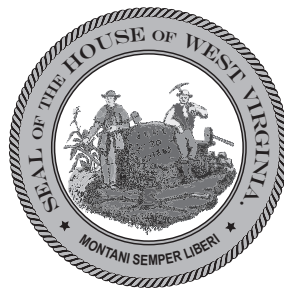


West Virginia Legislature

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February 24, 2016
FORTY-THIRD DAY

Wednesday, February 24, 2016

FORTY-THIRD DAY

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

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

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

The Clerk proceeded to read the Journal of Tuesday, February 23, 2016, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Ireland, Chair of the Committee on Energy, submitted the following report, which was received:

Your Committee on Energy has had under consideration:

H. B. 4435, Authorizing the Public Service Commission to approve expedited cost recovery of electric utility coal-fired boiler modernization and improvement projects,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (H. B. 4435) was referred to the Committee on Finance.

Delegate Ireland, Chair of the Committee on Energy, submitted the following report, which was received:

Your Committee on Energy has had under consideration:

H. B. 4668, Raising the allowable threshold of the coal severance tax revenue fund budgeted for personal services,

And reports the same back with the recommendation that it do pass but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (H. B. 4668) was referred to the Committee on Finance.

Delegate Ellington, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

Com. Sub. for S. B. 68, Disallowing Health Care Authority to conduct rate review and set rates for hospitals,

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

Delegate Ellington, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

H. B. 4486, Disallowing Health Care Authority to conduct rate review and set rates for hospitals,

And,

H. B. 4659, Authorizing local health departments to bill health insurance plans for services,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended, but that they first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bills (H. B. 4486 and H. B. 4659) were each referred to the Committee on Finance.

Delegate Ellington, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

H. B. 4409, Requiring in-service training programs in the use of the Heimlich maneuver and response to choking emergencies for all school personnel in pre-kindergarten, kindergarten and elementary schools,

And reports the same back with the recommendation that it do pass, but that it first be referred to the Committee on Education.

In accordance with the former direction of the Speaker, the bill (H. B. 4409) was referred to the Committee on Education.

Delegate Ellington, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

H. B. 4545, Relating to regulation of pharmacy benefits managers,

And reports the same back with the recommendation that it do pass, but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (H. B. 4545) was referred to the Committee on Finance.

Delegate Shott, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 4411, Relating to penalty for illegally taking native brook trout,

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

Delegate Shott, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 4330, Relating to make unlawful to take a fish, water animal or other aquatic organism from state waters to stock a commercial pond or lake,

And reports back a committee substitute therefor, with a new title, as follows:

Com. Sub. for H. B. 4330 — “A Bill to amend and reenact §20-2-64 of the Code of West Virginia, 1931, as amended, relating to making it unlawful to take, give or receive, or agree to take, give or receive, any fish, water animal or other aquatic organism from state waters to stock a commercial fishing preserve or other privately owned pond for commercial purposes,”

With the recommendation that the committee substitute do pass.

Delegate Shott, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 4339, Relating to wildlife resources,

And reports back a committee substitute therefor, with a new title, as follows:

Com. Sub. for H. B. 4339 — “A Bill to amend and reenact §20-2-4 of the Code of West Virginia, 1931, as amended, relating to wildlife resources; requiring the Director of the Division of Natural Resources, in connection with rulemaking concerning electronic registration of wildlife, to provide a procedure for persons who are not required to obtain licenses or permits to register wildlife using identification other than a social security number,”

With the recommendation that the committee substitute do pass.

Reordering of the Calendar

Delegate Cowles announced that the Committee on Rules had transferred H. B. 4315, H. B. 4465 and H. B. 4656, on Second Reading, Special Calendar, to the House Calendar.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4145, Relating to carry or use of a handgun or deadly weapon.

On motion of Delegate Cowles, the bill was taken up for immediate consideration. The following Senate amendment was reported by the Clerk:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“That §20-2-6a of the Code of West Virginia, 1931, as amended, be repealed; that §61-7-3, §61-7-4, §61-7-6, §61-7-7 and §61-7-11a of said code be amended and reenacted; and that said code be

amended by adding thereto three new sections, designated §61-7-4a, §61-7-15a and §61-7-17, all to read as follows:

ARTICLE 7. DANGEROUS WEAPONS.

§61-7-3. Carrying a deadly weapon without provisional license or other authorization by persons under twenty-one years of age; penalties.

(a) Any person under twenty-one years of age and not otherwise prohibited from possessing firearms under section seven of this article who carries a concealed deadly weapon, without a state license or other lawful authorization established under the provisions of this code, ~~shall be~~ is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000 and may be imprisoned in ~~the county~~ jail for not more than twelve months for the first offense; but upon conviction of a second or subsequent offense, he or she ~~shall be~~ is guilty of a felony and, upon conviction thereof, shall be imprisoned in ~~the penitentiary~~ a state correctional facility not less than one nor more than five years and fined not less than \$1,000 nor more than \$5,000.

(b) ~~It shall be the duty of the~~ The prosecuting attorney in all cases ~~to~~ shall ascertain whether or not the charge made by the grand jury is a first offense or is a second or subsequent offense and, if it ~~shall be~~ is a second or subsequent offense, it shall be so stated in the indictment returned, and the prosecuting attorney shall introduce the record evidence before the trial court of such second or subsequent offense and ~~shall~~ may not be permitted to use discretion in introducing evidence to prove the same on the trial.

§61-7-4. License to carry deadly weapons; how obtained.

(a) Except as provided in subsection (h) of this section, any person desiring to obtain a state license to carry a concealed deadly weapon shall apply to the sheriff of his or her county for the license, and pay to the sheriff, at the time of application, a fee of \$75, of which \$15 of that amount shall be deposited in the Courthouse Facilities Improvement Fund created by section six, article twenty-six, chapter twenty-nine of this code. Concealed weapons ~~permits~~ license may only be issued for pistols ~~or~~ and revolvers. Each applicant shall file with the sheriff a complete application, as prepared by the Superintendent of the West Virginia State Police, in writing, duly verified, which sets forth only the following licensing requirements:

(1) The applicant's full name, date of birth, Social Security number, a description of the applicant's physical features, the applicant's place of birth, the applicant's country of citizenship and, if the applicant is not a United States citizen, any alien or admission number issued by the United States Bureau of Immigration and Customs Enforcement, and any basis, if applicable, for an exception to the prohibitions of 18 U. S. C. §922(g)(5)(B);

(2) That, on the date the application is made, the applicant is a bona fide United States citizen or legal resident thereof and resident of this state and of the county in which the application is made and has a valid driver's license or other state-issued photo identification showing the residence;

(3) That the applicant is twenty-one years of age or older; ~~Provided, That any individual who is less than twenty-one years of age and possesses a properly issued concealed weapons license as of the effective date of this article shall be licensed to maintain his or her concealed weapons license notwithstanding the provisions of this section requiring new applicants to be at least twenty-one years of age: Provided, however, That upon a showing of any applicant who is eighteen years of age or older that he or she is required to carry a concealed weapon as a condition for employment, and presents satisfactory proof to the sheriff thereof, then he or she shall be issued a license upon meeting all other conditions of this section. Upon discontinuance of employment that requires the concealed weapons license, if the individual issued the license is not yet twenty-one years of age,~~

~~then the individual issued the license is no longer eligible and must return his or her license to the issuing sheriff;~~

(4) That the applicant is not addicted to alcohol, a controlled substance or a drug and is not an unlawful user thereof as evidenced by either of the following within the three years immediately prior to the application:

(A) Residential or court-ordered treatment for alcoholism or alcohol detoxification or drug treatment; or

(B) Two or more convictions for driving while under the influence or driving while impaired;

(5) That the applicant has not been convicted of a felony unless the conviction has been expunged or set aside or the applicant's civil rights have been restored or the applicant has been unconditionally pardoned for the offense;

(6) That the applicant has not been convicted of a misdemeanor crime of violence other than an offense set forth in subdivision (7) of this section in the five years immediately preceding the application;

(7) That the applicant has not been convicted of a misdemeanor crime of domestic violence as defined in 18 U. S. C. §921(a)(33), or a misdemeanor offense of assault or battery either under ~~the provisions of~~ section twenty-eight, article two of this chapter or ~~the provisions of~~ subsection (b) or (c), section nine, article two of this chapter in which the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense, or a misdemeanor offense with similar essential elements in a jurisdiction other than this state;

(8) That the applicant is not under indictment for a felony offense or is not currently serving a sentence of confinement, parole, probation or other court-ordered supervision imposed by a court of any jurisdiction or is the subject of an emergency or temporary domestic violence protective order or is the subject of a final domestic violence protective order entered by a court of any jurisdiction;

(9) That the applicant has not been adjudicated to be mentally incompetent or involuntarily committed to a mental institution. If the applicant has been adjudicated mentally incompetent or involuntarily committed the applicant must provide a court order reflecting that the applicant is no longer under such disability and the applicant's right to possess or receive a firearm has been restored;

(10) That the applicant is not prohibited under the provisions of section seven of this article or federal law, including 18 U. S. C. §922(g) or (n), from receiving, possessing or transporting a firearm;

(11) That the applicant has qualified under the minimum requirements set forth in subsection (d) of this section for handling and firing the weapon: *Provided*, That this requirement shall be waived in the case of a renewal applicant who has previously qualified; and

(12) That the applicant authorizes the sheriff of the county, or his or her designee, to conduct an investigation relative to the information contained in the application.

(b) For both initial and renewal applications, the sheriff shall conduct an investigation including a nationwide criminal background check consisting of inquiries of the National Instant Criminal Background Check System, the West Virginia criminal history record responses and the National Interstate Identification Index and shall review the information received in order to verify that the information required in subsection (a) of this section is true and correct. A license may not be issued

unless the issuing sheriff has verified through the National Instant Criminal Background Check System that the information available to him or her does not indicate that receipt or possession of a firearm by the applicant would be in violation of the provisions of section seven of this article or federal law, including 18 U. S. C. §922(g) or (n).

(c) Sixty dollars of the application fee and any fees for replacement of lost or stolen licenses received by the sheriff shall be deposited by the sheriff into a concealed weapons license administration fund. The fund shall be administered by the sheriff and shall take the form of an interest-bearing account with any interest earned to be compounded to the fund. Any funds deposited in this concealed weapon license administration fund are to be expended by the sheriff to pay the costs associated with issuing concealed weapons licenses. Any surplus in the fund on hand at the end of each fiscal year may be expended for other law-enforcement purposes or operating needs of the sheriff's office, as the sheriff considers appropriate.

(d) All persons applying for a license must complete a training course in handling and firing a handgun, which includes the actual live firing of ammunition by the applicant. The successful completion of any of the following courses fulfills this training requirement: Provided, That the completed course includes the actual live firing of ammunition by the applicant:

(1) Any official National Rifle Association handgun safety or training course;

(2) Any handgun safety or training course or class available to the general public offered by an official law-enforcement organization, community college, junior college, college or private or public institution or organization or handgun training school utilizing instructors certified by the institution;

(3) Any handgun training or safety course or class conducted by a handgun instructor certified as such by the state or by the National Rifle Association;

(4) Any handgun training or safety course or class conducted by any branch of the United States military, reserve or National Guard or proof of other handgun qualification received while serving in any branch of the United States military, reserve or National Guard.

A photocopy of a certificate of completion of any of the courses or classes or an affidavit from the instructor, school, club, organization or group that conducted or taught the course or class attesting to the successful completion of the course or class by the applicant or a copy of any document which shows successful completion of the course or class is evidence of qualification under this section and shall include the instructor's name, signature and NRA or state instructor identification number, if applicable.

(e) All concealed weapons license applications must be notarized by a notary public duly licensed under article four, chapter twenty-nine of this code. Falsification of any portion of the application constitutes false swearing and is punishable under ~~the provisions of~~ section two, article five, chapter sixty-one of this code.

(f) The sheriff shall issue a license unless he or she determines that the application is incomplete, that it contains statements that are materially false or incorrect or that applicant otherwise does not meet the requirements set forth in this section. The sheriff shall issue, reissue or deny the license within forty-five days after the application is filed if all required background checks authorized by this section are completed.

(g) Before any approved license is issued or is effective, the applicant shall pay to the sheriff a fee in the amount of \$25 which the sheriff shall forward to the Superintendent of the West Virginia State Police within thirty days of receipt. The license is valid for five years throughout the state, unless sooner revoked.

(h) Each license shall contain the full name and address of the licensee and a space upon which the signature of the licensee shall be signed with pen and ink. The issuing sheriff shall sign and attach his or her seal to all license cards. The sheriff shall provide to each new licensee a duplicate license card, in size similar to other state identification cards and licenses, suitable for carrying in a wallet, and the license card is considered a license for the purposes of this section. All duplicate license cards issued on or after July 1, 2017, shall be uniform across all fifty-five counties in size, appearance and information and shall feature a photograph of the licensee.

(i) The Superintendent of the West Virginia State Police, in cooperation with the West Virginia Sheriffs' Bureau of Professional Standards, shall prepare uniform applications for licenses and license cards showing that the license has been granted and shall do any other act required to be done to protect the state and see to the enforcement of this section.

(j) If an application is denied, the specific reasons for the denial shall be stated by the sheriff denying the application. Any person denied a license may file, in the circuit court of the county in which the application was made, a petition seeking review of the denial. The petition shall be filed within thirty days of the denial. The court shall then determine whether the applicant is entitled to the issuance of a license under the criteria set forth in this section. The applicant may be represented by counsel, but in no case is the court required to appoint counsel for an applicant. The final order of the court shall include the court's findings of fact and conclusions of law. If the final order upholds the denial, the applicant may file an appeal in accordance with the Rules of Appellate Procedure of the Supreme Court of Appeals. If the findings of fact and conclusions of law of the court fail to uphold the denial, the applicant may be entitled to reasonable costs and attorney's fees, payable by the sheriff's office which issued the denial.

(k) If a license is lost or destroyed, the person to whom the license was issued may obtain a duplicate or substitute license for a fee of \$5 by filing a notarized statement with the sheriff indicating that the license has been lost or destroyed.

(l) Whenever any person after applying for and receiving a concealed ~~handgun~~ weapon license moves from the address named in the application to another county within the state, the license remains valid for the remainder of the five years unless the sheriff of the new county has determined that the person is no longer eligible for a concealed ~~deadly~~ weapon license under this article, and the sheriff shall issue a new license bearing the person's new address and the original expiration date for a fee not to exceed \$5: *Provided*, That the licensee, within twenty days thereafter, notifies the sheriff in the new county of residence in writing of the old and new addresses.

(m) The sheriff shall, immediately after the license is granted as aforesaid, furnish the Superintendent of the West Virginia State Police a certified copy of the approved application. The sheriff shall furnish to the Superintendent of the West Virginia State Police at any time so requested a certified list of all licenses issued in the county. The Superintendent of the West Virginia State Police shall maintain a registry of all persons who have been issued concealed weapons licenses.

(n) The sheriff shall deny any application or revoke any existing license upon determination that any of the licensing application requirements established in this section have been violated by the licensee.

(o) A person who is engaged in the receipt, review or in the issuance or revocation of a concealed weapon license does not incur any civil liability as the result of the lawful performance of his or her duties under this article.

(p) Notwithstanding ~~the provisions of~~ subsection (a) of this section, with respect to application by a former law-enforcement officer honorably retired from agencies governed by article fourteen, chapter seven of this code; article fourteen, chapter eight of this code; article two, chapter fifteen of

this code; and article seven, chapter twenty of this code, an honorably retired officer is exempt from payment of fees and costs as otherwise required by this section. All other application and background check requirements set forth in this ~~shall be~~ section are applicable to these applicants.

(q) Information collected under this section, including applications, supporting documents, permits, renewals or any other information that would identify an applicant for or holder of a concealed weapon ~~permit~~ license, is confidential: *Provided:* That ~~such~~ this information may be disclosed to a law-enforcement agency or officer: (i) To determine the validity of a ~~permit~~ license; (ii) to assist in a criminal investigation or prosecution; or (iii) for other lawful law-enforcement purposes. A person who violates this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$50 or more than \$200 for each offense.

(r) Except as restricted or prohibited by the provisions of this article or as otherwise prohibited by law, the issuance of a concealed weapon ~~permit~~ license issued in accordance with the provisions of this section authorizes the holder of the ~~permit~~ license to carry a concealed pistol or revolver on the lands or waters of this state.

§61-7-4a. Provisional license to carry deadly weapons; how obtained.

(a) Any person who is at least eighteen years of age and less than twenty-one years of age who desires to obtain a state license to carry a concealed deadly weapon shall apply to the sheriff of his or her county for a provisional license, and pay to the sheriff, at the time of application, a fee of \$25, of which \$5 of that amount shall be deposited in the Courthouse Facilities Improvement Fund created by section six, article twenty-six, chapter twenty-nine of this code. Provisional licenses may only be issued for pistols or revolvers. Each applicant shall file with the sheriff a complete application, as prepared by the Superintendent of the West Virginia State Police, in writing, duly verified, which sets forth only the following licensing requirements:

(1) The applicant's full name, date of birth, Social Security number, a description of the applicant's physical features, the applicant's place of birth, the applicant's country of citizenship and, if the applicant is not a United States citizen, any alien or admission number issued by the United States Bureau of Immigration and Customs Enforcement, and any basis, if applicable, for an exception to the prohibitions of 18 U. S. C. §922(g)(5)(B);

(2) That, on the date the application is made, the applicant is a bona fide resident of this state and of the county in which the application is made and has a valid driver's license or other state-issued photo identification showing the residence;

(3) That the applicant is at least eighteen years of age and less than twenty-one years of age;

(4) That the applicant is not addicted to alcohol, a controlled substance or a drug and is not an unlawful user thereof as evidenced by either of the following within the three years immediately prior to the application:

(A) Residential or court-ordered treatment for alcoholism or alcohol detoxification or drug treatment; or

(B) Two or more convictions for driving while under the influence or driving while impaired;

(5) That the applicant has not been convicted of a felony unless the conviction has been expunged or set aside, or the applicant's civil rights have been restored or the applicant has been unconditionally pardoned for the offense;

(6) That the applicant has not been convicted of a misdemeanor crime of violence other than an offense set forth in subdivision (7) of this section within five years immediately preceding the application;

(7) That the applicant has not been convicted of a misdemeanor crime of domestic violence as defined in 18 U. S. C. §921(a)(33), or a misdemeanor offense of assault or battery under either section twenty-eight, article two of this chapter or subsection (b) or (c), section nine, article two of this chapter in which the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense, or a misdemeanor offense with similar essential elements in a jurisdiction other than this state;

(8) That the applicant is not under indictment for a felony offense or is not currently serving a sentence of confinement, parole, probation or other court-ordered supervision imposed by a court of any jurisdiction, or is the subject of an emergency or temporary domestic violence protective order or is the subject of a final domestic violence protective order entered by a court of any jurisdiction;

(9) That the applicant has not been adjudicated to be mentally incompetent or involuntarily committed to a mental institution. If the applicant has been adjudicated mentally incompetent or involuntarily committed, the applicant must provide a court order reflecting that the applicant is no longer under such disability and the applicant's right to possess or receive a firearm has been restored;

(10) That the applicant is not prohibited under section seven of this article or federal law, including 18 U. S. C. §922(g) or (n), from receiving, possessing or transporting a firearm;

(11) That the applicant has qualified under the minimum requirements set forth in subsection (d) of this section for handling and firing the weapon;

(12) That the applicant authorizes the sheriff of the county, or his or her designee, to conduct an investigation relative to the information contained in the application.

(b) For provisional license applications, the sheriff shall conduct an investigation including a nationwide criminal background check consisting of inquiries of the National Instant Criminal Background Check System, the West Virginia criminal history record responses and the National Interstate Identification Index, and shall review the information received in order to verify that the information required in subsection (a) of this section is true and correct. A provisional license may not be issued unless the issuing sheriff has verified through the National Instant Criminal Background Check System that the information available does not indicate that receipt of or possession of a firearm by the applicant would be in violation of the provisions of section seven of this article or federal law, including 18 U. S. C. §922(g) or (n).

(c) Twenty dollars of the application fee and any fees for replacement of lost or stolen provisional licenses received by the sheriff shall be deposited by the sheriff into a concealed weapons license administration fund. The fund shall be administered by the sheriff and shall take the form of an interest-bearing account with any interest earned to be compounded to the fund. Any funds deposited in said fund are to be expended by the sheriff to pay the costs associated with issuing concealed weapons provisional licenses. Any surplus in the fund on hand at the end of each fiscal year may be expended for other law-enforcement purposes or operating needs of the sheriff's office, as the sheriff considers appropriate.

(d) All persons applying for a provisional license must complete a training course in handling and firing a handgun, which includes the actual live firing of ammunition by the applicant. The successful completion of any of the following courses fulfills this training requirement: *Provided*, That the completed course included the actual live firing of ammunition by the applicant:

(1) Any official National Rifle Association handgun safety or training course;

(2) Any handgun safety or training course or class available to the general public offered by an official law-enforcement organization, community college, junior college, college, or private or public institution, or organization or handgun training school utilizing instructors certified by the institution;

(3) Any handgun training or safety course or class conducted by a handgun instructor certified as such by the state or by the National Rifle Association;

(4) Any proof of current or former service in the United States armed forces, armed forces reserves or National Guard.

A photocopy of a certificate of completion of any of the courses or classes or an affidavit from the instructor, school, club, organization or group that conducted or taught the course or class attesting to the successful completion of the course or class by the applicant, or a copy of any document which shows successful completion of the course or class, is evidence of qualification under this section. Certificates, affidavits or other documents submitted to show completion of a course or class shall include instructor information and proof of instructor certification, including, if applicable, the instructor's NRA instructor certification number.

(e) All provisional license applications must be notarized by a notary public duly licensed under article four, chapter twenty-nine of this code. Falsification of any portion of the application constitutes false swearing and is punishable under section two, article five of this chapter.

(f) The sheriff shall issue a provisional license unless the sheriff determines that the application is incomplete, that it contains statements that are materially false or incorrect or that applicant otherwise does not meet the requirements set forth in this section. The sheriff shall issue, reissue or deny the license within forty-five days after the application is filed once all required background checks authorized by this section are completed.

(g) Before any approved license is issued or is effective, the applicant shall pay to the sheriff a fee in the amount of \$15 which the sheriff shall forward to the Superintendent of the West Virginia State Police within thirty days of receipt. The provisional license is valid until the licensee turns twenty-one years of age, unless sooner revoked.

(h) Each provisional license shall contain the full name and address of the licensee and a space upon which the signature of the licensee shall be signed with pen and ink. The issuing sheriff shall sign and attach his or her seal to all provisional license cards. The sheriff shall provide to each new licensee a duplicate license card, in size similar to other state identification cards and licenses, suitable for carrying in a wallet, and the license card is considered a license for the purposes of this section. Duplicate license cards issued shall be uniform across all fifty-five counties in size, appearance and information and must feature a photograph of the licensee. The provisional license shall be readily distinguishable from a license issued pursuant to section four of this article and shall state: 'NOT NICS EXEMPT. This license confers the same rights and privileges to carry a concealed pistol or revolver on the lands or waters of this state as a license issued pursuant to section four, article seven, chapter sixty-one of this code, except that this license does not satisfy the requirements of 18 U. S. C. §922(t)(3). A NICS check must be performed prior to purchase of a firearm from a federally licensed firearm dealer.'

(i) The Superintendent of the West Virginia State Police, in coordination with the West Virginia Sheriffs' Bureau of Professional Standards, shall prepare uniform applications for provisional licenses and license cards showing that the license has been granted and shall perform any other act required to protect the state and to enforce of section.

(j) If an application is denied, the specific reasons for the denial shall be stated by the sheriff denying the application. Any person denied a provisional license may file, in the circuit court of the

county in which the application was made, a petition seeking review of the denial. The petition shall be filed within thirty days of the denial. The court shall then determine whether the applicant is entitled to the issuance of a provisional license under the criteria set forth in this section. The applicant may be represented by counsel, but in no case is the court required to appoint counsel for an applicant. The final order of the court shall include the court's findings of fact and conclusions of law. If the final order upholds the denial, the applicant may file an appeal in accordance with the Rules of Appellate Procedure of the Supreme Court of Appeals. If the findings of fact and conclusions of law of the court fail to uphold the denial, the applicant may be entitled to reasonable costs and attorney's fees, payable by the sheriff's office which issued the denial.

(k) If a provisional license is lost or destroyed, the person to whom the license was issued may obtain a duplicate or substitute license for a fee of \$5 by filing a notarized statement with the sheriff indicating that the license has been lost or destroyed.

(l) Whenever any person after applying for and receiving a provisional concealed weapon license moves from the address named in the application to another county within the state, the license remains valid until the licensee turns twenty-one years of age unless the sheriff of the new county has determined that the person is no longer eligible for a provisional concealed weapon license under this article, and the sheriff shall issue a new provisional license bearing the person's new address and the original expiration date for a fee not to exceed \$5: *Provided*, That the licensee within twenty days thereafter notifies the sheriff in the new county of residence in writing of the old and new addresses.

(m) The sheriff shall, immediately after the provisional license is granted, furnish the Superintendent of the West Virginia State Police a certified copy of the approved application. The sheriff shall furnish to the Superintendent of the West Virginia State Police, at any time so requested, a certified list of all provisional licenses issued in the county. The Superintendent of the West Virginia State Police shall maintain a registry of all persons who have been issued provisional concealed weapon licenses.

(n) The sheriff shall deny any application or revoke any existing provisional license upon determination that any of the licensing application requirements established in this section have been violated by the licensee.

(o) A person who is engaged in the receipt, review or in the issuance or revocation of a concealed weapon provisional license does not incur any civil liability as the result of the lawful performance of his or her duties under this article.

(p) Information collected under this section, including applications, supporting documents, permits, renewals, or any other information that would identify an applicant for or holder of a concealed weapon provisional license, is confidential: *Provided*, That this information may be disclosed to a law enforcement agency or officer: (i) To determine the validity of a provisional license; (ii) to assist in a criminal investigation or prosecution; or (iii) for other lawful law-enforcement purposes. A person who violates this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$50 or more than \$200 for each offense.

(q) Except as restricted or prohibited by the provisions of this article or as otherwise prohibited by law, the issuance of a provisional concealed weapon license issued in accordance with the provisions of this section authorizes the holder of the license to carry a concealed pistol or revolver on the lands or waters of this state.

§61-7-6. Exceptions as to prohibitions against carrying concealed handguns for persons at least eighteen years of age and fewer than twenty-one years of age; exemptions from licensing fees.

(a) The licensure provisions ~~set forth~~ in section three of this article do not apply to any person at least eighteen years of age and fewer than twenty-one years of age who is:

(1) ~~Any person:~~

~~(A) (1) Carrying a deadly weapon upon his or her own premises;~~

~~(B) (2) Carrying a firearm, unloaded, from the place of purchase to his or her home, residence or place of business or to a place of repair and back to his or her home, residence or place of business;~~
or

~~(C) (3) Possessing a firearm while hunting in a lawful manner or while traveling from his or her home, residence or place of business to a hunting site and returning to his or her home, residence or place of business;~~

~~(2) (4) Any person who is a~~ A member of a properly organized target-shooting club authorized by law to obtain firearms by purchase or requisition from this state or from the United States for the purpose of target practice from carrying any pistol, as defined in this article, unloaded, from his or her home, residence or place of business to a place of target practice and from any place of target practice back to his or her home, residence or place of business, for using any such weapon at a place of target practice in training and improving his or her skill in the use of the weapons;

~~(3) (5) Any~~ A law-enforcement officer or law-enforcement official or chief executive as defined in section one, article twenty-nine, chapter thirty of this code;

~~(4) (6) Any~~ An employee of the West Virginia Division of Corrections duly appointed pursuant to the ~~provisions of~~ section eleven-c, article one, chapter twenty-five of this code while the employee is on duty;

~~(5) (7) Any~~ A member of the ~~armed forces of the United States or the militia of this state while the member is on duty~~ armed forces, reserve or National Guard;

~~(6) (8) Any~~ A resident of another state who holds a valid permit or license to possess or carry a handgun issued by a state or a political subdivision subject to the provisions and limitations set forth in section six-a of this article;

~~(7) (9) Any~~ A federal law-enforcement officer or federal police officer authorized to carry a weapon in the performance of the officer's duty; and

~~(8) (10) Any~~ A parole officer appointed pursuant to section fourteen, article twelve, chapter sixty-two of this code in the performance of ~~their~~ his or her duties.

(b) ~~On and after July 1, 2013, the~~ The following judicial officers and prosecutors and staff ~~shall be exempted~~ are exempt from paying any application fees or licensure fees required under this article. However, ~~on and after that same date, they shall be required to~~ make application and satisfy all licensure and handgun safety and training requirements to obtain a license as set forth in section four of this article ~~before carrying a concealed handgun in this state:~~

(1) Any justice of the Supreme Court of Appeals of West Virginia;

(2) Any circuit judge;

(3) Any retired justice or retired circuit judge designated senior status by the Supreme Court of Appeals of West Virginia;

- (4) Any family court judge;
- (5) Any magistrate;
- (6) Any prosecuting attorney;
- (7) Any assistant prosecuting attorney; or
- (8) Any duly appointed investigator employed by a prosecuting attorney.

§61-7-7. Persons prohibited from possessing firearms; classifications; right of nonprohibited persons over twenty-one years of age to carry concealed deadly weapons; offenses and penalties; reinstatement of rights to possess; offenses; penalties.

(a) Except as provided in this section, no person shall possess a firearm, as such is defined in section two of this article, who:

(1) Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;

(2) Is habitually addicted to alcohol;

(3) Is an unlawful user of or habitually addicted to any controlled substance;

(4) Has been adjudicated to be mentally incompetent or who has been involuntarily committed to a mental institution pursuant to the provisions of chapter twenty-seven of this code or in similar law of another jurisdiction: *Provided*, That once an individual has been adjudicated as a mental defective or involuntarily committed to a mental institution, he or she shall be duly notified that they are to immediately surrender any firearms in their ownership or possession: *Provided, however*, That the mental hygiene commissioner or circuit judge shall first make a determination of the appropriate public or private individual or entity to act as conservator for the surrendered property;

(5) Is an alien illegally or unlawfully in the United States;

(6) Has been discharged from the armed forces under dishonorable conditions;

(7) Is subject to a domestic violence protective order that:

(A) Was issued after a hearing of which such person received actual notice and at which such person had an opportunity to participate;

(B) Restrains such person from harassing, stalking or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

(C)(i) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

(ii) By its terms explicitly prohibits the use, attempted use or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

(8) Has been convicted of a misdemeanor offense of assault or battery either under the provisions of section twenty-eight, article two of this chapter or the provisions of subsection (b) or (c), section nine of said article or a federal or state statute with the same essential elements in which the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant has a child in common, person with whom the defendant cohabits or has cohabited, a

parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense or has been convicted in any court of any jurisdiction of a comparable misdemeanor crime of domestic violence.

Any person who violates the provisions of this subsection shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000 or confined in the county jail for not less than ninety days nor more than one year, or both.

(b) Notwithstanding the provisions of subsection (a) of this section, any person:

(1) Who has been convicted in this state or any other jurisdiction of a felony crime of violence against the person of another or of a felony sexual offense; or

(2) Who has been convicted in this state or any other jurisdiction of a felony controlled substance offense involving a Schedule I controlled substance other than marijuana, a Schedule II or a Schedule III controlled substance as such are defined in sections two hundred four, two hundred five and two hundred six, article two, chapter sixty-a of this code and who possesses a firearm as such is defined in section two of this article shall be guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for not more than five years or fined not more than \$5,000, or both. The provisions of subsection ~~(e)~~ (f) of this section shall not apply to persons convicted of offenses referred to in this subsection or to persons convicted of a violation of this subsection.

(c) Any person may carry a concealed deadly weapon without a license therefor who is:

(1) At least twenty-one years of age;

(2) A United States citizen or legal resident thereof;

(3) Not prohibited from possessing a firearm under the provisions of this section; and

(4) Not prohibited from possessing a firearm under the provisions of 18 U. S. C. §922(g) or (n).

(d) As a separate and additional offense to the offense provided for in subsection (a) of this section, and in addition to any other offenses outlined in this code, and except as provided by subsection (e) of this section, any person prohibited by subsection (a) of this section from possessing a firearm who carries a concealed firearm is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for not more than three years or fined not more than \$5,000, or both.

(e) As a separate and additional offense to the offense described in subsection (b) of this section, and in addition to any other offenses outlined in this code, any person prohibited by subsection (b) of this section from possessing a firearm who carries a concealed firearm is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for not more than ten years or fined not more than \$10,000, or both.

~~(e)~~(f) Any person prohibited from possessing a firearm by the provisions of subsection (a) of this section may petition the circuit court of the county in which he or she resides to regain the ability to possess a firearm and if the court finds by clear and convincing evidence that the person is competent and capable of exercising the responsibility concomitant with the possession of a firearm, the court may enter an order allowing the person to possess a firearm if such possession would not violate any federal law: *Provided*, That a person prohibited from possessing a firearm by the provisions of subdivision (4), subsection (a) of this section may petition to regain the ability to possess a firearm in accordance with the provisions of section five, article seven-a of this chapter.

~~(d)~~(g) Any person who has been convicted of an offense which disqualifies him or her from

possessing a firearm by virtue of a criminal conviction whose conviction was expunged or set aside or who subsequent thereto receives an unconditional pardon for said offense shall not be prohibited from possessing a firearm by the provisions of the section.

§61-7-11a. Possessing deadly weapons on premises of educational facilities; reports by school principals; suspension of driver's license; possessing deadly weapons on premises housing courts of law and family law courts.

(a) The Legislature finds that the safety and welfare of the citizens of this state are inextricably dependent upon assurances of safety for children attending and persons employed by schools in this state and for persons employed by the judicial department of this state. It is for the purpose of providing assurances of safety that subsections (b), (g) and (h) of this section are enacted as a reasonable regulation of the manner in which citizens may exercise the rights accorded to them pursuant to section twenty-two, article three of the Constitution of the State of West Virginia.

(b) (1) It is unlawful for a person to possess a firearm or other deadly weapon on a school bus as defined in section one, article one, chapter seventeen-a of this code, or in or on a public ~~or private~~ primary or secondary education building, structure, facility or grounds including a vocational education building, structure, facility or grounds where secondary vocational education programs are conducted or at a school-sponsored function, or in or on a private primary or secondary education building, structure or facility: *Provided*, That it shall not be unlawful to possess a firearm or other deadly weapon on or in a private primary or secondary education building, structure or facility when such institution has adopted written policies allowing for possession of firearms on or in the institution's buildings, structures or facilities.

(2) This subsection does not apply to:

(A) A law-enforcement officer employed by a federal, state, county or municipal law-enforcement agency;

(B) Any probation officer appointed pursuant to section five, article twelve, chapter sixty-two or chapter forty-nine of this code in the performance of his or her duties;

~~(B)~~(C) A retired law-enforcement officer who:

(i) Is employed by a state, county or municipal law-enforcement agency;

(ii) Is covered for liability purposes by his or her employer;

(iii) Is authorized by a county board of education and the school principal to serve as security for a school;

(iv) Meets all the requirements to carry a firearm as a qualified retired law-enforcement officer under the Law-Enforcement Officer Safety Act of 2004, as amended, pursuant to 18 U. S. C. §926C(c); and

(v) Meets all of the requirements for handling and using a firearm established by his or her employer, and has qualified with his or her firearm to those requirements;

~~(C)~~(D) A person specifically authorized by the board of Education of the county or principal of the school where the property is located to conduct programs with valid educational purposes;

~~(D)~~(E) A person who, as otherwise permitted by the provisions of this article, possesses an unloaded firearm or deadly weapon in a motor vehicle or leaves an unloaded firearm or deadly weapon in a locked motor vehicle;

~~(E)~~(F) Programs or raffles conducted with the approval of the county board of education or school which include the display of unloaded firearms;

~~(H)~~(G) The official mascot of West Virginia University, commonly known as the Mountaineer, acting in his or her official capacity; or

~~(G)~~(H) The official mascot of Parkersburg South High School, commonly known as the Patriot, acting in his or her official capacity.

(3) A person violating this subsection is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for a definite term of years of not less than two years nor more than ten years, or fined not more than \$5,000, or both fined and imprisoned.

(c) A school principal subject to the authority of the State Board of Education who discovers a violation of subsection (b) of this section shall report the violation as soon as possible to:

(1) The State Superintendent of Schools. The State Board of Education shall keep and maintain these reports and may prescribe rules establishing policy and procedures for making and delivering the reports as required by this subsection; and

(2) The appropriate local office of the ~~Division of Public Safety~~ State Police, county sheriff or municipal police agency.

(d) In addition to the methods of disposition provided by article five, chapter forty-nine of this code, a court which adjudicates a person who is fourteen years of age or older as delinquent for a violation of subsection (b) of this section may order the Division of Motor Vehicles to suspend a driver's license or instruction permit issued to the person for a period of time as the court considers appropriate, not to extend beyond the person's nineteenth birthday. If the person has not been issued a driver's license or instruction permit by this state, a court may order the Division of Motor Vehicles to deny the person's application for a license or permit for a period of time as the court considers appropriate, not to extend beyond the person's nineteenth birthday. A suspension ordered by the court pursuant to this subsection is effective upon the date of entry of the order. Where the court orders the suspension of a driver's license or instruction permit pursuant to this subsection, the court shall confiscate any driver's license or instruction permit in the adjudicated person's possession and forward to the Division of Motor Vehicles.

(e)(1) If a person eighteen years of age or older is convicted of violating subsection (b) of this section, and if the person does not act to appeal the conviction within the time periods described in subdivision (2) of this subsection, the person's license or privilege to operate a motor vehicle in this state shall be revoked in accordance with the provisions of this section.

(2) The clerk of the court in which the person is convicted as described in subdivision (1) of this subsection shall forward to the commissioner a transcript of the judgment of conviction. If the conviction is the judgment of a magistrate court, the magistrate court clerk shall forward the transcript when the person convicted has not requested an appeal within twenty days of the sentencing for the conviction. If the conviction is the judgment of a circuit court, the circuit clerk shall forward a transcript of the judgment of conviction when the person convicted has not filed a notice of intent to file a petition for appeal or writ of error within thirty days after the judgment was entered.

(3) If, upon examination of the transcript of the judgment of conviction, the commissioner determines that the person was convicted as described in subdivision (1) of this subsection, the commissioner shall make and enter an order revoking the person's license or privilege to operate a motor vehicle in this state for a period of one year or, in the event the person is a student enrolled in a secondary school, for a period of one year or until the person's twentieth birthday, whichever is the

greater period. The order shall contain the reasons for the revocation and the revocation period. The order of suspension shall advise the person that because of the receipt of the court's transcript, a presumption exists that the person named in the order of suspension is the same person named in the transcript. The commissioner may grant an administrative hearing which substantially complies with the requirements of the provisions of section two, article five-a, chapter seventeen-c 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. The request for hearing shall be made within ten days after receipt of a copy of the order of suspension. The sole purpose of this hearing is for the person requesting the hearing to present evidence that he or she is not the person named in the notice. If the commissioner grants an administrative hearing, the commissioner shall stay the license suspension pending the commissioner's order resulting from the hearing.

