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February 5, 2016
TWENTY-FOURTH DAY

Friday, February 5, 2016

TWENTY-FOURTH 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 Thursday, February 4, 2016, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Miller, Chair of the Committee on Small Business, Entrepreneurship and Economic Development, submitted the following report, which was received:

Your Committee on Small Business, Entrepreneurship and Economic Development has had under consideration:

H. B. 2444, Providing for the assignment of economic development office representatives to serve as Small Business Allies as facilitators to assist small business entities and individuals,

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

Com. Sub. for H. B. 2444 – “A Bill to amend and reenact §5B-2-5 of the Code of West Virginia, 1931, as amended, relating to providing assistance to small businesses; requiring that the director of the West Virginia Development Office report biennially and offer recommendations for reducing the burdens imposed on small businesses; and further identifying the report’s contents,”

With the recommendation that the committee substitute do pass.

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

Your Committee on Banking and Insurance has had under consideration:

H. B. 4265, Relating to payment by the West Virginia Municipal Bond Commission or state sinking fund commission or the governing body issuing the bonds,

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. 4265) was referred to the Committee on Finance.

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

Your Committee on Banking and Insurance has had under consideration:

S. B. 311, Allowing permanent exception for mortgage modification or refinancing loan under federal Making Home Affordable program,

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 (S. B. 311) was referred to the Committee on Finance.

Delegate McCusky, 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 4th day of February, 2016, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

(S. B. 364), Supplemental appropriation expiring funds from General Revenue.

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

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

H. B. 4365, Relating to the certificate of need process,

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 Judiciary.

In accordance with the former direction of the Speaker, the bill (H. B. 4365) was referred to the Committee on the Judiciary.

Messages from the Executive

Mr. Speaker, Mr. Armstead, presented a communication from His Excellency, the Governor, advising that on February 4, 2016, he approved **S. B. 364**.

Messages from the Senate

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

H. B. 4005, Repealing prevailing hourly rate of wages requirements.

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. 40 — “A Bill to amend and reenact §29-26-2 of the Code of West Virginia, 1931, as amended, relating to modifying funding assistance from Courthouse Facilities Improvement Authority; and changing definition of facilities that are eligible for funding assistance from courthouse facilities that are occupied by county or judicial officials to ones that are currently occupied by those officials or upon renovation will be county owned and occupied by county or judicial officials or programs”; 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. 109 — “A Bill to repeal §31A-2-4c of the Code of West Virginia, 1931, as amended; to repeal §38-1-8a of said code; to repeal §44-13-4a of said code; to amend and reenact §31-18-6 of said code; and to amend and reenact §59-1-10 of said code, all relating to repealing provisions concerning filing certain foreclosure disclosure forms; repealing provisions requiring compiling and maintaining information relating to certain deeds of trust; and eliminating all requirements concerning certain foreclosure disclosure forms”; which was referred to the Committee on Banking and Insurance and then the Judiciary.

A message from the Senate, by

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

S. C. R. 5 – “Requesting the Division of Highways name Exit 153 on West Virginia Interstate-79 in Monongalia County, the ‘Coach Bill Stewart Exit.’”

Whereas, William L. “Bill” Stewart, best known as Coach Stew, was born in Grafton, WV on June 11, 1952, to the late Blaine Eugene and Roberta Lee Rutherford Stewart. William L. “Bill” Stewart was a native of New Martinsville, West Virginia. He married the former Karen Kacor on July 1, 1978. He had one son, Blaine. On May 21, 2012, William L. “Bill” Stewart passed away due to an apparent heart attack; and

Whereas, William L. “Bill” Stewart graduated from Fairmont State College in 1975, with a degree in education, where he was a three-year letterman and team captain for the WVIAC champions in 1974. His coaching career began at Fairmont State in 1974, when he was a student assistant coach for a season. One year later he became an assistant coach at Sistersville (W.V.) High School in 1975. In 1994, he assumed the head coaching position at Virginia Military Institute. In three years, he compiled an 8–25 record. Bill Stewart gave current Pittsburgh Steelers’ head coach Mike Tomlin his first job as an assistant at VMI in 1995. Coach Tomlin later returned the favor by vouching for Stewart with the West Virginia University administration; and

Whereas, William L. “Bill” Stewart moved to Salem College in 1977 where he was an assistant football and head track coach for two seasons. In 1979, he was an assistant coach at the University of North Carolina. He has also been an assistant coach at Marshall University (1980), William and Mary (1981–1983), Navy (1984), North Carolina (1985–1987), Arizona State (1988–1989) and Air Force (1990–1993); and

Whereas, In 1998, Bill Stewart served as the offensive line coach for the Montreal Alouettes of the Canadian Football League. His line blocked for Mike Pringle, the first 2,000-yard rusher in CFL history. In 1999, he moved on to be the offensive coordinator of the Winnipeg Blue Bombers where he coached two all-conference receivers and a one thousand-yard rusher. In 2000 WVU head coach Don Nehlen hired Stewart at WVU in January as the quarterbacks coach. Following the retirement of then Coach Nehlen, Stewart was retained by Rich Rodriguez when he became the head coach after the 2000 season. Stewart remained the quarterbacks coach and special teams coach until 2007 when he moved to coach the tight ends and served as associate head coach; and

Whereas, Following Rodriguez's departure to become the head coach at the University of Michigan on December 16, 2007, Stewart was named interim head coach of the Mountaineers for the 2008 Fiesta Bowl game. In that game Stewart led the team to a 48-28 upset win over the #3 Oklahoma Sooners. During the press conference following the awards ceremony, Fiesta Bowl MVP and West Virginia quarterback Pat White said of Stewart, "He needs that job. He deserves it, the head coaching job"; and

Whereas, On January 3, 2008, a day after the Fiesta Bowl victory, Bill Stewart was announced as West Virginia's 32nd head coach; and

Whereas, It is fitting that we honor on this day William L. "Bill" Stewart, American Football Coach, former WVU Football Coach, family man, friend and man who lived by his Christian faith; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name Exit 153 in Monongalia County on Interstate 79 the "Coach Bill Stewart Exit"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying Exit 153 as the "Coach Bill Stewart Exit " and, be it,

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways and the family of Coach William "Bill" Stewart.

