. I will have to just admit I'm here to represent more than just the unions in West Virginia. There are some who claim that there are things in this bill that we didn't put in that would also benefit education. I agree with them. I wish we could address everything, but we also hear complaints that this bill addresses too much. There has to be some point in which we just decide, you know, this is a first step.

There have been allegations that we are pushing charters because of some outside

special interest groups. Let me assure you that the idea for charters came from those meetings and discussions I've had with teachers and administrators asking for local control and flexibility.

The regulations that we have in this state are oppressive. Anyone who thinks that this is okay for us to legislate education through this book, that this is the regulations in Chapter 18, I'm sorry, I don't. I don't believe that this a good thing. I believe the teachers know the students better than anyone else; and they should be allowed to make decisions at their school that benefits their students. They should not have to go through a legislator in Charleston to pass a bill. They should be able to go to their principal, if need be, to their local county school board, but only in very severe cases should they have to go all the way to the State Board. And this is one of the reasons we have put changes in the designation of innovation zones in this bill. I am really excited about this and this is something different that we did not have in 451 and I am glad we have now.

They're asking for us to let them do their jobs. That is simply what we are trying to do. Removing all of the bureaucratic hurdles that was in the innovation zones designation, taking away those roadblocks, making it easier for every single school who would like to have flexibility, who would like to have waivers from this, this is our goal and our desire is to help them to do their jobs and provide for their students.

In case some do not understand, I just want to point something out. Teachers who teach in the public charter school can also join teachers' associations. There is absolutely no prohibition on that.

Charters can also require teachers to be certified. They can also have to put their policy for hiring in the application process, which the authorizer has to approve of. And again, all done with meetings open to the public. All charters must enroll any student that applies. It is open enrollment just like any public school. Charters must provide for the needs of all the students. I'm pointing this out because of the misconceptions that have been put out there regarding public charters.

We strived to create a strict charter school law because we do know that some charters have not been successful. We took into account the things that have not worked in some of the states

that have done it, and this is one of the benefits that we have. We have over 20 years now of charter experiments, some of which have failed, and we tried to protect ourselves and put the additional accountability and oversight that is necessary to ensure success if any county wants to try it.

There is a lot of fear about the fiscal impact that public charter schools might have on our traditional schools. This is based on the idea that when the students leave this public school and they go to a public charter school the money is going with them. This kind of ignores the very real possibility, Mr. President, a charter school can be open and be part of an existing school. You can have an existing school that has a charter within it for specialized education. And, therefore, the money obviously stays right inside that school. Charter schools can also be converted public schools. So, it doesn't have to be taking students away, it is that public school that just wants that flexibility and control locally.

Ultimately, a public charter school is like opening up a new school. Are we going to prohibit any new schools from opening in West Virginia? Because it would be the same thing. It means that students will go to a new location possibly.

But it is an option, not a mandate.

Let me point out once again, in addition to allowing public charter schools we are increasing funding for all schools in West Virginia. We are not trying to defund public education.

The point has been made over and over again that this bill should have been broken down into individual parts. My fellow senator already pointed out that there was no amendment to do so during the amendment stage. And I have to say again that this is a comprehensive approach.

We believe there are multiple but equally important ways to close the gap in our teacher shortage. We believe that there are multiple but equally important ways to strengthen our schools and empower the local county school boards. Multiple but equally important methods to increase student participation and choice.

Lastly, there are items in this bill that help one county but may not help another. Just as we have 55 separate counties with separate ideas and priorities, we also have thousands of

students with unique needs. This is a big bill with an emphasis on local control and flexibility so that our different counties' and our different students' needs can be addressed by the best way possible, by their local county and their local school.

Separating this bill into parts means possibly passing one component, or one section but leaving the others out. But that might be something that another area considers very important.

Everyone is entitled to their opinion, but it was my intent to try to help everyone in this comprehensive bill.

So, what is the Student Success Act? The Student Success Act gives teachers tax credit to help enrich the classroom. It expands opportunities for at-risk students. It begins Digital Literacy Pilot Project to help increase digital literacy in this state and increase technology. It requires professional development to be based on the needs of the teachers and the students in the classroom. And we are asking for every teacher to have training in addressing the social, emotional, and behavioral needs of their students. It expands the definition of student support personnel and increases the amount for this. It codifies the open enrollment policy. Students can attend a school that best fits their needs. It requires a report from the West Virginia Department of Education on overcrowding so that we can hopefully find a way to solve that. It increases the time that counselors must spend counseling and helping their students. It codifies the Supreme Court law that we have in West Virginia regarding work stoppages for public employees. It makes a teacher's recommendation for student promotion the primary consideration because who knows better as to whether that student is ready to move on. It allows county school boards to provide a fund to help students who are likely to perform better outside the school system if they so wish. It expands and makes easier to have innovation zones and designations. And it allows the county boards to authorize. It allows charter schools and provides strict accountability and oversight if a county would like to open one of those. It requires meaningful contact if a student starts having unexcused absences. It allows for increased attendance support personnel because we've heard about attendance issues with students and that's holding them back. It assists counties that have less than 1,400 in net enrollment. It gives each county more money by reducing the local share

that we're expecting them to contribute. It increases the funding for maintenance. It frees up the funding that we are giving so that counties can prioritize their needs. It requires a transfer and accounting system so we know where the money is going. It increases pay for teachers and school personnel.

I could go on and on. We know this is a big bill. As a result of this bill, all the schools in this state will receive more funding, more freedom, greater autonomy, and additional tools to help address the needs of their students. The bill encompasses provisions to help public schools, public school employees, local county school boards, and parents. But most of all, Mr. President, what gets lost in all the noise, it encompasses provisions to help our students succeed.

I urge passage.

**Making a supplementary appropriation to
the Executive, Governor's Office,
Civil Contingent Fund**

(Passage of Eng. House Bill 149)

**REMARKS OF
HONORABLE
ROBERT H. PLYMALE**

Monday, June 24, 2019

SENATOR PLYMALE: Thank you, Mr. President.

I stand in support of this. In Milton, in the fifth district where the Senator from Cabell and I represent, Milton and Culloden are the furthest portion away in Cabell and then it goes all the way to Kenova, to the Kentucky and Ohio line there . . .

Milton has suffered a number of times. In 1978, they had a major flood that flooded numerous houses, the elementary school. In 1997, I believe it was, they had another flood. We have been working on this funding for a long, long time, ever since I've been in the Legislature since . . . I was elected in 1992.

I applaud the Governor's office and the work that they've done. I would also like to thank the House of Delegate members that were involved

in this and the Senator from Cabell. We've worked diligently together in a very good effort to do this and the Governor has been a stalwart in terms of saying you get \$98 million from the federal government, we need to match it, in this respect.

And this is very unusual. We have never gotten from the Corps of Engineers the money first from the federal government that we have to come up with the match and that's the unique thing of this. This will make a big impact in Milton, particularly, with the multimillion-dollar Patrician Hotel that is being built there with a golf course and a number of things. This is going to be a very big shot in the arm for Milton and on behalf of the mayor and the city council, they wanted me to thank you.

**Memorializing life of Honorable
Robert R. Nelson**

(Adoption of Senate Resolution 106)

**REMARKS OF
HONORABLE
ROBERT H. PLYMALE**

Tuesday, July 23, 2019

SENATOR PLYMALE: Thank you, Mr. President.

I would be remiss if I didn't say a few words and let me just thank Phil and Jill Nelson and Chrissy Nelson Preservati and Jackson Preservati for attending and coming here because it's a day when we need to recognize our past leaders and, particularly, Bobby is one of the ones that stands out.

He was first elected mayor as was said—when Huntington went to the Strong Mayor—in 1985. And he was actually the mayor when I first ran for election in 1992 . . . quite a few years ago. He reflected on his term . . . He did a lot of things, you know. One of the things that he did was he secured the East Coast Hockey League Huntington Blizzard, the Huntington Cubs, and if you go to the . . . they have the mayors like we have the presidents here, they have the mayors there, in his mayor picture is his picture with the Huntington Cubs jacket on and it's one of the things he would like to be remembered for.

He certainly accomplished many things. When they asked him about that he said I think probably my most important accomplishment as mayor is certainly not completed yet, but I think I got it started, is try to get the people in the government to have a better attitude about themselves and about the city and about what we can do. And I can tell you right now, Huntington is in a “can do” attitude. I’ve never seen it like it is and he started that foundation and it’s being carried on.

His knowledge in the tenure of the Senate is very instrumental in some of the things and he gave me a lot of advice . . . sometimes when you didn’t want advice, he gave you advice, but he did give me a lot of advice, but . . . You all ask me a lot of times why I fight hard for Marshall University . . . when I was first elected, he said do you really know what you’ve gotten yourself into? He said but please make sure you protect the interest of our area but, in particular, Marshall University. And those words have stuck with me because he was a champion of that.

What Mayor Williams said was something, I think it is, Mayor Williams said, “Mayor Bobby Nelson built his life around creating a voice for the voiceless, offering opportunities for the disenfranchised, and hope to the hopeless.”

He served our city for over a span of four decades either in the House of Delegates, the Senate, and as mayor.

He was a person that if you didn’t want his opinion, you should never ask. He had an opinion, but it was well-grounded, it was always with the best interest of where he served and where the people that he served.

I have a great admiration for the Nelson family and what they’ve done since then, you know, the developments that are going on in Huntington, Phil and Jill have been a major part of that. And if you look at the rebirth of Huntington, it started with the foundation of Bobby Nelson but he’s carried it on with his children.

Thank you.

Recognizing Hunter Donahoe and Gabe Yeoman for winning first place in Additive Manufacturing at SkillsUSA National Leadership and Skills Conference

(Adoption of Senate Resolution 107)

**REMARKS OF
HONORABLE
ROBERT H. PLYMALE**

Tuesday, July 23, 2019

SENATOR PLYMALE: Thank you, Mr. President.

Members of the body, we talk about education, we talk about a lot of the things that are going on and I’m very proud to be from Wayne County, I’m very proud that I’ve worked on Spring Valley High School when it was being built, the CTE Program, and the Project Lead The Way and a lot of the things that have happened there under a great leadership and . . . I also am proud that . . . this family, I’ve known for a long time. I grew up at the Kenova Baptist Church . . . my brother and I used to joke that if two or more people gathered at the church, no matter whether it was Wednesday, Sunday, Sunday night, or whatever, I know that Tom and Bob Plymale were there. I don’t know who the other ones were, but we were always there because that’s just what our mother and dad instilled in us.

There’s another family then in the sixties, Bill Yeoman came from Ireland and this is part of his lineage here that . . . I remember them very well. My grandmother and grandfather Hamer lived on Walnut Street and I spent a lot of time on Walnut Street. They lived right down the street from us, from my grandmother, and so, I’ve known this family for a long time.

For Gabe Yeoman and Hunter Donahoe to go to a national competition and not only place but to win first place in an additive manufacturing . . . and, if you look at the future of our country, our future of our country is going to build on what we do with skills, additive manufacturing, and the jobs and the skills that we have in our youth, the ones that are going to be carrying forward the torch. Well, Gabe is a person that I have had the opportunity to listen to him a couple of times speak at Spring Valley . . . but he’s a leader and I want to acknowledge that they won this competition on, you know, earlier this year, this summer, and it’s a skills competition from the National Leadership and Skills Conference and it’s on career and technology education students.

And I know that Velvet Kelly was going to try to be here and I didn't see that she had made it or that she's in the audience. She's the CTE director in Wayne County.

We've got a lot of great things going on in Wayne County but it's because we have bright minds like Gabe Yeoman and I'd like to make sure that we recognize them in the fashion that we need to and congratulations to you. We'll come to the high school and make sure that Hunter gets a copy of the resolution as well.

Congratulations.

REMARKS OF
HONORABLE
STEPHEN BALDWIN

Tuesday, July 23, 2019

SENATOR BALDWIN: Thank you, Mr. President.

A Vice President of Sales for a pharmaceutical distributor wrote, "If you are low, order more. If you are okay, order a little more. Destroy this email. Is that really possible? Oh well." In describing his job, he said, I quote, "Ship, ship, ship." The reply he received to that email was "Keep 'em coming, flying out of here. It's like people are addicted to these things. Oh wait, people are." The reply back, "Just like Doritos, keep eating, we'll make more." These are, I think, very disturbing emails that were made public by *The Washington Post*, thanks to the efforts of the *Charleston Gazette* as well, and they make it sound like the drug crisis was just a big joke. Just a big joke to these distributors.

I rise today to say the people of West Virginia are not a joke. They're not a number either. They're human beings whose very lives matter. Every one of those lives precious and important.

I presume everybody here has read all about the numbers of opioids that were shipped by these manufacturers and distributors from 2006 to 2012 all across the nation. They sent 76 billion in all. Here in West Virginia, they sent 853,486,418 prescription pain pills to West Virginia—a state of less than two million people—over a seven-year period . . . 853,486,418 pills. According to that same data, not only did we receive more pills than other states, but we also experienced the highest

overdose death rate in the nation. And that was not an accident. Neither is the fact that we now deal with meth, heroin, and fentanyl at alarming rates. These are all correlated events.