(4) For the purposes of this subsection, a person is convicted when he or she enters a plea of guilty or is found guilty by a court or jury.

(f)(1) It is unlawful for a parent, guardian or custodian of a person less than eighteen years of age who knows that the person is in violation of subsection (b) of this section or has reasonable cause to believe that the person's violation of subsection (b) is imminent, to fail to immediately report his or her knowledge or belief to the appropriate school or law-enforcement officials.

(2) A person violating this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, or shall be confined in jail not more than one year, or both fined and confined.

(g)(1) It is unlawful for a person to possess a firearm or other deadly weapon on the premises of a court of law, including family courts.

(2) This subsection does not apply to:

(A) A law-enforcement officer acting in his or her official capacity; and

(B) A person exempted from the provisions of this subsection by order of record entered by a court with jurisdiction over the premises or offices.

(3) A person violating this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, or shall be confined in jail not more than one year, or both fined and confined.

(h)(1) It is unlawful for a person to possess a firearm or other deadly weapon on the premises of a court of law, including family courts, with the intent to commit a crime.

(2) A person violating this subsection is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for a definite term of years of not less than two years nor more than ten years, or fined not more than \$5,000, or both fined and imprisoned.

(i) Nothing in this section may be construed to be in conflict with the provisions of federal law.

§61-7-15a. Use or presentation of a firearm during commission of a felony; penalties.

As a separate and distinct offense, and in addition to any and all other offenses provided for in this code, any person who, while engaged in the commission of a felony, uses or presents a firearm shall be guilty of a felony and, upon conviction, shall be imprisoned in a state correctional facility for not more than ten years.

§61-7-17. Construction of article.

Nothing in this article should be construed to abrogate or modify statutory provisions and common law decisions related to defense of self or others.”

On motion of Delegates Cowles and Shott, the House of Delegates concurred in the Senate amendment with further amendment, on page eight, section four, following line one hundred seventy-five, by adding a new subsection to read as follows:

“(r) A person who pays fees for training or application pursuant to this article after the effective date of this section is entitled to a tax credit equal to the amount actually paid for training not to exceed \$50: *Provided*, That if such training was provided for free or for less than \$50, then such tax credit may be applied to the fees associated with the initial application.”

And,

By relettering the remaining subsection thereafter.

The bill, as amended by the Senate and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 168**), and there were—yeas 67, nays 31, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Ambler, Anderson, Atkinson, Bates, Blackwell, Byrd, Caputo, Cooper, D. Evans, Flanigan, Fleischauer, Guthrie, Hamilton, Hornbuckle, Ireland, Longstreth, Lynch, Manchin, McCuskey, Miley, Moore, Morgan, E. Nelson, Perdue, Pethel, Pushkin, Reynolds, Rowe, Skinner, Trecost and Westfall.

Absent and Not Voting: Ferro and Storch.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4145) passed.

On motion of Delegate Cowles, the title of the bill was amended to read as follows:

Com. Sub. for H. B. 4145 — “A Bill to repeal §20-2-6a of the Code of West Virginia, 1931, as amended; to amend and reenact §61-7-3, §61-7-4, §61-7-6, §61-7-7 and §61-7-11a of said code; and to amend said code by adding thereto three new sections, designated §61-7-4a and §61-7-15a and §61-7-17, all relating to the carrying of firearms and deadly weapons generally; establishing that criminal penalties for carrying a concealed deadly weapon without state license or other lawful authorization apply only to persons under twenty-one years of age and prohibited persons; requiring an applicant for a concealed weapon permit be a United States citizen or legal resident thereof, a resident of this state and of the county in which application is made; requiring training courses in handling and firing a handgun to include the actual live firing of ammunition; requiring certificates of completion of a training course which are submitted with license applications include the instructor’s name, signature and NRA or state instructor identification number; requiring that on or after January 1, 2017, all duplicate license cards issued by county sheriffs be uniform across all fifty-five counties and feature a photograph of the licensee; requiring State Police, in cooperation with the Sheriffs’ Bureau of Professional Standards, prepare uniform applications for licenses and license cards; entitling a person who pays fees for training or application after the effective date to a tax credit equal to the amount actually paid for training not to exceed \$50, unless such training was provided for free or for less than \$50, then such tax credit may be applied to the fees associated with the initial application; establishing a provisional license to carry concealed deadly weapons for persons at least eighteen years of age and less than twenty-one years of age; establishing provisional license

application requirements and procedures; providing for exceptions as to prohibitions against carrying handguns concealed for persons at least eighteen years of age and fewer than twenty-one years of age; providing for any United States citizen or legal resident thereof at least twenty-one years of age and not otherwise prohibited from possessing a firearm may carry a concealed deadly weapon without a license; creating felony offenses for any persons prohibited from possessing firearms who carry concealed firearms and providing for criminal penalties; providing that it shall not be unlawful to possess a firearm in or on a private primary or secondary education building, structure or facility when such institution has adopted written policies allowing for possession of firearms; exempting probation officers from prohibition against possessing firearms on premises of educational facilities; requiring a school principal to report certain violations to the State Police; creating felony offense for persons using or presenting a firearm while engaged in the commission of a felony and providing for criminal penalties; and providing for construction of article.”

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

Resolutions Introduced

Delegates Moore, P. White, Gearheart, Ellington and Blackwell offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 89 — “Requesting that the Division of Highways name the bridge numbered 19-0.01 24A293, (at 37.41606, -81.43625), originally known as the ‘Northfork Bridge’, located in Northfork, McDowell County, carrying County Route 24-52 over Elkhorn Creek, the ‘Blue Demon Highway Bridge’.”

Whereas, The Northfork High School’s sobriquet, going back to 1966, was the “Blue Demons”; and

Whereas, Sports fans from across this state still talk about the Blue Demon’s boys’ basketball teams that won Class AA state championships in 1971 and 1984, as well as a national record eight straight from 1974 through 1981; and

Whereas, When this state inaugurated the first girls’ basketball tournament in 1976, the “Demonettes” won then as well as in 1977 and 1979; and

Whereas, The Blue Demons’ 1973 football team had a perfect season record of 12 and 0; and

Whereas, Over the nineteen years in which Northfork High was in existence, the boys’ basketball teams compiled an amazing record of 112 wins to only 12 losses on their home floor; and

Whereas, Although Northfork High School has been closed for over thirty years, the memories are just as vivid today as when they were being made decades ago for all who attended this legendary school, forever holding a place in the hearts of former students and teachers; and

Whereas, This school, as well, will always be remembered by all who saw the Blue Demons play, or heard of their exploits, as the source of the nickname for the town that is still known today as “the basketball capital of the United States;” therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name the bridge numbered 19-0.01 24A293, (at 37.41606, -81.43625), originally known as the “Northfork Bridge”, located in Northfork, McDowell County, carrying County Route 24-52 over Elkhorn Creek, the “Blue Demon Highway Bridge”, and, be it

Further Resolved, That the Commissioner of Highways is hereby requested to erect signs at both sides of the bridge numbered 24A293 which is located in Northfork in McDowell County proclaiming its name to be the “Blue Demon Highway Bridge”; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a certified copy of this resolution to the Secretary of the Department of Transportation and to the Mayor of the Town of Northfork.

Delegates Moore, P. White, Gearheart, Ellington and Blackwell offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 90 — “Requesting the Division of Highways name Bridge Number 24-52/1-9.91 (24xxx) (37.44743, -81.70214) locally known as Roderfield Bridge carrying County Route 52/1 over Tug Fork in Roderfield, McDowell County, the ‘U. S. Army CPL Fon Mitchell Memorial Bridge’.”

Whereas, Fon Mitchell was born November 3, 1930, in Pile County, Kentucky, the son of Bill and Liza Mitchell. He joined the United States Army on June 20, 1949, and was sent to Korea in August, 1950. He was an assistant machine gunner. Wounded in the left foot, he was sent to a hospital in Japan and then back to the firing lines where he was captured on December 1, 1950. He spent the next 28 months and 21 days as a prisoner of war and listed as missing in action. He was detained in camps along the Yellow River. He was released on April 21, 1953, after enduring the “Death March” and other cruelties. Fon Mitchell received the Korean Service Medal W/4 Bronze camp Stars, United Nations Service Medal CIB Good Conduct Medal, Purple Heart Medal W/1 Oak Leaf Cluster and a Bronze Star Medal; and

Whereas, Returning to his now home town of Roderfield in McDowell County, Fon worked as a coal miner for U. S. Steel at Gary, West Virginia. He was married to Helen “Shorty” Mitchell for 57 years. They had three children, Fonda Walker of Roderfield, Billy of Charlotte, North Carolina and Diana Hanshaw of Roderfield. Fon died on January 30, 2011. He was a member of the American Legion Post 8, VFW Post 8413, United Mine Workers of America, Local Union 7635, Disabled Americans Veterans, Ex POW Organization, 40 & 8 Organization of Welch and the American Cancer Society of Miracle Marchers Relay for Life Team and he was one of the organizers who formed the Roderfield Volunteer Fire Department; and

Whereas, CPL Fon Mitchell served his country, state and community with distinction. He was a loving husband and father who was proud of his family and his country. He was a survivor of the war fought by America’s “Greatest Generation”. Naming this bridge in McDowell County for him is an appropriate recognition of his service to his state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name Bridge Number 24-52/1-9.91 (24xxx) (37.44743, -81.70214) locally known as Roderfield Bridge carrying County Route 52/1 over Tug Fork in Roderfield, McDowell County, the “U. S. Army CPL Fon Mitchell 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 Fon Mitchell Memorial Bridge”; and, be it

Further Resolved, That the Clerk of the House of Delegates, forward a certified copy of this resolution to the Secretary of the Department of Transportation and the surviving family members of CPL Fon Mitchell.

Delegates Eldridge, J. Nelson, McGeehan, Phillips, Marcum, Moffatt, Miller, Rodighiero, Hornbuckle, Morgan and P. White offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 91 — “Requesting the Division of Highways rename the section of U.S. Route 119 that runs through Lincoln County the ‘Deputy Sheriff Sgt. Justin Alan Thompson Memorial Highway’.”

Whereas, House Concurrent Resolution No. 10 passed during the 2010 Regular Session of the Legislature naming the section of U.S. Route 119 that runs through Lincoln County the “Sgt. Justin Alan Thompson Memorial Highway”. Sgt. Justin Alan Thompson was a member of the Lincoln County Sheriff’s Department when he was killed in the line of duty on June 19, 2007. It would be fitting to add to the signs identifying the section of U.S. Route 119 that runs through Lincoln County “Deputy Sheriff Sgt. Justin Alan Thompson Memorial Highway”; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby requests the Division of Highways to rename the section of U.S. Route 119 that runs through Lincoln County as “Sgt. Justin Alan Thompson Memorial Highway,” language that Sgt. Thompson was a Deputy Sheriff in Lincoln County such as “Deputy Sheriff Sgt. Justin Alan Thompson Memorial Highway” ; and, be it

Further Resolved, That the Division of Highways is requested to have made and be placed signs identifying the section of U.S. Route 119 that runs through Lincoln County “Deputy Sheriff Sgt. Justin Alan Thompson Memorial Highway”; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a certified copy of this resolution to the Secretary of the Department of Transportation and the family of Sgt. Justin Alan Thompson.

On motion for leave, a Joint Resolution was introduced, read by its title and referred as follows:

Delegate Trecoast offered the following resolution, which was read by its title and referred to the Committee on the Judiciary:

H. B. 47 — “Proposing an amendment to the Constitution of the State of West Virginia, amending section three, article VI thereof and section ten, article nine thereof, relating to imposing term limits for senators, delegates and county commissioners; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on the Judiciary.”

Special Calendar

Third Reading

S. B. 341, Expiring funds from Insurance Commissioner, Examination Revolving Fund and Insurance Commission Fund to State Fund, General Revenue; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 169**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ferro and Storch.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 341) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 170**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ferro and Storch.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 341) takes effect from its passage.

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

S. B. 351, Dedicating severance tax proceeds; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 171**), and there were—yeas 92, nays 6, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Howell, Ihle, Manchin, Marcum, Perdue and P. White.

Absent and Not Voting: Ferro and Storch.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 351) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 172**), and there were—yeas 96, nays 2, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Howell and Ihle.

Absent and Not Voting: Ferro and Storch.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 351) takes effect from its passage.

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

S. B. 449, Supplemental appropriation from State Fund, General Revenue to Department of Administration, Public Defender Services; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 173**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ferro and Storch.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 449) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 174**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ferro and Storch.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 449) takes effect from its passage.

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

S. B. 450, Supplemental appropriation from State Fund, General Revenue to DHHR, Division of Health; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 175**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ferro and Storch.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 450) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 176**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ferro and Storch.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 450) takes effect from its passage.

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

S. B. 451, Supplemental appropriation from State Fund, General Revenue to Department of Military Affairs; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 177**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ferro and Storch.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 451) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 178**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ferro and Storch.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 451) takes effect from its passage.

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

S. B. 462, Reducing deposit of excess lottery proceeds into WV Infrastructure Fund; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 179**), and there were—yeas 91, nays 7, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Duke, Foster, Marcum, Morgan, Rodighiero, Upson and P. White.

Absent and Not Voting: Ferro and Storch.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 462) passed.

On motion of Delegate E. Nelson, the title of the bill was amended to read as follows:

S. B. 462 — “A Bill to amend and reenact §29-22-18d of the Code of West Virginia, 1931, as amended, relating to the West Virginia Infrastructure Fund; reducing the distributions to the West Virginia Infrastructure Fund to \$30 million for fiscal year 2017 and increasing the percentage of funds available for grants therefrom.”

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 180**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Duke.

Absent and Not Voting: Ferro and Storch.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 462) takes effect from its passage.

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

Com. Sub. for H. B. 2823, Eliminating the street and interurban and electric railways tax; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 181**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ferro and Storch.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2823) passed.

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

Second Reading

S. B. 419, Relating to termination of Workers' Compensation Debt Reduction Act; on second reading, coming up in regular order, was read a second time

An amendment, recommended by the Committee on Finance, was reported by the Clerk on page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

"That §4-11A-18 of the Code of West Virginia, 1931, as amended, be amended and reenacted; that §11-13A-3b of said code be amended and reenacted; that §11-13V-4 of said code be amended and reenacted; that §11-21-96 of said code be amended and reenacted; that §23-2C-3 of said code be amended and reenacted; and that that §29-22A-10d and §29-22A-10e of said code be amended and reenacted, all to read as follows:

CHAPTER 4. THE LEGISLATURE.

ARTICLE 11A. LEGISLATIVE APPROPRIATION OF TOBACCO SETTLEMENT FUNDS.

§4-11A-18. Dedication of personal income tax proceeds as replacement moneys for anticipated tobacco master settlement agreement proceeds to the Old Fund.

(a) There is hereby dedicated an annual amount of \$50,400,000 from annual collections of the tax imposed by article twenty-one, chapter eleven of this code as a portion of the revenue source dedicated to satisfy the Old Fund liabilities as they occur to provide a dollar for dollar replacement of the first \$30 million received pursuant to section IX(c)(1) of the master settlement agreement and the anticipated strategic compensation payments to be received pursuant to section IX(c)(2) of the master settlement agreement as previously dedicated to the Old Fund prior to the sale of state's share to the Tobacco Settlement Finance Authority. No portion of this amount may be pledged for payment of debt service on revenue bonds issued pursuant to article two-d, chapter twenty-three of this code.

(b) Notwithstanding any other provision of this code to the contrary, beginning immediately after the sale of the state's share to the Tobacco Settlement Finance Authority, \$50,400,000 from collections of the tax imposed by article twenty-one, chapter eleven of this code shall be deposited each calendar year to the credit of the Old Fund created in article two-d, chapter twenty-three of this code in accordance with the following schedule. Each calendar month, except for July, August and September each year, \$5,600,000 shall be transferred, on or before the twenty-eighth day of the month, to the Workers' Compensation Debt Reduction Fund created in article two-d, chapter twenty-three of this code. The transfers pursuant to this section are in addition to the transfers pursuant to section ninety-six, article twenty-one, chapter eleven of this code.

(c) *Expiration.* —

The transfers required by this section shall ~~continue to be made until the Governor certifies to the Legislature that an independent actuary study determined that the unfunded liability of the Old fund, as defined in chapter twenty-three of this code, has been paid or provided for in its entirety~~ cease on and after February 1, 2016. No transfer pursuant to this section shall be made thereafter.

CHAPTER 11. TAXATION.

ARTICLE 13A. SEVERANCE AND BUSINESS PRIVILEGE TAX ACT.

§11-13A-3b. Imposition of tax on privilege of severing timber.

(a) *Imposition of tax.* — For the privilege of engaging or continuing within this state in the business of severing timber for sale, profit or commercial use, there is hereby levied and shall be collected from every person exercising such privilege an annual privilege tax.

(b) *Rate and measure of tax.* — The tax imposed in subsection (a) of this section shall be three and twenty-two hundredths percent of the gross value of the timber produced, as shown by the gross proceeds derived from the sale thereof by the producer, except as otherwise provided in this article: *Provided*, That as to timber produced after December 31, 2006 the rate of the tax imposed in subsection (a) of this section shall be one and twenty-two hundredths percent of the gross value of the timber produced, as shown by the gross proceeds derived from the sale thereof by the producer, except as otherwise provided in this article.

(c) *Tax in addition to other taxes.* — The tax imposed by this section shall apply to all persons severing timber in this state and shall be in addition to all other taxes imposed by law.

(d) *Elimination Discontinuation and reestablishment of tax.* — Beginning in the tax year 2010 and continuing until ~~June 30, 2016~~, the imposition of the additional tax on the privilege of severing timber imposed by subsection (c), section four, article thirteen-v of this chapter expires under the authority of subsection (g), section four, article thirteen-v of this chapter, the tax imposed by this section is discontinued. On and after expiration of the additional tax on the privilege of severing timber imposed by subsection c, section four, article thirteen-v of this chapter July 1, 2016, the tax imposed by this section ~~resumes~~ is reestablished and is imposed and shall apply to all persons severing timber in this state at the rate of ~~one and twenty-two hundredths~~ one and fifty hundredths percent of the gross value of the timber produced, as shown by the gross proceeds derived from the sale thereof by the producer, except as otherwise provided in this article.

(e) Termination of taxes imposed by this section. – The taxes imposed under this section shall cease, terminate and be of no further force or effect on and after July 1, 2019. Termination of the taxes imposed under this section shall not relieve any person of any liability or duty to pay tax imposed under this article with respect to privileges exercised before the effective date of such termination.

ARTICLE 13V. WORKERS' COMPENSATION DEBT REDUCTION ACT.

§11-13V-4. Imposition of tax.

(a) *Imposition of additional tax on privilege of severing coal.* — Upon every person exercising the privilege of engaging within this state in severing, extracting, reducing to possession or producing coal for sale, profit or commercial use, there is hereby imposed an additional annual severance tax for exercising the privilege after November 30, 2005. The tax shall be 56 cents per ton and the measure of the tax is tons of clean coal severed or produced in this state by the taxpayer after November 30, 2005, for sale, profit or commercial use during the taxable year. When the person mining the coal sells raw coal, the measure of tax shall be ton of clean coal determined in accordance with rules promulgated by the Tax Commissioner as provided in article three, chapter twenty-nine-a of this code. If this rule is filed for public comment before July 1, 2005, the rule may be promulgated as an emergency legislative rule. This tax shall be in addition to all taxes imposed with respect to the severance and production of coal in this state including, but not limited to, the taxes imposed by articles twelve-d and thirteen-a of this chapter and the taxes imposed by sections eleven and thirty-two, article three, chapter twenty-two of this code, if applicable.

(b) *Imposition of additional tax on privilege of severing natural gas.* — For the privilege of engaging or continuing within this state in the business of severing natural gas for sale, profit or commercial use, there is hereby levied and shall be collected from every person exercising this privilege an additional annual privilege tax. The rate of this additional tax shall be ~~\$.047~~ 4.7 cents per mcf of natural gas and the measure of the tax is natural gas produced after November 30, 2005,

determined at the point where the production privilege ends for purposes of the tax imposed by section three-a, article thirteen-a of this chapter, and with respect to which the tax imposed by section three-a of said article thirteen-a is paid. The additional tax imposed by this subsection shall be collected with respect to natural gas produced after November 30, 2005.

(c) *Imposition of additional tax on privilege of severing timber.* — For the privilege of engaging or continuing within this state in the business of severing timber for sale, profit or commercial use, there is hereby levied and shall be collected from every person exercising this privilege an additional annual privilege tax equal to two and seventy-eight hundredths percent of the gross value of the timber produced, determined at the point where the production privilege ends for purposes of the tax imposed by section three-b, article thirteen-a of this chapter and upon which the tax imposed by section three-b of said article thirteen-a is paid. The additional tax imposed by this subsection shall be collected with respect to timber produced after November 30, 2005: *Provided*, That during the period of discontinuance of the tax as provided in subsection (d), section three-b, article thirteen-a of this chapter, the additional tax imposed by this subsection shall be determined as provided in this subsection in the same manner as if the tax described under section three-b, article thirteen-a of this chapter is being imposed and collected, subject to the provisions of subsection (g) of this section.

(d) *No pyramiding of tax burden.* — Each ton of coal and each mcf of natural gas severed in this state after the effective date of the taxes imposed by this section shall be included in the measure of a tax imposed by this section only one time.

(e) *Effect on utility rates.* — The Public Service Commission shall, upon the application of any public utility that, as of the effective date of the taxes imposed by this section, is not currently making periodic adjustments to its approved rates and charges to reflect changes in its fuel costs because the mechanism historically used to make such periodic adjustments is suspended by an order of the commission, allow such utility to defer, for future recovery from its customers, any increase in its costs attributable to the taxes imposed by this section upon: Coal and natural gas severed in this state and utilized in the production of electricity generated or produced in this state and sold to customers in this state; coal and natural gas severed in this state and utilized in the production of electricity not generated or produced in this state that is sold to customers in this state; and natural gas severed in this state that is sold to customers in this state.

(f) *Dedication of new taxes.* —

(1) Subject to the provisions of subdivision (2) of this subsection, the The net amount of all moneys received by the Tax Commissioner from collection of the taxes imposed by this section, including any interest, additions to tax, or penalties collected with respect to these taxes pursuant to article ten, chapter eleven of this code, shall be deposited in the Workers' Compensation Debt Reduction Fund created in article two-d, chapter twenty-three of this code. As used in this section, "net amount of all taxes received by the Tax Commissioner" means the gross amount received by the Tax Commissioner less the amount of any refunds paid for overpayment of the taxes imposed by this article, including the amount of any interest on the overpayment amount due the taxpayer under the provisions of section fourteen, article ten of this chapter.

(2) If the budget shortfall, as determined by the state Budget Office as of December 1, 2015, is greater than \$100 million, then the Governor may, by Executive Order, redirect deposits of revenues derived from taxes imposed under this article, for any period commencing after February 29, 2016 and ending before July 1, 2016, to the General Revenue Fund, instead of to the funds otherwise mandated in this article, in article two-d, chapter twenty-three of this code or in any other provision of this code.

~~(g) *Sunset expiration date of taxes.* — The new taxes imposed by this section shall expire and not be imposed with respect to privileges exercised on and after the first day of the month following~~

~~the month in which the Governor certifies to the Legislature that: (1) The revenue bonds issued pursuant to article two-d, chapter twenty-three of this code, have been retired, or payment of the debt service provided for; and (2) that an independent certified actuary has determined that the unfunded liability of the old fund, as defined in chapter twenty-three of this code, has been paid or provided for in its entirety. Expiration of the taxes imposed in this section as provided in this subsection shall not relieve any person from payment of any tax imposed with respect to privileges exercised before the expiration date.~~

(g) Termination of taxes imposed by this article. – The taxes imposed under this article shall cease, terminate and be of no further force or effect on and after July 1, 2016: *Provided*, That the Governor may, by Executive Order, cause the tax to terminate before July 1, 2016. Termination of the taxes imposed under this article shall not relieve any person of any liability or duty to pay tax imposed under this article with respect to privileges exercised before the effective date of such termination.

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-96. Dedication of personal income tax proceeds.

(a) There is hereby dedicated an annual amount of \$45 million from annual collections of the tax imposed by this article for payment of the unfunded liability of the current Workers' Compensation Fund. No portion of this amount may be pledged for payment of debt service on revenue bonds issued pursuant to article two-d, chapter twenty-three of this code.

(b) Notwithstanding any other provision of this code to the contrary, beginning in January of 2006, \$45 million from collections of the tax imposed by this article shall be deposited each calendar year to the credit of the old fund created in article two-c, chapter twenty-three of this code, in accordance with the following schedule. Each calendar month, except for July, August and September each year, \$5 million shall be transferred, on or before the twenty-eighth day of the month, to the Workers' Compensation Debt Reduction Fund created in article two-d, chapter twenty-three of this code.

(c) ~~The transfers required by subsection (b) of this section shall continue to be made until the Governor certifies to the Legislature that an independent actuarial study determined that the unfunded liability of the old fund, as defined in chapter twenty-three of this code, has been paid or provided for in its entirety. Thereafter, cease on and after February 1, 2016. For fiscal years beginning on and after July 1, 2016, an annual amount of \$35 \$30 million from annual collections of the tax imposed by this article and which were previously dedicated by this section for payment of the unfunded liability of the Workers' Compensation Fund shall be dedicated for payment of the unfunded liability of the West Virginia Retiree Health Benefit Trust Fund and to provide funding for the Post July 1, 2010, Employee Trust Fund created by section five-b, article sixteen, chapter five of this code. The \$35 \$30 million transferred pursuant to this subsection shall be transferred in accordance with the following:~~

(1) The annual amount of \$30 million shall be transferred into the West Virginia Retiree Health Benefit Trust Fund by transferring \$5 million each month for the following months of each year: October, November, December, January, February and March, until the Governor certifies to the Legislature that an independent actuarial study has determined that the unfunded liability of West Virginia Retiree Health Benefit Trust Fund, as created in section two, article sixteen-d, chapter five of this code, has been provided for in its entirety or July 1, 2037, whichever date is later: *Provided*, That no transfer shall be made under this subdivision in the months of February and March of fiscal year 2016. Transfers shall thereafter resume and be made in October, November, December, January, February and March of fiscal year 2017 and thereafter. No transfer into the West Virginia Retiree Health Benefit Trust Fund pursuant to this subdivision shall be made after the Governor certifies to the Legislature that an independent actuarial study has determined that the unfunded liability of West

Virginia Retiree Health Benefit Trust Fund, as created in section two, article sixteen-d, chapter five of this code, has been provided for in its entirety or July 1, 2037, whichever date is later, thereafter; and

~~(2) An annual amount of \$5 million shall be transferred into the Post July 1, 2010, Employee Trust Fund created by section five-b, article sixteen, chapter five of this code in April of each year.~~

CHAPTER 23. WORKERS' COMPENSATION.

ARTICLE 2C. EMPLOYERS' MUTUAL INSURANCE COMPANY.

§23-2C-3. Creation of employer mutual as successor organization of the West Virginia Workers' Compensation Commission.

(a) (1) On or before July 1, 2005, the executive director may take such actions as are necessary to establish an employers' mutual insurance company as a domestic, private, nonstock, corporation to:

(A) Insure employers against liability for injuries and occupational diseases for which their employees may be entitled to receive compensation pursuant to this chapter and federal Longshore and Harbor Workers' Compensation Act, 33 U.S.C. §901, *et seq.*;

(B) Provide employer's liability insurance incidental to and provided in connection with the insurance specified in paragraph (A) of this subdivision, including coal workers' pneumoconiosis coverage and employer excess liability coverage as provided in this chapter; and

(C) Transact other kinds of property and casualty insurance for which the company is otherwise qualified under the provisions of this code.

(2) The company may not sell, assign or transfer substantial assets or ownership of the company.

(b) If the executive director establishes a domestic mutual insurance company pursuant to subsection (a) of this section:

(1) As soon as practical, the company established pursuant to the provisions of this article shall, through a vote of a majority of its provisional board, file its corporate charter and bylaws with the Insurance Commissioner and apply for a license with the Insurance Commissioner to transact insurance in this state. Notwithstanding any other provision of this code, the Insurance Commissioner shall act on the documents within fifteen days of the filing by the company.

(2) In recognition of the workers' compensation insurance liability insurance crisis in this state at the time of enactment of this article and the critical need to expedite the initial operation of the company, the Legislature authorizes the Insurance Commissioner to review the documentation submitted by the company and to determine the initial capital and surplus requirements of the company, notwithstanding the provisions of section five-b, article three, chapter thirty-three of this code. The company shall furnish the Insurance Commissioner with all information and cooperate in all respects necessary for the Insurance Commissioner to perform the duties set forth in this section and in other provisions of this chapter and chapter thirty-three of this code. The Insurance Commissioner shall monitor the economic viability of the company during its initial operation on not less than a monthly basis, until the commissioner, in his or her discretion, determines that monthly reporting is not necessary. In all other respects the company shall comply with the applicable provisions of chapter thirty-three of this code.

(3) Subject to the provisions of subdivision (4) of this subsection, the Insurance Commissioner may waive other requirements imposed on mutual insurance companies by the provisions of chapter thirty-three of this code the Insurance Commissioner determines are necessary to enable the company to begin insuring employers in this state at the earliest possible date.

(4) Within forty months of the date of the issuance of its license to transact insurance, the company shall comply with the capital and surplus requirements set forth in subsection (a), section five-b, article three, chapter thirty-three of this code in effect on the effective date of this enactment, unless the deadline is extended by the Insurance Commissioner.

(c) For the duration of its existence, the company is not a department, unit, agency or instrumentality of the state for any purpose. All debts, claims, obligations and liabilities of the company, whenever incurred, are the debts, claims, obligations and liabilities of the company only and not of the state or of any department, unit, agency, instrumentality, officer or employee of the state.

(d) The moneys of the company are not part of the General Revenue Fund of the state. The debts, claims, obligations and liabilities of the company are not a debt of the state or a pledge of the credit of the state.

(e) The company is not subject to provisions of article nine-a, chapter six of this code; the provisions of article two, chapter six-c of this code; the provisions of chapter twenty-nine-b of this code; the provisions of article three, chapter five-a of this code; the provisions of article six, chapter twenty-nine of this code; or the provisions of chapter twelve of this code.

(f) If the commission has been terminated, effective upon the termination, private carriers, including the company, are not subject to payment of premium taxes, surcharges and credits contained in article three, chapter thirty-three of this code on premiums received for coverage under this chapter. In lieu thereof, the workers' compensation insurance market is subject to the following:

(1) (A) Each fiscal year, the Insurance Commissioner shall calculate a percentage surcharge to be collected by each private carrier from its policyholders. The surcharge percentage shall be calculated by dividing the previous fiscal year's total premiums collected plus deductible payments by all employers into the portion of the Insurance Commissioner's budget amount attributable to regulation of the private carrier market. This resulting percentage shall be applied to each policyholder's premium payment and deductible payments as a surcharge and remitted to the Insurance Commissioner. Said surcharge shall be remitted within ninety days of receipt of premium payments;

(B) With respect to fiscal years beginning on and after July 1, 2008, in lieu of the surcharge set forth in the preceding paragraph, each private carrier shall collect a surcharge in the amount of five and five-tenths percent of the premium collected plus the total of all premium discounts based on deductible provisions that were applied: *Provided*, That prior to June 30, 2013, and every five years thereafter, the commissioner shall review the percentage surcharge and determine a new percentage as he or she deems necessary.

(C) The amounts required to be collected under paragraph (B) of this subdivision shall be remitted to the Insurance Commissioner on or before the twenty-fifth day of the month succeeding the end of the quarter in which they are collected, except for the fourth quarter for which the surcharge shall be remitted on or before March 1 of the succeeding year.

(2) Each fiscal year, the Insurance Commissioner shall calculate a percentage surcharge to be remitted on a quarterly basis by self-insured employers and said percentage shall be calculated by dividing previous year's self-insured payroll in the state into the portion of the Insurance Commissioner's budget amount attributable to regulation of the self-insured employer market. This resulting percentage shall be applied to each self-insured employer's payroll and the resulting amount shall be remitted as a regulatory surcharge by each self-insured employer. The Industrial Council may promulgate a rule for implementation of this section. The company, all other private carriers and all self-insured employers shall furnish the Insurance Commissioner with all required information and

cooperate in all respects necessary for the Insurance Commissioner to perform the duties set forth in this section and in other provisions of this chapter and chapter thirty-three of this code. The surcharge shall be calculated so as to only defray the costs associated with the administration of this chapter and the funds raised shall not be used for any other purpose except as set forth in subdivision (4) of this subsection;

(3) (A) Each private carrier shall collect a premiums surcharge from its policyholders as annually determined, by May 1 of each year, by the Insurance Commissioner to produce \$45 million annually, of each policyholder's periodic premium amount for workers' compensation insurance: *Provided*, That the surcharge rate on policies issued or renewed on or after July 1, 2008, shall be nine percent of the premium collected plus the total of all premium discounts based on deductible provisions that were applied.

(B) By May 1 each year, the self-insured employer community shall be assessed a cumulative total of \$9 million. The methodology for the assessment shall be fair and equitable and determined by exempt legislative rule issued by the Industrial Council. The amount collected pursuant to this subdivision shall be remitted to the Insurance Commissioner for deposit in the Workers' Compensation Debt Reduction Fund created in section five, article two-d of this chapter: *Provided*, That notwithstanding any provision of this subdivision or any other provision of this code to the contrary, if the budget shortfall, as determined by the state Budget Office as of December 1, 2015, is greater than \$100 million, then the Governor may, by Executive Order, redirect deposits of the amount collected pursuant to this subdivision, for any period commencing after February 29, 2016 and ending before July 1, 2016, to the General Revenue Fund, instead of to the fund otherwise mandated in this subdivision, in article two-d, chapter twenty-three of this code or in any other provision of this code: *Provided, however*, That notwithstanding any provision of this subdivision or any other provision of this code to the contrary, the Governor may, by Executive Order, redirect one-half of the deposits of the amount collected pursuant to this subdivision, for any period commencing after June 30, 2016, and ending before July 1, 2017, to the General Revenue Fund, instead of to the funds otherwise mandated in this subdivision, in article two-d, chapter twenty-three of this code or in any other provision of this code, until certification of the Governor to the Legislature that an independent actuary has determined that the unfunded liability of the Old Fund, as defined in chapter twenty three of this code, has been paid or provided for in its entirety.

(4) On or before July 1, 2009, the Insurance Commissioner shall make a one-time lump sum transfer of \$40 million generated from the surcharges assessed pursuant to paragraph (B), subdivision (1) of this subsection and subdivision (2) of this subsection to the Bureau of Employment Programs' Commissioner for deposit with the Secretary of the Treasury of the United States as a credit of this state in the Unemployment Trust Fund Account maintained pursuant to section four, article eight, chapter twenty-one-a of this code.

(g) The new premiums surcharge imposed by paragraphs (A) and (B), subdivision (3), subsection (f) of this section sunset and are not collectible with respect to workers' compensation insurance premiums paid when the policy is renewed on or after the first day of the month following the month in which the Governor certifies to the Legislature that the revenue bonds issued pursuant to article two-d of this chapter have been retired and that the unfunded liability of the Old Fund has been paid or has been provided for in its entirety, whichever occurs last.

CHAPTER 29. MISCELLANEOUS BOARDS AND OFFICERS.

ARTICLE 22A. RACETRACK VIDEO LOTTERY.

§29-22A-10d. Changes in distribution of net terminal income; distributions from excess lottery fund.

(a) Notwithstanding any provision of subsection (b), section ten of this article to the contrary, for the fiscal year beginning July 1, 2014, and each fiscal year thereafter, the commission may transfer up to \$9 million as actual costs and expenses to the Licensed Racetrack Modernization Fund.

(b) Notwithstanding any provision of subsection (c), section ten of this article to the contrary, for the fiscal year beginning July 1, 2014, and each fiscal year thereafter, each distribution, except those distributions to be made pursuant to subdivisions (1), (2), (3), (4), (5) and (7), subsection (c), section ten of this article, shall be reduced by one hundred percent. Payments shall not be made pursuant to section ten of this article, other than those excepted by this subsection, and are made in lieu thereof in an amount to be determined by appropriation from the State Excess Lottery Revenue Fund.

(c) The total amount of reductions resulting from subsection (b) of this section shall be paid into the State Excess Lottery Revenue Fund, created by section eighteen-a, article twenty-two of this chapter. For the fiscal year beginning July 1, 2014, and each fiscal year thereafter, distributions to be made pursuant to subdivisions (2) and (5), subsection (c), section ten of this article shall be reduced by ten percent, and the amounts resulting from the reduction shall be paid into the State Excess Lottery Revenue Fund.

(d) Notwithstanding any other provision of this code to the contrary, for the fiscal year beginning July 1, 2014, and each fiscal year thereafter, moneys deposited to the State Excess Lottery Revenue Fund pursuant to this section shall be expended by the Lottery in accordance with appropriations.

(e) Prior to payment of any appropriation made pursuant to this section, debt service payments payable from the State Excess Lottery Fund shall first be paid in accordance with the provisions of sections eighteen-a, eighteen-d and eighteen-e, article twenty-two of this chapter and in the priority as defined by subsection (c), section eighteen-f, article twenty-two of this chapter.

(f) Notwithstanding any other provision of this code to the contrary, after payment of debt service from the State Excess Lottery Revenue Fund, all other distributions required by section eighteen-a, article twenty-two of this chapter and the distributions appropriated pursuant to this section shall be paid on a pro rata basis.

(g)(1) Notwithstanding Except as provided in subdivision (2) of this subsection, notwithstanding the provisions of paragraph (B), subdivision (9), subsection (c), section ten of this article, upon certification of the Governor to the Legislature that an independent actuary has determined that the unfunded liability of the Old Fund, as defined in chapter twenty-three of this code, has been paid or provided for in its entirety, the transfers made to the Workers' Compensation Debt Reduction Fund pursuant to paragraph (A), subdivision (9), subsection (c), section ten of this article shall expire and those funds shall remain in the State Excess Lottery Revenue Fund subject to appropriation.

