

WEST VIRGINIA LEGISLATURE

# SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE  
REGULAR SESSION, 2021  
FIFTY-SECOND DAY

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Charleston, West Virginia, Friday, April 2, 2021

The Senate met at 10:05 a.m.

(Senator Blair, Mr. President, in the Chair.)

Prayer was offered by the Honorable Glenn D. Jeffries, a senator from the eighth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Tom Takubo, a senator from the seventeenth district.

Pending the reading of the Journal of Thursday, April 1, 2021,

At the request of Senator Grady, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

**Eng. Com. Sub. for House Bill 2003**, Relating to the authority and obligations of the Governor and Legislature when in declared states of preparedness and emergency.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Summers, J. Pack, and Brown.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

**Eng. Com. Sub. for House Bill 2094**, Relating to the juvenile restorative justice programs.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, to take effect from passage, of

**Eng. Com. Sub. for House Bill 2400**, Authorizing the Department of Transportation to promulgate legislative rules.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, of

**Eng. Com. Sub. for House Bill 2499**, Tax reduction for arms and ammo manufacturing.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

**Eng. House Bill 2852**, Relating to distribution of the allowance for increased enrollment.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect from passage, of

**Eng. House Bill 2898**, Making a supplementary appropriation to WorkForce West Virginia – Workforce Investment Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect from passage, of

**Eng. House Bill 2941**, Supplementary appropriation decreasing an existing item and adding a new item of appropriation to the Department of Revenue, Insurance Commissioner.

### **Executive Communications**

The Clerk then presented the following communications from His Excellency, the Governor, regarding bills approved by him:



*Jim Justice*  
*Governor of West Virginia*

April 1, 2021

The Honorable Stephen J. Harrison, Clerk  
West Virginia House of Delegates  
State Capitol  
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Two Thousand Seven Hundred One (2701), which was presented to me on March 26, 2021.

House Bill No. Two Thousand Seven Hundred Eighty-Eight (2788), which was presented to me on March 26, 2021.

Committee Substitute for House Bill No. Two Thousand Seven Hundred Eighty-Nine (2789), which was presented to me on March 26, 2021.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Two (2802), which was presented to me on March 26, 2021.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Three (2803), which was presented to me on March 26, 2021.

House Bill No. Two Thousand Eight Hundred Four (2804), which was presented to me on March 26, 2021.

You will note that I have approved these bills on April 1, 2021.

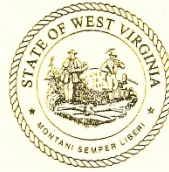
Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice  
Governor

JJ/mh  
cc: The Honorable Lee Cassis

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



*Jim Justice*  
*Governor of West Virginia*

April 2, 2021

The Honorable Lee Cassis, Clerk  
West Virginia Senate  
State Capitol  
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Nine (9), which was presented to me on March 29, 2021.

Senate Bill No. Ten (10), which was presented to me on March 29, 2021.

Senate Bill No. Three Hundred Five (305), which was presented to me on March 29, 2021.

Committee Substitute for Senate Bill No. Five Hundred Seventeen (517), which was presented to me on March 29, 2021.

You will note that I have approved these bills on April 2, 2021.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Justice".

Jim Justice  
Governor

JJ/mh

cc: The Honorable Stephen J. Harrison, Clerk

The Senate proceeded to the fourth order of business.

Senator Maynard, from 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 2nd day of April, 2021, 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:

**(S. B. 275)**, Relating generally to WV Appellate Reorganization Act of 2021.

**(Com. Sub. for H. B. 2499)**, Tax reduction for arms and ammo manufacturing.

Respectfully submitted,

Mark R. Maynard,  
*Chair, Senate Committee.*

Dean Jeffries,  
*Chair, House Committee.*

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

**Senate Concurrent Resolution 45**, Dennis E. Davis Veterans Nursing Home.

And reports back a committee substitute for same as follows:

**Com. Sub. for Senate Concurrent Resolution 45** (originating in the Committee on Military)—Requesting the Department of Veterans' Assistance to name the new veterans' nursing home, to be built in Beckley, the "Dennis E. Davis Veterans Nursing Home".

Whereas, Dennis Davis began his association with the United States military in 1959 when he entered the Reserve Officer Training Corps (ROTC) program at West Virginia State University; and

Whereas, Dennis Davis served stints with the U.S. Army at Fort Knox in Kentucky and Fort Sill in Oklahoma. In 1965, he graduated from the Army's Non-Commissioned Officer Academy and received an honorable discharge in 1970; and

Whereas, In 1968, Dennis Davis received a Bachelor of Science degree in the field of education from West Virginia State University and subsequently began a career with the Kanawha County schools as a teacher, counselor, and administrator. In 1970, he received a Master of Science degree from Marshall University; and

Whereas, Dennis Davis ultimately took on the role of Assistant Superintendent of Kanawha County Schools for Vocational, Technical, and Adult Education; and

Whereas, In 1996, Governor Cecil Underwood appointed Dennis Davis as Executive Director of Workforce Development for West Virginia, in which position he served for four years; and

Whereas, Dennis Davis briefly returned to Kanawha County schools in 2013 as a member of the Kanawha County Board of Education, serving out the unexpired term of a previous member; and

Whereas, In January, 2017, Governor Jim Justice appointed Dennis Davis as Cabinet Secretary for the West Virginia Department of Veterans Assistance. He was responsible for the administration of claims for assistance across the state, plus the WV Veterans Nursing Facility, the West Virginia Veterans Home, and the Donel C. Kinnard Memorial State Veterans Cemetery, where he was also a member of the honor guard; and

Whereas, Dennis Davis passed away on January 18, 2021, at his home in Institute, West Virginia, in the presence of his loving wife and son. Dennis Davis was subsequently interred in the Donel C. Kinnard Memorial State Veterans Cemetery; and

Whereas, It is fitting that an enduring memorial be established to commemorate the achievements and contributions of Dennis Davis to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Department of Veterans Assistance name the new veterans' nursing home, to be built in Beckley, the "Dennis E. Davis Veterans Care Home"; and, be it

*Further Resolved*, That the Department of Veterans' Assistance is hereby requested to have made and be placed signs identifying the facility as the "Dennis E. Davis Veterans Nursing Home"; and, be it

*Further Resolved*, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the acting Secretary of the Department of Veterans Assistance and the Commissioner of the Division of Highways.

With the recommendation that the committee substitute be adopted.

Respectfully submitted,

Ryan W. Weld,  
*Chair.*

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

**Senate Concurrent Resolution 60** (originating in the Committee on Military)—Requesting the Interim Committee on Veterans' Affairs and the Department of Veterans Assistance study the merit of establishing a comprehensive program for suicide prevention among veterans and active members of the armed forces, the National Guard, and reserve components and any other veterans issues it considers appropriate.

Whereas, Suicide is the 10th leading cause of death in the United States; and

Whereas, According to numerous studies, veterans face a disproportionate risk of suicide when compared to the general population; and

Whereas, According to the most recent data from the United States Department of Veterans Affairs and the United States Department of Defense, an average of nearly 20 veterans and active members of the armed forces die by suicide each day; and

Whereas, Many of the wounds sustained through armed service to the United States may be invisible, but those wounds are still treatable if those bearing them are connected to the proper resources; and

Whereas, The risk of suicide can be reduced through awareness, educational efforts, adequate resources, and treatment, as well as through the promotion of preventative factors that can offset the risks of suicide, such as positive coping skills, feeling connected to others, especially veterans, and access to mental health care; and

Whereas, The startlingly high rate of veteran suicide is a national health concern that affects us all, and it is our collective responsibility to address this issue; and

Whereas, It is imperative that our state and nation unite to recognize the issues of post-traumatic stress disorder, anxiety, depression, and difficulty readjusting to civilian life, in general, that, tragically, too often lead to a veteran contemplating or committing suicide; and

Whereas, It is the responsibility of a grateful nation to continue to care for those who have served in the armed forces by bringing awareness to this issue and removing the stigma surrounding it; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Interim Committee on Veterans' Affairs and the Department of Veterans Assistance is hereby requested to study the issue of establishing a comprehensive program for suicide prevention among veterans and active members of the armed forces, the National Guard, and reserve components and any other veterans issues it considers appropriate; and, be it

*Further Resolved,* That the study shall seek to determine the scope of this program, the resources which shall be necessary for its establishment and operation, and identify the national, state, local, and private entities which may be necessary in order to effectively address this issue; and, be it

*Further Resolved,* That the study shall also seek to determine what resources are available from the United States Department of Veterans Affairs, the United States Department of Defense, and any other federal department of program to assist with the policy goals of this program and how to best maximize those resources in coordination with the program to be established by the Department of Veterans Assistance; and, be it

*Further Resolved,* That the Department of Veterans Assistance report to the regular session of the Legislature, 2022, 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 by the Joint Committee on Government and Finance.

