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March 28, 2017  
FORTY-NINTH DAY



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Tuesday, March 28, 2017

**FORTY-NINTH DAY**

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

The House of Delegates met at 9:00 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 Monday, March 27, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Reordering of the Calendar**

Delegate Cowles announced that the Committee on Rules had transferred H. B. 3107 and H. B. 3109, on Third Reading, Special Calendar to the House Calendar, and Com. Sub. for H. B. 2109, H. B. 2188, Com. Sub. for H. B. 2520, Com. Sub. for H. B. 2552 and Com. Sub. for H. B. 2933, on Third Reading, Special Calendar, to the foot of bills on Third Reading.

**Committee Reports**

Delegate Hanshaw, 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 27<sup>th</sup> day of March, 2017, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

**Com. Sub. for H. B. 2318**, Relating generally to human trafficking.

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:

**Com. Sub. for S. B. 337**, Hiring correctional officers without regard to placement on correctional officer register,

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

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 337) was referred to the Committee on the Judiciary.

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:

**S. B. 185**, Allowing spending units designate fund into which proceeds from sale of surplus property must be deposited,

And,

**S. B. 235**, Relating to motorcycle registration renewal,

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

In accordance with the former direction of the Speaker, the bills (S. B. 185 and S. B. 235) were each referred to the Committee on Finance.

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:

**Com. Sub. for S. B. 523**, Converting to biweekly pay cycle for state employees,

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 the Judiciary.

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 523) was referred to the Committee on the Judiciary.

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:

**S. B. 174**, Exempting transportation of household goods from PSC jurisdiction,

And,

**S. B. 346**, Relating generally to jurisdiction of PSC over motor carriers,

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

In accordance with the former direction of the Speaker, the bills (S. B. 174 and S. B. 346) were each referred to the Committee on the Judiciary.

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:

**Com. Sub. for S. B. 183**, Transferring Division of Forestry from Department of Commerce to Department of Agriculture,

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 (Com. Sub. for S. B. 183) was referred to the Committee on Finance.

### Messages from the Senate

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. 539** - "A Bill to amend and reenact §3-8-1, §3-8-1a, §3-8-2, §3-8-2b, §3-8-2c, §3-8-5, §3-8-5a, §3-8-5b, §3-8-5d, §3-8-5f, §3-8-7, §3-8-8, §3-8-9, §3-8-10, §3-8-11 and §3-8-12 of the Code of West Virginia, 1931, as amended; and that said code be amended by adding thereto a new section, designated §3-8-9a, all relating generally to the regulation and control of financing elections; modifying legislative findings; defining terms; modifying definitions; exempting candidates for delegate to national presidential nominating convention for a political party from certain recordkeeping and filing requirements; updating references to federal code; requiring additional information to be provided by entities making independent expenditures; increasing threshold dollar amounts to be met for certain expanded disclosures of contributors to independent expenditures; increasing threshold dollar amounts for reporting on certain independent expenditures; requiring additional information to be provided by entities engaging in electioneering communication; requiring disclosure of certain contributor information when contributions were made for explicit purpose of financing any electioneering communication; increasing threshold dollar amounts for disclosure of contributions or expenditures by party headquarters committees; requiring candidates and treasurers of political committees to keep certain detailed accounts; requiring entities making reportable independent expenditures or electioneering communications to keep certain detailed accounts; requiring reports to be kept of contributions received for explicit purpose of furthering independent expenditures or electioneering communications and all disbursements for independent expenditures or electioneering communications; increasing threshold dollar amounts for certain transactions to be disclosed in sworn statement by candidate or political committee; clarifying definition of "financial transactions"; requiring additional information be provided in financial statements; prohibiting receipt of currency as contribution; eliminating separate disclosure schedule and rules for membership organizations that raise funds for political purposes by payroll deduction; requiring political action committees, ballot issue committees, electioneering communications and independent expenditures file financial statements electronically with Secretary of State; making misdemeanor offense for receipt of contribution of currency; setting penalties; providing exception where currency received in exchange for goods or services provided by recipient; clarifying discretion of court in penalties for failure to file sworn itemized financial statement; prohibiting contributions by membership organizations to political committees; prohibiting contributions by membership organizations to candidates; permitting membership organizations to solicit contributions to separate segregated fund; making it unlawful for membership organization or separate segregated fund to make contribution or expenditure by using money or thing of value secured by physical force, job discrimination, financial reprisal, or by the threat thereof; making it unlawful for membership organization member soliciting contributions to fail to inform person that funds were being solicited for separate segregated fund at the time of solicitation; making it unlawful for person soliciting contribution for membership organization to fail to inform person of right to refuse to contribute without reprisal; making it unlawful for separate segregated fund established by membership organization to solicit contributions from persons other than members and their families; making it unlawful for separate segregated fund established by membership organization to contribute membership organization funds; prohibiting separate segregated fund from receiving contributions from members of organization, immediate

families and executive or administrative personnel and their immediate families; prohibiting membership organization from engaging in job discrimination or job promotion or transfer discrimination because of member's failure to make contribution to membership organization or separate segregated fund; prohibiting corporation or membership organization fund making contribution to separate segregated fund for purpose of making contribution to candidate or candidate's committee; exempting separate segregated funds from scope of prohibition; requiring membership organizations to permit groups of employees represented by bona fide political action committee to use real property of membership organization for certain purposes; setting penalties; prohibiting reimbursement by membership organization of the amount of any fine imposed; directing prosecuting attorney to present alleged violations of article relating to regulation and control of elections referred by State Election Commission to grand jury upon determining that there is a reason to believe a violation occurred; authorizing fact of investigation to be disclosed to persons or entities being investigated by State Election Commission; eliminating misdemeanor for disclosure of fact of complaint, investigation, report or proceedings; eliminating outdated language; making lawful election expense for payment of necessary employees; making lawful election expense payment of food and drink for campaign-related purposes and for entertaining of campaign volunteers; making lawful election expense payment for certain legal and accounting service rendered to candidate or candidate committee; making lawful election expense payment of fees associated with campaign; providing that candidate may not pay fines assessed against candidate or candidate's committee with campaign funds; making lawful election expense transfers to political party committees when committee is acting in role of vendor; clarifying that no such transfer shall involve coordination; making lawful election expense any political expenditure; prohibiting contributions by political action committee to another political action committee if contribution is earmarked for contribution to any candidate committee or political party; permitting certain coordination between state committee of political party or caucus campaign committee and certain candidates; requiring coordinated communications to include statement clearly identifying that communications were made in coordination with candidate or candidate's committee; authorizing contribution of excess campaign funds prior to the general election; removing cap on amount of contributions to state party executive committee or caucus campaign committee; prohibiting employer or agent from giving any notice or information to employees containing any threat intended or calculated to influence decisions of employees regarding political activity; clarifying that employer can express opinion of employer without constituting a violation; clarifying that person cannot pay owner, publisher, editor or employee of newspaper or periodical to advocate or oppose candidate, political party or measure without reporting as independent expenditure or electioneering communication where appropriate; eliminating prohibition on publication, issuance or circulation of anonymous communications supporting or aiding election or defeat of clearly identified candidate; prohibiting certain persons contracting with state from soliciting contributions to any candidate or political party other than for independent expenditures; setting contribution limits to candidates for nomination and general elections; setting contribution limits to state, district or county party committees; setting contribution limits to caucus campaign committees; setting contribution limits to political action committees; providing exception to limits on contribution when political action committee makes only independent expenditures; providing for indexing of contribution limitations to candidates; directing Secretary of State to calculate new contribution limits after each two-year election cycle; directing State Election Commission announce adjustments within thirty days of publication of relevant index; providing new contribution limits remain in effect for two-year election cycle; permitting unlimited transfers between state party executive committee, caucus campaign committee and national committee of same political party for voter registration and get-out-the-vote activities of state committees; prohibiting coercion or intimidation of nonelective salaried employee of state government to refrain from any form of political activity; eliminating requirement that person soliciting contributions disclose amount of commission, remuneration or other compensation to be received as a direct result of contribution being successfully collected; prohibiting employer from withholding or diverting portion of employee's wages or salary for use for certain political activities except upon express written request of employee;