Now, I've spoken on this floor several times about making opioid shipments public, about holding distributors and manufacturers accountable, and about the need to be very careful with MAT (Medication-Assisted Treatment) drugs that are now being sold to us by the same people who thought that we were a joke and sold us pills like Cheetos in the first place. And I understand and respect the fact that all those efforts were voted down, but I rise today to say that I'm hopeful, I'm very hopeful that with this new reporting we're going to be spurred to new action.

It's my hope that we can together turn outrage over these numbers into positive action together. When you read about 76 billion pills flooding the U.S. and 853 million plus pills flooding West Virginia, remember that we are talking about people. We're talking about people's lives. These are more than just numbers, these are people. These are people's lives. These are people with families, they are people from communities, all of whom were affected by this. We're talking about thousands of people who are dead now, whose lives are gone, and whose lives mattered. Their hopes and their dreams and their families, they mattered. Every person has value and worth and we're a lesser place because of the lives that have been destroyed in this epidemic.

I rise today to say I think it's important that we channel our outrage into positive action to save as many lives as possible moving forward, to let our fellow citizens who are struggling with addiction know that we value their lives and we want them to succeed.

Thank you, Mr. President.

REMARKS OF
HONORABLE
GREGORY L. BOSO

Monday, September 23, 2019

SENATOR BOSO: Thank you, Mr. President.

It's a good day. It's a tough day.

I want to say thank you to you, Mr. President, and to each of you, my fellow senators, for allowing me to serve with you over the course of the last five years. It's been truly an honor; a learning experience sometimes, sometimes those learning experiences are tough but they're good. I look at it this way, it's the way I learn the rules and this body has always functioned with rules.

As I arrived here just five years ago, five and a half years ago now, I remember standing in the hallways and a fine gentleman—now we get to call him the Senator from Logan—met me around the well out there and he shook my hand and he said some words that I've lived by. He said, "Senator, your word is your word, it's your integrity, and if you live by your word, you will have no problems here." I've tried to do just that. And senator, thank you.

Today . . . is a day to say goodbye for a while. I won't be going for very long. As I've told several of you this morning, I'm available when you need me, where you need me to lend my professional voice because there are those issues that are engineering related—water, wastewater, dealing with the Public Service Commission, or dealing with Highways—that I'll be more than willing to come and lend my voice. Professional licensing is also part of that discussion that we've had from time to time.

I couldn't have done what I've done over the course of the last five years, five sessions without some wonderful people. Not just the senators sitting on the floor but it's the people behind the scenes, like my first secretary, Trina, who stills serves this body. Like my staff of today, Sandy, Isabel, and Carl, I value our family and our friendship. This past session was a tough session. But when I was sick, my family took care of me. And I appreciate that.

We've all learned a lot and we've had fun. One thing I've not had the privilege of participating in is the squirt gun battles here on the floor. But I think that was from times past before the cameras arrived in the chamber . . . but there was some shenanigans, rubber snakes and things like that running around on the porch out front that we've all enjoyed. I have loved serving with you and serving the people of West Virginia.

I've traveled a lot. I've been in North Carolina, I've been in Virginia, I've been in Maryland, I've been in Ohio, I've been in Kentucky . . . I'll tell you, there's no place like

home. And home is West Virginia. It truly is almost heaven. And I think that's why each of you passionately serve the people of your respective districts. You work hard, you listen, and you serve with integrity, and I appreciate that so much. I've enjoyed our friendship and our camaraderie. I've enjoyed the proddings and the ability to prod, to pick on one another from time to time.

I want to do something very special. If this body will indulge me for just a moment, I'd like, before I part, to do one thing . . . and that is to pray for you and pray over you. Will you allow me that?

MR. PRESIDENT: Senator may proceed.

SENATOR BOSO: Thank you, Mr. President.

Join me in prayer.

"Oh, mighty God, this wonderful body that we call the West Virginia Senate has made headway in leading West Virginia over generations. The foundation of this body is well known to you, but there's much work yet to do.

Changing times have brought some very difficult struggles that this body has had to deal with. As we struggle with the opioid addiction crisis throughout West Virginia, we struggle with difficult financial times for West Virginians, we struggle with families falling apart and children being left.

These that sit here today, my friends, these senators, will be filling that role of taking on those challenges in the next legislative session. They will meet their constituents day to day over the course of the next several months. I pray Father that you will touch them each in a very special and a very powerful way. Give each them the knowledge, the passion to listen, the passion to learn, and the wisdom to discern the best for West Virginia. God, I'll lift them up in a very special way.

God, we lift the Governor of the great State of West Virginia up and just pray that you will anoint him in a very special way as he continues to lead this state as the chief executive.

I pray Father that you'll touch the House members, each of them who serve in the House of Delegates, that you will just touch them in a special way and give them the ability to reason,

the knowledge that they need, and the wisdom to look to the future for the best.

We trust in you. You are our strength. You are our rock. You are our redeemer. And upon you, Father, we rest our reliance in all that we do. Be with these, my friends, that I get to call senators.

In Christ name I pray, Amen.”

MR. PRESIDENT: Amen. Thank you.

SENATOR BOSO: There’s a few people that I haven’t talked about just yet, Mr. President.

All of my family couldn’t be with me today. But there’s two very special members here tonight. Sitting in the President’s gallery, my son and my wife, Debbie. My son made it by the squeak of a few moments to join us. Mr. President, if you’ll allow me, if they would please rise. These two are a big part of the foundation of who I am. My wife is my rock . . . for 42 years she’s put up with this crazy guy, believe it or not. If you would please, extend to them a very warm Senate welcome.

Mr. President, I intend to fulfill my responsibilities as senator of the West Virginia Senate as the senior senator—but not for long—of the eleventh senatorial district by fulfilling my responsibilities throughout the remaining interim committee meetings of this interim session.

And with that, Mr. President, thank you.

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HISTORY OF BILLS AND RESOLUTIONS CONSIDERED BY SENATE

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SENATE BILLS PASSED LEGISLATURE

1001. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Upper Kanawha Valley Resiliency and Revitalization Program** (original similar to HB106) - Passed 5/20/2019 - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 30, Acts, 1st Extraordinary Session, 2019
1004. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Antihazing law** (original similar to HB103) - Passed 5/20/2019 - Effective ninety days from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 32, Acts, 1st Extraordinary Session, 2019
1006. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Authorizing WV Board of Physical Therapy to conduct criminal background checks on initial license applicants** (original similar to HB104) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 35, Acts, 1st Extraordinary Session, 2019
1009. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Establishing health professionals student loan programs** (original similar to HB110) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 42, Acts, 1st Extraordinary Session, 2019
1012. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Creating voluntary certification of recovery residences** - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 37, Acts, 1st Extraordinary Session, 2019
1013. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Permitting certain trained professionals to provide counseling in medication-assisted treatment program** (original similar to HB109) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 38, Acts, 1st Extraordinary Session, 2019
1015. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Supplemental appropriation to Secretary of State, General Administrative Fees Account** (original similar to HB128) - Passed 6/18/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 13, Acts, 1st Extraordinary Session, 2019
1016. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Supplemental appropriation to DOT, Division of Highways** (original similar to HB120) - Passed 5/20/2019; Effective from passage - To Governor

5/24/19 - Approved by Governor 5/28/19 - Chapter 14, Acts, 1st Extraordinary Session, 2019

1017. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Department of Arts, Culture, and History, Educational Broadcasting Authority** (original similar to HB126) - Passed 6/18/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 15, Acts, 1st Extraordinary Session, 2019
1019. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing, amending, decreasing, and increasing existing appropriations from State Road Fund to DOH for fiscal year ending June 30, 2020** (original similar to HB121) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/28/19 - Chapter 16, Acts, 1st Extraordinary Session, 2019
1020. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing and amending Chapter 31, Acts of the Legislature, 2019, known as Budget Bill** (original similar to HB123) - Passed 6/18/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 17, Acts, 1st Extraordinary Session, 2019
1021. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Decreasing existing appropriation and adding appropriation to Department of Veterans' Assistance** - Passed 6/18/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 18, Acts, 1st Extraordinary Session, 2019
1023. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing, amending, increasing, and adding items of appropriations to Attorney General, Consolidated Federal Fund** - Passed 6/18/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 19, Acts, 1st Extraordinary Session, 2019
1024. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Department of Agriculture Capital Improvements Fund** (original similar to HB129) - Passed 6/18/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 20, Acts, 1st Extraordinary Session, 2019
1025. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to DHHR, Division of Human Services for fiscal year ending June 30, 2019** (original similar to HB125) - Passed 6/18/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 21, Acts, 1st Extraordinary Session, 2019
1026. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Expiring funds from Treasurer's Unclaimed Property Fund and supplementing appropriations to Governor's Office** - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 22, Acts, 1st Extraordinary Session, 2019

1027. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Adding new items and increasing existing items to various accounts** (original similar to HB122) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 23, Acts,1st Extraordinary Session, 2019
1037. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to medical cannabis** (original similar to HB105) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 39, Acts,1st Extraordinary Session, 2019
1038. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to DHHR, Division of Health's Central Office** (original similar to HB130) - Passed 6/18/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 24, Acts,1st Extraordinary Session, 2019
1056. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing and amending items of appropriation to State Board of Education, State Aid to Schools** - Passed 7/22/2019; Effective from passage - To Governor 7/26/19 - Approved by Governor 7/29/19 - Chapter 25, Acts,1st Extraordinary Session, 2019
1057. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing and amending items of appropriation to State Board of Education** - Passed 7/22/2019; Effective from passage - To Governor 7/26/19 - Approved by Governor 7/29/19 - Chapter 26, Acts,1st Extraordinary Session, 2019
1058. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing and amending item of appropriation to Higher Education Policy Commission** - Passed 7/22/2019; Effective from passage - To Governor 7/26/19 - Approved by Governor 7/29/19 - Chapter 27, Acts,1st Extraordinary Session, 2019

HOUSE BILLS PASSED LEGISLATURE

111. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating to refunds of excise taxes collected from dealers of petroleum products** (original similar to SB1005) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 43, Acts, 1st Extraordinary Session, 2019
112. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating generally to the personal income tax** (original similar to SB1002) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 44, Acts, 1st Extraordinary Session, 2019
113. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Establishing tax incentive for new business activity in qualified opportunity zones** (original similar to SB1014) - Passed 6/24/2019 - To Governor 6/28/19

- Approved by Governor 6/28/19 - Chapter 45, Acts, 1st Extraordinary Session, 2019
115. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating generally to court actions in abuse and neglect proceedings** (original similar to SB1008) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 28, Acts, 1st Extraordinary Session, 2019
116. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating generally to persons eighteen years of age and older in the custody of the Bureau of Juvenile Services** (original similar to SB1007) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 29, Acts, 1st Extraordinary Session, 2019
117. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities** (original similar to SB1003) - Passed 5/20/2019 - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 47, Acts, 1st Extraordinary Session, 2019
118. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating to the use of post-criminal conduct in professional and occupational initial licensure decision making** (original similar to SB1011) - Passed 6/17/2019; Effective from passage - To Governor 6/25/19 - Approved by Governor 6/28/19 - Chapter 34, Acts, 1st Extraordinary Session, 2019
119. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplementing, amending, decreasing, and increasing items from the State Road Fund to the Department of Transportation** (original similar to SB1018) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/28/19 - Chapter 1, Acts, 1st Extraordinary Session, 2019
132. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplementing and amending existing items of appropriations to the Department of Agriculture** (original similar to SB1028) - Passed 7/22/2019; Effective from passage - To Governor 7/24/19 - Approved by Governor 7/29/19 - Chapter 2, Acts, 1st Extraordinary Session, 2019
133. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating to the admissibility of health care staffing requirements in medical professional liability litigation** (original similar to SB1022) - Passed 5/20/2019; Effective from passage - To Governor 5/24/19 - Approved by Governor 5/28/19 - Chapter 33, Acts, 1st Extraordinary Session, 2019
144. By Del. Hanshaw (Mr. Speaker), Miley and Howell [By Request of the Executive] - **West Virginia Business Ready Sites Program** (original similar to SB1041) - Passed 6/24/2019 - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 40, Acts, 1st Extraordinary Session, 2019
146. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Establishing and funding of substance use disorder treatment and recovery**

- facilities** (original similar to SB1045) - Passed 6/24/2019 - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 36, Acts, 1st Extraordinary Session, 2019
148. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Executive, Governor's Office** (original similar to SB1043) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 3, Acts, 1st Extraordinary Session, 2019
149. By Del. Hanshaw (Mr. Speaker), Miley, Linville, Mandt and Hornbuckle [By Request of the Executive] - **Making a supplementary appropriation to the Executive, Governor's Office, Civil Contingent Fund** (original similar to SB1047) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 4, Acts, 1st Extraordinary Session, 2019
150. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Revenue, Office of the Secretary, Home Rule Board Operations Fund** (original similar to SB1048) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 5, Acts, 1st Extraordinary Session, 2019
151. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Arts, Culture and History, Division of Culture and History, Lottery Education Fund** (original similar to SB1051) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 6, Acts, 1st Extraordinary Session, 2019
152. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation by adding a new item and increasing the expenditure to the Department of Revenue, State Budget Office** (original similar to SB1050) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 7, Acts, 1st Extraordinary Session, 2019
153. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health, Central Office** (original similar to SB1055) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 8, Acts, 1st Extraordinary Session, 2019
154. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Transportation, Division of Highways** (original similar to SB1049) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 9, Acts, 1st Extraordinary Session, 2019
- *155. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplementing, amending and increasing an item from the State Road**

