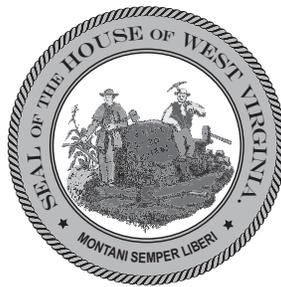


West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Third Legislature
Second Regular Session

Held at Charleston
Published by the Clerk of the House



January 16, 2018
SEVENTH DAY

Tuesday, January 16, 2018

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 Monday, January 15, 2018, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

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. 4020, Making technical corrections in the code when referencing chapter 49,

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

Com. Sub. for H. B. 4020 - "A Bill to amend and reenact §7-4-4 and §7-4-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §7-7-2 of said code; to amend and reenact §7-10-2 of said code; to amend and reenact §15-11-2 of said code; to amend and reenact §15-2-15 of said code; to amend and reenact §15-2C-1 of said code; to amend and reenact 15-9-3 of said code; to amend and reenact §15-11-2 of said code; to amend and reenact §16-2F-2 of said code; to amend and reenact §16-3C-1 of said code; to amend and reenact §16-9A-3 of said code; to amend and reenact §16-30-3 of said code; to amend and reenact §16-47-5 of said code; to amend and reenact §17C-5-6a and §18-5-15c of said code; to amend and reenact §18-8-6a of said code; to amend and reenact §18A-5-1d of said code; to amend and reenact §28-1-2 of said code; to amend and reenact §29-21-16 of said code; to amend and reenact §31-20-2 of said code; to amend and reenact §33-4-20 of said code; to amend and reenact §48-9-205 and §48-9-301a of said code; to amend and reenact §48-22-301 of said code; to amend and reenact §48-26-701 and §48-26-1002 of said code; to amend and reenact §48-27-403 of said code; to amend and reenact §49-1-201 of said code; to amend and reenact §51-2A-2 of said code; to amend and reenact §51-7-8 of said code; to amend and reenact §61-2-14h of said code; to amend and reenact §61-5-12b of said code; to amend and reenact §61-6-25 of said code; to amend and reenact §61-7-8 of said code; to amend and reenact §61-8-12 of said code; to amend and reenact §61-8B-11a of said code; to amend and reenact §61-8C-3b of said code; to amend and reenact §61-8D-9 of said code; to amend and reenact §61-11-23 of said code; to amend and reenact §61-12-10 of said code; and to amend and reenact §62-6B-5, all relating to clarifying and making technical corrections in the code when referencing chapter 49 of this code due to 2015 revisions to chapter 49 of this code; and defining a term,"

With the recommendation that the committee substitute do pass.

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. 3095, Allowing retired teachers to be employed by a higher education institution,

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

Com. Sub. for H. B. 3095 - "A Bill to amend §18-7A-13a of the Code of West Virginia, 1931, as amended, relating to allowing retired teachers to be subsequently employed by the Higher Education Policy Commission or the council for community and technical college education without any loss of retirement annuity or retirement benefits under certain circumstances,"

And,

H. B. 2887, Relating to retirement and separation incentives,

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

Com. Sub. for H. B. 2887 - "A Bill to amend and reenact §18B-1-1d of the Code of West Virginia, 1931, as amended, relating to retirement and separation incentives; providing that higher education institutions may provide incentives for retirement in response to a decline in state revenues supporting said higher education institutions; providing that higher education institutions must present policies involving incentives for retirement to the Joint Committee on Pensions and Retirement and those policies must be approved before being implemented; allowing a lump sum payment to an employee to be excluded from calculation of employees average final salary; allowing for continuation of employee's full salary for a predetermined time to be a reduced continuation salary; allowing an employee who is sixty-five or older, eligible for retirement and vested to retire without additional costs to the higher education institution; and requiring that the institution must enter into a memoranda of understanding with the Public Employees Insurance Agency and any affected retirement system and that memoranda of understanding must be approved by the Joint Committee on Pensions and Retirement prior to implementation of any incentive plan,"

With the recommendation that the committee substitutes each do pass, but that they first be referred to the Committee on Finance.

Pursuant to House Rule 80, the Speaker referred the bills (Com. Sub. for H. B. 3095 and Com. Sub. for H. B. 2887) to the Committee on Finance.

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. B. 4031, Requiring the Division of Motor Vehicles to make available an electronic proof of motor vehicle registration,

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. 4031) was referred to the Committee on the Judiciary.

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. B. 2831, Relating to the reconstitution of the Driver's Licensing Advisory Board,

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 Government Organization.

In accordance with the former direction of the Speaker, the bill (H. B. 2831) was referred to the Committee on Government Organization.

Resolutions Introduced

Delegates Phillips, Maynard, R. Miller, Eldridge and Marcum offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 6 – “Requesting the Division of Highways to name a portion of Old Route 10, now called 3-Mile Curve, from the bridge to the railroad tracks in Logan, Logan County, the ‘U. S. Army Colonel Larkin Bilton Vance Memorial Highway’.”

Whereas, Larkin Bilton Vance was born in 1928 and was educated in a one room school room in Logan County until the 8th grade. He attended Man High School until 1943, and enlisted in the United States Navy in 1943, at age 15, after altering his birth certificate. He reported to the Great Lakes Training Center. After his training, he was assigned to a ship leaving for the Pacific and at the end of WWII, he held the position of head quartermaster on the ship stationed in Okinawa. He continued his military pursuits and served in the Korean War, Vietnam, and the Cuban and Belgian Congo Crises. He graduated from Army Officer Candidate School at Fort Benning, Georgia in 1952 and retired after 30 years of service as a Colonel in the U. S. Army. He then served with NATO for an additional 10 years. During this time, he had the opportunity to meet with many distinguished world leaders. He was inducted into the Hall of Fame at Fort Benning and awarded the Civilian Award, a coveted national award for outstanding citizenship; and

Whereas, Naming this road is an appropriate recognition of Colonel Larkin Bilton Vance's contributions to his country and to the state and community of his birth; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a portion of Old Route 10, now called 3-Mile Curve, from the bridge to the railroad tracks in Logan, Logan County, the “U. S. Army Colonel Larkin Bilton Vance Memorial Highway”; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the road as the “U. S. Army Colonel Larkin Bilton Vance Memorial Highway”; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Secretary of the Department of Transportation.