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

Respectfully submitted,

Ryan W. Weld,  
*Chair.*

At the request of Senator Weld, unanimous consent being granted, the resolution (S. C. R. 60) contained in the foregoing report from the Committee on Military was then referred to the Committee on Rules.

Senator Maroney, from 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

**Eng. Com. Sub. for House Bill 2368**, Mylissa Smith's Law, creating patient visitation privileges.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Michael J. Maroney,  
*Chair.*

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary, with an amendment from the Committee on Health and Human Resources pending.

Senator Maynard, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

**Eng. Com. Sub. for House Bill 2573**, Relating generally to the transparency and accountability of state grants to reduce waste, fraud, and abuse.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mark R. Maynard,  
*Chair.*

The bill, under the original double committee reference, was then referred to the Committee on Finance.



Senator Maynard, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

**Eng. Com. Sub. for House Bill 2722**, Prohibiting the use of class B fire-fighting foam for testing purposes if the foam contains a certain class of fluorinated organic chemicals.

**Eng. Com. Sub. for House Bill 2834**, Adding the Curator of the West Virginia Division of Arts, Culture and History as an ex officio voting member of the commission.

And,

**Eng. House Bill 2914**, To remove certain ex officio, voting members from the Archives and History Commission and update formatting.

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

Respectfully submitted,

Mark R. Maynard,  
*Chair.*

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

**Eng. Com. Sub. for House Bill 2758**, Requiring the Insurance Commissioner to regulate professional bondsmen.

And has amended same.

**Eng. Com. Sub. for House Bill 2793**, Permit out of state residents to obtain West Virginia concealed carry permits.

And has amended same.

And,

**Eng. House Bill 3294**, Relating to unemployment insurance.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,  
*Chair.*

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

**Eng. House Bill 2874**, Extend the current veteran's business fee waivers to active duty military members and spouses.

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

Respectfully submitted,

Ryan W. Weld,  
*Chair.*

Senator Maynard, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

**Eng. Com. Sub. for House Bill 2890**, To clarify the regulatory authority of the Public Service Commission of West Virginia over luxury limousine services.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Mark R. Maynard,  
*Chair.*

At the request of Senator Trump, as chair of the Committee on the Judiciary, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Government Organization.

Senator Maynard, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

**Eng. House Bill 2969**, To clarify the procedures for the sale and operation of a municipally owned toll bridge by a private toll transportation facility.

And has amended same.

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

Respectfully submitted,

Mark R. Maynard,  
*Chair.*

Senator Maroney, from 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

**Eng. Com. Sub. for House Bill 2982**, Relating to the Second Chances at Life Act of 2021.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Michael J. Maroney,  
*Chair.*

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary, with an amendment from the Committee on Health and Human Resources pending.

Senator Rucker, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

**Eng. Com. Sub. for House Bill 3293**, Relating to single-sex participation in interscholastic athletic events.

And has amended same.

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

Respectfully submitted,

Patricia Puertas Rucker,  
*Chair.*

The Senate proceeded to the sixth order of business.

Senator Phillips offered the following resolution:

**Senate Resolution 38**—Recognizing the achievements of Ben Ferrell, a young man who is an archery/bow champion from Chapmanville, West Virginia.

Whereas, Ben Ferrell is a 16-year-old from Chapmanville, West Virginia, and is the son of Michael and Tena Ferrell; and

Whereas, Ben Ferrell is currently a tenth grader at Chapmanville Regional High School; and

Whereas, Ben Ferrell discovered his love for archery in 2017, where he began by shooting in his front yard with friends as a hobby, and he quickly discovered God blessed him with a talent for target shooting; and

Whereas, Ben Ferrell joined his first tournament in 2017 at Huntington Archery Club and brought home a first place finish in his very first shoot; and

Whereas, Since then, his love for the sport has grown, and he has had some major accomplishments in his 2020 season; and

Whereas, Ben Ferrell is self-taught, practices every morning for a few hours and the same in the evenings; and

Whereas, Ben can always be found in his parents yard or at a local range; and

Whereas, Ben Ferrell is very self-disciplined, makes excellent grades in school, and always gives God the credit; and

Whereas, Ben Ferrell's 2020 accomplishments include: West Virginia State Championship: First place; IBO Indoor World Championship: first place; IBO Winter National: first place; West Virginia Triple Crown: first place in all three shoots; West Virginia 2020 Triple Crown State Championship: first place; IBO National Triple Crown: Overall second place; and IBO 2020 Shooter of the Year; and

Whereas, Ben Ferrell is excited to get his 2021 season started, and his goal is to become a pro shooter and have his own bow shop; and

Whereas, Ben Ferrell can already at the age of 16 set up a bow from start to finish, and fletch his own arrows from his bedroom; and

Whereas, Ben Ferrell has been honored to have several sponsors, radio interviews and have his story published in local newspapers; therefore, be it

*Resolved by the Senate:*

That the West Virginia Senate hereby recognizes the achievements of Ben Ferrell, a young man who is an archery/bow champion from Chapmanville, West Virginia; and, be it

*Further Resolved*, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to Ben Ferrell and his family.

Which, under the rules, lies over one day.

Senator Grady offered the following resolution:

**Senate Resolution 39**—Congratulating Tiarah Thornton, Miss Pre-Teen United States - 2020, for her achievements and contributions to her community and state.

Whereas, Tiarah Thornton is an ambitious 13-year-old native of West Virginia; and

Whereas, Tiarah Thornton is a three-time USTA state tumbling champion, school science fair winner, and weather girl for her school's news broadcast; and

Whereas, Tiarah Thornton also enjoys spending time outdoors, riding her horse, and taking photos of nature during free time; and

Whereas, As Miss Pre-Teen United States - 2020, Tiarah plans to advocate for and raise awareness for Hospice Care Organizations; and

Whereas, Tiarah Thornton chose Hospice Care because of the care they provided her father and family through his own cancer battle; and

Whereas, Serving her platform has helped her work through the grief of his loss and has also helped her make many lifelong friendships; and

Whereas, Tiarah's goal during her reign is to help ease the burdens of others receiving end of life care by putting smiles on their faces with her "Journals With a Smile", journals that will help terminally ill patients in Hospice create a keepsake for their families - journals filled with meaningful memories and moments that remind them of happy thoughts; therefore, be it

*Resolved by the Senate:*

That the Senate hereby congratulates Tiarah Thornton, Miss Pre-Teen United States - 2020, for her achievements and contributions to her community and state; and, be it

*Further Resolved*, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to Tiarah Thornton and her family.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

**Senate Concurrent Resolution 58**, Requesting study on possible incentives to county boards of education showing consistent academic growth.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Education; and then to the Committee on Rules.

**Senate Concurrent Resolution 59**, Requesting study on creating third tier within PERS for public safety employees.

On unfinished business, coming up in regular order, was reported by the Clerk.