Fund to the Department of Transportation, Division of Highways (original similar to SB1052) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 10, Acts, 1st Extraordinary Session, 2019

156. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Environmental Protection, Division of Environmental Protection** (original similar to SB1054) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 11, Acts, 1st Extraordinary Session, 2019
157. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Military Affairs and Public Safety, Division of Homeland Security and Emergency Management** (original similar to SB1053) - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 12, Acts, 1st Extraordinary Session, 2019
- *193. By Del. Ellington, Linville, Waxman, Foster, Howell, Dean, Harshbarger, Summers, Hamrick, Bibby and Cooper - **Relating to a statewide school personnel job bank** - Passed 7/22/2019 - To Governor 7/24/19 - Became law without Governor's signature 7/30/19 - Chapter 41, Acts, 1st Extraordinary Session, 2019
206. By Del. Espinosa, Wilson, Bibby, Little, Foster, Householder, Jeffries, D., Malcolm, Waxman, Hardy and Phillips (Originating in House Select Committee on Education Reform C) - **Relating to public education** - Passed 6/24/2019; Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 31, Acts, 1st Extraordinary Session, 2019
207. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Exempting from business and occupation tax certain merchant power plants** - Passed 7/23/2019 - To Governor 7/24/19 - Approved by Governor 7/30/19 - Chapter 46, Acts, 1st Extraordinary Session, 2019

HOUSE CONCURRENT RESOLUTIONS ADOPTED BY LEGISLATURE

101. By Del. Hanshaw (Mr. Speaker) - **Authorizing adjournments of the Senate and House of Delegates** - Adopted 3/10/2019
104. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Providing for the issuance of not to exceed \$600 million of bonds pursuant to the Roads to Prosperity Amendment of 2017** - Adopted 7/23/2019
105. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Providing for the issuance of not to exceed \$200 million of bonds after July 1, 2020 pursuant to the Roads to Prosperity Amendment of 2017** - Adopted 7/23/2019

ALL SENATE BILLS INTRODUCED

1001. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Upper Kanawha Valley Resiliency and Revitalization Program** (original similar to HB106) - Introduced 5/20/2019 - Constitutional rule suspended - Passed Senate 5/20/2019 - To House 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 30, Acts,1st Extraordinary Session, 2019
1004. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Antihazing law** (original similar to HB103) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective ninety days from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 32, Acts,1st Extraordinary Session, 2019
1006. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Authorizing WV Board of Physical Therapy to conduct criminal background checks on initial license applicants** (original similar to HB104) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 35, Acts,1st Extraordinary Session, 2019
1009. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Establishing health professionals student loan programs** (original similar to HB110) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 42, Acts,1st Extraordinary Session, 2019
1012. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Creating voluntary certification of recovery residences** - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 37, Acts,1st Extraordinary Session, 2019
1013. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Permitting certain trained professionals to provide counseling in medication-assisted treatment program** (original similar to HB109) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 38, Acts,1st Extraordinary Session, 2019
1015. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Secretary of State, General**

- Administrative Fees Account** (original similar to HB128) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Motion to postpone action one day rejected - Passed House 6/18/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 13, Acts,1st Extraordinary Session, 2019
1016. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to DOT, Division of Highways** (original similar to HB120) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/28/19 - Chapter 14, Acts,1st Extraordinary Session, 2019
1017. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Department of Arts, Culture, and History, Educational Broadcasting Authority** (original similar to HB126) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 6/18/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 15, Acts,1st Extraordinary Session, 2019
1019. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing, amending, decreasing, and increasing existing appropriations from State Road Fund to DOH for fiscal year ending June 30, 2020** (original similar to HB121) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/28/19 - Chapter 16, Acts,1st Extraordinary Session, 2019
1020. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing and amending Chapter 31, Acts of the Legislature, 2019, known as Budget Bill** (original similar to HB123) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 6/18/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 17, Acts,1st Extraordinary Session, 2019
1021. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Decreasing existing appropriation and adding appropriation to Department of Veterans' Assistance** - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 6/18/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 18, Acts,1st Extraordinary Session, 2019
1023. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing, amending, increasing, and adding items of appropriations to Attorney General, Consolidated Federal Fund** -

Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 6/18/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 19, Acts,1st Extraordinary Session, 2019

1024. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Department of Agriculture Capital Improvements Fund** (original similar to HB129) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 6/18/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 20, Acts,1st Extraordinary Session, 2019
1025. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to DHHR, Division of Human Services for fiscal year ending June 30, 2019** (original similar to HB125) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 6/18/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 21, Acts,1st Extraordinary Session, 2019
1026. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Expiring funds from Treasurer's Unclaimed Property Fund and supplementing appropriations to Governor's Office** - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 22, Acts,1st Extraordinary Session, 2019
1027. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Adding new items and increasing existing items to various accounts** (original similar to HB122) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Amended - Passed House 6/18/2019 - Effective from passage - Senate concurred in House amendments and passed bill 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 23, Acts,1st Extraordinary Session, 2019
1029. By Sen. Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel - **Increasing teacher and school service personnel salaries** - Introduced 5/20/2019 - To Education
1030. By Sen. Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel - **Increasing basic foundation allowance for county professional student support personnel** - Introduced 5/20/2019 - To Education

1031. By Sen. Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel - **Authorizing competitive grant program for vocational-technical education programs in middle schools** (original similar to HB139) - Introduced 5/20/2019 - To Education
1032. By Sen. Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel - **Restoring local public school flexibility** - Introduced 5/20/2019 - To Education
1033. By Sen. Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel - **Modifying school aid formula** - Introduced 5/20/2019 - To Education
1034. By Sen. Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel - **Relating to studies of certain issues affecting public education** - Introduced 5/20/2019 - To Education
1035. By Sen. Prezioso, Beach, Baldwin, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel - **Relating generally to high-quality education** (original similar to HB135) - Introduced 5/20/2019 - To Education
1036. By Sen. Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel - **Supplemental appropriation to DHHR, Division of Health** - Introduced 5/20/2019 - To Finance
1037. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to medical cannabis** (original similar to HB105) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate 5/20/2019 - Title amended - Effective from passage - To House 5/20/2019 - Motion to dispense reference, take up for immediate consideration and read a first time adopted - Passed House 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 39, Acts, 1st Extraordinary Session, 2019
1038. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to DHHR, Division of Health's Central Office** (original similar to HB130) - Introduced 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To House 5/20/2019 - Reference dispensed - Passed House 6/18/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 24, Acts, 1st Extraordinary Session, 2019
1039. By Sen. Carmichael (Mr. President), Rucker, Swope, Tarr, Trump, Blair, Boso, Azinger, Smith and Boley - **Establishing Student Success Act** - Introduced 6/1/2019 - Committee reference dispensed - Constitutional rule suspension rejected - Amended - Passed Senate with amended title 6/3/2019 - To House 6/17/2019 - Motion to lay upon the table the motion to refuse to receive message adopted - To Select Committee on Education Reform C

1040. By Sen. Carmichael (Mr. President) and Rucker - **Education Savings Account Act** - Introduced 6/1/2019 - To Rules - Amended - Constitutional rule suspended - Passed Senate 6/3/2019 - To House 6/17/2019 - To Select Committee on Education Reform B
1043. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Governor's Office, Federal Reimbursement** (original similar to HB148) - Introduced 6/24/2019 - To Rules
1044. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating to government contracts for work performed as part of disaster mitigation** (original similar to HB145) - Introduced 6/24/2019 - To Government Organization
1045. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating to establishment and funding of substance use disorder treatment facilities** (original similar to HB146) - Introduced 6/24/2019 - To Health and Human Resources
1046. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Creating pilot program encouraging utility infrastructure development to certain lands** (original similar to HB147) - Introduced 6/24/2019 - To Rules
1047. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Governor's Office, Civil Contingent Fund** (original similar to HB149) - Introduced 6/24/2019 - To Rules
1048. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Department of Revenue, Home Rule Board Operations Fund** (original similar to HB150) - Introduced 6/24/2019 - To Rules
1049. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Division of Highways** (original similar to HB154) - Introduced 6/24/2019 - To Rules
1050. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to Department of Revenue, State Budget Office** (original similar to HB152) - Introduced 6/24/2019 - To Rules
1051. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation from Lottery Net Profits to Division of Culture and History, Lottery Education Fund** (original similar to HB151) - Introduced 6/24/2019 - To Rules
1052. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing, amending, and increasing an item from State Road Fund to Division of Highways** (original similar to HB155) - Introduced 6/24/2019 - To Rules
1053. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to DMAPS, Division of Homeland Security**

- and Emergency Management** (original similar to HB157) - Introduced 6/24/2019 - To Rules
1054. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementary appropriation to DEP, Division of Environmental Protection** (original similar to HB156) - Introduced 6/24/2019 - To Rules
1055. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplemental appropriation to DHHR, Division of Health** (original similar to HB153) - Introduced 6/24/2019 - To Rules
1056. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing and amending items of appropriation to State Board of Education, State Aid to Schools** - Introduced 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To House 7/22/2019 - Reference dispensed - Passed House 7/22/2019 - Effective from passage - To Governor 7/26/19 - Approved by Governor 7/29/19 - Chapter 25, Acts, 1st Extraordinary Session, 2019
1057. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing and amending items of appropriation to State Board of Education** - Introduced 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To House 7/22/2019 - Reference dispensed - Passed House 7/22/2019 - Effective from passage - To Governor 7/26/19 - Approved by Governor 7/29/19 - Chapter 26, Acts, 1st Extraordinary Session, 2019
1058. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing and amending item of appropriation to Higher Education Policy Commission** - Introduced 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To House 7/22/2019 - Reference dispensed - Passed House 7/22/2019 - Effective from passage - To Governor 7/26/19 - Approved by Governor 7/29/19 - Chapter 27, Acts, 1st Extraordinary Session, 2019

ALL SENATE JOINT RESOLUTIONS OFFERED

101. By Sen. Blair, Boso and Cline - **Supervision of Free Schools Modification Amendment** - Introduced 6/2/2019 - To Judiciary

ALL SENATE RESOLUTIONS OFFERED

101. By Sen. Takubo - **Raising committee to notify House of Delegates Senate has assembled in extraordinary session** - Introduced 3/10/2019 - Committee reference dispensed - Adopted 3/10/2019
102. By Sen. Takubo - **Raising committee to notify Governor Legislature has assembled in extraordinary session** - Introduced 3/10/2019 - Committee reference dispensed - Adopted 3/10/2019

104. By Sen. Hamilton and Boso - **Congratulating Webster County High School Highlanders boys' basketball team for winning 2019 Class A State Championship** - Introduced 6/1/2019 - Adopted 6/3/2019
105. By Sen. Rucker, Romano and Facemire - **Recognizing Big Otter Elementary School students for competing in Fittest School in America Challenge** - Introduced 6/2/2019 - Committee reference dispensed - Adopted 6/2/2019
106. By Sen. Plymale, Woelfel, Carmichael (Mr. President), Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger and Weld - **Memorializing life of Honorable Robert R. Nelson** - Introduced 7/23/2019 - Committee reference dispensed - Adopted 7/23/2019
107. By Sen. Plymale, Woelfel and Stollings - **Recognizing Hunter Donahoe and Gabe Yeoman for winning first place in Additive Manufacturing at SkillsUSA National Leadership and Skills Conference** - Introduced 7/23/2019 - Committee reference dispensed - Adopted 7/23/2019
108. By Sen. Takubo - **Raising committee to notify Governor Senate is ready to adjourn sine die** - Introduced 9/23/2019 - Committee reference dispensed - Adopted 9/23/2019

SENATE BILLS COMMUNICATED TO HOUSE

1039. By Sen. Carmichael (Mr. President), Rucker, Swope, Tarr, Trump, Blair, Boso, Azinger, Smith and Boley - **Establishing Student Success Act** - Introduced 6/1/2019 - Committee reference dispensed - Constitutional rule suspension rejected - Amended - Passed Senate with amended title 6/3/2019 - To House 6/17/2019 - Motion to refuse to receive message tabled - To Select Committee on Education Reform C
1040. By Sen. Carmichael (Mr. President) and Rucker - **Education Savings Account Act** - Introduced 6/1/2019 - To Rules - Amended - Constitutional rule suspended - Passed Senate 6/3/2019 - To House 6/17/2019 - To Select Committee on Education Reform B

HOUSE BILLS COMMUNICATED TO SENATE

111. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating to refunds of excise taxes collected from dealers of petroleum products** (original similar to SB1005) - Introduced 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Senate 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 43, Acts, 1st Extraordinary Session, 2019

112. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating generally to the personal income tax** (original similar to SB1002) - Introduced 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Senate 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 44, Acts, 1st Extraordinary Session, 2019
113. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Establishing tax incentive for new business activity in qualified opportunity zones** (original similar to SB1014) - Introduced 5/20/2019 - Reference dispensed - Constitutional rule suspension rejected - Amended - Passed House 6/18/2019 - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 45, Acts, 1st Extraordinary Session, 2019
115. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating generally to court actions in abuse and neglect proceedings** (original similar to SB1008) - Introduced 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Senate 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 28, Acts, 1st Extraordinary Session, 2019
116. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating generally to persons eighteen years of age and older in the custody of the Bureau of Juvenile Services** (original similar to SB1007) - Introduced 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Senate 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate 5/20/2019 - Effective from passage - House concurred in Senate amendment and passed 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 29, Acts, 1st Extraordinary Session, 2019
117. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities** (original similar to SB1003) - Introduced 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - To Senate 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - To Governor 5/24/19 - Approved by Governor 5/29/19 - Chapter 47, Acts, 1st Extraordinary Session, 2019
118. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating to the use of post-criminal conduct in professional and occupational initial licensure decision making** (original similar to SB1011) - Introduced 5/20/2019 - Reference dispensed - Amended - Passed House 5/20/2019 - Effective from passage - To Senate 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - Senate reconsidered action - Amended - Passed Senate with amended title 6/1/2019 - Effective from passage - House concurred in Senate amendment and passed 6/17/2019 - Effective from passage - To

Governor 6/25/19 - Approved by Governor 6/28/19 - Chapter 34, Acts, 1st Extraordinary Session, 2019

119. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplementing, amending, decreasing, and increasing items from the State Road Fund to the Department of Transportation** (original similar to SB1018) - Introduced 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Senate 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/28/19 - Chapter 1, Acts, 1st Extraordinary Session, 2019
132. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplementing and amending existing items of appropriations to the Department of Agriculture** (original similar to SB1028) - Introduced 5/20/2019 - To Finance - Amendments pending - Passed House 6/19/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate 6/24/2019 - Effective from passage - House concurred in Senate amendment and passed 7/22/2019 - Effective from passage - To Governor 7/24/19 - Approved by Governor 7/29/19 - Chapter 2, Acts, 1st Extraordinary Session, 2019
133. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Relating to the admissibility of health care staffing requirements in medical professional liability litigation** (original similar to SB1022) - Introduced 5/20/2019 - Reference dispensed - Passed House 5/20/2019 - Effective from passage - To Senate 5/20/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 5/20/2019 - Effective from passage - To Governor 5/24/19 - Approved by Governor 5/28/19 - Chapter 33, Acts, 1st Extraordinary Session, 2019
144. By Del. Hanshaw (Mr. Speaker), Miley and Howell [By Request of the Executive] - **West Virginia Business Ready Sites Program** (original similar to SB1041) - Introduced 6/17/2019 - Amendments pending - Amended - Motion Previous Question Rejected - Passed House 6/19/2019 - Title amended - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 40, Acts, 1st Extraordinary Session, 2019
146. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Establishing and funding of substance use disorder treatment and recovery facilities** (original similar to SB1045) - Introduced 6/17/2019 - To Finance - Amendments pending - Passed House 6/19/2019 - Title amended - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 36, Acts, 1st Extraordinary Session, 2019
148. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Executive, Governor's Office** (original similar to SB1043) - Introduced 6/17/2019 - To Finance - Amendments pending - Passed House 6/19/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor

6/28/19 - Approved by Governor 6/28/19 - Chapter 3, Acts, 1st Extraordinary Session, 2019

149. By Del. Hanshaw (Mr. Speaker), Miley, Linville, Mandt and Hornbuckle [By Request of the Executive] - **Making a supplementary appropriation to the Executive, Governor's Office, Civil Contingent Fund** (original similar to SB1047) - Introduced 6/17/2019 - To Finance - Amendments pending - Passed House 6/19/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 4, Acts, 1st Extraordinary Session, 2019
150. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Revenue, Office of the Secretary, Home Rule Board Operations Fund** (original similar to SB1048) - Introduced 6/17/2019 - To Finance - Amendments pending - Passed House 6/19/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 5, Acts, 1st Extraordinary Session, 2019
151. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Arts, Culture and History, Division of Culture and History, Lottery Education Fund** (original similar to SB1051) - Introduced 6/17/2019 - To Finance - Amendments pending - Passed House 6/19/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 6, Acts, 1st Extraordinary Session, 2019
152. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation by adding a new item and increasing the expenditure to the Department of Revenue, State Budget Office** (original similar to SB1050) - Introduced 6/17/2019 - To Finance - Amendments pending - Passed House 6/19/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 7, Acts, 1st Extraordinary Session, 2019
153. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health, Central Office** (original similar to SB1055) - Introduced 6/17/2019 - To Finance - Amendment pending - Passed House 6/19/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 8, Acts, 1st Extraordinary Session, 2019
154. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Transportation, Division of Highways** (original similar to SB1049) -

Introduced 6/17/2019 - To Finance - Passed House 6/18/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 9, Acts, 1st Extraordinary Session, 2019

- *155. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Supplementing, amending and increasing an item from the State Road Fund to the Department of Transportation, Division of Highways** (original similar to SB1052) - Introduced 6/17/2019 - To Finance - Passed House 6/18/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 10, Acts, 1st Extraordinary Session, 2019
156. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Environmental Protection, Division of Environmental Protection** (original similar to SB1054) - Introduced 6/17/2019 - To Finance - Amendments pending - Passed House 6/19/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 11, Acts, 1st Extraordinary Session, 2019
157. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Military Affairs and Public Safety, Division of Homeland Security and Emergency Management** (original similar to SB1053) - Introduced 6/17/2019 - To Finance - Amendments pending - Passed House 6/19/2019 - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 12, Acts, 1st Extraordinary Session, 2019
- *158. By Del. Shott, Jennings, Hamrick, Westfall, Pack, Rohrbach, Dean, Cooper, Wilson and Mandt - **Improving education by requiring the state board to establish rules for student accountability regarding performance** - Introduced 6/17/2019 - To Select Committee on Education Reform A - Amendments pending - Passed House 6/19/2019 - To Senate 6/24/2019 - To Education
159. By Del. Foster, Espinosa, Shott, Summers, Graves, Kump, Hamrick, Porterfield, Harshbarger and Jennings - **Relating to information technology access for the blind and visually impaired** - Introduced 6/17/2019 - To Select Committee on Education Reform A - Amendments pending - Passed House 6/19/2019 - To Senate 6/24/2019 - To Education
160. By Del. Phillips, Foster, Hamrick, Westfall, Graves, Kump, Espinosa, Cooper, Jennings, Shott and Summers - **Ron Yost Personal Assistance Services Act** - Introduced 6/17/2019 - To Select Committee on Education Reform A - Amendments pending - Passed House 6/19/2019 - To Senate 6/24/2019 - To Education

161. By Del. Harshbarger, Summers, Cooper, Jennings, Phillips, Kump, Graves, Westfall, Hamrick, Shott and Porterfield - **Removing or revising obsolete, outdated, antiquated, inoperative, surplus or superseded provisions of code related to the School Building Authority** - Introduced 6/17/2019 - To Select Committee on Education Reform A - Amendments pending - Passed House 6/19/2019 - To Senate 6/24/2019 - To Education
- *162. By Del. Shott, Foster, Westfall, Graves, Espinosa, Summers, Kump, Phillips, Harshbarger and Jennings - **Removing antiquated, redundant, or expired provisions of the code for the administration of education** - Introduced 6/17/2019 - To Select Committee on Education Reform A - Amendments pending - Amended - Passed House 6/19/2019 - To Senate 6/24/2019 - To Education
163. By Del. Summers, Espinosa, Cooper, Hamrick, Foster, Harshbarger, Westfall, Graves, Kump and Phillips - **Removing sections of code relating to administration of education** - Introduced 6/17/2019 - To Select Committee on Education Reform A - Amendments pending - Passed House 6/19/2019 - To Senate 6/24/2019 - To Education
- *174. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Increasing and promoting school innovation and flexibility** - Introduced 6/17/2019 - To Select Committee on Education Reform B - Amendments pending - Passed House 6/19/2019 - To Senate 6/24/2019 - To Education
- *192. By Del. Shott, Graves, Howell, Kump, Worrell, Dean, Porterfield, Sypolt, Toney, Kessinger and Hill - **Removing certain fees for teaching** - Introduced 6/17/2019 - To Select Committee on Education Reform D - Amendments pending - Passed House 6/19/2019 - To Senate 6/24/2019 - To Education
- *193. By Del. Ellington, Linville, Waxman, Foster, Howell, Dean, Harshbarger, Summers, Hamrick, Bibby and Cooper - **Relating to a statewide school personnel job bank** - Introduced 6/17/2019 - To Select Committee on Education Reform D - Passed House 6/19/2019 - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate with amended title 6/24/2019 - House concurred in Senate amendment and passed 7/22/2019 - To Governor 7/24/19 - Became law without Governor's signature 7/30/19 - Chapter 41, Acts, 1st Extraordinary Session, 2019
206. By Del. Espinosa, Wilson, Bibby, Little, Foster, Householder, Jeffries, D., Malcolm, Waxman, Hardy and Phillips (Originating in House Select Committee on Education Reform C) - **Relating to public education** - Introduced 6/17/2019 - Motion to reject report from committee rejected - Motion to refer bill to the Education Committee rejected - Amendments pending - Amended - Motion Previous Question adopted - Motion Previous Question rejected - Motion Previous Question rejected - Passed House 6/19/2019 - Title amended - Effective from passage - To Senate 6/24/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/24/2019 - Effective from passage - To Governor 6/28/19 - Approved by Governor 6/28/19 - Chapter 31, Acts, 1st Extraordinary Session, 2019

207. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Exempting from business and occupation tax certain merchant power plants** - Introduced 7/22/2019 - To Finance - Amendment adopted (Division) - Passed House 7/23/2019 - To Senate 7/23/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 7/23/2019 - To Governor 7/24/19 - Approved by Governor 7/30/19 - Chapter 46, Acts, 1st Extraordinary Session, 2019

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102. By Del. Espinosa, Ellington, Wilson, Rowan, Hardy, Bibby, Cowles, Householder, Kessinger and Foster - **Desired Vision and Future for Public Education in West Virginia Interim Study** - Introduced 6/17/2019 - To Select Committee on Education Reform B - Adopted by House 6/17/2019 - To Senate 6/24/2019 - To Rules
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105. By Del. Hanshaw (Mr. Speaker) and Miley [By Request of the Executive] - **Providing for the issuance of not to exceed \$200 million of bonds after July 1, 2020 pursuant to the Roads to Prosperity Amendment of 2017** - Introduced 7/22/2019 - Reference dispensed - Adopted by House 7/22/2019 - To Senate 7/23/2019 - Committee reference dispensed - Adopted by Senate 7/23/2019

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1035 -	By Senators Prezioso, Beach, Baldwin, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel: Relating generally to high-quality education	60					61, 86
1036 -	By Senators Prezioso, Baldwin, Beach, Facemire, Hardesty, Ihlenfeld, Jeffries, Lindsay, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel: Supplemental appropriation to DHHR, Division of Health	61					61
1037 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating generally to medical cannabis	61		63, 64	63-64	84	61-65, 88, 89
1038 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to DHHR, Division of Health's Central Office	65			66	142	65-67, 216, 217
1039 -	By Senators Carmichael (Mr. President), Rucker, Swope, Tarr, Trump, Blair, Boso, Azinger, Smith and Boley: Establishing Student Success Act	90		108-111, 112-114, 119	119		90-95, 108-115, 118-125

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
1040 -	By Senators Carmichael (Mr. President) and Rucker: Education Savings Account Act	95	116	126	127		95-97, 108, 116-117, 126-127
1041 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: WV Business Ready Sites Program	97					98
1042 -	By Senators Jeffries, Lindsay and Baldwin: Special Community Development School Pilot Program	98					98
1043 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to Governor's Office, Federal Reimbursement	200					200
1044 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating to government contracts for work performed as part of disaster mitigation	200					200
1045 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Relating to establishment and funding of substance use disorder treatment facilities	201					201
1046 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Creating pilot program encouraging utility infrastructure development to certain lands	201					201
1047 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to Governor's Office, Civil Contingent Fund	201					202
1048 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to Department of Revenue, Home Rule Board Operations Fund	202					202

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
1049 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to Division of Highways	202					202
1050 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to Department of Revenue, State Budget Office	202					203
1051 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation from Lottery Net Profits to Division of Culture and History, Lottery Education Fund	203					203
1052 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplementing, amending, and increasing an item from State Road Fund to Division of Highways	203					203
1053 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to DMAPS, Division of Homeland Security and Emergency Management	203					203
1054 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplementary appropriation to DEP, Division of Environmental Protection	204					204
1055 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplemental appropriation to DHHR, Division of Health	204					204
1056 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplementing and amending items of appropriation to State Board of Education, State Aid to Schools	204			205	220	204-206, 228, 229