Delegates Phillips, Maynard, R. Miller, Eldridge and Marcum offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 7 – “Requesting the Division of Highways to name the bridge on Route 119/5, bridge number 23-119/5-4.05 (23A-259), locally known as Right Fork Pine Creek Box Beam, carrying CR 119/5 over Right Fork of Pine Creek in Logan County, the ‘Balentine Brothers Bridge’.”

Whereas, Paul H. Balentine was born on March 22, 1943, in Omar, Logan County, West Virginia; Phillip D. Balentine was born on January 19, 1945, in Omar, Logan County, West Virginia, the sons of Paul Balentine and Georgia Perry Balentine. They were educated in Logan County schools; and

Whereas, Paul H. Balentine served honorably in the United States Navy, ending his active service in 1965 while serving on the USS Wood CTY IST1178, while his brother, Phillip D. Balentine served honorably in the United States Marine Corps in Vietnam and ended his active service in 1968; and

Whereas, Naming that bridge on Route 119/5, bridge number 23-119/5-4.05 (23A-259), locally known as Right Fork Pine Creek Box Beam, in Logan County, the “Balentine Brothers Bridge” is an appropriate recognition of their contributions to their country, state, community and Logan County; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name the bridge on Route 119/5, bridge number 23-119/5-4.05 (23A-259), locally known as Right Fork Pine Creek Box Beam, carrying CR 119/5 over Right Fork of Pine Creek in Logan County, the “Balentine Brothers Memorial Bridge”; and, be it

Further Resolved, That the Division of Highways is requested to have made and be placed signs identifying the bridge as the “Balentine Brothers Bridge”; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Division of Highways.

Delegates Phillips, Maynard, R. Miller, Eldridge and Marcum offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 8 – “Requesting West Virginia’s congressional delegation to ask the United States Department of Energy and the United States Department of Commerce to make available funding for a feasibility study to analyze a coal-to-chemicals project for West Virginia and the Appalachian region.”

Whereas, West Virginia and the Appalachian region contain abundant coal resources; and

Whereas, Technologies and applications exist whereby these coal resources do not have to be burned as fossil fuels because there exist other purposes for using large amounts of coal; and

Whereas, The South African company “Sasol” has already been successfully manufacturing and exporting valuable chemicals for multiple decades, and Sasol’s proprietary technology can be applied to West Virginia and Appalachian coal reserves; and

Whereas, The minimum amount of coal needed to support a coal-to-chemicals facility and manufacturing complex is one billion tons; and

Whereas, Preliminary studies already executed indicate West Virginia and Appalachian coal is of a superior quality than the South African coal used by Sasol to make chemicals, and this process should thereby prove to be even more economical undertaken in the U. S. than in South Africa; and

Whereas, Dialogue with Sasol's CEO and senior technology executives has already indicated their interest to participate in a robust and professional feasibility study involving input from Sasol and appropriate U. S. based consultants and experts; therefore, be it

Resolved by the Legislature of West Virginia:

That West Virginia's congressional delegation to ask the United States Department of Energy and the United States Department of Commerce to make available funding for a feasibility study to analyze a coal-to-chemicals project for West Virginia and the Appalachian region; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to each member of West Virginia's congressional delegation.

Delegates Atkinson, Harshbarger, Cooper and Queen offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 9 – “Requesting the Division of Highways to name bridge number 44-36-14.61 (44A079) locally known as the Looneyville Bridge, carrying WV Route 36 over Pocatamico River in Roane County, the ‘U. S. Air Force Major Neil L. Ferrell Memorial Bridge’.”

Whereas, United States Air Force Major Neil L. Ferrell was born on March 11, 1930, in Left Hand, the son of Harry W. Ferrell and Orva E. (Snodgrass) Ferrell; and

Whereas, Major Ferrell graduated from Spencer High School with the Class of 1946, and attended Potomac State Jr. College and West Virginia University; and

Whereas, Major Ferrell enlisted in the U. S. Air Force in 1951 (Korean War). He graduated from Aviation Cadet Program in 1953 as a 2nd Lieutenant and rated pilot. From 1953 to 1959 he was stationed in England and Germany. In 1959, he was selected as Combat Crew Commander in B-47 bombers in Strategic Air Command. He was stationed in Japan in 1965, advancing to Chief of Plans and Programs for the Headquarters, 39th Air Division; and

Whereas, In 1966, Major Ferrell volunteered for duty in Vietnam and organized the 5th Air Commando Squadron. In 1967, he was reassigned to Military Airlift Command as Aircraft Commander in C-141 “Starlifter”. In 1968, he returned to Vietnam as Forward Air Controller and was assigned to 4th Infantry Division, Pleiku, as Air Liaison Officer to the 3rd Brigade. He returned to the United States in 1969 and was assigned back to Military Airlift Command at McChord Air Force Base in Washington until his retirement in 1971; and

Whereas, Major Ferrell was awarded many medals and ribbons, including The Silver Star, The Bronze Star and The Distinguished Flying Cross; and

Whereas, After his retirement, Major Ferrell worked for, and retired from, Pace Pipeline as a pilot, spending two years helping build roadways in Nigeria, again as a pilot. He also worked as a private pilot; and

Whereas, Major Ferrell was a well-respected member of the community. He was a member of Flat Fork Baptist Church. He served on and was active in many community and service organizations, some of which included the Roane County Solid Waste Authority; the local VFW post; the American Legion; the Board of Roane County Family Health Care and the Brushy Fork Institute; and

Whereas, Major Ferrell was instrumental in establishing the Clover Roane Volunteer Fire Department, with donating time in both forming the station and the physical construction of the

building. He also served as a founding firefighter and member of the department. Major Ferrell was a gun enthusiast. He taught gun safety classes and concealed weapon permit classes for those in his community and never charged for this service. He was an asset to his community and someone people turned to for advice and answers to questions. He is greatly missed by all those who knew him; and