The question being on the adoption of the resolution, the same was put and prevailed.

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

**Senate Resolution 36**, Recognizing Cabell County Public Library on being named as finalist for 2021 National Medal for Museum and Library Service.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Plymale, unanimous consent being granted, the resolution was taken up for immediate consideration, reference to a committee dispensed with, and adopted.

**Senate Resolution 37**, Memorializing life of Gilbert Benton “Gib” Miller, Sr.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Trump, unanimous consent being granted, the resolution was taken up for immediate consideration, reference to a committee dispensed with, and adopted.

The Senate proceeded to the eighth order of business.

**Eng. House Bill 2253**, Relating to forgery and other crimes concerning lottery tickets.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Caputo, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2253) passed with its title.

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

**Eng. House Bill 2888**, Relating to when contentions can be revived based on forensic scientific evidence that was not available at time of conviction.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Caputo, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2888) passed with its title.

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

**Eng. House Bill 3081**, Updating the West Virginia Business Corporations Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Caputo and Romano—2.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3081) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Caputo and Romano—2.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3081) takes effect from passage.

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

The Senate proceeded to the ninth order of business.

**Eng. House Bill 2028**, Exempting veterinarians from the requirements of controlled substance monitoring.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

**Eng. House Bill 2366**, Requiring agencies who have approved a proposed rule that affects fees or other special revenues to provide to the committee a fiscal note.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

**Eng. Com. Sub. for House Bill 2427**, Authorizing the Department of Health and Human Resources to promulgate legislative rules.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

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

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

(a) The legislative rule filed in the State Register on August 25, 2020, authorized under the authority of §27-9-1 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on January 4, 2021, relating to the Department of Health and Human Resources (behavioral health centers licensure, 64 CSR 11), is authorized with the following amendments:

On page 1, subsection 1.7, after the words, “supports in the” by inserting the words, “state of”;

On page 11, subdivision 4.5.5 by striking out the word, “alternations” and inserting in lieu thereof the word, “alterations”;

On page 11, by adding a new subdivision 4.5.6 to read as follows:

“4.5.6. All plumbing shall meet the requirements of local plumbing codes or, in the absence thereof, the National Plumbing Code and be maintained and repaired in a state to conform with its intended purpose.”;

And,

By renumbering the remaining subdivisions;

On page 28, paragraph 10.1.4.i, by striking out the word, “daily”;

On page 28, by striking out all of paragraph 10.1.4.l.;

On page 29, paragraph 10.1.4.m, after the word, “vermin” by inserting the words, “that stand to pose a threat to the health or safety of consumers or employees”;

And,

By renumbering the remaining paragraph;

On page 30, subdivision 10.2.11, by striking out the word, “sued” and inserting in lieu thereof the word, “used”;

On page 45, subdivision 12.16.5, by striking out the word, “uses” and inserting in lieu thereof the word, “use”;

On page 45, subdivision 12.16.5, by striking out the word, “made” and inserting in lieu thereof the word, “make”;

On page 52, paragraph 12.28.2.f, after the word, “immediate” by inserting a comma, and the words, “in-home”;

On page 52, paragraph 12.28.2.f, after the word, “record” by inserting the words, “in order to provide safe and appropriate care to consumers”;



And,

On page 55, subdivision 13.3.1 by changing the period and to a colon and inserting the following proviso: “*Provided*, That the Secretary may only suspend or revoke a license, if the licensee commits a violation which endangers the health, safety or welfare of a person;”;

(b) The legislative rule filed in the State Register on August 21, 2020, authorized under the authority of §16-5B-8 of this code, relating to the Department of Health and Human Resources (hospital licensure, 64 CSR 12), is authorized with the following amendment:

‘On page 13, by inserting a new subdivision 4.3.7 to read as follows;

“4.3.7. A hospital shall post signage in every patient room, patient care area or department, and staff rest area information outlining the process for reporting patient safety concerns via the facility’s designated internal reporting mechanism and the process for reporting unresolved patient safety concerns or complaints to the West Virginia Office for Health Facility Licensure and Certification. The posting shall include the address and telephone number for the West Virginia Office for Health Facility Licensure and Certification. Signage color and text shall conform to the Office of Safety and Health Administration regulations for safety instruction signs as provided in standard §1910.145. Nothing in the provision precludes any patient, patient representative, or healthcare provider from making a good faith report pertaining to patient safety concerns and/or alleged wrongdoing or waste to any other appropriate authorities as provided §16-39-3”.’

(c) The legislative rule filed in the State Register on August 25, 2020, authorized under the authority of §16-5C-5 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 16, 2020, relating to the Department of Health and Human Resources (nursing home licensure, 64 CSR 13), is authorized.

(d) The Legislature directs the Department of Health and Human Resources to promulgate the legislative rule effective of July 1, 2019, authorized under the authority of §16-1-4 of this code, relating to the Department of Health and Human Resources (food establishments, 64 CSR 17), with the following amendments:

On page 2, subsection 3.1, by adding a new subdivision 3.1.h, to read as follows:

‘3.1.h Chapter 6, section 6-501.115 is not applicable if the following conditions are met:

3.1.h.1. The dog is prohibited from entering any areas where food is being prepared.

3.1.h.2. An exterior play area is available for the dog;

3.1.h.3. The dog owner shall certify that his or her dog has a current rabies vaccination;

3.1.h.4. The dog owner will be asked to leave, if a dog creates a nuisance;

3.1.h.5. The establishment is licensed a private club, brew pub, or micro distillery;

3.1.h.6. The establishment has liability insurance for dog related incidents;

3.1.h.7. Dog accidents are cleaned and sanitized. Dog waste stations are available. A written procedure shall be established and posted concerning dog accident cleanup;

3.1.h.8. Signage is present indicating that the establishment is dog friendly;

3.1.h.9. Dog rules are provided to customers upon entrance.'

And,

By renumbering the remaining subdivisions.

(e) The legislative rule filed in the State Register on August 21, 2020, authorized under the authority of §16-35-4 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 10, 2020, relating to the Department of Health and Human Resources (lead abatement licensing, 64 CSR 45), is authorized.

(f) The legislative rule filed in the State Register on November 20, 2020, authorized under the authority of §16-1-4 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on January 4, 2021, relating to the Department of Health and Human Resources (emergency medical services, 64 CSR 48), is authorized.

(g) The legislative rule filed in the State Register on August 26, 2020, authorized under the authority of §27-5-9(g) of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 9, 2020, relating to the Department of Health and Human Resources (client rights at state-operated mental health facilities, 64 CSR 59), is authorized.

(h) The legislative rule filed in the State Register on August 21, 2020, authorized under the authority of §16-50-11 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 16, 2020, relating to the Department of Health and Human Resources (delegation of medication administration and health maintenance tasks to approved medication assistive personnel, 64 CSR 60), is authorized.

(i) The legislative rule filed in the State Register on August 26, 2020, authorized under the authority of §33-59-1(k) of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 20, 2020, relating to the Department of Health and Human Resources (diabetes self-management education, 64 CSR 115), is authorized with the following amendment:

On page 1, subsection 1.2, by striking out, "53" and inserting in lieu thereof "59".

(j) The legislative rule filed in the State Register on August 21, 2020, authorized under the authority of §16-49-9 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 20, 2020, relating to the Department of Health and Human Resources (West Virginia clearance for access, registry, and employment screening, 69 CSR 10), is authorized with the following amendment:

On page 2, by adding a new subsection 2.3 to read as follows:

“ 2.3. Covered Provider – means the following facilities or providers that are required to participate in the WV CARES program: skilled nursing facilities; nursing facilities; home health agencies; providers of hospice care; long-term care hospitals; providers of personal care services; providers of adult day care; residential care providers that arrange for or directly provide long-term care services including assisted living facilities; intermediate care facilities for individuals with intellectual disabilities; persons responsible for the care of children as described in W. Va. Code 49-2-114; chronic pain management clinics; behavioral health centers; neonatal abstinence syndrome centers; opioid treatment centers; and any other facility or provider required to participate in the West Virginia Clearance for Access: Registry and Employment Screening program as determined by the secretary in legislative rule.”;

And,

By renumbering the remaining subsections;

(k) The legislative rule filed in the State Register on July 1, 2020, authorized under the authority of §16-59-2(g) of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 9, 2020, relating to the Department of Health and Human Resources (recovery residence certification and accreditation program, 69 CSR 15), is authorized.