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
1057 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplementing and amending items of appropriation to State Board of Education	206			207	220	206-207, 228, 229
1058 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplementing and amending item of appropriation to Higher Education Policy Commission	208			208	220	208-209, 228, 229

Number	TITLE OF SENATE JOINT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
101 -	By Senators Blair, Boso and Cline: Supervision of Free Schools Modification Amendment	105					106

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
101 -	By Senator Takubo: Raising committee to notify House of Delegates Senate has assembled in extraordinary session	3			3	3
102 -	By Senator Takubo: Raising committee to notify Governor Legislature has assembled in extraordinary session	3			4	4
103 -	By Senators Takubo, Palumbo and Jeffries: Congratulating George Washington High School Patriots History Bowl team for winning WV State History Bowl Championship	18			20	20

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
104 -	By Senators Hamilton and Boso: Congratulating Webster County High School Highlanders boys' basketball team for winning 2019 Class A State Championship	98			118	99, 108, 118
105 -	By Senators Rucker, Romano and Facemire: Recognizing Big Otter Elementary School students for competing in Fittest School in America Challenge	106			107	107
106 -	By Senators Plymale, Woelfel, Carmichael (Mr. President), Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maroney, Maynard, Palumbo, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger and Weld: Memorializing life of Honorable Robert R. Nelson	211			213	213
107 -	By Senators Plymale, Woelfel and Stollings: Recognizing Hunter Donahoe and Gabe Yeoman for winning first place in Additive Manufacturing at SkillsUSA National Leadership and Skills Conference	213			214	214
108 -	By Senator Takubo: Raising committee to notify Governor Senate is ready to adjourn <i>sine die</i>	255			255	255

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
111 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Relating to refunds of excise taxes collected from dealers of petroleum products	67			68		67-69, 88, 89
112 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Relating generally to the personal income tax	69			70		69-71, 89
113 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Establishing tax incentive for new business activity in qualified opportunity zones	142			143		142-144, 216, 217
115 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Relating generally to court actions in abuse and neglect proceedings	71			72		71-73, 89
116 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Relating generally to persons eighteen years of age and older in the custody of the Bureau of Juvenile Services	73		74	74	84	73-75, 89
117 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities	75			76		75-76, 89
118 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Relating to the use of post-criminal conduct in professional and occupational initial licensure decision making	76		100-102, 103	78, 102-103	144	76-79, 99-104, 215, 217
119 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Supplementing, amending, decreasing, and increasing items from the State Road Fund to the Department of Transportation	79			79-80		79-80, 89

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
132 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Supplementing and amending existing items of appropriations to the Department of Agriculture	144		145-146	146	220	144-147, 228, 229
133 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Relating to the admissibility of health care staffing requirements in medical professional liability litigation	80			81-82		80-82, 89
144 -	By Hanshaw (Mr. Speaker), Delegates Miley and Howell [By Request of the Executive]: West Virginia Business Ready Sites Program	147			148		147-149, 216, 217
146 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Establishing and funding of substance use disorder treatment and recovery facilities	149			150		149-150, 216, 217
148 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Executive, Governor's Office	150			151		150-152, 216, 217
149 -	By Hanshaw (Mr. Speaker), Delegates Miley, Linville, Mandt and Hornbuckle [By Request of the Executive]: Making a supplementary appropriation to the Executive, Governor's Office, Civil Contingent Fund	152			153		152-153, 216, 217
150 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Department of Revenue, Office of the Secretary, Home Rule Board Operations Fund	154			155		154-155, 216, 217

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
151 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Department of Arts, Culture and History, Division of Culture and History, Lottery Education Fund	155			156		155-157, 216, 217
152 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation by adding a new item and increasing the expenditure to the Department of Revenue, State Budget Office	157			158		157-159, 216, 217
153 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health, Central Office	159			160		159-161, 216, 217
154 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Department of Transportation, Division of Highways	161			162		161-162, 216, 217
*155 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Supplementing, amending and increasing an item from the State Road Fund to the Department of Transportation, Division of Highways	162-163			163		162-164, 217
156 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Department of Environmental Protection, Division of Environmental Protection	164			165		164-166, 217

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
157 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Making a supplementary appropriation to the Department of Military Affairs and Public Safety, Division of Homeland Security and Emergency Management	166			167		166-168, 217
*158 -	By Delegates Shott, Jennings, Hamrick, Westfall, Pack, Rohrbach, Dean, Cooper, Wilson and Mandt: Improving education by requiring the state board to establish rules for student accountability regarding performance	168					168
159 -	By Delegates Foster, Espinosa, Shott, Summers, Graves, Kump, Hamrick, Porterfield, Harshbarger and Jennings: Relating to information technology access for the blind and visually impaired	168					168
160 -	By Delegates Phillips, Foster, Hamrick, Westfall, Graves, Kump, Espinosa, Cooper, Jennings, Shott and Summers: Ron Yost Personal Assistance Services Act	168					169
161 -	By Delegates Harshbarger, Summers, Cooper, Jennings, Phillips, Kump, Graves, Westfall, Hamrick, Shott and Porterfield: Removing or revising obsolete, outdated, antiquated, inoperative, surplus or superseded provisions of code related to the School Building Authority	169					170
*162 -	By Delegates Shott, Foster, Westfall, Graves, Espinosa, Summers, Kump, Phillips, Harshbarger and Jennings: Removing antiquated, redundant, or expired provisions of the code for the administration of education	170					171

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
163 -	By Delegates Summers, Espinosa, Cooper, Hamrick, Foster, Harshbarger, Westfall, Graves, Kump and Phillips: Removing sections of code relating to administration of education	171-172					172
*174 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Increasing and promoting school innovation and flexibility	172					172
*192 -	By Delegates Shott, Graves, Howell, Kump, Worrell, Dean, Porterfield, Sypolt, Toney, Kessinger and Hill: Removing certain fees for teaching	172					173
*193 -	By Delegates Ellington, Linville, Waxman, Foster, Howell, Dean, Harshbarger, Summers, Hamrick, Bibby and Cooper: Relating to a statewide school personnel job bank	173		174-175, 176	175	220	173-176, 228, 229
206 -	By Delegates Espinosa, Wilson, Bibby, Little, Foster, Householder, D. Jeffries, Malcolm, Waxman, Hardy and Phillips (originating in House Select Committee on Education Reform C): Relating to public education	176			198-199		176-199, 217
207 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Exempting from business and occupation tax certain merchant power plants	220			222		220-222, 228, 229

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
101 -	By Hanshaw (Mr. Speaker): Authorizing adjournments of the Senate and House of Delegates	4			5		4-5
102 -	By Delegates Espinosa, Ellington, Wilson, Rowan, Hardy, Bibby, Cowles, Householder, Kessinger and Foster: Desired Vision and Future for Public Education in West Virginia Interim Study	199					199
103 -	By Delegates Espinosa, Ellington, Wilson, Rowan, Hardy, Bibby, Cowles, Householder and Kessinger: Albert Yanni Programs Programs of Excellence in Vocational Education Interim Study	200					200
104 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Providing for the issuance of not to exceed \$600 million of bonds pursuant to the Roads to Prosperity Amendment of 2017	222			224		222-224
105 -	By Hanshaw (Mr. Speaker) and Delegate Miley [By Request of the Executive]: Providing for the issuance of not to exceed \$200 million of bonds after July 1, 2020 pursuant to the Roads to Prosperity Amendment of 2017	224			225		224-226

JOURNAL of THE SENATE State of West Virginia

EIGHTY-FOURTH LEGISLATURE

Second Extraordinary Session, 2019
November 18, 2019–November 19, 2019



NOTE: The proceedings of the Second Extraordinary Session of the West Virginia Legislature in the year 2019 (convened by the Governor on November 18, 2019, and adjourned *sine die* on November 19, 2019) are shown hereinafter.

SENATE OF WEST VIRGINIA
MEMBERS, OFFICERS, AND STANDING COMMITTEES

SECOND EXTRAORDINARY SESSION, 2019

OFFICERS

President: Mitch Carmichael, (R), Ripley
President pro Tempore: Donna J. Boley, (R), St. Marys
Clerk: Lee Cassis, Charleston
Sergeant at Arms: Joseph A. Freedman, Charleston
Doorkeeper: Jeffrey L. Branham, Cross Lanes

District	Name	Address
First	*William J. Ihlenfeld, (D) Ryan W. Weld, (R)	Wheeling Wellsburg
Second	*Charles H. Clements, (R) Michael J. Maroney, (R)	New Martinsville Glen Dale
Third	*Michael T. Azinger, (R) Donna J. Boley, (R)	Vienna St. Marys
Fourth	Mitch Carmichael, (R) *Eric J. Tarr, (R)	Ripley Scott Depot
Fifth	Robert H. Plymale, (D) *Michael A. Woelfel, (D)	Huntington Huntington
Sixth	*Mark R. Maynard, (R) Chandler Swope, (R)	Genoa Bluefield
Seventh	¹ Paul Hardesty, (D) *Ron D. Stollings, (D)	Holden Madison
Eighth	Glenn D. Jeffries, (D) *Richard D. Lindsay II, (D)	Red House Charleston
Ninth	Sue Cline, (R) *Rollan A. Roberts, (R)	Brenton Beaver
Tenth	*Stephen Baldwin, (D) Kenny Mann, (R)	Ronceverte Ballard
Eleventh	*Bill Hamilton, (R) ² John Pitsenbarger, (R)	Buckhannon Nallen
Twelfth	Douglas E. Facemire, (D) *Michael J. Romano, (D)	Sutton Clarksburg
Thirteenth	*Robert D. Beach, (D) Roman W. Prezioso, Jr., (D)	Morgantown Fairmont
Fourteenth	Randy E. Smith, (R) *Dave Sypolt, (R)	Davis Kingwood
Fifteenth	Craig Blair, (R) *Charles S. Trump IV, (R)	Martinsburg Berkeley Springs
Sixteenth	Patricia Puertas Rucker, (R) *John R. Unger II, (D)	Harpers Ferry Martinsburg
Seventeenth	Corey Palumbo, (D) *Tom Takubo, (R)	Charleston South Charleston

* Elected in 2018 to full four-year term.

¹ Appointed January 17, 2019, to unexpired term of Richard N. Ojeda II, who resigned January 14, 2019.

² Appointed October 17, 2019, to unexpired term of Gregory L. Boso, who resigned September 26, 2019.

Democrats	14
Republicans	<u>20</u>
Total	34

SENATE COMMITTEES

STANDING COMMITTEES OF THE SENATE SECOND EXTRAORDINARY SESSION, 2019

AGRICULTURE AND RURAL DEVELOPMENT

Senators Sypolt (*Chair*), Mann (*Vice Chair*), Clements, Cline, Maynard, Smith, Baldwin, Beach, Hardesty, and Woelfel.

BANKING AND INSURANCE

Senators Azinger (*Chair*), Clements (*Vice Chair*), Blair, Hamilton, Rucker, Swope, Sypolt, Tarr, Weld, Facemire, Jeffries, Palumbo, Prezioso, and Romano.

CONFIRMATIONS

Senators Boley (*Chair*), Takubo (*Vice Chair*), Azinger, Blair, Rucker, Weld, Palumbo, Plymale, and Prezioso.

ECONOMIC DEVELOPMENT

Senators Swope (*Chair*), Cline, Hamilton, Mann, Roberts, Pitsenbarger, Tarr, Baldwin, Ihlenfeld, Jeffries, Romano, Stollings, and Woelfel.

EDUCATION

Senators Rucker (*Chair*), Blair (*Vice Chair*), Azinger, Cline, Hamilton, Mann, Roberts, Pitsenbarger, Trump, Baldwin, Beach, Plymale, Romano, Stollings, and Unger.

ENERGY, INDUSTRY AND MINING

Senators Smith (*Chair*), Sypolt (*Vice Chair*), Boley, Clements, Cline, Hamilton, Mann, Swope, Facemire, Ihlenfeld, Jeffries, Lindsey, and Woelfel.

ENROLLED BILLS

Senators Maynard (*Chair*), Roberts (*Vice Chair*), Tarr, Lindsey, and Woelfel.

SENATE COMMITTEES

FINANCE

Senators Blair (*Chair*), Mann (*Vice Chair*), Boley, Hamilton, Maroney, Roberts, Swope, Sypolt, Takubo, Tarr, Facemire, Ihlenfeld, Palumbo, Plymale, Prezioso, Stollings, and Unger.

GOVERNMENT ORGANIZATION

Senators Maynard (*Chair*), Swope (*Vice Chair*), Clements, Mann, Maroney, Smith, Sypolt, Tarr, Facemire, Ihlenfeld, Jeffries, Lindsay, Palumbo, and Woelfel.

HEALTH AND HUMAN RESOURCES

Senators Maroney (*Chair*), Tarr (*Vice Chair*), Azinger, Maynard, Roberts, Rucker, Takubo, Weld, Palumbo, Plymale, Prezioso, Stollings, and Unger.

INTERSTATE COOPERATION

Senators Cline (*Chair*), Maynard (*Vice Chair*), Hamilton, Pitsenbarger, Hardesty, Ihlenfeld, and Unger.

