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FIFTY-SECOND DAY

Friday, February 28, 2020

FIFTY-SECOND DAY

[DELEGATE HANSHAW, MR. SPEAKER, IN THE CHAIR]

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

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

The Clerk proceeded to read the Journal of Thursday, February 27, 2020, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Reordering of the Calendar

Pursuant to the action of the Committee on Rules, Delegate Summers announced that Com. Sub. for S. B. 240, S. B. 509, Com. Sub. for S. B. 529, Com. Sub. for S. B. 576 and Com. Sub. for S. B. 686, on Third Reading, Special Calendar, had been transferred to the House Calendar; Com. Sub. for S. B. 201 and Com. Sub. for S. B. 583, on Second Reading, Special Calendar, had been transferred to the House Calendar; Com. Sub. for S. B. 534, Com. Sub. for S. B. 571, S. B. 725, S. B. 778, S. B. 779 and S. B. 780, on Third Reading, House Calendar, had been transferred to the Special Calendar; and S. B. 572, on Second Reading, House Calendar, had been transferred to the Special Calendar.

At the request of Delegate Summers, and by unanimous consent, the House of Delegates proceeded to the Seventh Order of Business for the purpose of introducing a resolution.

Resolutions Introduced

Delegates Rohrbach, Linville, Mandt, Hornbuckle, Worrell and Lovejoy, on Behalf of All Members of the House, offered the following resolution:

H. R. 9 – “Memorializing the life of the Honorable Jody Guthrie Smirl, dedicated wife, mother, grandmother, great grandmother and public servant.”

Whereas, Jody Smirl was born in Mobile, Alabama, on August 30, 1935, to the late Raymond Booth Guthrie and Emma Jeanne Cole Guthrie; and

Whereas, Jody was married to her devoted husband of 64 years, Dan W. Smirl, and they were the proud parents of two sons, Thomas Booth “Tommy” Smirl and Daniel Marvin “Danny” Smirl. She was also grandmother to three granddaughters, Dr. Sydnee Smirl McElroy, Julia Taylor Smirl, and Rileigh Booth Smirl, who was born on the same day 67 years later, and two great-granddaughters, Charlie Gail and Cooper Renee McElroy; and

Whereas, Jody was a proud graduate of Auburn University and she was a true southern gentlewoman and although she was an avid Marshall University supporter for many years, she also possessed unwavering support for her alma mater and one of her favorite activities was visiting and attending sporting events as an Auburn Tigers alumni; and

Whereas, Jody was a member of First Presbyterian Church and she was a member of many organizations including the League of Women Voters; Triad; Big Green Club and Foundation; Huntington Museum of Arts; Friends of Public TV; Ivy Club; Regency Club; Kentucky Colonel; Friends of the Library; Rotary Anns; Board of Directors, KYOWV; Goodwill Industries; former President of the Huntington Woman's Club; Board of Directors for Green Acres Regional Center; YWCA; YMCA; and a former member for many years and former vice president of the Huntington-Cabell Republican Women. She also received the "Outstanding Woman of Huntington" Award in 1974 and 1996; and

Whereas, Jody G. Smirl was first elected to the West Virginia House of Delegates from 1966 to 1972; elected again in 1984; and 1994-2002, serving 19 years and becoming the most re-elected woman in the House at that time. She was also elected three times to be a Delegate to the Republican National Convention; and

Whereas, Jody's interruptions in public service were not due to her inability to be elected by the citizens of Cabell County, as she was always very popular in her district, but because her husband's career required relocation of the Smirl family; and

Whereas, Jody was an effective legislator, and with her southern drawl and classy demeanor could gracefully and effectively point out other's errors and bad policy with such grace and aplomb that when she was finished most would thank her for pointing out their error; and

Whereas, Jody was able to effectively carry herself in the men's world of the Legislature in the early part of her legislative career with benevolence and tolerance yet did not suffer fools lightly. She was self-assured and would not hesitate when the need arose to stand up for herself or others; and

Whereas, Jody was an independent sort, who judged for herself the merits of legislation and public policy without precondition, and even as a loyal Republican and supporter of conservative values, she did not hesitate to advance unpopular positions in her party; and

Whereas, Jody was also a kind person, and was always friendly and solicitous to all, and without equivocation, was a favorite member of the house staff who had the pleasure to work with her during her distinguished legislative career, and

Whereas, Jody will also be remembered for her commitment to the great state of West Virginia and her unwavering determination to stand up for those she represented; and

Whereas, Sadly, the Honorable Jody G. Smirl passed away on Tuesday, November 26, 2019, with her husband and sons by her side; and

Whereas, Jody Smirl will be sadly missed by her family and those whose lives she touched; therefore, be it

Resolved by the House of Delegates:

That the House of Delegates hereby memorializes the life of the Honorable Jody G. Smirl, dedicated wife, mother, grandmother, great grandmother and public servant; and, be it

Further Resolved, That the House of Delegates hereby extends its sincere sympathy at the passing of the Honorable Jody G. Smirl; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the family of the Honorable Jody G. Smirl.

At the respective requests of Delegate Summers, and by unanimous consent, reference of the resolution (H. R. 9) to a committee was dispensed with, and it was taken up for immediate consideration.

The resolution was then read by the Clerk.

The question now being on the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 386**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Graves, Robinson and Skaff.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution (H. R. 9) adopted.

Committee Reports

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

Your Committee on Finance has had under consideration:

H. B. 4021, Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution,

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

Com. Sub. for H. B. 4021 - "A bill making appropriations of public money out of the Treasury in accordance with section 51, article VI of the Constitution,"

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. C. R. 12, Feasibility study of extracting rare earth elements from coal ash,

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

Com. Sub. for H. C. R. 12 - "Requesting West Virginia University researchers study the feasibility of extracting rare earth elements from coal ash,"

With the recommendation that the committee substitute be adopted, but that it first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolution (Com. Sub. for H. C. R. 12) was referred to the Committee on Rules.

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

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

Com. Sub. for S. B. 288, Relating to family planning and child spacing,

S. B. 641, Allowing WVCHIP flexibility in rate setting,

S. B. 647, Permitting physician's assistants and advanced practice registered nurses issue do-not-resuscitate orders,

S. B. 747, Requiring Bureau for Public Health develop Diabetes Action Plan,

And,

S. B. 748, Increasing awareness of palliative care services,

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

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

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

Com. Sub. for S. B. 575, Designating local fire department as safe-surrender site to accept physical custody of certain children from lawful custodian,

S. B. 664, Adding physician's assistant to list of medical professionals capable of determining if individual lacks capacity,

Com. Sub. for S. B. 689, Enacting Requiring Accountable Pharmaceutical Transparency, Oversight, and Reporting Act,

Com. Sub. for S. B. 746, Providing contracted managed care companies access to uniform maternal screening tool,

Com. Sub. for S. B. 749, Requiring Fatality and Mortality Review Team share data with CDC,

S. B. 767, Relating to licensure of hospitals,

And,

Com. Sub. for S. B. 770, Revising requirements for post-doctoral training,

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

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

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

Com. Sub. for S. B. 787, Providing benefits to pharmacists for rendered care,

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

Pursuant to House Rule 80, the Speaker then referred Com. Sub. for S. B. 787 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:

Com. Sub. for S. B. 125, Prohibiting victim from being subjected to certain physical examinations for sexual offenses,

And,

Com. Sub. for S. B. 144, Creating misdemeanor penalty for making materially false statement in course of misdemeanor investigation,

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

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

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 208, Protecting consumers from unfair pricing practices during state of emergency,

S. B. 510, Making permanent land reuse agency or municipal land bank's right of first refusal on certain tax sale properties,

Com. Sub. for S. B. 522, Relating to compensation awards to crime victims,

And,

Com. Sub. for S. B. 692, Clarifying persons indicted or charged jointly for felony offense can move to have separate trial,

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

Messages from the Executive

Delegate Hanshaw (Mr. Speaker) presented a communication from His Excellency, the Governor, advising that on February 27, 2020, he approved **H. B. 4030**.