Resolutions Introduced

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

H. C. R. 33 – "Requesting the Division of Highways to name Bridge Number 17-9-5.09 (17A350) (39.3443, -80.4013) locally known as Gregory Run Bridge carrying County Route 9 over Ten Mile Creek, in Harrison County, the 'U.S. Army Air Force S/SGT Harold 'Dean' Baker Memorial Bridge'."

Whereas, Harold "Dean" Baker was born on October 13, 1923, in Salem, West Virginia, the son of William Henry Baker and Mae Davis Baker. He enlisted in the U. S. Army Air Force on December 8, 1942, and received an honorable discharge on October 31, 1945. During his service he was a Staff Sergeant with the 15th Air Force of the 737th Bomb Squadron, 454th Bomb Group as an Aerial Gunner and Radio Operator. On April 21, 1944, while on a mission to bomb oil fields in Romania, the B-24 Bomber he was on developed engine problems and crash landed in Yugoslavia on its return. He was taken prisoner and was in Stalag Luft 3 in Poland and later taken to Nuremberg, Germany. He was liberated on April 25, 1945; and

Whereas, Harold "Dean" Baker married Georgia L. Elbon in 1946 and lived in Reynoldsville until his death on September, 2000. He retired as a self-employed carpenter at the age of 42, due to disabling arthritis, and other health problems. He was a member of the Veterans of Foreign Wars Post No. 573, Disabled American Veterans Chapter 1, Barb-Wire Mountaineers, West Virginia ex-prisoners of war, and the Reynoldsville Baptist Church. He was survived by sons Kevin Baker and wife, Terri Baker, Sardis, West Virginia, Gary Baker and wife, Cheryl Baker, Reynoldsville, West Virginia, daughters Cathy Wells and husband, William Wells, Salem, West Virginia and a now deceased daughter Vicki Baker Bowers, eight grandchildren, four great-grandchildren and two great-great grandchildren; and

Whereas, Naming the Bridge Number 17-9-5.09 (17A350) (39.3443, -80.4013) locally known as Gregory Run Bridge carrying County Route 9 over Ten Mile Creek, in Harrison, the "U.S. Army Air Force S/SGT Harold 'Dean' Baker Memorial Bridge" is an appropriate recognition of his contributions to his country, state, community and Harrison County; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name the Bridge Number 17-9-5.09 (17A350) (39.3443, -80.4013) locally known as Gregory Run Bridge carrying County Route 9 over Ten Mile Creek, in Harrison County, the "U.S. Army Air Force S/SGT Harold 'Dean' Baker Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is requested to have made and be placed signs identifying the bridge as the "U.S. Army Air Force S/SGT Harold 'Dean' Baker 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 the surviving relatives of Harold "Dean" Baker.

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

H. C. R. 34 – "Requesting the Division of Highways to name bridge number 06-25/11-0.01 (06A304) (38.35666, -82.12754) locally known as New Girl Scout Camp Bridge, carrying County Route 25/11 over Mud River in Cabell County, the 'U.S. Marine Corps PFC Billy Joe Vickers Memorial Bridge'."

Whereas, Billy Joe Vickers, the son of Herman C. Vickers and Opal Vickers of Milton, West Virginia, was born March 24, 1947, the third of four sons born to the couple; and

Whereas, Billy Joe Vickers graduated from Milton High School, married Linda Dillon, whom he had known since the seventh grade, and had a daughter, Pammy. Both Pammy Vickers Mahon and Linda Dillon Vickers live in Barboursville, West Virginia; and

Whereas, Billy Jo Vickers enlisted in the United States Marine Corps Reserve June 22, 1966, and was assigned later to active duty with Company A, 1st Battalion, 7th Marines, 1st Marine Division, southwest of DaNang, Viet Nam, arriving there February 10, 1968. While on a combat patrol April 8, 1968, along the bank of the Song Yen River, near the vicinity of La Chau hamlet in Hieu Duc District of Quang Nam Province, Private First Class Billy Joe Vickers and two fellow Marines were killed as a result of detonation of an antipersonnel mine; and

Whereas, Private First Class Billy Joe Vickers' two older brothers, Herman O'dell Vickers and Jimmy Lou Vickers, also served in the nation's military, Herman in the U.S. Navy and Jimmy in the U.S. Marine Corps; and

Whereas, Both older brothers currently live in Culloden, Cabell County, West Virginia; and

Whereas, Private First Class Billy Joe Vickers' younger brother, Danny Vickers, lives with his family at the home place where the four brothers all grew up; and

Whereas, The family home place is located at the end of the bridge hereby to be named for Private First Class Billy Joe Vickers; and

Whereas, The body of Private First Class Billy Joe Vickers was buried in Brown Cemetery, Ball's Gap, Cabell County, West Virginia; and

Whereas, It is proper that Private First Class Billy Joe Vickers' service to and sacrifice for his country be remembered by this fitting memorial; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 06-25/11-0.01 (06A304) (38.35666, -82.12754) locally known as New Girl Scout Camp Bridge, carrying County Route 25/11 over Mud River in Cabell County, the "U.S. Marine Corps PFC Billy Joe Vickers 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 "U.S. Marine Corps PFC Billy Joe Vickers 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.