Whereas, Major Ferrell passed away at home on January 18, 2017. He is survived by his wife, Judy K. Ferrell; daughter, Sarah Ferrell Horwich and son-in-law, Mark E. Horwich of Spencer, and grandchildren, Pierce and Leven Horwich of Papillion, Nebraska; and

Whereas, Major Ferrell was laid to rest in the Ferrell Cemetery in Looneyville on January 21, 2017; and

Whereas, Naming the Looneyville Bridge in Roane County, the "U. S. Air Force Major Neil L. Ferrell Memorial Bridge" is an appropriate recognition of his distinguished service and contributions to his country, state, community and Roane County; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 44-36-14.61 (44A079) locally known as the Looneyville Bridge, carrying WV Route 36 over Pocatocalico River in Roane County, the "U. S. Air Force Major Neil L. Ferrell Memorial Bridge"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is requested to have made and be placed, signs identifying the bridge as the "U. S. Air Force Major Neil L. Ferrell Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Commissioner of the Division of Highways.

Delegate Hanshaw offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 10 – "Requesting the Division of Highways to name bridge number 08-19-0.04 (08A052), locally known as Moore Fork Bridge, carrying County Route 19 over Big Otter Creek in Clay County, the 'U. S. Army SGT Rodney David King Memorial Bridge'."

Whereas, Rodney David King was born March 27, 1948, in Clay, West Virginia, the son of Henry King and Adeline Paxton King; and

Whereas, Rodney David King attended a one room school at Moore Fork, West Virginia, attended Iydale Grade School, graduated from Clay County High School in 1966 and attended college for two years; and

Whereas, Rodney David King is survived by his children, David King of Nashville, Tennessee, Carley King of Portland, Oregon, and Ariel King of the Netherlands; and

Whereas, At his death, Rodney David King was survived by sisters, Charlotte Deer of Locust Grove, Virginia and Joyce Anderson of Duck, West Virginia, and a brother, Henry King of Rittman, Ohio; and

Whereas, Rodney King was preceded in death by his parents and by brothers, James Harris, Van Cordell, Sam Paxton and Clay Elmore King, and sisters, Mitchella Price, Vemetta King and Wavie King; and

Whereas, SGT King served two years in the U. S. Army and was a member of Company A, 1st Battalion, 501st Infantry, 101st Airborne Division. SGT King was engaged in combat in Vietnam and was awarded an Air Medal for meritorious service while participating in aerial flight in support of ground operations in Vietnam. He also was awarded the Bronze Star Medal, the Vietnam Service Medal with one Bronze Service Star, the Combat Infantryman Badge, a Meritorious Unit Commendation Medal, the Army Commendation Medal, the Republic of Vietnam Campaign Medal, an Army Rifle Sharpshooter Medal and National Defense Service Medal; and

Whereas, SGT Rodney David King died May 2, 2017; and

Whereas, It is appropriate to name this bridge to honor SGT King's service to his community and to his country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 08-19-0.04 (08A052), locally known as Moore Fork Bridge, carrying County Route 19 over Big Otter Creek in Clay County, the "U. S. Army SGT Rodney David King Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is requested to have made and be placed signs identifying the bridge as the "U. S. Army SGT Rodney David King Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Commissioner of Highways.

Delegates Nelson, Pushkin, Graves, Rowe, Lane, Walters, Byrd, Mr. Speaker (Mr. Armstead), Capito and Robinson offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 11 – "Requesting the Division of Highways to name bridge number 20-61-13.51 (20A817), locally known as New Chesapeake Bridge, carrying WV 61 over Fields Creek in Kanawha County, the 'Charleston Police Department Captain Jerry D. Hill Memorial Bridge'."

Whereas, Charleston Police Department Captain Jerry D. Hill was born on November 11, 1962, in Charleston; and

Whereas, Captain Hill graduated from East Bank Senior High School in May 1981, attended Concord College from August 1981 to June 1982, attended the United States Army Training Facility Fort Dix, New Jersey Basic Training & Advanced Individual Training from April to August 1983, and received a West Virginia State Police Academy Institute, West Virginia Certificate, Basic Police Training on July 21, 1986; and

Whereas, Captain Hill served as Specialist, E-3 in the United States Army Reserves, 261 Ordinance Co., Cross Lanes, from September 1983 to February 1989; and

Whereas, Captain Hill worked as Body Shop & Parts Room Clerk at Turnpike Ford Charleston from February 1985 to March 1986, where he assisted the painters and body men with the ordering of all parts related to the repair of vehicles and ordered parts for technicians and customers; and

Whereas, In addition to serving as Captain of the Charleston Police Department from March 17, 1986, to May 3, 2013, Captain Hill served as Special Operations Bureau Chief (2010 to 2013); was the ranking Civil Service officer on the department; assisted in the development and implementation of policy and procedures for the department; maintained and updated the department's Policy and Procedure Manual; issued department ID's for all qualified retirees and maintained the qualification records as required by the Law Enforcement Officers Safety Act; supervised the Special Operations Bureau; served in the Community Services Division (Traffic Unit, Bicycle Unit, and Public Services Unit; served in the Warrants/Housing Division; served in the Support Services Division (Evidence Section, Inventory Control Section, and Fleet Management Section); and

Whereas, Captain Hill served as Chairman of the Conduct Review Board (appointed by the Chief of Police) where he scheduled and presided over all hearings for any officer that faced a recommended punitive action of termination, suspension or reduction in rank or pay, issued subpoenas and made determinations on granting continuances for either party, investigated any allegations of misconduct, as necessary to determine culpability, maintained all records, and prepared the Final Orders in all cases; and

Whereas, Captain Hill served as Traffic Division Commander from 2005 to 2010 where he supervised and administered the Traffic Division's Traffic Unit, Crash Investigation Unit (Fatality and Hit & Run Investigations), Motorcycle Unit and Metro Valley Highway Section. He was Deputy Traffic Commander where he directly supervised all units assigned to the Traffic Division, under the direction of the Traffic Commander; and