JUDICIARY

Senators Trump (*Chair*), Weld (*Vice Chair*), Azinger, Clements, Cline, Maynard, Pitsenbarger, Rucker, Smith, Takubo, Baldwin, Beach, Hardesty, Jeffries, Lindsay, Romano, and Woelfel.

MILITARY

Senators Weld (*Chair*), Maroney (*Vice Chair*), Cline, Hamilton, Smith, Sypolt, Facemire, Hardesty, and Lindsay.

NATURAL RESOURCES

Senators Hamilton (*Chair*), Mann (*Vice Chair*), Cline, Pitsenbarger, Roberts, Rucker, Smith, Sypolt, Beach, Facemire, Hardesty, Prezioso, and Stollings.

PENSIONS

Senators Azinger (*Chair*), Hamilton (*Vice Chair*), Pitsenbarger, Trump, Ihlenfeld, Plymale, and Romano.

SENATE COMMITTEES

RULES

Senators Carmichael (*Chair*), Blair, Boley, Maroney, Sypolt, Takubo, Trump, Palumbo, Plymale, Prezioso, and Stollings.

TRANSPORTATION AND INFRASTRUCTURE

Senators Clements (*Chair*), Swope (*Vice Chair*), Boley, Mann, Roberts, Beach, Jeffries, and Plymale.

WORKFORCE

Senators Swope (*Chair*), Weld (*Vice Chair*), Maroney, Rucker, Smith, Tarr, Baldwin, Beach, Jeffries, and Stollings.

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE
SECOND EXTRAORDINARY SESSION, 2019

MONDAY, NOVEMBER 18, 2019

Pursuant to the proclamation of His Excellency, the Governor, the Honorable Jim Justice, dated the fourteenth day of November, two thousand nineteen, convening the eighty-fourth Legislature of West Virginia in extraordinary session today (Monday, November 18, 2019), under the provisions of section seven, article seven of the Constitution of West Virginia, the Senate assembled in its chamber in the state capitol in the City of Charleston at 12:13 p.m., and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Rollan A. Roberts, a senator from the ninth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Roman W. Prezioso, Jr., a senator from the thirteenth district.

Executive Communications

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



Jim Justice
Governor of West Virginia

October 17, 2019

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 John "J.R." Pitsenbarger, 5051 Wilderness Highway, Nallen, Nicholas County, West Virginia 26680, as a Senator representing the Eleventh Senatorial District, to fill the vacancy created by the resignation of the Honorable Greg Boso from this day through the remainder of the unexpired term of said office.

Sincerely,

A handwritten signature in blue ink that reads "Jim Justice".

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 Evan H. Jenkins, Justice of the Supreme Court of Appeals of West Virginia, on November 1, 2019.

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

Senators Azinger, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Tarr, Trump, Unger, Woelfel, and Carmichael (Mr. President).

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

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following proclamation from His Excellency, the Governor, convening the Legislature in extraordinary session, which was read by the Clerk:

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

Charleston

A PROCLAMATION

By the Governor

I, **JIM JUSTICE**, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at Noon on the eighteenth day of November, Two Thousand Nineteen, in its chambers in the State Capitol, City of Charleston, for the limited purpose of considering and acting upon the following matters:

FIRST: A bill amending the West Virginia Tourism Act to extend the availability of the Tourism Development Act Tax Credit Program and to authorize the tourism office, in conjunction with the development office, to participate in reviewing, processing, and approving applications received under the act; and

SECOND: A bill limiting the ability to expunge DUI offenses to those offenses that may be expunged by utilizing the existing process in W. Va. Code §17C-5-2b, to be in accordance with federal law; and

THIRD: A bill supplementing, amending, decreasing, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2020, organization 0803, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020; and

FOURTH: Legislation authorizing and appropriating the expenditure of public funds to pay for the Extraordinary Session.

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

DONE at the Capitol in the City of Charleston, State of West Virginia, this fourteenth day of November, in the year of our Lord, Two Thousand Nineteen, and in the One Hundred Fifty-Seventh year of the State.



James Justice
GOVERNOR

Mac Warner
SECRETARY OF STATE

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

Senate Resolution 201—Raising a committee to inform the House of Delegates the Senate has assembled in extraordinary session.

Resolved by the Senate:

That a committee of three be appointed by the President to inform the House of Delegates that the Senate has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business for which the extraordinary session was called by His Excellency, the Governor.

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

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

Senators Sypolt, Roberts, and Baldwin.

Subsequently, Senator Sypolt, from the committee to notify the House of Delegates the Senate has assembled in extraordinary session, and is ready to proceed with the business of the session, announced that the committee had discharged its duties.

A message from the House of Delegates, by

Delegates Jeffries, Fast, and Byrd, announced that the House of Delegates has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business stated in the proclamation convening the Legislature.

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

Senate Resolution 202—Raising a committee to wait upon the Governor.

Resolved by the Senate:

That a committee of three on the part of the Senate, to join with a similar committee on the part of the House of Delegates, be appointed by the President to notify His Excellency, the Governor, that at his call the Legislature has assembled in extraordinary session, with a quorum of each house present; and is ready to receive any communication or message he may be pleased to present under section seven, article seven of the Constitution of West Virginia, which provides that no business except that stated in his proclamation be considered.

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

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

Senators Pitsenbarger, Tarr, and Hardesty.

A message from the House of Delegates, by

Delegates Storch, Phillips, and Rowe, announced that the Speaker had appointed them a committee of three to join with a similar committee on the part of the Senate to wait upon the Governor, under the provisions of Senate Resolution 202. Senate and House members of this select committee then proceeded to the executive offices.

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

The Senate proceeded to the third order of business.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following communication from His Excellency, the Governor, consisting of executive nominations for appointees:



Jim Justice
Governor of West Virginia

November 15, 2019

Senate Executive Message No. 1
Second Extraordinary Session 2019

TO: The Honorable Members of the
West Virginia Senate

Ladies and Gentlemen:

I respectfully submit the following nominations for your advice and consent:

1. For Member, Board of Examiners in Counseling, Anthony Onorato, Morgantown, Monongalia County, for the term ending June 30, 2024.
2. For Member, Board of Examiners in Counseling, Lori Ellison, Hurricane, Putnam County, for the term ending June 30, 2024.
3. For Member, Board of Examiners in Counseling, Guy Gage III, Bridgeport, Harrison County, for the term ending June 30, 2024.
4. For Member, Board of Examiners in Counseling, James Patrick Ward, Williamstown, Wood County, for the term ending June 30, 2024.
5. For Member, Education Commission of the States, Sarah Stewart, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.
6. For Member, Education Commission of the States, Sarah Armstrong Tucker, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.
7. For Member, Education Commission of the States, William Hosaflook, Parkersburg, Wood County, to serve at the will and pleasure of the Governor.
8. For Member, Jobs Investment Trust Board, Ann R. Starcher, Charleston, Kanawha County, for the term ending June 30, 2022.

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000

OFFICE OF THE GOVERNOR

9. For Member, Jobs Investment Trust Board, Mark Grigsby, Nitro, Putnam County, for the term ending June 30, 2023.
10. For Member, Concord University Board of Governors, Terri Muscari, Pineville, Wyoming County, for the term ending June 30, 2023.
11. For Member, Concord University Board of Governors, Christopher L. Selvey, Fayetteville, Fayette County, for the term ending June 30, 2021.
12. For Member, Board of Funeral Service Examiners, John C. Valentine, Weston, Lewis County, for the term ending June 30, 2023.
13. For Member, Board of Funeral Service Examiners, Frederick H. Kitchen, Milton, Cabell County, for the term ending June 30, 2023.
14. For Member, West Virginia Board of Education, Miller Hall, Beckley, Raleigh County, for the term ending November 4, 2028.
15. For Member, Glenville State College Board of Governors, Ann Starcher Green, Charleston, Kanawha County, for the term ending June 30, 2023.
16. For Member, Glenville State College Board of Governors, Tilden L. Hackworth, Keyser, Mineral County, for the term ending June 30, 2021.
17. For Member, Glenville State College Board of Governors, Robert A. Marshall, Vienna, Wood County, for the term ending June 30, 2023.
18. For Member, Property Valuation Training and Procedures Commission, Agnes G. Queen, Weston, Lewis County, for the term ending June 30, 2022.
19. For Member, School Building Authority, T. Bart Willis, Logan, Logan County, for the term ending July 31, 2022.
20. For Member, School Building Authority, Sandra Hamilton, Martinsburg, Berkeley County, for the term ending July 31, 2022.
21. For Member, Board of Optometry, John S. LeRose III, Summersville, Nicholas County, for the term ending June 30, 2021.
22. For Member, Board of Optometry, Jennifer Logan Stevens, Charleston, Kanawha County, for the term ending June 30, 2021.
23. For Member, Board of Optometry, James W. Herman, Scott Depot, Putnam County, for the term ending June 30, 2021.
24. For Member, Board of Dentistry, David G. Edwards, Wellsburg, Brooke County, for the term ending June 30, 2022.

OFFICE OF THE GOVERNOR

25. For Member, National Coal Heritage Area Authority, Jay Chatman, Kimball, McDowell County, for the term ending June 30, 2021.
26. For Member, Commission on the Arts, John Strickland, Charleston, Kanawha County, for the term ending June 30, 2020.
27. For Member, Commission on the Arts, Holly Kleppner, Inwood, Berkeley County, for the term ending June 30, 2021.
28. For Member, Oil and Gas Conservation Commission, Randall M. Albert, Bluefield, Mercer County, for the term ending July 27, 2020.

Notice of these appointments was previously provided to the appropriate legislative staff at the time the appointments were made.

Sincerely,



Jim Justice
Governor

JCJ: mrrp

cc: Clerk of the Senate
Assistant Clerk of the Senate
Senate Confirmations Chair

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

On motion of Senator Boley, consideration of the nominations immediately hereinbefore reported was made a special order of business for 4 p.m. today.

The Senate proceeded to the thirteenth order of business.

The following communications were reported by the Clerk:

MITCH CARMICHAEL
SENATE PRESIDENT-LIEUTENANT GOVERNOR



304-357-7801
MITCH.CARMICHAEL@WVSENATE.GOV

STATE CAPITOL, ROOM M-227
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800

November 1, 2019

The Honorable John Pitsenbarger
West Virginia Senate
5051 Wilderness Highway
Nallen, WV 26680

Dear Senator Pitsenbarger:

Please find below your Senate committee assignments for the 84th Legislature.

Senate Committees:

Senate Economic Development Committee
Senate Education Committee
Senate Interstate Cooperation Committee
Senate Judiciary Committee
Senate Natural Resources Committee
Senate Pensions Committee

If you have any questions about your committee assignments, or committees generally, please do not hesitate to contact me.

Very Sincerely Yours,

A handwritten signature in black ink, appearing to read "Mitch B. Carmichael".

Mitch B. Carmichael
Senate President

MITCH CARMICHAEL
SENATE PRESIDENT-LIEUTENANT GOVERNOR



304-357-7801
MITCHEL.CARMICHAEL@WVSENATE.GOV

STATE CAPITOL, ROOM M-227
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800

The Honorable Patricia Rucker
West Virginia State Capitol
Room 417-M

November 13, 2019

Senator Rucker,

I hereby appoint you to the Senate Confirmations Committee. Your appointment is effective immediately. Thank you for your continued service.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitch B. Carmichael".

Mitch B. Carmichael

cc: The Honorable Lee Cassis, Senate Clerk

MITCH CARMICHAEL
SENATE PRESIDENT-LIEUTENANT GOVERNOR



304-357-7801
MITCH.CARMICHAEL@WVSENATE.GOV

STATE CAPITOL, ROOM M-227
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800

November 15, 2019

The Honorable Lee Cassis
Clerk of the Senate
West Virginia State Capitol
Room M-211

Clerk Cassis,

The following appointments are effective immediately:

Senator Bill Hamilton – Chair of the Committee on Natural Resources

Senator Mark Maynard – Chair of the Committee on Government Organization

Senator Chandler Swope – Chair of the Committee on Economic Development

Sincerely,

A handwritten signature in blue ink, which appears to read "Mitch B. Carmichael". The signature is fluid and cursive, with a large initial "M" and "C".

Mitch B. Carmichael

cc: Senator Bill Hamilton
Senator Mark Maynard
Senator Chandler Swope

Pending announcement of a meeting of a standing committee of the Senate,

On motion of Senator Trump, at 12:24 p.m., the Senate recessed until 4 p.m. today.

The Senate reconvened at 4:47 p.m. and, at the request of Senator Takubo, and by unanimous consent, returned to the fourth order of business.

Senator Boley, from the Committee on Confirmations, submitted the following report, which was received:

Your Committee on Confirmations has had under consideration

Senate Executive Message 1, dated November 15, 2019, requesting confirmation by the Senate of the nominations mentioned therein. The following list of names from Executive Message 1 is submitted:

1. For Member, Board of Examiners in Counseling, Anthony Onorato, Morgantown, Monongalia County, for the term ending June 30, 2024.

2. For Member, Board of Examiners in Counseling, Lori Ellison, Hurricane, Putnam County, for the term ending June 30, 2024.