requiring employee request be upon form provided by Secretary of State; limiting validity of request for twelve months; defining term “political activities”; setting internal effective date for prohibition and required written request; updating language throughout; and making technical corrections”; 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, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

**S. B. 566** - “A Bill finding and declaring certain claims against the state and its agencies to be moral obligations of the state; and directing the Auditor to issue warrants for the payment thereof”; which was referred to the Committee on Finance.

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. 586** - “A Bill to amend and reenact §19-2B-4 of the Code of West Virginia, 1931, as amended, relating to inspection of meat and poultry; clarifying licenses; making custom and distributor license a triennial license; increasing fees; and making technical corrections”; which was referred to the Committee on Finance.

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. 614** - “A Bill to amend and reenact §12-6C-11 of the Code of West Virginia, 1931, as amended; and to amend and reenact §31-15-8 of said code, all relating to the expansion of broadband service to unserved areas of West Virginia by providing loan insurance for commercial loans used for the expansion of broadband service to unserved or underserved areas; establishing limits and conditions on the insuring of loans; establishing interest rates; establishing amortization periods; providing for security interests; setting forth the responsibilities of the West Virginia Economic Development Authority, the West Virginia Board of Treasury Investments and the Broadband Enhancement Council; providing that the members of the West Virginia Board of Treasury Investments do not have a fiduciary responsibility with regard to the loans; providing for notice for loan insurance; providing for hearings and appeal; and making technical changes”; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2017, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 628** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-5-29; to amend and reenact §50-3-2 of said code; and to amend and reenact §62-5-10 of said code, all relating to providing funding for the Statewide Interoperable Radio Network through additional court costs to be imposed in criminal cases”; which was referred to the Committee on Finance.

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. 631** - "A Bill to amend and reenact §8-12-13 and §8-12-16 of the Code of West Virginia, 1931, as amended, all relating to the process for prosecution of violations of municipal building code; clarifying the process by which municipal governments may abate unsafe, unsanitary or dangerous dilapidated structures that are detrimental to the public safety or welfare; creating a method of issuing misdemeanor citations for violation of the building code with proper due process; permitting complaints to be filed; establishing a procedure; requiring notice; granting hearings; permitting the recovery for costs for instituting an action; and defining terms"; 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. 671** - "A Bill to amend and reenact §18B-4-8 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Anatomical Board; providing that the board be reestablished under the authority of the Higher Education Policy Commission; modifying composition of the board; defining terms; modifying powers and responsibilities of the board; requiring the board to make requisition for, receiving and making disposition of dead human bodies for certain uses and purposes; requiring the board to keep full and complete records of certain information, which shall be open at all times for inspection of the Attorney General and any prosecuting attorney in the state; authorizing the Higher Education Policy Commission to promulgate legislative rules; providing that members of the board shall not be entitled to or receive compensation for services rendered in their capacity; requiring the board to operate in compliance with the Revised Anatomical Gift Act; eliminating requirement that certain dead human bodies buried at the public's expense be delivered to the board; eliminating procedures and requirements related to unclaimed bodies subject to requisition by the board; eliminating bond requirements of the board; and eliminating a criminal misdemeanor offense, penalties and the imposition of liability for certain conduct"; 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. 685** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-16-11b, relating to creating a one-day special license for charitable events to sell nonintoxicating beer; setting fee for license; and authorizing commissioner to waive certain restrictions by rule or order"; which was referred to the Committee on Small Business, Entrepreneurship and Economic Development then the Judiciary.

### **Resolutions Introduced**

Delegates Eldridge, Maynard, Hornbuckle, C. Romine, Lovejoy, R. Miller, Rodighiero, Lane, White, C. Miller, Rohrbach and Phillips offered the following resolution, which was read by its title and referred to the Committee on Small Business, Entrepreneurship and Economic Development then Rules:

**H. C. R. 108** – "Requesting the Joint Committee on Government and Finance to study the feasibility of building a road to best connect the Rock Creek Development Park area in Lincoln County to Cabell County, similar to a road planned to connect Boone County to surrounding regions via U.S. Route 119."

Whereas, Lincoln County, West Virginia, has long been an economically depressed area; and



Whereas, Lincoln County lacks easy access to nearby counties; and

Whereas, The isolation suffered by residents of Lincoln County, West Virginia, contributes to the economic depression of the area; and

Whereas, West Virginia is committed to promoting and improving the Rock Creek Development Park, the largest mixed-use development project in West Virginia history; and

Whereas, A large portion of the planned Rock Creek Development Park lies in Lincoln County; and

Whereas, Construction of a roadway from the western end of the Rock Creek Development Park, lying in Lincoln County, providing convenient and safe access to nearby Cabell County, which offers interstate, railway, airport and river transportation, could stimulate economic development and enable individuals in Lincoln County to commute into the Huntington area; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Joint Committee on Government and Finance study the feasibility of building a road to best connect Lincoln County to Cabell County, similar to a road planned to connect the part of the Rock Creek Development Park in Boone County to Charleston and other surrounding regions via U.S. Route 119; and, be it

*Further Resolved,* That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2018, on its findings, conclusions and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

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

Delegates Howell, Ambler, Arvon, Baldwin, Blair, Brewer, Butler, Criss, Dean, Diserio, Eldridge, Espinosa, A. Evans, Fast, G. Foster, N. Foster, Gearheart, Hamilton, Hamrick, Harshbarger, Hicks, Higginbotham, Hill, Jaquinta, Kessinger, Love, Lynch, Martin, Maynard, Overington, Paynter, Pyles, Queen, Rodighiero, Rohrbach, C. Romine, R. Romine, Rowan, Sobonya, Sponaugle, Statler, Summers, Sypolt, Thompson, Wagner, Walters, White, Williams and Wilson offered the following resolution, which was read by its title and referred to the Committee on Rules:

**H. R. 15** – “Supporting the passage of H. R. 1315 introduced in the United States House of Representatives to roll back ethanol fuel requirements.”

