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THIRTY-SEVENTH DAY

Thursday, February 15, 2018

THIRTY-SEVENTH 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 Wednesday, February 14, 2018, being the first order of business, when the further reading thereof was dispensed with and the same approved.

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 14th day of February, 2018, 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. 4020, Making technical corrections in the code when referencing Chapter 49.

Mr. Speaker, Mr. Armstead, Chair of the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration:

H. C. R. 19, World Moyamoya Awareness Day,

H. C. R. 26, U. S. Army PFC Tracy Victor Rohrbaugh Memorial Bridge,

And,

H. C. R. 27, Making Grafton's Annual Memorial Day Parade the Official State Memorial Day Parade,

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

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. 4458, Citizen and State Accountability Act,

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. 4458) was 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:

S. B. 350, Eliminating obsolete requirement that Lottery Commission file racetrack video lottery game rules with Secretary of State,

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. 350) 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:

H. B. 4304, Creating the Board of Nursing,

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

Com. Sub. for H. B. 4304 - "A Bill to repeal §30-7-1a, §30-7-6a, §30-7-6b, §30-7-8a, §30-7-11a, §30-7-15a, §30-7-15b, §30-7-15c, §30-7-15d, and §30-7-15e of the Code of West Virginia, 1931, as amended; to repeal §30-7A-2, §30-7A-3, §30-7A-4, §30-7A-5, §30-7A-6, §30-7A-6a, §30-7A-7, §30-7A-7a, §30-7A-8, §30-7A-9, §30-7A-10, and §30-7A-11 of said code; to repeal §30-7D-1, §30-7D-2, §30-7D-3, §30-7D-4, §30-7D-5, §30-7D-6, §30-7D-7, §30-7D-8, §30-7D-9, §30-7D-10, §30-7D-11, §30-7D-12, and §30-7D-13 of said code; to repeal §30-7E-1, §30-7E-2, and §30-7E-3 of said code; to amend and reenact §4-10-10 of said code; to amend and reenact §9-4B-1 of said code; to amend and reenact §16-4C-14 of said code; to amend and reenact §16-4F-1 of said code; to amend and reenact §16-5B-19 of said code; to amend and reenact §16-5O-2, §16-5O-4, §16-5O-5 and §16-5O-12 of said code; to amend and reenact §16-5Y-5 of said code; to amend and reenact §16-30-3 of said code; to amend and reenact §18-5-22 of said code; to amend and reenact §18-9A-2 of said code; to amend and reenact §18A-1-1 of said code; to amend and reenact §18A-4-1 and §18A-4-8 of said code; to amend and reenact §18C-3-4 of said code; to amend and reenact §29-12B-3 of said code; to amend and reenact §29-29-3 of said code; to amend and reenact §30-1-7a and §30-1-20 of said code; to amend and reenact §30-3A-1 of said code; to amend and reenact §30-3F-1 of said code; to amend and reenact §30-7-1, §30-7-2, §30-7-3, §30-7-4, §30-7-5, §30-7-6, §30-7-7, §30-7-8, §30-7-9, §30-7-10, §30-7-11, §30-7-12, §30-7-13, §30-7-14, §30-7-15, §30-7-16, §30-7-17, §30-7-18, §30-7-19, and §30-7-20 of said code; to amend said code by adding thereto twelve new sections, designated §30-7-21, §30-7-22, §30-7-23, §30-7-24, §30-7-25, §30-7-26, §30-7-27, §30-7-28, §30-7-29, §30-7-30, §30-7-31, §30-7-32 and §30-7-33; to amend and reenact §30-7A-1 of said code; and to amend and reenact §30-7B-4 of said code; to amend and reenact §30-7C-1 and §30-7C-7 of said code; to amend and reenact §30-24-2 and §30-24-3 of said code; to amend and reenact

§60A-9-5a of said code, all relating to the regulation of certain professions by Board of Nursing, prohibiting the practice of nursing without a license; providing other applicable sections; defining terms; providing for board composition and qualifications; setting forth the powers and duties of the board; clarifying rule-making authority; continuing a special revenue account; establishing license and permit requirements; establishing qualifications for licensure; codifying a scope of practice; creating a temporary permit; providing for reciprocal licensure; establishing renewal requirements; providing for exemptions from licensure; creating a special volunteer license; continuing a Joint Advisory Council; providing the council's composition; providing council members' terms; providing powers of the council; providing duties of the council; setting forth limitations of the article; permitting the board to file an injunction; setting forth grounds for disciplinary actions; allowing for specific disciplinary actions; providing procedures for investigation of complaints; providing duty to warn; providing for judicial review and appeals of decisions; setting forth hearing and notice requirements; providing for civil causes of action; providing criminal offenses are to be reported to law enforcement; providing a period of transition; eliminating the Board of Examiners for licensed practical nurses; transferring assets to the Board of Nursing; transferring employees to the Board of Nursing; repealing expired authority; and updating references,"

With the recommendation that the committee substitute do pass.