3. For Member, Board of Examiners in Counseling, Guy Gage III, Bridgeport, Harrison County, for the term ending June 30, 2024.

4. For Member, Board of Examiners in Counseling, James Patrick Ward, Williamstown, Wood County, for the term ending June 30, 2024.

5. For Member, Education Commission of the States, Sarah Stewart, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

6. For Member, Education Commission of the States, Sarah Armstrong Tucker, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

7. For Member, Education Commission of the States, William Hosaflook, Parkersburg, Wood County, to serve at the will and pleasure of the Governor.

8. For Member, Jobs Investment Trust Board, Ann R. Starcher, Charleston, Kanawha County, for the term ending June 30, 2022.

9. For Member, Jobs Investment Trust Board, Mark Grigsby, Nitro, Putnam County, for the term ending June 30, 2023.

10. For Member, Concord University Board of Governors, Terri Muscari, Pineville, Wyoming County, for the term ending June 30, 2023.

11. For Member, Concord University Board of Governors, Christopher L. Selvey, Fayetteville, Fayette County, for the term ending June 30, 2021.

12. For Member, Board of Funeral Service Examiners, John C. Valentine, Weston, Lewis County, for the term ending June 30, 2023.

13. For Member, Board of Funeral Service Examiners, Frederick H. Kitchen, Milton, Cabell County, for the term ending June 30, 2023.

14. For Member, West Virginia Board of Education, Miller Hall, Beckley, Raleigh County, for the term ending November 4, 2028.

15. For Member, Glenville State College Board of Governors, Ann Starcher Green, Charleston, Kanawha County, for the term ending June 30, 2023.

16. For Member, Glenville State College Board of Governors, Tilden L. Hackworth, Keyser, Mineral County, for the term ending June 30, 2021.

17. For Member, Glenville State College Board of Governors, Robert A. Marshall, Vienna, Wood County, for the term ending June 30, 2023.

18. For Member, Property Valuation Training and Procedures Commission, Agnes G. Queen, Weston, Lewis County, for the term ending June 30, 2022.

19. For Member, School Building Authority, T. Bart Willis, Logan, Logan County, for the term ending July 31, 2022.

20. For Member, School Building Authority, Sandra Hamilton, Martinsburg, Berkeley County, for the term ending July 31, 2022.

21. For Member, Board of Optometry, John S. LeRose III, Summersville, Nicholas County, for the term ending June 30, 2021.

22. For Member, Board of Optometry, Jennifer Logan Stevens, Charleston, Kanawha County, for the term ending June 30, 2021.

23. For Member, Board of Optometry, James W. Herman, Scott Depot, Putnam County, for the term ending June 30, 2021.

24. For Member, Board of Dentistry, David G. Edwards, Wellsburg, Brooke County, for the term ending June 30, 2022.

25. For Member, National Coal Heritage Area Authority, Jay Chatman, Kimball, McDowell County, for the term ending June 30, 2021.

26. For Member, Commission on the Arts, John Strickland, Charleston, Kanawha County, for the term ending June 30, 2020.

27. For Member, Commission on the Arts, Holly Kleppner, Inwood, Berkeley County, for the term ending June 30, 2021.

28. For Member, Oil and Gas Conservation Commission, Randall M. Albert, Bluefield, Mercer County, for the term ending July 27, 2020.

And reports the same back with the recommendation that the Senate do advise and consent to all of the nominations listed above.

Respectfully submitted,

Donna J. Boley,
Chair.

The time having arrived for the special order of business to consider the list of nominees for public office submitted by His Excellency, the Governor, the special order thereon was called by the President.

Thereupon, Senator Carmichael (Mr. President) laid before the Senate the following executive message:

Senate Executive Message 1, dated November 15, 2019 (*shown in the Senate Journal of today, pages 7 through 9, inclusive*).

Senator Boley then moved that the Senate advise and consent to all of the executive nominations referred to in the foregoing report from the Committee on Confirmations.

The question being on the adoption of Senator Boley's aforestated motion,

The roll was then taken; and

On this question, the yeas were: Azinger, Baldwin, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Takubo, Tarr, Trump, Unger, Woelfel, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Mann, Maroney, Smith, Sypolt, and Weld—6.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's motion had prevailed and that all the executive nominations referred to in the foregoing report from the Committee on Confirmations had been confirmed.

Consideration of executive nominations having been concluded,

The Senate proceeded to the sixth order of business.

The following bills were introduced and read by their titles:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 2001—A Bill to amend and reenact §5B-2E-11 of the Code of West Virginia, 1931, as amended, relating to extending tax credits for certain tourism development and expansion projects authorized under the West Virginia Tourism Development Act.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Takubo, Tarr, Trump, Unger, Woelfel, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Mann, Maroney, Smith, Sypolt, and Weld—6.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2001 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Takubo, Tarr, Trump, Unger, Woelfel, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Mann, Maroney, Smith, Sypolt, and Weld—6.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 2001) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Takubo, Tarr, Trump, Unger, Woelfel, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Mann, Maroney, Smith, Sypolt, and Weld—6.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2001) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 2002—A Bill to amend and reenact §62-16-5 and §62-16-6 of the Code of West Virginia, 1931, as amended, all relating to clarifying provisions of the Military Service Member Court relating to driving offenses; prohibiting participation in the

court if the person has committed violations relating to driving under the influence of alcohol, controlled substances, or drugs with certain exceptions; authorizing Military Service Member Courts to utilize the test and lock and expungement process in certain driving under the influence cases; removing the authority to expunge convictions for all motor vehicle violations, except parking tickets, for commercial drivers licensees; and removing the authority to expunge convictions for motor vehicle violations.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Takubo, Tarr, Trump, Unger, Woelfel, and Carmichael (Mr. President)—28.

The nays were: None.

Absent: Beach, Mann, Maroney, Smith, Sypolt, and Weld—6.

The bill was read a second time.

On motion of Senator Trump, the following amendment to the bill was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 11. GENERAL PROVISIONS CONCERNING CRIMES.

§61-11-26b. Limitation on expungement for certain motor vehicle traffic control offenses.

(a) Notwithstanding the provisions of §61-11-26, §61-11-26a, and §62-16-1 et seq. of this code, no court or other tribunal has the authority to:

(1) Order the expungement of a conviction for a motor vehicle traffic control violation for a person who held a commercial driver's license or permit or who was operating a commercial motor vehicle at the time of the offense;

(2) Enter an order or take any action to mask a charge or conviction, divert a charge, or modify the records of a charge or conviction in a manner that would prevent an offense from appearing on an offender's commercial driving record; or

(3) Order the expungement of any conviction for driving under the influence of alcohol or controlled substances, as provided in §61-11-26 of this code.

(b) Notwithstanding any other provision of this code, no court or other tribunal may enter an order or take any other action related to a motor vehicle traffic control offense that violates any applicable federal law or regulation, including but not limited to:

(1) The requirements or conditions contained in 23 U.S.C. §164 et seq. and 23 C.F.R. §1275 et seq.; and

(2) The requirements or conditions contained in 49 U.S.C. §31311 and 49 C.F.R. §384 et seq.

CHAPTER 62. CRIMINAL PROCEDURE.

ARTICLE 16. THE MILITARY SERVICE MEMBERS COURT ACT.

§62-16-5. Eligibility; written agreement.

(a) *Eligibility.* — A military service member offender, who is eligible for probation based upon the nature of the offense for which he or she has been charged, and in consideration of his or

her criminal background, if any, may, upon application, be admitted into a court program only upon the agreement of the prosecutor and the offender. Additionally, the court must also determine whether the offense is in any way attributable to the offender's military service.

(b) A military service member offender may not participate in the court program if he or she has been charged with any of the following offenses:

(1) A sexual offense, including, but not limited to, a violation of the felony provisions of §61-8-1 *et seq.*, §61-8B-1 *et seq.*, §61-8C-1 *et seq.*, or §61-8D-1 *et seq.* of this code, or a criminal offense where the judge has made a written finding that the offense was sexually motivated;

(2) A felony violation of the provisions of §61-8D-2, §61-8D-2a, or §61-8D-3a of this code;

(3) A felony violation of the provisions of §61-14-3 or §61-14-4 of this code;

(4) A felony violation of §61-2-9b or §61-2-14 of this code;

(5) A felony violation of §61-2-28 of this code;

~~(6) A felony violation of §17C-5-2(b) of this code; or~~

~~(7) (6)~~ If he or she has previously been convicted in this state, another state, or in a federal court for any of the offenses enumerated above; ~~or~~

(7) A violation of §17C-5-2 of this code, except where the military service member is eligible to participate in the Motor Vehicle Test and Lock Program under §17C-5A-1 *et seq.* of this code.

(c) *Written agreement.* — Participation in a Military Service Members Court program, with the consent of both the prosecutor and the court, shall be pursuant to a written agreement. This written agreement shall set forth all of the agreed upon provisions to allow

the military service member offender to proceed in the court. The offender shall execute a written agreement with the court as to his or her participation in the program and shall agree to all of the terms and conditions of the program, including, but not limited to, the possibility of sanctions or incarceration for failing to comply with the terms of the program.

(d) Upon successful completion of a court program, the judge shall dispose of an offender's case in the manner prescribed by the written agreement and by the applicable policies and procedures adopted by the court. Disposition may include, but is not limited to, withholding criminal charges, dismissal of charges, probation, deferred sentencing, suspended sentencing, split sentencing, or a reduced period of incarceration: Provided, That a military service member court may not enter an order or take any action to mask a charge or conviction, divert a charge, or modify the records of a charge or conviction in a manner that would prevent an offense from appearing on an offender's commercial driving record.

§62-16-6. Procedure; mental health and substance abuse treatment; violation; termination.

(a) *Procedure.* — Upon application, the court shall order the offender to submit to an eligibility screening, a mental health and drug/alcohol screening, and an assessment by the Department of Veterans Affairs (VA) Veterans Justice Outreach to provide information on the offender's mental health or military service member status. The assessment shall include a risks assessment and be based, in part, upon the known availability of treatment resources available to the court. The assessment shall also include recommendations for treatment of the conditions which are indicating a need for treatment under the monitoring of the court and reflect a level of risk assessed for the individual seeking admission. The court is not required to order an assessment if a valid screening or assessment related to the present charge(s) pending against the offender has been completed within the previous 60 days.

(b) The court may order the offender to complete substance abuse treatment in an outpatient, inpatient, residential, or jail-based

custodial treatment program, order the offender to complete mental health counseling in an inpatient or outpatient basis, comply with all physician recommendations regarding medications, and complete all follow-up treatment. The mental health issues for which treatment may be provided include, but are not limited to, post-traumatic stress disorder, traumatic brain injury, and depression.

(c) *Mental health and substance abuse treatment.* — The court may maintain a network of mental health treatment programs and substance abuse treatment programs representing a continuum of graduated mental health and substance abuse treatment options commensurate with the needs of offenders; these shall include programs with the VA, the department, this state, and community-based programs.

(d) *Violation.* — The court may impose reasonable sanctions under the offender's written agreement, including, but not limited to, imprisonment or dismissal of the offender from the program. The court may reinstate criminal proceedings against him or her for a violation of probation, conditional discharge, or supervision hearing, if the court finds from the evidence presented, including, but not limited to, the reports or proffers of proof from the court's professionals that:

(1) The offender is not performing satisfactorily in the assigned program;

(2) The offender is not benefitting from educational treatment or rehabilitation;

(3) The offender has engaged in criminal conduct rendering him or her unsuitable for the program; or

(4) The offender has otherwise violated the terms and conditions of the program or his or her sentence or is for any reason unable to participate.

(e) *Termination.* — Upon successful completion of the terms and conditions of the program, the court may dismiss the original charges against the offender, successfully terminate the offender's

sentence, permit the offender to enter into a plea agreement to a lesser offense, or otherwise discharge him or her from any further proceedings against him or her in the original prosecution.

~~(f) Notwithstanding any provision of this code to the contrary, upon successful completion of the terms and conditions of the program, or if the presiding judge determines the lack of the ability to operate a motor vehicle is preventing program success, the court may expunge any driving offenses that prevent the veteran offender from obtaining a West Virginia driver's license.~~

(f) Nothing in this article shall be construed to permit a military service member court or any other court or tribunal to enter an order or take any other action that violates any applicable federal law or regulation, including but not limited to:

(1) The requirements or conditions contained in 23 U.S.C. §164 *et seq.* and 23 C.F.R. §1275 *et seq.*; and

(2) The requirements or conditions contained in 49 U.S.C. 31311 and 49 C.F.R. §384 *et seq.*

Following discussion,

The question being on the adoption of Senator Trump's amendment to the bill, the same was put and prevailed.

The bill, as amended, was ordered to engrossment and third reading.

Engrossed Senate Bill 2002 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Beach, Mann, Maroney, Smith, and Weld—5.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 2002) passed.