Whereas, Ethanol can cause metal corrosion and dissolve certain plastics and rubbers, especially in older motor vehicles that were not constructed with ethanol compatible materials; and

Whereas, H. R. 1315 would eliminate the unrealistic mandates imposed under the Renewable Fuel Standards such as requiring refiners to blend 36 billion gallons of biofuels by 2022; and

Whereas, H. R. 1315 would prohibit the sale of gasoline containing 15% ethanol (E15) in order to meet artificial Renewable Fuel Standards deadlines; and

Whereas, H. R. 1315 would protect older vehicles from the risks of damage caused by the required use of E15 fuel; and

Whereas, H. R. 1315 would protect power equipment from the risks of damage caused by the required use of E15 fuel; therefore, be it

*Resolved by the House of Delegates:*

That the House of Delegates supports the passage of H. R. 1315 introduced in the United States House of Representatives to roll back ethanol fuel requirements; and, be it

*Further Resolved*, That the Clerk of the House of Delegates, forward a certified copy of this resolution to the members of the West Virginia Congressional Delegation and to the Speaker of the House of Representatives.

### Third Reading

**Com. Sub. for H. B. 2002**, Relating to parental notification of abortions performed on unemancipated minors; 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. 209**), 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: Thompson and Walters.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2002) passed.

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

**Com. Sub. for H. B. 2196**, Relating to the secondary schools athletic commission; 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. 210**), and there were—yeas 60, nays 38, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Ambler, Arvon, Bates, Byrd, Canestraro, Caputo, Cooper, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hanshaw, Hartman, Hornbuckle, Iaquina, Isner, Lewis, Lovejoy, Lynch, Marcum, Maynard, R. Miller, Moye, Pethel, Pushkin, Pyles, Robinson, Rohrbach, R. Romine, Rowan, Sponaule, Storch, Summers, Wagner, Westfall and Williams.

Absent and Not Voting: Thompson and Walters.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2196) passed.

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

**Com. Sub. for H. B. 2376**, Relating to the organizational structure of state government; 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. 211**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Bates.

Absent and Not Voting: Thompson and Walters.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2376) passed.

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

**Com. Sub. for H. B. 2453**, Expanding the list of persons the Commissioner of Agriculture may license to grow or cultivate industrial hemp; 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. 212**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Thompson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2453) passed.

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

**Com. Sub. for H. B. 2561**, Relating to public school support; 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. 213**), and there were—yeas 98, nays 2, absent and not voting none, with the nays being as follows:

Nays: Iaquina and Marcum.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2561) passed.

Delegate Cowles moved that the bill take effect July 1, 2017.

On this question, the yeas and nays were taken (**Roll No. 214**), and there were—yeas 98, nays 2, absent and not voting none, with the nays being as follows:

Nays: Iaquina and Moyer.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2561) takes effect July 1, 2017.

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

**Com. Sub. for H. B. 2589**, Permitting students who are homeschooled or attend private schools to enroll and take classes at the county's vocational school; 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. 215**), and there were—yeas 98, nays 1, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Lynch.

Absent and Not Voting: Hicks.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2589) passed.

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

**Com. Sub. for H. B. 2654**, Expanding county commissions' ability to dispose of county or district property; on third reading, coming up in regular order, was read a third time.

Delegate N. Foster requested to be excused from voting on the passage of Com. Sub. for H. B. 2654 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate 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 Member from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 216**), and there were—yeas 94, nays 4, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Butler, Folk, Gearheart and McGeehan.

Absent and Not Voting: Harshbarger and R. Romine.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2654) passed.

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

**Com. Sub. for H. B. 2704**, Prohibiting persons convicted of sexual offenses against children with whom they hold positions of trust from holding certification or license valid in public schools; 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. 217**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Dean, Harshbarger, Marcum and R. Romine.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2704) passed.

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

**Com. Sub. for H. B. 2711**, Abolishing regional educational service agencies and providing for the transfer of property and records; on third reading, coming up in regular order, was read a third time.

Delegate Wilson asked unanimous consent to amend the bill on third reading, which request was not granted, objection being heard.

Delegate Moye requested to be excused from voting on the passage of Com. Sub. for H. B. 2711 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate 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 Member from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 218**), and there were—yeas 76, nays 24, absent and not voting none, with the nays being as follows:

Nays: Butler, Eldridge, Fluharty, Folk, Hartman, Hicks, Hornbuckle, Kelly, Lewis, Lynch, Martin, Maynard, McGeehan, Miley, R. Miller, Paynter, Phillips, Queen, Rodighiero, Storch, Thompson, Wagner, Williams and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2711) passed.

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

**Com. Sub. for H. B. 2720**, Allowing the School Building Authority to transfer funds allocated into the School Construction Fund; 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. 219**), and there were—yeas 98, nays 1, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Folk.

Absent and Not Voting: Arvon.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2720) passed.

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

**Com. Sub. for H. B. 2771**, Relating to temporary teaching certificates for Armed Forces spouses; 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. 220**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Arvon.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2771) passed.

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

**Com. Sub. for H. B. 2776**, Creating of special revenue funding sources for the Division of Labor; on third reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Cowles, and by unanimous consent, the bill was postponed one day.

**Com. Sub. for H. B. 2781**, Requiring a person desiring to vote to present documentation identifying the voter to one of the poll clerks; 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. 221**), 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: Arvon and A. Evans.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2781) passed.

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

**Com. Sub. for H. B. 2794**, Relating to the means of giving notice to a debt collector of a consumer's representation by legal counsel; 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. 222**), and there were—yeas 74, nays 26, absent and not voting none, with the nays being as follows:

Nays: Baldwin, Barrett, Caputo, Diserio, Eldridge, E. Evans, Fast, Ferro, Fleischauer, Fluharty, Gearheart, Hicks, Iaquinta, Kelly, Love, Lynch, Miley, Moye, Pyles, Robinson, Rowe, Sponaugle, Thompson, Ward, Williams and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2794) passed.