(2)(A) Notwithstanding any provision of subdivision (1) of this subsection or any provision of paragraph (B), subdivision (9), subsection (c), section ten of this article or any other provision of this code to the contrary, if the budget shortfall, as determined by the state Budget Office as of December 1, 2015, is greater than \$100 million, then the Governor may, by Executive Order, redirect deposits of revenues derived from net terminal income imposed under this article, for any period commencing after February 29, 2016 and ending before July 1, 2016, to the General Revenue Fund, instead of to the funds otherwise mandated in this article, in article two-d, chapter twenty-three of this code or in any other provision of this code.

(B) Notwithstanding any provision of subdivision (1) of this subsection or any provision of paragraph (B), subdivision (9), subsection (c), section ten of this article or any other provision of this code to the contrary, the Governor may, by Executive Order, redirect one-half of the deposits of revenues derived from net terminal income imposed under this article, for any period commencing after June 30, 2016, and ending before July 1, 2017, to the General Revenue Fund, instead of to the

funds otherwise mandated in this article, in article two-d, chapter twenty-three of this code or in any other provision of this code, until certification of the Governor to the Legislature that an independent actuary has determined that the unfunded liability of the Old Fund, as defined in chapter twenty three of this code, has been paid or provided for in its entirety.

§29-22A-10e. Changes in distribution of excess net terminal income; distributions from excess lottery fund.

(a) Notwithstanding any provision of subsection (a), section ten-b of this article to the contrary, for the fiscal year beginning July 1, 2014, and each fiscal year thereafter, each distribution, except those distributions to be made pursuant to subdivisions (1), (2), (3), (4), (5) and (7), subsection (a), section ten-b of this article, shall be reduced by one hundred percent. Payments shall not be made pursuant to section ten-b of this article, other than those excepted by this subsection, and are made in lieu thereof in an amount to be determined by appropriation from the State Excess Lottery Revenue Fund.

(b) The total amount of reductions resulting from subsection (a) of this section shall be paid into the State Excess Lottery Revenue Fund created in section eighteen-a, article twenty-two of this chapter. For the fiscal year beginning July 1, 2014, and each fiscal year thereafter, distributions to be made pursuant to subdivisions (2) and (5), subsection (a), section ten-b of this article shall be reduced by ten percent, and the amounts resulting from the reduction shall be paid into the State Excess Lottery Revenue Fund.

(c) Notwithstanding any other provision of this code to the contrary, for the fiscal year beginning July 1, 2014, and each fiscal year thereafter, moneys deposited to the State Excess Lottery Revenue Fund pursuant to this section shall be expended by the Lottery in accordance with appropriations.

(d) Prior to payment of any appropriation made pursuant to this section, debt service payments payable from the State Excess Lottery Fund shall first be paid in accordance with the provisions of sections eighteen-a, eighteen-d, and eighteen-e, article twenty-two of this chapter and in the priority as defined by subsection (c), section eighteen-f, article twenty-two of this chapter.

(e) Notwithstanding any other provision of this code to the contrary, after payment of debt service from the State Excess Lottery Revenue Fund, all other distributions required by section eighteen-a, article twenty-two of this chapter and the distributions appropriated pursuant to this section shall be paid on a pro rata basis.

(f)(1) Notwithstanding Except as provided in subdivision (2) of this subsection, notwithstanding the provisions of paragraph (B), subdivision (9), subsection (a), section ten-b of this article, upon certification of the Governor to the Legislature that an independent actuary has determined that the unfunded liability of the Old Fund, as defined in chapter twenty-three of this code, has been paid or provided for in its entirety, the transfers made to the Workers' Compensation Debt Reduction Fund pursuant to paragraph (A), subdivision (9), subsection (a), section ten-b of this article shall expire and those funds shall remain in the State Excess Lottery Revenue Fund subject to appropriation.

(2)(A) Notwithstanding any provision of subdivision (1) of this subsection or any provision of paragraph (B), subdivision (9), subsection (a), section ten-b of this article or any other provision of this code to the contrary, if the budget shortfall, as determined by the state Budget Office as of December 1, 2015, is greater than \$100 million, then the Governor may, by Executive Order, redirect deposits of revenues derived from net terminal income imposed under this article, for any period commencing after February 29, 2016 and ending before July 1, 2016, to the General Revenue Fund, instead of to the funds otherwise mandated in this article, in article two-d, chapter twenty-three of this code or in any other provision of this code.

(B) Notwithstanding any provision of subdivision (1) of this subsection or any provision of paragraph (B), subdivision (9), subsection (a), section ten-b of this article or any other provision of this code to the contrary, the Governor may, by Executive Order, redirect one-half of the deposits of revenues derived from net terminal income imposed under this article, for any period commencing after June 30, 2016, and ending before July 1, 2017, to the General Revenue Fund, instead of to the funds otherwise mandated in this article, in article two-d, chapter twenty-three of this code or in any other provision of this code, until certification of the Governor to the Legislature that an independent actuary has determined that the unfunded liability of the Old Fund, as defined in chapter twenty three of this code, has been paid or provided for in its entirety.”

Delegate Sponaugle moved to amend the amendment on page six, section four, line sixty-five, by striking out the word “discontinued” and the period and further striking out the remainder of subsection (g) and inserting a colon and the following proviso:

“Provided, The tax shall be continued beginning fiscal year 2017, and the assessment rates as determined by this article shall be deposited quarterly into the public employees insurance trust fund as provided in section eighteen, article sixteen, chapter five of this code until certification of the Governor that the fund will be solvent, with employee rates and deductibles at or exceeding those benefits received for the fiscal year 2015, and will be solvent without the taxes established pursuant to this article, and the fund is fully funding for the upcoming fiscal year. Upon such certification, the taxes assessed pursuant to this article are expired.”

And,

On page fifteen, section ten (d), line fifty-five, following the period, by inserting a new subdivision (C) to read as follows:

“(C) Notwithstanding any code provision to the contrary, all taxes herein established shall be continued and deposited into the special fund established by the Public Employees Insurance Agency created pursuant to section eighteen, article sixteen, chapter five of this code on July 1, 2016.”

Speaker Pro Tempore Anderson in the Chair

Mr. Speaker, Mr. Armstead, arose from his seat and requested to be excused from voting on questions related to S. B. 419 under the provisions of House Rule 49.

The Speaker Pro Tempore replied that any impact on Mr. Armstead would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse him from voting.

Mr. Speaker, Mr. Armstead, in the Chair

Delegates Ambler, Anderson, Border, Byrd, Duke, Eldridge, Espinosa, Flanigan, Fleischauer, Frich, Guthrie, Hamilton, Householder, Ihle, Lynch, Marcum, McGeehan, Moore, Moye, E. Nelson, J. Nelson, Perdue, Perry, Pethel, Romine, Rowan, Shaffer, R. Smith, Wagner and Walters requested to be excused from voting on questions related to S. B. 419 under the provisions of House Rule 49.

The Speaker replied that any impact on Delegates would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Members from voting.

Delegates Skinner, Ferro, McGeehan, Folk and Fluharty moved to amend the Finance Committee amendment on pages thirteen through seventeen, by striking out §29-22A-10d and §29-22A-10e in their entirety, and inserting in lieu thereof, the following:

§29-22A-10d. Changes in distribution of net terminal income; distributions from excess lottery fund.

(a) Notwithstanding any provision of subsection (b), section ten of this article to the contrary, for the fiscal year beginning July 1, 2014, and each fiscal year thereafter, the commission may transfer up to \$9 million as actual costs and expenses to the Licensed Racetrack Modernization Fund.

(b) Notwithstanding any provision of subsection (c), section ten of this article to the contrary, for the fiscal year beginning July 1, 2014, and each fiscal year thereafter, each distribution, except those distributions to be made pursuant to subdivisions (1), (2), (3), (4), (5) and (7), subsection (c), section ten of this article, shall be reduced by one hundred percent. Payments shall not be made pursuant to section ten of this article, other than those excepted by this subsection, and are made in lieu thereof in an amount to be determined by appropriation from the State Excess Lottery Revenue Fund.

(c) The total amount of reductions resulting from subsection (b) of this section shall be paid into the State Excess Lottery Revenue Fund, created by section eighteen-a, article twenty-two of this chapter. For the fiscal year beginning July 1, 2014, and each fiscal year thereafter, distributions to be made pursuant to subdivisions (2) and (5), subsection (c), section ten of this article shall be reduced by ten percent, and the amounts resulting from the reduction shall be paid into the State Excess Lottery Revenue Fund.

(d) Notwithstanding any other provision of this code to the contrary, for the fiscal year beginning July 1, 2014, and each fiscal year thereafter, moneys deposited to the State Excess Lottery Revenue Fund pursuant to this section shall be expended by the Lottery in accordance with appropriations.

(e) Prior to payment of any appropriation made pursuant to this section, debt service payments payable from the State Excess Lottery Fund shall first be paid in accordance with the provisions of sections eighteen-a, eighteen-d and eighteen-e, article twenty-two of this chapter and in the priority as defined by subsection (c), section eighteen-f, article twenty-two of this chapter.

(f) Notwithstanding any other provision of this code to the contrary, after payment of debt service from the State Excess Lottery Revenue Fund, all other distributions required by section eighteen-a, article twenty-two of this chapter and the distributions appropriated pursuant to this section shall be paid on a pro rata basis.

~~(g) Notwithstanding the provisions of paragraph (B), subdivision (9), subsection (c), section ten of this article, upon certification of the Governor to the Legislature that an independent actuary has determined that the unfunded liability of the Old Fund, as defined in chapter twenty-three of this code, has been paid or provided for in its entirety, the transfers made to the Workers' Compensation Debt Reduction Fund pursuant to paragraph (A), subdivision (9), subsection (c), section ten of this article shall expire and those funds shall remain in the State Excess Lottery Revenue Fund subject to appropriation.~~

§29-22A-10e. Changes in distribution of excess net terminal income; distributions from excess lottery fund.

(a) Notwithstanding any provision of subsection (a), section ten-b of this article to the contrary, for the fiscal year beginning July 1, 2014, and each fiscal year thereafter, each distribution, except those distributions to be made pursuant to subdivisions (1), (2), (3), (4), (5) and (7), subsection (a), section ten-b of this article, shall be reduced by one hundred percent. Payments shall not be made pursuant to section ten-b of this article, other than those excepted by this subsection, and are made in lieu thereof in an amount to be determined by appropriation from the State Excess Lottery Revenue Fund.

(b) The total amount of reductions resulting from subsection (a) of this section shall be paid into the State Excess Lottery Revenue Fund created in section eighteen-a, article twenty-two of this chapter. For the fiscal year beginning July 1, 2014, and each fiscal year thereafter, distributions to be made pursuant to subdivisions (2) and (5), subsection (a), section ten-b of this article shall be reduced by ten percent, and the amounts resulting from the reduction shall be paid into the State Excess Lottery Revenue Fund.

(c) Notwithstanding any other provision of this code to the contrary, for the fiscal year beginning July 1, 2014, and each fiscal year thereafter, moneys deposited to the State Excess Lottery Revenue Fund pursuant to this section shall be expended by the Lottery in accordance with appropriations.

(d) Prior to payment of any appropriation made pursuant to this section, debt service payments payable from the State Excess Lottery Fund shall first be paid in accordance with the provisions of sections eighteen-a, eighteen-d, and eighteen-e, article twenty-two of this chapter and in the priority as defined by subsection (c), section eighteen-f, article twenty-two of this chapter.

(e) Notwithstanding any other provision of this code to the contrary, after payment of debt service from the State Excess Lottery Revenue Fund, all other distributions required by section eighteen-a, article twenty-two of this chapter and the distributions appropriated pursuant to this section shall be paid on a pro rata basis.

~~(f) Notwithstanding the provisions of paragraph (B), subdivision (9), subsection (a), section ten-b of this article, upon certification of the Governor to the Legislature that an independent actuary has determined that the unfunded liability of the Old Fund, as defined in chapter twenty-three of this code, has been paid or provided for in its entirety, the transfers made to the Workers' Compensation Debt Reduction Fund pursuant to paragraph (A), subdivision (9), subsection (a), section ten-b of this article shall expire and those funds shall remain in the State Excess Lottery Revenue Fund subject to appropriation."~~

On the adoption of the amendment to the amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 182**), and there were—yeas 37, nays 61, absent and not voting 2, with the yeas and absent and not voting being as follows:

Yeas: Bates, Blackwell, Boggs, Byrd, Campbell, Caputo, Duke, Eldridge, Espinosa, Faircloth, Fleischauer, Fluharty, Folk, Guthrie, Hartman, Hicks, Hornbuckle, Householder, Ihle, Longstreth, Manchin, McGeehan, Miley, Moore, Morgan, Perdue, Perry, R. Phillips, Pushkin, Reynolds, Rodighiero, Rowe, Skinner, Sponaugle, Trecost, Upson and Zatezalo.

Absent and Not Voting: Ferro and Storch.

So, a majority of the members present and voting not having voted in the affirmative, the amendment to the amendment was rejected.

There being no further amendments, the amendment recommended by the Committee on Finance was then adopted.

The bill was then ordered to third reading.

Com. Sub. for H. B. 2202, Relating to more equitable disbursement of funds to county boards; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 2897, Young Entrepreneur Reinvestment Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4009, Letting Our Counties Act Locally Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4171, Relating to the public school calendar; on second reading, coming up in regular order, was read a second time.

Delegates Perry, Ambler, P. Smith, Pethtel, Cooper, D. Evans, Perdue, Campbell, Rowans, Westfall, Wagner, Hartman, Romine, Boggs, Caputo, Pushkin, Shaffer, Lynch, Eldridge, Morgan, A. Evens, Hamilton, Sponaugle, Canterbury, P. White, Guthrie, Longstreth and Reynolds moved to amend the bill on page two, section forty-five, line forty, by striking out the words “the 15th”, and inserting in lieu thereof, the number “10th”.

On page two, section forty-five, line forty-one, by striking out the words “the 15th”, and inserting in lieu thereof, the number “10th”.

And,

On page three, section forty-five, line seventy, by striking out the words “up to eight days” and the comma.

On the adoption of the amendment, Delegate Perry demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 183**), and there were—yeas 92, nays 5, absent and not voting 3, with the yeas and absent and not voting being as follows:

Nays: Cowles, Howell, Moffatt, Shott and Upson.

Absent and Not Voting: Ferro, Skinner and Storch.

So, a majority of the members present and voting having voted in the affirmative, the amendment was adopted.

The bill was then ordered to engrossment and third reading.

Com. Sub. for H. B. 4295, Relating to the School Innovation Zones Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4365, Relating to the certificate of need process; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4572, Excepting specialized contract instructors from the definition of teacher; on second reading, coming up in regular order, was read a second time.

On motion of Delegates Moye, Ambler, Cooper, Rowen, D. Evans, P. Smith and Perry, the bill was amended on page two, section one, line thirty-six, after the word “compensation” and the comma, by adding the word “benefits” and a comma.

And,

On page two, section one, line thirty-seven, after the word “contract” and the semicolon, by inserting a colon, and the following proviso:

“Provided, That in no event shall a specialized contract instructor displace a teacher.”

On motion of Delegates Moye, Ambler, Cooper, Rowan, D. Evans and Perry the bill was amended on page two, section one, line twenty-seven, after the word “is”, by striking out the word “an” and inserting in lieu thereof the words “a part time”.

And,

On page two, section one, line thirty-one, after the word “agency”, by inserting a colon, and the following proviso:

“Provided, That the specialized contract instructor is employed for less than three and one-half hours per day.”

The bill was then ordered to engrossment and third reading.

H. B. 4594, Relating to predoctoral psychology internship qualifications; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4612, Relating generally to tax increment financing and economic opportunity development districts; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4617, Authorizing legislative rules of the Higher Education Policy Commission regarding the Underwood-Smith Teacher Scholarship Program and Nursing Scholarship Program; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4651, Relating to professional examination requirements for hearing-aid dealers and fitters; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4674, Relating to motor vehicle back-up lamps; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4705, Relating to adding an additional type of West Virginia source income of nonresident individual; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

First Reading

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

H. B. 2494, Creating a provisional plea process in criminal cases,

Com. Sub. for H. B. 4014, Preventing the State Board of Education from implementing common core academic standards and assessments,

Com. Sub. for H. B. 4201, Increasing the criminal penalties for participating in an animal fighting venture,

H. B. 4334, Clarifying the requirements for a license to practice as an advanced practice registered nurse and to expand the prescriptive authority that may be granted to advanced practice registered nurses,

H. B. 4351, Transferring the Cedar Lakes Camp and Conference Center from the West Virginia Board of Education to the Department of Agriculture,

H. B. 4358, Relating to out of state physicians and surgeons traveling with sports teams within this state,

Com. Sub. for H. B. 4433, Allowing an adjustment to gross income for calculating the personal income tax liability of certain retirees,

Com. Sub. for H. B. 4487, Relating to state retirement systems,

Com. Sub. for H. B. 4519, Allowing certain municipalities to elect to participate in the West Virginia Municipal Police Officers and Firefighters Retirement System,

H. B. 4558, Relating to victim notification and designation of additional individuals to receive notice of an offender's release,

Com. Sub. for H. B. 4607, Adding violations of law upon which a public servant's retirement plan may be forfeited,

Com. Sub. for H. B. 4636, Increasing the penalties for violating the Whistle-blower Law,

H. B. 4652, Relating to the creation of an intermediate contractor's license,

And,

H. B. 4706, Relating to county board regional meetings.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leave of absence for the day was granted Delegate Ferro.

Remarks of Members

Unanimous consent having been obtained, the following remarks were ordered printed in the Journal:

Speaker Pro Tempore Anderson in the Chair

Mr. Speaker, Mr. Armstead – Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen, obviously it is very rare for me to come down to my desk here. It is nice to know I still have one here on the floor to speak to the members. And while I know there was some, some coverage in the last week that said I came down on a certain bill, as you may recall, I came down to defend a particular ruling. So I really didn't come down necessarily to speak to the House about a particular subject and so I think it is, in my 18 years here it has been, very rare that the Speaker comes to address a particular subject, and it should be, but it has occurred and when it has occurred it has been a subject that, that particular Speaker or the membership of the House has found very serious and one that they felt, that person felt, was so important to the future of our state that they decided to take a moment to address the House.

That is why I hope you will take my comments in that context. Which is that I do believe that this is a very important issue. An important issue that is a priority, not only for me as Speaker but also for the members of our caucus but, I think in terms of the entire membership of this House, and that is the PEIA issue. So I would like to take just a few moments today and, first of all let me say this, I think that all the debate about this issue has, I think, centered on what all of us really know and value, at our state, which is our public employees, our teachers and our retirees. Now, I think all of us could sit here today and think of a particular teacher, perhaps that you had or other teachers, and how important they are to you and how much of an impact they made on your lives and how much they mean to you. I have a particular teacher on occasion when I get on Facebook, which isn't often, I have discussed.....still keep in contact

with this teacher, my third grade teacher. This is a very important issue to these individuals who I think have been needlessly to some degree used in this process, needlessly caused to fear their future, needlessly particularly in some ways become a political object which they should not have been.

So what I would like to do for just a few moments today and I know we have had a long day on the House floor here, but just if you all indulge me for a few moments to talk about this issue because I think there has been a lot of misinformation about this and those of us who are as old as I am remember the old Dragnet show and Friday saying "just the facts ma'am". Okay, let me talk about "just the facts" on this and not the rhetoric. Because the facts I think are not exactly what has been presented in many cases.

So let's talk about where we've been, where we are and where we are going on this issue. Where we've been, if you recall this came up primarily as a result of a....I don't know if it was a press release or a comment the Governor made back last year that he did not intend at that time to put additional funding in the PEIA system. The result of which would be that there would be inadequate funding to continue that system without what has been called draconian increases in co-pays and deductibles and I think we would all agree and I will be the first to say, those were draconian and our teachers, our retired teachers, our retired police are better than what they would have gotten as a result of those cuts. I think we all agree to that.

Let's talk about where we have been on this issue. Where we've been on this issue is that this has been a simmering problem for many, many years. And I am not saying this to point fingers or blame or anything else on that but I am trying to... let's lay the foundation of where we are and where we are is this, I looked at the sheet here in terms of the reserve fund for PEIA. Now, I have taken just a snap shot from 2013 to 2016 and in that period of time we have had an increase of 18% in expenses payments out of that fund, 18% in those three years...I guess counting those years is four years....18% increase. But, the problem we have had is the reserve fund has been allowed to continue to diminish. So back in 2012 there was \$190 million in that fund, it went up in 2014 to \$230 million but since 2014 it has been reduced to \$176 million, \$136 million now in 2016, for an overall reduction between 2013 and 2016 of 36.44%. So we have had 18% increases and we have allowed that fund to diminish by 36...almost 36.5% over that period of time.

There were no alarm bells going off at that time. There was no action. There was no one on this House floor demanding a plan to address that. The administration and this legislature allowed that to happen over the years and that is where we got where we are...that is how we got where we are. So, when we talk about whether there is a plan for this, what I'd ask is where was that plan over those many, many years while this was occurring? It didn't happen.

Now, so where does that leave us? After that occurred the members of the board, PEIA board, had various meetings throughout the state. Many of you I am sure attended those meetings. Talk about these draconian cuts, caused a great deal of fear in the hearts of many, many retirees... public employees... and so that is why we now have this angst that I think has spread throughout our legislature and throughout our state. That is where we were.

Now where are we now, today? Where we are today is this, we have listened to what has been said about this... this issue. We have taken it to heart. The Governor has proposed a budget that is pending before the two Finance Committees in the House and Senate and in that budget there is a funding to avoid these cuts. Now I know you say where are you coming up with the funding? Let me...let me, follow me in terms of where we are in terms of this issue. The budget that has been proposed has \$43 million of additional revenue funds. It has \$24 million in new special revenue funds, that is a total of \$66....\$67 million new dollars. In addition to that, a new contract with CVS/Caremark will save \$23 million dollars that goes in to that...that stays in that fund and there is an addition \$6 million that comes from other changes to the program. We started out with \$120 million that we need originally and after you put all that together, the funding that was included in the Governor's budget, the funding that was included in the Caremark contract, the other funding, we have filled that \$120 million hole in the budget. And, as I said, stay with me in terms of where we are talking about. In the budget as it currently stands, PEIA is fully funded.

Now you say, what's our plan, what's our plan and when we say it is in the budget everyone says no, no, no, that is not a plan. That is the plan. That is the money. That is where the money is. Now you may legitimately ask, "Where will that money come from? But let me step back and say that unless someone has the idea that they are going to go into that budget and pull that money out, it is funded in that current budget and I know of no one that intends to go in and do that. I can commit to you that I have no interest in doing so and I don't think the legislature as a whole is interested in taking that money out

so where does that leave us in terms of moving forward? Well, we do have a great deal of work left to do on this budget and I have here on my desk copies of all the agency, I guess some may have submitted electronically, but all the agency presentations that have been given to the House Finance and Senate Finance Committees. I also have a copy, that I think many of you have on both sides of the aisle, of when the Chairman of the House Finance Committee asked the agencies to propose where they could make some additional cuts. Here is the proposal that they gave us. So in front of us here is a great deal of information about the funding of all of our state agencies.

So, what we have left in the next two and a half weeks are some very tough decisions, but let me say those aren't tough decisions necessarily about PEIA, those are tough decisions about our budget. So when you say that, "Where is the plan to fund PEIA?" The plan is already in this budget. It is simply a matter of balancing our overall budget. So if you want to point out and say, "Wait a minute where is the plan, where is the bill on PEIA", could we not say the same thing about any particular line item in this budget? I could ask those who say that every day, where is the plan, where is your plan to fund any of the other programs that are going to need to be funded that we are looking for revenue to fund? Where is your plan to fund corrections? Where is your plan to make sure teachers are paid? Where is your plan to do this or that? The plan is the budget. The budget is where we will make up the funding necessary to continue to fund PEIA and all these other issues that are important to West Virginians.

So as I look at the budget, right here it is. This is the proposed budget bill and you go to page 27 and then right there...Public Employees Insurance Matching Fund, \$43,487,151. Right there, it is in the budget. Now unless someone is taking it out. Which again, I know of no one intending to do so. It is in the budget as we speak. Now we will have to make some tough decisions about whether there will be cuts in our overall budget, whether there will be additional revenue measures and, yes, the Senate has sent over a bill along with a tobacco tax and that will be discussed in this House. And we will make those decisions, all 100 members of this House will make the decisions about what cuts might need to be made, what revenue may need to be raised but what I am asking the people in this House is let's quit the game playing. Let's quit trying to take every bill that comes through here, whether it actually would or not fund anything, and try to throw some amendment on and try to say there is no plan.

This is a plan that needs to be developed as part of our overall budget because this budget is what will fund PEIA and make sure that our citizens do not have draconian cuts that none of us, Republican or Democrat, want to see occur. What I am asking each of you is to work with us together in a bipartisan manner to fund, FY17 budget and beyond. And when we talk about fixing PEIA let's think about... in addition to funding it there are other things that we are going to need to do in future years to ensure we don't get right back where we were when we started this session. It was irresponsible, now let me repeat that, it was irresponsible to continue to fund benefits for working West Virginians out of that reserve fund and letting it get down to where it was, that was irresponsible and that is what caused us to be where we are today and we cannot allow that to occur again.

If we are going to be responsible to these teachers and these retirees and these state employees, we need to make sure that doesn't occur and there are going to be some other things we need to take a very close look at in terms of how this program is run but in terms of funding it and assuring our teachers, our public employees, our retirees that it is funded...I hope that you will take to heart today what I am saying and what I believe I am saying on behalf of this legislature is that we are not going to allow those draconian cuts to take place and we are going to continue as we fund this budget to make sure that and the other essential programs of our state are funded.

It is going to take some tough work, it is going to take some tough decisions and, yes, those decisions are going to be made by all 100 of us, and the 34 members across the hall, and the Governor downstairs, but we need to work together and quit playing games and quit trying to get soundbites and trying to get, you know, some type of gotcha moment. My third grade teacher and the other teachers deserve better than that as do... all the other retirees...employees of our state. It is time to get to work over the next two and a half weeks that we have of this session... solve this issue. We have plans to do it that will be in front of this House over the next two and a half weeks. Let's get to work and work together to do this. Thank you.

Mr. Speaker, Mr. Armstead, in the Chair

Delegate Miley – Thank you Mr. Speaker. I too appreciate your comments but I feel some of them have to be addressed. Number one, some of us too had a meeting with the Governor, at the beginning of the session, who presented a plan to fix much of the PEIA shortfall, not all...much of. Conditioned on that plan was the passage of a 45 cent, at least 45 cent cigarette tax increase. He sent up his bill and neither you, Mr. Speaker, or the Senate President signed off on that bill. So what is one to conclude

when the leadership is not willing to sign off on a bill that makes up part of the budget to restore some of these cuts? What is one to conclude? So we still haven't heard whether there is support for any form of a cigarette and tobacco tax increase to help restore these cuts.

So if you want to find the source of the concern, the source of uncertainty as to whether or not the PEIA cuts will be restored in toto or in part, let's start with where we are going to find these revenue enhancements. Now we are willing to work together on that. We have made that very clear from day one but, to date, it appears there is some resistance to that, so I am left to assume perhaps that we are going to face cuts to come up with the money to fund that. But let's not make any mistake, there was a lack of willingness to support the Governor's plan that provided the balanced budget contingent upon certain pieces of legislation passing. So we don't know what you are going to do to submit a balanced budget to us for consideration. So that, among many reasons, is why there has been the constant request of, "What is your plan?", because you haven't embraced the plan the Governor sent up, not yet anyway. Now with all due respect, I do take a little offense about the accusation of political gamesmanship. And it is really striking to me when the majority party, who was once the minority party who would routinely move to discharge bills, abortion bills when the Right to Life's were here, and take other steps to try to make then the majority party look bad, now complains when similar requests are made on it.

My request for all of us is we need to understand that we all have constituents, we all have issues that are important and each one of us ought to take whatever steps necessary to satisfy those concerns. There was reference to the reserve fund and, yes, it has been spent down. It was several hundred million strong. You can see from the document that the Finance Chair and the Minority Chair of Judiciary were using. There has been a significant decrease in coal production, significant revenue from oil and gas, and had the six year projections been met we wouldn't have had to spend down the reserve fund but nobody expected...this was the year we were supposed to have a surplus going back two or three years ago. Nobody expected the condition we are in now. So that is why there is a shortfall and the shortfall was known last year and all that has been requested was..."What is the plan?" That we have known about it for at least six or eight months. Now we want to work in a bipartisan manner on the plan but to suggest that somehow this has been an ongoing problem for years... when you have several hundred million dollars surplus, yes, you can afford to have years where you don't fully fund it and draw down from the surpluses. That is why you have a surplus. But it had never gotten to this point. It has never got to this point.

I think that we can fix it together but it is going to take bold and courageous leadership. We got a bill from the Senate that I think goes a long way if not completely fixes the PEIA problem but also, most importantly in my opinion, has a positive impact on the health of West Virginians. Twenty-five Senators, bipartisan vote supported that...Senate President didn't. How committed is he to fixing PEIA? I hope the leadership of this House stands up despite what the leadership of the Senate may have done and says we are committed and we are going to make those tough decisions because we have to make them too. Do you think any of us would've voted for a tax increase of any kind? It would just be as easy for us to vote no. I have had a member of the now majority party when they were in the minority tell me, tell me privately, I can always go home and explain my no votes...that's not leadership. Hope you won't find it on our side and I don't think it will come from your side.

So we are willing to work together Mr. Speaker, but it is important that we remember not that long ago when some of the same things now are being complained of were engaged in by the now majority party. I don't think I took the floor and complained about those tactics. It was part of what we do down here serving our constituents. So, I think we are all going to press each other to make sure we get what's needed done from now until day 60, or beyond day 60 if necessary. So, I thank you for your comments and your commitment and I mean that sincerely but let's not act like we are forbidden, prohibited, or we should be discouraged from speaking out and speaking up for our constituents who have these concerns.

I am sure you all are getting the same emails I am getting and the fact is there are cuts in 2016 to the tune of \$65-67 million that you heard the gentleman from the 38th refer to. They drew down the reserve fund to the floor and had to cut another \$35 million in benefits this year. It is not the \$120 million that is this year and so there have been significant cuts that need to be addressed if that is a priority and choice of this body. If it is not, I guess that is fine too. But, it is up to us together, primarily the majority party, it is up to us together though to decide what our priorities are and how serious we want to engage in efforts to meet those priorities and some of us have different priorities.

One of the things I tell everyone that I love about this body, and it was a learning experience for me when I first got elected, is we live a very geographically diverse state despite its small size in terms of population. The priorities of the eastern panhandle are different from the southern coalfields. The priorities from the southern coalfields are different from northcentral and the northern panhandle. So we

all have different priorities for which we come down here that take different places on our list of priorities. One of the things that I think we all should have is fixing PEIA and I look forward from this day forward of moving together in lockstep to address that problem if we can.

So with that, Mr. Speaker, I do appreciate your.....I will consider it an invitation to work together in a bipartisan manner but make no mistake, we are still going to work hard to hold the majority party's feet to the fire as you did us when we were the majority party and I didn't find any shame in that against you all when you did it. That is just part of the process when you are in the opposing parties and one is the majority and one is the minority and you have opposing views. That is part of the process and I hope we can continue working through the next seventeen days. I hate the thought of going beyond that very long but if we do, we do, and we will work with the Finance Chair to make that happen. Thank you.

Messages from the Senate

A message from the Senate, by

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

Com. Sub. for H. B. 4145, Relating to carry or use of a handgun or deadly weapon.

Miscellaneous Business

Delegate Anderson asked and obtained unanimous consent that the remarks of Delegate Morgan regarding budgetary issues be printed in the Appendix to the Journal.

At 1:55 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 6:00 p.m.

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Evening Session

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Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, without amendment, of concurrent resolutions of the House of Delegates as follows:

Com. Sub. for H. C. R. 2, U.S. Army PV2 William Frederick Kump Memorial Bridge,

Com. Sub. for H. C. R. 14, Second Friday in July as West Virginia Collector Car Appreciation Day,

And,

Com. Sub. for H. C. R. 19, H. Laban White Memorial Bridge.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 7, Establishing wrongful conduct rule prohibiting recovery of damages in certain circumstances.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 252 - “A Bill to amend and reenact §62-1D-2 of the Code of West Virginia, 1931, as amended, relating to Wiretapping and Electronic Surveillance Act; and excluding from protection under the act oral communications uttered in a place where there are notices posted informing persons that their oral communications are being intercepted”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 274 — “A Bill to amend and reenact §50-2-1 of the Code of West Virginia, 1931, as amended, relating to increasing the civil jurisdictional amount in magistrate courts from \$5,000 to \$10,000; and allowing circuit courts to send cases at or under the jurisdictional amount to magistrate courts for trial”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 291 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §29-2B-1, §29-2B-2, §29-2B-3, §29-2B-4, §29-2B-5, §29-2B-6 and §29-2B-7, all relating to regulation of unmanned aircraft systems; requiring compliance with federal laws and regulations relating to such vehicles; defining terms; creating criminal offenses for certain conduct using an unmanned aircraft system and setting penalties therefor; regulating law-enforcement use of unmanned aircraft systems; limiting uses by law enforcement of unmanned aircraft systems; requiring search warrants to be obtained before unmanned aircraft systems may be used in criminal investigations and creating exemptions thereto; requiring documentation of law-enforcement flights of unmanned aircraft systems and maintenance of records; precluding admissibility in civil, criminal and administrative proceedings of images or the evidence obtained in violation of the provisions of this article; and requiring the West Virginia Aeronautics Commission, the West Virginia Department of Military Affairs and Public Safety, the West Virginia Sheriffs’ Bureau for Professional Standards and the West Virginia State Police to propose legislative rules and promulgate emergency rules”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 376 — “A Bill to amend and reenact §30-18-10 of the Code of West Virginia, 1931, as amended, relating to background checks for applicants for private investigator and security guard licensure; directing Secretary of State to request a full set of fingerprints from each applicant; stating purpose for requesting fingerprints; and directing fingerprints to be checked through Criminal Identification Bureau of West Virginia State Police and United States Federal Bureau of Investigation”; which was referred to the Committee on Government Organization.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

S. B. 416 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-51-1, §16-51-2, §16-51-3, §16-51-4, §16-51-5, §16-51-6, §16-51-7 and §16-51-8, all relating to allowing terminally ill patients to have access to investigational products that have not been approved by the federal Food and Drug Administration that other patients have access to when they participate in clinical trials; establishing a short title; setting out legislative findings;

defining terms; allowing drug manufacturers to provide investigative products; setting forth insurance requirements; and prohibiting action"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

S. B. 438 — "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §27-6A-2a, relating to notification and recommendation of Department of Health and Human Resources with regard to placement of criminal defendants committed to the department's care and custody"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 474 — "A Bill to amend and reenact §5A-3-3 of the Code of West Virginia, 1931, as amended, relating to exempting Department of Environmental Protection's construction or reclamation contracts from review and approval requirements of the Division of Purchasing"; which was referred to the Committee on Government Organization.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to concur in the amendment of the House of Delegates and requested the House to recede from its amendment to

S. B. 509, Removing 10-day requirement Division of Labor has to inspect amusement rides and attractions.

On motion of Delegate Cowles, the House of Delegates refused to recede from its amendment and requested the Senate to agree to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Arvon, Stansbury and P. White.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 575 — "A Bill to amend and reenact §5A-10-5 of the Code of West Virginia, 1931, as amended, relating to the Real Estate Division; and providing that any contract or lease in the name of the state for office space which requires the landlord or owner of the premises to provide for or contract for cleaning or janitorial services shall not also require the owner or landlord of the premises to use any particular person, firm or company to provide the cleaning or janitorial services"; which was referred to the Committee on Government Organization.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 592 — “A Bill to amend and reenact §24B-5-3 of the Code of West Virginia, 1931, as amended, relating the method of calculating the amount of special license fees paid by pipeline companies to the Public Service Commission”; which was referred to the Committee on Energy.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 621 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24A-2-7, relating to exempting taxicab companies whose drivers are independent contractors from providing workers’ compensation coverage for the drivers”; which was referred to the Committee on Roads and Transportation then the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

S. C. R. 30 — “Requesting Division of Highways to name a new bridge, bridge design number 11166 (with latitude and longitude values of 38.05515, -81.82709), crossing the Little Coal River in Boone County the ‘Lester W. and Ida C. Ellis Memorial Bridge’.”

Whereas, Lester W. Ellis was born May 5, 1904, in Sioux City, Iowa, the oldest child of parents who had immigrated to the United States through Ellis Island from Lebanon; and

Whereas, In 1924, the family moved to Kanawha County, West Virginia, and Lester W. Ellis’s parents peddled merchandise in the Cabin Creek area and operated a grocery store; and worked in the Clothier, West Virginia, area selling items from the trunk of their vehicle; and

Whereas, Due to his determination and work ethic, Lester W. Ellis learned the trade from his father and became an extremely successful businessman; and

Whereas, At a dance somewhere in the South Charleston area in 1930, Lester W. Ellis met Ida Cantees of Williamson, West Virginia; and

Whereas, The couple married June 11, 1933, made a home in Madison and peddled wares in Madison and the Clothier area; and

Whereas, In the late 1930s, Lester W. and Ida C. Ellis, along with Lester’s brother, opened the People’s Department Store, a dry goods store on Main Street in Madison. A few years later, they built on Main Street in Madison another store called The New and Greater Ellis Department Store with their motto being “Growing Bigger—Serving Better”; and

Whereas, Both stores thrived for many years, serving the people of Madison and surrounding areas; and

Whereas, Lester W. Ellis, along with other local business and professional men, chartered the Madison Lions Club in 1943. The club did charitable and civic work that benefited the entire county; and

Whereas, Lester W. Ellis was vice president of the Madison Home Furniture Company which Lester and his brothers opened in a vacated building on Main Street in Madison; and

Whereas, In the early 1960s Lester W. Ellis and other prominent businessmen founded HECK'S, which became a multistate discount store business which operated in West Virginia, Kentucky, Ohio and Virginia. The first of many HECK'S stores opened in 1962 on Washington Street in Charleston, West Virginia. Lester W. Ellis served as Vice President of HECK'S. The "E" in HECK'S represented the Ellis brothers, Lester and Tom; and

Whereas, Ida C. Ellis, a civic-minded citizen and leader in Madison who worked right along with her husband in early business endeavors, later became a stay-at-home mother and homemaker who participated in many civic activities; and

Whereas, Ida C. Ellis was a dedicated member in the Madison Junior Woman's Club, Wildwood Garden Club, Order of the Eastern Star and the Parent Teacher Association, in which she held various offices; and

Whereas, The couple's love of community and service to the people of the community helped Madison, West Virginia, become a thriving town; and

Whereas, It is fitting that a memorial be dedicated to recognize the many contributions Lester W. and Ida C. Ellis made to the community of Madison, West Virginia, their generosity to others, strong family ties, and their legacy of family members who continue to carry on the good name and work they started; and

Whereas, A new bridge is being built on property previously belonging to the Ellis family; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a new bridge, bridge design number 11166 (with latitude and longitude values of 38.05515, -81.82709), crossing the Little Coal River in Boone County the "Lester W. and Ida C. Ellis 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 "Lester W. and Ida C. Ellis 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.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

S. C. R. 31 — "Requesting Division of Highways to name bridge number 23-12-0.05 (23A057) (37.87210, -81.98544), locally known as the 'Peach Creek Bridge', carrying CR-12 over Guyandotte River in Logan County, the 'U. S. Air Force Staff Sgt Bethel Howard McNeely and U. S. Marine Staff Sgt Clyde Elmo Bryant Bridge'."