Messages from the Senate

A message from the Senate, by

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

Com. Sub. for H. B. 2338, Allowing the owner of an antique military vehicle to display alternate registration insignia.

On motion of Delegate Summers, the House of Delegates concurred in the following amendment of the bill by the Senate:

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

“ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

§17A-10-3a. Special registration and use of antique motor vehicles and motorcycles; ~~definition, registration, and definitions~~; use of classic motor vehicles and classic motorcycles; customized antique plates; exemption for display of registration plate.

(a) The annual registration fee for any antique motor vehicle or motorcycle as defined in this section is \$2. As used in this section:

‘Antique motor vehicle’ means any motor vehicle which is more than 25 years old and is owned solely as a collector’s item.

‘Antique military vehicle’ means an antique motor vehicle, regardless of the vehicle’s size or weight, that was manufactured for use in any country’s military forces, and that is maintained to represent its military design and markings accurately, including a trailer meeting the same requirements, but not including a vehicle or trailer currently in service.

‘Antique motorcycle’ means any motorcycle which is more than 25 years old and is owned solely as a collector’s item.

‘Classic motor vehicle’ means a motor vehicle which is more than 25 years old and is registered pursuant to §17A-10-3 of this code and is used for general transportation.

‘Classic motorcycle’ means a motorcycle which is more than 25 years old and is registered pursuant to §17A-10-3 of this code and is used for general transportation.

(b) Except as otherwise provided in this section, antique motor vehicles or motorcycles may not be used for general transportation but may only be used for:

(1) Participation in club activities, exhibits, tours, parades, and similar events;

(2) The purpose of testing their operation, obtaining repairs or maintenance, and transportation to and from events as described in §17A-10-3a(b)(1) of this code; and

(3) Recreational purposes over weekends, beginning on Friday at 12:00 p. m., and ending on the following Monday at 12:00 p. m., and on holidays: *Provided*, That a classic motor vehicle or a classic motorcycle as defined in this section may be registered under the applicable class at the applicable registration fee set forth in §17A-10-3 of this code and may be used for general transportation.

(c) A West Virginia motor vehicle or motorcycle displaying license plates of the same year of issue as the model year of the antique motor vehicle or motorcycle, as authorized in this section, may be used for general transportation purposes if the following conditions are met:

(1) The license plate's physical condition has been inspected and approved by the Division of Motor Vehicles;

(2) The license plate is registered to the specific motor vehicle or motorcycle by the Division of Motor Vehicles;

(3) The owner of the motor vehicle or motorcycle annually registers the motor vehicle or motorcycle and pays an annual registration fee for the motor vehicle or motorcycle equal to that charged to obtain regular state license plates;

(4) The motor vehicle or motorcycle passes an annual safety inspection; and

(5) The motor vehicle or motorcycle displays a sticker attached to the license plate, issued by the division, indicating that the motor vehicle or motorcycle may be used for general transportation.

(d) If more than one request is made for license plates having the same number, the division shall accept only the first application.

(e) The commissioner may propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code as may be necessary or convenient for the carrying out of the provisions of this section.

(f) Upon appropriate application, together with a special annual fee of \$40, which is in addition to all other fees required by this chapter, there shall be issued to the owner of an antique motor vehicle a special registration plate for an antique motor vehicle titled in the name of the qualified applicant, bearing a combination of letters or numbers requested by that applicant, subject to the approval by the commissioner, and with the maximum number of letters or numbers to be determined by the commissioner.

(g) Upon proper application pursuant to §17A-10-3a(f) of this code, the commissioner shall approve an alternative registration insignia for an antique military vehicle that is compatible with the vehicle's original markings, including, but not limited to, the display of the vehicle's unique military identification number not to exceed eight characters on the bumper of the vehicle: *Provided*, That nothing in this section exempts the operator of an antique military vehicle from the requirements set forth in §17A-3-13 of this code. Pursuant to this subsection, an antique military vehicle is exempt from the requirement to display a registration plate if the exemption is necessary to maintain the vehicle's accurate military marking."

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

On the passage of the bill, the yeas and nays were taken (**Roll No. 387**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Evans.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2338) passed.

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

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:

H. B. 4411, Relating to the West Virginia Residential Mortgage Lender, Broker and Servicer Act.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, with a title amendment, and changed the effective date, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 4477, West Virginia Mutual to Mutual Insurance Holding Company Act.

On motion of Delegate Summers, the House of Delegates concurred in the following Senate title amendment:

H. B. 4477 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-27A-1, §33-27A-2, §33-27A-3, §33-27A-4, §33-27A-5, §33-27A-6, §33-27A-7, §33-27A-8, §33-27A-9, §33-27A-10, §33-27A-11, §33-27A-12, §33-27A-13, and §33-27A-14, all relating to creating the enactment and operation of the West Virginia mutual to mutual insurance holding company act; providing a short title; defining certain terms; establishing a procedure for reorganization of a mutual insurance company into a stock company; providing voting rights of mutual policy holders regarding reorganization and associated notice of public hearings; requiring review of reorganization plan by the Insurance Commissioner, and establishing procedures therefor; establishing procedures for amendment of articles of incorporation of mutual holding companies; requiring continued corporate existence of reorganized mutual insurance companies; stating responsible party for payment of costs and expenses of reorganization; establishing procedures for reorganization of a mutual insurance company; related to membership in a mutual insurance company; establishing the applicability of other laws to the reorganization and resultant companies; prescribing that the mutual insurance company be treated as an insurer; providing the time in which a reorganization may be challenged; and authorizing the Insurance Commissioner to implement necessary rules.”

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

On the passage of the bill, the yeas and nays were taken (**Roll No. 388**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Evans.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 4477) passed.

Delegate Summers moved that the bill take effect its passage.

On this question, the yeas and nays were taken (**Roll No. 389**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Evans.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 4477) passed.

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

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:

H. B. 4600, Relating to the definition of the term member regarding distributing premium tax proceeds.

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:

H. B. 4661, Relating to the powers of the Public Service Commission and the regulation of natural gas utilities.

A message from the Senate, by

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

H. C. R. 124, Extending the Committee of Conference relating to consideration of Com. Sub. for H. B. 4275.

A message from the Senate, by

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

S. C. R. 50 - "Requesting the West Virginia Department of Environmental Protection, the Army Corps of Engineers, and the West Virginia Department of Commerce to research and make recommendations regarding construction of a lake where the headwaters of the Guyandotte and Coal Rivers meet in the areas of Raleigh, Wyoming, Boone, and Logan counties."

Whereas, West Virginia has recently made efforts to revitalize the tourism industry of the state, including outdoor recreational opportunities; and

Whereas, Adding dams to southern West Virginia could aid in preventing devastating floods on the Guyandotte and Coal Rivers in the areas of Raleigh, Wyoming, Boone, and Logan counties; and

Whereas, Hydroelectricity has the potential to power and revitalize the area; and

Whereas, The suitability of construction of such a lake in the aforementioned portion of West Virginia is properly determined through an investigation of all relevant factors such as, but not limited to, site geography, comparative costs for construction, post-mine land use, and the additional economic benefits to the local economy; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby requests the West Virginia Department of Environmental Protection, the Army Corp of Engineers, and the West Virginia Department of Commerce to research and make recommendations regarding construction of a lake where the headwaters of the Guyandotte and Coal Rivers meet in the areas of Raleigh, Wyoming, Boone, and Logan counties; and, be it

Further Resolved, That the Legislature hereby requests the departments to submit a written report of its research and findings to the Legislature by December 31, 2020; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Secretary of the Department of Environmental Protection, the Army Corp of Engineers, and the Secretary of the Department of Commerce.