(l) The legislative rule filed in the State Register on August 25, 2020, authorized under the authority of §49-2-121 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 16, 2020, relating to the Department of Health and Human Resources (child placing agencies licensure, 78 CSR 02), is authorized with the following amendments:

On page 11, by striking out paragraph 6.3.1.b;

And,

By renumbering the remaining paragraph;

On page 20, subsection 8.1, by striking out the sentence, “The agency shall require the following qualifications for each position.”

On page 20, by striking out subdivision 8.1.1,

And,

On page 20, by striking out subdivision 8.1.4. and inserting in lieu thereof a new subdivision 8.1.4 to read as follows:

“8.1.4. Case Managers shall have a bachelor’s or master’s degree in social work or a related human service field, or a Board of Regents degree with a human service concentration, or a Bachelor’s degree who has completed department approved training provided by the child placing agency;

On page 21 by striking paragraph, 8.2.1.a:

And,

By renumbering the remaining paragraphs;

On page 36, by striking out subdivision, 11.4.5.;

And,

Renumbering the remaining subdivisions.

(m) The legislative rule filed in the State Register on August 25, 2020, authorized under the authority of §49-2-121 of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 15, 2020, relating to the Department of Health and Human Resources (minimum licensing requirements for residential child care and treatment facilities for children and transitioning adults and vulnerable and transitioning youth group homes and programs in West Virginia, 78 CSR 03), is authorized with the following amendments:

On page 23, by striking out all of subdivision 6.1.1.;

And,

By renumbering the remaining subdivisions;

On page 26, subsection 7.1., by striking out “governing body shall be one of the following:”

On page 26, by striking out all of subdivisions 7.1.1, 7.1.2, 7.1.3, 7.1.4, and 7.1.5;

On page 36, by striking out all of subsection 10.6.;

On page 40, by striking out all of subdivision 11.3.2;

And,

By renumbering the remaining subdivisions;

On page 41, by striking out all of subsection 12.1 and inserting in lieu thereof a new subsection 12.1. to read as follows:

12.1 The organization shall meet all applicable federal, state, and local, health, building, safety, and fire codes.”

On page 42, by striking out all of subdivision 12.2.1 and inserting in lieu thereof a new subsection 12.2.1 to read as follows:

“12.2.1 Food shall be stored, prepared, and served according to local health department regulations;

On page 43, by striking out all of subdivision 12.2.2.;

And,

On page 43, by striking out all of subsection 12.3.;

(n) The legislative rule filed in the State Register on August 26, 2020, authorized under the authority of §49-4-601b of this code, modified by the Department of Health and Human Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 15, 2020, relating to the Department of Health and Human Resources (procedure to contest the substantiation of child abuse or neglect, 78 CSR 27), is authorized with the following amendments:

On page 2, after subsection 2.14, by adding two new sections designated sections 3 and 4 to read as follows:

**“§78-27-3. Substantiation of abuse and neglect.**

The Bureau may consider an allegation against a person of abuse or neglect of a child to have been substantiated for purposes of its records in either of the following two circumstances:

(a) The allegation of abuse or neglect has been the subject of a petition under chapter 49 of this code, that resulted in an adjudication finding that the person committed one or more acts of abuse or neglect of a child, and that adjudication has not been reversed or vacated on appeal; or

(b) The Bureau, as a result of its own investigation has determined that an allegation against a person of abuse or neglect of a child has been substantiated, whether or not there has been an adjudication under subsection (a) of this section: *Provided*, that when there has been no adjudication, sections four and five of this rule apply.

**§78-27-4. Allegations of abuse or neglect substantiated on or before July 1, 2021.**

(a) Any person may write to the Bureau and inquire if the Bureau has included him or her in its records of persons against whom there has been a substantiated claim of abuse or neglect of a child. The person making the inquiry shall provide the Bureau with his or her full name, date of birth, address, and social security number.

(b) Within 30 days of the request, the Bureau shall inform the person that: (1) the Bureau has no record of any substantiated claim against the person of abuse or neglect of a child; or (2) the Bureau does have a record of a substantiated allegation against the person of abuse or neglect of a child. If the substantiation is not based upon an adjudication described in subsection (a), section three of this rule, the Bureau shall provide the notice required under section five of this rule, and all of the rights and obligations of the Bureau and the person apply as if the Bureau's substantiation had occurred after July 1, 2021.”;

And,

By renumbering the remaining sections;

On page 2, section 3, by striking out all of subsection 3.1. and inserting in lieu thereof a new subsection 3.1 to read as follows:

“3.1. After July 1, 2021, if the Bureau determines that an allegation against a person of abuse or neglect of a child has been substantiated, the Bureau shall provide written notice to the maltreater of its determination.”;

And,

On page 3, subsection 3.4., after the words “The notice shall” by striking out the remainder of the sentence and inserting in lieu thereof “inform the maltreater that a finding of a substantiated abuse and neglect is recorded with the Bureau. The notice shall also inform the maltreater that the fact that a finding of a substantiated abuse and neglect is recorded with the Bureau may keep the maltreater from certain types of employment and may also prevent him or her from foster or kinship care of a child.”.

**§64-5-2. Health Care Authority.**

The legislative rule filed in the State Register on September 28, 2020, authorized under the authority of §16-2D-4 of this code, relating to the Health Care Authority (exemption from certificate of need, 65 CSR 29), is authorized with the following amendments:

On page 1, by striking out all of subsections 3.1 and 3.2 and inserting in lieu thereof a new subsection 3.1 and subsection 3.2 to read as follows:

3.1. A health service exempt from certificate of need review by W.Va. Code §16-2D-11 may not be acquired, offered, or developed within this state unless notification of the performance of the exemption is provided to the authority.

3.2. A person or health care facility may not knowingly charge or bill for a health service exempted from certificate of need review by W.Va. Code §16-2D-11 without first submitting a notification of performance of the exemption to the authority.’

On pages 2 and 3, by striking out all of section 5 in its entirety;

And,

By renumbering the remaining sections.

On motion of Senator Trump, the following amendment to the Judiciary committee amendment to the bill (Eng. Com. Sub. for H. B. 2427) was reported by the Clerk and adopted:

On page one, section one, after line fifteen, by inserting the following:

On page 25, by striking out all of paragraph 9.5.1.f. and inserting in lieu thereof a new paragraph 9.5.1.f. to read as follows:

“9.5.1.f. Documentation that information on the Child Abuse and Neglect Registry created under W. Va. Code §15-13-1 *et seq.* was checked for that employee, student, or volunteer.”

And,

On page 4, subsection (f), line 83 by striking the period and adding the following:

“with the following amendment:

On page 50, after subsection 12.4., by adding a new section 13 to read as follows:

§64-48-13. Federal Model Program.

13.1. Any EMS agency licensed by the Bureau may seek approval from the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services to participate in the national Emergency Triage, Treat and Transport (ET3) Model program. Services under the ET3 Model program shall specifically include, but not be limited to, the transport of patients to alternative destinations such as federally qualified health centers, urgent care centers, physician offices and clinics, and behavioral health care facilities. The ET3 Model program has a five-year performance period and is not administered by the Bureau. Any EMS agency approved to participate in the ET3 Model program shall be governed solely by the standards and criteria established by the Centers for Medicare & Medicaid Services in its delivery of ET3 services thereunder.”