Whereas, Staff Sergeant Bethel Howard McNeely was born on January 1, 1922, at Peach Creek, West Virginia, the son of Manny and Mary McNeely of Peach Creek; and

Whereas, Staff Sergeant Bethel Howard McNeely was raised in Logan County and enlisted in the Air Force in September 1942. He served with the 94th Bomb Group, 333rd Bomb Squadron from September 1942 until October 1945 as a Tail Gunner on a B-17 Flying Fortress; and

Whereas, During this time, Staff Sergeant Bethel Howard McNeely flew on 26 missions into Germany and enemy-occupied territory; and

Whereas, Staff Sergeant Bethel Howard McNeely was awarded the Presidential Unit Citation Distinguished Flying Cross, Air Medal with Three Oak Leaf Clusters, the Air Offensive Europe with Battle Star and the European, African and Middle East Theater Ribbons; and

Whereas, Upon returning home, Staff Sergeant Bethel Howard McNeely worked for C&O Railroad until he retired in 1985. Today he resides at Crooked Creek in the home where he raised seven children. His wife was a long-time employee of the Logan County Board of Education, serving in the Payroll Office; and

Whereas, Staff Sergeant Bethel Howard McNeely is a member of the Crooked Creek Church of Christ and much loved in the community; and

Whereas, United States Marine Staff Sergeant Clyde Elmo Bryant enlisted in the service during World War II, in Bridgeport, Connecticut, when he heard of the attack on Pearl Harbor; and

Whereas, After training at Cherry Point and Parris Island, Staff Sergeant Clyde Elmo Bryant was assigned to the Third Marine Division and shipped off to the Pacific. He made beachhead landings at Guam, Bougainville and Iwo Jima, as well as on other smaller islands; and

Whereas, Staff Sergeant Clyde Elmo Bryant was loading wounded Marines for transfer off the Island of Iwo Jima when the famous flag raising photo was taken by Joe Rosenthal; and

Whereas, Staff Sergeant Clyde Elmo Bryant was awarded the Presidential Unit Citation Award and Ribbon Bar for service on Guam, the Asiatic-Pacific Campaign Medal and the Victory Medal; and

Whereas, Staff Sergeant Clyde Elmo Bryant returned home to Logan County at the end of World War II, married Lila Evelyn Wilson and took up residence at Crooked Creek. He raised his four children on Crooked Creek; and

Whereas, Staff Sergeant Clyde Elmo Bryant was a watchmaker and jeweler and operated several businesses in the City of Logan. He was a leader in the Crooked Creek Church of Christ and in many other community organizations. He was a 32 degree Mason; and

Whereas, In 1962, Staff Sergeant Clyde Elmo Bryant was again called to duty as a squad leader and Sergeant 1st class in the 150th Armored Cavalry when the West Virginia National Guard was called up during the "Cuban Missile Crisis"; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 23-12-0.05 (23A057) (37.87210, -81.98544), locally known as the "Peach Creek Bridge", carrying CR-12 over Guyandotte River in Logan County, the "U. S. Air Force Staff Sgt Bethel Howard McNeely and U. S. Marine Staff Sgt Clyde Elmo Bryant 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. Air Force Staff Sgt Bethel Howard McNeely and U. S. Marine Staff Sgt Clyde Elmo Bryant 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, to the family of Howard McNeely and to the family of the late Clyde Bryant.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

S. C. R. 32 — “Requesting Division of Highways to name the bridge along 119/2 Hemlock Road off Route 47 that crosses Leading Creek at latitude 39.01564, longitude -80.74842, near Troy, bridge number 11-119/2-4.34 (11A140), currently known as the Hemlock Road Girder, the ‘CW2 Robert D. Taylor Memorial Bridge’.”

Whereas, Robert Taylor grew up on Hemlock Road with his parents, Dale and Alice Taylor, and brother Richard; and

Whereas, Robert was a positive young man who had a big heart. He was active in his community, attended church and always helped neighbors and friends; and

Whereas, Robert always dreamed of being a pilot and he enlisted in the United States Army; and

Whereas, Robert was assigned the rank of Chief Warrant Officer 2 while serving in the U. S. Army; and

Whereas, After serving eight years, CW2 Robert D. Taylor was tragically killed in a helicopter crash along the demilitarized zone between North and South Korea; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is requested to name the bridge along 119/2 Hemlock Road off Route 47 that crosses Leading Creek at latitude 39.01564, longitude -80.74842, near Troy, bridge number 11-119/2-4.34 (11A140), currently known as the Hemlock Road Girder, the “CW2 Robert D. Taylor Memorial Bridge”; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to have made and be placed signed identifying the “CW2 Robert D. Taylor 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 to Jim Bailey at 102 Sleeth Run Road, Linn, West Virginia, 26384.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

S. C. R. 36 — “Requesting Division of Highways name bridge number 35-70/1-0.01 (35A141) (40.06690 – 80-69312), locally known as Washington Avenue Bridge, carrying County Route 70/1 over Interstate 70 in Ohio County, the ‘U. S. Army SPC5 Joseph Richard “Rick” Schafer Memorial Bridge’.”

Whereas, Joseph Richard “Rick” Schafer was born April 29, 1949, in Wheeling, West Virginia, the son of Joseph E. Schafer, Jr., deceased, and Betty J. Pappert Schafer; and

Whereas, Joseph Richard Schafer grew up with three sisters: Beverly Schafer Yankwitt of Port Charlotte, Florida; Paula Schafer Wood of Ocala, Florida; and Lynnette Schafer of Wheeling, West Virginia; and

Whereas, Joseph Richard Schafer enjoyed playing Little League baseball and high school football; and

Whereas, Joseph Richard Schafer graduated from Central Catholic High School in Wheeling and attended West Liberty State College; and

Whereas, Joseph Richard Schafer would cross the Washington Avenue Bridge near his home almost every day to be with friends or to meet the girlfriend he would later marry; and

Whereas, Prior to entering the U. S. Army, Joseph Richard Schafer married Vicki Dayton of Wheeling, West Virginia; and

Whereas, SPC5 Joseph Richard Schafer entered the U. S. Army on May 29, 1969, and was trained as an engineer equipment repairman; and

Whereas, SPC5 Joseph Richard Schafer was deployed to Vietnam on September 15, 1970; and

Whereas, Joseph Richard Schafer was killed in Vietnam on May 6, 1971, while driving a military vehicle involved in an accident; and

Whereas, It is appropriate to name the bridge for SPC5 Joseph Richard "Rick" Schafer who gave his life for his country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 35-70/1-0.01 (35A141) (40.06690 – 80-69312), locally known as Washington Avenue Bridge, carrying County Route 70/1 over Interstate 70 in Ohio County, the "U. S. Army SPC5 Joseph Richard 'Rick' Schafer Memorial Bridge"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to have made and be placed signs identifying the "U. S. Army SPC5 Joseph Richard 'Rick' Schafer 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.

At the request of Delegate Cowles and by unanimous consent, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Delegate McCuskey, Chair of 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 February, 2016, 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. 4161), Relating to levies on classifications of property by the Board of Public Works,

And,

(Com. Sub. for S. B. 309), Relating to child-care center licensing and exempting county parks and recreation from licensure.

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 4299, Increasing the amount volunteer fire companies or paid fire departments may charge for reimbursement,

And,

H. B. 4461, Relating to School Building Authority School Major Improvement Fund eligibility.

On motion for leave, a bill was introduced (Originating in the Committee on Health and Human Resources and reported with the recommendation that it do pass), which was read by its title, as follows:

By Delegates Ellington, Summers and Householder:

H. B. 4728 — “A Bill to amend and reenact §60A-2-208 of the Code of West Virginia, 1931, as amended, relating to schedule three controlled substances; designating human chorionic gonadotropin as a schedule three controlled substance; and allowing human chorionic gonadotropin solely for injection or implantation in cattle and other nonhuman species”.

On motion for leave, a bill was introduced (Originating in the Committee on Health and Human Resources and reported with the recommendation that it do pass), which was read by its title, as follows:

By Delegates Ellington, Summers, Lane, Householder, Sobonya, Hill, Faircloth, Perdue, Pushkin and Longstreth:

H. B. 4727 — “A Bill to amend and reenact §9-2-6 of the Code of West Virginia, 1931, as amended, and to amend and reenact §9-5-23 of said code, all relating to state plan amendments; requiring the filing of state plan amendments to the legislature; requiring state plan amendments to be filed with the legislative rule-making and review committee; requiring a state plan amendment by approved through the rule-making process.”

Delegate Espinosa, Chair of the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration:

H. B. 2960, Permitting county boards of education to develop emergency preparedness drills in schools,

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

On motions for leave, bills were introduced (Originating in the Committee on Government Organization and reported with the recommendation that they each do pass), which were read by their titles, as follows:

By Delegates Howell, Arvon, Sheppard, Moffatt, Flanigan, Ihle, Hill and Hamrick:

H. B. 4732 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2A-24, relating to performance metrics for the West Virginia Division of Highways; requiring the division to develop performance standards and criteria to measure agency performance in all essential operations; requiring the division to employ a management information system that will track the division’s past and current progress toward meeting performance standards; and requiring the division to report to the Joint Committee on Infrastructure”.

And,

By Delegates Howell, Arvon, Sheppard, Moffatt, Hartman, Lynch, Caputo, Sponaugle, Eldridge, Ihle and Blair:

H. B. 4733 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-4-55, relating to requiring the Commissioner of Highways to develop a statewide communications plan known as the Comprehensive Public Involvement Plan; requiring that the plan utilize multimedia outlets to inform the public of known or anticipated disruptions in traffic patterns; requiring that the plan include a mechanism to receive and respond to communications from the public in a timely manner; requiring that the plan include a mechanism for collecting feedback from the public on the division’s response to public communications; requiring the division to designate a communications specialist in each maintenance district; and requiring the division to submit the plan to the Legislature for approval as a legislative rule.”

Delegate Howell, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

H. B. 4658, Relating to the Board of Funeral Service Examiners,

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

Delegate Howell, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

H. B. 4554, Allowing an increase of gross weight limitations on certain roads in Greenbrier County,

And reports back a committee substitute therefor, with the same title, as follows:

Com. Sub. for H. B. 4554 — “A Bill to authorize the Commissioner of the Division of Highways to allow an increase of gross weight limitations on certain roads in Greenbrier County”,

With the recommendation that the committee substitute do pass.

On motion for leave, bills were introduced (Originating in the Committee on Education and reported with the recommendation that they each do pass), which were read by their titles, as follows:

By Delegates Espinosa, Hamrick, Kurcaba, Hicks, Ellington, Blackwell, Statler and Rohrbach:

H. B. 4730 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated section ‘18-2-12, relating to computer science courses of instruction; making legislative findings; requiring submission by state board of plan for implementation of computer science instruction and learning standards in public schools to legislative oversight commission prior to 2017 legislative session; and specifying areas of recommendations to be included in plan,”

And,

By Delegates Rohrbach, Cooper, Rowan, Hornbuckle, Perdue, Ambler, Hicks, Romine, D. Evans, Ellington and Blackwell:

H. B. 4731 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated section ‘18-2-7b, relating to requiring comprehensive drug awareness and

prevention program in all public schools; requiring county boards to implement no later than 2016-2017 school year; specifying purposes of program; requiring county boards to coordinate delivery of instruction to meet program purposes with educators, drug rehabilitation specialists and law enforcement agencies; and requiring instruction relating to interactions with law enforcement officers.”

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

On motion for leave, a bill was introduced (Originating in the Committee on the Judiciary and reported with the recommendation that it do pass), which was read by its title, as follows:

By Delegates Lane, Hanshaw, McCuskey, Fleischauer, Azinger, Shaffer, Sobonya, Deem, Fluharty, Skinner and Manchin:

H. B. 4725 — “A Bill to amend and reenact §3-10-3 of the Code of West Virginia, 1931, as amended, all relating to providing the procedures for the filling of vacancies in the offices of justices of the Supreme Court of Appeals, circuit judge, family court judge or magistrate and making certain clarifications.”

Delegate Shott, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 2801, Permitting county commissions and municipalities to designate areas of special interest which will not affect the use of property in those areas,

And reports back a committee substitute therefor, with the same title, as follows:

Com. Sub. for H. B. 2801 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-1-3pp; and to amend said code by adding thereto a new section, designated §8-12-16d, all relating to permitting county commissions and municipalities to designate areas of special interest which will not affect the use of property in those areas; and setting forth their additional powers and responsibilities,”

With the recommendation that the committee substitute do pass.

Delegate Shott, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 4587, Relating to violations associated with absent voters’ ballots,

And reports back a committee substitute therefor, with the same title, as follows:

Com. Sub. for H. B. 4587 — “ A Bill to amend and reenact §3-9-19 of the Code of West Virginia, 1931, as amended, relating to violations associated with absent voters’ ballots; providing cleanup language by changing reference of circuit clerk to clerk of county commission; changing gender references and making other changes relating to the language in the misdemeanor provisions of this section,”

With the recommendation that the committee substitute do pass.

Delegate Shott, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 2205, Creating the crime of prohibited sexual contact by a psychotherapist,

And reports back a committee substitute therefor, with the same title, as follows:

Com. Sub. for H. B. 2205 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §61-8F-1 and §61-8F-2, all relating to prohibited sexual contact by psychotherapists; creating the crime of prohibited sexual contact by a psychotherapist and the crime of therapeutic deception; providing elements of the crime; providing exceptions; providing definitions; and providing criminal penalties,”

With the recommendation that the committee substitute do pass.

Delegate Shott, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 4237, Supporting and Strengthening Families Act,

And reports back a committee substitute therefor, with a new title, as follows:

Com. Sub. for H. B. 4237 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §49-8-1, §49-8-2, §49-8-3, §49-8-4, §49-8-5, and §49-8-6, all relating to the temporary delegation of certain custodial powers by a parent or guardian; providing findings, defining terms; permitting the delegation of certain custodial powers; creating a parental rights form; requiring certain background checks; mandating certain disclosures; and providing exemptions,”

With the recommendation that the committee substitute do pass.

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 4380, Adding the spouse of an indigent person as a possible individual who may be liable for the funeral service expenses,

And reports back a committee substitute therefore, with a new title, as follows:

Com. Sub. for H. B. 4380 — “A Bill to amend and reenact §9-5-9 and §9-5-18 of the Code of West Virginia, 1931, as amended, all relating to liability of spouses or relatives for certain expenses of an indigent person; requiring spouse to be liable for funeral expenses of an indigent person; eliminating liability of certain persons for support of an indigent person; defining terms; limiting liability of certain persons for funeral expenses of an indigent person; reducing the maximum amount the department of health and human resources may pay for funeral expenses for indigent persons; authorizing department to require certain financial information; requiring certain sworn statements regarding ability to pay for funeral services for an indigent person; limiting the total number of indigent funeral services that may be paid for by the department of health and human resources per year; and requiring cremation under certain circumstances,”

And,

H. B. 2110, Relating generally to the tax treatment of manufacturing entities,

And reports back a committee substitute therefore, with a new title, as follows:

Com. Sub. for H. B. 2110 — “A Bill to amend and reenact §11 6F 2 of the Code of West Virginia, 1931, as amended; and to amend and reenact §11 13S 3 and §11 13S 4 of said code, all relating generally to the tax treatment of manufacturing entities generally; amending definition of manufacturing for purposes of special method for appraising qualified capital additions to manufacturing facilities for property tax purposes; amending definition of manufacturing for purposes of manufacturing investment tax credit; and amending the formula for calculating credit allowed for manufacturing investment, to include Small Arms Ammunition Manufacturing and Small Arms, Ordinance, and Ordinance Accessories Manufacturing,”

With the recommendation that the committee substitutes each do pass.

Delegate Nelson, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 4321, Relating to tax credits for apprenticeship training in construction trades.

Miscellaneous Business

Delegate Frich asked and obtained unanimous consent that the remarks of Delegate Miller regarding the committee process be printed in the Appendix to the Journal.

Delegate Byrd noted to the Clerk that he was absent on today when the votes were taken on Roll No. 166 and Roll No. 167, and that had he been present, he would have voted “Yea” thereon.

Delegate Wagner filed a form with the Clerk’s Office per House Rule 94b to be removed as a cosponsor of H. B. 4009.

At 6:20 p.m., the House of Delegates adjourned until 11:00 a.m., Thursday, February 25, 2016.

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

HOUSE ABSTRACT

2016 Regular Session

CONTAINING

Active House Bills as of February 24, 2016

*Denotes Committee Substitutes

ACTIVE HOUSE BILLS

- *2110. By Del. Howell, Moye, Storch, Moffatt, Hamrick, Householder, Statler, Walters, Arvon, Blair and Kessinger - **Relating generally to the tax treatment of manufacturing entities** - Introduced 1/13/2016 - To Small Business, Entrepreneurship and Economic Development then Finance - To House Finance 2/19/2016 - On 1st reading, Special Calendar 2/25/2016
- *2202. By Del. Rowan, Romine, Duke, Perry, Ambler, Butler, Evans, D., Pethtel, Cooper, Espinosa and Householder - **Relating to more equitable disbursement of funds to county boards** - Introduced 1/13/2016 - To Education then Finance - To House Finance 2/9/2016 - On 3rd reading, Special Calendar 2/25/2016
- *2205. By Del. Howell, Stansbury, Ambler, Cooper, Miller, Faircloth, Zatezalo, Blair, Statler and Wagner - **Creating the crime of prohibited sexual contact by a psychotherapist** - Introduced 1/13/2016 - To Judiciary then Finance - On 1st reading, Special Calendar 2/25/2016
- *2444. By Mr. Speaker (Mr. Armstead), Del. Miller, Waxman, Azinger, Upson, Kessinger, Summers, Hanshaw, Kurcaba, Hill and Nelson, E. - **Providing for the assignment of economic development office representatives to serve as Small Business Allies as facilitators to assist small business entities and individuals** - Introduced 1/13/2016 - To Small Business, Entrepreneurship and Economic Development - Passed House 2/10/2016 - To Senate 2/11/2016 - To Economic Development - On 1st reading 2/25/2016
- 2494. By Del. Weld, Fast, Sponaugle, Skinner and Shott - **Creating a provisional plea process in criminal cases** - Introduced 1/13/2016 - To Judiciary - On 2nd reading, Special Calendar 2/25/2016
- *2511. By Del. Walters, Howell, Ellington, Canterbury, Smith, R., Gearheart, Perry, Smith, P. and Ambler - **Health Care Sharing Ministries Freedom to Share Act** - Introduced 1/13/2016 - To Health and Human Resources then Judiciary - To House Judiciary 1/15/2016 - Passed House 2/8/2016 - To Senate 2/9/2016 - To Banking and Insurance - On 2nd reading 2/25/2016

- *2795. By Del. Westfall, White, B. and McCuskey - **Providing that when a party's health condition is at issue in a civil action, medical records and releases for medical information may be requested and required without court order** - Introduced 1/13/2016 - To Judiciary - Laid over until 2/20 - Passed House 2/23/2016 - To Senate 2/24/2016 - To Judiciary
- *2800. By Del. Miller, Ferro, Sobonya, Border, Rohrbach, Folk and Eldridge - **Adding law-enforcement officers' contact information and names of family members to the list of exemptions from public records requests** (original similar to SB310) - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary - Amended - Passed Senate with amended title 2/10/2016 - House refused to concur and requested Senate to recede 2/12/2016 - Senate refused to recede and requested conference 2/15/2016 - To conference 2/16/2016
- *2801. By Del. Rowe, Pushkin, Lynch, Guthrie and Byrd - **Permitting county commissions and municipalities to designate areas of special interest which will not affect the use of property in those areas** - Introduced 1/13/2016 - To Political Subdivisions then Judiciary - To House Judiciary 2/3/2016 - On 1st reading, Special Calendar 2/25/2016
- *2823. By Del. Walters, Blair, Upson, Phillips, Nelson, J., Hanshaw, Nelson, E., Boggs and Caputo - **Eliminating the street and interurban and electric railways tax** - Introduced 1/13/2016 - To Finance - Passed House 2/24/2016
- *2897. By Del. Weld, Foster, Kessinger, Hill, Blair and Ihle - **Young Entrepreneur Reinvestment Act** - Introduced 1/13/2016 - To Small Business, Entrepreneurship and Economic Development then Finance - To House Finance 1/29/2016 - On 3rd reading, Special Calendar 2/25/2016
2960. By Del. Lane - **Permitting county boards of education to develop emergency preparedness drills in schools** - Introduced 1/13/2016 - To Education - On 1st reading, Special Calendar 2/25/2016
- *3019. By Del. Ireland, Overington, Foster, Fast, Lynch, Azinger, Shott, Hicks and Hanshaw - **Requiring official business and records of the state and its political subdivisions be conducted in English** - Introduced 1/13/2016 - To Judiciary - Passed House 2/17/2016 - To Senate 2/18/2016 - To Government Organization - On 3rd reading 2/25/2016
- *4001. By Del. Upson, Mr. Speaker (Mr. Armstead), Hamilton, Hill, Kurcaba, Weld, McCuskey, Rohrbach, Stansbury, Storch and Zatezalo - **Relating to candidates or candidate committees for legislative office disclosing contributions** (original similar to SB4) - Introduced 1/13/2016 - To Judiciary - Passed House 2/23/2016 - To Senate 2/24/2016 - To Judiciary
- *4009. By Del. Statler, Ambler, Cooper, Ellington, Evans, D., Moffatt, Romine, Storch, Weld and Zatezalo - **Letting Our Counties Act Locally Act** (original similar to SB12, SB135) - Introduced 1/13/2016 - To Roads and Transportation then Finance - To House Finance 1/27/2016 - On 3rd reading, Special Calendar 2/25/2016
- *4014. By Del. Butler, Moffatt, Waxman, McGeehan, Espinosa, Kelly, Faircloth, Summers, Atkinson, Hamrick and Cowles - **Preventing the State Board of Education from**

implementing common core academic standards and assessments (original similar to SB499) - Introduced 2/2/2016 - To Education - On 2nd reading, Special Calendar 2/25/2016

- *4145. By Del. Blair, Azinger, Butler, Cadle, Eldridge, Householder, Marcum, Overington, Phillips, Sobonya and Upson - **Relating to carry or use of a handgun or deadly weapon** - Introduced 1/19/2016 - To Judiciary - To House Judiciary 1/19/2016 - Amendments pending - Amended - Passed House 2/8/2016 - Title amended - To Senate 2/9/2016 - To Judiciary - Amended - Passed Senate with amended title 2/22/2016 - House concurred in Senate amend with amend, passed bill 2/24/2016 - Title amended - Senate concurred in House amendments and passed bill 2/24/2016
- 4148. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act** (original similar to SB354) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/11/2016 - Title amended - Effective from passage - To Senate 2/12/2016 - To Finance - Passed Senate 2/19/2016 - Effective from passage - To Governor 2/23/16
- *4158. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Commerce, WorkForce West Virginia – Workforce Investment Act** (original similar to SB447) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/11/2016 - Effective from passage - To Senate 2/12/2016 - To Finance - Passed Senate 2/19/2016 - Effective from passage - To Governor 2/23/16
- 4161. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to levies on classifications of property by the Board of Public Works** (original similar to SB432) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/11/2016 - To Senate 2/12/2016 - To Finance - Passed Senate 2/22/2016 - To Governor 2/24/16
- *4163. By Del. Howell, Arvon, Moffatt, Westfall, McCuskey, Miller, Cadle, Walters, Zatezalo, Kelly and Ellington - **Providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes** - Introduced 1/20/2016 - To Political Subdivisions then Judiciary - To House Political Subdivisions 1/20/2016 - To House Judiciary 1/27/2016 - Passed House 2/8/2016 - To Senate 2/9/2016 - To Government Organization - On 1st reading 2/25/2016
- *4171. By Del. Cooper, Evans, D., Ambler, Perry, Moye, Lynch, Kelly, Wagner, Rowan and Smith, R. - **Relating to the public school calendar** (original similar to HB4028, HB4298) - Introduced 1/20/2016 - To Education - To House Education 1/20/2016 - Amended - On 3rd reading, Special Calendar 2/25/2016
- *4175. By Del. Kurcaba, Faircloth, Statler, Espinosa, McGeehan, Azinger, Upson, Kelly, Trecost and Ihle - **Relating generally to home schooling** (original similar to SB318) - Introduced 1/20/2016 - To Education - To House Education 1/20/2016 - Passed House 2/2/2016 - To Senate 2/3/2016 - To Education - Amended - Passed Senate with amended title 2/20/2016 - House concurred in Senate amendment and passed 2/23/2016

- *4188. By Del. Hamrick, Ambler, Boggs, Cadle, Guthrie, Longstreth, Rohrbach and Gearheart (Originating in House Roads and Transportation) - **Relating to the development and implementation of a program to facilitate commercial sponsorship of rest areas** - Introduced 1/20/2016 - To House Finance 1/20/2016 - Passed House 2/15/2016 - To Senate 2/16/2016 - To Transportation and Infrastructure then Finance - To Transportation and Infrastructure 2/16/2016 - To Finance 2/24/2016
- *4201. By Del. Overington, Hanshaw, Blair, Shott, Statler, Sobonya, Summers, Weld, Kessinger, White, B. and Fleischauer - **Increasing the criminal penalties for participating in an animal fighting venture** (original similar to HB4251, HB4458) - Introduced 1/21/2016 - To Judiciary - On 2nd reading, Special Calendar 2/25/2016
4217. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Reducing the distributions to the West Virginia Infrastructure Fund** (original similar to SB462) - Introduced 1/21/2016 - To Finance
- *4237. By Del. O'Neal, Arvon, Storch, Azinger, Butler, Hamrick, Kessinger, Rowan, Smith, P., Ferro and Longstreth - **Supporting and Strengthening Families Act** (original similar to SB319) - Introduced 1/22/2016 - To Judiciary - On 1st reading, Special Calendar 2/25/2016
- *4244. By Del. Walters, Frich, Westfall, McCuskey, Manchin, Skinner, Shott, Flanigan, Waxman, Perry and White, B. - **Eliminating the need for a public hearing when no objection is filed on an application from an out of state state-chartered credit union to establish a branch in West Virginia** - Introduced 1/25/2016 - To Banking and Insurance then Judiciary - To House Judiciary 1/29/2016 - Passed House 2/5/2016 - To Senate 2/6/2016 - To Banking and Insurance - Passed Senate 2/19/2016 - To Governor 2/23/16
- *4245. By Del. Walters, Frich, Westfall, McCuskey, Manchin, Skinner, Rowe, Flanigan, Waxman, Perry and White, B. - **Requiring the cashier or executive officer of a banking institution to provide shareholders with the institution's most recent year-end audited financial statement** - Introduced 1/25/2016 - To Banking and Insurance then Judiciary - To House Judiciary 1/29/2016 - Passed House 2/5/2016 - To Senate 2/6/2016 - To Banking and Insurance - Passed Senate 2/19/2016 - To Governor 2/23/16
4268. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to dedication of severance tax proceeds to the West Virginia Infrastructure General Obligation Debt Service Fund** (original similar to SB351) - Introduced 1/26/2016 - To Finance
- *4295. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to the School Innovation Zones Act** (original similar to SB458) - Introduced 1/27/2016 - To Education then Finance - 2nd reference dispensed - On 3rd reading, Special Calendar 2/25/2016
4299. By Del. Nelson, J., Phillips, Moffatt, Smith, R., McCuskey, Wagner, Bates, Eldridge, Stansbury, Arvon and Miley - **Increasing the amount volunteer fire companies or paid fire departments may charge for reimbursement** - Introduced 1/27/2016 - To Political Subdivisions then Finance - To House Finance 2/3/2016 - On 1st reading, Special Calendar 2/25/2016

4315. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to air-ambulance fees for emergency treatment or air transportation** (original similar to SB456) - Introduced 1/27/2016 - To Banking and Insurance then Finance - To House Finance 1/29/2016 - On 2nd reading, House Calendar 2/25/2016
4321. By Del. Foster, Cadle, McGeehan, Butler, Ihle, Azinger, Fast, Moffatt, Nelson, J., Waxman and Summers - **Relating to tax credits for apprenticeship training in construction trades** (original similar to HB4296) - Introduced 1/28/2016 - To Industry and Labor then Finance - To House Finance 2/16/2016 - On 1st reading, Special Calendar 2/25/2016
- *4330. By Del. Cadle, Ihle, Butler, Weld, Ireland, Zatezalo, Azinger, Kelly, Anderson, Sobonya and Deem - **Relating to make unlawful to take a fish, water animal or other aquatic organism from state waters to stock a commercial pond or lake** - Introduced 1/29/2016 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/10/2016 - On 1st reading, Special Calendar 2/25/2016
4334. By Del. Summers, Campbell, Miller, Sobonya, Faircloth, Bates, Westfall, Householder, Cooper and Fleischauer - **Clarifying the requirements for a license to practice as an advanced practice registered nurse and to expand the prescriptive authority that may be granted to advanced practice registered nurses** (original similar to SB17, SB519) - Introduced 1/29/2016 - To Health and Human Resources then Government Organization - To House Government Organization 2/17/2016 - On 2nd reading, Special Calendar 2/25/2016
- *4339. By Del. Cadle, Foster, Butler, Ihle, Lynch, Atkinson, Smith, R., Gearheart, Ireland, Howell and Storch - **Relating to wildlife resources** - Introduced 2/1/2016 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/17/2016 - On 1st reading, Special Calendar 2/25/2016
4351. By Del. Westfall, Atkinson, Butler, Ihle, Cadle, White, B., Hamrick and McCuskey - **Transferring the Cedar Lakes Camp and Conference Center from the West Virginia Board of Education to the Department of Agriculture** (original similar to SB392) - Introduced 2/2/2016 - To Agriculture and Natural Resources then Education - To House Education 2/10/2016 - On 2nd reading, Special Calendar 2/25/2016
4358. By Del. Statler, Kurcaba, Rohrbach, Sobonya, Summers, Ellington, Blair, Flanigan, Butler, Frich and Fleischauer - **Relating to out of state physicians and surgeons traveling with sports teams within this state** - Introduced 2/2/2016 - To Health and Human Resources then Judiciary - To House Judiciary 2/19/2016 - On 2nd reading, Special Calendar 2/25/2016
4359. By Del. Miley, Trecost, Caputo, Boggs and Perdue - **Requiring the issuance of a photo identification to persons employed as a security guard by a security guard firm** (original similar to HB4367, SB376) - Introduced 2/2/2016 - To Government Organization
- *4360. By Del. Shaffer, Sponaugle, Shott, Reynolds, Miley, Mr. Speaker (Mr. Armstead), Hanshaw and Weld - **Increasing the criminal penalty for the unlawful practice of law** - Introduced 2/2/2016 - To Judiciary - Passed House 2/23/2016 - To Senate 2/24/2016 - To Judiciary

- *4365. By Del. Ellington, Arvon, Bates, Cooper, Householder, Rohrbach, Stansbury, Summers and Waxman - **Relating to the certificate of need process** (original similar to SB467) - Introduced 2/2/2016 - To Health and Human Resources then Judiciary - To House Judiciary 2/5/2016 - Laid over until 2/19 - On 3rd reading, Special Calendar 2/25/2016
- *4377. By Del. Storch, Anderson, Trecost, Manchin, Fluharty, Zatezalo, Weld, Evans, D., Frich and Longstreth - **Eliminating exemption from hotel occupancy taxes on rental of hotel and motel rooms for thirty or more consecutive days** (original similar to HB4430, SB521) - Introduced 2/3/2016 - To Political Subdivisions then Finance - To House Finance 2/10/2016
- *4380. By Del. Ellington, Summers, Rohrbach and Stansbury - **Adding the spouse of an indigent person as a possible individual who may be liable for the funeral service expenses** (original similar to SB377) - Introduced 2/3/2016 - To Health and Human Resources then Finance - To House Finance 2/17/2016 - On 1st reading, Special Calendar 2/25/2016
- *4383. By Del. Phillips, Reynolds, Marcum, Hamrick, Walters, Sobonya, White, P., Butler, McCuskey, Weld and Hanshaw - **Making individuals responsible for the costs relating to the filing of excessive false complaints** - Introduced 2/3/2016 - To Judiciary - Passed House 2/23/2016 - To Senate 2/24/2016 - To Judiciary
- *4388. By Del. Rohrbach, Ellington, Householder, Bates, Byrd, Sobonya, Summers, Upson and White, B. - **Relating to stroke centers** (original similar to SB401) - Introduced 2/3/2016 - To Health and Human Resources - Passed House 2/23/2016 - To Senate 2/24/2016 - To Health and Human Resources
4409. By Del. Campbell, Perdue, Perry, Summers, Ellington, Fleischauer, Bates, Hartman, Rowan, Wagner and Rohrbach - **Requiring in-service training programs in the use of the Heimlich maneuver and response to choking emergencies for all school personnel in pre-kindergarten, kindergarten and elementary schools** - Introduced 2/5/2016 - To Health and Human Resources then Education - To House Education 2/24/2016
4411. By Del. Smith, R., Nelson, J., Evans, D., Rohrbach, Anderson, Hamrick, Ihle, Wagner and Stansbury - **Relating to penalty for illegally taking native brook trout** - Introduced 2/5/2016 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/17/2016 - On 1st reading, Special Calendar 2/25/2016
- *4433. By Del. Weld, Zatezalo, Storch and McGeehan - **Allowing an adjustment to gross income for calculating the personal income tax liability of certain retirees** - Introduced 2/8/2016 - To Finance - On 2nd reading, Special Calendar 2/25/2016
4435. By Del. Smith, R., Ireland, McCuskey and Marcum - **Authorizing the Public Service Commission to approve expedited cost recovery of electric utility coal-fired boiler modernization and improvement projects** - Introduced 2/8/2016 - To Energy then Finance - To House Finance 2/24/2016
4461. By Del. Arvon, Duke, Espinosa, Howell, Hill, Blackwell and Border - **Relating to School Building Authority School Major Improvement Fund eligibility** - Introduced 2/9/2016

- To Education then Finance - To House Finance 2/12/2016 - On 1st reading, Special Calendar 2/25/2016
4465. By Del. Duke, Espinosa, Westfall, Kelly and Rohrbach - **Relating to salary equity among school systems** - Introduced 2/9/2016 - To Education then Finance - To House Finance 2/16/2016 - On 2nd reading, House Calendar 2/25/2016
4470. By Del. Rohrbach, Summers, Ellington, Waxman, Stansbury, Campbell, Longstreth, Arvon, Perdue and Miller - **Expanding newborn testing to include Adrenoleukodystrophy** - Introduced 2/9/2016 - To Health and Human Resources - Passed House 2/23/2016 - To Senate 2/24/2016 - To Health and Human Resources
4486. By Del. Miley [By Request of the Executive] - **Terminating the Behavioral Health Severance and Business Privilege Tax** (original similar to SB421) - Introduced 2/10/2016 - To Health and Human Resources then Finance - To House Finance 2/24/2016
- *4487. By Del. Folk, Walters, Kurcaba and Marcum - **Relating to state retirement systems** (original similar to HB4187) - Introduced 2/11/2016 - To Pensions and Retirement then Finance - To House Finance 2/12/2016 - On 2nd reading, Special Calendar 2/25/2016
4489. By Del. Fleischauer, Shott, Storch, Guthrie, Border, Moore, Hamilton, Sobonya, Miller, Manchin and Shaffer - **Relating generally to human trafficking** - Introduced 2/11/2016 - To Judiciary - Passed House 2/23/2016 - To Senate 2/24/2016 - To Judiciary
- *4519. By Del. Hamilton, Campbell, Lynch, Smith, P., Pethel, Marcum, Evans, A., Statler, Wagner, Moffatt and Frich - **Allowing certain municipalities to elect to participate in the West Virginia Municipal Police Officers and Firefighters Retirement System** - Introduced 2/11/2016 - To Pensions and Retirement then Finance - To House Finance 2/12/2016 - On 2nd reading, Special Calendar 2/25/2016
4545. By Del. Howell - **Relating to regulation of pharmacy benefits managers** - Introduced 2/16/2016 - To Health and Human Resources then Finance - To House Finance 2/24/2016
- *4554. By Del. Ambler, Gearheart, Trecost, Hamrick, Smith, P., Ireland, Cooper and Evans, D. - **Allowing an increase of gross weight limitations on certain roads in Greenbrier County** - Introduced 2/16/2016 - To Roads and Transportation then Government Organization - To House Government Organization 2/20/2016 - On 1st reading, Special Calendar 2/25/2016
4558. By Del. Frich, Shott, Arvon, Smith, P., Rowan, Sobonya, Miller, Border, Upson, Kessinger and Summers - **Relating to victim notification and designation of additional individuals to receive notice of an offender's release** - Introduced 2/16/2016 - To Judiciary - On 2nd reading, Special Calendar 2/25/2016
4572. By Del. Espinosa, Statler, Blackwell, Evans, D., Romine, Westfall, Stansbury and Smith, R. - **Excepting specialized contract instructors from the definition of teacher** - Introduced 2/16/2016 - To Education - Amended - On 3rd reading, Special Calendar 2/25/2016