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

**Com. Sub. for H. B. 2804**, Removing chiropractors from the list of medical professions required to obtain continuing education on mental health conditions common to veterans and family members; 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. 223**), and there were—yeas 97, nays 2, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Fleischauer and Howell.

Absent and Not Voting: Pyles.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2804) passed.

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

**Com. Sub. for H. B. 2815**, Relating to higher education governance; on third reading with the restricted right to amend jointly by Delegates Hanshaw and Robinson, was reported by the Clerk.

On motion of Delegates Hanshaw and Robinson, the bill was amended on page twenty-six, section four, line two hundred seventy-one, by striking out the word “and”.

On page twenty-seven, section four, line two hundred eighty-six, following the words “Education Accountability”, by replacing the period with a semi-colon.

And,

On page twenty-seven, section four, line two hundred eighty-seven, by inserting two new subdivisions, to read as follows:

“(47) May provide information, research, and recommendations to state colleges and universities relating to programs and vocations with employment rates greater than ninety percent within six months post-graduation; and

(48) May provide information, research and recommendations to state colleges and universities on coordinating with the West Virginia State Board of Education about complimentary programs.”

Having been engrossed, the bill was read a third time.

Delegate Wagner requested to be excused from voting on the passage of Com. Sub. for H. B. 2815 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate 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 Member from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 224**), and there were—yeas 98, nays 2, absent and not voting none, with the nays being as follows:

Nays: Kelly and Wagner.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2815) passed.

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

**Com. Sub. for H. B. 2816**, Eliminating new film tax credits; 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. 225**), and there were—yeas 39, nays 60, absent and not voting 1, with the yeas and absent and not voting being as follows:

Yeas: Mr. Speaker, Mr. Armstead, Ambler, Anderson, Atkinson, Cooper, Cowles, Criss, Deem, Ellington, Espinosa, A. Evans, Fast, G. Foster, N. Foster, Frich, Hamilton, Hamrick, Hanshaw, Harshbarger, Higginbotham, Hollen, Householder, Kelly, Lane, C. Miller, Nelson, O'Neal, Rohrbach, C. Romine, R. Romine, Rowan, Shott, Sobonya, Statler, Summers, Wagner, Walters, Westfall and Zatezalo.

Absent and Not Voting: Howell.

So, a majority of the members present and voting not having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2816) rejected.

**Com. Sub. for H. B. 2817**, Providing for the reduction of the unfunded liability in the teachers retirement system over a 30 year period; on third reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Cowles, and by unanimous consent, the bill was postponed one day.

**H. B. 2878**, Increasing amount of authorized Federal Grant Anticipation Notes for which Division of Highways may apply; 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. 226**), and there were—yeas 99, nays 1, absent and not voting none, with the nays being as follows:

Nays: Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2878) passed.

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

**Com. Sub. for H. B. 2887**, Relating to retirement and separation incentives; 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. 227**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Marcum.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2887) passed.

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

At 12:08 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 1:30 p.m.



\* \* \* \* \*

**Afternoon Session**

\* \* \* \* \*

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

**Special Calendar****Third Reading**

-continued-

**Com. Sub. for H. B. 2897**, Raising the amount required for competitive bidding of construction contracts by the state and its subdivisions; 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. 228**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Hamrick, Hollen, Lynch and Sypolt.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2897) passed.

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

**Reordering of the Calendar**

Delegate Cowles announced that the Committee on Rules had transferred Com. Sub. for H. B. 2817, on Third Reading, Special Calendar, to the House Calendar and had moved Com. Sub. for H. B. 2933, on Third Reading, Special Calendar, and Com. Sub. for S. B. 437, Second Reading to the foot of the Calendar.

**Com. Sub. for H. B. 2930**, Allowing powerball, hot lotto, and mega millions winners to remain anonymous; 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. 229**), and there were—yeas 90, nays 7, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Byrd, Eldridge, Marcum, Pushkin, Pyles, Robinson and Rowe.

Absent and Not Voting: Hollen, Sypolt and Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2930) passed.

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

**Com. Sub. for H. B. 2941**, Requiring the Commissioner of the Division of Highways to utilize the Attorney General for all legal assistance and services; 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. 230**), and there were—yeas 93, nays 6, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Byrd, Eldridge, Fluharty, Hartman, Robinson and Sponaugle.

Absent and Not Voting: Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2941) passed.

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

**Com. Sub. for H. B. 2961**, Relating generally to charitable bingo games and charitable raffles; 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. 231**), and there were—yeas 98, nays 1, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Sobonya.

Absent and Not Voting: Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2961) passed.

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

**H. B. 2962**, Enlarging the authority of the Tax Commissioner to perform background investigations of employees and contractors; 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. 232**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2962) passed.

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

**H. B. 2963**, Eliminating tax lien waiver requirement for estates of nonresidents; 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. 233**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2963) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the title to read as follows:

**H. B. 2963** - "A Bill to amend and reenact §11-11-17a of the Code of West Virginia, 1931, as amended; relating to terminating on a certain date provisions by which domiciliary personal representatives of nonresident decedents may apply for certain releases."

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

**H. B. 2967**, Relating generally to administration of estates and trusts; 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. 234**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2967) passed.

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

**Com. Sub. for H. B. 3006**, Exempting certain contracts between the Department of Health and Human Resources and West Virginia University, Marshall University or the School for Oestopathic Medicine from state purchasing requirements; 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. 235**), and there were—yeas 96, nays 3, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: E. Evans, Fast and Kelly.

Absent and Not Voting: Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3006) passed.

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

**H. B. 3022**, Relating to the reporting of fraud, misappropriation of moneys, and other violations of law to the commission on special investigations; 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. 236**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 3022) passed.

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

**H. B. 3037**, Removing the Division of Energy as an independent agency; 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. 237**), 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: Boggs and Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 3037) passed.

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

**Com. Sub. for H. B. 3048**, Relating to collection of Tier II fees for chemical inventories; 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. 238**), and there were—yeas 92, nays 6, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Folk, Gearheart, McGeehan, Upson, Wagner and Wilson.

Absent and Not Voting: Boggs and Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3048) passed.

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

**H. B. 3088**, Relating generally to teacher-pupil ratios; on third reading, coming up in regular order, was read a third time.

Delegate Rowan requested to be excused from voting on the passage of H. B. 3088 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate 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 Member from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 239**), and there were—yeas 45, nays 55, absent and not voting none, with the yeas being as follows:

Yeas: Mr. Speaker, Mr. Armstead, Arvon, Atkinson, Blair, Butler, Capito, Cowles, Criss, Dean, Deem, Ellington, Espinosa, A. Evans, G. Foster, N. Foster, Gearheart, Hamilton, Hamrick, Hanshaw, Harshbarger, Higginbotham, Hill, Hollen, Householder, Howell, Kelly, Kessinger, Lane, Maynard, McGeehan, Moore, Nelson, O'Neal, Overington, C. Romine, Shott, Sobonya, Statler, Storch, Sypolt, Upson, Walters, Westfall, Wilson and Zatezalo.