The question now being on the adoption of the Judiciary committee amendment to the bill, as amended, the same was put and prevailed.

The bill (Eng. Com. Sub. for H. B. 2427), as amended, was then ordered to third reading.

**Eng. Com. Sub. for House Bill 2529**, Prohibiting West Virginia institutions of higher education from discriminating against graduates of private, nonpublic or home schools by requiring them to submit to alternative testing.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Education, was reported by the Clerk and adopted:

On page one, after the enacting clause, by inserting the following:

#### **CHAPTER 18. EDUCATION.**

##### **ARTICLE 8. COMPULSORY SCHOOL ATTENDANCE.**

##### **§18-8-12. Issuance of a diploma or other appropriate credential by public, private, or home school administrator.**

A person who administers a program of secondary education at a public, private or home school that meets the requirements of this chapter may issue a diploma or other appropriate credential to a person who has completed the program of secondary education. Such diploma or credential is legally sufficient to demonstrate that the person meets the definition of having a high school diploma or its equivalent. No state agency or institution of higher learning in this state may reject or otherwise treat a person differently solely on the grounds of the source of such a diploma or credential. ~~Nothing in this section prevents any agency or institution of higher learning from inquiring into the substance or content of the program to assess the content thereof for the purposes of determining whether a person meets other specific requirements.~~ Nothing in this section prevents an institution, once a student has been fully admitted, from administering placement tests or other assessments to determine the appropriate placement of students into college-level course sequences or to assess the content thereof for the purposes of determining whether a person meets other requirements for a specific program.

#### **CHAPTER 18B. HIGHER EDUCATION.**

The bill (Eng. Com. Sub. for H. B. 2529), as amended, was then ordered to third reading.

**Eng. Com. Sub. for House Bill 2633**, Creating the 2021 Farm Bill.

On second reading, coming up in regular order, was read a second time.

At the request of Senator Takubo, and by unanimous consent, the bill was advanced to third reading with the unreported Judiciary committee amendment pending and the right for further amendments to be considered on that reading.

**Eng. Com. Sub. for House Bill 2763**, Creating WV Cyber Incident Reporting.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Government Organization, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

**ARTICLE 6C. WEST VIRGINIA CYBER INCIDENT REPORTING.**

**§5A-6C-1. Definitions.**

As used in this article:

“Cybersecurity Office” means the office created by §5A-6B-1 of this code.

“Incident” or “cybersecurity incident” means a violation, or imminent threat of violation, of computer security policies, acceptable use policies, or standard security practices.

**§5A-6C-2. Scope.**

This article applies to all state agencies within the executive branch, constitutional officers, all local government entities as defined by §7-1-1 or §8-1-2 of this code, county boards of education as defined by §18-1-1 of this code, the Judiciary, and the Legislature.

**§5A-6C-3. Cyber Incident reporting; when required.**

(a) Qualified cybersecurity incidents shall be reported to the Cybersecurity Office before any citizen notification, but no later than 10 days following a determination that the entity experienced a qualifying cybersecurity incident.

(b) A qualified cybersecurity incident meets at least one of the following criteria:

(1) State or federal law requires the reporting of the incident to regulatory or law-enforcement agencies or affected citizens;

(2) The ability of the entity that experienced the incident to conduct business is substantially affected; or

(3) The incident would be classified as emergency, severe, or high by the U.S. Cybersecurity and Infrastructure Security Agency.



(c) The report of the cybersecurity incident to the Cybersecurity Office shall contain at a minimum:

(1) The approximate date of the incident;

(2) The date the incident was discovered;

(3) The nature of any data that may have been illegally obtained or accessed; and

(4) A list of the state and federal regulatory agencies, self-regulatory bodies, and foreign regulatory agencies to whom the notice has been or will be provided.

(d) The procedure for reporting cybersecurity incidents shall be established by the Cybersecurity Office and disseminated to the entities listed §5A-6C-2 of this code.

#### **§5A-6C-4. Cybersecurity Office annual report.**

(a) On or before December 31 of each year, and when requested by the Legislature, the Cybersecurity Office shall provide a report to the Joint Committee on Government and Finance containing the number and nature of incidents reported to it during the preceding calendar year.

(b) The Cybersecurity Office shall also make recommendations, if any, on security standards or mitigation that should be adopted.

The bill (Eng. Com. Sub. for H. B. 2763), as amended, was then ordered to third reading.

**Eng. Com. Sub. for House Bill 2765**, Relating to allowing emergency management and operations' vehicles operated by airports to use red flashing warning lights.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Transportation and Infrastructure, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

#### **ARTICLE 1. WORDS AND PHRASES DEFINED.**

##### **§17C-1-6. Authorized emergency vehicle.**

“Authorized emergency vehicle” means vehicles of a fire department, duly chartered rescue squad, police department, ambulance service, hospital police department, state, county, or municipal agency, and such privately owned ambulances, tow trucks, wreckers, flag car services, vehicles providing road service to disabled vehicles, service vehicles of a public service corporation, postal service vehicles, snow removal equipment, Class A vehicles of firefighters, Class A vehicles of members of ambulance services, ~~and~~ Class A vehicles of members of duly chartered rescue squads, emergency management and operations vehicles operated by airports and designated pursuant to §17C-15-26 of this code, and all other emergency vehicles as are designated by the agency responsible for the operation and control of these persons or organizations. Class A vehicles are as defined by §17A-10-1 of this code. Agency authorization and emergency equipment are provided in §17C-15-26 of this code. Agencies responsible for

issuing authorization for emergency vehicle permits may promulgate such regulations that are necessary for the issuance of permits for emergency vehicles.

## **ARTICLE 15. EQUIPMENT.**

### **§17C-15-26. Special restrictions on lamps.**

(a) Any lighted lamp or illuminating device upon a motor vehicle other than head lamps, spot lamps, auxiliary lamps, or flashing front-direction signals which projects a beam of light of an intensity greater than 300 candlepower shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

(b) No person may drive or move any vehicle or equipment upon any highway with any lamp or device on the vehicle displaying other than a white or amber light visible from directly in front of the center of the vehicle except as authorized by §17C-15-26(d) of this code.

(c) Except as authorized in §17C-15-26(d) and 17C-15-26(g) of this code and authorized in §17C-15-19 of this code, flashing lights are prohibited on motor vehicles: *Provided*, That any vehicle as a means for indicating right or left turn or any vehicle as a means of indicating the same is disabled or otherwise stopped for an emergency may have blinking or flashing lights.

(d) Notwithstanding any other provisions of this chapter, the following colors of flashing warning lights are restricted for the use of the type of vehicle designated:

(1) Blue flashing warning lights are restricted to police vehicles. Authorization for police vehicles shall be designated by the chief administrative official of each police department.

(2) Except for standard vehicle equipment authorized by §17C-15-19 of this code, red flashing warning lights are restricted to the following:

(A) Ambulances;

(B) Fire-fighting vehicles;

(C) Hazardous material response vehicles;

(D) Industrial fire brigade vehicles;

(E) Rescue squad vehicles not operating out of a fire department;

(F) School buses;

(G) Class A vehicles, as defined by §17A-10-1 *et seq.* of this code, of those firefighters who are authorized by their fire chiefs to have the lights;

(H) Class A vehicles of members of duly chartered rescue squads not operating out of a fire department;

(I) Class A vehicles of members of ambulance services or duly chartered rescue squads who are authorized by their respective chiefs to have the lights;

(J) Class A vehicles of out-of-state residents who are active members of West Virginia fire departments, ambulance services, or duly chartered rescue squads who are authorized by their respective chiefs to have the lights;

(K) West Virginia Department of Agriculture emergency response vehicles;

(L) Vehicles designated by the Secretary of the ~~Department of Military Affairs and Public Safety~~ Department of Homeland Security for emergency response or emergency management by the Division of Corrections, Regional Jail and Correctional Facility Authority, Division of Juvenile Services, and Division of Homeland Security and Emergency Management; ~~and~~

(M) Class A vehicles of emergency response or emergency management personnel as designated by the Secretary of the ~~Department of Military Affairs and Public Safety~~ Department of Homeland Security and the county commission of the county of residence; and

(N) Emergency management and operations vehicles operated by airports.