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

Your Committee on Energy has had under consideration:

H. B. 4205, Entitling natural resource producers to the economic opportunity tax credit,

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. 4205) 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. 4042, Redefining school zone to facilitate placement of school zone signs,

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

Com. Sub. for H. B. 4042 - "A Bill to amend and reenact §17C-6-1 of the Code of West Virginia, 1931, as amended, relating to redefining school zone,"

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. 4449, Relating to failure of employers to make contributions on behalf of employees to a retirement plan,

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. 4449) 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. 4001, Relating to eligibility and fraud requirements for public assistance,

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

Com. Sub. for H. B. 4001 - "A Bill to amend and reenact §9-2-6 of the Code of West Virginia, 1931, as amended; to amend and reenact §9-7-2, §9-7-5, and §9-7-6 of said code; to amend said code by adding thereto a new article, designated §9-8-1, §9-8-2, §9-8-3, §9-8-4, §9-8-5, §9-8-6, §9-8-7, §9-8-8, §9-8-9, §9-8-10, §9-8-11, and §9-8-12; and to amend and reenact §61-3-54 of said code, all relating to investigations, inspections, evaluations, and review conducted by the Department of Health and Human Resources to prevent fraud and abuse; dis-enrolling providers who commit fraud and requiring repayment; defining fraud as it relates to Medicaid; authorizing penalties against providers for failure to keep medical records for a specific time period; authorizing a civil cause of action for fraud when a person or entity knew or should have known a claim to be false; enlarging the statute of limitations to file health care fraud civil actions; defining terms relating to public assistance; requiring the Department of Health and Human Resources to implement work requirements for applicants of Supplemental Nutrition Assistance Program (SNAP); to limit recipients to 3 months of benefits in any 36-month period unless the recipient is working or participating in a work, educational, or volunteer program for at least 20 hours a week; requiring discontinuance of a federal waiver in certain counties; requiring a study of the impact of the SNAP work requirements in those counties where they were implemented; eliminating the federal waiver statewide within a certain time-period; requiring a report to the legislature; establishing work requirements; authorizing rulemaking; requiring a design or establishment of a computerized income, asset, and identity verification system for each public assistance program administered by the Department of Health and Human Resources; allowing for contracting with a third-party vendor; setting out required contract terms; requiring accessing information of various federal, state, and miscellaneous sources for eligibility verification; requiring identity authentication as a condition to receive public assistance; requiring the department to study the feasibility of requiring photos on EBT cards; specifying procedures for case review of public assistance benefits; setting forth notice requirements and right to a hearing; requiring referrals for fraud, misrepresentation, and inadequate documentation; authorizing referrals of suspected cases of fraud for criminal prosecution; requiring report to the Governor and Legislature; setting forth prohibitions on the use of an electronic benefit transfer card; tracking out-of-state spending of SNAP and TANF benefits; providing for rulemaking; and providing a penalty for taking the identity of another person for the purpose of gaining employment,"

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. 4488, Relating to the Hatfield-McCoy Recreation Authority,

H. B. 4324, Relating to the employment of individuals by municipal paid fire departments under civil service,

And,

H. B. 4436, Clarifying when a minor between the ages of 16 and 18 may be employed by or elected as a member of a volunteer fire department,

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

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 15th day of February, 2018, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

Com. Sub. for H. B. 4135, Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act,

And,

H. B. 4146, Updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act.

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

By Delegates Espinosa, Rohrbach, Upson, Kelly, Hicks, Statler, Higginbotham, Pyles, E. Evans, Hornbuckle and Rodighiero:

H. B. 4622 - "A Bill to amend and reenact §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as amended, all relating to authorizing legislative rules regarding higher education; authorizing legislative rules for the Higher Education Policy Commission regarding Tuition and Fee Policy, Human Resources Administration, and Capital Project Management; and authorizing legislative rules for the Council for Community and Technical College Education regarding Human Resources Administration, and Capital Project Management."

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. 4428, Allowing training hours earned through public school education or apprenticeship to count towards an applicant's occupational certification,

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

Com. Sub. for H. B. 4428 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-1E-1, §21-1E-2, §21-1E-3 and §21-1E-4; and to amend said code by adding thereto a new article, designated §30-1E-1, §30-1E-2, §30-1E-3 and §30-1E-4, all relating to requiring standards and procedures for recognizing career technical training acquired in public schools, apprenticeships and training programs toward occupational certification and/or

licensure; requiring Division of Labor and occupational and licensing board rules; establishing purpose and intent; providing definitions; and establishing applicable date,”

With the recommendation that the committee substitute do pass.

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

By Delegates Nelson, Anderson, C. Miller, Cowles, A. Evans, Storch, Walters, Frich, Butler, Ellington and Ambler:

H. B. 4620 - “A Bill expiring funds to the balance of the Department of Administration, Public Employees Insurance Agency – Basic Insurance Premium Fund, fund 2180, fiscal year 2018, organization 0225 for the fiscal year ending June 30, 2018, in the amount of \$29,000,000 from the Department of Revenue, Office of the Secretary – Revenue Shortfall Reserve Fund, fund 7005, fiscal year 2018, organization 0701 for the fiscal year ending June 30, 2018.”

