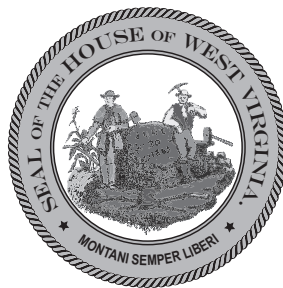


West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Second Legislature
Second Regular Session

Held at Charleston
Published by the Clerk of the House



February 2, 2016
TWENTY-FIRST DAY

Tuesday, February 2, 2016

TWENTY-FIRST DAY

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

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

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

The Clerk proceeded to read the Journal of Monday, February 1, 2016, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

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

Your Committee on Education has had under consideration:

H. B. 4316, Relating to reimbursement of certification fee for National Board for Professional Teaching Standards certification,

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 (H. B. 4316) was referred to the Committee on Finance.

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

Your Committee on Education has had under consideration:

H. B. 4301, Relating to a framework for initiating comprehensive transformation of school leadership,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4301) was referred to the Committee on Finance.

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

Your Committee on Roads and Transportation has had under consideration:

H. B. 4222, Providing for the transfer of ownership, operation and maintenance of certain assets of the West Virginia Parkways Authority to the Division of Highways,

And,

H. B. 4228, Relating to transportation network companies,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4222 and H. B. 4228) were each referred to the Committee on Finance.

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

Your Committee on the Judiciary has had under consideration:

H. B. 4244, Eliminating the need for a public hearing when no objection is filed on an application from an out of state state-chartered credit union to establish a branch in West Virginia,

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

Com. Sub. for H. B. 4244 — “A Bill to amend and reenact §31C-2-6 of the Code of West Virginia, 1931, as amended, relating to eliminating the need for a public hearing when no objection is filed on an application from an out of state state-chartered credit union to establish a branch in West Virginia; requiring public notice to be given of application; setting forth requirements for the public notice; and providing for notice to banking institutions and credit unions when requested for in writing,”

With the recommendation that the committee substitute do pass.

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

Your Committee on the Judiciary has had under consideration:

H. B. 4245, Requiring the cashier or executive officer of a banking institution to provide shareholders with the institution’s most recent year-end audited financial statement,

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

Com. Sub. for H. B. 4245 — “A Bill to amend and reenact §31A-4-20 of the Code of West Virginia, 1931, as amended, relating to requirements for the review of the financial condition of state chartered banks; requiring the cashier or executive officer of a state banking institution to provide shareholders with the institution’s most recent fiscal year audited financial statement; authorizing alternative delivery to shareholders and consolidated or combined statements; requiring that the board of directors of a bank, or its controlling bank holding company, appoint an outside independent auditing firm; eliminating the requirement that a bank transmit a copy of an audit report of its financial condition to the division of financial institutions; eliminating the approval required for a shareholder committee to utilize or employ registered or certified public accountants; and eliminating the division examiner’s ability to require the presence of the examining committee or executive committee during an examination,”

With the recommendation that the committee substitute do pass.

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

Your Committee on the Judiciary has had under consideration:

S. B. 32, Relating to withdrawal of candidates for office and filling vacancies,

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

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

S. B. 15 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-30, relating generally to manufacturers and sellers of prescription drugs and medical devices and liability of those entities for alleged inadequate warning or instruction; and adopting the learned intermediary doctrine as defense to civil action based upon inadequate warnings or instructions”; to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 27 – “A Bill to amend and reenact §7-5-24 of the Code of West Virginia, 1931, as amended; and to amend and reenact §11A-2-2 of said code, all relating to permitting county commissions to hire outside attorneys to assist in collection of taxes or to represent the county before any United States Bankruptcy Court; providing for county commissions to limit fees to be paid to any attorneys so hired; providing for reimbursement of actual expenses incurred by attorneys in the course of representation; and providing for sharing cost of collection with various taxing units”; which was referred to the Committee on the Judiciary then 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. 150 – “A Bill to amend and reenact article 8, chapter 64 of the Code of West Virginia, 1931, as amended, relating generally to the promulgation of administrative rules by the Department of Transportation; authorizing certain of the agencies to promulgate certain legislative rules with various modifications presented to and recommended by the Legislative Rule-Making Review Committee; authorizing the Office of Administrative Hearings to promulgate a legislative rule relating to appeal procedures; authorizing the Division of Highways to promulgate a legislative rule relating to the state transportation infrastructure fund program; and authorizing the Division of Public Transit to promulgate a legislative rule relating to rail-fixed guideway systems state safety oversight”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

Com. Sub. for S. B. 288 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-16-11b, relating to creating a one-day special license for charitable events to sell nonintoxicating beer; setting fee for license; and authorizing commissioner to waive certain restrictions by rule or order”; which was referred to the Committee on the Judiciary then Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

S. B. 329 – “A Bill to amend and reenact §49-1-207 of the Code of West Virginia, 1931, as amended; to amend and reenact §49-2-125 of said code; and to amend and reenact §49-4-502, §49-4-604, §49-4-605, §49-4-607, §49-4-701 and §49-4-709 of said code, all relating to defining “juvenile referee”; eliminating sunset provision for the commission to study residential placement of children; clarifying that prosecuting attorneys are not required to represent any party other than Department of Health and Human Resources in child abuse and neglect cases; clarifying that Department of Health and Human Resources is required to make an effort to terminate parental rights when parent has committed sexual assault or sexual abuse; and making technical changes”; which was referred to the Committee on Health and Human Resources then the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 338 – “A Bill amend and reenact §61-7A-1, §61-7A-2, §61-7A-3 and §61-7A-4 of the Code of West Virginia, 1931, as amended, all relating generally to compiling and maintaining of West Virginia Central State Mental Health Registry; clarifying that only certain mental illness commitments are to be reported to registry; prohibiting reporting children under fourteen years of age to registry; requiring names to be reported to Administrator of the Supreme Court of Appeals; and making technical corrections”; which was referred to the Committee on Health and Human Resources then the Judiciary.

A message from the Senate, by

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

S. B. 379 – “A Bill amend and reenact §61-7A-1, §61-7A-2, §61-7A-3 and §61-7A-4 of the Code of West Virginia, 1931, as amended, all relating generally to compiling and maintaining of West Virginia Central State Mental Health Registry; clarifying that only certain mental illness commitments are to be reported to registry; prohibiting reporting children under fourteen years of age to registry; requiring names to be reported to Administrator of the Supreme Court of Appeals; and making technical corrections”; which was referred to the Committee on the Judiciary.

Resolutions Introduced

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

H. C. R. 30 – “Requesting the Division of Highways to name the bridge carrying County Route 11 over the Buckhannon River in Upshur County, bridge number 49-11-17.13 (49A032), latitude 38.78276, longitude -80.22227, locally known as the Alexander Larch bridge, the ‘U.S. Army PFC Everett Henry Woody Memorial Bridge’.”

Whereas, PFC Everett Henry Woody was born on August 20, 1931, in Upshur County; and

Whereas, PFC Everett Henry Woody died in the Korean War on July 1, 1953; and

Whereas, It is fitting that an enduring memorial be established to commemorate his service to his community and country by making the ultimate sacrifice; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby requests the Division of Highways to name the bridge carrying County Route 11 over the Buckhannon River in Upshur County, bridge number 49-11-17.13 (49A032), latitude 38.78276, longitude -80.22227, locally known as the Alexander Larch bridge, the "U.S. Army PFC Everett Henry Woody Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the twin bridges, both northbound and southbound, as the "U.S. Army PFC Everett Henry Woody Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a certified copy of this resolution to the Secretary of the Department of Transportation and to Larry W. Brown, Commander, VFW Post 3663.

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

H. C. R. 31 – "Requesting the Division of Highways to name bridge number 16-48-13.65 (16A124), locally known as Clifford Hollow Bridge, carrying US 48 (Corridor H) over Clifford Hollow in Hardy County, the 'Wilbur Lee Clayton Memorial Bridge'."