Red flashing warning lights attached to a Class A vehicle may be operated only when responding to or engaged in handling an emergency requiring the attention of the firefighters, members of the ambulance services, or chartered rescue squads.

(3) The use of red flashing warning lights is authorized as follows:

(A) Authorization for all ambulances shall be designated by the Department of Health and Human Resources and the sheriff of the county of residence.

(B) Authorization for all fire department vehicles shall be designated by the fire chief and the State Fire Marshal's Office.

(C) Authorization for all hazardous material response vehicles and industrial fire brigades shall be designated by the chief of the fire department and the State Fire Marshal's Office.

(D) Authorization for all rescue squad vehicles not operating out of a fire department shall be designated by the squad chief, the sheriff of the county of residence and the Department of Health and Human Resources.

(E) Authorization for school buses shall be designated as set out in §17C-14-12 of this code.

(F) Authorization for firefighters to operate Class A vehicles shall be designated by their fire chiefs and the state Fire Marshal's office.

(G) Authorization for members of ambulance services or any other emergency medical service personnel to operate Class A vehicles shall be designated by their chief official, the Department of Health and Human Resources, and the sheriff of the county of residence.

(H) Authorization for members of duly chartered rescue squads not operating out of a fire department to operate Class A vehicles shall be designated by their squad chiefs, the sheriff of the county of residence, and the Department of Health and Human Resources.

(I) Authorization for out-of-state residents operating Class A vehicles who are active members of a West Virginia fire department, ambulance services, or duly chartered rescue squads shall be designated by their respective chiefs.

(J) Authorization for West Virginia Department of Agriculture emergency response vehicles shall be designated by the Commissioner of the Department of Agriculture.

(K) Authorization for vehicles for emergency response or emergency management by the Division of Corrections, Regional Jail and Correctional Facility Authority, Division of Juvenile Services, and Division of Homeland Security and Emergency Management shall be designated by the Secretary of the ~~Department of Military Affairs and Public Safety~~ Department of Homeland Security.

(L) Authorization for Class A vehicles of emergency response or emergency management personnel as designated by the Secretary of the ~~Department of Military Affairs and Public Safety~~ Department of Homeland Security and the county commission of the county of residence.

(M) Authorization for emergency management and operations vehicles operated by airports shall be designated by the airport director and the Secretary of the Department of Homeland Security.

(4) Yellow or amber flashing warning lights are restricted to the following:

(A) All other emergency vehicles, including tow trucks and wreckers, authorized by this chapter and by §17C-15-27 of this code;

(B) Postal service vehicles and rural mail carriers, as authorized in §17C-15-19 of this code;

(C) Rural newspaper delivery vehicles;

(D) Flag car services;

(E) Vehicles providing road service to disabled vehicles;

(F) Service vehicles of a public service corporation;

(G) Snow removal equipment;

(H) School buses; and

(I) Automotive fire apparatus owned by a municipality or other political subdivision, by a volunteer or part-volunteer fire company or department, or by an industrial fire brigade.

(5) The use of yellow or amber flashing warning lights shall be authorized as follows:

(A) Authorization for tow trucks, wreckers, rural newspaper delivery vehicles, flag car services, vehicles providing road service to disabled vehicles, service vehicles of a public service corporation, and postal service vehicles shall be designated by the sheriff of the county of residence.

(B) Authorization for snow removal equipment shall be designated by the Commissioner of the Division of Highways.

(C) Authorization for school buses shall be designated as set out in §17C-14-12 of this code.

(D) Authorization for automotive fire apparatus shall be designated by the fire chief in conformity with the NFPA 1901 Standard for Automotive Fire Apparatus as published by the National Fire Protection Association (NFPA) on July 18, 2003, and adopted by the state Fire Commission by legislative rule (87 CSR 1, *et seq.*), except as follows:

(i) With the approval of the State Fire Marshal, used automotive fire apparatus may be conformed to the NFPA standard in effect on the date of its manufacture or conformed to a later NFPA standard; and

(ii) Automotive fire apparatus may be equipped with blinking or flashing headlamps.

(e) Notwithstanding the foregoing provisions of this section, any vehicle belonging to a county board of education, an organization receiving funding from the state or Federal Transit Administration for the purpose of providing general public transportation or hauling solid waste may be equipped with a white flashing strobotron warning light. This strobe light may be installed on the roof of a school bus, a public transportation vehicle, or a vehicle hauling solid waste not to exceed one-third the body length forward from the rear of the roof edge. The light shall have a single clear lens emitting light 360 degrees around its vertical axis and may not extend above the roof more than six and one-half inches. A manual switch and a pilot light must be included to indicate the light is in operation.

(f) Notwithstanding the foregoing provisions of this section, any waste service vehicle as defined in §17C-6-11 of this code may be equipped with yellow or amber flashing warning lights.

(g) It is unlawful for flashing warning lights of an unauthorized color to be installed or used on a vehicle other than as specified in this section, except that a police vehicle may be equipped with either or both blue or red warning lights.

The bill (Eng. Com. Sub. for H. B. 2765), as amended, was then ordered to third reading.

**Eng. Com. Sub. for House Bill 2785**, Relating to public school enrollment for students from out of state.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Education, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

## **ARTICLE 8. COMPULSORY SCHOOL ATTENDANCE.**

### **§18-8-1a. Commencement and termination of compulsory school attendance; public school entrance requirements; exceptions.**

(a) ~~Notwithstanding the provisions of section one of this article, compulsory school attendance begins with the school year in which the sixth birthday is reached prior to September 1 of such year or upon enrolling in a publicly supported kindergarten program and, subject to subdivision (3) of this subsection, continues to the sixteenth birthday or for as long as the student continues~~

~~to be enrolled in a school system after the sixteenth birthday~~ Compulsory school attendance begins with the school year in which the sixth birthday is reached prior to July 1 of such year or upon enrolling in a full-time publicly funded kindergarten program, and continues to the 17th birthday or for as long as the student continues to be enrolled in a school system after the 17th birthday.

(1) A child may be removed from such kindergarten program when the principal, teacher and parent or guardian ~~concur~~ determines that the best interest of the child would not be served by requiring further attendance. ~~Provided, That the principal shall make the final determination with regard to compulsory school attendance in a publicly supported kindergarten program.~~

(2) The compulsory school attendance provision of this article shall be enforced against a person 18 years of age or older for as long as the person continues to be enrolled in a school system and may not be enforced against the parent, guardian, or custodian of the person.