Whereas, Captain Hill served as Special Events Coordinator (1997 to 2005) and was responsible for: the security, safety planning and staffing of police personnel for all special events held in the City of Charleston; the Charleston Sternwheel Regatta (a 10-day, multi-location, outdoor festival with an average daily attendance of 40,000); the Charleston Civic Center (concerts, events, etc.); and parades, Charleston Distance Run, bicycle races, 5K run and walks, etc.; and

Whereas, Captain Hill served as liaison to the Secret Service for all VIP and/or dignitary visits (President, Vice President, Presidential Candidates, etc.); was on the Sick Pool Committee (Senior Member) for 25 years, maintained records, clarified the rules and regulations for members, investigated claims of injury, and approved/denied requests for member benefits; and

Whereas, During his tenure at the WV D.A.R.E. Training Center, Captain Hill trained police officers from all over the country to teach the D.A.R.E. curriculum to 5th and 6th grade students, instructed the "Train the Trainers" updates for all WV D.A.R.E. Officers, published the "WV D.A.R.E. Training Center Newsletter", instructed D.A.R.E. classes (1989-2003), and taught D.A.R.E. classes to 5th and 6th grade classes throughout the Kanawha County School system; and

Whereas, Captain Hill's licenses and certifications included FBI Basic SWAT Training, Expert Pistol Qualification, Tactical First Aid/CPR and Emergency Driving certified; Certified Police Motorcycle Operator; Certified D.A.R.E. (Drug Abuse Resistance Education) Officer, D.A.R.E. Mentor and Train the Trainer; and

Whereas, Captain Hill's honors and awards included Professional Esteem Award, February 8, 2013; Officer of the Year Nominee – 1999; Officer of the Year Nominee – 1998; Officer of the Year Nominee – 1997; Professional Service Award, May 1988 – Awarded for actions during a hostage situation; and

Whereas, Captain Hill's professional associations included Fraternal Order of Police, Capital City Lodge #74, Charleston West Virginia; Chelyan Lodge # 158 – A.F. & A.M.; 32° Ancient and Accepted

Scottish Rite, Valley of Charleston, Orient of West Virginia; and Ancient Arabic Order of the Nobles of the Mystic Shrine, Beni Kedem Temple; and

Whereas, Captain Hill served as City of Charleston, WV Charleston, West Virginia Director of Public Grounds February 2016 to April 16, 2017; and

Whereas, Captain Hill was employed by the Arrow Security, Southeast, Belle, West Virginia Regional Director beginning March 31, 2015, where he was the Operations Director and Area Manager in managing daily operational activities, planning the use of human resources toward maximum productivity; supervising human resource activities, such as determining staffing requirements, interviewing, hiring and training new employees; improving the operational systems, processes and policies in support of the organization's mission, specifically, to support better management reporting, information flow and management, business process and organizational planning; and was responsible for all aspects of managing Arrow Security Southeast's security contract with Alpha Natural Resources, worth approximately \$5 million; and

Whereas, Captain Hill was employed by the Charleston Police Department, Charleston, West Virginia Inventory Management, Support Services Division from June 20, 2013 to April 2014 where he developed inventory management strategy with the aim of controlling costs within budgetary limits, generating savings, rationalizing inventory and maximizing available working capital, managed and controlled perpetual inventory stock counting/inventory accuracy checks, managed control measures to ensure mistakes, inaccuracies and discrepancies were highlighted, addressed and resolved; reorganized and computerized the inventory control system for the police department; and found new ways to streamline and make ordering supplies more cost efficient; and

Whereas, Captain Hill's community volunteer experiences included: Youth League Football Coach, 1982 to 1987 – (Chesapeake Vikings); Youth League Football Coach, 1996 to 2001 – (Marmet Mustangs & Campbells Creek Cougars); Little League Baseball Coach, 1996 to 2001 (Chesapeake Pirates); Bidley League Basketball Coach, 1998 to 2001 (Chesapeake Raiders); Special Olympics – Law Enforcement "Torch Run", 1995 to 2010; and Riverside High School, Project Graduation 2009, Treasurer; and

Whereas, Captain Hill passed away on April 24, 2017; and

Whereas, Naming that bridge carrying WV 61 over Fields Creek in Kanawha County the "Charleston Police Department Captain Jerry D. Hill Memorial Bridge" is an appropriate recognition of his selfless service to his community, state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 20-61-13.51 (20A817), locally known as New Chesapeake Bridge, carrying WV 61 over Fields Creek in Kanawha County, the "Charleston Police Department Captain Jerry D. Hill Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is requested to have made and be placed signs identifying the bridge as the "Charleston Police Department Captain Jerry D. Hill Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Commissioner of the Division of Highways.

Delegates Phillips, Maynard, R. Miller and Eldridge offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 12 – “Requesting that bridge number 23-10/7-0.01(23A048), locally known as the Gillman Bottom Bridge carrying CR 10/7 over Huff Creek in Logan County, West Virginia, be named the ‘John B. Short Memorial Bridge’.”

Whereas, John B. Short was born in 1923, the son of LeRoy and Linda Jackson Short of Davin, West Virginia. He died in 2008. He was a graduate of Man High School in 1942 and enlisted in the U. S. Army Air Corps in 1943, where he served until 1946. He went to electrician school in Michigan and, upon his return, he married Ruby K. Nunley Short. They had seven children. John retired as Chief Electrician with Pittston Coal Company in 1986. He was an avid outdoorsman, hunter and fisherman; and

Whereas, It is fitting that an enduring memorial be established to commemorate this individual who meant so much to his family and community; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 23-10/7-0.01(23A048), locally known as the Gillman Bottom Bridge carrying CR 10/7 over Huff Creek in Logan County, West Virginia, the “John B. Short Memorial Bridge”; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to erect signs at both ends of the bridge containing bold and prominent letters proclaiming the bridge the “John B. Short Memorial Bridge”; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Commissioner of the Division of Highways.