Resolutions Introduced

Delegates Hansen, Bates, Pyles, Pushkin, Williams, Skaff, Walker and S. Brown offered the following resolution, which was read by its title and referred to the Committee on the Judiciary then Rules:

H. C. R. 125 – “Requesting the Joint Committee on Government and Finance study the benefits of creating a West Virginia State Bank to facilitate access to capital for returning veterans, low income entrepreneurs and for underserved communities, to promote access to capital for developing sustainable agricultural and community investment projects and to study the best practices and management structures necessary to create a successful State Bank.”

Whereas, Having access to financial services and capital is necessary to make investments across this state from developing farming opportunities to community reinvestment and a State Bank can play a vital role in providing access to capital by partnering with financial institutions to stimulate and facilitate investment in this state; and

Whereas, Cities and municipalities across this state are wrestling with blighted and dilapidated buildings and citizens in these communities have limited resources to address these problems without access to financial services and capital to invest and improve our communities; and

Whereas, West Virginia had a food import, export deficit of approximately \$6 billion in 2018, where as a state we imported more than \$7 billion in agricultural consumer products and produce in state less than \$1 billion for export in agricultural consumer products annually; and

Whereas, A State Bank investing in state residents and promoting in state agriculture has the potential to create jobs and provide for developing a wide range of local agricultural projects, products and farming opportunities; and

Whereas, A West Virginia State Bank with its mission to provide access to capital for resident small businesses and entrepreneurial minded individuals greater access to capital by partnering with local banks, increasing local lending through measures such as guaranteeing larger loans and backing smaller, riskier loans that benefit this state and our citizens; and

Whereas, West Virginia should strive to learn from the highly successful Bank of North Dakota and create a prudent state bank management structure that is insulated from political influence with an advisory board that consists of finance experts and executives who are experienced bankers to promote state bank operations and lending decisions that are made by professionals for the explicit purpose of making investments in this state for the benefit of our citizens; and

Whereas, Small businesses represent the largest block of employers in this state and loans for small business are consistently about half of the national average and without access to capital, businesses cannot begin to operate, and small business startups don't start up, entrepreneurship gets curtailed, and growth is hindered; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance study the benefits of creating a West Virginia State Bank to facilitate access to capital for returning veterans, low income entrepreneurs and for underserved communities, to promote access to capital for developing sustainable agricultural and community investment projects and to study the best practices and management structures necessary to create a successful State Bank; and, be it

Further Resolved, That the Joint Committee on Government and Finance contract with the Department of Public Administration at West Virginia University, at a cost of up to \$50,000, to prepare a report regarding implementing a State Bank of West Virginia, including possible funding mechanisms, the structure of the Bank Board of Directors, and by identifying the target lending clients and entrepreneurial purposes that benefit and support the people of this state and to report to the Legislature on or before December 31, 2020 on their findings, and recommendations, together with any drafts of legislation necessary to effectuate any recommendations; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the Regular Session of the Legislature 2021 on its findings, conclusions and recommendations, together with any drafts of legislation necessary to effectuate any recommendations; and, be it

Further Resolved, That the State Treasurer, the West Virginia Division of Financial Institutions, the West Virginia Development Office and the Division of Financial Institutions shall cooperate with the Legislature and provide information requested for this study; and, be it

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

Bills Introduced

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

By Delegates Hanshaw (Mr. Speaker) and Miley

[By Request of the Executive]:

H. B. 4975 - "A Bill supplementing and amending by decreasing an existing item of appropriation and adding a new item of appropriation for expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, Lottery Net Profits, to the State Department of Education, School Building Authority, fund 3963, fiscal year 2020, organization 0402 by supplementing and amending Chapter 31, Acts of the Legislature, Regular Session, 2019, known as the budget bill for the fiscal year ending June 30, 2020"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Miley

[By Request of the Executive]:

H. B. 4976 - "A Bill supplementing and amending by decreasing an existing item of appropriation and adding a new item of appropriation for expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, State Excess Lottery Revenue Fund, to the State Department of Education, School Building Authority, Fund 3514, fiscal year 2020, organization 0402 by supplementing and amending Chapter 31, Acts of the Legislature, Regular Session, 2019, known as the budget bill for the fiscal year ending June 30, 2020"; to the Committee on Finance.

At 11:49 a.m., on motion of Delegate Summers, the House of Delegates recessed for ten minutes.

Special Calendar

Third Reading

In the absence of objection, the House proceeded to consideration of **Com. Sub. for S. B. 240**, Requiring hotels and restaurants secure manhole covers of certain grease traps, which had been moved to the Special Calendar by the Committee on Rules during the recess.

The bill was read a third time.

Delegate C. Martin requested to be excused from voting on Com. Sub. for S. B. 240 under the provisions of House Rule 49.

The Speaker replied that the Delegate was a member of a class of persons possibly to be affected by the passage of the bill and directed the Member to vote.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 390**), and there were—yeas 85, nays none, absent and not voting 15, with the absent and not voting being as follows:

Absent and Not Voting: Angelucci, Bartlett, N. Brown, Evans, Fluharty, Hansen, Hornbuckle, Longstreth, Paynter, Pushkin, Rodighiero, Skaff, Steele, Toney 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. 240) passed.

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

S. B. 202, Allowing one member of PSD board to be county commissioner; 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. 391**), and there were—yeas 81, nays 8, absent and not voting 11, with the nays and absent and not voting being as follows:

Nays: S. Brown, Canestraro, Hanna, J. Jeffries, Lovejoy, McGeehan, Rowe and Sponaule.

Absent and Not Voting: Angelucci, Bartlett, N. Brown, Byrd, Evans, Longstreth, Paynter, Pushkin, Rodighiero, Skaff and Wilson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 202) 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 S. B. 241, Requiring State Board of Education develop method for student transportation costs as stand-alone consideration; 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. 392**), and there were—yeas 92, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Bartlett, N. Brown, Byrd, Evans, Paynter, Pushkin, Rodighiero and Skaff.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 241) passed.

An amendment to the title of the bill, offered by Delegate Ellington, was reported by the Clerk in lieu of the Committee on Education title amendment, and adopted, amending the title to read as follows:

Com. Sub. for S. B. 241 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-9A-7a, relating to requiring State Board of Education to propose revisions to calculation of allowance for service personnel to provide additional positions to meet student transportation needs of certain lower population density districts; and requiring a report to the Legislature.”

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

S. B. 281, Removing residency requirement for persons applying for reappointment to municipal police dept; 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. 393**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Angelucci, Boggs, Evans and Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 281) passed.

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

S. B. 523, Extending deadline for municipalities to offer Social Security coverage to certain municipal retirement system members; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 394**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Angelucci, Boggs, Evans and Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 523) passed.

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

S. B. 523 - “A Bill to amend and reenact §8-22A-28 of the Code of West Virginia, 1931, as amended, relating to participation in Social Security by certain municipalities; extending the deadline for opting to extend Social Security coverage; and requiring State Auditor’s office to assist municipalities in complying with certain requirements.”

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 S. B. 534, Removing workers' compensation exclusion for temporary legislative employees; on third reading, coming up in regular order, was, in the absence of objection, placed at the foot of bills on third reading.

S. B. 552, Requiring contracts of \$25,000 or more be competitively bid; 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. 395**), and there were—yeas 91, nays 6, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Bibby, Butler, P. Martin, Pack, Steele and Wilson.

Absent and Not Voting: Angelucci, Evans and Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 552) passed.

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

On this question, the yeas and nays were taken (**Roll No. 396**), and there were—yeas 91, nays 6, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Bibby, Butler, P. Martin, Pack, Steele and Wilson.