Delegates Perdue, Marcum, Hicks, Rodighiero, Reynolds and Rohrbach offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 35 – "Requesting the Division of Highways to name bridge number 50-052-21.27 (50A001), carrying United States Route 52 over Hurricane Creek in Wayne County, beginning at latitude 38.192421, longitude – 82.599808 and ending at latitude 38.191797, longitude - 82.600180, the 'U.S. Army PVT Charles E. Ellis and U.S. Army PVT Ira V. Ellis Memorial Bridge'."

Whereas, Charles Edward Ellis, born January 15, 1922, and Ira Virgil Ellis, born June 29, 1925, were natives of Wayne County, West Virginia and two of the three sons of Curtis and Esther Ellis, that fought in World War II; and

Whereas, Charles E. Ellis and Ira V. Ellis were both killed in action while serving in the United States Army during World War II. Charles Ellis was killed in Italy on December 30, 1943, and Ira Ellis was killed while making the final push in the war effort in Germany on March 23, 1945; and

Whereas, These young men served their country and their state with honor, valor, and courage and died to ensure a safer world for future generations; and

Whereas, The sacrifice that the Ellis family made in honor of the United States of America and the State of West Virginia should be commemorated in an enduring memorial; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 50-052-21.27 (50A001), carrying United States Route 52 over Hurricane Creek in Wayne County, beginning at latitude 38.192421, longitude - 82.599808 and ending at latitude 38.191797, longitude - 82.600180, the "U.S. Army PVT Charles E. Ellis and U.S. Army PVT Ira V. Ellis 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 "U.S. Army PVT Charles E. Ellis and U.S. Army PVT Ira V. Ellis 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 Herbert Wellman and the Fort Gay Veteran's Park Committee.

Bills Introduced

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

By Delegates Hamrick, Trecost, Cadle, Westfall, Phillips, Waxman, Ihle, J. Nelson, Kessinger, Arvon and Storch:

H. B. 4407 - "A Bill to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating to crimes against the peace and dangerous weapons; and authorizing the clerk, head doorkeeper or sergeant of arms, who are elected officers of the West Virginia Senate and House of Delegates, to bring a firearm into the State Capitol Complex and into the chambers of the Legislature, if the officers hold a valid concealed weapons permit"; to the Committee on Veterans' Affairs and Homeland Security then the Judiciary.

By Delegates Westfall, McCuskey and Hamrick:

H. B. 4408 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-12B-11b, relating to providing civil immunity to company insurance adjusters employed by an insurer from personal liability for claims of unfair trade practices; and providing that the immunity does not exempt company adjusters from requirements or responsibilities as a licensed adjuster"; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Campbell, Perdue, Perry, Summers, Ellington, Fleischauer, Bates, Hartman, Rowan, Wagner and Rohrbach:

H. B. 4409 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-15e, relating to in-service training programs in the use of the Heimlich maneuver and response to choking emergencies required for all school personnel in pre-kindergarten, kindergarten and elementary schools; and encouraging parents to attend"; to the Committee on Health and Human Resources then Education.

By Delegates Upson, Blair and Householder:

H. B. 4410 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §25-7-17, relating to establishing an arborists program for inmates; training; inspection of trees along state roads and highways"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates R. Smith, J. Nelson, D. Evans, Rohrbach, Anderson, Hamrick, Ihle, Wagner and Stansbury:

H. B. 4411 - "A Bill to amend and reenact §20-2-5a of the Code of West Virginia, 1931, as amended, relating to wildlife resources; illegally taking native brook trout; and setting a replacement penalty of \$100 for each native brook trout illegally taken"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates Perdue, Shaffer, Perry, Pushkin, Guthrie, Campbell, Longstreth, Hicks, Fleischauer, Lynch and Bates:

H. B. 4412 - "A Bill to amend and reenact §16-1-6 of the Code of West Virginia, 1931, as amended; and to amend and reenact §22-1-3 of said code, all relating to requiring the Commissioner of the Bureau for Public Health to conduct a public health impact statement assessing the health impact of any new, or modification to, rule proposed by the Secretary of the Department of Environmental Protection; and requiring the Secretary of the Department of Environmental Protection to incorporate findings of the impact statement into the proposed rule"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Caputo, Longstreth, Manchin, Perry, Boggs, Byrd, Lynch, Perdue, Romine, Rowan and A. Evans:

H. B. 4413 - "A Bill to amend and reenact §61-8-28 of the Code of West Virginia, 1931, as amended, relating to the use of drone surveillance of private citizens; and providing criminal penalties"; to the Committee on the Judiciary.

By Delegate Faircloth:

H. B. 4414 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-4-3, relating to the Agency Accountability Act; requiring disclosure of accounts by members of the Board of Public Works to the Legislature; penalties for failure to disclose; return of money to the General Fund"; to the Committee on Finance.

By Delegates J. Nelson, Moffatt, R. Smith, Phillips, Wagner, Ihle, McGeehan, Folk, Faircloth, Marcum and Lane:

H. B. 4415 - "A Bill to amend and reenact §4-2A-2, §4-2A-4 and §4-2A-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §6-7-2 of said code; and to amend and reenact §18-2-3 of said code, all relating to reducing the compensation of all elected state officials and members of the state Board of Education by twenty-five percent; and providing that the savings be used to offset the shortfall of the Public Employees Insurance Agency"; to the Committee on Finance.