Delegates Phillips, Maynard, R. Miller, Eldridge and Marcum offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 13 – “Requesting the Division of Highways to name that portion of West Virginia Route 10 between Man and Logan, the ‘U. S. Army SGM Bill E. Jeffrey Memorial Road’.”

Whereas, Sergeant Major Jeffrey was born in Logan County on May 5, 1941; and

Whereas, Sergeant Major Jeffrey was inducted into the United States Army on November 6, 1959, and retired on the effective date of August 31, 1988; and

Whereas, Sergeant Major Jeffrey entered the United States Army Special Operations Command as the G4 Chief of Logistics serving their mission around the world for thirteen years. He also served two tours of duty in Vietnam; and

Whereas, Sergeant Major Jeffrey was awarded the Legion of Merit with one bronze oak leaf cluster; Bronze Star Medal with letter “V” device; Meritorious Service Medal with one bronze oak leaf cluster; Army Commendation Medal with one bronze oak leaf cluster; Good Conduct Medal, 8th award; National Defense Service Medal; the Vietnam Service Medal; Army Service Ribbon; Overseas Service Ribbon with numeral four; Republic of Vietnam Campaign Ribbon with Device (1960); and Marksman Badge with Carbine Bar with Rifle Bar; and

Whereas, Sergeant Major Jeffrey had many outside interests and was a world-famous softball pitcher, coach and organizer. He had a sports stadium named after him in Amsterdam, Holland. The “Bill Jeffrey Softball Tournament” was held there during the 1980s. The United States Ambassador

attended many of the games and congratulated Sergeant Major Jeffrey on the goodwill that the games brought to the United States; and

Whereas, After his retirement from the service, Sergeant Major Jeffrey was instrumental in his housing development, Carolina Lakes, that includes 1,650 homes and more than 33 miles of roads. He served in many positions on the Housing Development Board, including chairman. This is just one indication of his ability to work with people in a diplomatic manner; and

Whereas, The world is a better place because of Sergeant Major Bill E. Jeffrey; and

Whereas, Sergeant Major Jeffrey passed away on April 4, 2015, and was survived by his wife, Robin Jeffrey, and a multitude of family and friends who will never forget him; and

Whereas, It is fitting and proper that Sergeant Major Jeffrey have this road named after him in recognition and gratitude for his service to his country and state and his many outstanding accomplishments; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways name that portion of West Virginia Route 10 between Man and Logan, the "U. S. Army SGM Bill E. Jeffrey Memorial Road"; and, be it

Further Resolved, That the Division of Highways is hereby requested to erect signs at both ends of that portion of West Virginia Route 10 between Man and Logan, the "U. S. Army SGM Bill E. Jeffrey Memorial Road"; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this concurrent resolution to the Commissioner of the Division of Highways.

Delegate Lane offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 14 – "Requesting the Division of Highways to name bridge number 20-64-53.02, (20A842), locally known as the I-64 Kanawha River Bridge/South Charleston-Dunbar Bridge, carrying Eastbound Interstate 64 over the Kanawha River in Kanawha County, West Virginia, the 'Glenn Franklin Lough, P.E. Memorial Bridge'."

Whereas, Glenn F. Lough was born June 20, 1970, in Lewis County, West Virginia, the son of Mr. Nelson Lough and Mrs. Joyce Money Penny Lough; and

Whereas, Glenn F. Lough graduated from Lewis County High School, from West Virginia Institute of Technology with a Bachelor of Science in Civil Engineering, and from Liberty University with a Master of Arts in Religion; and

Whereas, Glenn F. Lough was a veteran of the 1st Brigade of the 119th Engineering Battalion of the Army National Guard of Buckhannon; and

Whereas, Glenn F. Lough served as pastor for several churches in the Weston area, and as an Associate Pastor of Good Shepherd Baptist Church in Putnam County; and

Whereas, Glenn F. Lough served as a Highway Engineer for the West Virginia Division of Highways for 25 years, a career which began in District 7 in Weston, and transferred to the Planning Division in Charleston and finally as the Bridge Repair Engineer in the Engineering Division; and

Whereas, Glenn F. Lough worked at all times in a thorough and diligent manner, managing his time in a way which allowed him to design repairs for as many bridges as possible. He was a shining example of a public servant which we all should emulate, and he always put the best interest of the employees working in his unit above his own; and

Whereas, Glenn F. Lough saved the state and its citizen countless dollars with his innovative use of heat straightening on damaged bridges across the state. Mr. Lough's work with heat straightening allowed bridge beams that had been hit to be repaired rather than replaced, and kept those bridges functional and safe for the citizens of West Virginia; and

Whereas, Glenn F. Lough was always willing to serve other state agencies and engineered projects for the State Rail Authority, saving the state additional time and money; and

Whereas, Glenn F. Lough touched many lives everywhere he went in West Virginia and was always willing to lend a hand to anyone in need, and his lasting impact remains with many people and bridges throughout the state, both those he knew and those who will never know his name; and

Whereas, Glenn F. Lough died in the line of duty at the age of 47 as the result of a vehicle collision on Interstate 79 on June 27, 2017, while traveling back to Charleston from the site of several bridges for which he was designing repairs, leaving behind a wife and two daughters, who miss him dearly; and

Whereas, It is fitting that a proper memorial be established for this man who served the State of West Virginia until the very last moment of his life; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 20-64-53.02, (20A842) locally known as the I-64 Kanawha River Bridge/South Charleston-Dunbar Bridge, carrying Eastbound Interstate 64 over the Kanawha River in Kanawha County, West Virginia, the "Glenn Franklin Lough, P.E. Memorial Bridge"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "Glenn Franklin Lough, P.E. Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Commissioner of the Division of Highways.

Delegates Hamilton, A. Evans, Wagner, Iaquina and Lynch offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 15 – "Requesting the Division of Highways to name bridge number 49-32-12.86 (49A061), locally known as Alton Deck Girder, carrying County Route 32 over the Buckhannon River in Upshur County, the 'U. S. Army PVT Winton L. Wayts Memorial Bridge'."