Absent and Not Voting: Angelucci, Evans and Shott.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 552) takes effect from its passage.

Com. Sub. for S. B. 571, Expiring funds from State Excess Lottery Revenue Fund to various accounts; 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. 397**), and there were—yeas 98, nays 1, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Porterfield.

Absent and Not Voting: Evans.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 571) passed.

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

On this question, the yeas and nays were taken (**Roll No. 398**), and there were—yeas 98, nays 1, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Porterfield.

Absent and Not Voting: Evans.

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. 571) 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.

S. B. 652, Authorizing School Building Authority 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. 399**), and there were—yeas 94, nays 5, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Cowles, Foster, Hanna, Hardy and Steele.

Absent and Not Voting: Evans.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 652) passed.

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

On this question, the yeas and nays were taken (**Roll No. 400**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Evans.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 652) takes effect from its passage.

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

S. B. 703, Increasing earning limit for employees who accept separation incentive; 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. 401**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Evans.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 703) passed.

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

On this question, the yeas and nays were taken (**Roll No. 402**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Evans.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 703) takes effect from its passage.

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

S. B. 712, Correcting name of Forensic Analysis Laboratory; 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. 403**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Evans.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 712) passed.

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

On this question, the yeas and nays were taken (**Roll No. 404**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Evans.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 712) takes effect from its passage.

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

S. B. 725, Supplemental appropriation to various Department of Education accounts; 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. 405**), and there were—yeas 98, nays 1, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: McGeehan.

Absent and Not Voting: Evans.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 725) passed.

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

On this question, the yeas and nays were taken (**Roll No. 406**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: McGeehan.

Absent and Not Voting: Evans and Hicks.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 725) takes effect from its passage.

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

S. B. 778, Supplemental appropriation expiring funds from State Excess Lottery Revenue Fund to DHHR; 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. 407**), and there were—yeas 63, nays 34, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Angelucci, Barrett, Bates, S. Brown, Byrd, Canestraro, Caputo, Diserio, Doyle, Estep-Burton, Fleischauer, Fluharty, Hansen, Hornbuckle, Lavender-Bowe, Longstreth, Lovejoy, McGeehan, Miley, Miller, Porterfield, Pushkin, Pyles, Robinson, Skaff, Sponaugle, Steele, Swartzmiller, C. Thompson, R. Thompson, Tomblin, Walker, Williams and Zukoff.

Absent and Not Voting: N. Brown, Evans and Hicks.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 778) passed.

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

On this question, the yeas and nays were taken (**Roll No. 408**), and there were—yeas 70, nays 27, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Angelucci, Barrett, Bates, S. Brown, Canestraro, Caputo, Diserio, Doyle, Estep-Burton, Fluharty, Hansen, Hornbuckle, Lavender-Bowe, Longstreth, Lovejoy, McGeehan, Miley, Miller, Porterfield, Robinson, Rowe, Skaff, Sponaugle, C. Thompson, R. Thompson, Walker and Williams.

Absent and Not Voting: N. Brown, Evans and Hicks.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 778) takes effect from its passage.

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

S. B. 779, Supplemental appropriation expiring funds in State Excess Lottery Revenue to Department of Veterans' Assistance; 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. 409**), and there were—yeas 95, nays 3, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: McGeehan, Porterfield and Steele.

Absent and Not Voting: Evans and Staggers.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 779) passed.

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

On this question, the yeas and nays were taken (**Roll No. 410**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Porterfield.

Absent and Not Voting: Evans and Staggers.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 779) takes effect from its passage.

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

S. B. 780, Supplemental appropriation by decreasing and adding new appropriation out of Treasury to DMAPS; 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. 411**), and there were—yeas 96, nays 2, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: McGeehan and Paynter.

Absent and Not Voting: Evans and Staggers.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 780) passed.

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

On this question, the yeas and nays were taken (**Roll No. 412**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: McGeehan.

Absent and Not Voting: Evans and Staggers.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 780) takes effect from its passage.

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

S. B. 781, Relating to reports regarding collaborative agreements between community and technical colleges and federally registered apprenticeship programs; 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. 413**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Evans.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 781) passed.

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

Having been placed at the foot of bills on third reading in earlier proceedings, the House of Delegates returned to consideration of **Com. Sub. for S. B. 534**, Removing workers' compensation exclusion for temporary legislative employees.

Having been read a third time, the bill was put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 414**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Evans and Linville.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 534) passed.

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

Pursuant to House Rule 58, Delegate Howell, having voted on the prevailing side on the votes regarding **S. B. 552** on today, moved that the vote on passage and the effective date be reconsidered.

The motion to reconsider the vote on the effective date of the bill was put and prevailed.

The motion to reconsider the vote by which the House of Delegates passed S. B. 552 was put and prevailed.

Delegate Byrd moved that the bill postponed one day and the rule be suspended to allow amendments to be offered on Third Reading.

Delegate Foster then moved that the vote on the adoption on yesterday of the amendment recommended by the Committee on Government Organization be reconsidered.

Whereupon,

Delegate Byrd obtained unanimous consent to withdraw his motion.

The motion by Delegate Foster to reconsider the vote on the adoption of the amendment was put and prevailed.

Whereupon,

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 415**), and there were—yeas 91, nays 6, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Bibby, Butler, Cadle, J. Kelly, P. Martin and Wilson.

Absent and Not Voting: S. Brown, Evans and Sponaugle.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 552) passed.

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

On this question, the yeas and nays were taken (**Roll No. 416**), and there were—yeas 93, nays 5, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Bibby, Butler, Cadle, P. Martin and Wilson.

Absent and Not Voting: S. Brown and Evans.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 552) 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.

In the absence of objection, the House of Delegates returned to the Third Order of Business and **S. B. 664**, Adding physician's assistant to list of medical professionals capable of determining if individual lacks capacity, reported by the Committee on the Health and Human Resources in earlier proceedings, was, in accordance with the former direction of the Speaker, then referred to the Committee on the Judiciary.

Second Reading

Com. Sub. for S. B. 225, Empowering municipalities to enact Adopt-A-Street programs; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 307, Correcting code citation relating to certain tax liens; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 572, Expiring funds from General Revenue and Lottery Net Profits to various accounts; on second reading, coming up in regular order, was read a second time.

Delegates Barrett and Bates moved to amend the bill on page three, line fifty-two, by striking out the words "Medical Services" and inserting in lieu thereof the words "Social Services" and striking out the numbers "63300" and inserting in lieu thereof, the numbers "19500";

And,

Following the period at the end of page three, line fifty-two, by inserting the following:

“Any unexpended balances remaining in the appropriations for Social Services – Surplus (fund 0403, appropriation 19500) at the close of the fiscal year 2020 are hereby reappropriated for expenditure during the fiscal year 2021.

Included in the above appropriation for Social Services – Surplus (fund 0403 appropriation 19500) is funding for foster care rates to both child placing agencies and certified foster care homes, and legal guardianship subsidies.”

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

The yeas and nays having been ordered, they were taken (**Roll No. 417**), and there were—yeas 39, nays 58, absent and not voting 3, with the yeas and absent and not voting being as follows:

Yeas: Angelucci, Barrett, Bates, N. Brown, S. Brown, Byrd, Campbell, Canestraro, Caputo, Diserio, Doyle, Estep-Burton, Fleischauer, Fluharty, Hansen, Hartman, Hicks, Hornbuckle, Lavender-Bowe, Longstreth, Lovejoy, Miley, Miller, Pethtel, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Skaff, Sponaule, Staggers, Swartzmiller, C. Thompson, R. Thompson, Tomblin, Walker, Williams and Zukoff.

Absent and Not Voting: Boggs, Cowles and Evans.