So, a majority of the members present and voting not having voted in the affirmative, the Speaker declared the bill (H. B. 3088) rejected.

**H. B. 3091**, Relating generally to employer withholding taxes; 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. 240**), 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: G. Foster and Hornbuckle.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 3091) passed.

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

**Com. Sub. for H. B. 3095**, Allowing retired teachers to be employed by a higher education institution; on third reading, coming up in regular order, was read a third time.

Delegates Ambler, E. Evans, Iaquinta and Wagner requested to be excused from voting on the passage of Com. Sub. for H. B. 3095 under the provisions of House Rule 49.

The Speaker replied that any impact on the 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.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 241**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Hornbuckle.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3095) passed.

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

**Com. Sub. for H. B. 3102**, Relating to selling Hopemont Hospital; on third reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Cowles, and by unanimous consent, the bill was postponed one day.

**H. B. 3108**, Relating to authorizing redirection of certain amounts to the General Revenue Fund; on third reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Cowles, and by unanimous consent, the bill was postponed one day.

**Com. Sub. for H. B. 2109**, Relating to the West Virginia Land Reuse Agency Authorization Act; 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. 242**), and there were—yeas 67, nays 31, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Blair, Butler, Dean, Espinosa, Fast, Folk, N. Foster, Frich, Gearheart, Hicks, Hill, Iaquinta, Kessinger, Love, Lynch, Marcum, Martin, McGeehan, Moore, Paynter, Robinson, Rodighiero, Sobonya, Sponaugle, Statler, Summers, Sypolt, Thompson, Upson, Williams and Wilson.

Absent and Not Voting: Cowles and Hornbuckle.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2109) passed.

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

On this question, the yeas and nays were taken (**Roll No. 243**), and there were—yeas 78, nays 19, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Butler, Dean, Fast, Folk, Frich, Hicks, Iaquinta, Lynch, Marcum, Martin, McGeehan, Paynter, Robinson, Rodighiero, Sponaugle, Statler, Thompson, Williams and Wilson.

Absent and Not Voting: Cowles, Hornbuckle and C. Romine.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2109) takes effect from its passage.

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

**H. B. 2188**, Extending the length of time for the special Community-Based Pilot Demonstration Project to Improve Outcomes for At-Risk Youth; 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. 244**), and there were—yeas 93, nays 4, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Gearheart, McGeehan, Paynter and Wilson.

Absent and Not Voting: Cowles, Hornbuckle and C. Romine.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2188) passed.

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

**Com. Sub. for H. B. 2520**, Prohibiting the use of a tanning device by a person under the age of eighteen; 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. 245**), and there were—yeas 80, nays 18, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Ambler, Arvon, Butler, Ferro, Folk, Frich, Gearheart, Harshbarger, Hill, Householder, Howell, Kessinger, Marcum, Martin, McGeehan, Paynter, Sobonya and Upson.

Absent and Not Voting: Cowles and Hornbuckle.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2520) passed.

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

**Com. Sub. for H. B. 2552**, Increasing the pet food registration fee and directing that the additional money be deposited into the West Virginia Spay Neuter Assistance Fund; 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. 246**), and there were—yeas 84, nays 14, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Arvon, Blair, Folk, Gearheart, Hill, Householder, Howell, Kessinger, Marcum, McGeehan, Sobonya, Statler, Upson and Wilson.

Absent and Not Voting: Cowles and Hornbuckle.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2552) 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**

**Com. Sub. for H. B. 2129**, Relating to the powers and authority of state and local law enforcement to enforce underage drinking laws at private clubs; 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. 2195**, Relating to requiring comprehensive drug awareness and prevention program in all public schools; on second reading, coming up in regular order, was read a second time.

Delegates Hornbuckle and Pushkin moved to amend the bill on page two, section seven-b, line twenty-five, following the semi-colon, by inserting the word “and”.

And,

On page two, section seven-b, by striking out lines twenty-six through thirty and inserting in lieu thereof, the following:

“(7) Promote student safety and understanding, the program may also include presentations from attorneys or persons representing civil rights organizations who have expertise in civil rights law and lawful arrest procedures about what to expect from law enforcement officers during a traffic stop or criminal investigation, what law enforcement officers can and cannot do, and how to respond to an officer during a vehicular stop or other police interaction, including problematic or dangerous behaviors that could result in a person being detained or arrested.”

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

The yeas and nays having been ordered, they were taken (**Roll No. 247**), and there were—yeas 40, nays 55, absent and not voting 5, with the yeas and absent and not voting being as follows:

Yeas: Baldwin, Bates, Boggs, Brewer, Byrd, Canestraro, Caputo, Dean, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Folk, Hartman, Hicks, Higginbotham, Iaquinta, Isner, Lewis, Longstreth, Love, Lovejoy, Lynch, McGeehan, Miley, R. Miller, Moye, Pethtel, Pushkin, Pyles, Rodighiero, Rohrbach, Rowe, Sponaugle, Storch, Thompson, Williams and Zatezalo.

Absent and Not Voting: Barrett, Cowles, Hornbuckle, Marcum and Robinson.

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

The bill was ordered to engrossment and third reading.

**Com. Sub. for H. B. 2363**, Requiring that a state employee with a commercial driver’s license have a current medical evaluation certification; 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. 2428**, Establishing additional substance abuse treatment facilities; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Delegates Pushkin and Robinson moved to amend the bill on page two, section two, line one, by inserting “(a)” before the phrase “The Ryan Brown”.

On page two, section two, line four, after the words “article from”, by inserting the phrase “subsection (b) of this section and”.

And,

On page two, section two, after line sixteen, by inserting a new subsection to read as follows:

“(b) If a legal action brought on behalf of the state against a pharmaceutical wholesaler, manufacturer and distributor involving an opioid product results in a monetary settlement or recovery,



then the first \$25 million of each such monetary settlement or recovery shall be deposited in the Ryan Brown Addiction Prevention and Recovery Fund created in subsection (a) of this section. Any monies in excess of \$25 million shall be deposited in the General Revenue Fund.”

Delegate Pushkin asked unanimous consent to advance the bill to third reading with the amendment pending, and the restricted right to amend jointly.

Delegate Pushkin then asked and obtained unanimous consent to withdraw his request.

Whereupon,

Delegate Pushkin asked and obtained unanimous consent that the amendment be withdrawn.