Whereas, Winton L. Wayts, son of Mr. and Mrs. Willard H. Wayts, of Alton, Upsur County, West Virginia, was born February 13, 1933, at Alton; and

Whereas, PVT Winton L Wayts served in the U.S. Army as a member of the 712th Transportation Railway Operating Battalion; and

Whereas, On August 22, 1951, PVT Winten L. Wayts died as a result of injuries he sustained from falling from a train while on duty as a brakeman near Seoul, South Korea; and

Whereas, PVT Winten L. Wayts' remains are buried at Indian Camp Cemetery at French Creek, West Virginia; and

Whereas, Surviving siblings of PVT Winten L. Wayts are sisters Marcella Kelley of Tallmansville, West Virginia and Louise Lough of Buckhannon, West Virginia, and half-brother Billy Jo Casto of Alexandria, Louisiana; and

Whereas, It is proper to dedicate a fitting memorial to this young soldier who lost his life in service to his country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 49-32-12.86 (49A061), locally known as Alton Deck Girder, carrying County Route 32 over the Buckhannon River in Upshur County, the "U. S. Army PVT Winten L. Wayts Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U. S. Army PVT Winten L. Waytes Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Commissioner of the Division of Highways.

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

By Delegates Walters, Ambler, Cooper, Harshbarger, Sobonya, Moore, Blair, Howell, Westfall, Zatezalo and Gearheart:

H. J. R. 104 – "Proposing an amendment to the Constitution of the State of West Virginia amending section one, article V thereof; and amending section fifty-one, article VI thereof, all relating to the authority of the Legislature with regard to the state budget; giving the Legislature the sole authority to determine what funds are necessary for the efficient and effective operation of the legislative, executive and judicial departments; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Finance then the Judiciary.

Bills Introduced

On motions for leave, bills were introduced, read by their titles, and severally referred as follows:

By Mr. Speaker (Mr. Armstead) and Delegate Miley

[By Request of the Executive]:

H. B. 4135 - "A Bill to amend and reenact §11-24-3 of the Code of West Virginia, 1931, as amended, relating to updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act; and specifying effective dates"; to the Committee on Finance.

By Delegates Hamilton, Storch, Wagner, A. Evans and Folk:

H. B. 4136 - "A Bill to amend and reenacted §7-14-8 of the Code of West Virginia, 1931, as amended, relating to the age requirements of persons for the position of deputy sheriff"; to the Committee on the Judiciary.

By Delegates Walters, Hanshaw, Shott, Lovejoy, C. Miller, Westfall, Pethtel, Sponaugle, Hamilton, E. Evans and Hollen:

H. B. 4137 - "A Bill to amend and reenact §5-10-48 of the Code of West Virginia, 1931, as amended; and to amend and reenact §51-9-10 of said code, all relating to removing the cap on payments for service by retired circuit judges, family court judges, and magistrates in certain limited circumstances"; to the Committee on Pensions and Retirement then Finance.

By Delegates Byrd, Fluharty, Lane, R. Miller, Phillips, Fleischauer, Moore, Lovejoy, Blair, Canestraro and Robinson:

H. B. 4138 - "A Bill to amend §29-3-16a of the Code of West Virginia, 1931, as amended, relating to requiring each public or private school and daycare center that uses a heating system or other device that emits carbon monoxide to install carbon monoxide detectors; to the Committee on the Judiciary.

By Delegates Upson and Hamrick:

H. B. 4139 - "A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, relating to specifying the conditions where and by whom it is unlawful to possess a firearm at school-sponsored functions; identifying the area of those functions; revising the conditions when a retired law-enforcement officer may possess a firearm; prohibiting education officials from authorizing certain individuals; and providing where in a locked vehicle a firearm may be placed"; to the Committee on Education then the Judiciary.

By Mr. Speaker (Mr. Armstead)

[By Request of the Executive]:

H. B. 4140 - "A Bill to repeal §31-18D-1, §31-18D-2, §31-18D-3, §31-18D-4, §31-18D-5, §31-18D-6, §31-18D-7, §31-18D-8, §31-18D-9, §31-18D-10, §31-18D-11, §31-18D-12, §31-18D-13, and §31-18D-14 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-4c of said code; to amend and reenact §11-22-2 of said code; to amend and reenact §31-18-3, §31-18-6, and §31-18-22 of said code; and to amend said code by adding thereto a new section, designated §31-18-20d, all relating to the transfer of certain powers and programs of the West Virginia Affordable Housing Trust Fund to the West Virginia Housing Development Fund; eliminating the West Virginia Affordable Housing Trust Fund and the West Virginia Affordable Housing Trust Fund Board of Directors; creating Affordable Housing Fund of the West Virginia Housing Development Fund and providing for uses therefor; providing for assessment of fee on all sales by licensed dealers of factory-built homes to be deposited in Affordable Housing Fund of the West Virginia Housing Development Fund; providing for assessment of fee upon the privilege of transferring real estate for consideration to be deposited in the Affordable Housing Fund of the West Virginia Housing Development Fund; defining 'Affordable Housing Fund'; authorizing West Virginia Housing Development Fund to provide funding to increase the capacity of nonprofit community housing organizations; providing for uses of funds in Affordable Housing Fund; and providing for disposition of Affordable Housing Fund in the event of termination or dissolution of West Virginia Housing Development Fund"; to the Committee on Government Organization then Finance.

By Delegates Foster, Fast, Cowles, Higginbotham, Moore, Blair, Summers, Wilson, Kessinger, Criss and Ellington:

H. B. 4141 - "A Bill to amend and reenact §21-5-1 and §21-5-4 of the Code of West Virginia, 1931, as amended, all relating to allowing replacement costs of employer-provided property to be deducted from an employee's final paycheck if the property is not returned; defining terms; setting forth conditions upon which an employer may withhold, deduct or divert replacement costs for employer-provided property that has been timely returned; and authorizing withholding, deduction or diversion with consent of employee"; to the Committee on the Judiciary.