By Delegates Cooper, Ambler, D. Evans and O'Neal:

H. B. 4416 - "A Bill to amend and reenact §24A-7-7 of the Code of West Virginia, 1931, as amended, relating to expanding the authority of motor carrier inspectors; and requiring compliance by commercial vehicle drivers"; to the Committee on the Judiciary.

By Delegates Shott, Hanshaw, Rowe, Marcum, Shaffer, Manchin, Summers, Kessinger, Ireland and Skinner:

H. B. 4417 - "A Bill to amend and reenact §46A-2-130 of the Code of West Virginia, 1931, as amended, relating to limitations on garnishment generally; potentially increasing wages protected from garnishment"; to the Committee on the Judiciary.

By Delegate Duke:

H. B. 4418 - "A Bill to amend and reenact §10-1-20 of the Code of West Virginia, 1931, as amended, relating to requiring funding by the West Virginia Library Commission to local libraries be based on the population served by each respective library; and requiring that population adjustments be made every two years"; to the Committee on Political Subdivisions then Finance.

By Delegates Skinner, Eldridge, Manchin, Campbell, Perry and Bates:

H. B. 4419 - "A Bill to amend and reenact §11-3-9 of the Code of West Virginia, 1931, as amended, relating to exempting any veteran's primary residence from real property tax"; to the Committee on Veterans' Affairs and Homeland Security then Finance.

By Delegates Skinner, Eldridge, Perdue, Bates and Manchin:

H. B. 4420 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-9A-6, relating to electronic cigarettes and vapor products; requiring the listing of the ingredients contained in the products; and prohibiting the sale of unlabeled vapor products"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Skinner:

H. B. 4421 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §11-21-8i and §11-21-12j; and to amend said code by adding thereto a new section, designated §11-24-25, all relating to providing tax breaks for employers assisting employees paying student loans; providing tax credits from personal and corporate income taxes;

and providing modification reducing federal adjusted gross income for certain student loan payments”; to the Committee on Education then Finance.

By Delegate Skinner:

H. B. 4422 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §46A-6N-1, §46A-6N-2, §46A-6N-3 and §46A-6N-4, all relating to creating the Internet Service Provider Accountability Act; defining terms; making legislative findings; designating a contract between an Internet service provider and a subscriber to be an adhesion contract; and providing remedies”; to the Committee on the Judiciary.

By Delegate Skinner:

H. B. 4423 - “A Bill to amend and reenact §30-21-7, §30-21-7b and §30-21-7d of the Code of West Virginia, 1931, as amended; to amend and reenact §30-30-8, §30-30-10, §30-30-12 and §30-30-14 of said code; and to amend and reenact §30-31-8 and §30-31-9 of said code, all relating to professions and occupations; requiring various professionals who provide mental health-related services, including psychologists, licensed school psychologists, marriage and family therapists, professional clinical counselors and clinical social workers who begin graduate study on or after January 1, 2017, to complete a minimum number of fifteen contact hours of course work in suicide assessment, treatment and management before that person may be issued a license; and requiring a person licensed in these professions or an applicant for licensure who begins graduated study prior to January 1, 2017, to take a six hour continuing education course in suicide assessment, treatment and management in order to renew that person’s license”; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Weld, Eldridge, Ferro, Kessinger and Storch:

H. B. 4424 - “A Bill to amend and reenact §25-1-17 and §25-1-18 of the Code of West Virginia, 1931, all relating to law enforcement not needing to obtain court orders prior to receiving recordings of inmate phone calls, and inmate mail under certain circumstances”; to the Committee on the Judiciary.

By Delegate Walters:

H. B. 4425 - “A Bill to amend and reenact §16-5V-2 of the Code of West Virginia, 1931, as amended, relating to the definition of “accrued benefit” as it applies to the West Virginia Emergency Medical Services Retirement System; increasing the retirement benefit multiplier for members with more than twenty-five years of credited service”; to the Committee on Pensions and Retirement then Finance.

By Delegates Ireland, Anderson, Zatezalo, D. Evans, Canterbury, R. Smith and Statler:

H. B. 4426 - “A Bill to amend and reenact §22C-9-1, §22C-9-2, §22C-9-3, §22C-9-4 and §22C-9-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §22C-9-7a, all relating to oil and gas conservation; providing for the unitization of interests in drilling units in connection with horizontal oil or gas wells generally; establishing prerequisites to filing of an application for a horizontal well unit order; setting forth application requirements; establishing the standard of review; providing for horizontal well unit orders and parameters thereof; requiring notice and timeliness; providing for hearings; permitting adjoining landowners to intervene in a horizontal well unit application proceeding in certain circumstances; addressing oil and gas produced from horizontal wells, vertical wells and unconventional reservoirs; requiring royalties be paid on all commercial marketable hydrocarbons produced from a horizontal unit well; providing for declaration of public policy and legislative findings; specifying applicability of article; limiting the liability of nonconsenting owners in certain circumstances; increasing the number of members of the Oil and Gas Conservation Commission; granting additional authority to the Oil and Gas Conservation Commission; providing for the award of unitization consideration in certain circumstances; providing alternative and deemed elections to nonconsenting owners in certain

circumstances; providing for dispute resolution; providing for treatment of interests of unknown and unlocatable interest owners, including moneys payable thereto; providing for judicial review of commission orders; permitting the modification of horizontal well unit orders under certain circumstances; providing for the expiration of horizontal well unit orders under certain circumstances; requiring the filing of a summary of the prevailing economic terms of certain leases and the prevailing consideration paid for modification of certain leases prior to hearings; establishing procedures where certain information shall be deemed confidential; exempting certain information from disclosure; addressing additional drilling activity; providing that horizontal well unit orders do not grant surface rights; authorizing contemporaneous permit and unit applications; providing for reunification of interests of unknown and unlocatable interest owners with surface owners in certain circumstances and providing procedures therefor; providing for conflict resolution; providing for severability; adding new definitions; modifying existing definitions; providing a funding mechanism for the Oil and Gas Reclamation Fund; and establishing the Horizontal Well Unitization and Landowner Protection Act of 2016"; to the Committee on Energy.