The bill was ordered to engrossment and third reading.

**Com. Sub. for H. B. 2483**, Requiring the Division of Juvenile Services to transfer to a correctional facility or regional jail any juvenile in its custody that has been transferred to adult jurisdiction of the circuit court and who reaches his or her eighteenth birthday; on second reading, coming up in regular order, was read a second time.

**Com. Sub. for H. B. 2708**, Relating to a lawful method for a developmentally disabled person to purchase a base hunting license; 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. 2759**, Creating Statewide Interoperable Radio Network; 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. 2851**, Updating fee structure provisions for broker-dealers; 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. 3062**, The state Settlement and Recovered Funds Accountability Act; on second reading, coming up in regular order, was read a second time.

Delegate Shott moved to amend the bill on page five, section four, line fifteen, by striking out the word “six” and inserting the word “four”.

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

The yeas and nays having been ordered, they were taken (**Roll No. 248**), and there were—yeas 78, nays 20, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Ambler, Barrett, Blair, Butler, Ellington, Espinosa, Gearheart, Harshbarger, Hicks, Hill, Householder, Iaquinta, Love, Martin, Maynard, McGeehan, Paynter, Thompson, Wagner and Walters.

Absent and Not Voting: Cowles and Hornbuckle.

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

The bill was ordered to engrossment and third reading.

**Com. Sub. for H. B. 3080**, Requiring instruction in the Declaration of Independence and the United States Constitution; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**Com. Sub. for S. B. 437**, Discontinuing WV Greyhound Breeding Development Fund; on second reading, coming up in regular order, was read a second time.

Delegates Fluharty, Storch, Ferro and Canestraro moved to amend the bill on page sixteen, section ten-a, following line twenty-two, by inserting a new subsection to read as follows:

“(d) The West Virginia University Bureau of Business and Economic Research and the Center for Business and Economic Research at Marshall University in furtherance of section four, article three, chapter eighteen-b of this code shall study the economic impacts of Enrolled Senate Bill 437 as enacted during the 2017 Regular Session of the West Virginia Legislature. The study shall include analysis of:

(1) The impacts of the losses of employment of the estimated seventeen hundred jobs in the casino industry to the communities in West Virginia where the casinos are located;

(2) The costs to state government for unemployment compensation and other assistance to unemployed workers due to the loss of these jobs;

(3) The impact to state tourism from persons visiting our casinos because of dog track racing;

(4) The loss of revenue in other gambling at casinos by persons betting on other games beside dog track racing;

(5) The impact to the state budget as it relates to loss of revenues from dog racing;

(6) Impacts on city police and firefighters pension contributions;

(7) The impact to local government due to loss of tax revenue and local share contributions; and

(8) Any and all other identifiable impacts to the state.

(e) The study mandated by this section shall be provided to the Joint Committee on Government and Finance of the West Virginia Legislature by December 31, 2017.”

During the debate, points of order were raised regarding the content of the remarks of some Members. The Speaker replied and reminded Members to direct their remarks to the amendment before the House.

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

The yeas and nays having been ordered, they were taken (**Roll No. 249**), and there were—yeas 44, nays 54, absent and not voting 2, with the yeas and absent and not voting being as follows:

Yeas: Baldwin, Barrett, Bates, Boggs, Brewer, Byrd, Canestraro, Caputo, Dean, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Folk, Hartman, Hicks, Iaquina, Isner, Lewis, Longstreth, Love, Lovejoy, Lynch, Marcum, Maynard, McGeehan, Miley, R. Miller, Moye, Pethel, Phillips, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaugle, Storch, Thompson, Ward, Williams and Zatezalo.

Absent and Not Voting: Cowles and Hornbuckle.

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

Delegate Byrd moved to amend the bill on page two, by striking out the enacting section and inserting in lieu thereof, a new enacting section to read as follows:

“That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §11-21-12j; that §19-23-7, §19-23-10, §19-23-12b, §19-23-13 and §19-23-13c of said code as amended, be amended and reenacted; that said code be amended by adding thereto a new section, designated §19-23-10a; that §29-22-18a of said code be amended and reenacted; that §29-22A-3, §29-22A-7, §29-22A-10, §29-22A-10b, §29-22A-10d, §29-22A-10e and §29-22A-12 of said code be amended and reenacted; and that §29-22C-3, §29-22C-8, §29-22C-10, §29-22C-27 and §29-22C-27a of said code be amended and reenacted, all to read as follows” followed by a comma.

And,

On page two, following the enacting section, by inserting a new section 12j, to read as follows:

**“§11-21-12j. Tax Deduction for persons adopting greyhound dogs used by state greyhound industry.**

For taxable years beginning on January 1, 2018, in addition to amounts subtracted from federal adjusted gross income pursuant to subsection (c), section twelve of this article, a deduction of five hundred dollars, for any state resident that adopts a greyhound dog acquired from a greyhound breeder licensed in this state, either directly from the breeder or a humane society or other non-profit organization promoting adoption of the dogs is an authorized modification reducing federal adjusted gross income. This tax deduction expires effective January 1, 2021.”

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

The yeas and nays having been ordered, they were taken (**Roll No. 250**), and there were—yeas 40, nays 58, absent and not voting 2, with the yeas and absent and not voting being as follows:

Yeas: Baldwin, Barrett, Bates, Boggs, Brewer, Byrd, Canestraro, Caputo, Dean, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hartman, Hicks, Iaquina, Isner, Longstreth, Love, Lovejoy, Lynch, Marcum, Maynard, Miley, R. Miller, Moye, Paynter, Pethtel, Phillips, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaugle, Storch, Thompson and Williams.

Absent and Not Voting: Cowles and Hornbuckle.

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

Delegate Eldridge moved to amend the bill on page forty-eight, section ten, lines eighteen and nineteen, by striking out the words “West Virginia Racing Commission’s General Administrative Account created in section eleven, article twenty-three, chapter nineteen of this code” and the period, and inserting in lieu thereof, the words “the state road fund created pursuant to section one, article three, chapter seventeen of this code” followed by a period.

On page fifty-one, section ten, lines ninety-five through ninety-seven, by striking out paragraph (C) and inserting in lieu thereof, the following:

“(C) Effective July 1, 2017, and thereafter, the one and one-half percent shall be deposited into the state road fund created pursuant to section one, article three, chapter seventeen of this code.”

On page seventy-nine, section twenty-seven, lines twenty-eight and twenty-twenty-nine, by striking out the words “State Excess Lottery Fund pursuant to section ten-a, article twenty-three, chapter nineteen of this article” and a semicolon, and inserting in lieu thereof “the state road fund created pursuant to section one, article three, chapter seventeen of this code.”