Whereas, Wilbur Lee Clayton was born in the small town of Moorefield, West Virginia, and attended elementary and high school there before heading off to Potomac State College, followed by West Virginia University; and

Whereas, Wilbur Lee Clayton's college education was interrupted when he joined the United States Air Force in July, 1963, attended basic training at Lackland Air Force Base in San Antonio, Texas, and spent eleven months at Chanute Air Force Base in Rantoul, Illinois, being trained in Minuteman Missile maintenance; and

Whereas, In July, 1964, he was assigned to the 341st Missile Maintenance Squadron at Malmstrom Air Force Base in Great Falls, Montana, where his work involved primarily the alignment and targeting of Minuteman Missiles; and

Whereas, After being honorably discharged in July, 1967, Wilbur Lee Clayton resumed his education at Eastern Montana College in Billings, Montana, and following tradition established by his grandfather and grandmother, earned a Bachelor's Degree in Education; and

Whereas, In 1970 he returned east to Franklin County, Virginia to be closer to his parents; remaining there until 1978, at which time he was hired to teach social studies at Moorefield High School, fulfilling a desire to return home to Hardy County and the family farm where he grew up, and where he then built his home, raised his three children, and happily remained until his untimely death in 1992; and

Whereas, Being a positive influence in the lives of hundreds of his junior high and high school students during his twenty-four years of teaching was without question Wilbur Lee Clayton's greatest contribution to the State of West Virginia; and

Whereas, Being highly respected and genuinely loved by students and colleagues, he was a man of quiet mannerism and subtle sense of humor that was reflected in his teaching style; and

Whereas, Wilbur Lee Clayton's classroom became a place where students felt comfortable and confident, knowing there was an even playing field. All were treated the same; consequences were dealt out fairly; rewards were given equally; and

Whereas, There was a two-way exchange of respect between teacher and student; and

Whereas, After all these years after his unexpected death at age fifty-two, his former students praise him for the competent, compassionate, humorous teacher that he was, and still acclaim him as their favorite teacher ever; and

Whereas, There can be no greater contribution than to be this quiet, unassuming man who served his country proudly and then set for himself the task of being a wonderful, competent and compassionate teacher and positive role model. To honor Wilbur Lee Clayton, who lived a simple life devoted to helping students succeed not only in school, but more importantly, in life; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 1-48-13.65 (16A124), locally known as Clifford Hollow Bridge, carrying US 48 (Corridor H) over Clifford Hollow in Hardy County, the "Wilbur Lee Clayton Memorial Bridge"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to erect signs at both ends of the bridge containing bold and prominent letters proclaiming the bridge the "Wilbur Lee Clayton Memorial Bridge"; and, be it

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

Delegates Marcum, P. White, Hamrick, J. Nelson, O'Neal, Summers, Foster, Blair, Sobonya, Kessinger, R. Smith, Hicks, Atkinson, Bates, Butler, Byrd, Eldridge, A. Evans, Fast, Ferro, Folk, Frich, Hamilton, Ireland, Kelly, Kurcaba, McCuskey, Moffatt, Morgan, Moye, Phillips, Reynolds, Rodighiero, Romine, Rowan, Storch, Weld, Westfall and Zatezalo offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 32 – "Requesting the Division of Highways to name bridge number 30-3/5-1.60 (30A182) (37.81271, -82.27014), locally known as Lower Canterbury Box Beam Bridge, carrying County Route 3/5 over Laurel Creek in Mingo County the 'Johnny Mack Bryant Memorial Bridge'."

Whereas, Johnny Mack Bryant born July 19, 1977, to John and Linda (Colley) Bryant; and

Whereas, Johnny Mack Bryant was married to the love of his life Leeann Hammond and had two children, Johnny and Mackenzie; and

Whereas, Johnny Mack Bryant worked for Buck Deskins and Randy Akers doing carpentry and installing metal roofs until he went to work for Coal River Mining where he died in a mining accident on July 27, 2012; and

Whereas, Johnny Mack Bryant loved to hunt, fish, ride four wheelers, dirt bikes and hill climbing. He won National Championships for hill climbing in West Virginia and Massachusetts and traveled as far as Minnesota to hill climb; and

Whereas, Johnny Mack Bryant had two sisters, Mattie Cassidy and Lori Williams of Ohio. He had a niece Allyson and many aunts, uncles and cousins who love and miss him; and

Whereas, Johnny Mack Bryant's two best friends were Wes Maynard and Brandon Urban who have memorial rides and golf tournaments every year in his name to honor him; and

Whereas, Johnny Mack Bryant always had a smile on his face no matter what and about one thousand people attended his wake and funeral; and

Whereas, It is fitting that the bridge which is located at the beginning of the hollow where Johnny Mack Bryant lived and his body is now buried be named for him; therefore, be it

Resolved by the West Virginia Legislature:

That the Division of Highways name bridge number 30-3/5-1.60 (30A182) (37.81271, 82.27014), locally known as Lower Canterbury Box Beam Bridge, carrying County Route 3/5 over Laurel Creek in Mingo County the “Johnny Mack Bryant Memorial Bridge”; and, be it

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

Further Resolved, That the Clerk of the House of Delegates forward a certified copy of this resolution to the Commissioner of the Division of Highways and the family of Johnny Mack Bryant.

Bills Introduced

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

By Delegates Butler, Moffatt, Waxman, McGeehan, Espinosa, Kelly, Faircloth, Summers, Atkinson, Hamrick and Cowles:

H. B. 4014 — “A Bill to amend and reenact §18-2E-5 of the Code of West Virginia, 1931, as amended, relating generally to academic content standards and assessments in schools; removing a reference to the No Child Left Behind Act; addressing education standards; defining “Learning Standards”; defining “college and career ready”; making certain findings with respect to the state board’s adoption of Common Core State Standards; establishing a designated name to refer to West Virginia educational standards; requiring the state board to replace the current content standards and objectives for English language arts and mathematics with educational standards in effect prior to adoption of the Common Core State Standards; requiring the state board to withdraw from a Memorandum of Agreement relating to adoption of Common Core State Standards; requiring that state board to withdraw as a governing state in the Smarter Balanced Assessment Consortium; requiring the state board to withdraw any pending or effective policies and regulations aligning West Virginia’s educational standards with Common Core State Standards; prohibiting the state board from entering into any agreement, memorandum of understanding, or contract which cedes or limits Constitutional authority and obligation to provide a thorough and efficient system of education; requiring the state board to provide a report to the Legislative Oversight Commission on Education and Accountability; requiring the state board to adopt new or revised educational standards that meet certain criteria; specifying that a certain process be followed prior to adopting new or revised educational standards; requiring that waivers for instructional resources be granted to teach new or revised standards; requiring guidelines be developed for county boards of education on informing the public and providing input at the local level; prohibiting evaluation of teachers based upon student achievement until training completed; requiring removal of Common Core based instructional resources from the state multiple list; establishing a process of notification and input for future changes to educational standards; addressing overlap of West Virginia educational standards with Common Core State Standards; addressing requests for waiver from federal law; requiring consultation prior to adopting a comprehensive statewide student assessment program that is aligned with West Virginia educational standards; requiring that student assessments be limited to once a year in certain grades; establishing the minimum criteria for student assessments; prohibiting use of

Common Core aligned assessments; and providing for assessment in transition period to new or revised West Virginia educational standards”; to the Committee on Education.

By Delegates Frich, Canterbury, Ambler, Hamilton, Faircloth, Butler, McCuskey, Westfall, Trecost, Storch and Miller:

H. B. 4348 — “A Bill to amend and reenact §4-2A-2 of the Code of West Virginia, 1931, as amended; and to amend and reenact §6-7-2 and §6-7-2a of said code, all relating to decreasing the basic compensation paid to members of the Legislature and salaries paid to other state officers by five percent”; to the Committee on the Judiciary then Finance.

By Delegates Hill, Statler, Stansbury, Kessinger, Duke, Espinosa, Shott, Faircloth, Upson and Blair:

H. B. 4349 — “A Bill to amend and reenact §17C-12-7 of the Code of West Virginia, 1931, as amended, relating to increasing the penalties for overtaking and passing a school bus stopped for the purpose of receiving and discharging children, and providing penalties in the event that the driver of the passing vehicle cannot be ascertained”; to the Committee on the Judiciary.

By Delegates Pushkin, Reynolds, Upson, McCuskey, Shott, Weld, Fleischauer, Guthrie, Byrd, Skinner and Marcum:

H. B. 4350 — “A Bill to amend and reenact §15-2C-1 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §15-2C-2a; and to amend and reenact §15-2C-3, §15-2C-4 and §15-2C-8 of said code, all relating to creating a domestic violence registry; providing a purpose; directing the Criminal Identification Bureau of the West Virginia State Police to establish and maintain the registry; providing for confidential inquiry of persons on the registry; establishing criteria for placement on and releasing information from the registry; requiring prosecuting attorneys to provide certain information; and defining terms”; to the Committee on the Judiciary.

By Delegates Westfall, Atkinson, Butler, Ihle, Cadle, B. White, Hamrick and McCuskey:

H. B. 4351 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-16b, relating to transferring the Cedar Lakes Camp and Conference Center from the West Virginia Board of Education to the Department of Agriculture”; to the Committee on Agriculture and Natural Resources then Education.

By Delegates E. Nelson, Ellington, Summers, Waxman, Lane and Kurcaba:

H. B. 4352 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-24, relating to the selling of certain state owned health care facilities by the Secretary of the Department of Health and Human Resources; requiring the secretary to submit a plan for the divestures to the Governor and Joint Committee on Government and Finance by November 30, 2016; creating in the State Treasury a special revenue account to be known as the ‘Health Care Facilities Liquidation Fund’; requiring the secretary to prepare an accounting of all such assets, and providing that expenditures from the fund are not authorized from collections deposited in the fund but are to be made only in accordance with appropriation by the Legislature”; to the Committee on Health and Human Resources then Finance.