House Calendar

Third Reading

S. B. 32, Relating to withdrawal of candidates for office and filling vacancies; 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. 32**), and there were--yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Ellington, Flanigan, Reynolds and Walters.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 32) passed.

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

S. B. 32 – "A Bill to amend and reenact §3-5-11, §3-5-18 and §3-5-19 of the Code of West Virginia, 1931, as amended, all relating to withdrawal of candidates for office and filling vacancies; requiring the Secretary of State to create a notarized statement of withdrawal form; setting certain deadlines for filing of notarized statement of withdrawal form in order to withdraw as a candidate and to have one's name removed from ballot; setting deadline for when the Secretary of State shall certify names of general election candidates to counties; requiring the certification of names of candidates that are the nominee of the party following the filling of a vacancy; prohibiting certification of names of candidates who timely filed a notarized statement of withdrawal; clarifying the process for determining if candidate is disqualified; designating the proper filing officer; removing State Election Commission from the process of voluntary withdrawal of candidates; authorizing executive committee to replace candidate who files a timely notarized statement of withdrawal and whose name would have otherwise appeared on the general election ballot; and setting and adjusting certain deadlines."

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

On this question, the yeas and nays were taken (**Roll No. 33**), and there were--yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Ellington, Flanigan, Reynolds and Walters.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 32) takes effect from its passage.

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

Com. Sub. for H. B. 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; 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. 34**), and there were--yeas 95, nays 1, absent and not voting 4, with the nays and absent and not voting being as follows:

Nays: P. White.

Absent and Not Voting: Ellington, Flanigan, Reynolds and Walters.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4244) passed.

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

Com. Sub. for H. B. 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; on third reading, coming up in regular order, was read a third time.

Delegates Ambler, Atkinson, Border, Espinosa, A. Evans, Folk, Hartman, Householder, Kurcaba, Marcum, McCuskey, Miller, Moffatt, Overington, Pethtel, Rowan, Rohrbach, Shott, Skinner, Sponaule, P. White and Zatezalo requested to be excused from voting on the passage of Com. Sub. for H. B. 4245 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegates would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Members from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 35**), and there were--yeas 95, nays 1, absent and not voting 4, with the nays and absent and not voting being as follows:

Nays: Marcum.

Absent and Not Voting: Ellington, Flanigan, Reynolds and Walters.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4245) 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

Com. Sub. for S. B. 342, Decreasing appropriations from State Fund, General Revenue, to DHHR, Division of Human Services and Bureau of Senior Services; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 357, Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services, Lottery Senior Citizens Fund; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 360, Supplemental appropriation to Division of Human Services; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for H. B. 2366, Relating generally to the solicitation of minors; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 2511, Health Care Sharing Ministries Freedom to Share Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4145, Relating to carry or use of a handgun or deadly weapon; on second reading, coming up in regular order, was read a second time.

At the request of Delegate Cowles, and by unanimous consent, the bill was advanced to third reading with amendments pending, and the rule was suspended to permit the consideration of the amendments on that reading.

Com. Sub. for H. B. 4163, Providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4393, Relating to enhanced penalties for use of a firearm during commission of a felony; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

First Reading

Com. Sub. for H. B. 4186, Relating to additional duties of the Public Service Commission; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Ellington, Flanigan, Reynolds and Walters.

Miscellaneous Business

Delegate Byrd noted that he was absent on yesterday when the votes were taken on Roll Nos. 30 and 31, and that had he been present, he would have voted "Nay" thereon.

At 12:01 p. m., the House of Delegates adjourned until 11:00 a.m., Monday, February 8, 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 5, 2016

*Denotes Committee Substitutes

ACTIVE HOUSE BILLS

- *2366. By Del. Rowan, Miller, Sobonya, Smith, P., Border, Arvon and Storch - **Relating generally to the solicitation of minors** - Introduced 1/13/2016 - To Judiciary - On 3rd reading, House Calendar 2/8/2016
- *2444. By Mr. Speaker (Mr. Armstead), Del. Miller, Waxman, Azinger, Upson, Kessinger, Summers, Hanshaw, Kurcaba, Hill and Nelson, E. - **Providing for the assignment of economic development office representatives to serve as Small Business Allies as facilitators to assist small business entities and individuals** - Introduced 1/13/2016 - To Small Business, Entrepreneurship and Economic Development - On 1st reading, House Calendar 2/8/2016
- *2511. By Del. Walters, Howell, Ellington, Canterbury, Smith, R., Gearheart, Perry, Smith, P. and Ambler - **Health Care Sharing Ministries Freedom to Share Act** - Introduced 1/13/2016 - To Health and Human Resources then Judiciary - To House Judiciary 1/15/2016 - On 3rd reading, House Calendar 2/8/2016
- 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 - Passed Senate 2/4/2016
- *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 - Amended - On 3rd reading 2/6/2016
- *4145. By Del. Blair, Azinger, Butler, Cadle, Eldridge, Householder, Marcum, Overington, Phillips, Sobonya and Upson - **Relating to carry or use of a handgun or deadly weapon** - Introduced 1/19/2016 - To Judiciary - To House Judiciary 1/19/2016 - Amendments pending - On 3rd reading, House Calendar 2/8/2016