And,

On page eighty-three, section twenty-seven, lines one hundred twenty-five and one hundred twenty-six, by striking out the words “State Excess Lottery Revenue Fund pursuant to section ten-a, article twenty-three, chapter nineteen of this code.” and inserting in lieu thereof, the words “the state road fund created pursuant to section one, article three, chapter seventeen of this code.”

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

The yeas and nays having been ordered, they were taken (**Roll No. 251**), and there were—yeas 34, nays 64, absent and not voting 2, with the yeas and absent and not voting being as follows:

Yeas: Baldwin, Brewer, Byrd, Canestraro, Caputo, Dean, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hamilton, Hartman, Hicks, Longstreth, Love, Lovejoy, Lynch, Marcum, Maynard, Miley, R. Miller, Pethtel, Phillips, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaugle, Storch, Thompson and Williams.

Absent and Not Voting: Cowles and Hornbuckle.

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

Delegate O’Neal asked unanimous consent that further action on the bill be postponed one day, which consent was not given, objection being heard.

Delegate O’Neal then moved that further action on the bill be postponed one day.

The question before the House being the motion to postpone the bill, the same was put and prevailed.

**Com. Sub. for H. B. 2933**, Relating to the consumers sales and service taxes and use taxes; on third reading, having been postponed in earlier proceedings, was reported by the Clerk.

At the request of Delegate O’Neal, and by unanimous consent, the bill was postponed one day.

At the request of Delegate O’Neal 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 Evans, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

**S. B. 25**, Creating farm-to-food bank tax credit,

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

Delegate Hamilton, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

**Com. Sub. for S. B. 345**, Allowing certain hunting and trapping on private lands on Sundays,

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 the Judiciary.

In accordance with the former direction of the Speaker, the bill (S. B. 345) was referred to the Committee on the Judiciary.

Delegate Hamilton, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

**Com. Sub. for S. B. 473**, Permitting collection and sale of naturally shed deer antlers.

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

Delegate Hamilton, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

**Com. Sub. for S. B. 308**, Clarifying administrative and law-enforcement activities of DNR police officers are important to conservation and management of state's fish and wildlife,

And,

**S. B. 325**, Relating to crossbow hunting,

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

In accordance with the former direction of the Speaker, the bills (Com. Sub. for S. B. 308 and S. B. 325) were each referred to the Committee on the Judiciary.

Delegate Hamilton, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

**S. B. 28**, Creating new system for certain contiguous counties to establish regional recreation authorities,

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

In accordance with the former direction of the Speaker, the bill (S. B. 28) was referred to the Committee on Government Organization.

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. 36**, Permitting school nurses to possess and administer opioid antagonists,

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

Delegate Gearheart, Chair of the Committee on Roads and Transportation, submitted the following report, which was received:

Your Committee on Roads and Transportation has had under consideration:

**H. C. R. 50**, Lowe Mountain Memorial Highway,

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

**Com. Sub. for H. C. R. 50** - "Requesting the Division of Highways to name an approximate nine-mile section of WV Route 14 beginning at the Lowe Family Cemetery (37.801837, -81.799640) and ending at the intersection of WV Route 14 and WV Route 10 (37.812939, -81.934589) in Logan County the 'Lowe Mountain Memorial Highway'."

**H. C. R. 75**, Increasing the speed limit on highways to 75 miles per hour,

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

**Com. Sub. for H. C. R. 75** - "Requesting the Commissioner of Highways to increase the speed limit on controlled access highways and interstate highways in rural areas to 75 miles per hour where appropriate,"

And,

**H. C. R. 78**, Almond Brothers and Family Veterans Bridge,

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

**Com. Sub. for H. C. R. 78** - "Requesting the Division of Highways to name the Bridge Number 41-16-14.36 (PipeBridge) (37.74369, -81.22630) carrying WV Route 16 over Crab Orchard Creek in Raleigh County as the 'Almond Brothers and Family Veterans Bridge'."

With the recommendation that the committee substitutes each be adopted, but that they first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolutions (H. C. R. 50, H. C. R. 75 and H. C. R. 78) were each referred to the Committee on Rules.

Delegate Gearheart, Chair of the Committee on Roads and Transportation, submitted the following report, which was received:

Your Committee on Roads and Transportation has had under consideration:

**S. C. R. 28**, US Army SPC4 Randall W. Arbogast Memorial Road,

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

In accordance with the former direction of the Speaker, the resolution (S. C. R. 28) was referred to the Committee on Rules.

Delegate Gearheart, Chair of the Committee on Roads and Transportation, submitted the following report, which was received:

Your Committee on Roads and Transportation has had under consideration:

**H. C. R. 9**, Frenchburg Bridge,

**H. C. R. 41**, Major Martin Robison Delany Memorial Bridge,

And,

**Com. Sub. for S. C. R. 15**, US Army CPL Herbert "Herb" Linkous Memorial Bridge,

And reports the same back with the recommendation that they each be adopted, but that they first be referred to the Committee on Rules.

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:

**Com. Sub. for S. B. 535**, Reorganizing Division of Tourism,

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 (Com. Sub. for S. B. 535) 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:

**S. B. 41**, Extending time person may be subject to probation,

**Com. Sub. for S. B. 338**, Relating to medical professional liability,

**Com. Sub. for S. B. 442**, Relating generally to crimes against persons,

**Com. Sub. for S. B. 497**, Relating to liability for health care providers who provide services at school athletic events,

**Com. Sub. for S. B. 531**, Relating to renewal date for apiary certificates of registration,

And,

**S. B. 684**, Relating generally to WV State Police,

And reports the same back with the recommendation that they each 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:

**Com. Sub. for S. B. 455**, Relating generally to commitment of persons to custody of Commissioner of Corrections,

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

### **Miscellaneous Business**

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegates Barrett and McGeehan regarding Com. Sub. for H. B. 2816 be printed in the Appendix to the Journal.

Delegate Walters announced that he was absent on today when the votes were taken on Roll Nos. 209 through 211, and that had he been present, he would have voted "Yea" thereon.

Delegate Thompson announced that he was absent on today when the votes were taken on Roll Nos. 209 through 212, and that had been present, he would have voted "Yea" thereon.

Delegate C. Romine announced that he was absent on today when the votes were taken on Roll Nos. 243 and 244, and that had he been present, he would have voted "Yea" thereon.

Delegate Boggs announced that he was absent on today when the votes were taken on Roll Nos. 234 and 238, and that had he been present, he would have voted "Yea" thereon.

Delegate Howell noted to the Clerk that he was absent on today when the votes were taken on Roll No. 225, and that had he been present, he would have voted "Yea" thereon.



At 5:33 p.m., the House of Delegates adjourned until 9:00 a.m., Wednesday, March 29, 2017.