On motion of Senator Trump, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 2002—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-11-26b; and to amend and reenact §62-16-5 and §62-16-6 of said code, all relating generally to certain convictions or charges for motor vehicle traffic control offenses and records thereof; providing that courts are without jurisdiction to expunge convictions for motor vehicle traffic control offenses for any person who held a commercial driver's license or permit or was operating a commercial motor vehicle at the time of the offense; providing that a court or other tribunal may not enter an order or take any action that will prevent a motor vehicle traffic control offense from appearing on an offender's commercial driving records; clarifying that courts are without jurisdiction to expunge convictions for offenses involving driving under the influence of alcohol or drugs; providing that a court or other tribunal may not enter an order or take any action with regard to a motor vehicle traffic control offense in violation of applicable federal laws and regulations; providing that a person charged with any crime involving driving under the influence of alcohol or drugs is not eligible to participate in a military service member court program, except where the offender is eligible to participate in the Motor Vehicle Test and Lock Program; clarifying that military service member courts may not enter an order or take any action that will prevent a motor vehicle traffic control offense from appearing on an offender's commercial driving record; limiting the authority of military service member courts to expunge certain motor vehicle traffic offenses; and clarifying that a military service member court may not enter an order or take any action with regard to a motor vehicle traffic control offense in violation of applicable federal laws and regulations.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Beach, Mann, Maroney, Smith, and Weld—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2002) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 2003—A Bill supplementing, amending, decreasing, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2020, organization 0803, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo,

Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Beach, Mann, Maroney, Smith, and Weld—5.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2003 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Blair, Boley, Clements, Cline, Hamilton, Hardesty, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, and Carmichael (Mr. President)—20.

The nays were: Baldwin, Facemire, Ihlenfeld, Jeffries, Lindsay, Romano, Rucker, Unger, and Woelfel—9.

Absent: Beach, Mann, Maroney, Smith, and Weld—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2003) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Woelfel, and Carmichael (Mr. President)—29.

The nays were: None.

Absent: Beach, Mann, Maroney, Smith, and Weld—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2003) 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 eleventh order of business and the introduction of guests.

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senator Lindsay.

On motion of Senator Takubo, at 5:18 p.m., the Senate adjourned until tomorrow, Tuesday, November 19, 2019, at 12 Noon.

TUESDAY, NOVEMBER 19, 2019

The Senate met at 12:10 p.m.

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

Prayer was offered by the Honorable Bill Hamilton, a senator from the eleventh district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Robert D. Beach, a senator from the thirteenth district.

Pending the reading of the Journal of Monday, November 18, 2019,

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

The Clerk presented the following communications from various state agencies as required by the provisions of law:

Administration, Department of (State Building Commission Fund Monthly Activities Report) (§5-6-1)

Economic Development Authority (Audited Financial Statements) (§31-15-29)

Environmental Protection, Department of (Groundwater Programs and Activities) (§22-12-6)

Investment Management Board (Annual Report) (§12-6-14)

Investment Management Board (Audited Financial Statements) (§12-6-6)

Investment Management Board (Schedule of Investment Performance) (§12-6-6)

Jobs Investment Trust Board (Investment Analyses) (§12-7-12)

Nursing Home Administrators Licensing Board (§30-1-12)

Professional Engineers, Board of Registration for (§30-1-12)

Protective Services, Division of (Monthly Incidents Report) (§15-2D-3)

Public Employees Grievance Board (§6C-3-3)

Workforce West Virginia (Workforce Development Report) (§5B-2B-9)

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 passage, to take effect from passage, of

Eng. Senate Bill 2002, Limiting ability to expunge DUI offenses to those offenses which expungement complies with federal law.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 2003, Supplementing, amending, decreasing, and increasing existing appropriations to DOH for fiscal year ending June 30, 2020.

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

House Concurrent Resolution 201—Authorizing adjournments of the Senate and House of Delegates.

Resolved by the Legislature of West Virginia:

That during this Second Extraordinary Session of the Legislature in 2019, both the Senate and House of Delegates are hereby authorized to adjourn, as needed, for more than three days, pursuant to Section 23, Article VI of the Constitution of the State of West Virginia.

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

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

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

The Senate proceeded to the sixth order of business.

At the request of Senator Blair, unanimous consent being granted, Senator Blair offered the following pre-adjournment resolution from the floor:

Senate Resolution 203—Raising a committee to notify His Excellency, the Governor, that the Senate is ready to adjourn *sine die*.

Resolved by the Senate:

That the President be authorized to appoint a committee of three to notify His Excellency, the Governor, that the Senate has completed its labors and is ready to adjourn *sine die*.

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

Under the provisions of the foregoing resolution, Senator Carmichael (Mr. President) appointed the following committee to notify His Excellency, the Governor, that the Senate was ready to adjourn:

Senators Pitsenbarger, Tarr, and Hardesty.

Senators Pitsenbarger, Tarr, and Hardesty, comprising the Senate committee, then proceeded to the executive offices to notify His Excellency, the Governor, of imminent adjournment of the Senate for this extraordinary session of the Legislature.

Subsequently, Senator Pitsenbarger, from the select committee to notify His Excellency, the Governor, that the Senate had completed the business of this extraordinary session and was ready to adjourn *sine die*, returned to the chamber and was recognized by the President. Senator Pitsenbarger then reported this mission accomplished.

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

Senate Resolution 204—Raising a committee to notify the House of Delegates the Senate is ready to adjourn *sine die*.

Resolved by the Senate:

That the President be authorized to appoint a committee of three to notify the House of Delegates that the Senate has completed its labors and is ready to adjourn *sine die*.

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

Senator Carmichael (Mr. President), under the provisions of the foregoing resolution, appointed the following committee to notify the House of Delegates of impending Senate adjournment:

Senators Sypolt, Roberts, and Jeffries.

Subsequently, Senator Sypolt reported that the duties assigned by Senate Resolution 204 had been performed.

At the request of Senator Maynard, unanimous consent being granted, the Joint Committee on Enrolled Bills was granted permission, after it has examined, found truly enrolled and presented to His Excellency, the Governor, for his action, bills passed but not presented to him prior to adjournment of this second extraordinary session of the eighty-fourth Legislature in the year two thousand nineteen, to file its reports with the Clerk and that the same be included in the Journal of the last day of the session; and also, that any communications from His Excellency, the Governor, as to his action on bills after adjournment of the session, be included in the Journal.

In accordance with the foregoing unanimous consent agreement, the following report of the Joint Committee on Enrolled Bills was filed as follows:

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 20th day of November, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(S. B. 2002), Limiting ability to expunge DUI offenses to those offenses which expungement complies with federal law.

And,

(S. B. 2003), Supplementing, amending, decreasing, and increasing existing appropriations to DOH for fiscal year ending June 30, 2020.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

Executive Communications

Under authorization of Senate approval therefor in prior proceedings today, to include in this day's Journal communications showing the Governor's action on enrolled bills presented to him in post-session reports, the following is inserted hereinafter:

The Clerk then presented a communication from His Excellency, the Governor, advising that on November 20, 2019, he had approved **Enr. Senate Bill 2002** and **Enr. Senate Bill 2003**.

Senator Blair then moved that the second extraordinary session of the Senate in the year two thousand nineteen adjourn *sine die*.

The question being on the adoption of Senator Blair's aforestated motion, and on this question, Senator Prezioso demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Beach, Blair, Boley, Clements, Cline, Hamilton, Hardesty, Jeffries, Lindsay, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Rucker, Swope, Sypolt, Tarr, Unger, Woelfel, and Carmichael (Mr. President)—23.

The nays were: None.

Absent: Baldwin, Facemire, Ihlenfeld, Mann, Maroney, Romano, Smith, Stollings, Takubo, Trump, and Weld—11.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Blair's aforesated motion had prevailed.

In accordance with the foregoing motion, at 12:18 p.m., the second extraordinary session of the Senate in the year two thousand nineteen adjourned *sine die*.

[CLERK'S NOTE: The second extraordinary session of the Senate in the year two thousand nineteen was adjourned *sine die* on Tuesday, November 19, 2019. The House of Delegates, under the authority of House Concurrent Resolution 201, remained in extraordinary session and adjourned *sine die* on Monday, December 16, 2019. The following post-session action of the House of Delegates is inserted as follows:

On Monday, December 16, 2019,

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 2001, Extending tax credits for certain tourism development projects.

On Wednesday, December 18, 2019,

Senator Maynard, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 18th day of December, 2019, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

(S. B. 2001), Extending tax credits for certain tourism development projects.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Moore Capito,
Chair, House Committee.

On Thursday, January 2, 2020,

Enr. Senate Bill 2001 became law without the Governor's signature on January 2, 2020, under the provisions of Subsection 11, Section 51, Article VI of the Constitution of West Virginia.]

We hereby certify that the foregoing Senate record of the proceedings of the Second Extraordinary Session of the Eighty-Fourth Legislature, 2019, is the Official Journal of the Senate for said session.

President of the Senate

Clerk of the Senate

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HISTORY OF BILLS AND RESOLUTIONS CONSIDERED BY SENATE

SENATE BILLS PASSED LEGISLATURE

2001. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Extending tax credits for certain tourism development projects** - Passed 12/16/2019; Effective from passage - To Governor 12/18/19 - Became law without Governor's signature 1/2/2020 - Chapter 3, Acts, 2nd Extraordinary Session, 2019
2002. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Limiting ability to expunge DUI offenses to those offenses which expungement complies with federal law** - Passed 11/18/2019; Effective from passage - To Governor 11/20/19 - Approved by Governor 11/20/19 - Chapter 2, Acts, 2nd Extraordinary Session, 2019
2003. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing, amending, decreasing, and increasing existing appropriations to DOH for fiscal year ending June 30, 2020** - Passed 11/18/2019; Effective from passage - To Governor 11/20/19 - Approved by Governor 11/20/19 - Chapter 1, Acts, 2nd Extraordinary Session, 2019

HOUSE CONCURRENT RESOLUTIONS ADOPTED BY LEGISLATURE

201. By Del. Hanshaw (Mr. Speaker) - **Authorizing adjournments of the Senate and House of Delegates** - Adopted 11/19/2019

ALL SENATE BILLS INTRODUCED

2001. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Extending tax credits for certain tourism development projects** - Introduced 11/18/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 11/18/2019 - Effective from passage - To House 11/18/2019 - Reference dispensed - Constitutional Rule rejected - Passed House 12/16/2019 - Effective from passage - To Governor 12/18/19 - Became law without Governor's signature 1/2/2020 - Chapter 3, Acts, 2nd Extraordinary Session, 2019
2002. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Limiting ability to expunge DUI offenses to those offenses which expungement complies with federal law** - Introduced 11/18/2019 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate with amended title 11/18/2019 - Effective from passage - To House 11/18/2019 - Reference dispensed - Passed House 11/18/2019 - Effective from passage - To Governor 11/20/19 - Approved by Governor 11/20/19 - Chapter 2, Acts, 2nd Extraordinary Session, 2019
2003. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Supplementing, amending, decreasing, and increasing existing appropriations to DOH for fiscal year ending June 30, 2020** - Introduced 11/18/2019 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 11/18/2019 - Effective from passage - To House 11/18/2019 - Reference dispensed - Passed House 11/18/2019 - Effective from passage - To Governor 11/20/19 - Approved by Governor 11/20/19 - Chapter 1, Acts, 2nd Extraordinary Session, 2019

ALL SENATE RESOLUTIONS OFFERED

201. By Sen. Trump - **Notifying House of Delegates Senate has assembled in extraordinary session** - Introduced 11/18/2019 - Committee reference dispensed - Adopted 11/18/2019
202. By Sen. Trump - **Notifying Governor Legislature has assembled in extraordinary session** - Introduced 11/18/2019 - Committee reference dispensed - Adopted 11/18/2019
203. By Sen. Blair - **Notifying Governor Senate is ready to adjourn sine die** - Introduced 11/19/2019 - Committee reference dispensed - Adopted 11/19/2019
204. By Sen. Blair - **Notifying House of Delegates Senate is ready to adjourn sine die** - Introduced 11/19/2019 - Committee reference dispensed - Adopted 11/19/2019

**HOUSE CONCURRENT RESOLUTIONS
COMMUNICATED TO SENATE**

201. By Del. Hanshaw (Mr. Speaker) - **Authorizing adjournments of the Senate and House of Delegates** - Introduced 11/19/2019 - Reference dispensed - Adopted by House 11/18/2019 - To Senate 11/19/2019 - Committee reference dispensed - Adopted by Senate 11/19/2019

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2002 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Limiting ability to expunge DUI offenses to those offenses which expungement complies with federal law	18		19-24, 25	24	29	19-26, 32-33
2003 -	By Senators Carmichael (Mr. President) and Prezioso [By Request of the Executive]: Supplementing, amending, decreasing, and increasing existing appropriations to DOH for fiscal year ending June 30, 2020	26			27	30	26-27, 33

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
201 -	By Senator Trump: Notifying House of Delegates Senate has assembled in extraordinary session	5			5	5
202 -	By Senator Trump: Notifying Governor Legislature has assembled in extraordinary session	6			6	6
203 -	By Senator Blair: Notifying Governor Senate is ready to adjourn <i>sine die</i>	30			31	31
204 -	By Senator Blair: Notifying House of Delegates Senate is ready to adjourn <i>sine die</i>	31			32	32

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
201 -	By Hanshaw (Mr. Speaker): Authorizing adjournments of the Senate and House of Delegates	30			30		30