~~(3) Notwithstanding the provisions of section one of this article, compulsory school attendance begins with the school year in which the sixth birthday is reached prior to September 1 of such year or upon enrolling in a publicly supported kindergarten program and continues to the seventeenth birthday or for as long as the student continues to be enrolled in a school system after the seventeenth birthday: Provided, That beginning in the school year 2019-2020, compulsory school attendance begins with the school year in which the sixth birthday is reached prior to July 1 of such year or upon enrolling in a publicly supported kindergarten program.~~

~~(b) Attendance at a state approved or Montessori kindergarten, as provided in §18-5-18 of this code, is deemed school attendance for purposes of this section. Prior to entrance into the first grade in accordance §18-2-5 of this code, each child must have either:~~

~~(1) Successfully completed such publicly or privately supported, state approved kindergarten program, or Montessori kindergarten program; or~~

~~(2) Successfully completed an entrance test of basic readiness skills approved by the county in which the school is located. The test may be administered in lieu of kindergarten attendance only under extraordinary circumstances to be determined by the county board.~~

~~(b) A parent, as defined in §18-31-2 of this code, shall have the option, prior to enrolling in a publicly supported kindergarten program, to apply for a Hope Scholarship on behalf of his or her child as set forth in §18-31-1 et seq. of this code. Every year thereafter, a parent shall have the option to renew his or her child's enrollment in the Hope Scholarship Program pursuant to §18-31-8 of this code.~~

~~(c) Attendance at a state-approved, nonpublic kindergarten program, including a Montessori kindergarten program as provided in §18-5-18 of this code, homeschool kindergarten program, Hope Scholarship kindergarten program, or private, parochial, or church kindergarten program recognized under §18-8-1(k) of this code is deemed school attendance for the purposes of this section. Students entering the public school system after such kindergarten program shall be placed in the developmentally and academically appropriate grade level.~~

~~(d) Notwithstanding the provisions of this section section five, article two of this chapter and section eighteen, article five of this chapter and §18-5-18 of this code, a county board may provide for advanced entrance or placement under policies adopted by said board for any child who has demonstrated sufficient mental and physical competency for such entrance or placement.~~

~~(e) This section does not prevent a~~ A student from another state, or who is eligible to enroll in a public school in this state, from enrolling in the shall be enrolled in the same grade in a public school in West Virginia as the student was enrolled at the school from which the student transferred. A transcript or other credential provided pursuant to §18-8-12 of this code shall be accepted by a public school in this state as a record of a student's previous academic performance for the purposes of placement and credit assignment.

The bill (Eng. Com. Sub. for H. B. 2785), as amended, was then ordered to third reading.

**Eng. House Bill 2791**, Relating to enrollment and costs of homeschooled or private school students at vocational schools.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

**Eng. Com. Sub. for House Bill 2877**, Expand direct health care agreements beyond primary care to include more medical care services.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

**Eng. House Bill 2906**, Relating to the School Building Authority's allocation of money.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

**Eng. House Bill 2915**, Relating to public records management and preservation.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

**Eng. Com. Sub. for House Bill 2916**, Creating the Semiquincentennial Commission for the celebration of the 250th anniversary of the founding of the United States of America.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Government Organization, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

**ARTICLE 13A. WEST VIRGINIA SEMIQUINCENTENNIAL COMMISSION AND FUND.**

**§4-13A-1. Findings; West Virginia Semiquincentennial Commission established; purpose.**

(a) The Legislature finds that the 250th anniversary of our nation's founding is of such historical significance as to warrant its commemoration.

(b) There is hereby created the West Virginia Semiquincentennial Commission.

(c) The purpose of the commission is to prepare for and commemorate the semiquincentennial of our nation's founding.

**§4-13A-2. Membership; terms; filling vacancies; election of chair and vice chair.**

(a) The Governor shall appoint 10 members as follows:

(1) Three academic historians;

(2) Five citizens members, no more than one of whom may be from any one state senatorial district;

(3) A member of the National Society of the Sons of the American Revolution;

(4) A member of the National Society of the Daughters of the American Revolution;

(b) The following shall serve as ex-officio voting members:

(5) The State Superintendent of Schools, or a designee;

(6) The Cabinet Secretary of Commerce, or a designee;

(7) The Curator of the Department of Arts, Culture, and History, or a designee;

(8) The Commissioner of the Division of Tourism, or a designee;

(9) The Executive Director of the Herbert Henderson Minority Affairs Office, or a designee;

(10) The West Virginia State Archivist;

(11) The Director of the West Virginia State Museums;

(12) One member of the House of Delegates, to be appointed by the Speaker of the House of Delegates, who shall serve as an ex officio nonvoting member of the commission; and

(13) One member of the State Senate, to be appointed by the President of the Senate, who shall serve as an ex officio nonvoting member of the commission;

(14) Members of the United States Senate from the State of West Virginia, or their designees shall serve as ex officio nonvoting members of the commission;

(15) Members of the United States House of Representatives from the State of West Virginia, or their designees shall serve as ex officio nonvoting members of the commission;

(c) All appointed members shall serve at the will and pleasure of the Governor;

(d) Appointments to fill vacancies shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

(e) The curator of the West Virginia Department of Arts, Culture and History shall serve as the chair of the commission. The commission shall elect a vice chair and secretary from among its members.



**§4-13A-3. Expense reimbursement.**

(a) Members shall serve without compensation.

(b) The commission may reimburse members for all reasonable and necessary expenses actually incurred in the performance of his or her duties as a commission member, in a manner consistent with the guidelines of the travel management office of the Department of Administration, subject to availability of funds received pursuant to §4-13A-6(a)(1). No provision of this section may be construed to require any appropriation of funds by the Legislature.

**§4-13A-4. Quorum; meetings.**

(a) A simple majority of the members serving on the board at a given time constitutes a quorum for the transaction of business.

(b) Meetings shall be held in accordance with the provisions of §6-9A-1 et seq., of this code.

**§4-13A-5. Advisory council.**

The commission may establish an advisory council composed of citizens at large who have knowledge of American history and interest in its semiquincentennial celebration to assist the commission in its work.

**§4-13A-6. Powers; duties; limitation on duration of contracts.**

(a) The commission may:

(1) Solicit, accept, use, and dispose of gifts, grants, donations, bequests, or other funds or real or personal property for the purpose of aiding or facilitating the work of the commission, upon compliance with the provisions of §12-2-2 of this code;

(2) Procure supplies, services, and property and make or enter into contracts, leases, or other legal agreement as necessary to carry out its duties: *Provided*, That no contract, lease or other legal agreement may be entered into by the commission with terms which would extend beyond the termination date of the commission;

(3) Plan, develop and carry out programs and activities appropriate to commemorate the semiquincentennial of the founding of our nation;

(4) Encourage civic, historical, educational, economic, and other organizations throughout West Virginia to organize and participate in activities to expand the understanding and appreciation of the United States of America;

(5) Provide technical assistance to localities and nonprofit organizations to further the commemoration of the semiquincentennial of the founding of our nation;

(6) Develop programs and facilities to ensure that the semiquincentennial commemoration of the founding of our nation results in a positive legacy and long-term public benefit; and

(7) Encourage the development and conduct of programs designed to involve all citizens in activities that commemorate the semiquincentennial of the founding of our nation.

(b) The commission shall report to the Legislature at each regular session and at the same time report to the Governor concerning the action taken by the commission during the previous year in carrying out the provisions of this article and make such special reports as may be required by the Legislature and Governor.

**§4-13A-7. Termination of the commission.**

The commission shall terminate on June 30, 2027.

The bill (Eng. Com. Sub. for H. B. 2916), as amended, was then ordered to third reading.

**Eng. House Bill 2957**, Relating to the repeal of outdated code sections.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

**Eng. House Bill 2958**, Relating to repealing outdated sections of state code.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

**Eng. House Bill 3045**, Relating to firefighter disability claims.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

The Senate proceeded to the tenth order of business.

**Com. Sub. for Senate Bill 125**, Budget Bill.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Senate Bill 490**, Supplemental appropriation from General Revenue to Department of Veterans' Assistance.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Caputo, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Blair (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 490 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Caputo, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Blair (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 490) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Caputo, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Blair (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 490) takes effect from passage.