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

The bill was then ordered to third reading.

S. B. 610, Removing resident manager requirement for Alcohol Beverage Control Administration; on second reading, coming up in regular order, was reported by the Clerk.

Whereupon,

Delegate Summers obtained unanimous consent that the bill be postponed one day.

Com. Sub. for S. B. 625, Creating one-day annual license to permit charitable auction of sealed rare, antique, or vintage liquor bottles; on second reading, coming up in regular order, was reported by the Clerk.

Whereupon,

Delegate Summers obtained unanimous consent that the bill be postponed one day.

Com. Sub. for S. B. 706, Clarifying duties of law-enforcement training and certification subcommittee; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 789, Repealing obsolete sections of WV Code relating to Legislature; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 816, Updating North American Industry Classification System code references; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 849, Relating to military service as factor in certain insurance coverage rates; 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 everything after the enacting section and inserting in lieu thereof the following:

“ARTICLE 6. THE INSURANCE POLICY.

§33-6-40. Military service as factor in insurance rates.

No person may charge an increased premium for reinstating any fire insurance contract, marine insurance contract, or casualty insurance contract that was cancelled or suspended by an insured solely as a result of their performance of military duty as a member of the United States Armed Forces or as a member of the reserve component of the United States Armed Forces, to include the National Guard of any state or territory. No person may charge an increased premium for a new fire insurance contract, marine insurance contract, or casualty insurance contract if the applicant for coverage or his or her covered dependents were previously insured with a different insurer and cancelled that policy solely as a result of their performance of military duty as a member of the United States Armed Forces or as a member of the reserve component of the United States Armed Forces, to include the National Guard of any state or territory. For the purposes of this section, service in the National Guard includes any full-time active duty for annual training in the National Guard, inactive duty training, active duty operational support, active duty special work, funeral honors, state active duty as a member of a National Guard unit, or any other periods of service pursuant to Title 32 of the United States Code, or active service of any state or territory. For purposes of determining premiums, an insurer shall consider such persons as having maintained continuous coverage.”

The bill was then ordered to third reading.

First Reading

Com. Sub. for S. B. 6, Allowing DOH issue permits for certain tractors with certain trailers not exceeding specified maximum axle weights; on first reading, coming up in regular order, was read a first time.

Pursuant to House Rule 103, Delegate Cadle moved the bill be rejected.

Delegate Wilson moved the previous question, which demand was sustained.

On this question, the yeas and nays were taken (**Roll No. 418**), and there were—yeas 28, nays 70, absent and not voting 2, with the yeas and absent and not voting being as follows:

Yeas: Azinger, Barnhart, Bibby, Butler, Cadle, Capito, Cooper, Criss, Dean, Ellington, Graves, Hanna, Higginbotham, D. Jeffries, J. Jeffries, Kessinger, Kump, C.R. Martin, Pack, Paynter, Porterfield, Queen, Rohrbach, Shott, Staggers, Steele, Toney and Wilson.

Absent and Not Voting: Evans and Worrell.

So, a majority of the members present and voting not having voted in the affirmative, the motion for the previous question did not prevail.

The question being, “Shall the bill be rejected?”, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were (**Roll No. 419**), and there were—yeas 41, nays 57, absent and not voting 2, with the yeas and absent and not voting being as follows:

Yeas: Angelucci, Barrett, Bates, S. Brown, Butler, Byrd, Cadle, Canestraro, Caputo, Cooper, Dean, Diserio, Doyle, Estep-Burton, Fleischauer, Fluharty, Hansen, Hicks, Hornbuckle, Kump, Lavender-Bowe, Longstreth, Lovejoy, C. Martin, P. Martin, McGeehan, Miley, Miller, Pethtel, Pushkin, Pyles, Robinson, Rowe, Skaff, Stagers, Swartzmiller, Tomblin, Toney, Walker, Williams and Zukoff.

Absent and Not Voting: Evans and Worrell.

So, a majority of the members present and voting not having voted in the affirmative, the motion to reject Com. Sub. for S. B. 6 did not prevail.

The bill was ordered to second reading.

Com. Sub. for S. B. 96, Prohibiting municipalities from limiting persons' rights to possess certain weapons; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 232, Removing outdated prohibitions against electronic or mechanical ticket dispensers and readers; on first reading, coming up in regular order, was read a first time and ordered to second reading.

S. B. 562, Expunging certain criminal convictions; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 649, Permitting county emergency phone system directors negotiate contracts for mobile phones; on first reading, coming up in regular order, was read a first time and ordered to second reading.

S. B. 651, Relating to definition of "mortgage loan originator"; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Leaves of Absence

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

At 1:34 p.m., the House of Delegates recessed until 6:00 p.m.

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Evening Session

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The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

In the absence of objection, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Com. Sub. for S. B. 522, Relating to compensation awards to crime victims, reported by the Committee on the Judiciary in earlier proceedings, was, in the absence of objection and in accordance with the former direction of the Speaker, then referred to the Committee on Finance.

Delegate Butler, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

Com. Sub. for S. B. 589, Creating Critical Needs/Failing Systems Sub Account,

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

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 589) 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:

Com. Sub. for S. B. 163, Relating to municipal or county taxation of hotel rooms booked through marketplace facilitator,

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

On motion for leave a resolution was introduced (Originating in the Committee on Government Organization and reported with the recommendation that it be adopted, but that it first be referred to the Committee on Rules), which was read by its title, as follows:

By Delegates Howell, C. Martin, Azinger, Barnhart, Cadle, Caputo, Diserio, Hamrick, Hansen, Hott, D. Jeffries, J. Jeffries, Jennings, Little, Pyles, Staggers, Swartzmiller, Sypolt, Tomblin, Walker, Wilson and Worrell:

H. C. R. 126 – “Requesting the Joint Committee on Government and Finance study the Division of Personnel regarding the policies and practices of the division, including evaluating applicants for employment, the timeliness of hiring and the correlation of certain exemptions from the division regarding hiring, evaluating the pay-scale administered by the division and to evaluate the management practices of the division.”

Whereas, Several Departments of State Government have requested and have been granted statutory exemptions to the Division of Personnel classified system due to staffing shortages and delays in the hiring process as administered by the division; and

Whereas, Recruitment and retention of qualified employees in the classified service is the central mission of the Division of Personnel, however staffing shortages persist statewide from the state hospitals to the Division of Highways and the Legislature is committed to identifying the problems with recruitment and retention and by identifying solutions to those problems, including reviewing and evaluating the exemptions to the division and their effectiveness; and

Whereas, Public employees provide the vast array of governmental services to the citizens and businesses in this state to ensure everyone enjoys a high quality of life with predictable regulations to protect the public and the environment, and to provide for the necessary infrastructure for business and industry to thrive and requires a qualified and reliable workforce; therefore be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance study the Division of Personnel regarding the policies and practices of the division, including evaluating applicants for employment, the timeliness of hiring and the correlation of certain exemptions from the division regarding hiring, evaluating the pay-scale administered by the division and to evaluate the management practices of the division; and, be it

Further Resolved, That the Division of Personnel and the Department of Administration, the Department of Health and Human Resources, the Department of Transportation and the Department of Commerce shall cooperate with the Legislature in the conduct of this study; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the Regular Session of the Legislature, 2021, on its findings, conclusions and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

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

The Speaker referred the resolution to the Committee on Rules.

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

Your Committee on Government Organization has had under consideration:

S. C. R. 25, Requesting study on impact of future electromagnetic pulse catastrophe,

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

In accordance with the former direction of the Speaker, the resolution (S. C. R. 25) was referred to the Committee on Rules.