- *4163. By Del. Howell, Arvon, Moffatt, Westfall, McCuskey, Miller, Cadle, Walters, Zatezalo, Kelly and Ellington - **Providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes** - Introduced 1/20/2016 - To Political Subdivisions then Judiciary - To House Political Subdivisions 1/20/2016 - To House Judiciary 1/27/2016 - On 3rd reading, House Calendar 2/8/2016
- *4186. By Del. Cadle, Cooper, Foster, Ambler, Howell, Butler, Householder, Moffatt, Smith, R., Westfall and Hamrick - **Relating to additional duties of the Public Service Commission** - Introduced 1/20/2016 - To Government Organization - To House Government Organization 1/20/2016 - On 2nd reading, House Calendar 2/8/2016
- *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 - Passed House 2/5/2016
- *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 - Passed House 2/5/2016
4265. By Del. Walters, Frich, Canterbury, McCuskey, Hanshaw, Skinner, Marcum and Perry - **Relating to payment by the West Virginia Municipal Bond Commission or state sinking fund commission or the governing body issuing the bonds** (original similar to SB340) - Introduced 1/25/2016 - To Banking and Insurance then Finance - To House Finance 2/5/2016
- *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 - Passed House 2/4/2016 - To Senate 2/5/2016 - To Government Organization
- *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 - Passed House 2/4/2016 - To Senate 2/5/2016 - To Government Organization
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 - To House Judiciary 2/5/2016
4393. By Del. Shott (Originating in House Judiciary) - **Relating to enhanced penalties for use of a firearm during commission of a felony** - Introduced 2/3/2016 - On 3rd reading, House Calendar 2/8/2016

BILLS INTRODUCED AND REFERRED

Friday, February 05, 2016

4407. By Del. Hamrick, Trecost, Cadle, Westfall, Phillips, Waxman, Ihle, Nelson, J., Kessinger, Arvon and Storch - **Allowing certain officers to bring firearms into the legislative chambers if they have a concealed weapons permit** - Introduced 2/5/2016 - To Veterans' Affairs and Homeland Security then Judiciary
4408. By Del. Westfall, McCuskey and Hamrick - **Prohibiting certain civil actions against company adjusters** (original similar to HB4286) - Introduced 2/5/2016 - To Banking and Insurance then Judiciary
4409. By Del. Campbell, Perdue, Perry, Summers, Ellington, Fleischauer, Bates, Hartman, Rowan, Wagner and Rohrbach - **Requiring in-service training programs in the use of the Heimlich maneuver and response to choking emergencies for all school personnel in pre-kindergarten, kindergarten and elementary schools** - Introduced 2/5/2016 - To Health and Human Resources then Education
4410. By Del. Upton, Blair and Householder - **Establishing an arborists program for inmates** - Introduced 2/5/2016 - To Agriculture and Natural Resources then Judiciary
4411. By Del. Smith, R., Nelson, J., Evans, D., Rohrbach, Anderson, Hamrick, Ihle, Wagner and Stansbury - **Relating to penalty for illegally taking native brook trout** - Introduced 2/5/2016 - To Agriculture and Natural Resources then Judiciary
4412. By Del. Perdue, Shaffer, Perry, Pushkin, Guthrie, Campbell, Longstreth, Hicks, Fleischauer, Lynch and Bates - **Assessing the health impact of any new, or modification to, rule proposed by the Secretary of the Department of Environmental Protection** - Introduced 2/5/2016 - To Health and Human Resources then Judiciary
4413. By Del. Caputo, Longstreth, Manchin, Perry, Boggs, Byrd, Lynch, Perdue, Romine, Rowan and Evans, A. - **Relating to the use of drone surveillance of private citizens** - Introduced 2/5/2016 - To Judiciary
4414. By Del. Faircloth - **Requiring disclosure of accounts by members of the Board of Public Works to the Legislature** - Introduced 2/5/2016 - To Finance
4415. By Del. Nelson, J., Moffatt, Smith, R., Phillips, Wagner, Ihle, McGeehan, Folk, Faircloth, Marcum and Lane - **Offsetting the shortfall of PEIA by reducing the compensation of all elected state officials and members of the state Board of Education** - Introduced 2/5/2016 - To Finance
4416. By Del. Cooper, Ambler, Evans, D. and O'Neal - **Expanding the authority of motor carrier inspectors** - Introduced 2/5/2016 - To Judiciary
4417. By Del. Shott, Hanshaw, Rowe, Marcum, Shaffer, Manchin, Summers, Kessinger, Ireland and Skinner - **Increasing wages protected from garnishment** - Introduced 2/5/2016 - To Judiciary

4418. By Del. Duke - **Requiring funding by the West Virginia Library Commission to local libraries be based on the population served by each respective library** - Introduced 2/5/2016 - To Political Subdivisions then Finance
4419. By Del. Skinner, Eldridge, Manchin, Campbell, Perry and Bates - **Exempting any veteran's primary residence from real property tax** - Introduced 2/5/2016 - To Veterans' Affairs and Homeland Security then Finance
4420. By Del. Skinner, Eldridge, Perdue, Bates and Manchin - **Requiring the listing of the ingredients contained in vapor products** - Introduced 2/5/2016 - To Health and Human Resources then Judiciary
4421. By Del. Skinner - **Providing tax breaks for employers assisting employees paying student loans** - Introduced 2/5/2016 - To Education then Finance
4422. By Del. Skinner - **Internet Service Provider Accountability Act** - Introduced 2/5/2016 - To Judiciary
4423. By Del. Skinner - **Requiring various professionals who provide mental health-related services complete a minimum number of fifteen contact hours of course work in suicide assessment, treatment and management before that person may be issued a license** - Introduced 2/5/2016 - To Health and Human Resources then Judiciary
4424. By Del. Weld, Eldridge, Ferro, Kessinger and Storch - **Eliminating the need for law enforcement to obtain a court order prior to having access to inmate mail and phone recordings** (original similar to SB262) - Introduced 2/5/2016 - To Judiciary
4425. By Del. Walters - **Modifying the definition of "accrued benefit" by increasing the retirement benefit multiplier for certain EMSRS members** - Introduced 2/5/2016 - To Pensions and Retirement then Finance
4426. By Del. Ireland, Anderson, Zatezalo, Evans, D., Canterbury, Smith, R. and Statler - **Horizontal Well Unitization and Landowner Protection Act of 2016** - Introduced 2/5/2016 - To Energy