By Mr. Speaker (Mr. Armstead) and Delegate Miley**[By Request of the Executive]:**

H. B. 4142 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-5-4b, relating to providing certain employees of the Division of Corrections, Division of Juvenile Services, and West Virginia Regional Jail and Correctional Facility Authority a pay equity salary adjustment"; to the Committee on Finance.

By Mr. Speaker (Mr. Armstead) and Delegate Miley**[By Request of the Executive]:**

H. B. 4143 - "A Bill to amend and reenact §19-12A-1a, §19-12A-5, and §19-12A-6 of the Code of West Virginia, 1931, as amended, all relating to eliminating the requirement that the Division of Corrections and the Bureau of Public Health purchase commodities produced on institutional farms from the Department of Agriculture"; to the Committee on Agriculture and Natural Resources then Government Organization.

By Mr. Speaker (Mr. Armstead) and Delegate Miley**[By Request of the Executive]:**

H. B. 4144 - "A Bill to amend and reenact §11-13X-13 of the Code of West Virginia, 1931, as amended, relating to the elimination of film tax credits; preserving rights to all previously issued film tax credits; ceasing operations of the West Virginia Film Office; and transferring certain duties of the West Virginia Film Office to the Division of Tourism"; to the Committee on Finance.

By Mr. Speaker (Mr. Armstead) and Delegate Miley**[By Request of the Executive]:**

H. B. 4145 - "A Bill to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18A-4-2 and §18A-4-8a of said code, all relating to increasing certain state employees' salaries; increasing the annual salaries of members of the West Virginia State Police; increasing the annual salaries of public school teachers; and increasing the annual salaries of school service personnel"; to the Committee on Finance.

By Mr. Speaker (Mr. Armstead) and Delegate Miley**[By Request of the Executive]:**

H. B. 4146 - "A Bill amend and reenact §11-21-9 of the Code of West Virginia, 1931, as amended, relating to updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act; providing rule for determining number of personal exemptions; and specifying effective dates"; to the Committee on Finance.

By Delegates Pushkin, Sponaugle, Fluharty, Dean, Wilson, Folk, Paynter, Byrd, Robinson, McGeehan and Hornbuckle:

H. B. 4147 - "A Bill to amend and reenact §16A-16-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the earlier issuance of identification cards to approved medical marijuana consumers and caregivers"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Pushkin, Sponaugle, Fluharty, Dean, Wilson, Folk, Paynter, Byrd, Robinson, McGeehan and Hornbuckle:

H. B. 4148 - "A Bill to amend and reenact §16A-7-2 of the Code of West Virginia, 1931, as amended, relating to allowing medical marijuana to be grown outdoors by licensed growers"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Pushkin, Sponaugle, Fluharty, Byrd, Robinson, McGeehan, Hornbuckle and Diserio:

H. B. 4149 - "A Bill to amend and reenact §16A-3-2 and §16A-3-3 of the Code of West Virginia, 1931, as amended, all relating to authorizing possession and smoking of medical cannabis by approved persons"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Howell, C. Miller, Hill, Storch, Dean, Lynch, Hamrick, Ward, Atkinson, Queen and Maynard:

H. B. 4150 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-20; to amend and reenact §46A-6F-601; and to amend said code by adding thereto a new section, designated §61-3-59, all relating to prohibiting telecommunications and IP-enabled voice services from displaying the name or telephone number of the recipient; requiring those calls be automatically blocked; prohibiting telemarketing companies from transmitting misleading or inaccurate caller identification information; creating a felony of knowingly transmitting misleading or inaccurate caller identification information in certain circumstances; and creating exemptions and criminal penalties"; to the Committee on the Judiciary.

By Delegates Howell, Hill, Sypolt, Criss, Dean, Summers, Paynter, Ward, Westfall, White and Martin:

H. B. 4151 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-10G-8, relating to exempting Buildings 6, 7 and 9 of the state Capitol Complex from the requirement that food service facilities be operated by West Virginia Division of Vocational Rehabilitation"; to the Committee on Government Organization then Finance.

By Delegate Walters:

H. B. 4152 - "A Bill to amend and reenact §7-14D-2 of the Code of West Virginia, 1931, as amended; to amend and reenact §8-22A-2 of said code; and to amend and reenact §16-5V-2 of said code, all relating to the treatment of overtime hours under the Deputy Sheriff Retirement System, the West Virginia Municipal Police Officers and Firefighters Retirement System and the Emergency Medical Services Retirement System"; to the Committee on Pensions and Retirement then Finance.

By Delegates Walters, Rowe, Ellington, Summers, Maynard, Eldridge, R. Romine, White, Anderson, Frich and Miley:

H. B. 4153 - "A Bill to repeal §11-26-1, §11-26-2, §11-26-3, §11-26-4, §11-26-5, §11-26-6, §11-26-7, §11-26-8, §11-26-9, §11-26-10, §11-26-11, §11-26-12, §11-26-13, §11-26-14, §11-26-15, §11-26-16, §11-26-17, §11-26-18, §11-26-19 and §11-26-20 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-27-3 of said code; and to amend said code by adding thereto a new section, designated §11-27-10a, all relating to imposing a healthcare related provider tax on certain health care organizations; repealing outdated tax: adding definitions; establishing tax rates; requiring federal approval of tax; and setting effective date"; to the Committee on Health and Human Resources then Finance.

**By Mr. Speaker (Mr. Armstead) and Delegate Miley
[By Request of the Executive]:**

H. B. 4154 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-8-1, §5B-8-2, §5B-8-3, §5B-8-4, §5B-8-5, §5B-8-6, §5B-8-7, §5B-8-8, §5B-8-9, and §5B-8-10, all relating to establishing the 2018 Regulatory Reform Act; providing legislative findings; defining terms; providing for an application process with the Development Office to request a project be classified as a project of critical economic concern; encouraging state agencies to provide for expeditious review of a license or permit application even absent a designation as a project of critical economic concern; establishing a procedure for the filing of a certificate of critical economic concern with state agencies and the Development Office; providing for agencies to adopt an expedited license and permit fee; providing for timelines, reports, and written explanations for expedited license and permit review; clarifying a certificate of critical concern is not a blanket waiver and does not guarantee a license or permit will be granted; requiring the executive director to report to the Governor and the Joint Committee on Government and Finance on or before November 1, 2019 and on or before every November 1st thereafter regarding the success of this article; exempting this article from the state Freedom of Information Act until a final license or permit

decision is made; and granting the Development Office with procedural rulemaking authority to implement the provisions of this article”; to the Committee on Government Organization then the Judiciary.