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. 4379, Supplementing, amending, decreasing, and increasing items of the existing appropriations to the Department of Transportation,

And reports the same back with the recommendation that it 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. 4285, Relating to the West Virginia Safe Mortgage Licensing Act,

And reports the same back, with a title amendment, with the recommendation that it 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. 4157, Eliminating the refundable exemption for road construction contractors,

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

Com. Sub. for H. B. 4157 – “A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended, relating to the elimination of the refundable exemption for road construction contractors; prohibiting the transfer of revenues collected from the state’s consumers sales and service tax and the state’s use tax to the State Road Fund; updating references to certain entities; updating references to the code; removing references to obsolete dates; and specifying the effective date,”

H. B. 4401, Relating to the registration of business,

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

Com. Sub. for H. B. 4401 – “A Bill to amend and reenact §21-3-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §21-3C-11; to amend and reenact §21-3D-8; to amend and reenact §21-5-5c; to amend and reenact §21-9-9; to amend and reenact §21-10-4; to amend and reenact §21-11-17; to amend and reenact §21-14-9; to amend and reenact §21-15-7; to amend and reenact §21-16-10; to amend and reenact §47-1-8, §47-1-20, §47-1-21 and §47-1-22; and to amend and reenact §47-1A-14, all relating to the elimination of certain authority regarding collection and use of fees by the Commissioner of the Division of Labor; eliminating authority to use certain excess funds; eliminating requirement to charge certain fees; and eliminating certain rulemaking authority,”

And,

H. B. 4522, Allowing certain tax information to be shared with the Director of Purchasing Division, Department of Administration, and State Auditor,

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

Com. Sub. for H. B. 4522 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-10-5dd, relating to allowing certain tax information to be shared with State Auditor pursuant to written agreements; and defining terms,”

With the recommendation that the committee substitutes each do pass.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates as follows:

Com. Sub. for H. B. 2546, Allowing replacement costs of employer provided property to be deducted from an employee's final paycheck if the property is not returned.

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

S. B. 62, Adjusting requirements for hiring school attendance directors.

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

Com. Sub. for S. B. 288 - “A Bill to repeal §30-6-22a, §30-6-23, §30-6-24, §30-6-25, §30-6-26, §30-6-27, §30-6-28, §30-6-29, §30-6-30, and §30-6-31 of the Code of West Virginia, 1931, as amended; and to amend and reenact §30-6-1, §30-6-2, §30-6-3, §30-6-4, §30-6-5, §30-6-6, §30-6-7, §30-6-8, §30-6-9, §30-6-10, §30-6-11, §30-6-12, §30-6-13, §30-6-14, §30-6-15, §30-6-16, §30-6-17, §30-6-18, §30-6-19, §30-6-20, §30-6-21, and §30-6-22 of said code, all relating to regulation of cremation, embalming, and funeral service directing; defining terms; terminating the Board of Funeral Service Examiners; transferring the functions of the board to the Secretary of State; specifying

timeline and duties for the transfer of functions and property; providing special provisions and authority to Secretary of State to facilitate transfer; providing rule-making authority for Secretary of State; continuing existing rules previously promulgated by the board; authorizing Secretary of State to request repeal of rules previously promulgated by the board; establishing timeline for promulgation of rules by Secretary of State in 2018; authorizing the promulgation of emergency rules; creating special revenue account; eliminating special revenue account utilized by Board of Funeral Service Examiners and transferring funds; providing for the transfer of assets and liabilities to new account; providing for periodic sweep of funds into General Revenue Fund; eliminating outdated and obsolete language; authorizing Secretary of State to grant funeral service license; updating requirements for funeral service license; reclassifying certificate to operate crematory as license; authorizing Secretary of State to grant license to operate crematory; updating requirements for license to operate crematory; updating language related to license reciprocity and courtesy card holders to give authority to Secretary of State; authorizing Secretary of State to enter into reciprocity agreements; authorizing Secretary of State to issue registration to be an apprentice; updating requirements for licensure of funeral establishments; authorizing Secretary of State to issue funeral establishment license; updating requirements for licensure of crematories; authorizing Secretary of State to issue crematory license; modifying requirements for inspectors and inspections; authorizing Secretary of State to appoint inspectors; updating requirements for renewal of licenses, courtesy cards, and registrations; eliminating requirement for Board of Funeral Service Examiners to provide continuing education; modifying order of persons authorized to give written permission for cremation; updating language concerning preneed affidavit; requiring Secretary of State to refuse to issue license, renewal, or registration if certain requirements not met; authorizing Secretary of State to take action against licensee, registrant, or applicant under certain circumstances; requiring Secretary of State establish means for public to submit complaints; requiring Secretary of State to investigate all complaints received; setting procedures for investigations; specifying powers and procedures for conducting hearings and rendering disposition of contested cases; granting the authority to suspend or revoke an authorization to practice without a prior hearing under certain circumstances; setting burden of proof; providing right of appeal from determination of Secretary of State; authorizing informal disposition; making violations of article a criminal act; establishing criminal penalties; authorizing Secretary of State or interested person to seek injunctions for violations of article; providing for referral of criminal matters to appropriate authorities; permitting criminal actions to be brought by Attorney General, United States Attorney, or local prosecuting attorney; providing that single act is evidence of violation; providing for certain inapplicability of article; and correcting references and updating terms throughout"; which was referred to the Committee on Government Organization then 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. 321 - "A Bill to amend and reenact §5A-11-3 of the Code of West Virginia, 1931, as amended, relating to the powers and duties of the Public Land Corporation; allowing the proceeds of public lands to be given to the agency or institution with title to the public land; authorizing the Public Land Corporation to retain proceeds to cover any expenses incurred; requiring all agencies and institutions provide an annual inventory of public lands; and including in the annual report to the Legislature those agencies or institutions that do not comply with annual inventory reporting requirements to the Public Land Corporation"; 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. 397 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-15-9, relating to making it a misdemeanor to impersonate a person who is blind or disabled; making it a misdemeanor for a person to fraudulently represent himself or herself to be the owner or trainer of a service animal; and establishing penalties”; 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. 407 - “A Bill to amend and reenact §49-1-203 and §49-1-206 of the Code of West Virginia, 1931, as amended, all relating to modifying definitions related to licensing and approval of child care programs; modifying definitions related to child advocacy, care, residential, and treatment programs eliminating ability for family child care homes, informal family child care homes or relative family child care homes to self-certify compliance with legislative rules; eliminating statutory caps on the number of children under 24 months of age in family child care facilities and family child care homes; and making technical corrections”; which was referred to the Committee on Health and Human Resources.