By Delegates Ellington, Summers, Stansbury and Rohrbach:

H. B. 4353 — “A Bill to amend and reenact §16-3C-2 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto two new sections, designated §16-3C-2a and §16-3C-2b; and to amend and reenact §16-4-19 of said code, all relating to testing for HIV and sexually transmitted diseases; authorizing the billing of persons for HIV and sexually transmitted disease testing or sexually transmitted disease treatment done by state or local public health agencies; informing persons who wish to opt-out of HIV-related testing that anonymous testing is available; authorizing magistrate and circuit courts to order testing of persons accused of certain sex

crimes; requiring prosecuting attorneys to file motion for testing upon request of a victim or the victim's parent or guardian; establishing a time-frame for mandatory testing; providing for follow-up HIV-related testing as medically appropriate; providing that the costs associated with testing may be borne by the state when the a defendant or juvenile respondent is financially unable to pay; authorizing the billing of a defendant's or juvenile respondent's health insurance provider; requiring the testing of juvenile's adjudicated of certain sex crimes; removing counseling requirement; removing an exemption for providers regulated by the Insurance Commissioner; removing a limitation on the amount that may be charged for medication used to treat sexually transmitted diseases; and removing archaic language related to the testing of sexually transmitted diseases"; to the Committee on Health and Human Resources.

By Delegates Lane, Hamilton, Canterbury, Guthrie, Campbell, Hornbuckle, Sponaugle, Skinner, Byrd and Fluharty:

H. B. 4354 — "A Bill to amend and reenact §31B-10-1006 of the Code of West Virginia, 1931, as amended; and to amend and reenact §47-9-53a of said code, all relating to notices of revocation of certificate of authority to conduct business"; to the Committee on the Judiciary.

By Delegates Ellington, Rohrbach, Sobonya and Stansbury:

H. B. 4355 — "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-24, relating to requiring the Bureau of Medical Services to request certain waivers from the Center from Medicaid and Medicare Services"; to the Committee on Health and Human Resources.

By Delegates McGeehan and Sponaugle:

H. B. 4356 — "A Bill to amend and reenact §3-1-8 of the Code of West Virginia, 1931, and to amend and reenact §3-2-5 of said code; all relating to the criteria for political party status; allowing a group of affiliated voters to become a recognized political party if the group's candidate receives one percent of the votes in an election for any one of six statewide offices, including that of Governor, Secretary of State, Treasurer, Auditor, Attorney General or Commissioner of Agriculture; allowing a group of affiliated voters to become a recognized political party if five thousand or more individuals have identified as members of the group on their current voter registration forms; and requiring voting registration forms to provide a space for individuals who do not select a political party affiliation to write the name of a group of affiliated voters to which they belong"; to the Committee on the Judiciary.

By Delegates McGeehan, Kurcaba, Folk, Azinger and Hamilton:

H. B. 4357 — "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-25, relating to allowing a taxpayer a personal income tax credit for each dependent that participated in home educational instruction for the most recent academic year"; to the Committee on Education then Finance.

By Delegates Statler, Kurcaba, Rohrbach, Sobonya, Summers, Ellington, Blair, Flanigan, Butler, Frich and Fleischauer:

H. B. 4358 — "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-3-11c, and to amend said code by adding thereto a new section, designated §30-14-8a, all relating to out of state physicians and surgeons traveling with sports teams within this state; authorizing a physician or surgeon who is licensed to practice medicine or osteopathic medicine in another state to provide medical care to sports team members under certain circumstances"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Miley, Trecost, Caputo, Boggs and Perdue:

H. B. 4359 — "A Bill to amend and reenact §30-18-7 of the Code of West Virginia, 1931, as amended, relating to requiring the issuance of a photo identification to persons employed as a security guard by a security guard firm; and requiring for wearing of identification when in uniform"; to the Committee on Government Organization.

By Delegates Shaffer, Sponaugle, Shott, Reynolds, Miley, Mr. Speaker (Mr. Armstead), Hanshaw and Weld:

H. B. 4360 — “A Bill to amend and reenact §30-2-4 of the Code of West Virginia, 1931, as amended, relating to increasing the criminal penalty for the unlawful practice of law”; to the Committee on the Judiciary.

By Delegates Marcum, Phillips, J. Nelson, Frich, P. White, R. Smith, Westfall, Rodighiero, Hicks, Faircloth and Wagner:

H. B. 4361 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §51-3-19, relating to requiring that senior status circuit judges only fill vacancies in districts or counties in which they were not previously elected”; to the Committee on the Judiciary.

By Delegates Kurcaba, Fleischauer, Statler, Householder, Espinosa, Overington, Weld, Summers, Blair, Byrd and Upson:

H. B. 4362 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-2-9d, relating to crimes against the person; establishing a felony offense of strangulation; defining terms; and providing penalties”; to the Committee on the Judiciary.

By Delegates Fleischauer, Moore, Morgan, Manchin, Longstreth, Caputo, Hornbuckle, P. White and Lynch:

H. B. 4363 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-3E-1, §21-3E-2, §21-3E-3, §21-3E-4, §21-3E-5, §21-3E-6, §21-3E-7, §21-3E-8 and §21-3E-9, all relating to labor; providing for healthy workplaces by providing remedies for hostile work environments; defining terms; providing an affirmative defense for employers; banning retaliation in certain circumstances; providing an employer duty to respond to third-party acts of malice; restricting applicability to employment practices not covered by existing state laws on human rights or wrongful discharge; and providing certain time limitations for commencing action”; to the Committee on Industry and Labor then the Judiciary.

By Delegates Skinner, McGeehan, Hamrick, Fluharty, Householder, Blair, Sponaugle, Manchin, Miley, Byrd and Marcum:

H. B. 4364 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-5G-1, §21-5G-2, §21-5G-3 and §21-5G-4, all relating to employment and privacy protection; prohibiting an employer from requesting or requiring that an employee or applicant disclose any user name, password, or other means for accessing a personal account or service through certain electronic communications devices; prohibiting an employer from taking or threatening to take, certain disciplinary actions for an employee’s refusal to disclose certain password and related information; prohibiting an employer from failing or refusing to hire an applicant as a result of the applicant’s refusal to disclose certain password and related information; prohibiting an employee from downloading certain unauthorized information or data to certain websites or web-based accounts; providing that an employer is not prevented from conducting certain investigations for certain purposes, including gathering information needed for compliance with mandatory state or federal regulations; and duties not created under this article”; to the Committee on the Judiciary.

By Delegates Ellington, Arvon, Bates, Cooper, Householder, Rohrbach, Stansbury, Summers and Waxman:

H. B. 4365 — “A Bill to repeal §16-2D-4a, §16-2D-4b, §16-2D-5a, §16-2D-5b, §16-2D-5c, §16-2D-5d, §16-2D-5e and §16-2D-7a of the Code of West Virginia, 1931, as amended; to amend and reenact §16-2D-1, §16-2D-2, §16-2D-3, §16-2D-4, §16-2D-5, §16-2D-6, §16-2D-7, §16-2D-8, §16-2D-9, §16-2D-10, §16-2D-11, §16-2D-12, §16-2D-13, §16-2D-14 and §16-2D-15; and to amend said code by adding thereto six new sections, designated §16-2D-16, §16-2D-17, §16-2D-18, §16-2D-19, §16-2D-20 and §16-2D-21, all relating to the certificate of need process; providing legislative findings; defining terms; providing powers to the authority; providing duties to the authority; providing rulemaking authority; continuing a special revenue account; providing a process to update certificate of need standards; providing a process to update the state health plan; providing a process to review

the cost effectiveness of the certificate of need standards; providing a process for the Health Care Authority to review whether a certificate of need is required; providing health services that require a certificate of need; providing an exemption process; providing exemptions to the certificate of need requirement; providing criteria the authority shall use to determine whether to grant a certificate of need; changing the certificate of need process; requiring the creation of a process to review an uncontested certificate of need application; requiring the authority to make certain findings to approve a certificate of need; providing an appeal process; prohibiting the transfer of a certificate of need; permitting the authority to perform a compliance review of an issued certificate of need; creating an injunction process; establishing a statute of limitations; establishing a civil penalty; to the Committee on Health and Human Resources then the Judiciary.

House Calendar

Third Reading

S. B. 364, Supplemental appropriation expiring funds from General Revenue; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 25**), and there were—yeas 96, nays 2, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Folk and McGeehan.

Absent and Not Voting: Boggs and Moore.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 364) passed.

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

On this question, the yeas and nays were taken (**Roll No. 26**), 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: Boggs and Moore.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 364) takes effect from its passage.

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

Com. Sub. for H. B. 4175, Relating generally to home schooling; 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. 27**), and there were—yeas 80, nays 18, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Anderson, Blackwell, Caputo, Eldridge, Ferro, Fleischauer, Guthrie, Lane, Longstreth, Lynch, Manchin, Marcum, Miley, Perdue, Pethel, Skinner, Sponaugle and P. White.

Absent and Not Voting: Boggs and Moore.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4175) passed.