By Delegates Foster, Wagner, Blair, Upson, Summers, Marcum, Zatezalo and C. Miller:

H. B. 4155 - “A Bill to repeal §48-1-210 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto four new sections, designated §48-1-239a, §48-1-239b, §48-1-239c, and §48-1-239d; to amend and reenact §48-9-102, §48-9-203 and §48-9-204 of said code; to amend said code by adding thereto a new section, designated §48-9-204a; and to amend and reenact §48-9-206, §48-9-207, §48-9-209, §48-9-403 and §48-9-601 of said code, all relating to establishing that shared legal and physical custody of a child in cases of divorce is presumed to be in the best interests of the child”; to the Committee on the Judiciary.

By Delegates Summers, Ellington, Espinosa and Householder:

H. B. 4156 - “A Bill to amend and reenact §30-7-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §30-7-5A, all relating to school of nursing faculty requirements; establishing the qualifications of full and part time nursing school faculty members; granting exceptions; and defining a term”; to the Committee on Health and Human Resources then Education.

**By Mr. Speaker (Mr. Armstead) and Delegate Miley
[By Request of the Executive]:**

H. B. 4157 - “A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-15-30a, all relating generally to consumers sales and services tax; eliminating 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; requiring the Tax Commissioner to transfer \$12.5 million collected pursuant to the state’s consumers sales and service tax via the General Revenue Fund to the state road fund by June 15 of each fiscal year; making technical corrections; and specifying the effective date”; to the Committee on Finance.

By Delegates Westfall, Ambler, Maynard, Wagner, Atkinson, Lane, Ward, Higginbotham and Hamrick:

H. B. 4158 - “A Bill to amend and reenact §8-1-5a of the Code of West Virginia, 1931, as amended, relating to municipal home rule; establishing the Municipal Home Rule Pilot Program as a permanent program identified as the Municipal Home Rule Program; providing that any ordinance, act, resolution, rule or regulation enacted pursuant to the Municipal Home Rule Pilot Program shall continue until repealed; clarifying the authority of the Municipal Home Rule Board; allowing all municipalities to participate in the Municipal Home Rule Program; requiring certain notice prior to passing of an ordinance; prohibiting municipalities participating in the Municipal Home Rule Program from passing an ordinance, act, resolution, rule or regulation that is contrary to certain laws governing the professional licensing or certification of public employees; providing for petition procedures to protest enacted or amended ordinances; requiring ratification of certain ordinances by the voters in a municipal election; and eliminating the automatic termination of the Municipal Home Rule Pilot Program on July 1, 2019”; to the Committee on Political Subdivisions then Government Organization.

By Delegates Pushkin, Sponaugle, Fluharty, Dean, Wilson, Folk, Paynter, Byrd, Robinson, McGeehan and Hornbuckle:

H. B. 4159 - “A Bill to amend and reenact §16A-6-3 and §16A-3-13 of the Code of West Virginia, 1931, as amended, all relating to removing certain limitations on medical marijuana grower, processor and dispensary licenses”; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Sponaugle, Miley, Caputo, Fluharty, Lovejoy, Fleischauer, Lynch, Pushkin, McGeehan, R. Miller and Williams:

H. B. 4160 - "A Bill to amend and reenact §62-1C-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §62-1C-1b, all relating to establishing an alternative methodology for pretrial release of persons charged with crimes"; to the Committee on the Judiciary.

House Calendar

Second Reading

H. B. 2869, Providing for paid leave for certain state officers and employees during a declared state of emergency; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Shott, the bill was amended on page one, by striking out the enacting section.

The bill was then ordered to engrossment and third reading.

First Reading

H. B. 4005, Clarifying that appeals to the Supreme Court are a matter of right; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Miscellaneous Business

Delegate Caputo asked and obtained unanimous consent that the remarks of Delegate McGeehan during Remarks by Members today be printed in the Appendix to the Journal.

Delegate Deem filed a form with the Clerk's Office per House Rule 94b to be added as a cosponsor of H. B. 2845.

Delegate Harshbarger filed a form with the Clerk's Office per House Rule 94b to be added as a cosponsor of H. B. 2936.

Delegate Frich filed a form with the Clerk's Office per House Rule 94b to be added as a cosponsor of H. B. 4031.

Delegate Lane filed a form with the Clerk's Office per House Rule 94b to be removed as a cosponsor of H. B. 2843.

Delegate Frich filed a form with the Clerk's Office per House Rule 94b to be removed as a cosponsor of H. B. 4153.

At 11:34 a.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, January 17, 2018.

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

HOUSE CALENDAR

Wednesday, January 17, 2018

8th Day

11:00 A. M.

THIRD READING

H. B. 2869 - Providing for paid leave for certain state officers and employees during a declared state of emergency (SHOTT) (REGULAR)

SECOND READING

H. B. 4005 - Clarifying that appeals to the Supreme Court are a matter of right (SHOTT) (REGULAR)

FIRST READING

Com. Sub. for H. B. 4020 - Making technical corrections in the code when referencing chapter 49 (SHOTT) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

WEDNESDAY, JANUARY 17, 2018

HOUSE CONVENES AT 11:00 A.M.

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

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

**COMMITTEE ON FINANCE
9:00 A.M. AND 2:00 P.M. – ROOM 464M**

**COMMITTEE ON EDUCATION
9:00 A.M. AND 2:00 P.M. – ROOM 434M**

**VETERANS' AFFAIRS & HOMELAND SECURITY
1:00 P.M. – ROOM 434M**

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