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. 408 - “A Bill to repeal §16-5D-16 and §16-5D-17 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-5C-3 of said code; and to amend and reenact §16-5D-2, §16-5D-3, §16-5D-4, §16-5D-5, §16-5D-6, §16-5D-7, §16-5D-8, §16-5D-9, §16-5D-10, §16-5D-11, §16-5D-12, §16-5D-13, and §16-5D-15 of said code, all relating to the licensure of nursing homes and assisted living residences; requiring real-time online publication of certain information related to nursing homes and assisted residences by secretary of Department of Health and Human Resources in lieu of annual report; identifying information to be published online; defining terms; updating definitions; clarifying rule requirements; identifying additional legislative rules to be proposed by secretary of Department of Health and Human Resources; allowing physical and electronic delivery methods for certain reports; repealing outdated sections of code; eliminating duplicative provisions of code; clarifying enforcement action and due process procedures; setting forth actions to be taken if license is suspended, denied, limited or revoked; requiring reporting by assisted living residence administrator to secretary of Board of Pharmacy; barring certain individuals from application to operate another assisted living facility; setting maximum period of suspension on license suspension for assisted living facility; and making technical corrections”; which was referred to the Committee on Health and Human Resources then 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. 411 - “A Bill to amend and reenact §16-1-7 of the Code of West Virginia, 1931, as amended; and to amend and reenact §30-17-4 of said code, all relating to removing the Commissioner of the

Bureau for Public Health from the membership of the State Board of Sanitarians”; which was referred to the Committee on Health and Human Resources then 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. 469 - “A Bill to amend and reenact §62-15A-1, §62-15A-2, and §62-15A-3 of the Code of West Virginia, 1931, as amended, all relating to converting the Addiction Treatment Pilot Program into a permanent program”; which was referred to the Committee on Prevention and Treatment of Substance Abuse then Health and Human Resources.

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. 473 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-7b; to amend said code by adding thereto a new section, designated §9-5-20a; to amend said code by adding thereto a new section, designated §33-15-4p; to amend said code by adding thereto a new section, designated §33-16-3bb; to amend said code by adding thereto a new section, designated §33-24-7q; to amend said code by adding thereto a new section, designated §33-25-8n; and to amend said code by adding thereto a new section, designated §33-25A-8p, all relating to requiring insurance coverage for the prescription drug Varenicline; prohibiting insurance plans from requiring use of other methods or prescriptions prior to coverage for Varenicline; placing similar requirements on the Public Employees Insurance Agency; placing similar requirements upon the state Medicaid program; allowing a generic alternative, should one become available; and allowing health care providers to provide other medically appropriate prescription drugs”; which was referred to the Committee on Health and Human Resources then Finance.

Special Calendar

Third Reading

Com. Sub. for S. B. 154, Authorizing Department of Administration to promulgate legislative rules; 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. 109**), and there were—yeas 92, nays 2, absent and not voting 6, with the nays and absent and not voting being as follows:

Nays: Pushkin and Walters.

Absent and Not Voting: Cowles, Fast, Moore, Upson, White and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 154) passed.

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

On this question, the yeas and nays were taken (**Roll No. 110**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Cowles, Fast, Moore, Upson and White.