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
38. By Del. Bates - **Term Limits for Senators and Delegates in the West Virginia Legislature** - Introduced 2/3/2016 - To Judiciary
39. By Del. Bates, Lane and Pushkin - **State Apportionment Commission** - Introduced 2/3/2016 - 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, Moyer, 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
33. By Del. Hamrick - **U.S. Army Air Force S/SGT Harold 'Dean' Baker Memorial Bridge** - Introduced 2/5/2016 - To Roads and Transportation then Rules
34. By Del. Miller - **U.S. Marine Corps PFC Billy Joe Vickers Memorial Bridge** - Introduced 2/5/2016 - To Roads and Transportation then Rules
35. By Del. Perdue, Marcum, Hicks, Rodighiero, Reynolds and Rohrbach - **U.S. Army PVT Charles E. Ellis and U.S. Army PVT Ira V. Ellis Memorial Bridge** - Introduced 2/5/2016 - 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, Pethtel, 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 - Amended - Passed Senate with amended title 2/4/2016
- *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 - Passed Senate 2/4/2016
- *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 - Amended - On 3rd reading 2/6/2016
- *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, 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 - To Senate 2/3/2016 - To Education
- *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
- 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 - Passed House 2/3/2016 - To Senate 2/4/2016 - To Health and Human Resources
- *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 - Passed House 2/5/2016

- *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 - Passed House 2/5/2016
- *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 - Passed House 2/4/2016 - To Senate 2/5/2016 - To Government Organization
- *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 - Passed House 2/4/2016 - To Senate 2/5/2016 - 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 - Amended - Passed House 2/4/2016 - Title amended - Senate concurred in House amendments and passed bill 2/5/2016
- *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
- 29. By Sen. Palumbo - **Tolling statute of limitations in certain cases** - Introduced 1/13/2016 - To Judiciary - Passed Senate 2/5/2016
- 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 - Amended - Passed House 2/5/2016 - Title amended - Effective from passage
- *40. By Sen. Stollings - **Changing definition of facilities eligible for funding assistance from Courthouse Facilities Improvement Authority** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 2/1/2016 - Passed Senate 2/4/2016 - Effective from passage - To House 2/5/2016 - To Judiciary then Finance
- *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
- *109. By Sen. Trump - **Repealing code provisions related to certain reports by trustees for property** - Introduced 1/13/2016 - To Banking and Insurance then Judiciary - Com. sub. reported 1/27/2016 - To Judiciary 1/27/2016 - Amended - Passed Senate with amended title 2/4/2016 - To House 2/5/2016 - To Banking and Insurance then Judiciary
123. By Sen. Stollings - **Treatment for sexually transmitted diseases** - Introduced 1/13/2016 - To Health and Human Resources then Judiciary - 2nd reference dispensed - Passed Senate 2/3/2016 - To House 2/4/2016 - To Health and Human Resources
- *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
- *159. By Sen. Maynard - **Authorizing promulgation of legislative rules by miscellaneous boards and commissions** (original similar to HB4096) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 2/2/2016 - Passed Senate 2/5/2016 - Effective from passage
- *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
- *254. By Sen. Trump - **Not allowing county park commissions to prohibit firearms in facilities** - Introduced 1/13/2016 - To Government Organization then Judiciary - Com. sub. reported 1/29/2016 - 2nd reference dispensed - Passed Senate 2/3/2016 - Effective from passage - To House * 2/4/2016 - To House Judiciary 2/4/2016
261. By Sen. Blair - **Bringing state code relating to daylight saving time in conformity with federal code** - Introduced 1/13/2016 - To Government Organization - Passed Senate 2/3/2016 - To House 2/4/2016 - To Government Organization
- *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
- *265. By Sen. Blair and Snyder - **Allowing library volunteers necessary access to user records** - Introduced 1/13/2016 - To Government Organization then Judiciary - To Judiciary 1/15/2016 - Com. sub. reported 2/2/2016 - Amended - Passed Senate 2/5/2016
- *268. By Sen. Blair - **Abolishing Council of Finance and Administration** - Introduced 1/13/2016 - To Government Organization - Com. sub. reported 1/29/2016 - Passed Senate 2/3/2016 - To House 2/4/2016 - To Government Organization then Finance
- *270. By Sen. Gaunch - **Repealing code relating to insurance policies** - Introduced 1/14/2016 - To Banking and Insurance then Judiciary - To Judiciary 1/26/2016 - Com. sub. reported 2/2/2016 - Passed Senate 2/5/2016
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 - To House 2/3/2016 - To Judiciary
- *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