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

**Eng. Com. Sub. for House Bill 2005**, Relating to health care costs.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. Com. Sub. for House Bill 2093**, Relating to exemptions for the United States Department of Veterans Affairs Medical Foster Homes.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. House Bill 2379**, Make criminal invasion of privacy a felony.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. Com. Sub. for House Bill 2760**, Relating to economic development incentive tax credits.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. House Bill 2768**, Supplementing, amending and increasing an existing item of appropriation from the State Road Fund, to the Department of Transportation, Division of Highways.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. Com. Sub. for House Bill 2769**, Supplementing, amending and increasing items of existing appropriation from the State Road Fund to the Department of Transportation, Division of Motor Vehicles.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. Com. Sub. for House Bill 2770**, Including home confinement officers in definition of law-enforcement officers.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. House Bill 2790**, Supplementing, amending, decreasing, and increasing items of existing appropriation to Division of Highways.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. Com. Sub. for House Bill 2823**, Exempting buildings or structures utilized exclusively for agricultural purposes from the provisions of the State Building Code.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. House Bill 2829**, Providing for the amortization of annual funding deficiencies for municipal police or firefighter pension and relief funds.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. House Bill 3130**, Relating to elimination of sunset provisions concerning towing rates.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. House Bill 3175**, Relating to removing certain felonies than can prohibit vehicle salespersons from receiving a license.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. House Bill 3191**, Requiring employers to send certain notifications when retirants are hired as temporary, part-time employees.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. House Bill 3298**, Making a supplemental appropriation to Dept. of Commerce, Dept. of Education, Senior Services and Civil Contingent Fund.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Eng. House Bill 3300**, Relating to reducing personal income tax rates generally.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**Com. Sub. for House Joint Resolution 1**, Education Accountability Amendment.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

**House Joint Resolution 2**, Providing that courts have no authority or jurisdiction to intercede or intervene in, or interfere with, any impeachment proceedings of the House of Delegates or the Senate.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Tarr.

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following resolution on April 1, 2021:

**Senate Resolution 36:** Senators Stollings and Lindsay.

On motion of Senator Takubo, at 11 a.m., the Senate adjourned until Monday, April 5, 2021, at 10 a.m.

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## **SENATE CALENDAR**

**Monday, April 05, 2021  
10:00 AM**

### **UNFINISHED BUSINESS**

Com. Sub. for S. C. R. 45 - Dennis E. Davis Veterans Nursing Home

S. R. 38 - Recognizing Ben Ferrell on his achievements in archery

S. R. 39 - Congratulating Miss Pre-Teen USA, 2020, Tiarah Thompson, on her achievements

### **THIRD READING**

Eng. H. B. 2028 - Exempting veterinarians from the requirements of controlled substance monitoring

Eng. H. B. 2366 - Requiring agencies who have approved a proposed rule that affects fees or other special revenues to provide to the committee a fiscal note

Eng. Com. Sub. for H. B. 2427 - Authorizing the Department of Health and Human Resources to promulgate legislative rules - (Com. title amend. pending)

Eng. Com. Sub. for H. B. 2529 - Prohibiting West Virginia institutions of higher education from discriminating against graduates of private, nonpublic or home schools by requiring them to submit to alternative testing - (Com. title amend. pending)

Eng. Com. Sub. for H. B. 2633 - Creating the 2021 Farm Bill - (Com. amend. pending) - (With right to amend)

Eng. Com. Sub. for H. B. 2763 - Creating WV Cyber Incident Reporting - (Com. title amend. pending)

Eng. Com. Sub. for H. B. 2765 - Relating to allowing emergency management and operations' vehicles operated by airports to use red flashing warning lights - (Com. title amend. pending)

Eng. Com. Sub. for H. B. 2785 - Relating to public school enrollment for students from out of state - (Com. title amend. pending)

Eng. H. B. 2791 - Relating to enrollment and costs of homeschooled or private school students at vocational schools

Eng. Com. Sub. for H. B. 2877 - Expand direct health care agreements beyond primary care to include more medical care services

Eng. H. B. 2906 - Relating to the School Building Authority's allocation of money

Eng. H. B. 2915 - Relating to public records management and preservation

Eng. Com. Sub. for H. B. 2916 - Creating the Semiquincentennial Commission for the celebration of the 250th anniversary of the founding of the United States of America

Eng. H. B. 2957 - Relating to the repeal of outdated code sections

Eng. H. B. 2958 - Relating to repealing outdated sections of state code

Eng. H. B. 3045 - Relating to firefighter disability claims

## **SECOND READING**

Com. Sub. for S. B. 125 - Budget Bill

Eng. Com. Sub. for H. B. 2005 - Relating to health care costs - (Com. amend. pending)

Eng. Com. Sub. for H. B. 2093 - Relating to exemptions for the United States Department of Veterans Affairs Medical Foster Homes - (Com. amend. pending)

Eng. H. B. 2379 - Make criminal invasion of privacy a felony - (Com. amend. pending)

Eng. Com. Sub. for H. B. 2760 - Relating to economic development incentive tax credits (original similar to SB447)

Eng. H. B. 2768 - Supplementing, amending and increasing an existing item of appropriation from the State Road Fund, to the Department of Transportation, Division of Highways

Eng. Com. Sub. for H. B. 2769 - Supplementing, amending and increasing items of existing appropriation from the State Road Fund to the Department of Transportation, Division of Motor Vehicles

Eng. Com. Sub. for H. B. 2770 - Including home confinement officers in definition of law-enforcement officers - (Com. amend. and title amend. pending)

Eng. H. B. 2790 - Supplementing, amending, decreasing, and increasing items of existing appropriation to Division of Highways

Eng. Com. Sub. for H. B. 2823 - Exempting buildings or structures utilized exclusively for agricultural purposes from the provisions of the State Building Code

Eng. H. B. 2829 - Providing for the amortization of annual funding deficiencies for municipal police or firefighter pension and relief funds (original similar to SB625)

Eng. H. B. 3130 - Relating to elimination of sunset provisions concerning towing rates - (Com. amend. pending)

Eng. H. B. 3175 - Relating to removing certain felonies than can prohibit vehicle salespersons from receiving a license - (Com. amend. and title amend. pending)

Eng. H. B. 3191 - Requiring employers to send certain notifications when retirants are hired as temporary, part-time employees - (Com. amend. pending)

Eng. H. B. 3298 - Making a supplemental appropriation to Dept. of Commerce, Dept. of Education, Senior Services and Civil Contingent Fund

Eng. H. B. 3300 - Relating to reducing personal income tax rates generally - (Com. amend. and title amend. pending)

Eng. Com. Sub. for H. J. R. 1 - Education Accountability Amendment - (Com. amend. and title amend. pending)

Eng. H. J. R. 2 - Providing that courts have no authority or jurisdiction to intercede or intervene in, or interfere with, any impeachment proceedings of the House of Delegates or the Senate

### **FIRST READING**

Eng. Com. Sub. for H. B. 2722 - Prohibiting the use of class B fire-fighting foam for testing purposes if the foam contains a certain class of fluorinated organic chemicals

Eng. Com. Sub. for H. B. 2758 - Requiring the Insurance Commissioner to regulate professional bondsmen - (Com. amend. and title amend. pending)

Eng. Com. Sub. for H. B. 2793 - Permit out of state residents to obtain West Virginia concealed carry permits - (Com. amend. and title amend. pending)

Eng. Com. Sub. for H. B. 2834 - Adding the Curator of the West Virginia Division of Arts, Culture and History as an ex officio voting member of the commission (original similar to SB557)

Eng. H. B. 2874 - Extend the current veteran's business fee waivers to active duty military members and spouses

Eng. Com. Sub. for H. B. 2890 - To clarify the regulatory authority of the Public Service Commission of West Virginia over luxury limousine services - (Com. title amend. pending)

Eng. H. B. 2914 - To remove certain ex officio, voting members from the Archives and History Commission and update formatting

Eng. H. B. 2969 - To clarify the procedures for the sale and operation of a municipally owned toll bridge by a private toll transportation facility - (Com. amend. and title amend. pending)

Eng. Com. Sub. for H. B. 3293 - Relating to single-sex participation in interscholastic athletic events - (Com. amend. pending)

Eng. H. B. 3294 - Relating to unemployment insurance - (Com. title amend. pending)



**ANNOUNCED SENATE COMMITTEE MEETINGS**

**Regular Session 2021**

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**No committee meetings were announced  
during the floor session on Friday, April 2, 2021**