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 S. B. 154) 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 S. B. 184, Authorizing DOT promulgate legislative rules; 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. 111**), and there were—yeas 94, nays 1, absent and not voting 5, with the nays and absent and not voting being as follows:

Nays: Walters.

Absent and Not Voting: Cowles, Fast, Moore, Upson and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 184) passed.

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

On this question, the yeas and nays were taken (**Roll No. 112**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Cowles, Fast, Moore, Upson and White.

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 S. B. 184) 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.

Com. Sub. for H. B. 2694, Relating to the development and implementation of a program to facilitate commercial sponsorship of rest areas; 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. 113**), and there were—yeas 94, nays 1, absent and not voting 5, with the nays and absent and not voting being as follows:

Nays: Marcum.

Absent and Not Voting: Cowles, Fast, Moore, Upson and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2694) 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. 2890, Establishing a Library Facilities Improvement Fund that will serve to support library facilities construction, maintenance and improvement projects; 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. 114**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Cowles, Fast, Moore, Upson and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2890) 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. 3104, Transfer of the West Virginia Traumatic Brain and Spinal Cord Injury Rehabilitation 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. 115**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Cowles, Fast, Moore, Upson and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3104) 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. 4015, Relating to the management and continuous inventory of vehicles owned, leased, operated, or acquired by the state and its agencies; 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. 116**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Cowles, Fast, Moore, Upson and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4015) 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. 4268, Co-tenancy Modernization and Majority Protection Act; on third reading, coming up in regular order, was read a third time.

Delegate Shott requested to be excused from voting on the passage of Com. Sub. for H. B. 4268 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.

Speaker Pro Tempore Overington in the Chair

Delegate Summers requested to be excused from voting on the passage of Com. Sub. for H. B. 4268 under the provisions of House Rule 49.

The Speaker Pro Tempore 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.

Mr. Speaker, Mr. Armstead, in the Chair

The Speaker addressed the House stating that those who requested to be excused from voting under the provisions of House Rule 49 on yesterday and were directed to vote were also directed to vote today on the passage of the bill. Those Members were Delegates Capito, Byrd and Howell.

The Speaker informed members that if any others had similar Rule 49 requests due to royalty interests, any impact on them would be as a member of a class of persons possibly to be affected by the passage of the bill, and they would not be excused from voting. He further stated that any such members wishing to have this noted in the Journal should inform the Clerk, which was done by Delegates Adkins, Atkinson, Criss, Eldridge, Iaquina, Lynch and Ward.

Delegate Harshbarger requested to be excused from voting on the passage of Com. Sub. for H. B. 4268 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. 117**), and there were—including pairs—yeas 60, nays 40, absent and not voting none, with the paired and nays being as follows:

Pursuant to House Rule 43, the following pairing was filed and announced by the Clerk:

Paired:

Yea: Cowles	Nay: Hamilton
Yea: Fast	Nay: A. Evans
Yea: Moore	Nay: Paynter
Yea: Upson	Nay: Fleischauer
Yea: White	Nay: Eldridge

Nays: Barrett, Bates, Boggs, Brewer, Byrd, Campbell, Canestraro, Caputo, Diserio, E. Evans, Ferro, Fluharty, Hartman, Hicks, Hill, Hornbuckle, Iaquina, Isner, Longstreth, Love, Lovejoy, Lynch,

McGeehan, Miley, R. Miller, Moye, Pethtel, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaugle, Wagner 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. 4268) 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. 4270, Providing for the timely payment of moneys owed from oil and natural gas production; 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. 118**), and there were—yeas 93, nays 2, absent and not voting 5, with the nays and absent and not voting being as follows:

Nays: Folk and McGeehan.

Absent and Not Voting: Cowles, Fast, Moore, Upson and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4270) 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. 4361, Bestowing the West Augusta Award upon each West Virginian graduating from U. S. Military Academies with the highest grade point average; 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. 119**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Cowles, Fast, Moore, Upson and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4361) 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. 4433, Declaring certain claims against an agency of the state to be moral obligations of the state; 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. 120**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Cowles, Fast, Lane, Moore, Upson and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 4433) passed.

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

On this question, the yeas and nays were taken (**Roll No. 121**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Cowles, Fast, Lane, Moore, Upson and White.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 4433) 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. 4434, Clarifying provisions relating to candidates unaffiliated with a political party as it relates to certificates of announcement; 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. 122**), and there were—yeas 93, nays 1, absent and not voting 6, with the nays and absent and not voting being as follows:

Nays: Pushkin.

Absent and Not Voting: Cowles, Fast, Lane, Moore, Upson and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 4434) passed.

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

At 2:42 p.m., on motion of Delegate Foster, the House of Delegates recessed for one hour.

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Afternoon Session

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

Reordering of the Calendar

Delegate Foster announced that the Committee on Rules had transferred S. B. 385, on Second Reading, Special Calendar, to the House Calendar.