306. By Sen. Blair - **Permitting sale of county or district property online** - Introduced 1/15/2016 - To Government Organization - Passed Senate 2/3/2016 - To House 2/4/2016 - To Political Subdivisions then Government Organization
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 - To House Finance 2/5/2016
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
- *330. By Sen. Gaunch and Boso - **Requiring automobile liability insurers provide 10 days' notice of intent to cancel due to nonpayment of premium** - Introduced 1/20/2016 - To Banking and Insurance then Judiciary - Com. sub. reported 2/2/2016 - 2nd reference dispensed - Passed Senate 2/5/2016
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 - To House 2/3/2016 - To Agriculture and Natural Resources then Judiciary
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 - To House 2/3/2016 - To Agriculture and Natural Resources then Government Organization
336. By Sen. Karnes and Leonhardt - **Relating to crossbow hunting** - Introduced 1/20/2016 - To Natural Resources - Passed Senate 2/2/2016 - To House 2/3/2016 - To Agriculture and Natural Resources then Judiciary
- *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 - On 3rd reading, House Calendar 2/8/2016

- *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 - To House 2/3/2016 - To Judiciary
- 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 - On 3rd reading, House Calendar 2/8/2016
- 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 - On 3rd reading, House Calendar 2/8/2016
- 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 - To Governor 2/4/16 - Approved by Governor 2/4/16
- *369. By Sen. Sypolt, Boso, Plymale, Prezioso and Williams - **Reducing legislative education reporting requirements** - Introduced 1/21/2016 - To Education - Com. sub. reported 1/29/2016 - Passed Senate 2/3/2016 - To House 2/4/2016 - To Education
- 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
- 385. By Sen. Trump - **Allowing defendants 180 days to identify nonparties wholly or partially at fault in civil actions** - Introduced 1/25/2016 - To Judiciary - Passed Senate 2/5/2016
- *387. By Sen. Karnes - **Shared animal ownership agreements to consume raw milk** - Introduced 1/25/2016 - To Agriculture and Rural Development then Judiciary - Com. sub. reported 1/27/2016 - To Judiciary 2/2/2016 - Com. sub. for com. sub. reported 2/2/2016 - Passed Senate 2/5/2016
- 415. By Sen. Ashley - **Lengthening maximum term of negotiable certificates of deposit municipal funds can hold** - Introduced 1/28/2016 - To Banking and Insurance - Passed Senate 2/5/2016

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
5. By Sen. Beach, Facemire, Kessler, Kirkendoll, Miller, Palumbo, Plymale, Prezioso, Romano, Snyder, Stollings, Unger, Williams, Woelfel, Yost, Laird, Leonhardt and Gaunch - **Coach Bill Stewart Exit** - Introduced 1/19/2016 - To Transportation and Infrastructure - Adopted by Senate 2/4/2016 - To House 2/5/2016 - To Rules - To House Rules 2/5/2016
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 - To House 2/3/2016 - To Rules - To House Rules 2/3/2016

HOUSE BILLS PASSED LEGISLATURE

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) - Passed 2/4/2016

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

1. By Sen. Cole (Mr. President), Blair, Boso, Ferns, Gaunch, Trump, Carmichael, Sypolt and Takubo - **Establishing WV Workplace Freedom Act** (original similar to HB4006) - Passed 2/5/2016
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 - To Governor 2/4/16 - Approved by Governor 2/4/16

HOUSE CALENDAR

Monday, February 8, 2016

27th Day

11:00 A. M.

THIRD READING

- Com. Sub. for S. B. 342 - Decreasing appropriations from State Fund, General Revenue, to DHHR, Division of Human Services and Bureau of Senior Services (E. NELSON) (EFFECTIVE FROM PASSAGE)
- S. B. 357 - Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services, Lottery Senior Citizens Fund (E. NELSON) (EFFECTIVE FROM PASSAGE)
- S. B. 360 - Supplemental appropriation to Division of Human Services (E. NELSON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2366 - Relating generally to the solicitation of minors (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2511 - Health Care Sharing Ministries Freedom to Share Act (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4145 - Relating to carry or use of a handgun or deadly weapon (SHOTT) (REGULAR) [AMENDMENTS PENDING]
- Com. Sub. for H. B. 4163 - Providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes (SHOTT) (REGULAR)
- H. B. 4393 - Relating to enhanced penalties for use of a firearm during commission of a felony (SHOTT) (REGULAR)

SECOND READING

- Com. Sub. for H. B. 4186 - Relating to additional duties of the Public Service Commission (HOWELL) (EFFECTIVE FROM PASSAGE)

FIRST READING

- Com. Sub. for H. B. 2444 - Providing for the assignment of economic development office representatives to serve as Small Business Allies as facilitators to assist small business entities and individuals (MILLER) (REGULAR)

WEST VIRGINIA HOUSE OF DELEGATES

MONDAY, FEBRUARY 8, 2016

HOUSE CONVENES AT 11:00 A. M.

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

**EDUCATION SUBCOMMITTEE ON THE SCHOOL CALENDAR
9:00 A.M. – 434M**

**COMMITTEE ON ROADS & TRANSPORTATION
1:00 P.M. – 215E**

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

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

**COMMITTEE ON GOVERNMENT ORGANIZATION
3:00 P.M. – 215E**

TUESDAY, FEBRUARY 9, 2016

**PUBLIC HEARING – COMMITTEE ON HEALTH & HUMAN RESOURCES
12:00 P.M. HOUSE CHAMBER**

**H. B. 4352, RELATING TO THE SELLING OF CERTAIN STATE OWNED HEALTH CARE FACILITIES
BY THE SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

PUBLIC HEARING – COMMITTEE ON HEALTH & HUMAN RESOURCES
1:00 P.M. HOUSE CHAMBER
H. B. 4365, RELATING TO THE CERTIFICATE OF NEED PROCESS

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