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

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 491, Relating to Seed Certification Program,

Com. Sub. for S. B. 705, Allowing military veterans with certain experience qualify for examination as electrician or plumber,

And,

Com. Sub. for S. B. 751, Removing certain requirements of municipality annexing property within urban growth boundary,

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

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

Your Committee on Finance has had under consideration:

S. B. 812, Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services,

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

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

Your Committee on Finance has had under consideration:

S. B. 289, Creating Green Alert Plan,

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

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

Your Committee on Finance has had under consideration:

S. B. 569, Expiring funds from various accounts to DHHR, Medical Services Program Fund,

Com. Sub. for S. B. 570, Expiring funds from State Excess Lottery Revenue Fund to DHHR, Medical Services Program Fund,

S. B. 803, Supplemental appropriation of money out of General Revenue Fund to DHHR,

S. B. 804, Supplemental appropriation of moneys from Treasury to PSC, Consumer Advocate Fund,

S. B. 805, Supplemental appropriation of moneys from Treasury to WV Commuter Rail Access Fund,

And,

S. B. 806, Supplemental appropriation out of federal funds in Treasury to DOT,

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

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

Your Committee on Education has had under consideration:

S. B. 680, Qualifying not-for-profit private baccalaureate institutions for Advanced Career Education programs and WV Invests Grant Program.

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

In accordance with the former direction of the Speaker, the bill (S. B. 680) was referred to the Committee on Finance.

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

Your Committee on Education has had under consideration:

Com. Sub. for S. B. 230, Requiring State Board of Education provide routine education in suicide prevention,

And,

Com. Sub. for S. B. 303, Enacting Students' Right to Know Act,

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

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

Your Committee on Rules has had under consideration:

H. R. 7, Designating a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II.

H. C. R. 2, Requesting the Division of Highways name a portion of WV 3 Vietnam Veterans Memorial Highway,

H. C. R. 6, Clarence Watson Meadows Memorial Boulevard,

Com. Sub. for H. C. R. 10, Robert 'Glen' Schoonover Memorial Bridge,

H. C. R. 11, U. S. Army SGT Robert R. "Bob" Defibaugh Memorial Bridge,

Com. Sub. for H. C. R. 15, Rose Agnes Rolls Cousins Bridge,

Com. Sub. for H. C. R. 23, U. S. Army Spec. 4, Roger Dale Griffith Memorial Bridge,

H. C. R. 27, U. S. Army PFC Thomas Howard Wills, Jr. Memorial Bridge,

H. C. R. 28, U.S.M.C. Cpl Andrew Ryan White Memorial Bridge,

Com. Sub. for H. C. R. 30, U. S. Army Corporal C. O. 'Skip' Johnson Memorial Bridge,

H. C. R. 40, The Hall Brothers Veterans Bridge,

Com. Sub. for H. C. R. 41, U. S. PFC Dennis Warren Baxter, USMC, Memorial Bridge,

Com. Sub. for H. C. R. 42, PFC David Henry Shifflet Memorial Bridge,

H. C. R. 47, U. S. Army Air Corps SSGT Charles Dexter Duncan Memorial Road,

H. C. R. 51, Gunsmiths Trace,

H. C. R. 60, U. S. Army PFC Teddy Ray Chandler Memorial Bridge,

H. C. R. 63, Sharp Military Brothers Bridge,

H. C. R. 64, U. S. Army SP5 Benny Ray Snodgrass Memorial Bridge,

H. C. R. 66, U. S. Army Sgt. Joseph W. McCutcheon Memorial Bridge,

H. C. R. 67, First Lieutenant Fred Omar Pratt Memorial Bridge,

H. C. R. 68, Kidd Brothers Veterans Memorial Bridge,

H. C. R. 79, U. S. Army Nurses Corp CPT Nancy Margret Kiess Memorial Bridge,

H. C. R. 80, U. S. Army Major Michael Alphonse Rafferty Memorial Bridge,

Com. Sub. for H. C. R. 82, Naming a portion of Buffalo Creek Road, In Memory of Tootsie Hensley, Please keep Buffalo Creek Litter Free,

H. C. R. 83, U. S. Army SFC Guy R. Hively Memorial Bridge,

H. C. R. 88, Johnnie Bryant Moore Memorial Bridge,

Com. Sub. for H. C. R. 90, Wood Brothers Memorial Bridge,

H. C. R. 91, Caldwell Brothers Memorial Road,

H. C. R. 92, Mayor Abraham E. Huddleston Memorial Bridge,

H. C. R. 99, U. S. Army CPL Russell Allen Taylor Memorial Bridge,

H. C. R. 103, French & Indian War Veterans Memorial Bridge,

H. C. R. 105, U. S. Air Force Colonel Rishel C. Walker Memorial Bridge,

And,

H. C. R. 122, Eustice Frederick Memorial Road,

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

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

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 261, Creating criminal penalties for introducing ransomware into computer with intent to extort,

S. B. 838, Directing state police establish referral program for substance abuse treatment,

And,

S. B. 851, Requiring Governor's Committee on Crime, Delinquency, and Correction propose rule in coordination with law enforcement and certain medical boards,

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

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

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 175, Requiring certain agencies maintain website which contains specific information.

Com. Sub. for S. B. 530, Relating to taxation of aircraft.

And,

S. B. 545, Authorizing transfer of moneys from Insurance Commission Fund to Workers' Compensation Old Fund.

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

Delegate Capito, 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 27th day of February, 2020, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

H. B. 4515, Relating to wildlife resources, eligibility for license or permit application.

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 27th day of February, 2020, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

H. B. 4007, Born-Alive Abortion Survivors Protection Act.

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 27th day of February, 2020, 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. 4026, Exempting businesses transporting scrap tires, waste tires, or other used tires, from certain statutory provisions.

Delegate Capito, 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 28th day of February, 2020, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

H. B. 4353, Creating a rational nexus requirement between prior criminal conduct and initial licensure decision making,

And,

H. B. 4601, Relating to distribution of premium tax proceeds to municipal policemen's and firemen's pension and relief funds.

Delegate Capito, 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 28th day of February, 2020, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

H. B. 2922, Relating to requirements to obtain a final order of discharge and dismissal for possession of opiates or opioids,

H. B. 4166, Prohibiting certain sex offenders from being in a supervisory position over children,

H. B. 4381, Relating to lifetime hunting, fishing and trapping licenses for adopted children,

Com. Sub. for H. B. 4470, Relating to persons 18 years of age or older in the custody of the Bureau of Juvenile Services,

And,

H. B. 4476, Providing for the timely and efficient collection, submission, testing, retention, and disposition of forensic evidence in sexual assault cases.

Delegate Capito, 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 28th day of February, 2020, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

H. B. 4179, Recognition of Emergency Medical Services Personnel Licensure Interstate Compact.

Delegate Capito, 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 28th day of February, 2020, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

Com. Sub. for S. B. 209, Relating to annexation by minor boundary adjustment,

Com. Sub. for S. B. 449, Authorizing Department of Commerce promulgate legislative rules,

Com. Sub. for S. B. 532, Distributing assets remaining in municipal policemen's or firemen's pension and relief fund on death of last retiree or beneficiary,

Com. Sub. for S. B. 544, Authorizing pharmacists and pharmacy interns administer vaccines,

Com. Sub. for S. B. 560, Permitting nursing home use trained individuals administer medication,

S. B. 573, Supplementing, amending, and increasing appropriations of public moneys for claims against state,

S. B. 620, Authorizing Division of Corrections and Rehabilitation approve home plans for inmates,

And,

S. B. 642, Correcting incorrect code citation in WV Consumer Credit and Protection Act.

Delegate Capito, 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 28th day of February, 2020, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates.

Com. Sub. for S. B. 623, Allowing noncitizen of US be eligible for teaching certificate,

And,

Com. Sub. for S. B. 657, Allowing designation of tourism development districts.