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

Committee Reports

Mr. Speaker, Mr. Armstead Chair of the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration:

Com. Sub. for S. C. R. 4, WV Army National Guard Sergeant Glenn F. Lough, P.E., Memorial Bridge,

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

Second Reading

Com. Sub. for S. B. 163, Authorizing DEP promulgate legislative rules; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 165, Authorizing DHHR promulgate legislative rules; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on the Judiciary, was reported by the Clerk and adopted, amending the bill on page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“ARTICLE 5. AUTHORIZATION FOR DEPARTMENT OF HEALTH AND HUMAN RESOURCES TO PROMULGATE LEGISLATIVE RULES.

§64-5-1. Department of Health and Human Resources.

(a) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §16-5B-8 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on August 30, 2017, relating to the Department of Health and Human Resources (hospital licensure, 64 CSR 12), is authorized.

(b) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §16-1-9a of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 25, 2017, relating to the Department of Health and Human Resources (public water systems, 64 CSR 3), is authorized with the following amendment:

On page six, by striking out all of subdivision 8.1. and inserting in lieu thereof a new subdivision 8.1., to read as follows:

8.1. A public water system which artificially adjusts fluoride levels shall strive to maintain those levels between 0.6 milligrams per liter and 0.8 milligrams per liter. The optimum target concentration for artificially adjusted fluoride is 0.7 milligrams per liter. If the drinking water of a public water system is found to be outside of the 0.6 to 0.8 milligrams per liter range, the public water system shall make any treatment or operational changes necessary to return the fluoride level to within the range within 24 hours of receiving the analytical result unless doing so is impracticable, in which case, the correction shall be made as soon as possible. A public water system shall identify in its annual report to the Bureau the date and time of each instance where the fluoride levels were found to be outside the target range and how long it took to implement responsive adjustments

(c) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §16-4C-6 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on

December 11, 2017, relating to the Department of Health and Human Resources (emergency medical services, 64 CSR 48), is authorized.

(d) The legislative rule filed in the State Register on July 27, 2017, authorized under the authority of §16-49-9 of this code, relating to the Department of Health and Human Resources (West Virginia clearance for access: registry and employment screening, 69 CSR 10), is authorized with the following amendment:

On page five, by striking out all of subdivision 7.3.a. and inserting in lieu thereof a new subdivision 7.3.a., to read as follows:

7.3.a. The passage of time. The length of time an applicant is barred from employment in direct access care starts from the date of conviction or the date of release from the penalty imposed, whichever is later.

(e) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §16-53-3 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 25, 2017, relating to the Department of Health and Human Resources (development of methodologies to examine needs for substance use disorder treatment facilities within the state, 69 CSR 13), is authorized with the following amendments:

On page two, subdivision 2.6, by striking out the word “six” and inserting in lieu thereof the word “seven”,

On page two, in subdivision 2.6.c, by striking out “Roane,”;

On page two, in subdivision 2.6.e, by striking out “Kanawha,” and “Clay,”;

On page two, in subdivision 2.6.f, by striking out “Fayette,” and “Nicholas,”; and

On page two, following subdivision 2.6.f, creating a new subdivision by inserting the following: “2.6.g. Region 7: Clay, Fayette, Kanawha, Nicholas, and Roane counties.”.

(f) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §16-5T-5 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 11, 2017, relating to the Department of Health and Human Resources (collection and exchange of data related to overdoses, 69 CSR 14), is authorized.

(g) The legislative rule filed in the State Register on July 27, 2017, authorized under the authority of §49-2-121 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 4, 2017, relating to the Department of Health and Human Resources (child care centers licensing, 78 CSR 1), is authorized.

(h) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §49-2-121 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 4, 2017, relating to the Department of Health and Human Resources (family child care facility licensing requirements, 78 CSR 18), is authorized.

(i) The legislative rule filed in the State Register on July 27, 2017, authorized under the authority of §49-2-121 of this code, relating to the Department of Health and Human Resources (family child care home registration requirements, 78 CSR 19), is authorized.

(j) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §49-2-121 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 11, 2017, relating to the Department of Health and Human Resources (informal and relative family child care home registration requirements, 78 CSR 20), is authorized.

(k) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §49-2-121 of this code, relating to the Department of Health and Human Resources (out-of-school-time child care center licensing requirements, 78 CSR 21), is authorized.

(l) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §9-3-6 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 11, 2017, relating to the Department of Health and Human Resources (pilot program for drug screening of applicants for cash assistance, 78 CSR 26), is authorized.

(m) The legislative rule effective on October 10, 2013, authorized under the authority of §16-1-4 of this code, relating to the Department of Health and Human Resources (regulation of opioid treatment programs, 69 CSR 7), is repealed.

§64-5-2. Health Care Authority.

(a) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §16-29B-8 of this code, modified by the Health Care Authority to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 25, 2017, relating to the Health Care Authority (financial disclosure, 65 CSR 13), is authorized with the following amendment:

On page nine, by inserting a new section seven to read as follows:

§65-13-7. Exemption.

The provisions of this rule do not apply to the legally authorized practice of medicine by any one or more persons in the private office of any healthcare provider.

(b) The legislative rule effective on April 13, 2011, authorized under the authority of §16-2D-3 of this code, relating to the Health Care Authority (certificate of need rule, 65 CSR 7), is repealed.”