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

Second Reading

H. B. 4243, Extending the time that certain nonprofit community groups are exempt from the moratorium on creating new nursing home beds; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

First Reading

The following bills on first reading, coming up in regular order, were each read a first time and ordered to second reading:

S. B. 1, Establishing WV Workplace Freedom Act,

Com. Sub. for H. B. 4311, Relating to qualifications of members of the Board of Landscape Architects,

And,

Com. Sub. for H. B. 4313, Relating to qualifications of members of the Board of Architects.

Leaves of Absence

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

Remarks by Members

Delegate Kurcaba asked and obtained unanimous consent that the remarks of Delegates Ferro and Guthrie regarding Com. Sub. for H. B. 4175 be printed in the Appendix to the Journal.

Delegate Faircloth asked and obtained unanimous consent that the remarks of Delegate Folk regarding the passage of S. B. 364 be printed in the Appendix to the Journal.

Delegate Ellington asked and obtained unanimous consent that the remarks of Delegate Gearheart regarding the passage of S. B. 364, Delegate Bates regarding the proposal to raise the tax on tobacco and Delegate Phillips regarding the decline of the coal industry be printed in the Appendix to the Journal.

Miscellaneous Business

Delegate Hamrick filed a form with the Clerk's Office per House Rule 94b to be removed as a cosponsor of H. B. 4343.

At 12:26 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, February 3, 2016.

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

HOUSE ABSTRACT

2016 Regular Session

CONTAINING

Active House Bills as of February 2, 2016

*Denotes Committee Substitutes

ACTIVE HOUSE BILLS

- *2101. By Del. Morgan, Caputo, Faircloth, Folk, Howell and Smith, R. - **Eliminating obsolete government entities** - Introduced 1/13/2016 - To Government Organization - Passed House 1/21/2016 - To Senate 1/25/2016 - To Government Organization - Laid over on 2nd reading 2/2/16
- 4005. By Del. Cowles, Duke, Foster, Gearheart, Miller, Overington, Shott, Walters, Waxman, Westfall and Householder - **Repealing prevailing hourly rate of wages requirements**(original similar to SB2) - Introduced 1/13/2016 - To Government Organization - Laid over until 1/25/16 - Written motion to suspend Rule 95c rejected - Passed House 1/27/2016 - To Senate 1/28/2016 - To Government Organization - On 2nd reading 2/3/2016
- *4175. By Del. Kurcaba, Faircloth, Statler, Espinosa, McGeehan, Azinger, Upson, Kelly, Trecost and Ihle - **Relating generally to home schooling**(original similar to SB318) - Introduced 1/20/2016 - To Education - To House Education 1/20/2016 - Passed House 2/2/2016
- 4222. By Del. Gearheart, Householder, Ellington, Fast and Ambler - **Providing for the transfer of ownership, operation and maintenance of certain assets of the West Virginia Parkways Authority to the Division of Highways** - Introduced 1/21/2016 - To Roads and Transportation then Finance - To House Finance 2/2/2016
- 4228. By Del. Cowles, White, B., Shott, Espinosa, Nelson, E., Howell, Upson, Trecost, Reynolds, Gearheart and Hamrick - **Relating to transportation network companies**(original similar to SB324) - Introduced 1/22/2016 - To Roads and Transportation then Finance - To House Finance 2/2/2016
- 4235. By Del. Shott - **Relating to the publication requirements of the administration of estates** - Introduced 1/22/2016 - To Judiciary - Passed House 2/1/2016 - Title amended - To Senate 2/2/2016 - To Judiciary
- 4243. By Del. Border, Ellington, Arvon, Kelly, Sobonya, Anderson, Deem and Ireland - **Extending the time that certain nonprofit community groups are exempt from the moratorium on creating new nursing home beds** - Introduced 1/22/2016 - To Health and Human Resources - On 3rd reading, House Calendar 2/3/2016

- *4244. By Del. Walters, Frich, Westfall, McCuskey, Manchin, Skinner, Shott, Flanigan, Waxman, Perry and White, B. - **Eliminating the need for a public hearing when no objection is filed on an application from an out of state state-chartered credit union to establish a branch in West Virginia** - Introduced 1/25/2016 - To Banking and Insurance then Judiciary - To House Judiciary 1/29/2016 - On 1st reading, House Calendar 2/3/2016
- *4245. By Del. Walters, Frich, Westfall, McCuskey, Manchin, Skinner, Rowe, Flanigan, Waxman, Perry and White, B. - **Requiring the cashier or executive officer of a banking institution to provide shareholders with the institution's most recent year-end audited financial statement** - Introduced 1/25/2016 - To Banking and Insurance then Judiciary - To House Judiciary 1/29/2016 - On 1st reading, House Calendar 2/3/2016
- 4301. By Del. Espinosa, Westfall, Ambler, Cooper, Evans, D., Statler, Hamrick, Kurcaba, Rohrbach, Upson and Householder - **Relating to a framework for initiating comprehensive transformation of school leadership** - Introduced 1/27/2016 - To Education then Finance - To House Finance 2/2/2016
- *4311. By Del. Howell, Arvon, Blair, Phillips, Hartman, Ihle, Cadle, McGeehan, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Board of Landscape Architects** - Introduced 1/27/2016 - To Government Organization - On 2nd reading, House Calendar 2/3/2016
- *4313. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Board of Architects**(original similar to HB4311) - Introduced 1/27/2016 - To Government Organization - On 2nd reading, House Calendar 2/3/2016
- 4316. By Del. Espinosa, Ellington, Duke, Perry, Moye, Upson, Wagner, Ambler, Cooper, Evans, D. and Kelly - **Relating to reimbursement of certification fee for National Board for Professional Teaching Standards certification** - Introduced 1/27/2016 - To Education then Finance - To House Finance 2/2/2016

BILLS INTRODUCED AND REFERRED

Tuesday, February 02, 2016

- 4014. By Del. Butler, Moffatt, Waxman, McGeehan, Espinosa, Kelly, Faircloth, Summers, Atkinson, Hamrick and Cowles - **Preventing the State Board of Education from implementing common core academic standards and assessments** - Introduced 2/2/2016 - To Education
- 4348. By Del. Frich, Canterbury, Ambler, Hamilton, Faircloth, Butler, McCuskey, Westfall, Trecost, Storch and Miller - **Decreasing the basic compensation paid to members of the Legislature and salaries paid to other state officers by five percent** - Introduced 2/2/2016 - To Judiciary then Finance
- 4349. By Del. Hill, Statler, Stansbury, Kessinger, Duke, Espinosa, Shott, Faircloth, Upson and Blair - **Increasing the penalties for overtaking and passing a school bus**(original similar to HB4198, SB13) - Introduced 2/2/2016 - To Judiciary

4350. By Del. Pushkin, Reynolds, Upson, McCuskey, Shott, Weld, Fleischauer, Guthrie, Byrd, Skinner and Marcum - **Creating a domestic violence registry** - Introduced 2/2/2016 - To Judiciary
4351. By Del. Westfall, Atkinson, Butler, Ihle, Cadle, White, B., Hamrick and McCuskey - **Transferring the Cedar Lakes Camp and Conference Center from the West Virginia Board of Education to the Department of Agriculture**(original similar to SB392) - Introduced 2/2/2016 - To Agriculture and Natural Resources then Education
4352. By Del. Nelson, E., Ellington, Summers, Waxman, Lane and Kurcaba - **Relating to the selling of certain state owned health care facilities by the Secretary of the Department of Health and Human Resources** - Introduced 2/2/2016 - To Health and Human Resources then Finance
4353. By Del. Ellington, Summers, Stansbury and Rohrbach - **Relating to testing for HIV and sexually transmitted diseases** - Introduced 2/2/2016 - To Health and Human Resources
4354. By Del. Lane, Hamilton, Canterbury, Guthrie, Campbell, Hornbuckle, Sponaugle, Skinner, Byrd and Fluharty - **Relating to notices of revocation of certificate of authority to conduct business**(original similar to SB398) - Introduced 2/2/2016 - To Judiciary
4355. By Del. Ellington, Rohrbach, Sobonya and Stansbury - **Requiring the Bureau of Medical Services to request certain waivers from the Center from Medicaid and Medicare Services** - Introduced 2/2/2016 - To Health and Human Resources
4356. By Del. McGeehan and Sponaugle - **Allowing a group of affiliated voters to become a recognized political party under certain criteria** - Introduced 2/2/2016 - To Judiciary
4357. By Del. McGeehan, Kurcaba, Folk, Azinger and Hamilton - **Home Instruction Tax Relief Act** - Introduced 2/2/2016 - To Education then Finance
4358. By Del. Statler, Kurcaba, Rohrbach, Sobonya, Summers, Ellington, Blair, Flanigan, Butler, Frich and Fleischauer - **Relating to out of state physicians and surgeons traveling with sports teams within this state** - Introduced 2/2/2016 - To Health and Human Resources then Judiciary
4359. By Del. Miley, Trecost, Caputo, Boggs and Perdue - **Requiring the issuance of a photo identification to persons employed as a security guard by a security guard firm**(original similar to SB376) - Introduced 2/2/2016 - To Government Organization
4360. By Del. Shaffer, Sponaugle, Shott, Reynolds, Miley, Mr. Speaker (Mr. Armstead), Hanshaw and Weld - **Increasing the criminal penalty for the unlawful practice of law** - Introduced 2/2/2016 - To Judiciary
4361. By Del. Marcum, Phillips, Nelson, J., Frich, White, P., Smith, R., Westfall, Rodighiero, Hicks, Faircloth and Wagner - **Requiring that senior status circuit judges only fill vacancies in districts or counties in which they were not previously elected** - Introduced 2/2/2016 - To Judiciary