Messages from the Senate

A message from the Senate, by

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

Com. Sub. for S. B. 586, Reorganizing and re-designating Department of Military Affairs and Public Safety as Department of Homeland Security.

A message from the Senate, by

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

S. B. 843 - "A Bill making a supplementary appropriation of federal funds out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2020, to the Department of Health and Human Resources, Division of Human Services, Energy Assistance, fund 8755, fiscal year 2020, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020"; which was referred to the Committee on Finance.

A message from the Senate, by

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

S. B. 844 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2020, to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund, fund 5214, fiscal year 2020, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020"; which was referred to the Committee on Finance.

A message from the Senate, by

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

Com. Sub. for S. B. 845 - "A Bill making a supplementary appropriation of federal funds out of the State Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2020, to the Department of Health and Human Resources, Division of Human Services, fund 8722, fiscal year 2020, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2020"; which was referred to the Committee on Finance.

Miscellaneous Business

Delegate Doyle noted to the Clerk that he was absent on yesterday when the vote was taken on Roll No. 376, and had he been present, he would have voted "Yea" thereon.

Delegate Westfall noted to the Clerk that he was absent on yesterday when the vote was taken on Roll No. 383, and had he been present, he would have voted "Yea" thereon.

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

- Delegate C. Thompson for H. C. R. 94
- Delegate Maynard for H. C. R. 12
- Delegates Bartlett, Campbell, Cooper, Higginbotham, Jennings, D. Kelly, Rowan, Sypolt, Toney and Worrell for H. C. R. 86

At 6:36 p.m, the House of Delegates adjourned until 12:00 noon, Saturday, February 29, 2020.

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

SPECIAL CALENDAR

Saturday, February 29, 2020

53rd Day

12:00 Noon

UNFINISHED BUSINESS

- H. C. R. 2 - Requesting the Division of Highways name a portion of WV 3 Vietnam Veterans Memorial Highway
- H. C. R. 6 - Clarence Watson Meadows Memorial Boulevard
- H. R. 7 - Designating a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II
- Com. Sub. for H. C. R. 10 - Robert 'Glen' Schoonover Memorial Bridge
- H. C. R. 11 - U. S. Army SGT Robert R. "Bob" Defibaugh Memorial Bridge
- Com. Sub. for H. C. R. 15 - Rose Agnes Rolls Cousins Bridge
- Com. Sub. for H. C. R. 23 - U. S. Army Spec. 4, Roger Dale Griffith Memorial Bridge
- H. C. R. 27 - U. S. Army PFC Thomas Howard Wills, Jr. Memorial Bridge
- H. C. R. 28 - U.S.M.C. Cpl Andrew Ryan White Memorial Bridge
- Com. Sub. for H. C. R. 30 - U. S. Army Corporal C. O. 'Skip' Johnson Memorial Bridge
- H. C. R. 40 - The Hall Brothers Veterans Bridge
- Com. Sub. for H. C. R. 41 - U. S. PFC Dennis Warren Baxter, USMC, Memorial Bridge
- Com. Sub. for H. C. R. 42 - PFC David Henry Shifflet Memorial Bridge
- H. C. R. 47 - U. S. Army Air Corps SSGT Charles Dexter Duncan Memorial Road
- H. C. R. 51 - Gunsmiths Trace
- H. C. R. 60 - U. S. Army PFC Teddy Ray Chandler Memorial Bridge
- H. C. R. 63 - Sharp Military Brothers Bridge
- H. C. R. 64 - U. S. Army SP5 Benny Ray Snodgrass Memorial Bridge
- H. C. R. 66 - U. S. Army Sgt. Joseph W. McCutcheon Memorial Bridge
- H. C. R. 67 - First Lieutenant Fred Omar Pratt Memorial Bridge
- H. C. R. 68 - Kidd Brothers Veterans Memorial Bridge
- H. C. R. 79 - U. S. Army Nurses Corp CPT Nancy Margret Kiess Memorial Bridge

H. C. R. 80 - U. S. Army Major Michael Alphonse Rafferty Memorial Bridge

Com. Sub. for H. C. R. 82 - Naming a portion of Buffalo Creek Road, In Memory of Tootsie Hensley, Please keep Buffalo Creek Litter Free

H. C. R. 83 - U. S. Army SFC Guy R. Hively Memorial Bridge

H. C. R. 88 - Johnnie Bryant Moore Memorial Bridge

Com. Sub. for H. C. R. 90 - Wood Brothers Memorial Bridge

H. C. R. 91 - Caldwell Brothers Memorial Road

H. C. R. 92 - Mayor Abraham E. Huddleston Memorial Bridge

H. C. R. 99 - U. S. Army CPL Russell Allen Taylor Memorial Bridge

H. C. R. 103 - French & Indian War Veterans Memorial Bridge

H. C. R. 105 - U. S. Air Force Colonel Rishel C. Walker Memorial Bridge

H. C. R. 122 - Eustice Frederick Memorial Road

THIRD READING

Com. Sub. for S. B. 225 - Empowering municipalities to enact Adopt-A-Street programs (HOWELL) (REGULAR)

S. B. 307 - Correcting code citation relating to certain tax liens (HOWELL) (REGULAR)

S. B. 572 - Expiring funds from General Revenue and Lottery Net Profits to various accounts (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 706 - Clarifying duties of law-enforcement training and certification subcommittee (SHOTT) (REGULAR)

S. B. 789 - Repealing obsolete sections of WV Code relating to Legislature (SHOTT) (REGULAR)

S. B. 816 - Updating North American Industry Classification System code references (JULY 1, 2020)

S. B. 849 - Relating to military service as factor in certain insurance coverage rates (EFFECTIVE FROM PASSAGE)

SECOND READING

Com. Sub. for S. B. 6 - Allowing DOH issue permits for certain tractors with certain trailers not exceeding specified maximum axle weights (SHOTT) (REGULAR)

Com. Sub. for S. B. 96 - Prohibiting municipalities from limiting persons' rights to possess certain weapons (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)

- Com. Sub. for S. B. 232 - Removing outdated prohibitions against electronic or mechanical ticket dispensers and readers (SHOTT) (REGULAR)
- S. B. 562 - Expunging certain criminal convictions (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- S. B. 610 - Removing resident manager requirement for Alcohol Beverage Control Administration (SHOTT) (JULY 1, 2020)
- Com. Sub. for S. B. 625 - Creating one-day annual license to permit charitable auction of sealed rare, antique, or vintage liquor bottles (SHOTT) (REGULAR)
- Com. Sub. for S. B. 649 - Permitting county emergency phone system directors negotiate contracts for mobile phones (SHOTT) (REGULAR)
- S. B. 651 - Relating to definition of "mortgage loan originator" (SHOTT) (REGULAR)

FIRST READING

- Com. Sub. for S. B. 125 - Prohibiting victim from being subjected to certain physical examinations for sexual offenses (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 144 - Creating misdemeanor penalty for making materially false statement in course of misdemeanor investigation (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- Com. Sub. for S. B. 163 - Relating to municipal or county taxation of hotel rooms booked through marketplace facilitator (GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING) (HOWELL) (REGULAR)
- Com. Sub. for S. B. 175 - Requiring certain agencies maintain website which contains specific information (FINANCE COMMITTEE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)
- Com. Sub. for S. B. 208 - Protecting consumers from unfair pricing practices during state of emergency (SHOTT) (REGULAR)
- Com. Sub. for S. B. 230 - Requiring State Board of Education provide routine education in suicide prevention (EDUCATION COMMITTEE AMENDMENT PENDING) (ELLINGTON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 261 - Creating criminal penalties for introducing ransomware into computer with intent to extort (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- Com. Sub. for S. B. 288 - Relating to family planning and child spacing (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING) (HILL) (REGULAR)
- S. B. 289 - Creating Green Alert Plan FINANCE COMMITTEE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)