The bill was then ordered to third reading.

S. B. 379, Supplemental appropriation from State Excess Lottery Revenue Fund to DHHR; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 382, Supplemental appropriation of Lottery Net Profits to Bureau of Senior Services, Lottery Senior Citizens Fund; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 384, Decreasing and increasing appropriations from State Fund, General Revenue to DHHR; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 386, Decreasing and increasing appropriations from Treasury to Higher Education Policy Commission; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 388, Decreasing, increasing and adding appropriations out of Treasury to DHHR and Department of Administration; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for H. B. 4343, Relating to the delivery of financial statements to bank shareholders; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4385, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4402, Relating to the prevention of sexual abuse of children; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4462, Allowing off duty members and officers of the department of public safety to guard private property; 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:

Com. Sub. for H. B. 2464, Relating to disclaimers and exclusions of warranties in consumer transactions for goods,

H. B. 4376, Expiring funds to the balance of the Department of Health and Human Resources,

H. B. 4389, Expiring funds to the Enterprise Resource Planning System Fund,

Com. Sub. for H. B. 4400, Relating to the West Virginia Physicians Mutual Insurance Company,

And,

Com. Sub. for H. B. 4473, Relating to use of state funds for advertising to promote a public official or government office.

At 5:51 p.m., on motion of Delegate Foster, the House of Delegates recessed until 7:00 p.m.

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Evening Session

* * * * *

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

At the request of Delegate Foster 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 Cooper, Chair of the Committee on Veterans' Affairs and Homeland Security, submitted the following report, which was received:

Your Committee on Veterans' Affairs and Homeland Security has had under consideration:

H. B. 4326, Exempting veterans from obtaining a certificate of training in handling a firearm,

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 (H. B. 4326) was referred to the Committee on the Judiciary.

Delegate Cooper, Chair of the Committee on Veterans' Affairs and Homeland Security, submitted the following report, which was received:

Your Committee on Veterans' Affairs and Homeland Security has had under consideration:

H. B. 2889, Allowing military veterans with certain military ratings to qualify for examinations required of a probationary police officer,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2889) was referred to the Committee on Government Organization.

Delegate Frich, Chair of the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration:

H. B. 4486, Relating to persons required to obtain a license to engage in the business of currency exchange,

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 (H. B. 4486) was referred to the Committee on the Judiciary.

Delegate Butler, Chair of the Committee on Veterans' Affairs and Homeland Security, submitted the following report, which was received:

Your Committee on Veterans' Affairs and Homeland Security has had under consideration:

H. B. 4555, Refugee Information Act,

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. 4555) was referred to the Committee on Finance.

Delegate Cooper, Chair of the Committee on Veterans' Affairs and Homeland Security, submitted the following report, which was received:

Your Committee on Veterans' Affairs and Homeland Security has had under consideration:

Com. Sub. for S. B. 258, Exempting honorably discharged veterans from fees for license to carry deadly weapons,

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. 258) was referred to the Committee on the Judiciary.

Leaves of Absence

At the request of Delegate Foster, and by unanimous consent, leaves of absence for the day were granted Delegates Cowles and White.

Miscellaneous Business

Pursuant to House Rule 132, unanimous consent was requested and obtained to print the remarks of the following Members in the Appendix to the Journal:

- Delegate Love during his prayer
- Delegates Longstreth and Miley regarding the school shooting tragedy in Florida
- Delegate C. Miller regarding Recovery Point
- Delegate Caputo during Remarks by Members
- Delegates Canestraro, Eldridge, Hanshaw, Robinson and Sponaugle during the debate regarding Com. Sub. for H. B. 4268

Pursuant to House Rule 94b, Members filed forms with the Clerk's Office to be added as a cosponsor of the following bills:

- Delegate Pushkin for H. B. 4465
- Delegates Storch, Sypolt and Walters for H. B. 4490
- Delegate Rohrbach for H. B. 4524
- Delegate C. Miller for H. C. R. 8

Pursuant to House Rule 94b, Members filed forms with the Clerk's Office to be removed as a cosponsor of the following bills:

- Delegate Summers for H. B. 4390
- Delegate Bates for H. B. 4401
- Delegate Moore for H. B. 4435

At 7:34 p.m., the House of Delegates adjourned until 11:00 a.m., Friday, February 16, 2018.

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

SPECIAL CALENDAR

Friday, February 16, 2018

38th Day

11:00 A. M.