4362. By Del. Kurcaba, Fleischauer, Statler, Householder, Espinosa, Overington, Weld, Summers, Blair, Byrd and Upson - **Establishing a felony offense of strangulation** - Introduced 2/2/2016 - To Judiciary
4363. By Del. Fleischauer, Moore, Morgan, Manchin, Longstreth, Caputo, Hornbuckle, White, P. and Lynch - **The Healthy and Safe Workplace Act** - Introduced 2/2/2016 - To Industry and Labor then Judiciary
4364. By Del. Skinner, McGeehan, Hamrick, Fluharty, Householder, Blair, Sponaugle, Manchin, Miley, Byrd and Marcum - **Internet Privacy Protection Act** - Introduced 2/2/2016 - To Judiciary
4365. By Del. Ellington, Arvon, Bates, Cooper, Householder, Rohrbach, Stansbury, Summers and Waxman - **Relating to the certificate of need process**(original similar to SB467) - Introduced 2/2/2016 - To Health and Human Resources then Judiciary

ALL HOUSE JOINT RESOLUTIONS OFFERED

2. By Del. Romine, Walters and Rowan - **Super-Majority Required for Passage of Tax Bill Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
3. By Del. Lane - **Homestead Exemption Increase Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
4. By Del. Caputo, Manchin and Longstreth - **The “Homestead Exemption Increase Amendment”** - Introduced 1/13/2016 - To Judiciary then Finance
5. By Del. Rodighiero, Hicks, Perdue, Marcum, Reynolds, Eldridge and Moye - **The “Homestead Exemption Increase Amendment”** - Introduced 1/13/2016 - To Judiciary then Finance
8. By Del. Overington, Walters, Deem, Gearheart, Householder, Sobonya, Moffatt, Cadle, Foster, Frich and Blair - **The “Initiative, Referendum, and Recall Amendment”** - Introduced 1/13/2016 - To Judiciary
9. By Del. Overington, Walters, Householder, Moffatt, Butler, Frich, Gearheart, Blair, Deem, Phillips and Foster - **The Super-Majority Required for Passage of Tax Bill Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
10. By Del. Overington, Walters, Householder, Kelly, Foster, Gearheart, Upson, Deem, Phillips and Shott - **Prohibiting the Governmental Taking of Private Property for Private Use Amendment** - Introduced 1/13/2016 - To Judiciary
12. By Del. Sponaugle, Longstreth, Hartman, Marcum, Hicks, Byrd, Hamilton, Perdue, Guthrie and Phillips - **The Right to Hunt and Fish in West Virginia Amendment** - Introduced 1/13/2016 - To Judiciary
13. By Del. Overington, Householder, Moffatt, Espinosa, Upson, Frich, Phillips, Perdue, Hanshaw, Border and Miller - **The Homestead Exemption Increase Amendment** - Introduced 1/13/2016 - To Judiciary then Finance

14. By Del. Hamrick, Sobonya, Miller, Butler, Rohrbach and Nelson, J. - **The School Board Election Amendment** - Introduced 1/13/2016 - To Judiciary
16. By Del. Kurcaba, Hill, Faircloth, Wagner and Ihle - **The Term Limitations Amendment.** - Introduced 1/13/2016 - To Judiciary
18. By Del. Reynolds, Pushkin, Perry, Hornbuckle, Campbell, Byrd, Rohrbach and Bates - **The Removal of Governor's veto power for education spending in budget and appropriations bills.** - Introduced 1/13/2016 - To Finance then Judiciary
20. By Del. Reynolds, Moffatt, Rodighiero, Hicks, Lynch, Trecost and Bates - **Term Limitation Amendment** - Introduced 1/13/2016 - To Judiciary
21. By Del. Rodighiero - **The Citizens' Redistricting Commission Amendment** - Introduced 1/13/2016 - To Judiciary
22. By Del. Hamilton, O'Neal, Hanshaw, Kessinger, Blair, Weld, Foster, Hill, Ireland, Campbell and Marcum - **The Right to Hunt, Fish and Harvest Wildlife Amendment** - Introduced 1/13/2016 - To Judiciary
23. By Del. Sponaugle, Perdue, Hornbuckle, Marcum, Pushkin, Lynch, Hartman, Phillips and Campbell - **The Volunteer Emergency Service Personnel Property Tax Exemption Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
24. By Del. Sponaugle, Perdue, Fluharty, Hornbuckle, Trecost, Marcum, Pushkin, Byrd and Lynch - **The Veteran's Property Tax Exemption Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
25. By Del. Cowles - **The Disabled Veteran Exemption From Ad Valorem Property Taxation Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
26. By Del. Lane and Shott - **The Constitutional Officers Term Limit Amendment** - Introduced 1/13/2016 - To Judiciary
27. By Del. Stansbury, Householder, Summers, Ellington, Perdue, Phillips, Nelson, J., Ambler, White, B., Rohrbach and Westfall - **Right to hunt, fish and harvest wildlife** - Introduced 1/18/2016 - To Agriculture and Natural Resources then Judiciary
28. By Del. Deem - **Relating to the creation of a Citizens Redistricting Commission to redistrict Senate, House of Delegates and Congressional Districts** - Introduced 1/20/2016 - To Judiciary - To House Judiciary 1/20/2016
29. By Del. Campbell, Cooper, Ferro, Kurcaba, Perry, Morgan, Pethtel, Kessinger, Statler, Wagner and Romine - **Reducing the length of terms for members of the West Virginia Board of Education** - Introduced 1/20/2016 - To Education then Judiciary - To House Education 1/20/2016
30. By Del. Foster - **Exemption from ad valorem taxation of manufacturing inventory and equipment** - Introduced 1/21/2016 - To Finance then Judiciary

31. By Del. Howell, Mr. Speaker (Mr. Armstead), Espinosa, Stansbury, Frich, Butler, Cadle, Blair, Cooper, Hamrick and Waxman - **Property tax limitation and homestead exemption amendment of 1982** - Introduced 1/21/2016 - To Finance then Judiciary
32. By Del. Deem and Overington - **Redistricting of Senate, House of Delegates and Congressional Districts** - Introduced 1/26/2016 - To Judiciary
33. By Del. Sobonya, Moffatt, Miller, Frich, Rohrbach, Butler, Cowles, Householder, Kurcaba and Summers - **Supervision of Free Schools** - Introduced 1/26/2016 - To Education then Judiciary
34. By Del. Sobonya, Moffatt, Miller, Rohrbach, Cadle, Summers, Cowles, Nelson, J., Kurcaba, Ihle and Frich - **Supervision of Free Schools** - Introduced 1/27/2016 - To Education then Judiciary
35. By Del. Shaffer, Smith, R., Lynch, Smith, P., Blackwell, Faircloth, Byrd and Ireland - **Senior Citizen Homestead Valuation Amendment** - Introduced 1/27/2016 - To Finance then Judiciary
36. By Del. Ferro, Lynch, Pethtel, Fluharty, Hamilton, Skinner, Storch, Caputo, Hartman and Perry - **The Simple Majority Levy Approval Amendment** - Introduced 1/29/2016 - To Judiciary
37. By Del. Marcum, Phillips, Sobonya, McCuskey, Westfall, Storch, Frich, Reynolds, Rohrbach, Shott and Householder - **Senators and Delegates Term Limit Amendment** - Introduced 2/1/2016 - To Judiciary

ALL HOUSE CONCURRENT RESOLUTIONS OFFERED

1. By Mr. Speaker (Mr. Armstead) - **Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016 - To Senate 1/13/2016 - Committee reference dispensed - Adopted by Senate 1/14/2016
2. By Del. Rowan and Cowles - **U.S. Army PV2 William Frederick Kump Memorial Bridge** - Introduced 1/14/2016 - To Roads and Transportation then Rules
3. By Del. Rowan and Cowles - **North River Mills Historic Trace** - Introduced 1/14/2016 - To Roads and Transportation then Rules
4. By Del. Rowan - **CSA LTG Thomas J. "Stonewall" Jackson Bridge** - Introduced 1/14/2016 - To Roads and Transportation then Rules
5. By Del. Ambler, Canterbury and Cowles - **U.S. Army PV2 Eskridge A. Waggoner Memorial Bridge** - Introduced 1/15/2016 - To Roads and Transportation then Rules
6. By Del. Phillips, Marcum, Eldridge, Moffatt and White, P. - **U.S. Army CPL F. Lee Noel Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016