Com. Sub. for S. B. 303 - Enacting Students' Right to Know Act (EDUCATION COMMITTEE AMENDMENT PENDING) (ELLINGTON) (JANUARY 1, 2021)

Com. Sub. for S. B. 491 - Relating to Seed Certification Program (HOWELL) (REGULAR)

S. B. 510 - Making permanent land reuse agency or municipal land bank's right of first refusal on certain tax sale properties (SHOTT) (REGULAR)

Com. Sub. for S. B. 530 - Relating to taxation of aircraft (FINANCE COMMITTEE TITLE AMENDMENT PENDING) (HOUSEHOLDER) (JULY 1, 2020)

S. B. 545 - Authorizing transfer of moneys from Insurance Commission Fund to Workers' Compensation Old Fund (FINANCE COMMITTEE AMENDMENT PENDING) (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

S. B. 569 - Expiring funds from various accounts to DHHR, Medical Services Program Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 570 - Expiring funds from State Excess Lottery Revenue Fund to DHHR, Medical Services Program Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 575 - Designating local fire department as safe-surrender site to accept physical custody of certain children from lawful custodian (HILL) (REGULAR)

S. B. 641 - Allowing WVCHIP flexibility in rate setting (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING) (HILL) (REGULAR)

S. B. 647 - Permitting physician's assistants and advanced practice registered nurses issue do-not-resuscitate orders (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING) (HILL) (REGULAR)

Com. Sub. for S. B. 689 - Enacting Requiring Accountable Pharmaceutical Transparency, Oversight, and Reporting Act (HILL) (REGULAR)

Com. Sub. for S. B. 692 - Clarifying persons indicted or charged jointly for felony offense can move to have separate trial (SHOTT) (REGULAR)

Com. Sub. for S. B. 705 - Allowing military veterans with certain experience qualify for examination as electrician or plumber (HOWELL) (REGULAR)

Com. Sub. for S. B. 746 - Providing contracted managed care companies access to uniform maternal screening tool (HILL) (REGULAR)

S. B. 747 - Requiring Bureau for Public Health develop Diabetes Action Plan (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING) (HILL) (REGULAR)

- S. B. 748 - Increasing awareness of palliative care services (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING) (HILL) (REGULAR)
- Com. Sub. for S. B. 749 - Requiring Fatality and Mortality Review Team share data with CDC (HILL) (REGULAR)
- Com. Sub. for S. B. 751 - Removing certain requirements of municipality annexing property within urban growth boundary (HOWELL) (REGULAR)
- S. B. 767 - Relating to licensure of hospitals (HILL) (REGULAR)
- Com. Sub. for S. B. 770 - Revising requirements for post-doctoral training (HILL) (REGULAR)
- S. B. 803 - Supplemental appropriation of money out of General Revenue Fund to DHHR (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 804 - Supplemental appropriation of moneys from Treasury to PSC, Consumer Advocate Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 805 - Supplemental appropriation of moneys from Treasury to WV Commuter Rail Access Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 806 - Supplemental appropriation out of federal funds in Treasury to DOT (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 812 - Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services (FINANCE COMMITTEE AMENDMENT PENDING) (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 838 - Directing state police establish referral program for substance abuse treatment (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (EFFECTIVE FROM PASSAGE)
- S. B. 851 - Requiring Governor's Committee on Crime, Delinquency, and Correction propose rule in coordination with law enforcement and certain medical boards (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4021 - Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

HOUSE CALENDAR

Saturday, February 29, 2020

53rd Day

12:00 Noon

UNFINISHED BUSINESS

H. R. 3 - Amending the Rules of the House of Delegates, relating to remarks by members

THIRD READING

Com. Sub. for S. B. 502 - Relating to methamphetamine criminal penalty (SHOTT) (REGULAR)

S. B. 509 - Relating to custodial allocation actions independent of divorce (SHOTT) (REGULAR)

Com. Sub. for S. B. 529 - Establishing limitations on claims and benefits against state (SHOTT) (JULY 1, 2020)

Com. Sub. for S. B. 554 - Relating to termination, expiration, or cancellation of oil or natural gas leases (ANDERSON) (REGULAR)

Com. Sub. for S. B. 576 - Relating to management of public records (HOWELL) (REGULAR)

Com. Sub. for S. B. 686 - Exempting contract and common carrier laws for certain vehicles (HOWELL) (REGULAR)

Com. Sub. for H. B. 2663 - Exempting buildings or structures utilized exclusively for agricultural purposes from the provisions of the State Building Code (HOWELL) (REGULAR)

Com. Sub. for H. B. 4096 - Requiring candidates to live in the state or local election district for the office for which they are seeking (SHOTT) (REGULAR)

Com. Sub. for H. B. 4746 - Establishing a registry of persons with a communication disability (HOWELL) (REGULAR)

Com. Sub. for H. B. 4905 - Ban-the-Box Act (SHOTT) (REGULAR)

H. B. 4953 - Providing the PSC with authority to order the acquisition of failing utilities and a variety of tools to assist distressed and failing utilities (SHOTT) (REGULAR)

H. B. 4966 - Relating generally to updating the North American Industry Classification System code references (CRISS) (REGULAR)

H. B. 4970 - Relating to military service as a factor in certain insurance coverage rates (SHOTT) (REGULAR)

SECOND READING

- S. B. 170 - Alleviating double taxation on foreign income at state level (FINANCE COMMITTEE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)
- Com. Sub. for S. B. 201 - Relating generally to criminal offenses of stalking and harassment (SHOTT) (REGULAR)
- Com. Sub. for S. B. 583 - Creating program to further development of renewable energy resources (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- H. J. R. 102 - Providing the West Virginia Legislature rulemaking oversight of the board of education (SHOTT)
- Com. Sub. for H. B. 4059 - Increasing access to long acting reversible contraception (HILL) (REGULAR)
- H. B. 4455 - Permitting fees from the Central Abuse Registry to be used for costs relating to information technology support and infrastructure (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4613 - Allowing the Division of Highways use money in the Gas Field Highway Repair and Horizontal Drilling Waste Study Fund (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4690 - Relating to solid waste facilities (SHOTT) (REGULAR)

FIRST READING

- Com. Sub. for H. B. 4485 - Reorganizing and redesignating the Department of Military Affairs and Public Safety as the Department of Homeland Security (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4651 - Clarifying the powers and duties of the Division of Highways in acquiring property for state road purposes (SHOTT) (REGULAR)
- H. B. 4884 - Relating to a charitable or public service organization must submit a certifying statement attesting to its status (HOWELL) (REGULAR)

WEST VIRGINIA HOUSE OF DELEGATES

SATURDAY, FEBRUARY 29, 2020

HOUSE CONVENES AT 12:00 NOON

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

**COMMITTEE ON THE JUDICIARY
9:00 A.M. – ROOM 410 M**

**COMMITTEE ON FINANCE
10:00 A.M. – ROOM 460 M**

**COMMITTEE ON EDUCATION
10:00 A.M. – ROOM 432 M**

**COMMITTEE ON RULES
11:45 A.M. – BEHIND CHAMBER**

**COMMITTEE ON HEALTH AND HUMAN RESOURCES
2:00 P.M. – ROOM 215 E**

MONDAY, MARCH 2, 2020

PUBLIC HEARING

**COMMITTEE ON THE JUDICIARY
8:30 A.M. – HOUSE CHAMBER**

**COM. SUB. FOR S. B. 130, RELATING TO PROCEDURE FOR DRIVER'S LICENSE
SUSPENSION AND REVOCATION FOR DUI.**

**COMMITTEE ON THE JUDICIARY
9:30 A.M. – ROOM 410 M**

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