- *4587. By Del. Moffatt and Miller - **Relating to violations associated with absent voters' ballots** - Introduced 2/17/2016 - To Political Subdivisions then Judiciary - To House Judiciary 2/20/2016 - On 1st reading, Special Calendar 2/25/2016
4594. By Del. Howell, Sponaugle, Cadle, Hartman, Morgan, Blair, Hamilton and Butler - **Relating to predoctoral psychology internship qualifications** - Introduced 2/17/2016 - To Health and Human Resources then Government Organization - To House Government Organization 2/19/2016 - On 3rd reading, Special Calendar 2/25/2016
- *4606. By Del. Upson, Mr. Speaker (Mr. Armstead), Lane, Kessinger, Shott, Householder and Folk - **Relating to the recusal of certain public officials from voting for appropriation of moneys to nonprofit entities** - Introduced 2/17/2016 - To Judiciary - Amended - Passed House 2/23/2016 - Title amended - To Senate 2/24/2016 - To Judiciary
- *4607. By Del. Shott, Lane, Folk, Kessinger and Householder - **Adding violations of law upon which a public servant's retirement plan may be forfeited** - Introduced 2/18/2016 - To Pensions and Retirement then Judiciary - To House Judiciary 2/19/2016 - On 2nd reading, Special Calendar 2/25/2016
- *4612. By Del. Nelson, E., Mr. Speaker (Mr. Armstead), Gearheart, Hamrick, Householder, Anderson, Shott, Storch, Espinosa, Howell and Boggs - **Relating generally to tax increment financing and economic opportunity development districts** - Introduced 2/18/2016 - To Finance - On 3rd reading, Special Calendar 2/25/2016
4617. By Del. Espinosa and Duke - **Authorizing legislative rules of the Higher Education Policy Commission regarding the Underwood-Smith Teacher Scholarship Program and Nursing Scholarship Program** - Introduced 2/18/2016 - To Education - On 3rd reading, Special Calendar 2/25/2016
- *4636. By Del. Shott - **Increasing the penalties for violating the Whistle-blower Law** - Introduced 2/20/2016 - To Judiciary - On 2nd reading, Special Calendar 2/25/2016
4651. By Del. Howell, Arvon, Ihle, Hamrick, White, P. and Stansbury - **Relating to professional examination requirements for hearing-aid dealers and fitters** - Introduced 2/22/2016 - To Government Organization - On 3rd reading, Special Calendar 2/25/2016
4652. By Del. Howell, Cadle, Atkinson, Smith, R., Stansbury, Moffatt, White, P., Arvon, Foster, Hamrick and McGeehan - **Relating to the creation of an intermediate contractor's license** - Introduced 2/22/2016 - To Government Organization - On 2nd reading, Special Calendar 2/25/2016
4656. By Del. Smith, R., Cadle, White, P., Arvon, Hamrick and McGeehan - **Granting the Finance Division within the Department of Administration supervisory control over the board of Accountancy** - Introduced 2/22/2016 - To Government Organization - On 2nd reading, House Calendar 2/25/2016
4658. By Del. Howell, Arvon, Ihle, Moffatt, Hill, Cadle, Hamrick, Lynch, Blair, White, P. and Smith, R. - **Relating to the Board of Funeral Service Examiners** - Introduced 2/22/2016 - To Government Organization - On 1st reading, Special Calendar 2/25/2016

4659. By Del. Ellington - **Authorizing local health departments to bill health insurance plans for services** - Introduced 2/22/2016 - To Health and Human Resources then Finance - To House Finance 2/24/2016
4668. By Del. Byrd, Nelson, J., Marcum, Phillips, Rowe, McCuskey, Stansbury, White, B., Nelson, E., Guthrie and Pushkin - **Raising the allowable threshold of the coal severance tax revenue fund budgeted for personal services** - Introduced 2/22/2016 - To Energy then Finance - To House Finance 2/24/2016
4674. By Del. Howell, Smith, R., Ihle, Hamrick and Pushkin (Originating in House Government Organization) - **Relating to motor vehicle back-up lamps** - Introduced 2/22/2016 - On 3rd reading, Special Calendar 2/25/2016
4705. By Del. Anderson, Boggs, Frich, Westfall, Smith, P., Canterbury, Hamilton, Miller and Nelson, E. (Originating in House Finance) - **Relating to adding an additional type of West Virginia source income of nonresident individual** - Introduced 2/22/2016 - On 3rd reading, Special Calendar 2/25/2016
4706. By Del. Cooper, Duke, Ellington, Evans, D., Rohrbach, Espinosa, Statler, Blackwell, Hicks, Hornbuckle and Perdue (Originating in House Education) - **Relating to county board regional meetings** - Introduced 2/23/2016 - On 2nd reading, Special Calendar 2/25/2016
4725. By Del. Lane, Hanshaw, McCuskey, Fleischauer, Azinger, Shaffer, Sobonya, Deem, Fluharty, Skinner and Manchin (Originating in House Judiciary) - **Relating to providing the procedures for the filling of vacancies in the offices of justices of the Supreme Court of Appeals, circuit judge, family court judge or magistrate and making certain clarifications** - Introduced 2/24/2016 - On 1st reading, Special Calendar 2/25/2016
4727. By Del. Ellington, Summers, Lane, Householder, Sobonya, Hill, Faircloth, Perdue, Pushkin and Longstreth (Originating in House Health and Human Resources) - **Relating to state plan amendments** - Introduced 2/25/2016 - On 1st reading, Special Calendar 2/25/2016
4728. By Del. Ellington, Summers and Householder (Originating in House Health and Human Resources) - **Relating to schedule three controlled substances** - Introduced 2/24/2016 - On 1st reading, Special Calendar 2/25/2016
4730. By Del. Espinosa, Hamrick, Kurcaba, Hicks, Ellington, Blackwell, Statler and Rohrbach (Originating in House Education) - **Relating to computer science courses of instruction** - Introduced 2/24/2016 - On 1st reading, Special Calendar 2/25/2016
4731. By Del. Rohrbach, Cooper, Rowan, Hornbuckle, Perdue, Ambler, Hicks, Romine, Evans, D., Ellington and Blackwell (Originating in House Education) - **Relating to requiring comprehensive drug awareness and prevention program in all public schools** - Introduced 2/24/2016 - On 1st reading, Special Calendar 2/25/2016
4732. By Del. Howell, Arvon, Border, Moffatt, Ihle, Hill and Hamrick (Originating in House Government Organization) - **Relating to performance metrics for the West Virginia Division of Highways** - Introduced 2/24/2016 - On 1st reading, Special Calendar 2/25/2016

4733. By Del. Howell, Arvon, Border, Moffatt, Hartman, Lynch, Caputo, Sponaugle, Eldridge, Ihle and Blair (Originating in House Government Organization) - **Relating to requiring the Commissioner of Highways to develop a statewide communications plan known as the Comprehensive Public Involvement Plan** - Introduced 2/24/2016 - On 1st reading, Special Calendar 2/25/2016

ALL HOUSE JOINT RESOLUTIONS OFFERED

2. By Del. Romine, Walters and Rowan - **Super-Majority Required for Passage of Tax Bill Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
3. By Del. Lane - **Homestead Exemption Increase Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
4. By Del. Caputo, Manchin and Longstreth - **The “Homestead Exemption Increase Amendment”** - Introduced 1/13/2016 - To Judiciary then Finance
5. By Del. Rodighiero, Hicks, Perdue, Marcum, Reynolds, Eldridge and Moye - **The “Homestead Exemption Increase Amendment”** - Introduced 1/13/2016 - To Judiciary then Finance
8. By Del. Overington, Walters, Deem, Gearheart, Householder, Sobonya, Moffatt, Cadle, Foster, Frich and Blair - **The “Initiative, Referendum, and Recall Amendment”** - Introduced 1/13/2016 - To Judiciary
9. By Del. Overington, Walters, Householder, Moffatt, Butler, Frich, Gearheart, Blair, Deem, Phillips and Foster - **The Super-Majority Required for Passage of Tax Bill Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
10. By Del. Overington, Walters, Householder, Kelly, Foster, Gearheart, Upson, Deem, Phillips and Shott - **Prohibiting the Governmental Taking of Private Property for Private Use Amendment** - Introduced 1/13/2016 - To Judiciary
12. By Del. Sponaugle, Longstreth, Hartman, Marcum, Hicks, Byrd, Hamilton, Perdue, Guthrie and Phillips - **The Right to Hunt and Fish in West Virginia Amendment** - Introduced 1/13/2016 - To Judiciary
13. By Del. Overington, Householder, Moffatt, Espinosa, Upson, Frich, Phillips, Perdue, Hanshaw, Border and Miller - **The Homestead Exemption Increase Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
14. By Del. Hamrick, Sobonya, Miller, Butler, Rohrbach and Nelson, J. - **The School Board Election Amendment** - Introduced 1/13/2016 - To Judiciary
16. By Del. Kurcaba, Hill, Faircloth, Wagner and Ihle - **The Term Limitations Amendment.** - Introduced 1/13/2016 - To Judiciary
18. By Del. Reynolds, Pushkin, Perry, Hornbuckle, Campbell, Byrd, Rohrbach and Bates - **The Removal of Governor’s veto power for education spending in budget and appropriations bills.** - Introduced 1/13/2016 - To Finance then Judiciary

20. By Del. Reynolds, Moffatt, Rodighiero, Hicks, Lynch, Trecost and Bates - **Term Limitation Amendment** - Introduced 1/13/2016 - To Judiciary
21. By Del. Rodighiero - **The Citizens' Redistricting Commission Amendment** - Introduced 1/13/2016 - To Judiciary
22. By Del. Hamilton, O'Neal, Hanshaw, Kessinger, Blair, Weld, Foster, Hill, Ireland, Campbell and Marcum - **The Right to Hunt, Fish and Harvest Wildlife Amendment** - Introduced 1/13/2016 - To Judiciary
23. By Del. Sponaugle, Perdue, Hornbuckle, Marcum, Pushkin, Lynch, Hartman, Phillips and Campbell - **The Volunteer Emergency Service Personnel Property Tax Exemption Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
24. By Del. Sponaugle, Perdue, Fluharty, Hornbuckle, Trecost, Marcum, Pushkin, Byrd and Lynch - **The Veteran's Property Tax Exemption Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
25. By Del. Cowles - **The Disabled Veteran Exemption From Ad Valorem Property Taxation Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
26. By Del. Lane and Shott - **The Constitutional Officers Term Limit Amendment** - Introduced 1/13/2016 - To Judiciary
27. By Del. Stansbury, Householder, Summers, Ellington, Perdue, Phillips, Nelson, J., Ambler, White, B., Rohrbach and Westfall - **Right to hunt, fish and harvest wildlife** - Introduced 1/18/2016 - To Agriculture and Natural Resources then Judiciary
28. By Del. Deem - **Relating to the creation of a Citizens Redistricting Commission to redistrict Senate, House of Delegates and Congressional Districts** - Introduced 1/20/2016 - To Judiciary - To House Judiciary 1/20/2016
29. By Del. Campbell, Cooper, Ferro, Kurcaba, Perry, Morgan, Pethel, Kessinger, Statler, Wagner and Romine - **Reducing the length of terms for members of the West Virginia Board of Education** - Introduced 1/20/2016 - To Education then Judiciary - To House Education 1/20/2016
30. By Del. Foster - **Exemption from ad valorem taxation of manufacturing inventory and equipment** - Introduced 1/21/2016 - To Finance then Judiciary
31. By Del. Howell, Mr. Speaker (Mr. Armstead), Espinosa, Stansbury, Frich, Butler, Cadle, Blair, Cooper, Hamrick and Waxman - **Property tax limitation and homestead exemption amendment of 1982** - Introduced 1/21/2016 - To Finance then Judiciary
32. By Del. Deem and Overington - **Redistricting of Senate, House of Delegates and Congressional Districts** - Introduced 1/26/2016 - To Judiciary
33. By Del. Sobonya, Moffatt, Miller, Frich, Rohrbach, Butler, Cowles, Householder, Kurcaba and Summers - **Supervision of Free Schools** - Introduced 1/26/2016 - To Education then Judiciary

34. By Del. Sobonya, Moffatt, Miller, Rohrbach, Cadle, Summers, Cowles, Nelson, J., Kurcaba, Ihle and Frich - **Supervision of Free Schools** - Introduced 1/27/2016 - To Education then Judiciary
35. By Del. Shaffer, Smith, R., Lynch, Smith, P., Blackwell, Faircloth, Byrd and Ireland - **Senior Citizen Homestead Valuation Amendment** - Introduced 1/27/2016 - To Finance then Judiciary
36. By Del. Ferro, Lynch, Pethtel, Fluharty, Hamilton, Skinner, Storch, Caputo, Hartman and Perry - **The Simple Majority Levy Approval Amendment** - Introduced 1/29/2016 - To Judiciary
37. By Del. Marcum, Phillips, Sobonya, McCuskey, Westfall, Storch, Frich, Reynolds, Rohrbach, Shott and Householder - **Senators and Delegates Term Limit Amendment** - Introduced 2/1/2016 - To Judiciary
38. By Del. Bates - **Term Limits for Senators and Delegates in the West Virginia Legislature** - Introduced 2/3/2016 - To Judiciary
39. By Del. Bates, Lane and Pushkin - **State Apportionment Commission** - Introduced 2/3/2016 - To Judiciary
40. By Del. Nelson, J., Householder, Phillips, Smith, R., Ihle, McGeehan, Folk, Faircloth and Marcum - **Constitutional Officers Term Limit Amendment** - Introduced 2/10/2016 - To Judiciary
41. By Del. Rohrbach, Statler, White, B., Stansbury, Kurcaba, Arvon and Perdue - **West Virginia Infrastructure Improvement and Industrial Development Amendment of 2016** - Introduced 2/10/2016 - To Finance then Judiciary
42. By Del. Lane, Shott, Householder, Nelson, E., Howell, Cowles, Sobonya, O'Neal and Canterbury - **Legislative Review of Judiciary Budget Amendment** - Introduced 2/11/2016 - To Finance then Judiciary
43. By Del. Lane, Sobonya, Miller, Espinosa and Duke - **Citizens' Education Accountability Amendment** - Introduced 2/16/2016 - To Education then Judiciary
44. By Del. Skinner, Caputo, Fluharty, Lynch, Miley, Manchin, Reynolds, Boggs, Moore, White, P. and Guthrie - **Requirement of two thirds of Members of Legislature to override Governor's Veto Amendment** - Introduced 2/16/2016 - To Judiciary
45. By Del. Skinner, Caputo, Fluharty, Lynch, Miley, Manchin, Reynolds, Boggs, Moore, White, P. and Guthrie - **Requirement of two thirds of Members of Legislature to override Governor's Veto Amendment** - Introduced 2/17/2016 - To Judiciary
46. By Del. Moffatt - **Redistricting Amendment** - Introduced 2/22/2016 - To Judiciary
47. By Del. Trecost - **Term Limits for Senators and Delegates in the West Virginia Legislature and county commissioners** - Introduced 2/24/2016 - To Judiciary

ALL HOUSE CONCURRENT RESOLUTIONS OFFERED

1. By Mr. Speaker (Mr. Armstead) - **Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016 - To Senate 1/13/2016 - Committee reference dispensed - Adopted by Senate 1/14/2016
- *2. By Del. Rowan and Cowles - **U.S. Army PV2 William Frederick Kump Memorial Bridge** - Introduced 1/14/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/15/2016 - To Senate 2/16/2016 - To Transportation and Infrastructure - Adopted by Senate 2/24/2016
3. By Del. Rowan and Cowles - **North River Mills Historic Trace** - Introduced 1/14/2016 - To Roads and Transportation then Rules
4. By Del. Rowan - **CSA LTG Thomas J. "Stonewall" Jackson Bridge** - Introduced 1/14/2016 - To Roads and Transportation then Rules
- *5. By Del. Ambler, Canterbury and Cowles - **U.S. Army PV2 Eskridge A. Waggoner Memorial Bridge** - Introduced 1/15/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
6. By Del. Phillips, Marcum, Eldridge, Moffatt and White, P. - **U.S. Army CPL F. Lee Noel Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
- *7. By Del. Miller, Morgan, Moffatt, Hornbuckle, Reynolds, Sobonya and Rohrbach - **U.S. Army PFC Cecil Ray Ball Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016 - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
8. By Del. Westfall, McCuskey, White, B., Atkinson, Stansbury, Blair, Foster, Ihle, Butler and Storch - **Harry Ripley Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
9. By Del. Kelly, Kessinger, Azinger, Statler, Evans, D., Zatezalo, Weld, McGeehan, Ireland, Border and Nelson, J. - **Navy Chief Petty Officer Nicholas Heath Null Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
- *10. By Del. White, P., Phillips, Marcum and Eldridge - **U.S. Marine Corps GySgt Lionel Collins Memorial Road** - Introduced 1/21/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
11. By Del. Campbell, Moye, Rowan, Espinosa, Wagner, Hornbuckle, White, P., Marcum, Phillips, Stansbury and Hamilton - **World Autism Awareness Day** - Introduced 1/21/2016 - To Rules

- *12. By Del. Campbell, Hartman, Sponaugle, Espinosa, Wagner, White, P., Stansbury, Perry and Hamilton - **Cheat Mountain Salamander as the State symbol of conservation** - Introduced 1/21/2016 - To Agriculture and Natural Resources then Rules - To House Rules 2/10/2016
13. By Del. Cooper and Ambler - **U.S. Army SPC 4 Everette R. Johnson Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
- *14. By Del. Howell, Mr. Speaker (Mr. Armstead), Ambler, Anderson, Arvon, Atkinson, Azinger, Border, Butler, Cadle, Cooper, Cowles, Duke, Ellington, Espinosa, Evans, D., Frich, Hamrick, Hanshaw, Hill, Householder, Ihle, Ireland, Kelly, Kessinger, Kurcaba, McGeehan, Miller, Moffatt, O'Neal, Overington, Rowan, Shott, Smith, R., Sobonya, Stansbury, Statler, Storch, Walters, Waxman and Zatezalo - **Second Friday in July as West Virginia Collector Car Appreciation Day** - Introduced 1/21/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/15/2016 - To Senate 2/16/2016 - To Transportation and Infrastructure - Adopted by Senate 2/24/2016
- *15. By Mr. Speaker (Mr. Armstead) - **U.S. Marine Corps PFC Clayton Andrew Craft Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
16. By Del. Morgan, Perdue, Hornbuckle, Sobonya, Rohrbach, Miller, Reynolds and Hicks - **U.S. Army PFC John Ira Pinkerman Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
- *17. By Del. Phillips, Marcum, Rodighiero and White, P. - **SGT Larry Joseph Whitt Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
- *18. By Del. Phillips, Marcum, Rodighiero and White, P. - **U.S. Air Force Staff Sergeant William Henry 'Bill' Whitman Memorial Highway** - Introduced 1/21/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
- *19. By Del. Waxman, Trecost, Miley and Hamrick - **H. Laban White Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/15/2016 - To Senate 2/16/2016 - To Transportation and Infrastructure - Adopted by Senate 2/24/2016
20. By Del. Cooper, Evans, D., Nelson, J., Fleischauer, Longstreth, Rowan and Weld - **Funding for the West Virginia National Guard** - Introduced 1/21/2016 - To Veterans' Affairs and Homeland Security then Rules - To House Rules 2/19/2016
21. By Del. Howell, Blair, Cowles, Duke, Espinosa, Evans, A., Faircloth, Fleischauer, Folk, Frich, Householder, Kurcaba, Flanigan, Overington, Rowan, Shaffer, Skinner, Smith, R., Statler and Upson - **Study impact of reimbursing the State of Maryland for the use of its helicopter Maryland Trooper Five for runs into West Virginia** - Introduced 1/22/2016 - To Finance then Rules

22. By Del. White, B., Miller, Lane, Cowles, Evans, A., Kessinger, Shott, McCuskey, Sobonya, Stansbury, Byrd, Mr. Speaker (Mr. Armstead), Atkinson, Azinger, Blackwell, Blair, Deem, Ellington, Faircloth, Fleischauer, Folk, Hamrick, Householder, Ireland, Kelly, Kurcaba, McGeehan, Nelson, E., Overington, Pushkin, Rohrbach, Rowan, Rowe, Shaffer, Smith, P., Smith, R., Statler, Storch, Upson, Waxman, Weld, Westfall and Zatezalo - **U. S. Army SGT Gary Lee DeBoard Memorial Intersection** - Introduced 1/25/2016 - To Roads and Transportation then Rules
23. By Del. Marcum, Rodighiero, Phillips, White, P., Moffatt, Eldridge, Westfall and McGeehan - **Ingram's Way** - Introduced 1/25/2016 - To Roads and Transportation then Rules
24. By Del. Marcum, Phillips, Hamrick, White, P., Nelson, J., Smith, R., Arvon and Howell - **Cpl. Ronald Duke Varney Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules
25. By Del. Howell, Evans, A., Rowan and Smith, R. - **Frosty the Snowman Day** - Introduced 1/26/2016 - To Rules
26. By Del. Romine, Rowan, Pethtel and Hamilton - **Corporal Gary Wayne Weekley Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules
27. By Del. Hamrick, Trecost, Waxman and Miley - **Michael Angiulli Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules
28. By Del. Miley, Waxman, Trecost, Lane, Hamrick and Caputo - **U.S. Army CPL John Belcastro Bridge** - Introduced 1/29/2016 - To Roads and Transportation then Rules
29. By Del. Manchin, Caputo and Longstreth - **Harry C. "Buck" Markley Jr. Memorial Bridge** - Introduced 1/29/2016 - To Roads and Transportation then Rules
30. By Del. Hamilton, Lynch and Smith, P. - **U.S. Army PFC Everett Henry Woody Memorial Bridge** - Introduced 2/2/2016 - To Roads and Transportation then Rules
31. By Del. Sponaugle, Evans, A., Romine, Hamilton, Hartman, Lynch and Campbell - **Wilbur Lee Clayton Memorial Bridge** - Introduced 2/2/2016 - To Roads and Transportation then Rules
32. By Del. Marcum, White, P., Hamrick, Nelson, J., O'Neal, Summers, Foster, Blair, Sobonya, Kessinger, Smith, R., Hicks, Atkinson, Bates, Butler, Byrd, Eldridge, Evans, A., Fast, Ferro, Folk, Frich, Hamilton, Ireland, Kelly, Kurcaba, McCuskey, Moffatt, Morgan, Moye, Phillips, Reynolds, Rodighiero, Romine, Rowan, Storch, Weld, Westfall and Zatezalo - **Johnny Mack Bryant Memorial Bridge** - Introduced 2/2/2016 - To Roads and Transportation then Rules
33. By Del. Hamrick - **U.S. Army Air Force S/SGT Harold 'Dean' Baker Memorial Bridge** - Introduced 2/5/2016 - To Roads and Transportation then Rules
34. By Del. Miller - **U.S. Marine Corps PFC Billy Joe Vickers Memorial Bridge** - Introduced 2/5/2016 - To Roads and Transportation then Rules

35. By Del. Perdue, Marcum, Hicks, Rodighiero, Reynolds and Rohrbach - **U.S. Army PVT Charles E. Ellis and U.S. Army PVT Ira V. Ellis Memorial Bridge** - Introduced 2/5/2016 - To Roads and Transportation then Rules
36. By Del. Overington, Ambler, Anderson, Arvon, Atkinson, Azinger, Bates, Blair, Border, Butler, Cadle, Canterbury, Cooper, Deem, Ellington, Espinosa, Evans, A., Evans, D., Faircloth, Fast, Flanigan, Folk, Foster, Frich, Gearheart, Hamilton, Hamrick, Hanshaw, Hill, Householder, Howell, Ihle, Kelly, Kessinger, Kurcaba, Lane, Marcum, McCuskey, McGeehan, Miller, Moffatt, Moye, Nelson, E., O'Neal, Perry, Phillips, Rohrbach, Romine, Rowan, Shott, Smith, P., Smith, R., Sobonya, Stansbury, Statler, Storch, Summers, Trecost, Upson, Wagner, Walters, Waxman, Weld, Westfall, White, B., Ireland, Zatezalo and Shaffer - **Applying for an Article V Amendments Convention to Propose a Constitutional Amendment** - Introduced 2/8/2016 - To Judiciary
37. By Del. Westfall, Upson, Cadle, Ireland, Flanigan, Householder, Cooper, Foster, Lane, Howell and Weld - **U.S. Army SGT Arthur George Roush Memorial Bridge** - Introduced 2/8/2016 - To Roads and Transportation then Rules
38. By Del. Rodighiero, Phillips and Eldridge - **Lando Adkins, Sr. Memorial Road** - Introduced 2/8/2016 - To Roads and Transportation then Rules
- *39. By Del. Phillips, Marcum, Rodighiero, Moffatt and Eldridge - **US Army PFC Cornelius Vance Memorial Bridge** - Introduced 2/8/2016 - To Roads and Transportation then Rules - To House Rules 2/17/2016
40. By Del. Duke - **Max G. Parkinson Memorial Bridge** - Introduced 2/8/2016 - To Roads and Transportation then Rules
41. No Delegate(s) Selected - **U.S. Army Air Corps CPT Kenneth R. Winters, Sr. Memorial Bridge** - Introduced 2/8/2016 - To Roads and Transportation then Rules - To House Rules 2/17/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
42. By Del. Sponaugle, Evans, A., Campbell and Hartman - **WVSP Tpr. Phillip S. Kesner Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
43. By Del. Hartman, Sponaugle, Perry, Campbell, Longstreth and White, P. - **PVT Preston D. Vanscoy Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
44. By Del. Perdue, Rohrbach and Hicks - **US Navy Medic 3rd Roy Elmer "Moon" Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
45. By Del. Eldridge, Phillips, Rodighiero, Moffatt, Morgan, Hornbuckle and Miller - **U.S. Army PFC Cornelious Wiley Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
46. By Del. Rohrbach, Perdue, Hicks and Reynolds - **U.S. Army PFC Ernest D. Marcum Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules

47. By Del. Rohrbach, Perdue, Reynolds and Hicks - **U.S. Army SFC Jesse Muncy Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
48. By Del. Hicks, Rohrbach, Perdue and Reynolds - **Charles Edward Smith Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
49. By Del. Campbell, Hartman, Sponaugle, Reynolds and Byrd - **U.S. Navy BT2 Mark Edward Hutchison Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
50. By Del. Eldridge, Marcum, Rodighiero and Phillips - **Thomas Owen Perry Sr. Highway** - Introduced 2/10/2016 - To Roads and Transportation then Rules
51. By Del. Pethtel - **U.S. Army PFC Danny Mire Stoneking Memorial Bridge** - Introduced 2/11/2016 - To Roads and Transportation then Rules
52. By Del. Marcum, White, P., Eldridge, Phillips, Hicks and Rodighiero - **Requesting Division of Highways to build bridge on County Route 65/03 located near Tug Valley High School** - Introduced 2/11/2016 - To Roads and Transportation then Rules
53. By Del. Rowe, White, B. and Guthrie - **Private Arlie Kenneth Graley Memorial Bridge** - Introduced 2/11/2016 - To Roads and Transportation then Rules
54. By Del. Smith, R., Shaffer, Nelson, J. and Wagner - **Byron 'Bray' Kelley Memorial Bridge** - Introduced 2/11/2016 - To Roads and Transportation then Rules
55. By Del. Eldridge, Phillips, White, P., Marcum, Moffatt, Morgan, Rodighiero and Miller - **U.S. Army PFC Ray Freeman Meade Memorial Road** - Introduced 2/11/2016 - To Roads and Transportation then Rules
56. By Del. Statler, Stansbury, White, B., Kessinger, Rohrbach, Sobonya, Waxman, Hamrick, Summers, Ihle and Atkinson - **U.S. Army CPL Robert Eugene Jackson Memorial Bridge** - Introduced 2/11/2016 - To Roads and Transportation then Rules
57. By Del. Evans, A., Kelly, Storch, Hamrick, Sobonya, Summers, Ellington, Overington, O'Neal, McGeehan and Azinger - **U.S. Army PVT Leander Reel Memorial Bridge** - Introduced 2/12/2016 - To Roads and Transportation then Rules
58. By Del. Rowan - **Frenchburg Bridge** - Introduced 2/12/2016 - To Roads and Transportation then Rules
59. By Del. Phillips, Eldridge, Rodighiero and White, P. - **John B. Short Memorial Bridge** - Introduced 2/12/2016 - To Roads and Transportation then Rules
60. By Del. Sobonya, Rohrbach, Waxman, Hamrick, White, B., Miller, Border, Evans, D., Ambler and Cooper - **Requesting Joint Committee on Government and Finance study the state-level background check process for new employees and volunteers of caregiving businesses and facilities** - Introduced 2/12/2016 - To Rules - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Government Organization then Rules - To Government Organization 2/24/2016

61. By Del. Phillips, Eldridge, Rodighiero and White, P. - **U.S. Army PFC Donald Ray Cochran Memorial Bridge** - Introduced 2/12/2016 - To Roads and Transportation then Rules
62. By Del. Lynch, Hamilton, Eldridge, Perry, Campbell, Morgan, Moye, Fleischauer, Byrd, Shaffer and Smith, P. - **Webster County Veterans Highway** - Introduced 2/15/2016 - To Roads and Transportation then Rules
63. By Del. Phillips, White, P., Marcum, Rodighiero and Eldridge - **U.S. Air Force MSgt Johnny Baxter Clark and U.S. Air Force MSgt Carl Richard (Dick) Clark Memorial Bridge** - Introduced 2/15/2016 - To Roads and Transportation then Rules
64. By Del. Eldridge, Phillips, Rodighiero, Moffatt, Reynolds, Miller, Morgan, Hornbuckle, White, P., Perry and Campbell - **U.S. Army CPL George Browning Memorial Road** - Introduced 2/15/2016 - To Roads and Transportation then Rules
65. By Del. Eldridge, Phillips, Rodighiero, Moffatt, Reynolds, Miller, Morgan, Hornbuckle, White, P., Perry and Campbell - **U.S. Army CPL Wilson B. Lambert, Jr. Memorial Road** - Introduced 2/15/2016 - To Roads and Transportation then Rules
66. By Del. Phillips, Marcum, White, P., Rodighiero and Eldridge - **1SG Carl J. Crabtree Memorial Road** - Introduced 2/15/2016 - To Roads and Transportation then Rules
67. By Del. Phillips, Rodighiero and Eldridge - **Balentine Brothers Memorial Bridge** - Introduced 2/16/2016 - To Roads and Transportation then Rules
68. By Del. Howell, Ambler, Anderson, Arvon, Atkinson, Azinger, Bates, Blair, Boggs, Border, Butler, Byrd, Cadle, Campbell, Canterbury, Caputo, Cooper, Cowles, Deem, Duke, Eldridge, Ellington, Espinosa, Evans, A., Evans, D., Faircloth, Fast, Ferro, Fluharty, Folk, Foster, Frich, Gearheart, Hamilton, Hamrick, Hanshaw, Hartman, Hicks, Hill, Householder, Ihle, Ireland, Kelly, Kessinger, Kurcaba, Lane, Longstreth, Lynch, Manchin, Marcum, McCuskey, McGeehan, Miley, Miller, Moffatt, Moore, Morgan, Moye, Mr. Speaker (Mr. Armstead), Nelson, E., Nelson, J., O'Neal, Overington, Perdue, Perry, Pethel, Phillips, Rodighiero, Rohrbach, Romine, Rowan, Rowe, Shaffer, Skinner, Smith, P., Smith, R., Sobonya, Sponaugle, Stansbury, Statler, Storch, Summers, Trecost, Upson, Wagner, Walters, Waxman, Weld, Westfall, White, B., White, P. and Zatezalo - **Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium and Heavy Duty Engines and Vehicles Phase 2** - Introduced 2/16/2016 - To Rules - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Government Organization then Rules - To Government Organization 2/24/2016
69. By Del. Eldridge and Phillips - **Betty Jo DeLong Memorial Bridge** - Introduced 2/16/2016 - To Roads and Transportation then Rules
70. By Del. Phillips, Marcum, Eldridge, Rodighiero and White, P. - **U.S. Air Force Staff Sgt Bethel Howard McNeely and U.S. Marine Staff Sgt Clyde Elmo Bryant Bridge** - Introduced 2/16/2016 - To Roads and Transportation then Rules
71. By Del. Phillips, White, P., Marcum, Rodighiero and Eldridge - **US Army PVT James Earl Pelfrey Memorial Bridge** - Introduced 2/16/2016 - To Roads and Transportation then Rules

72. By Del. Duke - **Max G. Parkinson Memorial Bridge** - Introduced 2/16/2016 - To Roads and Transportation then Rules
73. By Del. Canterbury - **Study the funding methodology and process by which at risk children and their families receive treatment services** - Introduced 2/17/2016 - To Health and Human Resources then Rules
74. By Del. Caputo, Guthrie and Rowe - **Arnold Miller Memorial Bridge** - Introduced 2/19/2016 - To Roads and Transportation then Rules
75. By Del. Nelson, J., Smith, R., Caputo, Moffatt and Wagner - **U.S. Army SSG James C. Vickers and U.S. Marine Corps PFC Randall Carl Phelps Memorial Bridge** - Introduced 2/19/2016 - To Roads and Transportation then Rules
76. By Del. Rodighiero, Phillips, Eldridge, Marcum and Hicks - **U.S. Army 1LT Patricia Simon Bridge** - Introduced 2/19/2016 - To Roads and Transportation then Rules
77. By Del. Rodighiero, Marcum, Eldridge and Hicks - **U.S. Army SGT Denver E. Short Memorial Bridge** - Introduced 2/19/2016 - To Roads and Transportation then Rules
78. By Del. Howell, Arvon, Atkinson, Blair, Cadle, Caputo, Faircloth, Ferro, Flanigan, Hartman, Hill, Ihle, Lynch, McGeehan, Moffatt, Nelson, J., Pushkin, Smith, R., Sponaugle and Stansbury (Originating in House Government Organization) - **Requesting the Joint Committee on Government and Finance study professional and occupational licensing boards** - Introduced 2/20/2016 - To House Rules 2/20/2016
79. By Del. Howell, Arvon, Atkinson, Blair, Cadle, Caputo, Faircloth, Ferro, Flanigan, Hartman, Hill, Ihle, Lynch, McGeehan, Moffatt, Nelson, J., Pushkin, Smith, R., Sponaugle and Stansbury (Originating in House Government Organization) - **Requesting the Joint Committee on Government and Finance study state agency websites** - Introduced 2/21/2016 - To House Rules 2/20/2016
80. By Del. Overington, Ambler, Anderson, Arvon, Atkinson, Azinger, Blair, Border, Butler, Cadle, Canterbury, Cooper, Ellington, Espinosa, Evans, D., Faircloth, Fast, Folk, Foster, Frich, Gearheart, Hill, Householder, Howell, Ihle, Ireland, Kessinger, Kurcaba, Marcum, McCuskey, McGeehan, Miller, Moffatt, Nelson, E., Phillips, Rohrbach, Rowan, Smith, R., Sobonya, Stansbury, Statler, Summers, Upson, Wagner, Walters, Waxman, Weld, Westfall, White, B., Zatezalo and Hamrick - **Calling on and applying to the United States Congress to call a convention of the states** - Introduced 2/22/2016 - To Judiciary then Rules
81. By Del. Eldridge, Phillips, Marcum, Rodighiero, Moffatt and Nelson, J. - **Hill Brothers Memorial Bridge** - Introduced 2/22/2016 - To Roads and Transportation then Rules
82. By Del. Rodighiero - **U.S. Army SPC David H. Stamper Memorial Bridge** - Introduced 2/22/2016 - To Roads and Transportation then Rules
83. By Del. Moffatt - **U.S. Air Force SMSgt Billie E. 'Bunky' Hodge Bridge** - Introduced 2/22/2016 - To Roads and Transportation then Rules

84. By Del. McGeehan - **U.S. Marine Corps Cpl Mark Douglas Cool Memorial Bridge** - Introduced 2/22/2016 - To Roads and Transportation then Rules
85. By Del. Nelson, J., Smith, R., Wagner, Westfall, Moffatt, Atkinson and McCuskey - **U.S. Navy MM2 Carl E. Keeney and U.S. Army PFC Carl M. Nicholas Memorial Bridge** - Introduced 2/22/2016 - To Roads and Transportation then Rules
86. By Del. Waxman, Rohrbach, Hamrick, Border, Butler, Cadle, Ellington, Espinosa, Evans, A., Fast, Frich, Hamilton, Hill, Kessinger, Lane, Miller, Statler and White, B. - **Designating April 16, 2016 as World Voice Day** - Introduced 2/22/2016 - To Rules
87. By Del. Eldridge, Storch, Moore, Fluharty, Lynch, Bates, Phillips, Marcum, Arvon, Hicks and Blackwell - **Proclaiming and making the fiddle the official musical instrument of the State of West Virginia** - Introduced 2/22/2016 - To Rules
88. By Del. Lane, Hanshaw and Shaffer - **Extending the Conference Committee relating to H. B. 2800, Adding law-enforcement officers' contact information and names of family members to the list of exemptions from public records requests.** - Introduced 2/23/2016 - Reference dispensed - Adopted by House 2/23/2016 - To Senate 2/23/2016 - Committee reference dispensed - Adopted by Senate 2/23/2016
89. By Del. Moore, White, P., Gearheart, Ellington and Blackwell - **Blue Demon Highway Bridge** - Introduced 2/24/2016 - To Roads and Transportation then Rules
90. By Del. Moore, White, P., Gearheart, Ellington and Blackwell - **U.S. Army CPL Fon Mitchell Memorial Bridge** - Introduced 2/24/2016 - To Roads and Transportation then Rules
91. By Del. Eldridge, Nelson, J., McGeehan, Phillips, Marcum, Moffatt, Miller, Rodighiero, Hornbuckle, Morgan and White, P. - **Deputy Sheriff Sgt. Justin Alan Thompson Memorial Highway** - Introduced 2/24/2016 - To Roads and Transportation then Rules

ALL HOUSE RESOLUTIONS OFFERED

1. By Mr. Speaker (Mr. Armstead) - **Authorizing the appointment of employees for this, the Second Regular Session of the 82nd Legislature, 2016** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
2. By Mr. Speaker (Mr. Armstead) - **Authorizing printing and distribution of Acts of the Legislature and Journals of the House of Delegates** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
3. By Mr. Speaker (Mr. Armstead) - **Creating a Select Committee on Prevention and Treatment of Substance Abuse** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
4. By Del. O'Neal, Cooper, Moye, Mr. Speaker (Mr. Armstead), Ambler, Anderson, Arvon, Atkinson, Azinger, Bates, Blackwell, Blair, Boggs, Border, Butler, Byrd, Cadle, Campbell, Canterbury, Caputo, Cowles, Deem, Duke, Eldridge, Ellington, Espinosa, Evans, A., Evans, D., Faircloth, Fast, Ferro, Fleischauer, Fluharty, Folk, Foster, Frich, Gearheart,

Guthrie, Hamilton, Hamrick, Hanshaw, Hartman, Hicks, Hill, Hornbuckle, Householder, Howell, Ihle, Ireland, Kelly, Kessinger, Kurcaba, Lane, Longstreth, Lynch, Manchin, Marcum, McCuskey, McGeehan, Miley, Miller, Moffatt, Moore, Morgan, Nelson, E., Nelson, J., Overington, Perdue, Perry, Pethel, Phillips, Pushkin, Reynolds, Rodighiero, Rohrbach, Romine, Rowan, Rowe, Shaffer, Shott, Skinner, Smith, P., Smith, R., Sobonya, Sponaugle, Stansbury, Statler, Storch, Summers, Trecost, Upson, Wagner, Walters, Waxman, Weld, Westfall, White, B., White, P. and Zatezalo - **Memorializing the life of the Honorable Arnold W. Ryan** - Introduced 1/18/2016 - Reference dispensed - Adopted by House 1/18/2016