7. By Del. Miller, Morgan, Moffatt, Hornbuckle, Reynolds, Sobonya and Rohrbach - **U.S. Army PFC Cecil Ray Ball Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
8. By Del. Westfall, McCuskey, White, B., Atkinson, Stansbury, Blair, Foster, Ihle, Butler and Storch - **Harry Ripley Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
9. By Del. Kelly, Kessinger, Azinger, Statler, Evans, D., Zatezalo, Weld, McGeehan, Ireland, Border and Nelson, J. - **Navy Chief Petty Officer Nicholas Heath Null Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
10. By Del. White, P., Phillips, Marcum and Eldridge - **U.S. Marine Corps GySgt Lionel Collins Memorial Road** - Introduced 1/21/2016 - To Roads and Transportation then Rules
11. By Del. Campbell, Moye, Rowan, Espinosa, Wagner, Hornbuckle, White, P., Marcum, Phillips, Stansbury and Hamilton - **World Autism Awareness Day** - Introduced 1/21/2016 - To Rules
12. By Del. Campbell, Hartman, Sponaugle, Espinosa, Wagner, White, P., Stansbury, Perry and Hamilton - **Cheat Mountain Salamander as the State symbol of conservation** - Introduced 1/21/2016 - To Agriculture and Natural Resources then Rules
13. By Del. Cooper and Ambler - **U.S. Army SPC 4 Everette R. Johnson Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
14. By Del. Howell, Mr. Speaker (Mr. Armstead), Ambler, Anderson, Arvon, Atkinson, Azinger, Border, Butler, Cadle, Cooper, Cowles, Duke, Ellington, Espinosa, Evans, D., Frich, Hamrick, Hanshaw, Hill, Householder, Ihle, Ireland, Kelly, Kessinger, Kurcaba, McGeehan, Miller, Moffatt, O'Neal, Overington, Rowan, Shott, Smith, R., Sobonya, Stansbury, Statler, Storch, Walters, Waxman and Zatezalo - **Second Friday in July as West Virginia Collector Car Appreciation Day** - Introduced 1/21/2016 - To Roads and Transportation then Rules
15. By Mr. Speaker (Mr. Armstead) - **U.S. Marine Corps PFC Clayton Andrew Craft Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
16. By Del. Morgan, Perdue, Hornbuckle, Sobonya, Rohrbach, Miller, Reynolds and Hicks - **U.S. Army PFC John Ira Pinkerman Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
17. By Del. Phillips, Marcum, Rodighiero and White, P. - **SGT Larry Joseph Whitt Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
18. By Del. Phillips, Marcum, Rodighiero and White, P. - **U.S. Air Force Staff Sergeant William Henry 'Bill' Whitman Memorial Highway** - Introduced 1/21/2016 - To Roads and Transportation then Rules
19. By Del. Waxman, Trecost, Miley and Hamrick - **H. Laban White Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules

20. By Del. Cooper, Evans, D., Nelson, J., Fleischauer, Longstreth, Rowan and Weld - **Funding for the West Virginia National Guard** - Introduced 1/21/2016 - To Veterans' Affairs and Homeland Security then Rules
21. By Del. Howell, Blair, Cowles, Duke, Espinosa, Evans, A., Faircloth, Fleischauer, Folk, Frich, Householder, Kurcaba, Flanigan, Overington, Rowan, Shaffer, Skinner, Smith, R., Statler and Upson - **Study impact of reimbursing the State of Maryland for the use of its helicopter Maryland Trooper Five for runs into West Virginia** - Introduced 1/22/2016 - To Finance then Rules
22. By Del. White, B., Miller, Lane, Cowles, Evans, A., Kessinger, Shott, McCuskey, Sobonya, Stansbury, Byrd, Mr. Speaker (Mr. Armstead), Atkinson, Azinger, Blackwell, Blair, Deem, Ellington, Faircloth, Fleischauer, Folk, Hamrick, Householder, Ireland, Kelly, Kurcaba, McGeehan, Nelson, E., Overington, Pushkin, Rohrbach, Rowan, Rowe, Shaffer, Smith, P., Smith, R., Statler, Storch, Upson, Waxman, Weld, Westfall and Zatezalo - **U. S. Army SGT Gary Lee DeBoard Memorial Intersection** - Introduced 1/25/2016 - To Roads and Transportation then Rules
23. By Del. Marcum, Rodighiero, Phillips, White, P., Moffatt, Eldridge, Westfall and McGeehan - **Ingram's Way** - Introduced 1/25/2016 - To Roads and Transportation then Rules
24. By Del. Marcum, Phillips, Hamrick, White, P., Nelson, J., Smith, R., Arvon and Howell - **Cpl. Ronald Duke Varney Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules
25. By Del. Howell, Evans, A., Rowan and Smith, R. - **Frosty the Snowman Day** - Introduced 1/26/2016 - To Rules
26. By Del. Romine, Rowan, Pethtel and Hamilton - **Corporal Gary Wayne Weekley Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules
27. By Del. Hamrick, Trecost, Waxman and Miley - **Michael Angiulli Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules
28. By Del. Miley, Waxman, Trecost, Lane, Hamrick and Caputo - **U.S. Army CPL John Belcastro Bridge** - Introduced 1/29/2016 - To Roads and Transportation then Rules
29. By Del. Manchin, Caputo and Longstreth - **Harry C. "Buck" Markley Jr. Memorial Bridge** - Introduced 1/29/2016 - To Roads and Transportation then Rules
30. By Del. Hamilton, Lynch and Smith, P. - **U.S. Army PFC Everett Henry Woody Memorial Bridge** - Introduced 2/2/2016 - To Roads and Transportation then Rules
31. By Del. Sponaugle, Evans, A., Romine, Hamilton, Hartman, Lynch and Campbell - **Wilbur Lee Clayton Memorial Bridge** - Introduced 2/2/2016 - To Roads and Transportation then Rules
32. By Del. Marcum, White, P., Hamrick, Nelson, J., O'Neal, Summers, Foster, Blair, Sobonya, Kessinger, Smith, R., Hicks, Atkinson, Bates, Butler, Byrd, Eldridge, Evans, A., Fast, Ferro, Folk, Frich, Hamilton, Ireland, Kelly, Kurcaba, McCuskey, Moffatt, Morgan, Moye, Phillips, Reynolds, Rodighiero, Romine, Rowan, Storch, Weld, Westfall and

Zatezalo - **Johnny Mack Bryant Memorial Bridge** - Introduced 2/2/2016 - To Roads and Transportation then Rules

ALL HOUSE RESOLUTIONS OFFERED

1. By Mr. Speaker (Mr. Armstead) - **Authorizing the appointment of employees for this, the Second Regular Session of the 82nd Legislature, 2016** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
2. By Mr. Speaker (Mr. Armstead) - **Authorizing printing and distribution of Acts of the Legislature and Journals of the House of Delegates** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
3. By Mr. Speaker (Mr. Armstead) - **Creating a Select Committee on Prevention and Treatment of Substance Abuse** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
4. By Del. O'Neal, Cooper, Moye, Mr. Speaker (Mr. Armstead), Ambler, Anderson, Arvon, Atkinson, Azinger, Bates, Blackwell, Blair, Boggs, Border, Butler, Byrd, Cadle, Campbell, Canterbury, Caputo, Cowles, Deem, Duke, Eldridge, Ellington, Espinosa, Evans, A., Evans, D., Faircloth, Fast, Ferro, Fleischauer, Fluharty, Folk, Foster, Frich, Gearheart, Guthrie, Hamilton, Hamrick, Hanshaw, Hartman, Hicks, Hill, Hornbuckle, Householder, Howell, Ihle, Ireland, Kelly, Kessinger, Kurcaba, Lane, Longstreth, Lynch, Manchin, Marcum, McCuskey, McGeehan, Miley, Miller, Moffatt, Moore, Morgan, Nelson, E., Nelson, J., Overington, Perdue, Perry, Pethel, Phillips, Pushkin, Reynolds, Rodighiero, Rohrbach, Romine, Rowan, Rowe, Shaffer, Shott, Skinner, Smith, P., Smith, R., Sobonya, Sponaugle, Stansbury, Statler, Storch, Summers, Trecost, Upson, Wagner, Walters, Waxman, Weld, Westfall, White, B., White, P. and Zatezalo - **Memorializing the life of the Honorable Arnold W. Ryan** - Introduced 1/18/2016 - Reference dispensed - Adopted by House 1/18/2016
5. By Del. Howell, Arvon, Atkinson, Cadle, Canterbury, Fast, Folk, Foster, Gearheart, Hamrick, Ihle, Ireland, Kessinger, Flanigan, Overington, Phillips, Wagner, Waxman and Zatezalo - **Expressing concern of the House of Delegates to the growth of the federal government's power over the individual states of the United States** - Introduced 1/25/2016 - To Rules
6. By Del. Howell, Evans, A., Rowan and Smith, R. - **Honoring the town of Piedmont's 160th anniversary** - Introduced 1/26/2016 - To Rules
7. By Del. Sobonya, Arvon, Azinger, Rohrbach, Deem, Duke, Espinosa, Evans, A., Faircloth, Fast, Fleischauer, Folk, Frich, Hamilton, Hamrick, Hicks, Hill, Howell, Ihle, Kelly, Kessinger, Marcum, McCuskey, Moffatt, Morgan, Moye, Pushkin, Rodighiero, Romine, Rowan, Rowe, Shaffer, Smith, P., Stansbury, Statler, Storch, Waxman, Weld, Westfall, Zatezalo, Mr. Speaker (Mr. Armstead) and Del. Blackwell - **Designating that the month of April be proclaimed as Sarcoidosis Awareness Month beginning in 2016.** - Introduced 1/26/2016 - To Rules