UNFINISHED BUSINESS

- Com. Sub. for S. C. R. 4 - WV Army National Guard Sergeant Glenn F. Lough, P.E.,
Memorial Bridge
- H. C. R. 19 - World Moyamoya Awareness Day
- H. C. R. 26 - U. S. Army PFC Tracy Victor Rohrbaugh Memorial Bridge
- H. C. R. 27 - Making Grafton's Annual Memorial Day Parade the Official State
Memorial Day Parade

THIRD READING

- Com. Sub. for S. B. 163 - Authorizing DEP promulgate legislative rules (SHOTT) (EFFECTIVE
FROM PASSAGE)
- Com. Sub. for S. B. 165 - Authorizing DHHR promulgate legislative rules (SHOTT)
(EFFECTIVE FROM PASSAGE)
- S. B. 379 - Supplemental appropriation from State Excess Lottery Revenue
Fund to DHHR (NELSON) (EFFECTIVE FROM PASSAGE)
- S. B. 382 - Supplemental appropriation of Lottery Net Profits to Bureau of
Senior Services, Lottery Senior Citizens Fund (NELSON)
(EFFECTIVE FROM PASSAGE)
- S. B. 384 - Decreasing and increasing appropriations from State Fund,
General Revenue to DHHR (NELSON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 386 - Decreasing and increasing appropriations from Treasury to Higher
Education Policy Commission (NELSON) (EFFECTIVE FROM
PASSAGE)
- S. B. 388 - Decreasing, increasing and adding appropriations out of Treasury
to DHHR and Department of Administration (NELSON) (EFFECTIVE
FROM PASSAGE)
- Com. Sub. for H. B. 4343 - Relating to the delivery of financial statements to bank
shareholders (SHOTT) (REGULAR)
- H. B. 4385 - Making a supplementary appropriation to the Department of
Health and Human Resources, Division of Human Services
(NELSON) (EFFECTIVE FROM PASSAGE)
- H. B. 4402 - Relating to the prevention of sexual abuse of children (SHOTT)
(REGULAR)

H. B. 4462 - Allowing off duty members and officers of the department of public safety to guard private property (SHOTT) (REGULAR)

SECOND READING

Com. Sub. for H. B. 2464 - Relating to disclaimers and exclusions of warranties in consumer transactions for goods (SHOTT) (REGULAR)

H. B. 4376 - Expiring funds to the balance of the Department of Health and Human Resources (NELSON) (EFFECTIVE FROM PASSAGE)

H. B. 4389 - Expiring funds to the Enterprise Resource Planning System Fund (NELSON) (EFFECTIVE FROM PASSAGE)

Com. Sub. for H. B. 4400 - Relating to the West Virginia Physicians Mutual Insurance Company (SHOTT) (REGULAR)

Com. Sub. for H. B. 4473 - Relating to use of state funds for advertising to promote a public official or government office (SHOTT) (REGULAR)

FIRST READING

Com. Sub. for H. B. 4001 - Relating to eligibility and fraud requirements for public assistance (SHOTT) (REGULAR)

Com. Sub. for H. B. 4042 - Redefining school zone to facilitate placement of school zone signs (SHOTT) (REGULAR)

Com. Sub. for H. B. 4157 - Eliminating the refundable exemption for road construction contractors (NELSON) (EFFECTIVE FROM PASSAGE)

H. B. 4285 - Relating to the West Virginia Safe Mortgage Licensing Act (NELSON) (REGULAR) (FINANCE COMMITTEE TITLE AMENDMENT PENDING)

Com. Sub. for H. B. 4304 - Creating the Board of Nursing (HOWELL) (REGULAR)

H. B. 4324 - Relating to the employment of individuals by municipal paid fire departments under civil service (SHOTT) (REGULAR)

H. B. 4379 - Supplementing, amending, decreasing, and increasing items of the existing appropriations to the Department of Transportation (NELSON) (EFFECTIVE FROM PASSAGE)

Com. Sub. for H. B. 4401 - Relating to the registration of business (NELSON) (EFFECTIVE FROM PASSAGE)

Com. Sub. for H. B. 4428 - Allowing training hours earned through public school education or apprenticeship to count towards an applicant's occupational certification (ESPINOSA) (REGULAR)

H. B. 4436 - Clarifying when a minor between the ages of 16 and 18 may be employed by or elected as a member of a volunteer fire department (SHOTT) (REGULAR)

- H. B. 4488 - Relating to the Hatfield-McCoy Recreation Authority (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4522 - Allowing certain tax information to be shared with the Director of Purchasing Division, Department of Administration, and State Auditor (NELSON) (REGULAR)
- H. B. 4620 - Expiring funds to the balance of the Department of Administration, Public Employees Insurance Agency (NELSON) (EFFECTIVE FROM PASSAGE)
- H. B. 4622 - Relating to authorizing legislative rules regarding higher education (ESPINOSA) (REGULAR)

HOUSE CALENDAR

Friday, February 16, 2018

38th Day

11:00 A. M.

SECOND READING

- S. B. 385 - Decreasing and adding appropriations out of Treasury to DHHR and MAPS (NELSON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 4154 - Establishing the 2018 Regulatory Reform Act (SHOTT) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

FRIDAY, FEBRUARY 16, 2018

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

**COMMITTEE ON FINANCE
9:00 A.M. – ROOM 460M**

**COMMITTEE ON EDUCATION
9:00 A.M. – ROOM 434M**

**COMMITTEE ON GOVERNMENT ORGANIZATION
9:00 A.M. – ROOM 215E**

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

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