5. By Del. Howell, Arvon, Atkinson, Cadle, Canterbury, Fast, Folk, Foster, Gearheart, Hamrick, Ihle, Ireland, Kessinger, Flanigan, Overington, Phillips, Wagner, Waxman and Zatezalo - **Expressing concern of the House of Delegates to the growth of the federal government's power over the individual states of the United States** - Introduced 1/25/2016 - To Rules
6. By Del. Howell, Evans, A., Rowan and Smith, R. - **Honoring the town of Piedmont's 160th anniversary** - Introduced 1/26/2016 - To Rules
7. By Del. Sobonya, Arvon, Azinger, Rohrbach, Deem, Duke, Espinosa, Evans, A., Faircloth, Fast, Fleischauer, Folk, Frich, Hamilton, Hamrick, Hicks, Hill, Howell, Ihle, Kelly, Kessinger, Marcum, McCuskey, Moffatt, Morgan, Moye, Pushkin, Rodighiero, Romine, Rowan, Rowe, Shaffer, Smith, P., Stansbury, Statler, Storch, Waxman, Weld, Westfall, Zatezalo, Mr. Speaker (Mr. Armstead) and Del. Blackwell - **Designating that the month of April be proclaimed as Sarcoidosis Awareness Month beginning in 2016.** - Introduced 1/26/2016 - To Rules - Adopted 2/15/2016
8. By Mr. Speaker (Mr. Armstead) - **Authorizing the Committee on Rules to arrange a Special Calendar and providing for making public the vote on certain questions in connection with the preparation thereof** - Introduced 2/10/2016 - To Rules - Amended - Adopted 2/15/2016
9. By Del. Ellington, Summers, Upson, Householder, Ihle, Espinosa, Hill, Stansbury, Campbell, Perdue, Atkinson, Bates, Blair, Butler, Duke, Eldridge, Foster, Ireland, Manchin, Perry, Phillips, Skinner, Smith, R., Sobonya and Statler - **Recognizing March as self-care month in West Virginia** - Introduced 2/11/2016 - To Rules
10. By Del. McCuskey, Westfall, Weld, White, B., Stansbury, Nelson, E. and Byrd - **Creating support services and programs for childhood cancer patients and families** - Introduced 2/16/2016 - To Rules
11. By Del. Stansbury, Phillips, Hamilton, Smith, R., Cadle, White, B., Ambler, Summers, Nelson, J., Perdue and Statler - **Enhancing hunting, fishing, recreational shooting and other outdoor recreational opportunities as well as strengthen conservation efforts nationwide** - Introduced 2/16/2016 - To Rules
13. By Del. Border, Miller, Evans, D., Anderson, Azinger, Kelly, Deem, Sobonya, Butler, Waxman and Kessinger - **Designating that March 2016 be proclaimed as Healthy Bodies Healthy Spirits Month** - Introduced 2/22/2016 - To Rules

14. By Del. Perdue, Bates, Eldridge, Ferro, Gearheart, Guthrie, Hornbuckle, Lynch, Marcum, Moore, Morgan, Reynolds and Rodighiero - **Memorializing the Armenian Genocide of 1915 through 1923 and Proclaiming April 24 as a Day of Remembrance** - Introduced 2/22/2016 - To Rules
15. By Del. Perdue, Boggs, Butler, Byrd, Eldridge, Fleischauer, Guthrie, Hicks, Manchin, Marcum, Nelson, J., Pushkin, Rodighiero, Skinner and Westfall - **Self Injury Awareness Day** - Introduced 2/23/2016 - To Rules

HOUSE BILLS PASSED HOUSE AND COMMUNICATED TO SENATE

- *2101. By Del. Morgan, Caputo, Faircloth, Folk, Howell and Smith, R. - **Eliminating obsolete government entities** - Introduced 1/13/2016 - To Government Organization - Passed House 1/21/2016 - To Senate 1/25/2016 - To Government Organization - Amended - Passed Senate with amended title 2/4/2016 - House concurred in Senate amendment and passed 2/8/2016 - To Governor 2/9/16 - Approved by Governor 2/11/16
- *2122. By Del. Ambler, Cooper, Householder, Walters, Smith, R., Canterbury and Gearheart - **Making it illegal for first responders to photograph a corpse; Jonathon's Law** - Introduced 1/13/2016 - To Judiciary then Finance - 2nd reference dispensed - Amended - Passed House 2/16/2016 - Title amended - To Senate 2/17/2016 - To Judiciary
- *2130. By Del. Westfall, Espinosa, Hamrick, McCuskey, Stansbury, White, B. and Ihle - **Including law-enforcement officers among those professionals the assault or battery of which leads to enhanced criminal penalties** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/27/2016 - To Senate 1/28/2016 - To Judiciary
2147. By Del. Folk, Hamilton, Frich, Shott, Householder, Ireland, Weld, Gearheart, Hanshaw and Azinger - **Requiring the circuit court, when appointing counsel for alleged protected persons, to make appointments from a listing of all interested attorneys in the circuit** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Amended - Passed House 1/26/2016 - Title amended - To Senate 1/27/2016 - To Judiciary
- *2366. By Del. Rowan, Miller, Sobonya, Smith, P., Border, Arvon and Storch - **Relating generally to the solicitation of minors** - Introduced 1/13/2016 - To Judiciary - Passed House 2/8/2016 - To Senate 2/9/2016 - To Judiciary
- *2444. By Mr. Speaker (Mr. Armstead), Del. Miller, Waxman, Azinger, Upson, Kessinger, Summers, Hanshaw, Kurcaba, Hill and Nelson, E. - **Providing for the assignment of economic development office representatives to serve as Small Business Allies as facilitators to assist small business entities and individuals** - Introduced 1/13/2016 - To Small Business, Entrepreneurship and Economic Development - Passed House 2/10/2016 - To Senate 2/11/2016 - To Economic Development - On 1st reading 2/25/2016
- *2474. By Del. Cowles, Rowan and Duke - **Relating to the compensation of personnel employed at the West Virginia Schools for the Deaf and the Blind** - Introduced 1/13/2016 - To Education then Finance - To House Finance 1/18/2016 - Passed House 2/19/2016 - To Senate 2/20/2016 - To Education then Finance - To Education 2/20/2016

- *2511. By Del. Walters, Howell, Ellington, Canterbury, Smith, R., Gearheart, Perry, Smith, P. and Ambler - **Health Care Sharing Ministries Freedom to Share Act** - Introduced 1/13/2016 - To Health and Human Resources then Judiciary - To House Judiciary 1/15/2016 - Passed House 2/8/2016 - To Senate 2/9/2016 - To Banking and Insurance - On 2nd reading 2/25/2016
2584. By Del. Rohrbach, Sobonya, Shott, Miller, Hicks, Reynolds and Rowe - **Allowing a judge to excuse a potential juror from jury duty until a later date based on seasonal employment** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Amended - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- *2588. By Del. Nelson, E., Lane, Kurcaba, O'Neal, Westfall, McCuskey, Byrd, Gearheart, Storch and Espinosa - **Relating to the filing of financial statements with the Secretary of State** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
2605. By Del. Moore, Hornbuckle and Shott - **Removing the limitation on actions against the perpetrator of sexual assault or sexual abuse upon a minor** - Introduced 1/13/2016 - To Judiciary - Passed House 2/22/2016 - To Senate 2/23/2016 - To Judiciary
- *2615. By Del. Lane, Faircloth, Miller and Nelson, E. - **West Virginia Small Business Capital Act** - Introduced 1/13/2016 - To Small Business, Entrepreneurship and Economic Development then Finance - To House Finance 1/22/2016 - Amended on 3rd reading - Passed House 2/15/2016 - To Senate 2/16/2016 - To Finance
- *2795. By Del. Westfall, White, B. and McCuskey - **Providing that when a party's health condition is at issue in a civil action, medical records and releases for medical information may be requested and required without court order** - Introduced 1/13/2016 - To Judiciary - Laid over until 2/20 - Passed House 2/23/2016 - To Senate 2/24/2016 - To Judiciary
2796. By Mr. Speaker (Mr. Armstead) - **Providing paid leave for certain state officers and employees during a declared state of emergency** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Government Organization
- *2800. By Del. Miller, Ferro, Sobonya, Border, Rohrbach, Folk and Eldridge - **Adding law-enforcement officers' contact information and names of family members to the list of exemptions from public records requests** (original similar to SB310) - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary - Amended - Passed Senate with amended title 2/10/2016 - House refused to concur and requested Senate to recede 2/12/2016 - Senate refused to recede and requested conference 2/15/2016 - To conference 2/16/2016
- *2823. By Del. Walters, Blair, Upson, Phillips, Nelson, J., Hanshaw, Nelson, E., Boggs and Caputo - **Eliminating the street and interurban and electric railways tax** - Introduced 1/13/2016 - To Finance - Passed House 2/24/2016
- *2852. By Del. Hamrick, Trecost, Zatezalo, Waxman and Nelson, E. - **Relating to legalizing and regulating the sale and use of fireworks** - Introduced 1/13/2016 - To Judiciary then

- Finance - To House Finance 1/28/2016 - Amended - Passed House 2/19/2016 - Title amended - Effective from passage - To Senate 2/22/2016 - To Judiciary
- *2904. By Del. McGeehan and Zatezalo - **Requiring the clerk of a county commission to maintain a county ordinance book** - Introduced 1/13/2016 - To Political Subdivisions then Judiciary - To House Judiciary 1/20/2016 - Passed House 2/18/2016 - To Senate 2/19/2016 - To Government Organization
- *3019. By Del. Ireland, Overington, Foster, Fast, Lynch, Azinger, Shott, Hicks and Hanshaw - **Requiring official business and records of the state and its political subdivisions be conducted in English** - Introduced 1/13/2016 - To Judiciary - Passed House 2/17/2016 - To Senate 2/18/2016 - To Government Organization - On 3rd reading 2/25/2016
- *4001. By Del. Upson, Mr. Speaker (Mr. Armstead), Hamilton, Hill, Kurcaba, Weld, McCuskey, Rohrbach, Stansbury, Storch and Zatezalo - **Relating to candidates or candidate committees for legislative office disclosing contributions** (original similar to SB4) - Introduced 1/13/2016 - To Judiciary - Passed House 2/23/2016 - To Senate 2/24/2016 - To Judiciary
- *4002. By Del. Howell, Anderson, Mr. Speaker (Mr. Armstead), Faircloth, Frich, Hanshaw, McCuskey, Rohrbach, Summers, Shott and Walters - **Relating to rule making under the state Administrative Procedures Act** (original similar to SB3) - Introduced 1/13/2016 - To Judiciary - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - Title amended - To Senate 1/26/2016 - To Government Organization
4005. By Del. Cowles, Duke, Foster, Gearheart, Miller, Overington, Shott, Walters, Waxman, Westfall and Householder - **Repealing prevailing hourly rate of wages requirements** (original similar to SB2) - Introduced 1/13/2016 - To Government Organization - Laid over until 1/25/16 - Written motion to suspend Rule 95c rejected - Passed House 1/27/2016 - To Senate 1/28/2016 - To Government Organization - Passed Senate 2/4/2016 - To Governor 2/8/16 - Vetoed by Governor 2/11/16 - Motion to consider bill notwithstanding the objections of the Governor - House passed over veto 2/12/2016 - Senate reconsidered action - Passed Senate notwithstanding objections of the Governor 2/12/2016
- *4007. By Del. Rohrbach, Weld, Espinosa, Cooper, Butler, Waxman, Moffatt, Arvon, Cowles, Hill and Anderson - **Relating generally to appointment of attorneys to assist the Attorney General** (original similar to SB8) - Introduced 1/13/2016 - To Judiciary - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - To Senate 1/26/2016 - To Judiciary - Amended - Passed Senate with amended title 2/6/2016 - House concurred in Senate amendment and passed 2/9/2016 - To Governor 2/11/16 - Vetoed by Governor 2/17/16
- *4012. By Del. O'Neal, Mr. Speaker (Mr. Armstead), Hanshaw, Moye, Fast, Evans, A., Azinger, Waxman, Romine, Rowan and Phillips - **West Virginia Religious Freedom Restoration Act** (original similar to SB11) - Introduced 1/26/2016 - To Judiciary - Decision of the chair sustained - Amended - Passed House 2/11/2016 - To Senate 2/12/2016 - To Judiciary
- *4013. By Del. Lane, Anderson, Blair, Hamrick, Ambler, Evans, D., Border, McCuskey, Householder, Ireland and Zatezalo - **Requiring a person desiring to vote to present documentation identifying the voter** (original similar to SB5) - Introduced 2/1/2016 - To Judiciary - Amended - Passed House 2/19/2016 - To Senate 2/20/2016 - To Judiciary

- *4031. By Del. Frich, Sobonya, Howell, Moffatt, Hanshaw, McCuskey, Shott, Overington, Mr. Speaker (Mr. Armstead), Rowe and Fleischauer - **Requiring agencies to respond to public comments received during the rule-making process** - Introduced 1/15/2016 - To Government Organization - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - Title amended - To Senate 1/26/2016 - To Government Organization
4033. By Del. Ellington, Summers, Householder, Rohrbach, Stansbury, Waxman, Perdue and Rodighiero (Originating in House Health and Human Resources) - **Adding criminal penalties for the unauthorized practice of pharmacists care** - Introduced 1/15/2016 - Passed House 1/20/2016 - To Senate 1/21/2016 - To Health and Human Resources then Judiciary - To Health and Human Resources 1/21/2016 - To Judiciary 2/20/2016
- *4038. By Del. Ellington, Summers, Bates, Faircloth, Householder, Rohrbach and Stansbury - **Relating to insurance requirements for the refilling of topical eye medication** - Introduced 1/18/2016 - To Health and Human Resources - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Health and Human Resources
- *4040. By Del. Kelly, Rohrbach, Cooper, Frich, Sobonya, Border, Faircloth, Atkinson, Perdue, Perry and Waxman - **Regulating step therapy protocols in health benefit plans** - Introduced 1/18/2016 - To Health and Human Resources - Passed House 2/20/2016 - To Senate 2/22/2016 - To Health and Human Resources
- *4053. By Del. Sobonya, Frich and Moffatt - **Department of Environmental Protection, Air Quality, rule relating to the control of annual nitrogen oxide emissions** (original similar to SB176) - Introduced 1/18/2016 - To Energy then Judiciary - To House Judiciary 1/20/2016 - Amended - Passed House 2/20/2016 - To Senate 2/22/2016 - To Judiciary
- *4060. By Del. Sobonya, Frich and Moffatt - **Relating generally to the promulgation of administrative rules by the Department of Military Affairs and Public Safety** (original similar to SB211) - Introduced 1/18/2016 - To Industry and Labor then Judiciary - To House Judiciary 1/20/2016 - Passed House 2/20/2016 - Effective from passage - To Senate 2/22/2016 - To Judiciary
- *4080. By Del. Sobonya, Frich and Moffatt - **Department of Veterans' Assistance, rule relating to VA headstones or markers** (original similar to SB245) - Introduced 1/18/2016 - To Veterans' Affairs and Homeland Security then Judiciary - To House Judiciary 1/21/2016 - Passed House 2/20/2016 - Effective from passage - To Senate 2/22/2016 - To Judiciary
- *4145. By Del. Blair, Azinger, Butler, Cadle, Eldridge, Householder, Marcum, Overington, Phillips, Sobonya and Upson - **Relating to carry or use of a handgun or deadly weapon** - Introduced 1/19/2016 - To Judiciary - To House Judiciary 1/19/2016 - Amendments pending - Amended - Passed House 2/8/2016 - Title amended - To Senate 2/9/2016 - To Judiciary - Amended - Passed Senate with amended title 2/22/2016 - House concurred in Senate amend with amend, passed bill 2/24/2016 - Title amended - Senate concurred in House amendments and passed bill 2/24/2016
- *4146. By Del. Ellington, Summers, Bates, Faircloth, Householder, Rohrbach, Sobonya, Stansbury, Eldridge, McCuskey and Frich - **Providing insurance cover abuse-deterrent opioid analgesic drugs** (original similar to SB304) - Introduced 1/19/2016 - To Banking and Insurance then Select Committee on Prevention and Treatment of Substance Abuse - To House Banking and Insurance 1/19/2016 - To House Select Committee on Prevention

and Treatment of Substance Abuse 1/22/2016 - Amended - Passed House 2/15/2016 - To Senate 2/16/2016 - To Banking and Insurance then Health and Human Resources - To Banking and Insurance 2/16/2016 - To Health and Human Resources 2/23/2016

4147. By Del. Rowan, Mr. Speaker (Mr. Armstead), Cowles, Perry, Duke, Miley, Hamilton, Espinosa, O'Neal, Anderson and Nelson, E. - **Making the West Virginia Schools for the Deaf and Blind eligible to participate in any and all funding administered or distributed by the West Virginia School Building Authority** (original similar to HB4485) - Introduced 1/19/2016 - To Education then Finance - To House Education 1/19/2016 - 2nd reference dispensed - Passed House 2/12/2016 - Effective from passage - To Senate 2/15/2016 - To Finance
4148. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act** (original similar to SB354) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/11/2016 - Title amended - Effective from passage - To Senate 2/12/2016 - To Finance - Passed Senate 2/19/2016 - Effective from passage - To Governor 2/23/16
4150. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources** (original similar to SB443) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/19/2016 - Effective from passage - To Senate 2/20/2016 - To Finance
4151. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Education** (original similar to SB446) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/19/2016 - Effective from passage - To Senate 2/20/2016 - To Finance
4152. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Making a supplementary appropriation to the Division of Environmental Protection – Protect Our Water Fund** (original similar to SB464) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/22/2016 - Effective from passage - To Senate 2/23/2016 - To Finance
4155. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund, and the Department of Health and Human Resources, Division of Human Services - Medical Services Trust Fund** (original similar to SB444) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/22/2016 - Effective from passage - To Senate 2/23/2016 - To Finance
4157. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Supplementing, amending, and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation, Division of Highways** (original similar to SB441) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/22/2016 - Effective from passage - To Senate 2/23/2016 - To Finance

- *4158. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Commerce, WorkForce West Virginia – Workforce Investment Act** (original similar to SB447) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/11/2016 - Effective from passage - To Senate 2/12/2016 - To Finance - Passed Senate 2/19/2016 - Effective from passage - To Governor 2/23/16
4159. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Making a supplementary appropriation to the Public Services Commission – Motor Carrier Division** (original similar to SB442) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/19/2016 - Effective from passage - To Senate 2/20/2016 - To Finance
4160. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Revenue, Tax Division** (original similar to SB448) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/22/2016 - Effective from passage - To Senate 2/23/2016 - To Finance
4161. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to levies on classifications of property by the Board of Public Works** (original similar to SB432) - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - Passed House 2/11/2016 - To Senate 2/12/2016 - To Finance - Passed Senate 2/22/2016 - To Governor 2/24/16
- *4163. By Del. Howell, Arvon, Moffatt, Westfall, McCuskey, Miller, Cadle, Walters, Zatezalo, Kelly and Ellington - **Providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes** - Introduced 1/20/2016 - To Political Subdivisions then Judiciary - To House Political Subdivisions 1/20/2016 - To House Judiciary 1/27/2016 - Passed House 2/8/2016 - To Senate 2/9/2016 - To Government Organization - On 1st reading 2/25/2016
- *4174. By Del. Kurcaba, Statler, Weld, Fast, Kelly, Azinger, Waxman, Blair, Upson, Frich and Phillips - **Exempting activity at indoor shooting ranges from the prohibition of shooting or discharging a firearm within five hundred feet of any church or dwelling house** - Introduced 1/20/2016 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/3/2016 - Passed House 2/18/2016 - To Senate 2/19/2016 - To Judiciary
- *4175. By Del. Kurcaba, Faircloth, Statler, Espinosa, McGeehan, Azinger, Upson, Kelly, Trecost and Ihle - **Relating generally to home schooling** (original similar to SB318) - Introduced 1/20/2016 - To Education - To House Education 1/20/2016 - Passed House 2/2/2016 - To Senate 2/3/2016 - To Education - Amended - Passed Senate with amended title 2/20/2016 - House concurred in Senate amendment and passed 2/23/2016
- *4186. By Del. Cadle, Cooper, Foster, Ambler, Howell, Butler, Householder, Moffatt, Smith, R., Westfall and Hamrick - **Relating to additional duties of the Public Service Commission** (original similar to SB498) - Introduced 1/20/2016 - To Government Organization - To House Government Organization 1/20/2016 - Amended - Passed House 2/9/2016 - Title amended - Effective from passage - To Senate 2/10/2016 - To Government Organization

- *4188. By Del. Hamrick, Ambler, Boggs, Cadle, Guthrie, Longstreth, Rohrbach and Gearheart (Originating in House Roads and Transportation) - **Relating to the development and implementation of a program to facilitate commercial sponsorship of rest areas** - Introduced 1/20/2016 - To House Finance 1/20/2016 - Passed House 2/15/2016 - To Senate 2/16/2016 - To Transportation and Infrastructure then Finance - To Transportation and Infrastructure 2/16/2016 - To Finance 2/24/2016
- *4197. By Del. Kelly, Cooper, Faircloth, Atkinson, Weld, Frich, Blair, Waxman, Zatezalo, Howell and Ireland - **Allowing required HIV and hepatitis testing for the protection of law-enforcement officers who may have been exposed** - Introduced 1/21/2016 - To Health and Human Resources then Finance - To House Finance 2/3/2016 - Passed House 2/22/2016 - To Senate 2/23/2016 - To Health and Human Resources
- *4209. By Del. Ellington, Summers, Householder, Rohrbach, Stansbury, Campbell and Fleischauer (Originating in House Health and Human Resources) - **Relating generally to health care provider taxes** - Introduced 1/20/2016 - To House Finance 1/20/2016 - Passed House 2/17/2016 - Effective July 1, 2016 - To Senate 2/18/2016 - To Health and Human Resources then Finance - To Health and Human Resources 2/18/2016
- *4213. By Del. Storch, Faircloth, Smith, P. and Ferro - **Uniform Deployed Parents Custody and Visitation Act** (original similar to SB422) - Introduced 1/21/2016 - To Judiciary - Passed House 2/19/2016 - To Senate 2/20/2016 - To Judiciary
- *4218. By Del. Miley and Cowles [By Request of the Executive] - **Expanding the definition of “underground facility” in the One-Call System Act** (original similar to SB425) - Introduced 1/21/2016 - To Energy then Judiciary - To House Judiciary 1/27/2016 - Passed House 2/15/2016 - To Senate 2/16/2016 - To Judiciary
- *4227. By Del. Howell, Arvon, Zatezalo, Border, Phillips, Hartman, Ihle, Cadle, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Real Estate Appraiser Licensing and Certification Board** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - Title amended - To Senate 2/1/2016 - To Government Organization
- *4228. By Del. Cowles, White, B., Shott, Espinosa, Nelson, E., Howell, Upson, Trecost, Reynolds, Gearheart and Hamrick - **Relating to transportation network companies** (original similar to SB324) - Introduced 1/22/2016 - To Roads and Transportation then Finance - To House Finance 2/2/2016 - Passed House 2/15/2016 - Effective July 1, 2016 - To Senate 2/16/2016 - To Judiciary
- *4230. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Smith, R., Hamrick and Morgan - **Relating to qualifications of members of the Board of Registration For Professional Engineers** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - To Senate 2/1/2016 - To Government Organization
4235. By Del. Shott - **Relating to the publication requirements of the administration of estates** - Introduced 1/22/2016 - To Judiciary - Passed House 2/1/2016 - Title amended - To Senate 2/2/2016 - To Judiciary

- *4238. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Smith, R., Hamrick and Morgan - **Relating to qualifications of members of the board of Professional Surveyors** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - Title amended - To Senate 2/1/2016 - To Government Organization
- *4241. By Del. Howell, Arvon, Zatezalo, Border, Phillips, Hartman, Ihle, Cadle, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Real Estate Commission** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - To Senate 2/1/2016 - To Government Organization
4243. By Del. Border, Ellington, Arvon, Kelly, Sobonya, Anderson, Deem and Ireland - **Extending the time that certain nonprofit community groups are exempt from the moratorium on creating new nursing home beds** - Introduced 1/22/2016 - To Health and Human Resources - Passed House 2/3/2016 - To Senate 2/4/2016 - To Health and Human Resources
- *4244. By Del. Walters, Frich, Westfall, McCuskey, Manchin, Skinner, Shott, Flanigan, Waxman, Perry and White, B. - **Eliminating the need for a public hearing when no objection is filed on an application from an out of state state-chartered credit union to establish a branch in West Virginia** - Introduced 1/25/2016 - To Banking and Insurance then Judiciary - To House Judiciary 1/29/2016 - Passed House 2/5/2016 - To Senate 2/6/2016 - To Banking and Insurance - Passed Senate 2/19/2016 - To Governor 2/23/16
- *4245. By Del. Walters, Frich, Westfall, McCuskey, Manchin, Skinner, Rowe, Flanigan, Waxman, Perry and White, B. - **Requiring the cashier or executive officer of a banking institution to provide shareholders with the institution's most recent year-end audited financial statement** - Introduced 1/25/2016 - To Banking and Insurance then Judiciary - To House Judiciary 1/29/2016 - Passed House 2/5/2016 - To Senate 2/6/2016 - To Banking and Insurance - Passed Senate 2/19/2016 - To Governor 2/23/16
- *4261. By Del. Shott, McCuskey, Cowles, O'Neal, Butler, Marcum, Shaffer, Sobonya, Folk, Overington and Azinger - **Prohibiting the sale or transfer of student data to vendors and other profit making entities** - Introduced 1/25/2016 - To Education then Judiciary - To House Judiciary 2/4/2016 - Amended on 3rd reading - Passed House 2/19/2016 - To Senate 2/20/2016 - To Education
- *4265. By Del. Walters, Frich, Canterbury, McCuskey, Hanshaw, Skinner, Marcum and Perry - **Relating to payment by the West Virginia Municipal Bond Commission or state sinking fund commission or the governing body issuing the bonds** (original similar to SB340) - Introduced 1/25/2016 - To Banking and Insurance then Finance - To House Finance 2/5/2016 - Passed House 2/22/2016 - To Senate 2/23/2016 - To Banking and Insurance then Finance - To Banking and Insurance 2/23/2016
- *4291. By Del. Nelson, J., Phillips, Moffatt, Espinosa, Westfall, Perdue, Upson, Lane, Moye, Mr. Speaker (Mr. Armstead) and Del. Miley - **Increasing penalties for teachers who commit sexual offenses against children** - Introduced 1/27/2016 - To Education then Judiciary - To House Judiciary 2/4/2016 - Amended - Passed House 2/17/2016 - To Senate 2/18/2016 - To Education then Judiciary - To Education 2/18/2016
4309. By Del. Rowan, Border, Fast, Stansbury, Moye, Campbell, Overington, Romine, Duke, Pethel and Ferro - **Increasing criminal penalties for conviction of certain offenses of**

- financial exploitation of an elderly person** (original similar to HB4306, SB362) - Introduced 1/27/2016 - To Senior Citizen Issues then Judiciary - To House Judiciary 1/29/2016 - Passed House 2/15/2016 - To Senate 2/16/2016 - To Judiciary
- *4310. By Del. O'Neal, Anderson, Espinosa, Nelson, E., Arvon, Bates, Fleischauer, Frich, Statler, Kurcaba and Miley - **Relating to the West Virginia University Institute of Technology** (original similar to SB386) - Introduced 1/27/2016 - To Education - Motion to move bill to House Calendar rejected - Amended - Passed House 2/22/2016 - Title amended - Effective from passage - To Senate 2/23/2016 - To Education
- *4311. By Del. Howell, Arvon, Blair, Phillips, Hartman, Ihle, Cadle, McGeehan, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Board of Landscape Architects** (original similar to HB4313) - Introduced 1/27/2016 - To Government Organization - Passed House 2/4/2016 - To Senate 2/5/2016 - To Government Organization
- *4313. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Board of Architects** (original similar to HB4311) - Introduced 1/27/2016 - To Government Organization - Passed House 2/4/2016 - To Senate 2/5/2016 - To Government Organization
4316. By Del. Espinosa, Ellington, Duke, Perry, Moye, Upson, Wagner, Ambler, Cooper, Evans, D. and Kelly - **Relating to reimbursement of certification fee for National Board for Professional Teaching Standards certification** - Introduced 1/27/2016 - To Education then Finance - To House Finance 2/2/2016 - Passed House 2/22/2016 - To Senate 2/23/2016 - To Education
- *4319. By Del. Weld, McGeehan, Nelson, J., Cooper, Ireland, Longstreth, Anderson and Frich - **Including in the definition of "veteran" active members of the Guard and Reserve in order to exempt them from fees charged by the Secretary of State** - Introduced 1/28/2016 - To Veterans' Affairs and Homeland Security then Finance - To House Finance 2/4/2016 - Passed House 2/22/2016 - To Senate 2/23/2016 - To Government Organization
- *4322. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Expanding the Learn and Earn Program** (original similar to SB440) - Introduced 1/28/2016 - To Education then Finance - To House Finance 2/4/2016 - Passed House 2/22/2016 - To Senate 2/23/2016 - To Education
- *4323. By Del. Cowles and Miley [By Request of the Executive] - **Relating to the reporting of emergency incidents by well operators and pipeline operators** (original similar to SB445) - Introduced 1/28/2016 - To Industry and Labor then Energy - To House Energy 2/3/2016 - Amended - Passed House 2/17/2016 - To Senate 2/18/2016 - To Judiciary
4340. By Del. Howell, Foster, Canterbury, Summers, Waxman, Azinger, Rohrbach, Storch, Cadle, Smith, R. and Perdue - **Amending licensing requirements for an act which may be called Lynette's Law** - Introduced 2/1/2016 - To Government Organization - Amended - Passed House 2/22/2016 - Effective from passage - To Senate 2/23/2016 - To Government Organization

4347. By Del. Ellington, Summers, Faircloth, Rohrbach, Sobonya, Stansbury, Storch, Upson, White, B. and Frich - **Providing pregnant women priority to substance abuse treatment** - Introduced 2/1/2016 - To Select Committee on Prevention and Treatment of Substance Abuse then Health and Human Resources - To House Health and Human Resources 2/10/2016 - Passed House 2/17/2016 - To Senate 2/18/2016 - To Health and Human Resources
- *4360. By Del. Shaffer, Sponaugle, Shott, Reynolds, Miley, Mr. Speaker (Mr. Armstead), Hanshaw and Weld - **Increasing the criminal penalty for the unlawful practice of law** - Introduced 2/2/2016 - To Judiciary - Passed House 2/23/2016 - To Senate 2/24/2016 - To Judiciary
4362. By Del. Kurcaba, Fleischauer, Statler, Householder, Espinosa, Overington, Weld, Summers, Blair, Byrd and Upson - **Establishing a felony offense of strangulation** (original similar to SB482) - Introduced 2/2/2016 - To Judiciary - Amended - Passed House 2/11/2016 - To Senate 2/12/2016 - To Judiciary
- *4366. By Del. Canterbury, Nelson, E., Frich, Westfall, Guthrie and Longstreth - **Finding and declaring certain claims against the state and its agencies to be moral obligations of the state** - Introduced 2/3/2016 - To Finance - Passed House 2/22/2016 - Effective from passage - To Senate 2/23/2016 - To Finance
4378. By Del. Shott, Lane, McCuskey, Sobonya, Hanshaw, Miller, Arvon, Border and Kessinger - **Relating to access to and receipt of certain information regarding a protected person by certain relatives of the protected person** - Introduced 2/3/2016 - To Judiciary - Amended - Passed House 2/17/2016 - To Senate 2/18/2016 - To Judiciary
- *4383. By Del. Phillips, Reynolds, Marcum, Hamrick, Walters, Sobonya, White, P., Butler, McCuskey, Weld and Hanshaw - **Making individuals responsible for the costs relating to the filing of excessive false complaints** - Introduced 2/3/2016 - To Judiciary - Passed House 2/23/2016 - To Senate 2/24/2016 - To Judiciary
- *4388. By Del. Rohrbach, Ellington, Householder, Bates, Byrd, Sobonya, Summers, Upson and White, B. - **Relating to stroke centers** (original similar to SB401) - Introduced 2/3/2016 - To Health and Human Resources - Passed House 2/23/2016 - To Senate 2/24/2016 - To Health and Human Resources
4417. By Del. Shott, Hanshaw, Rowe, Marcum, Shaffer, Manchin, Summers, Kessinger, Ireland and Skinner - **Increasing wages protected from garnishment** - Introduced 2/5/2016 - To Judiciary - Passed House 2/17/2016 - To Senate 2/18/2016 - To Judiciary
- *4445. By Del. Hanshaw, Espinosa, Perry, Moye, Ambler, Cooper, Evans, D., Westfall and Ellington - **Relating to the adoption of instructional educational resources** - Introduced 2/8/2016 - To Education - Amended - Passed House 2/22/2016 - To Senate 2/23/2016 - To Education
- *4467. By Del. Espinosa, Statler, Duke, Westfall, Rowan, Rohrbach and Ambler - **Including financial aid planning and completion of the Free Application for Federal Student Aid in secondary school instruction in personal finance** - Introduced 2/9/2016 - To Education - Amended - Passed House 2/18/2016 - To Senate 2/19/2016 - To Education

4470. By Del. Rohrbach, Summers, Ellington, Waxman, Stansbury, Campbell, Longstreth, Arvon, Perdue and Miller - **Expanding newborn testing to include Adrenoleukodystrophy** - Introduced 2/9/2016 - To Health and Human Resources - Passed House 2/23/2016 - To Senate 2/24/2016 - To Health and Human Resources
4489. By Del. Fleischauer, Shott, Storch, Guthrie, Border, Moore, Hamilton, Sobonya, Miller, Manchin and Shaffer - **Relating generally to human trafficking** - Introduced 2/11/2016 - To Judiciary - Passed House 2/23/2016 - To Senate 2/24/2016 - To Judiciary
4499. By Del. O'Neal, Shott, Lane, Hanshaw, Overington, Sobonya, Azinger and Fast - **Relating to certain persons who have been disqualified or excused from jury service** - Introduced 2/11/2016 - To Judiciary - Passed House 2/19/2016 - To Senate 2/20/2016 - To Judiciary
- *4520. By Del. Hanshaw and Shott - **Clarifying that certain hospitals have only one governing body whose meetings shall be open to the public** (original similar to SB50) - Introduced 2/11/2016 - To Judiciary - Passed House 2/19/2016 - To Senate 2/20/2016 - To Judiciary
- *4521. By Del. Cowles and Shott - **Modifying the requirements that allow a child witness to testify by closed circuit television** - Introduced 2/12/2016 - To Judiciary - Passed House 2/20/2016 - To Senate 2/22/2016 - To Judiciary
- *4540. By Del. Evans, A., Hamilton, Kelly, Zatezalo, Romine, Wagner and Boggs - **Removing prohibition of disposal of certain electronics in landfills** (original similar to SB473) - Introduced 2/15/2016 - To Government Organization - Passed House 2/22/2016 - Title amended - To Senate 2/23/2016 - To Government Organization
- *4604. By Del. Householder, Mr. Speaker (Mr. Armstead), Kessinger, Upson, Shott, Folk and Lane - **Relating to violations of the Ethics Act** - Introduced 2/17/2016 - To Judiciary - Passed House 2/22/2016 - To Senate 2/23/2016 - To Judiciary
- *4605. By Del. Kessinger, Mr. Speaker (Mr. Armstead), Shott, Householder, Upson, Lane and Folk - **Prohibiting contracting with a state agency unless business entity submits disclosure of interested parties** - Introduced 2/17/2016 - To Judiciary - Passed House 2/22/2016 - To Senate 2/23/2016 - To Judiciary
- *4606. By Del. Upson, Mr. Speaker (Mr. Armstead), Lane, Kessinger, Shott, Householder and Folk - **Relating to the recusal of certain public officials from voting for appropriation of moneys to nonprofit entities** - Introduced 2/17/2016 - To Judiciary - Amended - Passed House 2/23/2016 - Title amended - To Senate 2/24/2016 - To Judiciary
4618. By Del. Sobonya, Ireland, Foster, Zatezalo, Fast, Rowe, Deem, Skinner, Folk, Manchin and Marcum (Originating in House Judiciary) - **Relating to limitations on use of a public official's name or likeness** - Introduced 2/19/2016 - Amended - Passed House 2/22/2016 - To Senate 2/23/2016 - To Judiciary

HOUSE CONCURRENT RESOLUTIONS COMMUNICATED TO SENATE

- *5. By Del. Ambler, Canterbury and Cowles - **U.S. Army PV2 Eskridge A. Waggoner Memorial Bridge** - Introduced 1/15/2016 - To Roads and Transportation then Rules - To

- House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
- *7. By Del. Miller, Morgan, Moffatt, Hornbuckle, Reynolds, Sobonya and Rohrbach - **U.S. Army PFC Cecil Ray Ball Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016 - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
 - *10. By Del. White, P., Phillips, Marcum and Eldridge - **U.S. Marine Corps GySgt Lionel Collins Memorial Road** - Introduced 1/21/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
 - *15. By Mr. Speaker (Mr. Armstead) - **U.S. Marine Corps PFC Clayton Andrew Craft Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
 - *17. By Del. Phillips, Marcum, Rodighiero and White, P. - **SGT Larry Joseph Whitt Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
 - *18. By Del. Phillips, Marcum, Rodighiero and White, P. - **U.S. Air Force Staff Sergeant William Henry 'Bill' Whitman Memorial Highway** - Introduced 1/21/2016 - To Roads and Transportation then Rules - To House Rules 2/10/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
 - 41. No Delegate(s) Selected - **U.S. Army Air Corps CPT Kenneth R. Winters, Sr. Memorial Bridge** - Introduced 2/8/2016 - To Roads and Transportation then Rules - To House Rules 2/17/2016 - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Transportation and Infrastructure
 - 60. By Del. Sobonya, Rohrbach, Waxman, Hamrick, White, B., Miller, Border, Evans, D., Ambler and Cooper - **Requesting Joint Committee on Government and Finance study the state-level background check process for new employees and volunteers of caregiving businesses and facilities** - Introduced 2/12/2016 - To Rules - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Government Organization then Rules - To Government Organization 2/24/2016
 - 68. By Del. Howell, Ambler, Anderson, Arvon, Atkinson, Azinger, Bates, Blair, Boggs, Border, Butler, Byrd, Cadle, Campbell, Canterbury, Caputo, Cooper, Cowles, Deem, Duke, Eldridge, Ellington, Espinosa, Evans, A., Evans, D., Faircloth, Fast, Ferro, Fluharty, Folk, Foster, Frich, Gearheart, Hamilton, Hamrick, Hanshaw, Hartman, Hicks, Hill, Householder, Ihle, Ireland, Kelly, Kessinger, Kurcaba, Lane, Longstreth, Lynch, Manchin, Marcum, McCuskey, McGeehan, Miley, Miller, Moffatt, Moore, Morgan, Moyer, Mr. Speaker (Mr. Armstead), Nelson, E., Nelson, J., O'Neal, Overington, Perdue, Perry, Pethel, Phillips, Rodighiero, Rohrbach, Romine, Rowan, Rowe, Shaffer, Skinner, Smith, P., Smith, R., Sobonya, Sponaugle, Stansbury, Statler, Storch, Summers, Trecost, Upson, Wagner, Walters, Waxman, Weld, Westfall, White, B., White, P. and Zatezalo -

Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium and Heavy Duty Engines and Vehicles Phase 2 - Introduced 2/16/2016 - To Rules - Adopted by House 2/23/2016 - To Senate 2/24/2016 - To Government Organization then Rules - To Government Organization 2/24/2016

ALL SENATE BILLS PASSED BY SENATE AND COMMUNICATED TO HOUSE

1. By Sen. Cole (Mr. President), Blair, Boso, Ferns, Gaunch, Trump, Carmichael, Sypolt and Takubo - **Establishing WV Workplace Freedom Act** (original similar to HB4006) - Introduced 1/13/2016 - To Judiciary - Amended - Passed Senate 1/21/2016 - To House 1/25/2016 - To Judiciary - Amended - Passed House 2/4/2016 - Title amended - Senate concurred in House amendments and passed bill 2/5/2016 - To Governor 2/8/16 - Vetoed by Governor 2/11/16 - Senate reconsidered action - Passed Senate notwithstanding objections of the Governor 2/12/2016 - Motion to consider bill notwithstanding the objections of the Governor - House passed over veto 2/12/2016
- *6. By Sen. Ferns, Carmichael, Gaunch, Takubo, Trump, Prezioso, Stollings, Plymale, Blair, Karnes and Sypolt - **Requiring drug screening and testing of applicants for TANF program** (original similar to HB4010) - Introduced 1/13/2016 - To Health and Human Resources then Finance - Com. sub. reported 1/20/2016 - To Finance 1/20/2016 - Amended - Passed Senate 2/9/2016 - To House 2/10/2016 - To Health and Human Resources then Judiciary - To House Judiciary 2/12/2016
- *7. By Sen. Leonhardt, Carmichael, Ashley, Stollings, Trump and Blair - **Establishing wrongful conduct rule prohibiting recovery of damages in certain circumstances** (original similar to HB4008) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 2/6/2016 - Amended - Passed Senate 2/11/2016 - To House 2/12/2016 - To Judiciary - Laid over until 2/20 - Amended - Laid over until 2/23 - Passed House 2/23/2016 - Title amended - Senate concurred in House amendments and passed bill 2/24/2016
- *10. By Sen. Sypolt, Ferns, Gaunch, Karnes, Leonhardt, Trump, Walters, Boley, Boso, Takubo and Blair - **Creating Unborn Child Protection from Dismemberment Abortion Act** (original similar to HB4004) - Introduced 1/13/2016 - To Health and Human Resources then Judiciary - Com. sub. reported 2/12/2016 - 2nd reference dispensed - Passed Senate 2/17/2016 - To House 2/18/2016 - To Health and Human Resources then Judiciary - To House Judiciary 2/23/2016
- *13. By Sen. Carmichael, Boso, Gaunch, Leonhardt, Trump, Walters, Blair, Takubo, Miller and Unger - **Increasing penalties for overtaking and passing stopped school buses** (original similar to HB4349) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate with amended title 1/26/2016 - To House 1/27/2016 - To Judiciary
- *14. By Sen. Trump, Boso, Ferns, Leonhardt, Takubo and Blair - **Limiting successor corporation asbestos-related liabilities** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/26/2016 - Passed Senate 1/29/2016 - To House 2/1/2016 - To Judiciary - Amended - Passed House 2/20/2016 - Senate concurred in House amendments and passed bill 2/22/2016

15. By Sen. Boso and Gaunch - **Adopting learned intermediary doctrine as defense to civil action due to inadequate warnings or instructions** - Introduced 1/13/2016 - To Judiciary - Passed Senate 2/1/2016 - To House 2/2/2016 - To Judiciary - Amended - Passed House 2/16/2016 - Senate concurred in House amendments and passed bill 2/17/2016 - To Governor 2/19/16
- *16. By Sen. Ashley, Plymale, Williams, Miller, Stollings and Unger - **Providing tax credit for providing broadband service to unserved areas** - Introduced 1/13/2016 - To Transportation and Infrastructure then Finance - Com. sub. reported 2/1/2016 - To Finance 2/1/2016 - Com. sub. for com. sub. reported 2/12/2016 - Passed Senate 2/17/2016 - To House 2/18/2016 - To Finance
- *27. By Sen. Kirkendoll, Miller and Gaunch - **Permitting county commissions hire outside attorneys for collection of taxes through courts** - Introduced 1/13/2016 - To Government Organization then Judiciary - Com. sub. reported 1/25/2016 - To Judiciary 1/25/2016 - Com. sub. for com. sub. reported 1/27/2016 - Passed Senate 2/1/2016 - To House 2/2/2016 - To Judiciary then Finance
29. By Sen. Palumbo - **Tolling statute of limitations in certain cases** - Introduced 1/13/2016 - To Judiciary - Passed Senate 2/5/2016 - To House 2/8/2016 - To Judiciary
32. By Sen. Palumbo, Beach and Miller - **Relating to withdrawal of candidates for office and filling vacancies** - Introduced 1/13/2016 - To Judiciary - Amended - Passed Senate 1/26/2016 - To House 1/27/2016 - To Judiciary - Amended - Passed House 2/5/2016 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 2/6/2016 - Effective from passage - To Governor 2/9/16 - Approved by Governor 2/11/16
- *39. By Sen. Stollings and Gaunch - **Regulating off-road motorcycles within Hatfield-McCoy Recreation Area** - Introduced 1/13/2016 - To Natural Resources then Judiciary - Com. sub. reported 1/21/2016 - To Judiciary 1/21/2016 - Passed Senate 2/9/2016 - To House 2/10/2016 - To Roads and Transportation then Government Organization
- *40. By Sen. Stollings - **Changing definition of facilities eligible for funding assistance from Courthouse Facilities Improvement Authority** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 2/1/2016 - Passed Senate 2/4/2016 - Effective from passage - To House 2/5/2016 - To Judiciary then Finance
- *43. By Sen. Williams, Beach, Blair, Leonhardt and Miller - **Clarifying means of posting to prohibit hunting or trespassing** - Introduced 1/13/2016 - To Natural Resources then Judiciary - Com. sub. reported 1/21/2016 - To Judiciary 1/21/2016 - Passed Senate 2/9/2016 - To House 2/10/2016 - To Agriculture and Natural Resources then Judiciary
54. By Sen. Sypolt - **Altering how tax is collected on homeowners' associations** - Introduced 1/13/2016 - To Finance - Amended - Passed Senate 2/19/2016 - To House 2/20/2016 - To Finance
- *68. By Sen. Ferns and Takubo - **Disallowing Health Care Authority to conduct rate review and set rates for hospitals** - Introduced 1/13/2016 - To Health and Human Resources then Finance - Com. sub. reported 2/3/2016 - 2nd reference dispensed - Passed Senate

2/6/2016 - To House 2/8/2016 - To Health and Human Resources - On 1st reading, Special Calendar 2/25/2016

- *73. By Sen. Yost and Miller - **Creating felony crime of knowingly leaving scene of crash resulting in serious bodily injury** (original similar to HB4478) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 2/9/2016 - Passed Senate 2/12/2016 - To House 2/15/2016 - To Judiciary

- *102. By Sen. Trump, Boso and Gaunch - **Conforming to federal Law-Enforcement Officers Safety Act** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate 1/26/2016 - To House 1/27/2016 - To Judiciary

- *105. By Sen. Trump and Gaunch - **Creating Tim Tebow Act allowing nonpublic school student participate in SSAC member school athletics** - Introduced 1/13/2016 - To Education then Judiciary - Com. sub. reported 2/12/2016 - 2nd reference dispensed - Amended - Passed Senate 2/17/2016 - To House 2/18/2016 - To Education then Judiciary

- 107. By Sen. Trump - **Uniform Interstate Depositions and Discovery Act** - Introduced 1/13/2016 - To Judiciary - Passed Senate with amended title 1/27/2016 - To House 1/28/2016 - To Judiciary

- *109. By Sen. Trump - **Repealing code provisions related to certain reports by trustees for property** - Introduced 1/13/2016 - To Banking and Insurance then Judiciary - Com. sub. reported 1/27/2016 - To Judiciary 1/27/2016 - Amended - Passed Senate with amended title 2/4/2016 - To House 2/5/2016 - To Banking and Insurance then Judiciary

- 123. By Sen. Stollings - **Treatment for sexually transmitted diseases** - Introduced 1/13/2016 - To Health and Human Resources then Judiciary - 2nd reference dispensed - Passed Senate 2/3/2016 - To House 2/4/2016 - To Health and Human Resources - Amended - Passed House 2/15/2016 - Title amended - Senate concurred in House amendments and passed bill 2/16/2016 - To Governor 2/19/16

- *146. By Sen. Plymale and Unger - **Establishing instruction standards for early childhood education** - Introduced 1/13/2016 - To Education - Com. sub. reported 1/25/2016 - Passed Senate 1/29/2016 - Effective July 1, 2016 - To House 2/1/2016 - To Education - Laid over until 2/19 - Amended - Passed House 2/20/2016 - Effective July 1, 2016 - Senate amended House amendment and passed 2/23/2016 - Effective July 1, 2016 - House concurred in Senate amendment and passed 2/23/2016 - Effective July 1, 2016

- 147. By Sen. Romano, Snyder and Facemire (Originating in Senate) - **Providing consumers sales and service tax and use tax exemption for certain services and tangible personal property sold for repair, remodeling and maintenance of aircraft** - Introduced 1/13/2016 - To Finance - Amended - Passed Senate 2/16/2016 - To House 2/17/2016 - To Finance

- *150. By Sen. Maynard - **Authorizing Department of Transportation promulgate legislative rules** (original similar to HB4082) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/27/2016 - Passed Senate 2/1/2016 - Effective from passage - To House 2/2/2016 - To Judiciary - Amended - Passed House 2/19/2016 - Effective from passage - Senate concurred in House amendments and passed bill 2/22/2016 - Effective from passage

- *157. By Sen. Maynard - **Authorizing Department of Revenue to promulgate legislative rules** (original similar to HB4088) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Judiciary
- *159. By Sen. Maynard - **Authorizing promulgation of legislative rules by miscellaneous boards and commissions** (original similar to HB4096) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 2/2/2016 - Passed Senate 2/5/2016 - Effective from passage - To House 2/8/2016 - To Judiciary
- *195. By Sen. Maynard - **Authorizing DHHR to promulgate legislative rules** (original similar to HB4114) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/21/2016 - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Judiciary
- *202. By Sen. Maynard - **Authorizing Department of Commerce promulgate legislative rules** (original similar to HB4126) - Introduced 1/13/2016 - To Natural Resources then Judiciary - To Judiciary 1/21/2016 - Com. sub. reported 1/26/2016 - Passed Senate 1/29/2016 - Effective from passage - To House 2/1/2016 - To Judiciary
- *216. By Sen. Maynard - **Authorizing Human Rights Commission promulgate legislative rule relating to Pregnant Workers' Fairness Act** (original similar to HB4141) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/26/2016 - Passed Senate 1/29/2016 - Effective from passage - To House 2/1/2016 - To Judiciary
- *252. By Sen. Trump - **Amending Wiretapping and Electronic Surveillance Act excluding from protection oral communications** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 2/20/2016 - Passed Senate 2/24/2016 - To House 2/24/2016 - To Judiciary
- *254. By Sen. Trump - **Not allowing county park commissions to prohibit firearms in facilities** - Introduced 1/13/2016 - To Government Organization then Judiciary - Com. sub. reported 1/29/2016 - 2nd reference dispensed - Passed Senate 2/3/2016 - Effective from passage - To House 2/4/2016 - To Judiciary
- *259. By Sen. Blair, Karnes and Snyder - **Amending Unfair Trade Practices Act** - Introduced 1/13/2016 - To Government Organization then Judiciary - Com. sub. reported 1/27/2016 - To Judiciary 1/27/2016 - Com. sub. for com. sub. reported 2/17/2016 - Passed Senate 2/20/2016 - To House 2/22/2016 - To Government Organization then Judiciary
- 261. By Sen. Blair - **Bringing state code relating to daylight saving time in conformity with federal code** - Introduced 1/13/2016 - To Government Organization - Passed Senate 2/3/2016 - To House 2/4/2016 - To Government Organization - Passed House 2/15/2016 - To Governor 2/19/16
- *262. By Sen. Blair - **Eliminating need for law enforcement to obtain court order prior to having access to inmate mail and phone recordings** (original similar to HB4424) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/25/2016 - Passed Senate 1/28/2016 - To House 1/29/2016 - To Judiciary
- *263. By Sen. Blair and Snyder - **Allowing travel and other expense reimbursement for members of Municipal Home Rule Board** - Introduced 1/13/2016 - To Government

- Organization - Com. sub. reported 1/15/2016 - Passed Senate 1/20/2016 - To House 1/21/2016 - To Political Subdivisions then Finance
- *265. By Sen. Blair and Snyder - **Allowing library volunteers necessary access to user records** - Introduced 1/13/2016 - To Government Organization then Judiciary - To Judiciary 1/15/2016 - Com. sub. reported 2/2/2016 - Amended - Passed Senate 2/5/2016 - To House 2/8/2016 - To Judiciary
- *267. By Sen. Blair - **Modifying removal procedure for certain county, school district and municipal officers** - Introduced 1/13/2016 - To Government Organization then Judiciary - Com. sub. reported 2/12/2016 - 2nd reference dispensed - Passed Senate 2/17/2016 - To House 2/18/2016 - To Government Organization then Judiciary
- *268. By Sen. Blair - **Abolishing Council of Finance and Administration** - Introduced 1/13/2016 - To Government Organization - Com. sub. reported 1/29/2016 - Passed Senate 2/3/2016 - To House 2/4/2016 - To Government Organization then Finance - To House Finance 2/10/2016
- *270. By Sen. Gaunch - **Repealing code relating to insurance policies** - Introduced 1/14/2016 - To Banking and Insurance then Judiciary - To Judiciary 1/26/2016 - Com. sub. reported 2/2/2016 - Passed Senate 2/5/2016 - To House 2/8/2016 - To Banking and Insurance then Judiciary
271. By Sen. Ferns and Gaunch - **Conforming definition of attest services to Uniform Accountancy Act** (original similar to HB4312) - Introduced 1/14/2016 - To Judiciary - Passed Senate 2/2/2016 - To House 2/3/2016 - To Judiciary
- *272. By Sen. Blair, Gaunch, Plymale and Romano - **Allowing investigators from Attorney General's office to carry concealed weapons** - Introduced 1/14/2016 - To Judiciary - Com. sub. reported 2/11/2016 - Passed Senate 2/16/2016 - To House 2/17/2016 - To Judiciary
- *274. By Sen. Walters - **Relating to increasing civil jurisdictional amount in magistrate courts** - Introduced 1/14/2016 - To Judiciary - Com. sub. reported 2/20/2016 - Passed Senate 2/24/2016 - To House 2/24/2016 - To Judiciary
- *278. By Sen. Ferns, Takubo, Walters, Stollings and Palumbo - **Clarifying physicians' mutual insurance company is not state or quasi-state actor** - Introduced 1/14/2016 - To Banking and Insurance then Judiciary - To Judiciary 1/26/2016 - Com. sub. reported 2/4/2016 - Passed Senate 2/8/2016 - To House 2/9/2016 - To Banking and Insurance then Judiciary
- *283. By Sen. Ferns - **Creating crime when fire is caused by operation of a clandestine drug laboratory** - Introduced 1/14/2016 - To Judiciary - Com. sub. reported 2/12/2016 - Passed Senate 2/17/2016 - To House 2/18/2016 - To Judiciary
- *288. By Sen. Trump, Blair, Takubo, Walters, Romano and Palumbo - **Creating one-day special license for charitable events to sell nonintoxicating beer** (original similar to HB4571) - Introduced 1/14/2016 - To Judiciary - Com. sub. reported 1/27/2016 - Passed Senate 2/1/2016 - Effective from passage - To House 2/2/2016 - To Judiciary then Finance

- *290. By Sen. Trump - **Assignment of wages by employers and payment by payroll card** - Introduced 1/14/2016 - To Judiciary - Com. sub. reported 1/25/2016 - Amended - Passed Senate with amended title 1/28/2016 - To House 1/29/2016 - To Judiciary
- *291. By Sen. Trump and Plymale - **Law enforcement use of unmanned aircraft systems** (original similar to SB560) - Introduced 1/14/2016 - To Judiciary - Com. sub. reported 2/20/2016 - Passed Senate 2/24/2016 - To House 2/24/2016 - To Judiciary
- *293. By Sen. Walters, Boso and Sypolt - **Neighborhood Investment Program Act** (original similar to HB4563) - Introduced 1/14/2016 - To Economic Development then Finance - To Finance 2/11/2016 - Com. sub. reported 2/16/2016 - Passed Senate 2/19/2016 - To House 2/20/2016 - To Finance
- *298. By Sen. Walters - **Allowing restaurants, private clubs and wineries sell alcoholic beverages on Sundays** (original similar to SB21, SB307) - Introduced 1/15/2016 - To Economic Development then Judiciary - Com. sub. reported 2/11/2016 - 2nd reference dispensed - Passed Senate 2/16/2016 - To House 2/17/2016 - To Roads and Transportation then Judiciary
- 299. By Sen. Plymale, Laird and Miller - **Creating Library Facilities Improvement Fund** (original similar to HB4488) - Introduced 1/15/2016 - To Education then Finance - 2nd reference dispensed - Passed Senate 2/15/2016 - To House 2/16/2016 - To Education then Finance
- 306. By Sen. Blair - **Permitting sale of county or district property online** - Introduced 1/15/2016 - To Government Organization - Passed Senate 2/3/2016 - To House 2/4/2016 - To Political Subdivisions then Government Organization
- *309. By Sen. Blair - **Relating to child-care center licensing and exempting county parks and recreation from licensure** - Introduced 1/15/2016 - To Government Organization - Com. sub. reported 2/5/2016 - Amended - Passed Senate 2/9/2016 - To House 2/10/2016 - To Government Organization - Passed House 2/19/2016 - To Governor 2/24/16
- 311. By Sen. Snyder, Romano, Gaunch, Kessler and Blair - **Allowing permanent exception for mortgage modification or refinancing loan under federal Making Home Affordable program** - Introduced 1/18/2016 - To Government Organization - Passed Senate 1/26/2016 - To House 1/27/2016 - To Banking and Insurance then Finance - To House Finance 2/5/2016
- *313. By Sen. Boso, Miller, Romano, Mullins, Facemire and Takubo - **Relating to school calendar and allowing unused accrued instructional time count toward 180-day requirement** - Introduced 1/19/2016 - To Education then Finance - Com. sub. reported 2/12/2016 - 2nd reference dispensed - Amended - Passed Senate with amended title 2/19/2016 - Effective July 1, 2016 - To House 2/20/2016 - To Education
- *315. By Sen. Walters, Ashley, Beach, Boley, Boso, Gaunch, Kessler, Kirkendoll, Laird, Leonhardt, Maynard, Miller, Mullins, Palumbo, Plymale, Snyder, Stollings, Sypolt, Takubo, Trump, Williams and Blair - **Providing for construction of statewide fiber optic broadband infrastructure network** - Introduced 1/19/2016 - To Transportation and Infrastructure then Government Organization - Com. sub. reported 1/28/2016 - To

- Government Organization 1/28/2016 - Com. sub. for com. sub. reported 2/15/2016 - Passed Senate 2/18/2016 - To House 2/19/2016 - To Political Subdivisions then Finance
323. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano and Williams - **Correcting statute subsection designations regarding trespassing on property** - Introduced 1/19/2016 - To Judiciary - Passed Senate with amended title 1/26/2016 - To House 1/27/2016 - To Judiciary
- *326. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano and Plymale - **Repeal and recodify law relating to contributing to delinquency of minor child** - Introduced 1/19/2016 - To Judiciary - Com. sub. reported 2/3/2016 - Passed Senate 2/6/2016 - To House 2/8/2016 - To Judiciary
- *328. By Sen. Gaunch, Ashley, Carmichael, Facemire, Karnes, Kirkendoll, Leonhardt, Stollings, Takubo, Walters, Plymale, Unger, Blair, Prezioso, Williams and Romano - **Creating West Virginia Veterans Program Fund** (original similar to SB77) - Introduced 1/20/2016 - To Judiciary then Finance - Com. sub. reported 2/11/2016 - 2nd reference dispensed - Passed Senate 2/15/2016 - To House 2/16/2016 - To Veterans' Affairs and Homeland Security then Finance
329. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano, Plymale, Stollings and Unger - **Eliminating sunset provision for commission to study residential placement of children** - Introduced 1/20/2016 - To Health and Human Resources then Judiciary - 2nd reference dispensed - Passed Senate 2/1/2016 - To House 2/2/2016 - To Health and Human Resources then Judiciary - To House Judiciary 2/15/2016
- *330. By Sen. Gaunch and Boso - **Requiring automobile liability insurers provide 10 days' notice of intent to cancel due to nonpayment of premium** - Introduced 1/20/2016 - To Banking and Insurance then Judiciary - Com. sub. reported 2/2/2016 - 2nd reference dispensed - Passed Senate 2/5/2016 - To House 2/8/2016 - To Banking and Insurance then Judiciary - To House Judiciary 2/12/2016
333. By Sen. Karnes and Leonhardt - **Taking and registering of wildlife** (original similar to HB4255) - Introduced 1/20/2016 - To Natural Resources then Government Organization - 2nd reference dispensed - Passed Senate with amended title 2/2/2016 - To House 2/3/2016 - To Agriculture and Natural Resources then Judiciary
334. By Sen. Karnes - **Identifying coyote as fur-bearing animal and woodchuck as game animal** (original similar to HB4236) - Introduced 1/20/2016 - To Natural Resources then Government Organization - 2nd reference dispensed - Passed Senate 2/2/2016 - To House 2/3/2016 - To Agriculture and Natural Resources then Government Organization
336. By Sen. Karnes and Leonhardt - **Relating to crossbow hunting** (original similar to HB4389) - Introduced 1/20/2016 - To Natural Resources - Passed Senate 2/2/2016 - To House 2/3/2016 - To Agriculture and Natural Resources then Judiciary
- *338. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano, Stollings, Plymale and Yost - **Compiling and maintaining Central State Mental Health Registry** - Introduced 1/21/2016 - To Health and Human Resources then Judiciary - Com. sub. reported 1/27/2016 - 2nd reference dispensed - Passed Senate 2/1/2016 - To House 2/2/2016 - To Health and Human Resources then Judiciary - To House Judiciary 2/15/2016

- *339. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano, Plymale and Yost - **Establishing Judicial Compensation Commission** - Introduced 1/21/2016 - To Judiciary - Com. sub. reported 2/18/2016 - Amended - Passed Senate with amended title 2/22/2016 - To House 2/22/2016 - To Judiciary then Finance
341. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Expiring funds from Insurance Commissioner, Examination Revolving Fund and Insurance Commission Fund to State Fund, General Revenue** (original similar to HB4162) - Introduced 1/21/2016 - To Finance - Passed Senate 2/11/2016 - Effective from passage - To House 2/12/2016 - To Finance - Passed House 2/24/2016 - Effective from passage
- *342. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Decreasing appropriations from State Fund, General Revenue, to DHHR, Division of Human Services and Bureau of Senior Services** (original similar to HB4336) - Introduced 1/21/2016 - To Finance - Com. sub. reported 1/27/2016 - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Finance - Passed House 2/8/2016 - Effective from passage - To Governor 2/10/16 - Approved by Governor 2/11/16
- *343. By Sen. Cole (Mr. President), Hall, Kessler and Trump - **Authorizing prosecuting attorneys designate law-enforcement officers and investigators as custodians of records** (original similar to HB4206, HB4289) - Introduced 1/21/2016 - To Judiciary - Com. sub. reported 1/28/2016 - Amended - Passed Senate with amended title 2/2/2016 - Effective from passage - To House 2/3/2016 - To Judiciary
345. By Sen. Hall - **Relating to parking on state-owned or leased property** - Introduced 1/21/2016 - To Finance - Passed Senate 2/9/2016 - To House 2/10/2016 - To Government Organization then Finance
346. By Sen. Hall and Prezioso - **Updating projects managed by Project Management Office** (original similar to HB4624) - Introduced 1/21/2016 - To Finance - Passed Senate 2/9/2016 - To House 2/10/2016 - To Finance
349. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Updating meaning of federal adjusted gross income** (original similar to HB4030) - Introduced 1/21/2016 - To Finance - Passed Senate 2/9/2016 - Effective from passage - To House 2/10/2016 - To Finance
351. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Dedicating severance tax proceeds** (original similar to HB4268) - Introduced 1/21/2016 - To Finance - Passed Senate 2/17/2016 - To House 2/18/2016 - To Finance - Passed House 2/24/2016 - Effective from passage
352. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Dedicating corporation net income tax proceeds to railways** (original similar to HB4029) - Introduced 1/21/2016 - To Finance - Passed Senate 2/20/2016 - Effective from passage - To House 2/22/2016 - To Finance
357. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services, Lottery Senior Citizens Fund** (original similar to HB4229) - Introduced 1/21/2016 - To Finance -

- Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Finance - Passed House 2/8/2016 - Effective from passage - To Governor 2/10/16 - Approved by Governor 2/11/16
360. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation to Division of Human Services** (original similar to HB4149) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Finance - Passed House 2/8/2016 - Effective from passage - To Governor 2/10/16 - Approved by Governor 2/11/16
- *361. By Sen. Gaunch, Boso, Mullins, Palumbo, Walters, Williams and Prezioso - **Prohibiting persons who have committed crimes against elderly from performing community service involving elderly** (original similar to HB4306, HB4555) - Introduced 1/21/2016 - To Judiciary - Com. sub. reported 2/3/2016 - Passed Senate 2/6/2016 - To House 2/8/2016 - To Judiciary
364. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation expiring funds from General Revenue** (original similar to HB4189) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - Reference dispensed - Motion to lay over adopted - Laid over until 2/1/16 - Passed House 2/2/2016 - Effective from passage - To Governor 2/4/16 - Approved by Governor 2/4/16
- *369. By Sen. Sypolt, Boso, Plymale, Prezioso and Williams - **Reducing legislative education reporting requirements** - Introduced 1/21/2016 - To Education - Com. sub. reported 1/29/2016 - Passed Senate 2/3/2016 - To House 2/4/2016 - To Education - Amended - Amended on 3rd reading - Passed House 2/19/2016 - Title amended - Senate concurred in House amendments and passed bill 2/22/2016
- *376. By Sen. Trump, Palumbo, Gaunch, Williams, Beach, Yost, Miller and Maynard - **Expanding authority of Secretary of State and State Police** (original similar to HB4359, HB4367) - Introduced 1/25/2016 - To Judiciary - Com. sub. reported 2/20/2016 - Passed Senate 2/24/2016 - To House 2/24/2016 - To Government Organization
- *378. By Sen. Trump, Carmichael, Williams, Ashley, Gaunch, Leonhardt, Palumbo, Romano, Miller, Boso, Stollings, Sypolt, Blair and Plymale - **Relating to truancy intervention** (original similar to HB4638) - Introduced 1/25/2016 - To Judiciary - Com. sub. reported 2/8/2016 - Passed Senate 2/11/2016 - To House 2/12/2016 - To Judiciary
379. By Sen. Trump, Palumbo, Gaunch, Williams, Beach, Yost and Miller - **Relating to candidate filing fees** (original similar to HB4381) - Introduced 1/25/2016 - To Judiciary - Passed Senate with amended title 2/1/2016 - Effective from passage - To House 2/2/2016 - To Judiciary
385. By Sen. Trump - **Allowing defendants 180 days to identify nonparties wholly or partially at fault in civil actions** - Introduced 1/25/2016 - To Judiciary - Passed Senate 2/5/2016 - To House 2/8/2016 - To Judiciary
- *387. By Sen. Karnes - **Shared animal ownership agreements to consume raw milk** - Introduced 1/25/2016 - To Agriculture and Rural Development then Judiciary - Com. sub. reported 1/27/2016 - To Judiciary 2/2/2016 - Com. sub. for com. sub. reported 2/2/2016 -

- Passed Senate 2/5/2016 - To House 2/8/2016 - To Health and Human Resources - Passed House 2/23/2016
- *400. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Reducing amount of sales tax proceeds dedicated to School Major Improvement Fund** (original similar to SB463) - Introduced 1/27/2016 - To Finance - Com. sub. reported 2/12/2016 - Passed Senate 2/18/2016 - To House 2/19/2016 - To Finance
403. By Sen. Leonhardt and Williams - **Relating to cooperative extension workers** - Introduced 1/27/2016 - To Government Organization - Passed Senate 2/15/2016 - To House 2/16/2016 - To Agriculture and Natural Resources then Government Organization
- *404. By Sen. Ferns, Plymale, Stollings and Prezioso - **Removing prohibition on billing persons for testing for HIV and sexually transmitted diseases** - Introduced 1/27/2016 - To Health and Human Resources then Finance - Com. sub. reported 2/10/2016 - 2nd reference dispensed - Passed Senate 2/15/2016 - To House 2/16/2016 - To Health and Human Resources then Finance
415. By Sen. Ashley - **Lengthening maximum term of negotiable certificates of deposit municipal funds can hold** - Introduced 1/28/2016 - To Banking and Insurance - Passed Senate 2/5/2016 - To House 2/8/2016 - To Banking and Insurance then Finance - To House Finance 2/12/2016
416. By Sen. Takubo, Trump, Blair and Kessler - **Allowing terminally ill patients access to investigational products** - Introduced 1/28/2016 - To Health and Human Resources - Passed Senate 2/24/2016 - To House 2/24/2016 - To Judiciary
419. By Sen. Kessler [By Request of the Executive] - **Relating to termination of Workers' Compensation Debt Reduction Act** - Introduced 1/28/2016 - To Finance - Amended - Passed Senate with amended title 2/11/2016 - Effective from passage - To House 2/12/2016 - To Finance - Laid over until 2/24 - Amended - On 3rd reading, Special Calendar 2/25/2016
- *420. By Sen. Kessler [By Request of the Executive] - **Increasing tax rate on cigarette and tobacco products** (original similar to HB4494, SB607) - Introduced 1/28/2016 - To Finance - Com. sub. reported 2/19/2016 - Amended - Passed Senate 2/23/2016 - Effective April 1, 2016 - To House 2/23/2016 - To Finance
423. By Sen. Hall, Boso and Plymale - **Providing for disposition of unclaimed and unredeemed savings bond** - Introduced 1/29/2016 - To Finance - Passed Senate 2/16/2016 - To House 2/17/2016 - To Finance
- *424. By Sen. Boso, Blair, Karnes, Kessler, Kirkendoll, Leonhardt, Miller, Mullins, Snyder, Stollings, Sypolt, Takubo, Unger, Walters, Williams, Woelfel, Gaunch and Ferns - **Allowing fire departments assess fees** - Introduced 1/29/2016 - To Government Organization - Com. sub. reported 2/12/2016 - Amended - Passed Senate 2/18/2016 - To House 2/19/2016 - To Finance
426. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Continuing Office of Coalfield Community Development** (original similar to HB4214) - Introduced 1/29/2016 - To Energy, Industry and Mining then Government Organization - 2nd

- reference dispensed - Passed Senate 2/9/2016 - To House 2/10/2016 - To Small Business, Entrepreneurship and Economic Development then Government Organization
- *429. By Sen. Ashley and Gaunch - **Adopting two National Association of Insurance Commissioners' models to protect enrollees and general public and permit greater oversight** - Introduced 1/29/2016 - To Banking and Insurance - Com. sub. reported 2/9/2016 - Passed Senate 2/12/2016 - To House 2/15/2016 - To Banking and Insurance then Judiciary - To House Judiciary 2/19/2016
431. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Authorizing pharmacists and pharmacy interns dispense opioid antagonists** (original similar to HB4335) - Introduced 1/29/2016 - To Health and Human Resources - Passed Senate 2/20/2016 - To House 2/22/2016 - To Health and Human Resources
- *434. By Sen. Karnes and Takubo - **Allowing home-based micro-processed foods sold at farmers markets** - Introduced 1/29/2016 - To Agriculture and Rural Development - Com. sub. reported 2/16/2016 - Passed Senate 2/19/2016 - To House 2/20/2016 - To Agriculture and Natural Resources then Health and Human Resources
- *436. By Sen. Kirkendoll, Boley, Mullins and Walters - **Defining adequate shelter for dogs and cats** (original similar to HB4373) - Introduced 2/1/2016 - To Judiciary - Com. sub. reported 2/12/2016 - Passed Senate with amended title 2/17/2016 - To House 2/18/2016 - To Agriculture and Natural Resources then Judiciary
437. By Sen. Blair - **Updating and clarifying code relating to rules governing mixed martial arts** - Introduced 2/1/2016 - To Government Organization - Passed Senate 2/11/2016 - To House 2/12/2016 - To Government Organization
438. By Sen. Ferns - **Requiring DHHR be present at judicial proceedings** - Introduced 2/1/2016 - To Health and Human Resources then Judiciary - 2nd reference dispensed - Passed Senate 2/24/2016 - To House 2/24/2016 - To Judiciary
439. By Sen. Hall and Plymale - **Eliminating requirement that budget director approve requisitions for personal services payment under certain circumstances** - Introduced 2/1/2016 - To Finance - Passed Senate 2/17/2016 - To House 2/18/2016 - To Finance
449. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from State Fund, General Revenue to Department of Administration, Public Defender Services** (original similar to HB4154) - Introduced 2/1/2016 - To Finance - Passed Senate 2/11/2016 - Effective from passage - To House 2/12/2016 - To Finance - Passed House 2/24/2016 - Effective from passage
450. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from State Fund, General Revenue to DHHR, Division of Health** (original similar to HB4153) - Introduced 2/1/2016 - To Finance - Passed Senate 2/11/2016 - Effective from passage - To House 2/12/2016 - To Finance - Passed House 2/24/2016 - Effective from passage
451. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from State Fund, General Revenue to Department of Military Affairs**

- (original similar to HB4270) - Introduced 2/1/2016 - To Finance - Passed Senate 2/11/2016 - Effective from passage - To House 2/12/2016 - To Finance - Passed House 2/24/2016 - Effective from passage
459. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Requiring county board of education to pay tuition to Mountaineer Challenge Academy** (original similar to HB4325) - Introduced 2/2/2016 - To Education - Passed Senate 2/15/2016 - To House 2/16/2016 - To Education then Finance
462. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Reducing deposit of excess lottery proceeds into WV Infrastructure Fund** (original similar to HB4217) - Introduced 2/2/2016 - To Finance - Passed Senate 2/17/2016 - To House 2/18/2016 - To Finance - Passed House 2/24/2016 - Title amended - Effective from passage
- *465. By Sen. Carmichael, Gaunch, Maynard, Karnes, Sypolt and Walters - **Allowing professional employer insure certain risks through pure insurance captive** - Introduced 2/2/2016 - To Judiciary - Com. sub. reported 2/9/2016 - Passed Senate 2/12/2016 - To House 2/15/2016 - To Judiciary
469. By Sen. Williams and Sypolt - **Clarifying what personal funds are exempt from levy following judgment** - Introduced 2/2/2016 - To Judiciary - Passed Senate 2/12/2016 - To House 2/15/2016 - To Judiciary
- *474. By Sen. Boso, Ashley, Facemire, Miller, Snyder, Takubo, Trump and Plymale - **Exempting DEP construction and reclamation contracts from review and approval** (original similar to HB4573) - Introduced 2/2/2016 - To Government Organization - Com. sub. reported 2/20/2016 - Passed Senate 2/24/2016 - To House 2/24/2016 - To Government Organization
478. By Sen. Walters and Palumbo - **Authorizing licensees who sell growlers to offer samples** - Introduced 2/2/2016 - To Judiciary - Amended - Passed Senate with amended title 2/22/2016 - To House 2/22/2016 - To Health and Human Resources then Judiciary
- *481. By Sen. Walters - **Authorizing distillery operators to offer liquor for purchase and consumption on premises** (original similar to HB4565) - Introduced 2/2/2016 - To Judiciary - Com. sub. reported 2/18/2016 - Passed Senate 2/22/2016 - To House 2/22/2016 - To Judiciary
483. By Sen. Sypolt, Boley, Plymale and Ferns - **Marshall County LSIC waiver** (original similar to HB4447) - Introduced 2/2/2016 - To Education - Passed Senate 2/15/2016 - Effective July 1, 2016 - To House 2/16/2016 - To Education
- *485. By Sen. Karnes, Maynard, Plymale and Boso - **Establishing regional recreation authorities and areas** - Introduced 2/3/2016 - To Natural Resources then Judiciary - Com. sub. reported 2/19/2016 - 2nd reference dispensed - Passed Senate 2/23/2016 - To House 2/23/2016 - To Judiciary
488. By Sen. Takubo, Stollings and Plymale - **Requiring WV Secondary School Activities Commission manage hypertrophic cardiomyopathy** - Introduced 2/3/2016 - To