HOUSE BILLS PASSED HOUSE AND COMMUNICATED TO SENATE

- *2101. By Del. Morgan, Caputo, Faircloth, Folk, Howell and Smith, R. - **Eliminating obsolete government entities** - Introduced 1/13/2016 - To Government Organization - Passed House 1/21/2016 - To Senate 1/25/2016 - To Government Organization - Laid over on 2nd reading 2/2/16
- *2130. By Del. Westfall, Espinosa, Hamrick, McCuskey, Stansbury, White, B. and Ihle - **Including law-enforcement officers among those professionals the assault or battery of which leads to enhanced criminal penalties** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/27/2016 - To Senate 1/28/2016 - To Judiciary
- 2147. By Del. Folk, Hamilton, Frich, Shott, Householder, Ireland, Weld, Gearheart, Hanshaw and Azinger - **Requiring the circuit court, when appointing counsel for alleged protected persons, to make appointments from a listing of all interested attorneys in the circuit** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Amended - Passed House 1/26/2016 - Title amended - To Senate 1/27/2016 - To Judiciary
- 2584. By Del. Rohrbach, Sobonya, Shott, Miller, Hicks, Reynolds and Rowe - **Allowing a judge to excuse a potential juror from jury duty until a later date based on seasonal employment** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Amended - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- *2588. By Del. Nelson, E., Lane, Kurcaba, O'Neal, Westfall, McCuskey, Byrd, Gearheart, Storch and Espinosa - **Relating to the filing of financial statements with the Secretary of State** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- 2796. By Mr. Speaker (Mr. Armstead) - **Providing paid leave for certain state officers and employees during a declared state of emergency** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Government Organization
- *2800. By Del. Miller, Ferro, Sobonya, Border, Rohrbach, Folk and Eldridge - **Adding law-enforcement officers' contact information and names of family members to the list of exemptions from public records requests**(original similar to SB 310) - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- *4002. By Del. Howell, Anderson, Mr. Speaker (Mr. Armstead), Faircloth, Frich, Hanshaw, McCuskey, Rohrbach, Summers, Shott and Walters - **Relating to rule making under the state Administrative Procedures Act**(original similar to SB3) - Introduced 1/13/2016 - To Judiciary - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - Title amended - To Senate 1/26/2016 - To Government Organization
- 4005. By Del. Cowles, Duke, Foster, Gearheart, Miller, Overington, Shott, Walters, Waxman, Westfall and Householder - **Repealing prevailing hourly rate of wages requirements**(original similar to SB2) - Introduced 1/13/2016 - To Government Organization - Laid over until 1/25/16 - Written motion to suspend Rule 95c rejected - Passed House 1/27/2016 - To Senate 1/28/2016 - To Government Organization - On 2nd reading 2/3/2016

- *4007. By Del. Rohrbach, Weld, Espinosa, Cooper, Butler, Waxman, Moffatt, Arvon, Cowles, Hill and Anderson - **Relating generally to appointment of attorneys to assist the Attorney General**(original similar to SB8) - Introduced 1/13/2016 - To Judiciary - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - To Senate 1/26/2016 - To Judiciary
- *4031. By Del. Frich, Sobonya, Howell, Moffatt, Hanshaw, McCuskey, Shott, Overington, Mr. Speaker (Mr. Armstead), Rowe and Fleischauer - **Requiring agencies to respond to public comments received during the rule-making process** - Introduced 1/15/2016 - To Government Organization - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - Title amended - To Senate 1/26/2016 - To Government Organization
4033. By Del. Ellington, Summers, Householder, Rohrbach, Stansbury, Waxman, Perdue and Rodighiero (Originating in House Health and Human Resources) - **Adding criminal penalties for the unauthorized practice of pharmacists care** - Introduced 1/15/2016 - Passed House 1/20/2016 - To Senate 1/21/2016 - To Health and Human Resources then Judiciary - To Health and Human Resources 1/21/2016
- *4038. By Del. Ellington, Summers, Bates, Faircloth, Householder, Rohrbach and Stansbury - **Relating to insurance requirements for the refilling of topical eye medication** - Introduced 1/18/2016 - To Health and Human Resources - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Health and Human Resources
- *4175. By Del. Kurcaba, Faircloth, Statler, Espinosa, McGeehan, Azinger, Upson, Kelly, Trecoast and Ihle - **Relating generally to home schooling**(original similar to SB318) - Introduced 1/20/2016 - To Education - To House Education 1/20/2016 - Passed House 2/2/2016
- *4227. By Del. Howell, Arvon, Zatezalo, Border, Phillips, Hartman, Ihle, Cadle, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Real Estate Appraiser Licensing and Certification Board** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - Title amended - To Senate 2/1/2016 - To Government Organization
- *4230. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Smith, R., Hamrick and Morgan - **Relating to qualifications of members of the Board of Registration For Professional Engineers** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - To Senate 2/1/2016 - To Government Organization
4235. By Del. Shott - **Relating to the publication requirements of the administration of estates** - Introduced 1/22/2016 - To Judiciary - Passed House 2/1/2016 - Title amended - To Senate 2/2/2016 - To Judiciary
- *4238. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Smith, R., Hamrick and Morgan - **Relating to qualifications of members of the board of Professional Surveyors** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - Title amended - To Senate 2/1/2016 - To Government Organization
- *4241. By Del. Howell, Arvon, Zatezalo, Border, Phillips, Hartman, Ihle, Cadle, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Real Estate Commission** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - To Senate 2/1/2016 - To Government Organization

ALL SENATE BILLS PASSED BY SENATE AND COMMUNICATED TO HOUSE

1. By Sen. Cole (Mr. President), Blair, Boso, Ferns, Gaunch, Trump, Carmichael, Sypolt and Takubo - **Establishing WV Workplace Freedom Act**(original similar to HB4006) - Introduced 1/13/2016 - To Judiciary - Amended - Passed Senate 1/21/2016 - To House 1/25/2016 - To Judiciary - On 2nd reading, House Calendar 2/3/2016
- *13. By Sen. Carmichael, Boso, Gaunch, Leonhardt, Trump, Walters, Blair, Takubo, Miller and Unger - **Increasing penalties for overtaking and passing stopped school buses** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate with amended title 1/26/2016 - To House 1/27/2016 - To Judiciary
- *14. By Sen. Trump, Boso, Ferns, Leonhardt, Takubo and Blair - **Limiting successor corporation asbestos-related liabilities** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/26/2016 - Passed Senate 1/29/2016 - To House 2/1/2016 - To Judiciary
15. By Sen. Boso and Gaunch - **Adopting learned intermediary doctrine as defense to civil action due to inadequate warnings or instructions** - Introduced 1/13/2016 - To Judiciary - Passed Senate 2/1/2016 - To House 2/2/2016 - To Judiciary
- *27. By Sen. Kirkendoll, Miller and Gaunch - **Permitting county commissions hire outside attorneys for collection of taxes through courts** - Introduced 1/13/2016 - To Government Organization then Judiciary - Com. sub. reported 1/25/2016 - To Judiciary 1/25/2016 - Com. sub. for com. sub. reported 1/27/2016 - Passed Senate 2/1/2016 - To House 2/2/2016 - To Judiciary then Finance
32. By Sen. Palumbo, Beach and Miller - **Relating to withdrawal of candidates for office and filling vacancies** - Introduced 1/13/2016 - To Judiciary - Amended - Passed Senate 1/26/2016 - To House 1/27/2016 - To Judiciary - On 1st reading, House Calendar 2/3/2016
- *102. By Sen. Trump, Boso and Gaunch - **Conforming to federal Law-Enforcement Officers Safety Act** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate 1/26/2016 - To House 1/27/2016 - To Judiciary
107. By Sen. Trump - **Uniform Interstate Depositions and Discovery Act** - Introduced 1/13/2016 - To Judiciary - Passed Senate with amended title 1/27/2016 - To House 1/28/2016 - To Judiciary
- *146. By Sen. Plymale and Unger - **Establishing instruction standards for early childhood education** - Introduced 1/13/2016 - To Education - Com. sub. reported 1/25/2016 - Passed Senate 1/29/2016 - Effective July 1, 2016 - To House 2/1/2016 - To Education
- *150. By Sen. Maynard - **Authorizing Department of Transportation promulgate legislative rules**(original similar to HB4082) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/27/2016 - Passed Senate 2/1/2016 - Effective from passage - To House 2/2/2016 - To Judiciary
- *157. By Sen. Maynard - **Authorizing Department of Revenue to promulgate legislative rules**(original similar to HB4088) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Judiciary