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



## **SPECIAL CALENDAR**

**Wednesday, March 29, 2017**

**50<sup>th</sup> Day**

**9:00 A. M.**

### **THIRD READING**

- Com. Sub. for H. B. 2129 - Relating to the powers and authority of state and local law enforcement to enforce underage drinking laws at private clubs (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2195 - Relating to requiring comprehensive drug awareness and prevention program in all public schools (ESPINOSA) (REGULAR)
- Com. Sub. for H. B. 2363 - Requiring that a state employee with a commercial driver's license have a current medical evaluation certification (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2428 - Establishing additional substance abuse treatment facilities (NELSON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2483 - Requiring the Division of Juvenile Services to transfer to a correctional facility or regional jail any juvenile in its custody that has been transferred to adult jurisdiction of the circuit court and who reaches his or her eighteenth birthday (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2708 - Relating to a lawful method for a developmentally disabled person to purchase a base hunting license (NELSON) (REGULAR)
- Com. Sub. for H. B. 2759 - Creating Statewide Interoperable Radio Network (NELSON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2776 - Creating of special revenue funding sources for the Division of Labor (NELSON) (REGULAR)
- Com. Sub. for H. B. 2851 - Updating fee structure provisions for broker-dealers (NELSON) (REGULAR)
- Com. Sub. for H. B. 2933 - Relating to the consumers sales and service taxes and use taxes (NELSON) (REGULAR) [AMENDMENTS PENDING] [RIGHT TO AMEND BY DELEGATES NELSON AND BOGGS]

- Com. Sub. for H. B. 3062 - The state Settlement and Recovered Funds Accountability Act (NELSON) (REGULAR)
- Com. Sub. for H. B. 3080 - Requiring instruction in the Declaration of Independence and the United States Constitution (ESPINOSA) (REGULAR)
- Com. Sub. for H. B. 3102 - Relating to selling Hopemont Hospital (NELSON) (REGULAR)
- H. B. 3108 - Relating to authorizing redirection of certain amounts to the General Revenue Fund (NELSON) (REGULAR)

### **SECOND READING**

- Com. Sub. for S. B. 437 - Discontinuing WV Greyhound Breeding Development Fund (NELSON) (REGULAR) [AMENDMENTS PENDING]

### **FIRST READING**

- Com. Sub. for S. B. 36 - Permitting school nurses to possess and administer opioid antagonists (ELLINGTON) (REGULAR) (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING)
- S. B. 41 - Extending time person may be subject to probation (SHOTT) (REGULAR)
- Com. Sub. for S. B. 338 - Relating to medical professional liability (SHOTT) (REGULAR)
- Com. Sub. for S. B. 442 - Relating generally to crimes against persons (SHOTT) (REGULAR)
- Com. Sub. for S. B. 455 - Relating generally to commitment of persons to custody of Commissioner of Corrections (SHOTT) (REGULAR) (JUDICIARY COMMITTEE AMENDMENT PENDING)
- Com. Sub. for S. B. 473 - Permitting collection and sale of naturally shed deer antlers (HAMILTON) (REGULAR)
- Com. Sub. for S. B. 497 - Relating to liability for health care providers who provide services at school athletic events (SHOTT) (REGULAR)
- Com. Sub. for S. B. 531 - Relating to renewal date for apiary certificates of registration (SHOTT) (REGULAR)
- S. B. 684 - Relating generally to WV State Police (SHOTT) (REGULAR)

## **HOUSE CALENDAR**

**Wednesday, March 29, 2017**

**50<sup>th</sup> Day**

**9:00 A. M.**

### **THIRD READING**

- Com. Sub. for H. B. 2817 - Providing for the reduction of the unfunded liability in the teachers retirement system over a 30 year period (NELSON) (JULY 1, 2017)
- H. B. 3107 - Relating generally to horse and dog racing lottery (NELSON) (EFFECTIVE FROM PASSAGE) [AMENDMENTS PENDING]
- H. B. 3109 - Relating to establishing a Board of Nursing and Health Services (HOWELL) (REGULAR) [AMENDMENTS PENDING]

### **SECOND READING**

- Com. Sub. for S. B. 113 - Authorizing DEP promulgate legislative rules (SHOTT) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 362 - Authorizing redirection of certain amounts to General Revenue Fund (NELSON) (REGULAR)
- Com. Sub. for S. B. 419 - Creating special revenue fund sources for Division of Labor to meet statutory obligations (NELSON) (REGULAR)
- Com. Sub. for H. B. 2538 - Relating to the licensure of physician assistants (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2871 - Eliminating the mandated employer versus employee cost share of eighty percent employer, twenty percent employee for Public Employee Insurance Agency (NELSON) (REGULAR)

### **FIRST READING**

- S. B. 164 - Relating to traffic regulations and special load limits (SHOTT) (REGULAR)

- Com. Sub. for S. B. 233 - Excluding from protection oral communications uttered in child care center under Wiretapping and Electronic Surveillance Act (SHOTT) (REGULAR)
- Com. Sub. for S. B. 247 - Authorizing prosecuting attorney designate and deliver grand jury records for investigative purposes (SHOTT) (EFFECTIVE FROM PASSAGE) (JUDICIARY COMMITTEE AMENDMENT PENDING)
- Com. Sub. for S. B. 248 - Clarifying composition and chairmanship of Commission on Special Investigations (SHOTT) (EFFECTIVE FROM PASSAGE) (JUDICIARY COMMITTEE AMENDMENT PENDING)
- Com. Sub. for S. B. 347 - Relating to modernization of Physician Assistant Practice Act (ELLINGTON) (REGULAR) (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING)
- H. B. 2500 - Supplementary appropriation to the Department of Health and Human Resources, Division of Human Services (NELSON) (EFFECTIVE FROM PASSAGE)
- H. B. 2501 - Supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program (NELSON) (EFFECTIVE FROM PASSAGE)

**WEST VIRGINIA  
HOUSE OF DELEGATES**

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**WEDNESDAY, MARCH 29, 2017**

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**HOUSE CONVENES AT 9:00 A.M.**

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**COMMITTEE ON THE JUDICIARY  
8:45 A.M. – ROOM 418M**

**COMMITTEE ON RULES  
8:45 A.M. – BEHIND CHAMBER**

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**THURSDAY, MARCH 30, 2017**

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**PUBLIC HEARING – COMMITTEE ON THE JUDICIARY  
8:30 A.M. – HOUSE CHAMBER  
COM. SUB. FOR S. B. 239, LIMITING USE OF WAGES BY EMPLOYERS  
AND LABOR ORGANIZATIONS FOR POLITICAL ACTIVITIES.**

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