- Education - Amended - Amended - Passed Senate 2/20/2016 - To House 2/22/2016 - To Education
- *493. By Sen. Trump - **Allowing creation of self-settled spendthrift trusts** - Introduced 2/3/2016 - To Judiciary - Com. sub. reported 2/11/2016 - Passed Senate 2/16/2016 - To House 2/17/2016 - To Judiciary
- *500. By Sen. Hall - **Authorizing Superintendent of State Police hold training classes to use West Virginia Automated Police Network** - Introduced 2/3/2016 - To Finance - Com. sub. reported 2/18/2016 - Passed Senate 2/22/2016 - To House 2/22/2016 - To Government Organization
- *501. By Sen. Trump - **Relating to trusts** - Introduced 2/3/2016 - To Banking and Insurance - Com. sub. reported 2/9/2016 - Passed Senate 2/12/2016 - To House 2/15/2016 - To Banking and Insurance then Judiciary
- *504. By Sen. Ashley, Laird, Maynard, Miller, Romano, Walters and Plymale - **Relating to confidentiality of juvenile records** - Introduced 2/3/2016 - To Judiciary - Com. sub. reported 2/12/2016 - Passed Senate 2/17/2016 - To House 2/18/2016 - To Judiciary
505. By Sen. Hall - **Exempting certain uses of field gas from motor fuel excise taxes** (original similar to SB38) - Introduced 2/4/2016 - To Finance - Passed Senate 2/22/2016 - To House 2/22/2016 - To Finance
507. By Sen. Carmichael, Blair, Gaunch, Plymale, Prezioso and Trump - **Exempting motor vehicles engaged in nonemergency transport of Medicaid recipients from PSC permit requirements** - Introduced 2/4/2016 - To Government Organization - Passed Senate 2/17/2016 - Effective from passage - To House 2/18/2016 - To Government Organization
- *508. By Sen. Ferns, Kirkendoll, Carmichael, Mullins and Palumbo - **Relating to civil claims for private nuisance** - Introduced 2/4/2016 - To Judiciary - Com. sub. reported 2/19/2016 - Passed Senate 2/23/2016 - To House 2/23/2016 - To Judiciary
509. By Sen. Carmichael and Blair - **Removing 10-day requirement Division of Labor has to inspect amusement rides and attractions** - Introduced 2/4/2016 - To Government Organization - Passed Senate 2/11/2016 - To House 2/12/2016 - To Government Organization - Amended - Passed House 2/22/2016 - Title amended - Senate refused to concur in House amendment 2/24/2016 - House refused to recede and requested conference 2/24/2016
- *510. By Sen. Walters, Plymale, Trump, Boso, Ashley, Hall, Unger, Kessler, Woelfel, Blair and Ferns - **Establishing Adult Drug Court Participation Fund** - Introduced 2/4/2016 - To Finance - Com. sub. reported 2/11/2016 - Passed Senate 2/16/2016 - To House 2/17/2016 - To Finance
- *511. By Sen. Ashley, Plymale, Hall, Trump, Boso, Kessler and Unger - **Establishing Court Advanced Technology Subscription Fund** - Introduced 2/4/2016 - To Finance - Com. sub. reported 2/11/2016 - Passed Senate 2/16/2016 - To House 2/17/2016 - To Finance

515. By Sen. Hall, Walters and Plymale - **Authorizing payment of certain claims against state** - Introduced 2/4/2016 - To Finance - Passed Senate 2/17/2016 - Effective from passage - To House 2/18/2016 - To Finance
516. By Sen. Leonhardt and Woelfel - **Relating to registration for selective service** (original similar to HB4512) - Introduced 2/4/2016 - To Military then Government Organization - 2nd reference dispensed - Passed Senate 2/16/2016 - To House 2/17/2016 - To Veterans' Affairs and Homeland Security then Judiciary
- *517. By Sen. Gaunch and Trump - **Clarifying PEIA plans that are exempt from regulation by Insurance Commissioner** (original similar to HB4551) - Introduced 2/4/2016 - To Banking and Insurance - Com. sub. reported 2/9/2016 - Passed Senate 2/15/2016 - To House 2/16/2016 - To Banking and Insurance then Finance
- *520. By Sen. Gaunch, Trump, Ashley, Prezioso and Blair - **Allowing PEIA ability to recover benefits or claims obtained through fraud** (original similar to HB4543) - Introduced 2/5/2016 - To Judiciary - Com. sub. reported 2/18/2016 - Passed Senate 2/22/2016 - To House 2/22/2016 - To Judiciary
- *524. By Sen. Blair - **Rewriting Board of Barbers and Cosmetologists article** - Introduced 2/5/2016 - To Government Organization - Com. sub. reported 2/9/2016 - Passed Senate 2/15/2016 - To House 2/16/2016 - To Government Organization
- *529. By Sen. Ferns, Blair, Carmichael, Palumbo, Stollings, Trump and Woelfel - **Making certain sport and educational fantasy games lawful** (original similar to HB4583) - Introduced 2/5/2016 - To Judiciary - Com. sub. reported 2/15/2016 - Passed Senate 2/18/2016 - To House 2/19/2016 - To Judiciary then Finance
552. By Sen. Miller, Beach, Carmichael, Williams, Woelfel, Blair and Plymale - **Eliminating requirement sheriff pay jury costs to State Treasury** (original similar to HB4644) - Introduced 2/8/2016 - To Government Organization - Passed Senate 2/20/2016 - To House 2/22/2016 - To Government Organization
553. By Sen. Trump - **Merging purposes and provisions of Volunteer Fire Department Workers' Compensation Subsidy Program and Fund** (original similar to HB4547) - Introduced 2/8/2016 - To Government Organization - Passed Senate 2/20/2016 - Effective July 1, 2016 - To House 2/22/2016 - To Finance
558. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Maintaining solvency of Unemployment Compensation Fund** (original similar to HB4642) - Introduced 2/8/2016 - To Finance - Passed Senate 2/15/2016 - Effective from passage - To House 2/16/2016 - To Finance
- *565. By Sen. Boso and Walters - **Allowing well pad and road construction for oil and gas activities** - Introduced 2/10/2016 - To Energy, Industry and Mining - Com. sub. reported 2/19/2016 - Passed Senate 2/23/2016 - To House 2/23/2016 - To Energy then Judiciary
573. By Sen. Blair - **Prohibiting municipal annexation which would result in unincorporated territory within municipality** - Introduced 2/10/2016 - To Government Organization - Passed Senate 2/20/2016 - To House 2/22/2016 - To Political Subdivisions then Government Organization

- *575. By Sen. Blair - **Requiring leases for state office space provide landlord or owner be responsible for cleaning or janitorial services** - Introduced 2/10/2016 - To Government Organization - Com. sub. reported 2/20/2016 - Passed Senate 2/24/2016 - To House 2/24/2016 - To Government Organization
579. By Sen. Plymale and Prezioso - **Eliminating WV Port Authority** - Introduced 2/11/2016 - To Finance - Passed Senate 2/20/2016 - To House 2/22/2016 - To Finance
- *581. By Sen. Maynard, Ashley, Laird, Kessler, Palumbo, Woelfel, Romano and Stollings - **Eliminating sunset provision terminating pilot domestic violence court program** - Introduced 2/11/2016 - To Judiciary - Com. sub. reported 2/18/2016 - Passed Senate 2/22/2016 - To House 2/22/2016 - To Judiciary
- *582. By Sen. Plymale and Woelfel - **Providing refundable tax credit for motor fuel sold for use or consumed in railroad diesel locomotives** - Introduced 2/11/2016 - To Finance - Com. sub. reported 2/17/2016 - Passed Senate 2/20/2016 - To House 2/22/2016 - To Finance
583. By Sen. Trump, Maynard, Ferns, Carmichael, Cline, Karnes, Gaunch, Leonhardt, Ashley, Snyder, Palumbo, Beach, Miller, Kirkendoll, Romano, Woelfel and Williams (Originating in Senate Judiciary) - **Repealing certain obsolete legislative rules by Department of Administration** - Introduced 2/11/2016 - Passed Senate 2/16/2016 - Effective from passage - To House 2/17/2016 - To Judiciary
584. By Sen. Trump, Maynard, Ferns, Carmichael, Cline, Karnes, Gaunch, Leonhardt, Ashley, Snyder, Palumbo, Beach, Miller, Kirkendoll, Romano, Woelfel and Williams (Originating in Senate Judiciary) - **Repealing certain obsolete legislative rules by DEP** - Introduced 2/11/2016 - Passed Senate 2/16/2016 - Effective from passage - To House 2/17/2016 - To Judiciary
585. By Sen. Trump, Maynard, Ferns, Carmichael, Cline, Karnes, Gaunch, Leonhardt, Ashley, Snyder, Palumbo, Beach, Miller, Kirkendoll, Romano, Woelfel and Williams (Originating in Senate Judiciary) - **Repealing certain obsolete legislative rules by DHHR** - Introduced 2/11/2016 - Passed Senate 2/16/2016 - Effective from passage - To House 2/17/2016 - To Judiciary
586. By Sen. Trump, Maynard, Ferns, Carmichael, Cline, Karnes, Gaunch, Leonhardt, Ashley, Snyder, Palumbo, Beach, Miller, Kirkendoll, Romano, Woelfel and Williams (Originating in Senate Judiciary) - **Repealing certain obsolete legislative rules by Department of Military Affairs and Public Safety** - Introduced 2/11/2016 - Passed Senate 2/16/2016 - Effective from passage - To House 2/17/2016 - To Judiciary
587. By Sen. Trump, Maynard, Ferns, Carmichael, Cline, Karnes, Gaunch, Leonhardt, Ashley, Snyder, Palumbo, Beach, Miller, Kirkendoll, Romano, Woelfel and Williams (Originating in Senate Judiciary) - **Repealing certain obsolete legislative rules by Department of Revenue** - Introduced 2/11/2016 - Passed Senate 2/16/2016 - Effective from passage - To House 2/17/2016 - To Judiciary
588. By Sen. Trump, Maynard, Ferns, Carmichael, Cline, Karnes, Gaunch, Leonhardt, Ashley, Snyder, Palumbo, Beach, Miller, Kirkendoll, Romano, Woelfel and Williams (Originating in Senate Judiciary) - **Repealing certain obsolete legislative rules by Department of**

- Transportation** - Introduced 2/11/2016 - Passed Senate 2/16/2016 - Effective from passage - To House 2/17/2016 - To Judiciary
589. By Sen. Trump, Maynard, Ferns, Carmichael, Cline, Karnes, Gaunch, Leonhardt, Ashley, Snyder, Palumbo, Beach, Miller, Kirkendoll, Romano, Woelfel and Williams (Originating in Senate Judiciary) - **Repealing certain obsolete legislative rules by miscellaneous agencies and boards** - Introduced 2/11/2016 - Passed Senate 2/16/2016 - Effective from passage - To House 2/17/2016 - To Judiciary
590. By Sen. Trump, Maynard, Ferns, Carmichael, Cline, Karnes, Gaunch, Leonhardt, Ashley, Snyder, Palumbo, Beach, Miller, Kirkendoll, Romano, Woelfel and Williams (Originating in Senate Judiciary) - **Repealing certain obsolete legislative rules by Department of Commerce** - Introduced 2/11/2016 - Passed Senate 2/16/2016 - Effective from passage - To House 2/17/2016 - To Judiciary
- *591. By Sen. Trump, Gaunch, Walters, Ashley, Snyder, Beach, Takubo, Maynard, Kessler, Palumbo, Blair, Miller, Williams, Kirkendoll, Woelfel, Romano, Mullins, Unger, Laird, Sypolt, Stollings and Plymale - **Relating to voter registration list maintenance and combined voter registration and driver licensing fund** - Introduced 2/12/2016 - To Judiciary - Com. sub. reported 2/19/2016 - Passed Senate 2/23/2016 - Effective from passage - To House 2/23/2016 - To Judiciary
- *592. By Sen. Hall - **Relating to pipeline safety** - Introduced 2/12/2016 - To Government Organization - Com. sub. reported 2/20/2016 - Passed Senate 2/24/2016 - To House 2/24/2016 - To Energy
- *597. By Sen. Ferns and Plymale - **Relating generally to Health Care Authority** - Introduced 2/12/2016 - To Health and Human Resources then Finance - Com. sub. reported 2/17/2016 - 2nd reference dispensed - Amended - Amended - Passed Senate with amended title 2/20/2016 - Effective from passage - To House 2/22/2016 - To Health and Human Resources
- *621. By Sen. Palumbo, Ashley, Gaunch, Karnes, Mullins, Walters and Ferns - **Exempting taxicab companies with independent contract drivers from providing workers' compensation coverage** (original similar to HB4530) - Introduced 2/17/2016 - To Judiciary - Com. sub. reported 2/20/2016 - Passed Senate 2/24/2016 - To House 2/24/2016 - To Roads and Transportation then Judiciary

SENATE CONCURRENT RESOLUTIONS ADOPTED BY SENATE AND COMMUNICATED TO HOUSE

2. By Sen. Leonhardt, Boley, Ashley, Facemire, Sypolt, Yost, Beach, Boso, Ferns, Miller, Palumbo, Plymale, Romano, Takubo, Unger, Williams, Prezioso and Blair - **Urging Congress provide funding for WV National Guard** - Introduced 1/19/2016 - To Military - Adopted by Senate 1/29/2016 - To House 2/1/2016 - To Rules - To House Rules 2/1/2016
3. By Sen. Stollings, Kirkendoll, Miller and Plymale - **Julian, Earl and Edward Hill Brothers Memorial Bridge** - Introduced 1/19/2016 - To Transportation and Infrastructure - Adopted by Senate 2/10/2016 - To House 2/11/2016 - To Rules - To House Rules 2/11/2016

5. By Sen. Beach, Facemire, Kessler, Kirkendoll, Miller, Palumbo, Plymale, Prezioso, Romano, Snyder, Stollings, Unger, Williams, Woelfel, Yost, Laird, Leonhardt and Gaunch - **Coach Bill Stewart Exit** - Introduced 1/19/2016 - To Transportation and Infrastructure - Adopted by Senate 2/4/2016 - To House 2/5/2016 - To Rules - To House Rules 2/5/2016 - Adopted by House 2/23/2016
6. By Sen. Stollings, Kirkendoll and Plymale - **USMC PFC Marshall Lee King Memorial Bridge** - Introduced 1/20/2016 - To Transportation and Infrastructure - Adopted by Senate 2/10/2016 - To House 2/11/2016 - To Rules - To House Rules 2/11/2016
8. By Sen. Maynard, Plymale and Stollings - **US Army PFC Ernest D. Marcum Bridge** - Introduced 1/20/2016 - To Transportation and Infrastructure - Adopted by Senate 2/10/2016 - To House 2/11/2016 - To Rules - To House Rules 2/11/2016
9. By Sen. Maynard, Stollings and Plymale - **US Army First Sergeant Jesse T. McPeake Memorial Road** - Introduced 1/21/2016 - To Transportation and Infrastructure - Adopted by Senate 2/10/2016 - To House 2/11/2016 - To Rules - To House Rules 2/11/2016
10. By Sen. Karnes, Blair, Boley, Boso, Carmichael, Ferns, Gaunch, Leonhardt, Maynard, Mullins and Trump - **Urging Congress call convention to amend constitution of United States** - Introduced 1/21/2016 - To Judiciary - Adopted by Senate 2/23/2016 - To House 2/23/2016 - To Judiciary then Rules - To House Judiciary 2/23/2016
11. By Sen. Stollings and Plymale - **US Marine Corps Sergeant Gerald Leslie Perry Memorial Bridge** - Introduced 1/25/2016 - To Transportation and Infrastructure - Adopted by Senate 2/10/2016 - To House 2/11/2016 - To Rules - To House Rules 2/11/2016
12. By Sen. Maynard, Yost, Stollings, Leonhardt, Plymale, Miller and Woelfel - **Wayne County Veterans Memorial Highway** - Introduced 1/26/2016 - To Transportation and Infrastructure - Adopted by Senate 2/10/2016 - To House 2/11/2016 - To Rules - To House Rules 2/11/2016
13. By Sen. Palumbo, Walters, Plymale, Stollings, Williams and Unger - **Tom Williams Family Bridge** - Introduced 1/27/2016 - To Transportation and Infrastructure - Adopted by Senate 2/10/2016 - To House 2/11/2016 - To Rules - To House Rules 2/11/2016
14. By Sen. Maynard, Stollings and Plymale - **US Marine Corps PFC Billy Joe Vickers Memorial Bridge** - Introduced 1/28/2016 - To Transportation and Infrastructure - Adopted by Senate 2/10/2016 - To House 2/11/2016 - To Rules - To House Rules 2/11/2016
15. By Sen. Maynard, Stollings, Woelfel and Plymale - **US Army SFC Jesse Muncy Memorial Bridge** - Introduced 1/29/2016 - To Transportation and Infrastructure - Adopted by Senate 2/10/2016 - To House 2/11/2016 - To Rules - To House Rules 2/11/2016
16. By Sen. Romano, Facemire, Williams and Stollings - **US Army CPL John Belcastro Bridge** - Introduced 2/1/2016 - Committee reference dispensed - Adopted by Senate 2/2/2016 - To House 2/3/2016 - To Rules - To House Rules 2/3/2016 - Adopted by House 2/15/2016
- *17. By Sen. Maynard, Plymale and Stollings - **US Army Sergeant Charles Edward Smith Memorial Bridge** (original similar to SB365, SCR12) - Introduced 2/1/2016 - To

- Transportation and Infrastructure - Com. sub. reported 2/10/2016 - Adopted by Senate 2/10/2016 - To House 2/11/2016 - To Rules - To House Rules 2/11/2016
- *18. By Sen. Williams, Sypolt and Plymale - **Wilbur Lee Clayton Memorial Bridge** - Introduced 2/2/2016 - To Transportation and Infrastructure - Com. sub. reported 2/17/2016 - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016
 19. By Sen. Stollings, Plymale and Unger - **Rev. Rexford Montgomery Workman Memorial Bridge** - Introduced 2/3/2016 - To Transportation and Infrastructure - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016
 - *20. By Sen. Ashley, Stollings and Plymale - **US Army CPL Troy Matthews Memorial Bridge** - Introduced 2/3/2016 - To Transportation and Infrastructure - Com. sub. reported 2/17/2016 - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016 - Adopted by House 2/23/2016
 21. By Sen. Ashley, Stollings and Plymale - **US Army S/SGT Delmer R. Jones Memorial Bridge** - Introduced 2/3/2016 - To Transportation and Infrastructure - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016
 22. By Sen. Stollings, Woelfel, Plymale and Maynard - **Trautwein Family Bridge** - Introduced 2/4/2016 - To Transportation and Infrastructure - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016
 23. By Sen. Kirkendoll, Stollings, Unger and Plymale - **Johnny Mack Bryant Memorial Bridge** - Introduced 2/5/2016 - To Transportation and Infrastructure - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016
 24. By Sen. Mullins, Stollings, Unger and Plymale - **US Army PFC Arland W. Hatcher Memorial Bridge** - Introduced 2/5/2016 - To Transportation and Infrastructure - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016
 25. By Sen. Kirkendoll, Stollings, Plymale and Unger - **US Army PFC Cornelius Vance Memorial Bridge** - Introduced 2/6/2016 - To Transportation and Infrastructure - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016
 26. By Sen. Maynard, Stollings and Plymale - **Charles Edward Ellis and Ira Virgil Ellis Memorial Bridge** - Introduced 2/6/2016 - To Transportation and Infrastructure - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016
 - *27. By Sen. Walters, Stollings and Plymale - **Herman Daner Rogers Memorial Bridge** - Introduced 2/6/2016 - To Transportation and Infrastructure - Com. sub. reported 2/17/2016 - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016
 28. By Sen. Kirkendoll, Unger, Plymale and Stollings - **US Marine Corps CPL Ronald "Duke" Varney Memorial Bridge** - Introduced 2/8/2016 - To Transportation and Infrastructure - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016

29. By Sen. Carmichael, Hall, Ashley, Stollings and Plymale - **US Army SSG Landon Clair Ray and US Army SPC4 Garry Dwight Haynes Memorial Bridge** - Introduced 2/10/2016 - To Transportation and Infrastructure - Adopted by Senate 2/17/2016 - To House 2/18/2016 - To Rules - To House Rules 2/18/2016
30. By Sen. Stollings, Plymale and Kirkendoll - **Lester W. and Ida C. Ellis Memorial Bridge** - Introduced 2/10/2016 - To Transportation and Infrastructure - Adopted by Senate 2/24/2016 - To House 2/24/2016 - To Rules - To House Rules 2/24/2016
31. By Sen. Kirkendoll, Stollings, Plymale and Kessler - **US Air Force Staff Sgt Bethel Howard McNeely and US Marine Staff Sgt Clyde Elmo Bryant Bridge** - Introduced 2/10/2016 - To Transportation and Infrastructure - Adopted by Senate 2/24/2016 - To House 2/24/2016 - To Rules - To House Rules 2/24/2016
32. By Sen. Leonhardt and Stollings - **CW2 Robert D. Taylor Memorial Bridge** - Introduced 2/11/2016 - To Transportation and Infrastructure - Adopted by Senate 2/24/2016 - To House 2/24/2016 - To Rules - To House Rules 2/24/2016
- *33. By Sen. Snyder, Boso and Stollings - **Requesting WV Infrastructure and Jobs Development Council study and report on consolidation regarding public water and sewer utilities** - Introduced 2/11/2016 - To Government Organization - Com. sub. reported 2/22/2016 - Adopted by Senate 2/23/2016 - To House 2/23/2016 - To Rules - To House Rules 2/23/2016
36. By Sen. Ferns and Plymale - **US Army SPC5 Joseph Richard "Rick" Schafer Memorial Bridge** - Introduced 2/15/2016 - To Transportation and Infrastructure - Adopted by Senate 2/24/2016 - To House 2/24/2016 - To Rules - To House Rules 2/24/2016

HOUSE BILLS PASSED LEGISLATURE

- *2101. By Del. Morgan, Caputo, Faircloth, Folk, Howell and Smith, R. - **Eliminating obsolete government entities** - Passed 2/8/2016 - To Governor 2/9/16 - Approved by Governor 2/11/16
4005. By Del. Cowles, Duke, Foster, Gearheart, Miller, Overington, Shott, Walters, Waxman, Westfall and Householder - **Repealing prevailing hourly rate of wages requirements** (original similar to SB2) - Passed 2/4/2016 - To Governor 2/8/16 - Vetoed by Governor 2/11/16 - Motion to consider bill notwithstanding the objections of the Governor 2/12/2016 - House passed over veto 2/12/2016 - Senate reconsidered action 2/12/2016 - Passed Senate notwithstanding objections of the Governor 2/12/2016
- *4007. By Del. Rohrbach, Weld, Espinosa, Cooper, Butler, Waxman, Moffatt, Arvon, Cowles, Hill and Anderson - **Relating generally to appointment of attorneys to assist the Attorney General** (original similar to SB8) - Passed 2/9/2016 - To Governor 2/11/16 - Vetoed by Governor 2/17/16
- *4145. By Del. Blair, Azinger, Butler, Cadle, Eldridge, Householder, Marcum, Overington, Phillips, Sobonya and Upson - **Relating to carry or use of a handgun or deadly weapon** - Passed 2/24/2016

4148. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act** (original similar to SB354) - Passed 2/19/2016; Effective from passage - To Governor 2/23/16
- *4158. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Commerce, WorkForce West Virginia – Workforce Investment Act** (original similar to SB447) - Passed 2/19/2016; Effective from passage - To Governor 2/23/16
4161. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to levies on classifications of property by the Board of Public Works** (original similar to SB432) - Passed 2/22/2016 - To Governor 2/24/16
- *4175. By Del. Kurcaba, Faircloth, Statler, Espinosa, McGeehan, Azinger, Upson, Kelly, Trecost and Ihle - **Relating generally to home schooling** (original similar to SB318) - Passed 2/23/2016
- *4244. By Del. Walters, Frich, Westfall, McCuskey, Manchin, Skinner, Shott, Flanigan, Waxman, Perry and White, B. - **Eliminating the need for a public hearing when no objection is filed on an application from an out of state state-chartered credit union to establish a branch in West Virginia** - Passed 2/19/2016 - To Governor 2/23/16
- *4245. By Del. Walters, Frich, Westfall, McCuskey, Manchin, Skinner, Rowe, Flanigan, Waxman, Perry and White, B. - **Requiring the cashier or executive officer of a banking institution to provide shareholders with the institution’s most recent year-end audited financial statement** - Passed 2/19/2016 - To Governor 2/23/16

HOUSE CONCURRENT RESOLUTIONS ADOPTED BY BOTH HOUSES

1. By Mr. Speaker (Mr. Armstead) - **Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor** - Adopted 1/13/2016
- *2. By Del. Rowan and Cowles - **U.S. Army PV2 William Frederick Kump Memorial Bridge** - Adopted 2/24/2016
- *14. By Del. Howell, Mr. Speaker (Mr. Armstead), Ambler, Anderson, Arvon, Atkinson, Azinger, Border, Butler, Cadle, Cooper, Cowles, Duke, Ellington, Espinosa, Evans, D., Frich, Hamrick, Hanshaw, Hill, Householder, Ihle, Ireland, Kelly, Kessinger, Kurcaba, McGeehan, Miller, Moffatt, O’Neal, Overington, Rowan, Shott, Smith, R., Sobonya, Stansbury, Statler, Storch, Walters, Waxman and Zatezalo - **Second Friday in July as West Virginia Collector Car Appreciation Day** - Adopted 2/24/2016
- *19. By Del. Waxman, Trecost, Miley and Hamrick - **H. Laban White Memorial Bridge** - Adopted 2/24/2016
88. By Del. Lane, Hanshaw and Shaffer - **Extending the Conference Committee relating to H. B. 2800, Adding law-enforcement officers’ contact information and names of**

family members to the list of exemptions from public records requests. - Adopted 2/23/2016

SENATE BILLS PASSED LEGISLATURE

1. By Sen. Cole (Mr. President), Blair, Boso, Ferns, Gaunch, Trump, Carmichael, Sypolt and Takubo - **Establishing WV Workplace Freedom Act** (original similar to HB4006) - Passed 2/5/2016 - To Governor 2/8/16 - Vetoed by Governor 2/11/16 - Senate reconsidered action 2/15/2016 - Passed Senate notwithstanding objections of the Governor 2/12/2016 - Motion to consider bill notwithstanding the objections of the Governor 2/12/2016 - House passed over veto 2/12/2016
- *7. By Sen. Leonhardt, Carmichael, Ashley, Stollings, Trump and Blair - **Establishing wrongful conduct rule prohibiting recovery of damages in certain circumstances** (original similar to HB4008) - Passed 2/24/2016
- *14. By Sen. Trump, Boso, Ferns, Leonhardt, Takubo and Blair - **Limiting successor corporation asbestos-related liabilities** - Passed 2/22/2016
15. By Sen. Boso and Gaunch - **Adopting learned intermediary doctrine as defense to civil action due to inadequate warnings or instructions** - Passed 2/17/2016 - To Governor 2/19/16
32. By Sen. Palumbo, Beach and Miller - **Relating to withdrawal of candidates for office and filling vacancies** - Passed 2/6/2016; Effective from passage - To Governor 2/9/16 - Approved by Governor 2/11/16
123. By Sen. Stollings - **Treatment for sexually transmitted diseases** - Passed 2/16/2016 - To Governor 2/19/16
- *146. By Sen. Plymale and Unger - **Establishing instruction standards for early childhood education** - Passed 2/23/2016; Effective July 1, 2016
- *150. By Sen. Maynard - **Authorizing Department of Transportation promulgate legislative rules** (original similar to HB4082) - Passed 2/22/2016; Effective from passage
261. By Sen. Blair - **Bringing state code relating to daylight saving time in conformity with federal code** - Passed 2/15/2016 - To Governor 2/19/16
- *309. By Sen. Blair - **Relating to child-care center licensing and exempting county parks and recreation from licensure** - Passed 2/19/2016 - To Governor 2/24/16
341. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Expiring funds from Insurance Commissioner, Examination Revolving Fund and Insurance Commission Fund to State Fund, General Revenue** (original similar to HB4162) - Passed 2/24/2016; Effective from passage
- *342. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Decreasing appropriations from State Fund, General Revenue, to DHHR, Division of Human**

Services and Bureau of Senior Services (original similar to HB4336) - Passed 2/8/2016; Effective from passage - To Governor 2/10/16 - Approved by Governor 2/11/16

357. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services, Lottery Senior Citizens Fund** (original similar to HB4229) - Passed 2/8/2016; Effective from passage - To Governor 2/10/16 - Approved by Governor 2/11/16
360. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation to Division of Human Services** (original similar to HB4149) - Passed 2/8/2016; Effective from passage - To Governor 2/10/16 - Approved by Governor 2/11/16
364. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation expiring funds from General Revenue** (original similar to HB4189) - Passed 2/2/2016; Effective from passage - To Governor 2/4/16 - Approved by Governor 2/4/16
- *369. By Sen. Sypolt, Boso, Plymale, Prezioso and Williams - **Reducing legislative education reporting requirements** - Passed 2/22/2016
- *387. By Sen. Karnes - **Shared animal ownership agreements to consume raw milk** - Passed 2/23/2016
449. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from State Fund, General Revenue to Department of Administration, Public Defender Services** (original similar to HB4154) - Passed 2/24/2016; Effective from passage
450. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from State Fund, General Revenue to DHHR, Division of Health** (original similar to HB4153) - Passed 2/24/2016; Effective from passage
451. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from State Fund, General Revenue to Department of Military Affairs** (original similar to HB4270) - Passed 2/24/2016; Effective from passage

SENATE CONCURRENT RESOLUTIONS ADOPTED BY BOTH HOUSES

5. By Sen. Beach, Facemire, Kessler, Kirkendoll, Miller, Palumbo, Plymale, Prezioso, Romano, Snyder, Stollings, Unger, Williams, Woelfel, Yost, Laird, Leonhardt and Gaunch - **Coach Bill Stewart Exit** - Adopted 2/23/2016
16. By Sen. Romano, Facemire, Williams and Stollings - **US Army CPL John Belcastro Bridge** - Adopted 2/15/2016
- *20. By Sen. Ashley, Stollings and Plymale - **US Army CPL Troy Matthews Memorial Bridge** - Adopted 2/23/2016

HOUSE BILLS VETOED BY GOVERNOR

- *4007. By Del. Rohrbach, Weld, Espinosa, Cooper, Butler, Waxman, Moffatt, Arvon, Cowles, Hill and Anderson - **Relating generally to appointment of attorneys to assist the Attorney General** (original similar to SB8) - Passed 2/9/2016 - To Governor 2/11/16 - Vetoed by Governor 2/17/16

HOUSE BILLS IN CONFERENCE

- *2800. By Del. Miller, Ferro, Sobonya, Border, Rohrbach, Folk and Eldridge - **Adding law-enforcement officers' contact information and names of family members to the list of exemptions from public records requests** (original similar to SB310) - To conference 2/16/2016. House conferees: Lane, Hanshaw, Shaffer

SPECIAL CALENDAR

Thursday, February 25, 2016

44th Day

11:00 A. M.

THIRD READING

- S. B. 419 - Relating to termination of Workers' Compensation Debt Reduction Act (E. NELSON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2202 - Relating to more equitable disbursement of funds to county boards (E. NELSON) (JULY 1, 2016)
- Com. Sub. for H. B. 2897 - Young Entrepreneur Reinvestment Act (E. NELSON) (REGULAR)
- Com. Sub. for H. B. 4009 - Letting Our Counties Act Locally Act (E. NELSON) (REGULAR)
- Com. Sub. for H. B. 4171 - Relating to the public school calendar (ESPINOSA) (JULY 1, 2016)
- Com. Sub. for H. B. 4295 - Relating to the School Innovation Zones Act (ESPINOSA) (REGULAR)
- Com. Sub. for H. B. 4365 - Relating to the certificate of need process (SHOTT) (REGULAR)
- H. B. 4572 - Excepting specialized contract instructors from the definition of teacher (ESPINOSA) (REGULAR)
- H. B. 4594 - Relating to predoctoral psychology internship qualifications (HOWELL) (REGULAR)
- Com. Sub. for H. B. 4612 - Relating generally to tax increment financing and economic opportunity development districts (E. NELSON) (REGULAR)
- H. B. 4617 - Authorizing legislative rules of the Higher Education Policy Commission regarding the Underwood-Smith Teacher Scholarship Program and Nursing Scholarship Program (ESPINOSA) (REGULAR)
- H. B. 4651 - Relating to professional examination requirements for hearing-aid dealers and fitters (HOWELL) (EFFECTIVE FROM PASSAGE)
- H. B. 4674 - Relating to motor vehicle back-up lamps (HOWELL) (REGULAR)
- H. B. 4705 - Relating to adding an additional type of West Virginia source income of nonresident individual (E. NELSON) (EFFECTIVE FROM PASSAGE)

SECOND READING

- H. B. 2494 - Creating a provisional plea process in criminal cases (SHOTT) (REGULAR)

- Com. Sub. for H. B. 4014 - Preventing the State Board of Education from implementing common core academic standards and assessments (ESPINOSA) (REGULAR)
- Com. Sub. for H. B. 4201 - Increasing the criminal penalties for participating in an animal fighting venture (SHOTT) (REGULAR)
- H. B. 4334 - Clarifying the requirements for a license to practice as an advanced practice registered nurse and to expand the prescriptive authority that may be granted to advanced practice registered nurses (HOWELL) (REGULAR)
- H. B. 4351 - Transferring the Cedar Lakes Camp and Conference Center from the West Virginia Board of Education to the Department of Agriculture (ESPINOSA) (JULY 1, 2016) (EDUCATION COMMITTEE AMENDMENT PENDING)
- H. B. 4358 - Relating to out of state physicians and surgeons traveling with sports teams within this state (SHOTT) (REGULAR) (JUDICIARY COMMITTEE AMENDMENT PENDING)
- Com. Sub. for H. B. 4433 - Allowing an adjustment to gross income for calculating the personal income tax liability of certain retirees (E. NELSON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 4487 - Relating to state retirement systems (E. NELSON) (REGULAR)
- Com. Sub. for H. B. 4519 - Allowing certain municipalities to elect to participate in the West Virginia Municipal Police Officers and Firefighters Retirement System (E. NELSON) (REGULAR)
- H. B. 4558 - Relating to victim notification and designation of additional individuals to receive notice of an offender's release (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4607 - Adding violations of law upon which a public servant's retirement plan may be forfeited (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4636 - Increasing the penalties for violating the Whistle-blower Law (SHOTT) (REGULAR)
- H. B. 4652 - Relating to the creation of an intermediate contractor's license (HOWELL) (REGULAR) (GOVERNMENT ORGANIZATION AMENDMENT PENDING)
- H. B. 4706 - Relating to county board regional meetings (ESPINOSA) (REGULAR)

FIRST READING

- Com. Sub. for S. B. 68 - Disallowing Health Care Authority to conduct rate review and set rates for hospitals (ELLINGTON) (REGULAR) (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING)

- Com. Sub. for H. B. 2110 - Relating generally to the tax treatment of manufacturing entities (E. NELSON) (REGULAR)
- Com. Sub. for H. B. 2205 - Creating the crime of prohibited sexual contact by a psychotherapist (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2801 - Permitting county commissions and municipalities to designate areas of special interest which will not affect the use of property in those areas (SHOTT) (REGULAR)
- H. B. 2960 - Permitting county boards of education to develop emergency preparedness drills in schools (ESPINOSA) (JULY 1, 2016)
- Com. Sub. for H. B. 4237 - Supporting and Strengthening Families Act (SHOTT) (REGULAR)
- H. B. 4299 - Increasing the amount volunteer fire companies or paid fire departments may charge for reimbursement (E. NELSON) (REGULAR)
- H. B. 4321 - Relating to tax credits for apprenticeship training in construction trades (E. NELSON) (JANUARY 1, 2017)
- Com. Sub. for H. B. 4330 - Relating to make unlawful to take a fish, water animal or other aquatic organism from state waters to stock a commercial pond or lake (SHOTT) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 4339 - Relating to wildlife resources (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4380 - Adding the spouse of an indigent person as a possible individual who may be liable for the funeral service expenses (E. NELSON) (REGULAR)
- H. B. 4411 - Relating to penalty for illegally taking native brook trout (SHOTT) (EFFECTIVE FROM PASSAGE)
- H. B. 4461 - Relating to School Building Authority School Major Improvement Fund eligibility (E. NELSON) (REGULAR)
- Com. Sub. for H. B. 4554 - Allowing an increase of gross weight limitations on certain roads in Greenbrier County (HOWELL) (REGULAR)
- Com. Sub. for H. B. 4587 - Relating to violations associated with absent voters' ballots (SHOTT) (REGULAR)
- H. B. 4658 - Relating to the Board of Funeral Service Examiners (HOWELL) (REGULAR)
- H. B. 4725 - Relating to providing the procedures for the filling of vacancies in the offices of justices of the Supreme Court of Appeals, circuit judge, family court judge or magistrate and making certain clarifications (SHOTT) (REGULAR)
- H. B. 4727 - Relating to state plan amendments (ELLINGTON) (REGULAR)

- H. B. 4728 - Relating to schedule three controlled substances (ELLINGTON) (REGULAR)
- H. B. 4730 - Relating to computer science courses of instruction (ELLINGTON) (REGULAR)
- H. B. 4731 - Relating to requiring comprehensive drug awareness and prevention program in all public schools (ESPINOSA) (REGULAR)
- H. B. 4732 - Relating to performance metrics for the West Virginia Division of Highways (HOWELL) (REGULAR)
- H. B. 4733 - Relating to requiring the Commissioner of Highways to develop a statewide communications plan known as the Comprehensive Public Involvement Plan (HOWELL) (REGULAR)

HOUSE CALENDAR

Thursday, February 25, 2016

44th Day

11:00 A. M.

THIRD READING

Com. Sub. for H. B. 4377 - Eliminating exemption from hotel occupancy taxes on rental of hotel and motel rooms for thirty or more consecutive days (E. NELSON) (JULY 1, 2016)

SECOND READING

H. B. 4315 - Relating to air-ambulance fees for emergency treatment or air transportation (E. NELSON) (REGULAR) (FINANCE COMMITTEE TITLE AMENDMENT PENDING)

H. B. 4359 - Requiring the issuance of a photo identification to persons employed as a security guard by a security guard firm (HOWELL) (REGULAR)

H. B. 4465 - Relating to salary equity among school systems (E. NELSON) (REGULAR)

H. B. 4656 - Granting the Finance Division within the Department of Administration supervisory control over the board of Accountancy (HOWELL) (JULY 1, 2016)

FIRST READING

H. B. 4217 - Reducing the distributions to the West Virginia Infrastructure Fund (E. NELSON) (EFFECTIVE FROM PASSAGE) (FINANCE COMMITTEE AMENDMENT PENDING)

H. B. 4268 - Relating to dedication of severance tax proceeds to the West Virginia Infrastructure General Obligation Debt Service Fund (E. NELSON) (EFFECTIVE FROM PASSAGE)

**WEST VIRGINIA
HOUSE OF DELEGATES**

THURSDAY, FEBRUARY 25, 2016

HOUSE CONVENES AT 11:00 A.M.

**COMMITTEE ON THE JUDICIARY
9:00 A.M. – 418M**

**COMMITTEE ON ROADS AND TRANSPORTATION
9:30 A.M. – 215E**

**COMMITTEE ON FINANCE
10:00 A.M. – 464M**

**COMMITTEE ON RULES
10:45 A.M. – BEHIND CHAMBER**

**PUBLIC HEARING - COMMITTEE ON HEALTH & HUMAN RESOURCES
2:00 P.M. – 215E**

COM. SUB. FOR S. B. 597, RELATING GENERALLY TO HEALTH CARE AUTHORITY.

**COMMITTEE ON HEALTH & HUMAN RESOURCES
IMMEDIATELY FOLLOWING PUBLIC HEARING – 215E**

**COMMITTEE ON ENERGY
2:00 P.M. – 418M**

**SELECT COMMITTEE ON PREVENTION AND SUBSTANCE ABUSE
5:00 P.M. – 215E**

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