- *195. By Sen. Maynard - **Authorizing DHHR to promulgate legislative rules**(original similar to HB4114) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/21/2016 - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Judiciary
- *202. By Sen. Maynard - **Authorizing Department of Commerce promulgate legislative rules**(original similar to HB4126) - Introduced 1/13/2016 - To Natural Resources then Judiciary - To Judiciary 1/21/2016 - Com. sub. reported 1/26/2016 - Passed Senate 1/29/2016 - Effective from passage - To House 2/1/2016 - To Judiciary
- *216. By Sen. Maynard - **Authorizing Human Rights Commission promulgate legislative rule relating to Pregnant Workers' Fairness Act**(original similar to HB4141) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/26/2016 - Passed Senate 1/29/2016 - Effective from passage - To House 2/1/2016 - To Judiciary
- *262. By Sen. Blair - **Eliminating need for law enforcement to obtain court order prior to having access to inmate mail and phone recordings** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/25/2016 - Passed Senate 1/28/2016 - To House 1/29/2016 - To Judiciary
- *263. By Sen. Blair and Snyder - **Allowing travel and other expense reimbursement for members of Municipal Home Rule Board** - Introduced 1/13/2016 - To Government Organization - Com. sub. reported 1/15/2016 - Passed Senate 1/20/2016 - To House 1/21/2016 - To Political Subdivisions then Finance
- 271. By Sen. Ferns and Gaunch - **Conforming definition of attest services to Uniform Accountancy Act**(original similar to HB4312) - Introduced 1/14/2016 - To Judiciary - Passed Senate 2/2/2016
- *288. By Sen. Trump, Blair, Takubo, Walters, Romano and Palumbo - **Creating one-day special license for charitable events to sell nonintoxicating beer** - Introduced 1/14/2016 - To Judiciary - Com. sub. reported 1/27/2016 - Passed Senate 2/1/2016 - Effective from passage - To House 2/2/2016 - To Judiciary then Finance
- *290. By Sen. Trump - **Assignment of wages by employers and payment by payroll card** - Introduced 1/14/2016 - To Judiciary - Com. sub. reported 1/25/2016 - Amended - Passed Senate with amended title 1/28/2016 - To House 1/29/2016 - To Judiciary
- 311. By Sen. Snyder, Romano, Gaunch, Kessler and Blair - **Allowing permanent exception for mortgage modification or refinancing loan under federal Making Home Affordable program** - Introduced 1/18/2016 - To Government Organization - Passed Senate 1/26/2016 - To House 1/27/2016 - To Banking and Insurance then Finance
- 323. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano and Williams - **Correcting statute subsection designations regarding trespassing on property** - Introduced 1/19/2016 - To Judiciary - Passed Senate with amended title 1/26/2016 - To House 1/27/2016 - To Judiciary
- 329. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano, Plymale, Stollings and Unger - **Eliminating sunset provision for commission to study residential placement of children** - Introduced 1/20/2016 - To Health and Human Resources then Judiciary - 2nd

- reference dispensed - Passed Senate 2/1/2016 - To House 2/2/2016 - To Health and Human Resources then Judiciary
333. By Sen. Karnes and Leonhardt - **Taking and registering of wildlife**(original similar to HB4255) - Introduced 1/20/2016 - To Natural Resources then Government Organization - 2nd reference dispensed - Passed Senate with amended title 2/2/2016
334. By Sen. Karnes - **Identifying coyote as fur-bearing animal and woodchuck as game animal**(original similar to HB4236) - Introduced 1/20/2016 - To Natural Resources then Government Organization - 2nd reference dispensed - Passed Senate 2/2/2016
336. By Sen. Karnes and Leonhardt - **Relating to crossbow hunting** - Introduced 1/20/2016 - To Natural Resources - Passed Senate 2/2/2016
- *338. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano, Stollings, Plymale and Yost - **Compiling and maintaining Central State Mental Health Registry** - Introduced 1/21/2016 - To Health and Human Resources then Judiciary - Com. sub. reported 1/27/2016 - 2nd reference dispensed - Passed Senate 2/1/2016 - To House 2/2/2016 - To Health and Human Resources then Judiciary
- *342. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Decreasing appropriations from State Fund, General Revenue, to DHHR, Division of Human Services and Bureau of Senior Services** - Introduced 1/21/2016 - To Finance - Com. sub. reported 1/27/2016 - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Finance
- *343. By Sen. Cole (Mr. President), Hall, Kessler and Trump - **Authorizing prosecuting attorneys designate law-enforcement officers and investigators as custodians of records**(original similar to HB4206, HB4289) - Introduced 1/21/2016 - To Judiciary - Com. sub. reported 1/28/2016 - Amended - Passed Senate with amended title 2/2/2016 - Effective from passage
357. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services, Lottery Senior Citizens Fund**(original similar to HB4229) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Finance
360. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation to Division of Human Services**(original similar to HB4149) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Finance
364. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation expiring funds from General Revenue**(original similar to HB4189) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - Reference dispensed - Motion to lay over adopted - Laid over until 2/1/16 - Passed House 2/2/2016 - Effective from passage

379. By Sen. Trump, Palumbo, Gaunch, Williams, Beach, Yost and Miller - **Relating to candidate filing fees** - Introduced 1/25/2016 - To Judiciary - Passed Senate with amended title 2/1/2016 - Effective from passage - To House 2/2/2016 - To Judiciary

SENATE CONCURRENT RESOLUTIONS ADOPTED BY SENATE AND COMMUNICATED TO HOUSE

2. By Sen. Leonhardt, Boley, Ashley, Facemire, Sypolt, Yost, Beach, Boso, Ferns, Miller, Palumbo, Plymale, Romano, Takubo, Unger, Williams, Prezioso and Blair - **Urging Congress provide funding for WV National Guard** - Introduced 1/19/2016 - To Military - Adopted by Senate 1/29/2016 - To House 2/1/2016 - To Rules - To House Rules 2/1/2016
16. By Sen. Romano, Facemire, Williams and Stollings - **U.S. Army CPL John Belcastro Bridge** - Introduced 2/1/2016 - Committee reference dispensed - Adopted by Senate 2/2/2016

HOUSE CONCURRENT RESOLUTIONS ADOPTED BY BOTH HOUSES

1. By Mr. Speaker (Mr. Armstead) - **Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor** - Adopted 1/13/2016

SENATE BILLS PASSED LEGISLATURE

364. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation expiring funds from General Revenue**(original similar to HB4189) - Passed 2/2/2016; Effective from passage

HOUSE CALENDAR

Wednesday, February 3, 2016

22nd Day

11:00 A. M.

THIRD READING

H. B. 4243 - Extending the time that certain nonprofit community groups are exempt from the moratorium on creating new nursing home beds (ELLINGTON) (REGULAR)

SECOND READING

S. B. 1 - Establishing WV Workplace Freedom Act (SHOTT) (REGULAR) (JUDICIARY COMMITTEE AMENDMENT PENDING)

Com. Sub. for H. B. 4311 - Relating to qualifications of members of the Board of Landscape Architects (HOWELL) (REGULAR)

Com. Sub. for H. B. 4313 - Relating to qualifications of members of the Board of Architects (HOWELL) (REGULAR)

FIRST READING

S. B. 32 - Relating to withdrawal of candidates for office and filling vacancies (SHOTT) (EFFECTIVE FROM PASSAGE) (JUDICIARY COMMITTEE AMENDMENT PENDING)

Com. Sub. for H. B. 4244 - Eliminating the need for a public hearing when no objection is filed on an application from an out of state state-chartered credit union to establish a branch in West Virginia (SHOTT) (REGULAR)

Com. Sub. for H. B. 4245 - Requiring the cashier or executive officer of a banking institution to provide shareholders with the institution's most recent year-end audited financial statement (SHOTT) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

WEDNESDAY, FEBRUARY 3, 2016

HOUSE CONVENES AT 11:00 A. M.

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

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

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

**COMMITTEE ON VETERANS' AFFAIRS
1:00 P.M. – 434M**

**COMMITTEE ON EDUCATION
2:00 P.M. – 434M**

THURSDAY, FEBRUARY 4, 2016

**PUBLIC HEARING – COMMITTEE ON THE JUDICIARY
9:00 A.M. HOUSE CHAMBER**

**H. B. 4014, PREVENTING THE STATE BOARD OF EDUCATION FROM IMPLEMENTING
COMMON CORE ACADEMIC STANDARDS AND ASSESSMENTS**

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